



APPLICATION ACCEPTED: January 19, 2010
PLANNING COMMISSION: September 30, 2010
BOARD OF SUPERVISORS: not scheduled

County of Fairfax, Virginia

September 16, 2010

STAFF REPORT

APPLICATION RZ 2010-SU-002

SULLY DISTRICT

APPLICANT: Steven C. Bryant

PRESENT ZONING: I-3, WS, AN

REQUESTED ZONING: I-5

PARCEL(S): 33-2 ((2)) 13A and 34-1 ((2)) 13B

ACREAGE: 2.15 acres

FAR: 0.04

OPEN SPACE: 15.3%

PLAN MAP: Industrial

PROPOSAL: The applicant seeks to rezone 2.15 acres from I-3 to I-5 District to permit a contractor's office, a storage yard, impoundment facility, a recycling center, a lumber yard, a building material yard to include rock, sand and gravel, and new vehicle storage with an overall floor area ratio (FAR) of 0.04.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2010-SU-002, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

William O'Donnell

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



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

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

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application. For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

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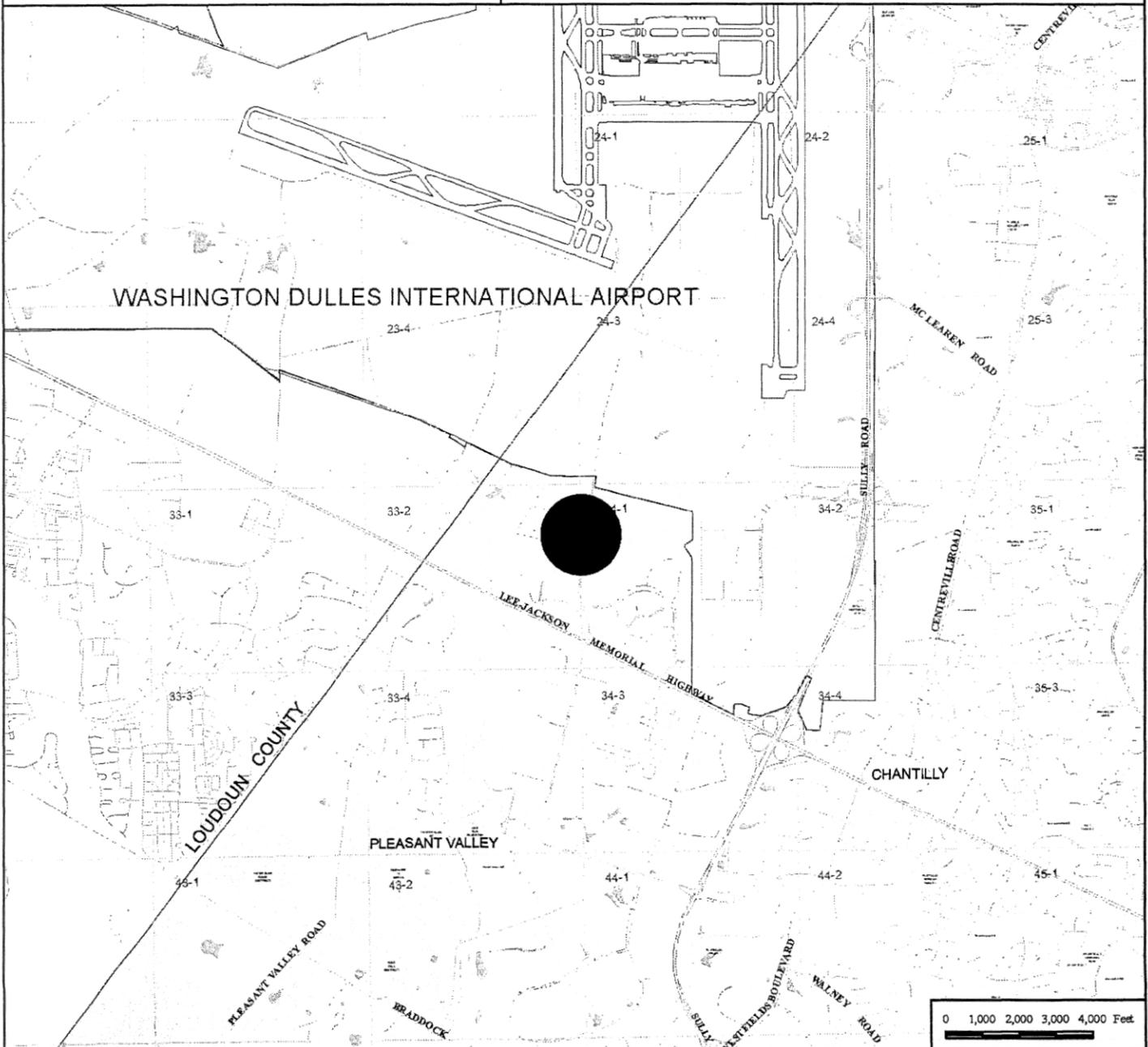
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Rezoning Application

RZ 2010-SU-002



Applicant: STEVEN C. BRYANT
Accepted: 01/19/2010
Proposed: INDUSTRIAL
Area: 2.15 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect: WEST SIDE OF STONECROFT BOULEVARD
Located: APPROXIMATELY 400 FEET NORTH OF ITS
INTERSECTION WITH MURDOCK STREET
Zoning: FROM I- 3 TO I- 5
Overlay Dist: WS AN
Map Ref Num: 033-2- /02/ /0013A 034-1- /02/ /0013B

