



FAIRFAX COUNTY

APPLICATION FILED: March 1, 2005
PLANNING COMMISSION: September 22, 2005
BOARD OF SUPERVISORS: Not yet scheduled

V I R G I N I A

September 7, 2005

STAFF REPORT

APPLICATION RZ 2005-SU-007

SULLY DISTRICT

APPLICANTS: Carl Bernstein, Trustee and Horacio Magalhaes, Trustee

PRESENT ZONING: R-1 and WS

REQUESTED ZONING: R-8 and WS

PARCEL: 54-3 ((2)) 47

ACREAGE: 1.75 acres

DENSITY: 5.71 du/ac

OPEN SPACE: 37%

PLAN MAP: Residential, 5-8 du/ac and Public Park

PROPOSAL: Rezone 1.75 acres from the R-1 and WS Districts to the R-8 and WS Districts to permit the development of 10 single family attached dwelling units

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2005-SU-007 subject to the proffers consistent with those contained in Appendix 1.

Staff recommends approval of a waiver of the minimum district size.

Staff recommends approval of a modification of the transitional screening and barrier requirements along a portion of the southern property boundary.

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

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

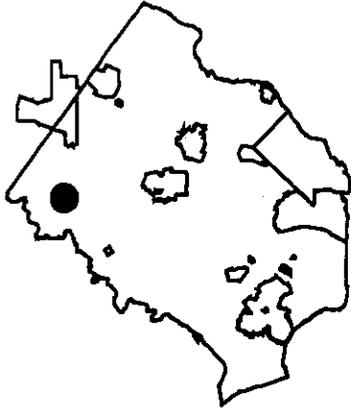
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