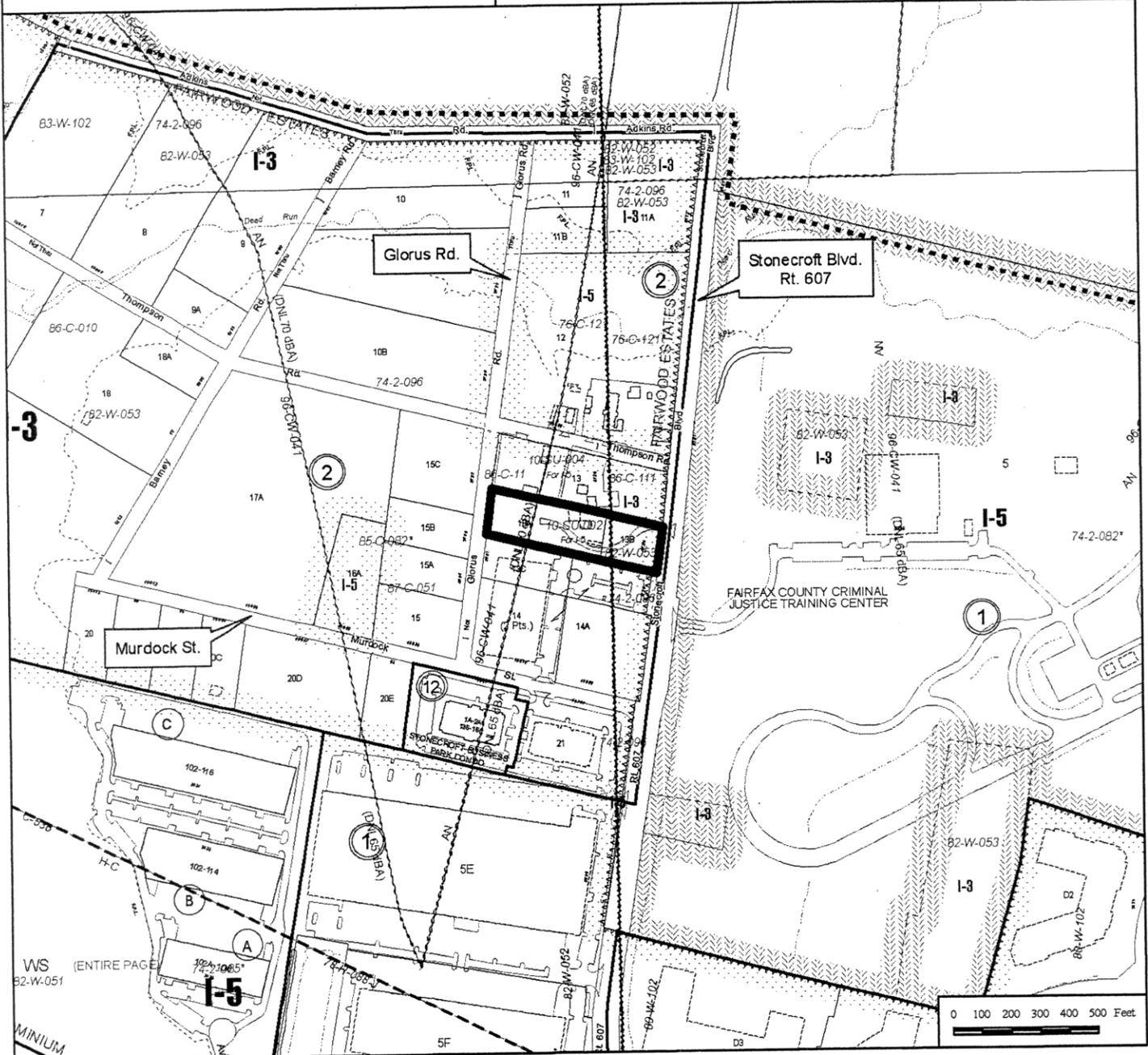


Rezoning Application

RZ 2010-SU-002



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 Overlay Dist: WS AN
 Map Ref Num: 033-2- /02/ /0013A 034-1- /02/ /0013B



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

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant, Steven C. Bryant, seeks to rezone the subject property from I-3, WS, AN to I-5, WS, AN Districts to permit a contractor's office, a storage yard, impoundment facility, a recycling center, new vehicle storage, a lumber yard, and a building material yard to include rock, sand and gravel on Tax Maps 33-2((2)) 13A and 34-1((2)) 13B, totaling 2.15 acres. The applicant currently operates a business consisting of a roll-off disposal service and recycling center operation, which is not compliant with the permitted uses in the I-3 District. A Court Order was issued on June 30, 2009, acknowledging the non-compliance and allowing a remedy through the Comprehensive Plan Amendment and Rezoning processes. A Plan Amendment was approved on July 13, 2009, permitting construction related and industrial uses up to 0.35 FAR and this rezoning application seeks to implement the Plan. The overall FAR on the subject property is proposed to be 0.04.

Copies of the proffers, affidavit, and statement of justification for these applications are contained in Appendices 1, 2 and 3 respectively.

Waivers & Modifications: No waivers or modifications were requested for the rezoning application. Notes 13 and 14 on the proposed General Development Plan indicate that the applicant will request waivers of frontage improvements (along Stonecroft Boulevard) and dustless surface during the site plan review process administered by the Department of Public Works and Environmental Services (DPWES).

LOCATION AND CHARACTER

Site Description:

The subject property is located on Tax Map 33-2 ((2)) 13A and 34-1 ((2)) 13B on the west side of Stonecroft Boulevard, approximately 200 feet south of Thompson Road. The site is currently developed with a small business consisting of a roll-off disposal service and recycling center operation. Roll-off containers are delivered to various sites and once filled, the containers are picked up and transported to appropriate land-fill/dump sites. A small office trailer and a 1-story garage are located in the center of the property and a fenced impound lot is located on the eastern portion of the lot which serves as a temporary motor vehicle impound lot. Site access is provided from one access point on Stonecroft Boulevard.

Surrounding Area Description

| Direction | Use | Zoning | Plan |
|-----------|---|--------|------------|
| North | Flex Industrial Space | I-3 | Industrial |
| South | Flex Industrial Space | I-3 | Industrial |
| East | Fairfax County Criminal Justice Training Center | I-5 | Industrial |
| West | Industrial/ Vacant | I-5 | Industrial |

BACKGROUND

- On July 26, 1982, the Board of Supervisors approved RZ 82-W-053 to comprehensively rezone approximately 1,640 acres of residentially zoned land within the Airport Noise Impact Overlay District (ANOID) to the I-3 District or less intense industrial district. This industrial zoning was approved to prevent noise incompatible residential development in the Dulles Airport Noise Impact Area. ***A list of the parcels included in this application is included in Appendix 4. The subject property in the current rezoning application was included in the list. No proffers or general development plan were provided.***
- On June 30, 2009, the Circuit Court of Fairfax County and Steven Bryant entered into agreement with Fairfax County acknowledging that the current use of the property was not compliant with the I-3 District and allowed a remedy provision through the Comprehensive Plan Amendment and Rezoning processes.
- On July 13, 2009, the Board of Supervisors approved APR 08-III-7DS which amended the Comprehensive Plan to allow industrial uses up to 0.35 FAR, provided that the uses are screened and that an environmental assessment is performed to mitigate any prior industrial contamination. ***The current rezoning application seeks to implement this Plan recommendation.***

COMPREHENSIVE PLAN PROVISIONS (See Appendix 5)

Plan Area: III
Planning Sector: Dulles Suburban Center, Land Unit F-1
Plan Map: Industrial

Plan Text:

In the Fairfax County Comprehensive Plan, 2007 Edition as amended through January 26, 2009, Area III, Dulles Suburban Center, Land Unit F-1, the Plan states:

“Land Use

Land Unit F-1 is planned for office and industrial/flex uses along Route 50 and industrial uses on the northern portion adjacent to the Dulles Airport, with the exception of Cub Run EQC which is planned for public park use as shown on the Plan Map.

- b. The northern portion, which is east of the EQC and includes properties fronting Murdock Street and areas to the north, are planned for construction related and industrial uses up to .35 FAR. Outdoor storage should be screened from public view. Development applications for new and expansion of existing uses should perform an environmental assessment to mitigate any prior industrial contamination.

Transportation

- 1) A commuter parking lot served by transit may be appropriate for this area.
- 2) If future studies determine that right-of-way is needed in Land Unit F-1 to facilitate development of an integrated transit system for the Dulles Suburban Center, then the needed right-of-way should be provided through dedication, easements or other mechanisms, as appropriate.”

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

Title of GDP: “Generalized Development Plan Bryant Property”

Prepared By: Rinker Design Associates, P.C.

Date: October 14, 2009 as revised through July 22, 2010

Description of the plan:

The proposed General Development Plan (GDP) consists of 1 sheet containing the following information.

Layout: The site includes two contiguous tax map parcels (Tax Map 33-2 ((2)) 13A and 34-1 ((2)) 13B), that currently share access from Stonecroft Boulevard. The applicant has proposed to provide an asphalt driveway from Stonecroft Boulevard that leads to a parking area in front of a 1,425 gross square foot office trailer with a 1-story garage located in the center of the subject property on Parcel 13A. The driveway would also lead to a small parking area in front of a fenced impound lot located on the eastern portion of the lot which serves as a temporary motor vehicle impound lot. A 200 square foot office trailer is located to the southeast of the parking area in the vehicle impound lot. A 25,855 square foot storage yard used to store roll-off containers is located on the western portion of the site. The overall FAR on the subject property is proposed to be 0.04. **Notwithstanding the GDP tabulations showing that the I-5 District allows a 0.50 FAR, the applicant has proffered to the GDP which depicts a maximum FAR of 0.04. In the absence of a proffer to the contrary, staff feels that the maximum FAR on the site is 0.04.**

Uses: Under the draft proffers, the subject property could only be developed with one or more of the following uses:

- Contractor's Office
- Storage Yard
- Impound Facility
- Recycling Center
- New Vehicle Storage
- Lumber Yard and Building Material Yard to include Rock, Sand and Gravel

Access: One access point is provided from Stonecroft Boulevard. The applicant has proffered to provided inter-parcel access between Tax Map 33-2 ((2)) 13A and 34-1 ((2)) 13B with an ingress-egress easement to be recorded in a form approved by the Fairfax County Attorney's Office. No other changes are proposed.

Parking: The Zoning Ordinance requires one (1) space per one (1) employee on major shift, plus one (1) space per company vehicle and piece of mobile equipment. The applicant has provided 7 parking spaces. The applicant has also proffered to comply with the Zoning Ordinance and to provide a parking tabulation ensuring compliance at the time of Site Plan Review.

Right-of-Way Dedication: The applicant has proffered to provide right-of-way along Stonecroft Boulevard as shown on the GDP.

Landscaping & Open Space: A minimum of 15% open space is required for the site; 15.3% open space is proposed. In addition, the applicant has proposed to plant a mix of deciduous and evergreen trees around the perimeter of the site. The GDP shows 10 percent tree coverage on the site. The accuracy of the

applicant's tree coverage calculations is subject to Urban Forest Management approval and will be determined during Site Plan Review.

Stormwater Management: The applicant proposes to use the existing stormwater management/best management practices (SWM/BMP) facility (Regional Wet Pond WP0155) located to the southwest of the subject property within the Chantilly Distribution Center Development on Tax Map 33-2 ((1)) 5E and 5F. According to the SWM and BMP narratives, the regional wet pond was designed to provide SWM/BMP for 69 acres, which includes the subject property. In addition, the wet pond would also provide 50 percent phosphorus removal for the overall development. The applicant has proffered to demonstrate adequate stormwater management as determined by DPWES at the time of site plan review.

Land Use (Appendix 5)

The applicant, Steven C. Bryant, is requesting a rezoning of the property from the I-3 zoning district to the I-5 zoning district in order to bring the subject property into compliance with Zoning Ordinance standards. The proposed use would continue as an operating facility for roll-off dumpsters, which are distributed to various businesses throughout the region; storage and impoundment yards; and a recycling center. The existing structures, outdoor storage and parking areas would remain largely as they are today with minor modifications.

The applicant's request to develop consistent with Option "B" of the recently adopted Plan text relies largely upon compliance with measures requiring adequate screening of the use from surrounding uses and providing an environmental assessment of the site prior to the establishment of the new use. The applicant has agreed to provide additional screening on-site to help screen the proposed outdoor storage areas from adjacent properties and has also submitted a Phase I Environmental Site Assessment (ESA) consistent with the recommendations of the Plan. The existing and planned surrounding uses are industrial in nature. Staff feels that the proposed development is consistent with the recommendations of the Comprehensive Plan. No significant land use issues were identified.

Environmental Analysis (Appendix 5)

Water Quality

Issue:

The applicant was asked to provide a Phase I Environmental Site Assessment (ESA) in order to evaluate any possible soil and groundwater contamination which may have resulted from the long-standing industrial uses at this location.

Resolution:

The applicant has provided an ESA which noted no on-site contamination of either soils or groundwater. Staff feels that the information provided adequately addresses staff concerns.

Urban Forest Management

The Urban Forest Management Branch (UFM) of DPWES reviewed the development plan and indicated that there were no significant issues. The applicant has proposed to plant a mix of deciduous and evergreen trees around the perimeter of the site and the GDP meets the tree coverage requirement of 10 percent. Staff has encouraged the applicant to commit to plant at least three different species of evergreens and deciduous trees to provide diversification that would allow one species to survive in case a pestilence kills another tree species. UFM will determine the species types during site plan review.

Transportation Analysis (Appendix 6)

The Fairfax County Department of Transportation (FCDOT) reviewed the application and identified the following concerns.

- 1) Dedication of Right-of-Way should be provided along Stonecroft Boulevard for future road improvements;
- 2) Dedication of inter-parcel access through ingress/egress should be provided between Tax Map 33-2((2)) 13A and 34-1((2)) 13B;
- 3) Construction of frontage improvements along Stonecroft Boulevard should be provided and will be required at site plan review. FCDOT also indicated that they would support an escrow in lieu of construction at this time.

The applicant addressed the first two concerns noted above with proffers, which include commitments to 1) dedicate right of way along Stonecroft Boulevard as shown on the GDP, and 2) demonstrate the provision of inter-parcel access between Tax Map 33-2 ((2)) 13A and 34-1 ((2)) 13B, with a recorded ingress-egress easement in a form as reviewed and approved by the Fairfax County Attorney's Office. Staff feels that these proffers address those concerns.

To address the third concern, staff requested that the applicant either proffer to construct frontage improvements or escrow with DPWES the cost of constructing frontage improvements for their half section of Stonecroft Boulevard, unless waived at the time of site plan review. However, the applicant declined to provide either proffer commitment during the rezoning process and believes that this issue would be best left for final determination at site plan review. The applicant intends to apply for a waiver of frontage improvements during site plan review and has provided a justification (included in Appendix 3). A final determination on the waiver request will be made at site plan review.

Public Facilities Analysis*Fairfax County Park Authority (Appendix 7)*

No significant park issues were identified.

Stormwater Analysis (Appendix 8)

The Department of Public Works and Environmental Services (DPWES) reviewed the application and indicated that there is no Resource Protection Area (RPA) or regulated floodplain on the subject property. In addition, staff indicated that a PFM modification to use an existing off-site wet pond for stormwater management on the site would likely be approved during site plan review, provided that the documentation is provided indicating that the current pond's operator will allow the development to use the pond as its detention facility. The applicant has proffered to demonstrate adequate stormwater management (which will require permission to use the pond) as determined by DPWES at the time of site plan review.

Fairfax County Water Authority (Appendix 9)

The Fairfax County Water Authority has reviewed this application and has indicated that adequate domestic water service is available at the site from an existing 12-inch located at the property. No issues from the proposed development were identified.

Fire and Rescue Analysis (Appendix 10)

The application property is serviced by the Fairfax County Fire and Rescue Department Station 415, Chantilly. According to current fire protection guidelines, the subject property is 3/10 of a mile outside of the protection guidelines; no new facility is planned for the Chantilly Area.

Sanitary Sewer Analysis (Appendix 11)

The application property is located within the Upper Cub Run (T-1) Watershed, and would be sewered into the UOSA Treatment Plant. There is an existing 8-inch line located on the property, which is deemed adequate for the proposed use at this time.

ZONING ORDINANCE PROVISIONS (Appendix 12)

In order to rezone the subject property from the I-3, AN, WS to the I-5, WS, AN Districts to permit industrial uses consisting of contractor's office, storage yard, impoundment facility, recycling center, lumber yard, new vehicle storage and

building material yard to include rock, sand and gravel, the request must fulfill all applicable provisions of the Zoning Ordinance.

The following chart depicts how the subject 2.15-acre site meets the I-5 District zoning requirements:

| Standard | Required (I-5) | Provided |
|-----------------|---|--|
| Lot Size | 20,000 square feet | 93,524 square feet (2.15 acres) |
| Lot Width | 100 feet | 155 feet (Stonecroft Blvd.) 155 feet Glorius Road |
| Building Height | 75 feet maximum | 45 feet |
| Front Yard | 45 feet (based on an angle of bulk plane of 45 degrees for a 45-foot tall building) | ±63 feet from Stonecroft Blvd. >260 feet from Glorius Rd. |
| FAR | 0.50 | 0.04 |
| Open Space | 15% | 15.3% |
| Parking Spaces | One space per employee plus one space per company vehicle or equipment | 7* |

**Proffer 7 indicates that the Parking spaces shall meet the provisions of Article 11 of the Zoning Ordinance and the geometric design standards in the Public Facilities Manual, as determined by DPWES. The applicant also proffered to provide a parking tabulation which demonstrates that parking requirements will be met to DPWES prior to site plan approval.*

As shown in the table above, the proposal conforms to all of the minimum bulk regulations for the I-5 District.