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 2005-SU-007



Applicant: CARL BERNSTEIN, TRUSTEE AND HORACIO MAGALHAES, TRUSTEES

Accepted: 03/01/2005

Proposed: RESIDENTIAL DEVELOPMENT AND WAIVER OF THE MINIMUM DISTRICT SIZE

Area: 1.75 AC OF LAND; DISTRICT - SULLY

Located: EAST SIDE OF O'DAY DRIVE APPROXIMATELY 1000 FEET NORTH OF ITS INTERSECTION WITH LEE HIGHWAY

Zoning: FROM R-1 TO R-8

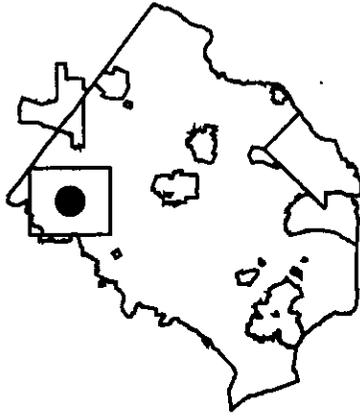
Overlay Dist: WS

Map Ref Num: 054-3- 102/ 10047



Rezoning Application

RZ 2005-SU-007



Applicant: CARL BECKSTEIN, TRUSTEE AND HORACIO MAGALHAES, TRUSTEES

Accepted: 03/01/2005

Proposed: RESIDENTIAL DEVELOPMENT AND WAIVER OF THE MINIMUM DISTRICT SIZE

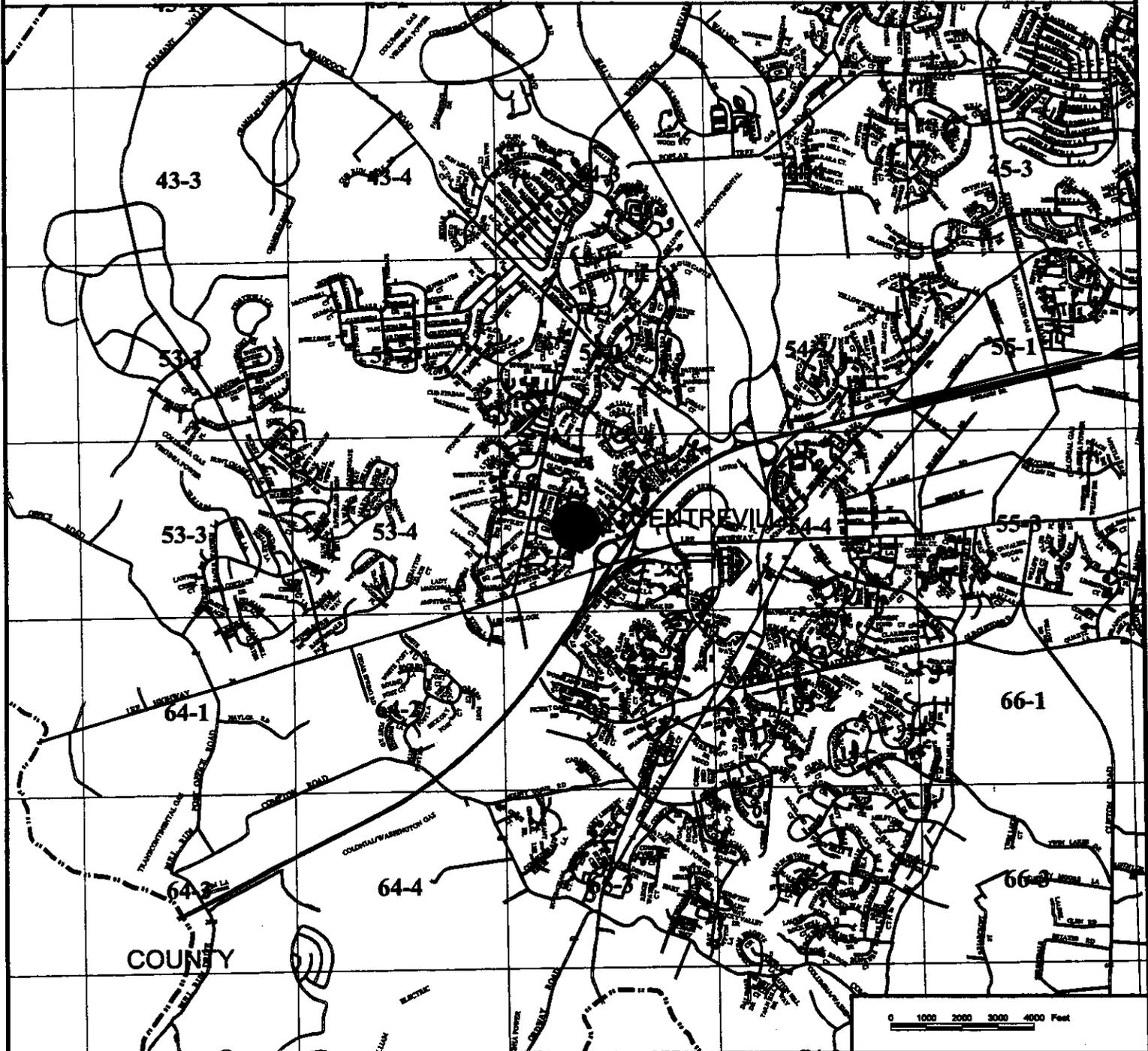
Area: 1.75 AC OF LAND; DISTRICT - SULLY

Located: EAST SIDE OF O'DAY DRIVE APPROXIMATELY 1000 FEET NORTH OF ITS INTERSECTION WITH LEE HIGHWAY

Zoning: FROM R-1 TO R-8

Overlay Dist: WS

Map Ref Num: 054-3- /02/ /0047

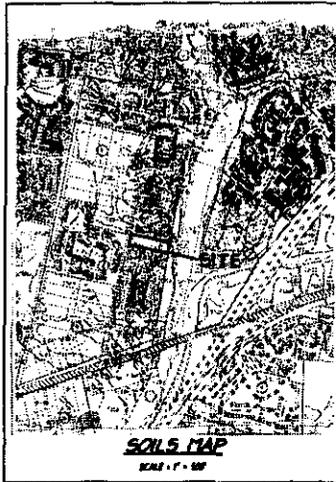


NOTES:

1. THE PROPERTY DELINEATED ON THIS PLAN IS LOCATED ON FAIRFAX COUNTY ASSESSMENT MAP 64-3 (12) PARCELS 47 AND IS CURRENTLY ZONED R-4.
2. THE PROPERTY SHOWN HEREON IS CURRENTLY IN THE WAVE OF THE FOLLOWING:
PARCEL 47 - LLOYD P. GYDN
DEED BOOK 702 AT PAGE 164
3. BOUNDARY INFORMATION IS BASED UPON A FIELD RUN SURVEY BY LAND DESIGN CONSULTANTS, INC.
4. THE TOPOGRAPHIC INFORMATION IS BASED UPON A FIELD RUN SURVEY BY LAND DESIGN CONSULTANTS, CONTOUR INTERVAL IS TWO FEET.
5. ALL CONSTRUCTION SHALL CONFORM TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS OF FAIRFAX COUNTY AND VDOT EXCEPT AS REQUESTED HEREON. THE APPLICANT RESERVES THE RIGHT TO APPLY FOR ANY FUTURE MODIFICATIONS OF FPM DESIGN CRITERIA AT THE TIME OF SUBMISSION / SITE PLAN / FLAT PREPARATION. / SUBMISSION PROVIDED THE MODIFICATIONS ARE IN SUBSTANTIAL CONFORMANCE WITH THE SDP.
6. EROSION AND SEDIMENT CONTROLS SHALL BE INSTALLED PRIOR TO ANY CLEARING, GRADING, OR CONSTRUCTION AS PER REQUIREMENTS OF THE STATE OF VIRGINIA AND THE CODES OF FAIRFAX COUNTY.
7. LAND DESIGN CONSULTANTS, INC. IS NOT AWARE OF ANY UTILITY EASEMENTS WHICH EXIST ON THE SUBJECT PROPERTY WITH A WIDTH OF 25 FEET OR MORE.
8. ALL UTILITIES INSTALLED AS PART OF THIS PROJECT SHALL BE PLACED UNDERGROUND. THE UTILITY LOCATIONS SHOWN HEREON ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING. CLEARING LIMITS SHALL BE IN STRICT CONFORMANCE WITH THOSE SHOWN HEREON.
9. AIR QUALITY PERMITS SHALL BE OBTAINED IF REQUIRED, AND PROVIDED PRIOR TO ANY CLEARING, GRADING OR CONSTRUCTION.
E SITE WILL BE SERVED BY PUBLIC WATER AND SANITARY SEWER. ALL DWELLING UNITS LOCATED WITHIN THIS DEVELOPMENT SHALL BE SERVED BY GRAVITY FLOW SANITARY SEWER SERVICE. BE PROVIDED BY SEWAGE LATERAL CONNECTION. NO ADDITIONAL CLEARING BEYOND THE LOTS WITHIN HEREON WILL OCCUR FOR CONNECTION TO THE EXISTING MAIN OR PROPOSED MAIN CONSTRUCTION.
10. THE COMPREHENSIVE PLAN RECOMMENDS DEVELOPMENT OF THE PROPERTY AS RESIDENTIAL AT A DENSITY OF 8 TO 9 DWELLING UNITS PER ACRE. THE PROPOSED DENSITY MEETS THE INTENT OF THE COMPREHENSIVE PLAN AND IS IN HARMONY WITH THE ADJACENT DEVELOPMENTS. THE DENSITY, ADJOINING USES AND PROPOSED PLANTINGS WILL ENHANCE THIS PROPERTY AND WILL MEET THE APPLICABLE CRITERIA FOR STAFF REVIEW.
11. A RESOURCE PROTECTION AREA (RPA), AS DEFINED BY FAIRFAX COUNTY, DOES EXIST ON THE SUBJECT PROPERTY AS INDICATED ON SHEET 2. THE RPA IS BASED UPON INFORMATION OF RECORDS. A RESOURCE MANAGEMENT AREA (RMA), AS DEFINED BY FAIRFAX COUNTY, DOES EXIST ON THE SUBJECT PROPERTY.
12. IN ACCORDANCE WITH THE FAIRFAX COUNTY TRAILS PLAN, A STREAM VALLEY TRAIL AND PROSPECTOR TRAIL ARE RECORDED ALONG BIG ROCKY RUN, ALONG ADJACENT PARCEL 48. THIS TRAIL IS NOT LOCATED ON THE SUBJECT PROPERTY.
13. LDC IS NOT AWARE OF ANY BURIAL SITES LOCATED ON THE SUBJECT PROPERTY.
14. O'DAY DRIVE IS NOT SHOWN ON THE VDOT 4 YEAR PLAN TO BE MOVED OR IMPROVED. O'DAY DRIVE IS NOT SHOWN ON THE COUNTY'S COMPREHENSIVE PLAN OR COUNTYWIDE TRANSPORTATION MAP TO BE MOVED OR IMPROVED. THE APPLICANT HAS PROVIDED AN ADDITIONAL 5' OF RIGHT-OF-WAY DEDICATION FROM CENTERLINE, WHICH WILL RESULT IN A TOTAL DEDICATION OF 30' FROM CENTERLINE, WHICH WILL MATCH DEDICATION ON ADJACENT APPLICATIONS.
15. AN ENVIRONMENTAL QUALITY CORRIDOR (EQC) AS DEFINED IN THE ADOPTED COMPREHENSIVE PLAN DOES EXIST ON THE SUBJECT PROPERTY AS INDICATED ON SHEET 2. A PALER FLOOD PLAIN AS DEFINED BY THE ZONING ORDINANCE, EXISTS ON THE SUBJECT PROPERTY. THIS FLOODPLAIN HAS ESTABLISHED BY THE USES AND ADOPTED BY THE BOARD OF SUPERVISORS IN 1972. THE COMPONENTS OF A HAZARDOUS DENSITY REDUCTION DO NOT EXIST ON SITE.
16. NO HAZARDOUS OR TOXIC SUBSTANCES HAVE BEEN GENERATED, UTILIZED, STORED, TREATED, AND / OR DISPOSED OF OR HAVE BEEN OBSERVED ON THE SUBJECT PROPERTY.
17. DEVELOPMENT OF THIS PROJECT SHALL CONFORM AT SUCH TIME AS APPROPRIATE COUNTY APPROVALS HAVE BEEN OBTAINED AND SUBJECT TO THE DISCRETION OF OWNER / DEVELOPER.
18. A GEOTECHNICAL REPORT SHALL BE SUBMITTED FOR REVIEW BY FAIRFAX COUNTY CONCURRENTLY WITH THE FINAL SITE PLAN, IF REQUIRED.
19. THE SUBJECT PROPERTY WILL MEET SURVEY REQUIREMENTS BY PROVIDING AN ON-SITE SURVEY FACILITY AND QUALIFYING OPEN SPACE. THIS FACILITY WILL BE MAINTAINED BY FAIRFAX COUNTY.
20. ALL DIMENSIONS ARE APPROXIMATE. TYPICAL HOUSE FOOTPRINTS SHOWN ON THESE LOTS MAY BE FIELD PROVIDED THAT THERE IS NO REDUCTION IN OPEN SPACE. MODIFICATIONS ARE IN SUBSTANTIAL CONFORMANCE WITH THE SDP, AND THE PERMIT YARDS ARE PROVIDED.
21. THE PRIVATE STREET SHOWN ON THIS PROPERTY SHALL BE DESIGNED & CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE PUBLIC FACILITIES MANUAL & SHALL BE MAINTAINED BY THE MOA.
22. THE APPLICATION HAS BEEN DESIGNED WITH THE PRIMARY FOCUS OF MINIMIZING ITS IMPACT ON ADJOINING NEIGHBORS AS AN ADJUTANT. THE APPLICANT HAS PROVIDED TREE PRESERVATION AND ADDITIONAL PLANTING AROUND THE PERIMETER OF THE PROPERTY. THE APPLICANT WILL MAKE TO ENSURE THAT THE POST DEVELOPMENT RUNOFF IS EQUAL TO OR LESS THAN THE PRE DEVELOPMENT RUNOFF.
23. THE APPLICANT RESPECTFULLY REQUESTS A MAJOR OF THE FIFTEEN DISTRICT SIZE AND A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT.
24. NO SCENIC ASSETS ARE LOCATED UPON THE SUBJECT PROPERTY NORTH PRESERVATION OR IDENTIFICATION.
25. THE SUBJECT PROPERTY IS LOCATED IN THE WATER SUPPLY PROTECTION OVERLAY DISTRICT (MSPOD). ALL REQUIREMENTS FOR THE OVERLAY DISTRICT HAVE BEEN MET.
26. THE PROPOSED TURNAROUND WILL BE MADE OF CONCRETE OR OTHER SIMILAR MATERIAL. SUBJECT TO THE APPROVAL OF DPMS. IF APPROVAL IS NOT RECEIVED, THE MATERIAL SHALL BE STANDARD ASPHALT.