Transitional Screening and Barrier Requirements:

No transitional screening or barriers are required.

Overlay District Requirements

Water Supply Protection (WSPOD)

The subject property is located within the Water Supply Protection Overlay District. The applicant proposes to use the existing stormwater management/best management practices (SWM/BMP) facility (Regional Wet Pond WP0155) located to the southwest of the subject property within the Chantilly Distribution Center Development on Tax Map 33-2 ((1)) 5E and 5F. According to the SWM and BMP narratives, the regional wet pond was designed to provide SWM/BMP for 69 acres, which includes the subject property. In addition, the wet pond would also provide 50 percent phosphorus

removal for the overall development. The applicant has proffered to demonstrate adequate stormwater management as determined by DPWES at the time of site plan review, which will require the applicant to demonstrate permission to use the pond.

Waiver and Modifications

As previously discussed, no waivers or modifications were requested for the rezoning application. Notes 13 and 14 on the proposed General Development Plan indicate that the applicant will request waivers of frontage improvements along Stonecroft Boulevard and the dustless surface requirements during site plan review.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The application seeks to rezone the subject property from the I-3, AN, WS to the I-5, WS, AN Districts to permit industrial uses consisting of contractor's office, storage yard, impoundment facility, recycling center, lumber yard, new vehicle storage, and building material yard to include rock, sand and gravel on Tax Maps 33-2 ((2)) 13A and 34-1 ((2)) 13B, totaling 2.15 acres. The overall FAR on the subject property is proposed to be 0.04. Staff believes that the proposal is conformance with the Comprehensive Plan, and with all applicable Zoning Ordinance provisions as proffered.

Staff Recommendations

Staff recommends approval of RZ 2010-SU-002, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

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

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

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Proffers
2. Affidavit
3. Statement of Justification
4. Parcels included in RZ 82-W-053
5. Comprehensive Plan Land Use Analysis & Environmental Assessment
6. Transportation Analysis
7. Fairfax County Park Authority
8. Stormwater Management Analysis
9. Fairfax County Water Authority
10. Fire and Rescue
11. Sanitary Sewer Analysis
12. Zoning Ordinance Provisions
13. Glossary

PROFFERS
FOR
REZONING APPLICATION

Steven C. Bryant – Properties located at 3724 Stonecroft Blvd, and 3727 Glorus Rd
Tax Map Nos. 033-2-02-0013A and 034-1-02-0013B

#RZ 2010-SU-002

August 23, 2010

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Steven C. Bryant (hereinafter referred to as the “Applicant” or “Mr. Bryant”) for himself, the owners, and successors and assigns, in RZ 2010-SU-002, file on property identified as tax map 033-2-02-0013A and 034-1-02-0013B (hereinafter jointly referred to as the “Application Property”), hereby proffers that the development of the Application Property shall be in accordance with the following proffers, provided that the Board of Supervisors approves RZ 2010-SU-002.

1. GENERAL

Subject to the provisions of Section 18-204 of the Fairfax County zoning ordinance (the “Zoning Ordinance”), development of the Application Property shall be in substantial conformance with the Generalized Development Plan (“GDP”) prepared by Jack E. Rinker dated October 14, 2009, and revised through July 22, 2010. Minor modifications to the GDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor modifications in accordance with the Zoning Ordinance only as determined by the Zoning Administrator to modify the layout shown on the GDP at time of site plan based on final design, provided that there is no decrease in the amount and location of open space, landscaping, or distances to peripheral lot lines as dimensioned all in the GDP. The permitted uses under the General Industrial District (I-5) shall be limited to include the right to:

Operate a contractor’s office, storage yard, impound facility, recycling center, lumber yard and building material yard to include rock, sand and gravel, new vehicle storage.

2. ROAD DEDICATION:

At the time of the final record plat recordation of the Application Property or upon request, whichever first occurs, the Applicant shall dedicate Right-of-Way along Stonecroft Boulevard to the Board of Supervisors of Fairfax County Virginia for public street purposes in fee simple as shown on the GDP.

3. STREETScape/LANDSCAPING:

Site plan submissions shall include streetscape/landscape plans in substantial conformance with the GDP.

4. STORMWATER MANAGEMENT:

The Applicant shall demonstrate adequate stormwater management as determined by DPWES at the time of site plan review; if Applicant cannot demonstrate adequate stormwater management and any alternative solution is not in substantial conformance with the GDP, a Proffer Condition Amendment "(PCA)" may be required.

5. The Applicant shall demonstrate or provide an interparcel access between Tax Map 33-2((2)) 13A and 34-1((2)) 13B with a recorded ingress-egress easement in a form as reviewed and approved by the Fairfax County Attorney's Office. Additionally, said easement shall be wide enough to allow public ingress and egress, which shall be evaluated and determined by DPWES at time of site plan approval.

6. Parking spaces shall satisfy the provisions of Article 11 of the Zoning Ordinance and the geometric design standards in the Public Facilities Manual, as determined by DPWES; a parking tabulation which demonstrates that parking requirements are met shall be submitted to DPWES prior to site plan approval.

7. The Applicant shall demonstrate adequate turning radii along the access point from Stonecroft Boulevard as determined by VDOT prior to site plan approval. Any landscaping determined to impact the turning radii shall be replaced with an appropriate size or relocated elsewhere on the site with equal size and quality, as determined by UFM.

Steven C. Bryant, Owner
3724 Stonecroft Blvd, Tax Map No. 033-2-02-0013A,
3727 Glorus RD, Tax Map No. 034-1-02-0013B

REZONING AFFIDAVIT

DATE: March 8, 2010
 (enter date affidavit is notarized)

I, DAVID A. ROLL, 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 107285a

in Application No.(s): RZ 2010-SU-002
 (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) |
|--|---|--|
| STEVEN C. BRYANT | 3724 Stonecroft Blvd, Chantilly, VA 20151 | Applicant/ Title Owner |
| David A. Roll, P.C. | 4021 University Drive, Fairfax, VA 22030 | Attorney/Agent |
| Rinker Design Associates, P.C. | 9300 West Courthouse Rd, Ste 300, Manassas, VA 20110 | Agent |
| Jack E. Rinker | Same | Agent |
| Eileen T. Carroll | Same | Agent |

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

REZONING AFFIDAVIT

DATE: March 8, 2010
(enter date affidavit is notarized)

107 285 a

for Application No. (s): RZ 2010-SU-002
(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)

David A. Roll, P.C. 4021 University Drive, Suite 201, Fairfax,
VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

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

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

David A. Roll

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

David A. Roll, President, Secretary, Treasurer

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

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

Rezoning Attachment to Par. 1(b)

DATE: March 8, 2010
(enter date affidavit is notarized)

107285a

for Application No. (s): RZ-2010-SU-002
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Rinker Design Associates, P.C. 9300 West Courthouse Rd, Ste 300, Manassas, VA 20110

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)

Edward B. Snider, Jr., P.E.
Stephen M. Seay, L.S.
C. Mo Kim, P.E.
David S. Dwornik

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

REZONING AFFIDAVIT

DATE: March 8, 2010
(enter date affidavit is notarized)

107285a

for Application No. (s): RZ 2010-SU-002
(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)

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

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

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

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

REZONING AFFIDAVIT

DATE: March 8, 2010
(enter date affidavit is notarized)

107285 a

for Application No. (s): RZ 2010-SU-002
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

REZONING AFFIDAVIT

DATE: March 8, 2010
(enter date affidavit is notarized)

107285a

for Application No. (s): RZ 2010-SU-002
(enter County-assigned application number(s))

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)

[] Applicant

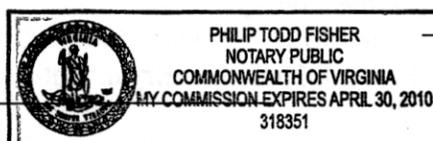
[x] Applicant's Authorized Agent

David A. Roll, Esq.

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

Subscribed and sworn to before me this 8th day of March, 2010, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires:



Philip Todd Fisher
Notary Public

RECEIVED
Department of Planning & Zoning
OCT 15 2009
Zoning Evaluation Division

STATEMENT OF JUSTIFICATION
FOR
REZONING APPLICATION

Steven C. Bryant – Properties located at 3724 Stonecroft Blvd, and 3727 Glorus Rd
Tax Map Nos. 033-2-02-0013A and 034-1-02-0013B

October 15, 2009

The following is the Statement of Justification on behalf of Steven C. Bryant (“Mr. Bryant”) for the rezoning from I-3 to I-5 of approximately 93,524 sq. ft of property identified among the Fairfax County tax map records as 033-2-02-0013A and 034-1-02-0013B (the “Subject Property”).

The Subject Property is located in Area III, Dulles Suburban Center, Land Unit F-1 fronting on the west side of Stonecroft Boulevard approximately 400 feet north of Murdock Street in the Sully Magisterial District and is within the Water Supply Protection Overlay District, the Airport Noise Impact District and the Rt 28 Transportation District.

The Subject Property has been operated as the business location for Bryant’s Container Service, Inc. since approximately June of 1985 when the property was acquired by Mr. Sherwood F. Bryant, Trustee, father of the current owner. Mr. Bryant has continued to operate Bryant’s Container Service, Inc. since taking over the business from his father in approximately 1997. Mr. Bryant acquired ownership of the property from his father in 2003.

Bryant’s Container Service, Inc. is a business consisting of a roll-off disposal service and recycling center operation where roll-off containers are delivered to various sites throughout the greater metropolitan area and, once filled, picked up and transported to appropriate land-fill/dump sites. Additionally, the recycling operation collects discarded metal appliances then selling to end users or re-sellers. The services provided by Bryant’s Container Services, Inc. are necessary in a growing metropolitan area and are well located at the Subject Property.

Additionally, Mr. Bryant has periodically leased out the front parcel for use as a temporary motor vehicle impound lot.

In early 2007, Mr. Bryant was first contacted by representatives of the Fairfax County Department of Zoning concerning the non-compliance of his use of the Subject Property pursuant to its current zoning classification of I-3. (Mr. Bryant’s situation was not unique as many of the parcels in Land Unit F-1 were similarly zoned I-3 but operating long time businesses that are only permitted under I-5.) Since that time Mr. Bryant has worked with representatives of the County to address the issues and concerns raised and to resolve the non-compliance. By Agreed Final Order entered by the Circuit Court of Fairfax County on June 30, 2009, Mr. Bryant entered into an

agreement with Fairfax County acknowledging the non-compliance but providing him with the opportunity to address those issues through this rezoning process. At the time of the Agreed Final Order efforts to amend the Comprehensive Plan were underway and given the advanced stage of that process indications were that there was a strong likelihood of success. Therefore, the agreement allowed Mr. Bryant to bring the property into compliance.

On July 13, 2009, the Board of Supervisors approved APR 08-III-7DS and adopted the following amended language to the Fairfax County Comprehensive Plan:

08-III-7DS

MODIFY: Fairfax County Comprehensive Plan, 2007 Edition, Area III, Dulles Suburban Center, as amended through 1-26-2009; Land Unit F-1, Land Use, recommendation #1, page 103:

Land Unit F-1 is planned for office and industrial/flex uses along Route 50 and industrial uses on the northern portion adjacent to the Dulles Airport, with the exception of Cub Run EQC which is planned for public park use as shown on the Plan Map.

a. The southern portion (along Route 50) is planned for high-quality campus-style office and industrial/flex use up to a maximum FAR of .35, consistent with the type and character of development established in adjoining units. Substantial setbacks, landscaping and screening should be provided along Route 50 and along Willard Road Stonecroft Boulevard for an attractive appearance. Direct access to Route 50 should be permitted from Parcel 33-2((1))2 which is constrained on its eastern side by an EQC which traverses the parcel from north to south. In addition to existing access points, one new access point could be permitted to the balance of the land unit provided it does not impact environmentally sensitive lands. Substantial consolidation of small parcels is recommended and should be carried out in a manner that ensures that unconsolidated parcels have adequate access and can be developed in accord with the Comprehensive Plan. Architecture should also function as an element of design integration and architectural sketches should be made available for the public review process.

b. The northern portion, which is east of the EQC and includes properties fronting Murdock Street and areas to the north, are planned for construction related and industrial uses up to .35 FAR. Outdoor storage should be screened from public view. Development applications for new and expansion of existing uses should perform an environmental assessment to mitigate any prior industrial contamination.”

PLAN MAP: The Comprehensive Plan map will not change.

The Subject Property is located east of the EQC and north of Murdock Street. Additionally, the business operation is primarily providing roll-off containers for disposal

of construction refuse. These two factors make the Subject Property a prime candidate for the rezoning contemplated by this Comprehensive Plan Amendment.

A review of the attached GDP shows that Mr. Bryant is addressing a number of concerns raised by the County with regard to the site. Mr. Bryant will bring his office trailer into ADA compliance and will obtain the necessary site plan approval and required Non-RUP. Mr. Bryant will provide/install additional landscaping and other screening of the Subject Property. Additionally, there will not be any additional traffic impact related to this rezoning as the use going forward is identical to the existing use of the property. Finally, the GDP provides that all structures will be in compliance with the required set-backs, requisite building height requirements and the .35 FAR restriction contemplated by the amendment.

Other considerations in support of this rezoning application include:

- i) that the area surrounding the Subject Property contains a significant number of properties that are zoned I-5 including the Police Training Center located directly across Stonecroft Blvd from the Subject Property in adjacent Land Unit F-3;
- ii) that there is a very small likelihood that there will be any residential development in the area in close proximity to the Subject Property given the issues related to the airport noise impacts from air traffic associated with Dulles International Airport directly north of and adjacent to Land Unit F-1; and,
- iii) that the use of the Subject Property is not changing but is a long time use that has co-existed with its neighboring properties and will not add any additional impact to the traffic or noise within this area.

In conclusion, based upon the approval of APR 08-III-7DS and the adoption of the amendment to the Comprehensive Plan by the Board of Supervisors, the rezoning of the Subject Property to I-5 will be in compliance with the Comprehensive Plan and will be in the spirit of the Zoning Ordinance. Further, the rezoning of the Subject Property will allow the property owner to continue to operate his business providing an important and necessary service to the community. Therefore, Applicant respectfully requests the approval of this application for rezoning.

Applicant:


Steven C. Bryant 10-15-09
Date

DAVID A. ROLL, P.C.

4021 University Drive, Suite 201
Fairfax, Virginia 22030
P (703) 934-4084
F (703) 934-4086
Email: dave@daveroll.com

RECEIVED
Department of Planning & Zoning

AUG 12 2010

Zoning Evaluation Division

August 11, 2010

Via E-Mail to:

William.O 'Donnell@fairfaxcounty.gov

William J. O'Donnell, Jr., AICP
Planner III Rezoning Evaluation Branch
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035-5505

RE: Steven C. Bryant Property
Fairfax County Tax Map 33-2((2)) Parcel 13A and 13B
Roadway Frontage Improvements Waiver Request
RZ 2010-SU-002

Dear Mr. O'Donnell:

This letter follows our recent discussions regarding your request that my client, Steven C. Bryant, provide a proffer related to our request for a waiver of the Roadway Improvement Requirements [PFM 7-0404.13 and 7-0404.14] for this site. You indicated that based on your discussions with representatives at DPWES and Supervisor Frey's office that you believe the granting of this waiver is unlikely. Additionally, you indicated that the requested proffer is meant to require the posting of funds into escrow for the future construction of the required road front improvements, regardless of how far into the future that could possibly occur.