VICINITY MAP
SCALE: 1" = 50'



SOILS MAP
SCALE: 1" = 50'

NOTE: INFORMATION FROM FAIRFAX COUNTY SOILS MAP

PRE-DEVELOPMENT NARRATIVE

THE SUBJECT PROPERTY IS LOCATED WITHIN THE OLD RUN WATERSHED AND IS PRESENTLY ADJACENT TO THE BIG ROCKY RUN PALER FLOOD PLAIN. THE SUBJECT PROPERTY IS CURRENTLY OCCUPIED BY AN EXISTING BUILDING AND A GRAVEL PAVEMENT AREA AND DRIVEWAY. THE FACILITY OF THE SUBJECT PROPERTY DRAINS OVERLAND IN A NORTH-WESTWARD DIRECTION TOWARDS BIG ROCKY RUN. A PORTION OF THE 50 YEAR WATER SURFACE ELEVATION, ASSOCIATED WITH THE BOARD ADOPTED, FLOOD PLAN STUDY FOR THIS WATERSHED IS LOCATED ON THE SUBJECT PROPERTY. THIS AREA SHALL BE ENCLOSED BY A FLOOD PLAN AND STORM DRAINAGE EASEMENT.

PRE-DEVELOPMENT

5' (1.57)(1.42)(1.31) = 24.07
5' (1.57)(1.31)(1.20) = 12.07

STORMWATER MANAGEMENT INFORMATION

TYPE OF FACILITY - EXTENDED DRY DETENTION
FACILITY PERFORMANCE - IMPROVE CDDT
APPROXIMATE DRAINAGE AREA - 170,000 SQ FT (1.25 ACRES) (PPE ASBEST)
APPROXIMATE TOTAL VOLUME - 4,800 CUBIC FEET
APPROXIMATE DRAIN VOLUME - 2,400 CUBIC FEET @ 2%
APPROXIMATE 5-YEAR VOLUME - 2,400 CUBIC FEET @ 2%
APPROXIMATE 10-YEAR VOLUME - 2,400 CUBIC FEET @ 2%
TOP OF DRAIN - 25.0'
BOTTOM OF FACILITY - 22.0'
SIDE SLOPE - 3:1 (HORIZONTAL)
TYPE OF SPILLWAY - COMBINED SPILLWAY