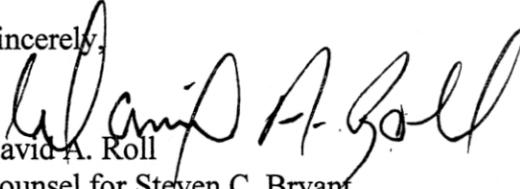
Be advised that we believe that this is an issue that is best left for final determination at the site plan review stage of the process and that a proffer of this nature is unnecessary. Further, we believe that the waiver should be granted for the following reasons:

1. Currently, Stonecroft Blvd. has a 25 foot paved section, with a 12 foot to 15 foot gravel shoulder along the western side of the roadway and abutting the subject property. The 25 foot pavement section provides a sufficient width for two 12 foot travel lanes. The primary highways in the vicinity of this area are Route 50 (Lee Jackson Memorial Highway) and Route 28 (Sully Road). These two roadways are located to the south and east, respectively. The Stonecroft Blvd, public right of way terminates at the perimeter of Dulles Airport. This secured secondary entrance to the airport is monitored by MWAA and does not allow through traffic.

2. The construction of roadway improvements would be primarily for the benefit of Dulles Airport, and the undeveloped properties to the west of the site, any future improvements for the benefit of Dulles Airport should be at the cost of the MWAA.
3. There is no residential, retail or commercial uses in the area, except the Hoop Magic facility to the south of this property, therefore, there is no foot traffic in the area that requires installation of sidewalks on both sides of the street. All the Hoop Magic traffic is directed south toward Route 50 and not north toward this property. Sidewalks have already been installed on the eastern side of Stonecroft Blvd.
4. There have been no installation of road front improvements on Stonecroft Blvd north of the Stonecroft Blvd/Murdock Road intersection and VDOT will not accept a half section or a portion of roadway improvement as would be required by implementation of these roadway improvements as part of this rezoning application.
5. This facility has been in operation since the early 1980s. No additional floor area or site improvements are proposed at this time. Due to the nature of the use and size of this company, the property does not contribute a significant amount of traffic to the surrounding roadways. The existing level of service of Stonecroft Blvd. will not be affected.
6. The roadway improvements to the surrounding roads would be a disproportionate costs to the owner. The cost for any improvements required are disproportional to the traffic created by this Applicant and should be shared by surrounding property owners that would use the surrounding streets. Such improvements should not be required of an applicant who is not redeveloping or expanding the existing facility.
7. Upon information and belief, there is no current plan by VDOT or FCDOT to expand Stonecroft Blvd. north of Murdock St., beyond the current two lanes of travel. The Applicant's property lies to the north of the intersection of Murdock St. and Stonecroft Blvd.

Should you have any questions or require any additional information, please feel free to call me directly at (703) 934-4084.

Sincerely,


David A. Roll
Counsel for Steven C. Bryant

Cc: Mr. Steven C. Bryant

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Massey Building at Fairfax, Virginia on the 26th day of July, 1982, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
(PROPOSAL NO RZ 82-W-053)

WHEREAS, Board of Supervisors, Own Motion, filed in proper form, an application requesting the zoning of certain parcels of land hereinafter described, from the R-1 District to the I-3 District, and

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

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

NOW, THEREFORE, BE IT ORDAINED, that those certain parcels of land situated in the R-1 District, and more particularly described as follows: See list.

Be, and hereby are, zoned to the I-3 District, and said property is subject to the use regulations of said I-3 District, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment.

GIVEN under my hand this 26th day of July, 1982.


Ethel Wilcox Register, CMC
Clerk to the Board

17061000
Office of the Clerk of the Board
Zoning Department
Fairfax, Virginia

JUL 31 1982

1982
Fairfax, Virginia

PARCELS PROPOSED TO BE
REZONED TO THE I-3 OR LESS
INTENSE INDUSTRIAL DISTRICT

| Map Reference Number | Land Area - Acres |
|-------------------------|----------------------|
| 033-2 01 0001 | 11.5000 |
| 033-2 01 0002 | 27.0070 |
| 033-2 01 0003 | 1.5442 |
| 033-2 01 0004 | 7.7000 |
| 033-2 01 0006 | 131.6701 |
| 033-2 01 0007 | 1.2000 |
| 033-2 01 0008 | .2040 |
| 033-2 01 0009 | 2.0990 |
| 033-2 02 0007 | 5.4300 |
| 033-2 02 0008 | 5.6600 |
| 033-2 02 0009 | 4.6870 |
| 033-2 02 0009A | 1.0330 |
| 033-2 02 0010 | 3.8000 |
| 033-2 02 0010A | 5.6300 |
| 033-2 02 0010B | 5.4300 |
| 033-2 02 0011 | 1.3840 |
| 033-2 02 0011B | 1.1330 |
| 033-2 02 0013 | 2.4220 |
| 033-2 02 0013A | 1.4300 |
| 033-2 02 0013C | 1.0270 |
| 033-2 02 0014 | 2.9340 |
| 033-2 02 0014A | 2.0570 |
| 033-2 02 0015 | 1.3620 |
| 033-2 02 0015A | 1.0330 |
| 033-2 02 0015B | 1.0330 |
| 033-2 02 0015C | 2.4970 |
| 033-2 02 0016 | 7.0300 |
| 033-2 02 0016A | 1.7000 |
| 033-2 02 0017 | 5.6000 |
| 033-2 02 0018 | 5.7200 |
| 033-2 02 0018A | 1.0000 |
| 033-2 02 0019 | 23.2000 |
| 033-2 02 0020 | 1.0330 |
| 033-2 02 0020A | 1.0330 |
| 033-2 02 0020B | 1.0340 |
| 033-2 02 0020C | 1.0330 |
| 033-2 02 0020D | 3.0800 |
| 033-2 02 0020E | 1.0330 |
| 033-2 02 0021 | 5.2000 |
| 033-4 01 0008 | 13.8383 |
| 033-4 01 0009 | 6.0000 |

Map Reference
Number

Land
Area - Acres

| | | |
|----------|--------------|----------|
| 034-1 02 | 0011A | 2.5600 |
| 034-1 02 | 0013B | .7170 |
| 034-1 02 | 0023A | 1.1306 |
| 034-1 02 | 0025A | 2.0094 |
| 034-1 02 | 0028A | 1.0330 |
| 034-1 02 | 0030 | 5.0790 |
| 034-1 02 | 0030A | 1.1010 |
| 034-2 01 | 0012 | 5.8861 |
| 034-3 01 | 0001 | 50.6036 |
| 034-3 01 | 0002 | 5.9398 |
| 034-3 01 | 0003 | 1.9200 |
| 034-3 01 | 0006 | .9100 |
| 034-3 01 | 0007 | .7060 |
| 034-3 01 | 0008 | .5000 |
| 034-3 01 | 0009 | .9700 |
| 034-3 01 | 0012 | 1.3400 |
| 034-3 01 | 0013 | 2.0000 |
| 034-3 01 | 0014 | 1.7960 |
| 034-3 01 | 0015 | 1.0687 |
| 034-3 01 | 0016 | 1.2600 |
| 034-3 01 | 0019 | 5.0010 |
| 034-3 01 | 0021 | 82.2614 |
| 034-3 01 | 0024 | 5.1011 |
| 034-3 01 | 0026 | 3.0000 |
| 034-3 01 | 0027 | 1.0000 |
| 034-3 01 | 0028 | .5000 |
| 034-3 01 | 0029 | 1.0000 |
| 034-4 01 | 0009 | 10.4290 |
| 034-4 01 | 0014 | 3.5120 |
| 034-4 01 | 0015 | .6430 |
| 034-4 01 | 0030 | 4.7982 |
| 034-4 01 | 0038 | .3984 |
| 034-4 01 | 0039 | .9019 |
| 034-4 01 | 0048 | .1100 |
| 034-4 01 | 0053 (Part) | 6.3737 |
| 034-4 01 | 0053A(Part) | .0450 |
| 043-2 01 | 0001 | 139.2518 |
| 043-2 01 | 0002 | 5.3790 |
| 043-2 01 | 0004 | 6.0820 |
| 043-2 01 | 0005 | 2.0000 |
| 043-2 01 | 0006 | 2.0670 |
| 043-2 01 | 0007 (Part) | 377.3775 |
| 043-4 01 | 0001A (Part) | 35.8700 |
| 043-4 01 | 0003 (Part) | 9.9200 |
| 044-1 01 | 0001B | 13.4900 |
| 044-1 01 | 0002 | 10.0000 |
| 044-1 01 | 0003 | 11.0000 |
| 044-1 01 | 0005 | 21.0224 |
| 044-1 01 | 0006 | 109.6000 |
| 044-1 01 | 0006A | 50.2400 |
| 044-1 01 | 0008 | 2.7860 |
| 044-1 01 | 0009 | 2.2000 |
| 044-1 01 | 0010 | 3.0550 |
| 044-1 01 | 0011 | .4290 |
| 044-1 01 | 0012 | 9.0033 |

| Map Reference Number | Land Area - Acres |
|-------------------------|----------------------|
| 044-2 01 0001 | 1.1360 |
| 044-2 01 0002 | 5.0961 |
| 044-2 01 0004 | 4.3926 |
| 044-2 01 0005 | 94.6900 |
| 044-2 01 0006 | 94.5000 |
| 044-2 01 0008 (Part) | 23.0928 |
| 044-2 04 0001 | 5.9820 |
| 044-2 04 0002 | 5.4420 |
| 044-2 04 0003 | 5.7150 |
| 044-2 04 0004 | 5.0530 |
| 044-2 04 0005A | 2.5010 |
| 044-2 04 0005B | 2.5000 |
| 044-2 04 0006 | 4.1978 |
| 044-3 01 0003 | 1.4124 |
| 044-4 01 0002A (Part) | 49.5997 |

NOTE: Acreage of all partial parcels approximate.



County of Fairfax, Virginia

MEMORANDUM

DATE: July 26, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: **Land Use Analysis & Environmental Assessment:** RZ 2010-SU-002
Bryant

The memorandum, prepared by John Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plan dated October 14, 2009 revised through May 14, 2010. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, Steven C. Bryant, is requesting a rezoning of the property from the I-3 zoning district to the I-5 zoning district in order to bring the subject property into compliance with Zoning Ordinance standards. The subject property contains approximately 2.15 acres. The proposed use would continue as an operating facility for roll-off dumpsters which are distributed to various businesses throughout the region. The existing structures, outdoor storage and parking areas will remain largely as they are today with minor modifications.

LOCATION AND CHARACTER OF THE AREA

The property is located on the west side of Stonecroft Boulevard, just south of Thompson Road, north of Murdock Street. The surrounding properties are all zoned I-3 or I-5. The Fairfax County Criminal Justice Training Center is located immediately east of the subject property. The grounds of Washington-Dulles International Airport are located nearby to the north of the subject property.

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



COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, 2007 Edition, Area III, Dulles Suburban Center, Dulles Suburban Center Land Unit Recommendations, as amended through March 9, 2010, page 103:

- “1. Land Unit F-1 is planned for office and industrial/flex uses along Route 50 and industrial uses on the northern portion adjacent to the Dulles Airport, with the exception of Cub Run EQC which is planned for public park use as shown on the Plan Map.
 - a. The southern portion (along Route 50) is planned for high-quality campus-style office and industrial/flex use up to a maximum FAR of .35, consistent with the type and character of development established in adjoining units. Substantial setbacks, landscaping and screening should be provided along Route 50 and along Stonecroft Boulevard for an attractive appearance. Direct access to Route 50 should be permitted from Parcel 33-2((1))2 which is constrained on its eastern side by an EQC which traverses the parcel from north to south. In addition to existing access points, one new access point could be permitted to the balance of the land unit provided it does not impact environmentally sensitive lands. Substantial consolidation of small parcels is recommended and should be carried out in a manner that ensures that unconsolidated parcels have adequate access and can be developed in accord with the Comprehensive Plan. Architecture should also function as an element of design integration and architectural sketches should be made available for the public review process.
 - b. The northern portion, which is east of the EQC and includes properties fronting Murdock Street and areas to the north, are planned for construction related and industrial uses up to .35 FAR. Outdoor storage should be screened from public view. Development applications for new and expansion of existing uses should perform an environmental assessment to mitigate any prior industrial contamination.”

Environment

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, on page 7 through 9, the Plan states:

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

- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques.

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. . . .

Programs to improve water quality in the Potomac River/Estuary, and Chesapeake Bay will continue to have significant impacts on planning and development in Fairfax County. There is abundant evidence that water quality and the marine environment in the Bay are deteriorating, and that this deterioration is the result of land use activities throughout the watershed. . . .

In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate "Chesapeake Bay Preservation Areas". Within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations."

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, on page 12, the Plan states:

"Unlike some parts of the United States, Fairfax County is not subject to major natural disasters such as earthquakes, or major forest fires. However the County is not free of natural and human made hazards to new and existing development.

There are hazards to property in some areas of the County posed by wet or unstable soils. Marine clay soils found in the eastern part of the County and shrink-swell clay soils found primarily in the western area can cause foundation failures, cracked and shifting walls, and in extreme cases, catastrophic slope failure. Asbestos bearing soils may pose a health risk to construction workers requiring special precautions during excavation.

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

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

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

COMPREHENSIVE PLAN MAP: Mixed Use

LAND USE ANALYSIS

Recently adopted Plan text for the site supports construction related and industrial uses up to .35 floor area ratio (FAR). The Plan further recommends that outdoor storage should be screened from public view and that development applications for new and expansion of existing uses should perform an environmental assessment to mitigate any prior industrial contamination. Consistent with this Plan guidance, the proposed development relies largely upon provision of adequate screening of the use from surrounding uses and environmental assessment of the site prior to the approval of the new use. The applicant has agreed to provide additional screening on-site. The applicant has also submitted a Phase I Environmental Site Assessment (ESA) consistent with the recommendations of the Plan. The existing and planned surrounding uses are industrial in nature. Staff feels that the proposed development is in conformance with the recommendations of the Comprehensive Plan.

ENVIRONMENTAL ANALYSIS

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

Water Quality

Issue:

The applicant was asked to provide an Environmental Site Assessment (ESA) in order to evaluate any possible soil and groundwater contamination which may have resulted from the long-standing industrial uses at this location.

Resolution:

The applicant has provided an ESA which noted no on-site contamination of either soils or groundwater. Staff feels that the information provided adequately addresses staff concerns.

PGN: JRB



County of Fairfax, Virginia

MEMORANDUM

DATE: August 10, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division

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

SUBJECT: Transportation Impact

FILE: 3-4 (RZ 2010-SU-002)

REFERENCE: RZ 2010-SU-002; Steven C Bryant
(Rezoning Compliance from I-3 to I-5)
Land Identification: 33-2 ((2)) 13A & 34-1 ((2)) 13B

The following comments reflect the position of the Fairfax County Department of Transportation (FCDOT), and are based on the applicant's development plan revised May 14, 2010 and draft proffers revised April 1, 2010.

The applicant seeks to rezone the subject property from I-3 to I-5 to permit a vehicle storage / impoundment yard and a recycling center. Both uses are currently in existence on subject property and non compliant with permitted uses in the I-3 district. The subject properties have road frontage on Stonecroft Boulevard and Glorus Road (undeveloped) with one access point from Stonecroft Boulevard. The transportation issues are as follows:

- Dedication of Right-of-Way should be provided along Stonecroft Boulevard for future road improvements.
- Construction of frontage improvements along Stonecroft Boulevard will be a requirement at the time of site plan review. This Department would not object to an escrow in lieu of construction at this time.
- Applicant should dedicate inter-parcel access through ingress/egress as proposed on development plan dated May 14, 2010.

FCDOT does not object to the approval of the proposed rezoning application with the conditions agreed upon by the applicant's informational submittal, development plan, rezoning proffers and the recommendations contained in this document.

AKR/mdd



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

FROM: Sandy Stallman, Manager,
Park Planning Branch, PDD 

DATE: April 13, 2010

SUBJECT: RZ 2010-SU-002, Bryant Property
Tax Map Number(s): 33-2((2)) 13A & B

The Park Authority staff has reviewed the above referenced plan. Based on that review, staff has determined that this application bears no adverse impact on land or resources of the Park Authority.

FCPA Reviewer: Andy Galusha
DPZ Coordinator: William O'Donnell

Copy: Cindy Walsh, Director, Resource Management Division
Chron Binder
File Copy



County of Fairfax, Virginia

MEMORANDUM

DATE: June 23, 2010

TO: Billy O'Donnell, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Rezoning Application #RZ 2010-SU-002, Bryant Property at 3724 Stonecroft Boulevard and 3727 Glorus Road, Generalized Development Plan dated May 14, 2010, LDS Project #19008-ZONA-001-3, Tax Map #33-2-02-0013A and #34-1-02-0013B, Sully District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site.

Water quality controls, or an approved waiver, are required for this project. The applicant intends to divert the runoff from a portion of the property so that most of the site's runoff will flow to an existing regional wet pond. Justification for the drainage diversion must be provided at site plan (PFM 6-0202.2A).

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention, or an approved waiver, will be required (PFM 6-0301.3). The applicant intends to request a PFM modification to use an existing off-site wet pond for to meet its detention requirements. This modification is likely to be approved provided the request is accompanied by documentation indicating the pond's operator will allow the development to use the pond as it detention facility.



Billy O'Donnell, Staff Coordinator
Rezoning Application #RZ 2010-SU-002, Bryant Property
June 23, 2010
Page 2 of 2

Site Outfall

A description of the outfall to 100 times the site's area has been provided.

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

BF/

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



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

**PLANNING & ENGINEERING
DIVISION**

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

February 12, 2010

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

Re: RZ 2010-SU-002
Tax Map: 33-2
Bryant Property

Dear Ms. Coyle:

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

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 12-inch water main located at the property. See the enclosed water system map.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

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

Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg".

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

Enclosure

cc: Steven C. Bryant, Owner/Agent



County of Fairfax, Virginia

MEMORANDUM

DATE: February 19, 2010

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

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

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application
RZ 2010-SU-002

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 #415, **Chantilly**
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - ___ a. currently meets fire protection guidelines.
 - ___ b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - ___ c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - X d. does not meet current fire protection guidelines without an additional facility. The application property is 0.3 of a mile outside the fire protection guidelines. No new facility is currently planned for this area.





County of Fairfax, Virginia

MEMORANDUM

DATE: February 26, 2010

TO: Staff Coordinator
Zoning Evaluation Division
Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)
Wastewater Planning & Monitoring Division
Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ2010-SU-002
Tax Map No. 033-2/02/ /0013A, 0013B

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

- The application property is located in the Upper Cub Run (T-1) watershed. It would be sewerred into the Upper Occoquan Sanitation Authority (UOSA).
- Based upon current and committed flow, there is excess capacity in the UOSA 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.
- An existing 8" inch line located in the Property is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

| Sewer Network | Existing Use <u>+Application</u> | | Existing Use <u>+ Application</u> <u>Previous Rezoning</u> | | Existing Use <u>+ Application</u> <u>+ 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>X</u> | _____ | <u>X</u> | _____ |
| Submain | <u>X</u> | _____ | <u>X</u> | _____ | <u>X</u> | _____ |
| Main/Trunk | <u>X</u> | _____ | <u>X</u> | _____ | <u>X</u> | _____ |
| Interceptor | _____ | _____ | _____ | _____ | _____ | _____ |
| Outfall | _____ | _____ | _____ | _____ | _____ | _____ |

5. Other pertinent information or comments:



INDUSTRIAL DISTRICT REGULATIONS

PART 5 5-500 I-5 GENERAL INDUSTRIAL DISTRICT**5-501 Purpose and Intent**

The I-5 District is established to provide areas where a wide range of industrial and industrially-oriented commercial activities may locate. Uses allowed in this district shall operate under medium performance standards designed to minimize the impact of noise, smoke, glare, and other environmental pollutants on the industries within the district and on the neighboring lands of higher environmental quality. The business and commercial activities allowed in the district will be those which provide services and supplies primarily to industrial companies, those which engage in wholesale operations, and those which are associated with warehouse establishments.

5-502 Permitted Uses

1. Accessory uses and accessory services uses as permitted by Article 10.
2. Child care centers and nursery schools, limited by the provisions of Sect. 505 below.
3. Churches, chapels, temples, synagogues and other such places of worship.
4. Contractor's offices and shops.
5. Crematory, human or animal.
6. Establishments for printing of any size, production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, repair or storage of materials, goods or products, and associated retail sales; except bulk storage of flammable materials for resale, and those particular heavy industrial uses set forth in Par. 13 of Sect. 9-501.
7. Establishments for scientific research, development and training.
8. Financial institutions.
9. Funeral homes.
10. Heavy equipment and specialized vehicle sale, rental and service establishments.
11. Kennels, limited by the provisions of Sect. 505 below.
12. Light public utility uses (Category 1), all uses except radio or television broadcasting tower facilities, microwave facilities, satellite earth stations, and mobile and land based telecommunication facilities.
13. Lumber yards and building material yards to include rock, sand and gravel.
14. Mobile and land based telecommunication facilities, subject to the provisions of Sect. 2-514.

INDUSTRIAL DISTRICT REGULATIONS

5-507 Bulk Regulations

1. Maximum building height: 75 feet, subject to increase as may be permitted by the Board in accordance with the provisions of Sect. 9-607
2. Minimum yard requirements
 - A. Front yard: Controlled by a 45° angle of bulk plane, but not less than 40 feet
 - B. Side yard: No Requirement
 - C. Rear yard: No Requirement
3. Maximum floor area ratio: 0.50, provided however, an increase to 1.00 may be permitted by the Board in accordance with the provisions of Sect. 9-618
4. Refer to Sect. 13-301 for provisions that may qualify the minimum yard requirements set forth above.

5-508 Open Space

15% of the gross area shall be landscaped open space

5-509 Additional Regulations

1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above.
2. Refer to Article 11 for off-street parking, loading and private street requirements.
3. Refer to Article 12 for regulations on signs.
4. Refer to Article 13 for landscaping and screening requirements.
5. Refer to Article 17 for uses and developments which are subject to site plan provisions.

GLOSSARY

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

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

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

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

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

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

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

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

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

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

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

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

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

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

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

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

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

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

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

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

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

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

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

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

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

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

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

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

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

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

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

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

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

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

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