STORMWATER MANAGEMENT NARRATIVE

THE STORMWATER MANAGEMENT REQUIREMENTS FOR THE SUBJECT PROPERTY SHALL BE SATISFIED VIA THE CONSTRUCTION OF A PROPOSED EXTENDED DRY STREET WATER MANAGEMENT FACILITY AND PRESERVATION OF UNDEVELOPED OPEN SPACE. THE EXTENDED DRY STREET WATER MANAGEMENT FACILITY SHALL BE MAINTAINED BY THE DEPARTMENT OF PUBLIC WORKS, DOWNSTREAM OF THE FACILITY. THE EXTENDED DRY STREET WATER MANAGEMENT FACILITY SHALL PROVIDE A COMBINED SPILLWAY IN ORDER TO BETTER PRESERVE THE EXISTING VEGETATION. ADDITIONALLY, THE PROPOSED FACILITY SHALL CONTROL APPROPRIATELY TWO ACRES OF DRAINAGE. ADDITIONALLY, WATER QUALITY CREDIT WILL BE OBTAINED VIA THE ALLOCATION OF UNDEVELOPED OPEN SPACE ENCLOSED WITH A CONSTRUCTION EASEMENT.

CUTFALL NARRATIVE

THE SUBJECT PROPERTY MAINTAINS A SOLITARY STORM DRAINAGE CUTFALL, WHICH WILL DISCHARGE INTO AN EXISTING CHANNEL, WHICH IS PARTIALLY ENCLOSED BY AN EXISTING FLOOD PLAN AND STORM DRAINAGE EASEMENT WITHIN THE HIGGSVILLE FLOOD SUBDIVISION. AS STATED PREVIOUSLY THIS FACILITY WILL BE CONSTRUCTED IN ORDER TO SATISFY THE APPROPRIATE WATER QUALITY AND QUANTITY REQUIREMENTS FOR THE SUBJECT PROPERTY. THE POST-DEVELOPMENT RUNOFF FROM THE SUBJECT PROPERTY SHALL BE RELEASED FROM THIS FACILITY IN ACCORDANCE WITH THE PUBLIC FACILITIES MANUAL, VIA A PROPOSED CLOSED STORM DRAIN SYSTEM. THIS DRAINAGE SHALL EXIT THE PROPOSED PIPE VIA AN ENERGY DISSIPATION DEVICE PRIOR TO ENTERING INTO THE EXISTING CHANNEL. THE PROPOSED DISCHARGE OF THE PROPOSED STORM WATER MANAGEMENT FACILITY IS APPROXIMATELY ONE HUNDRED FEET PRESENTLY UPSTREAM OF BIG ROCKY RUN. IN ACCORDANCE WITH THE PUBLIC FACILITIES MANUAL, A DRAINAGE STUDY MAY BE SUBMITTED IN CONNECTION WITH THE SITE PLAN IN ORDER TO ENCLOSE THE ONE HUNDRED YEAR WATER SURFACE ELEVATION WITHIN THE EXISTING CHANNEL.

THIS CUTFALL IS ADEQUATE IN ACCORDANCE WITH THE PUBLIC FACILITIES MANUAL AND IS SUBJECT TO FINAL ENGINEERING.

LAND DESIGN CONSULTANTS
PLANNING/DESIGN/CONSTRUCTION
10000 MARKET PLACE SUITE 100
FAIRFAX, VA 22030
TEL: 703.261.1100
WWW.LDCCONSULTANTS.COM

GENERALIZED DEVELOPMENT PLAN

O'DAY DRIVE PROPERTY

NO.	REVISION	DATE	BY	APPROVED BY
1	ISSUED FOR PERMIT	12/15/2024	JLW	JLW
2	REVISED PER COMMENTS	12/18/2024	JLW	JLW
3	REVISED PER COMMENTS	12/20/2024	JLW	JLW
4	REVISED PER COMMENTS	12/22/2024	JLW	JLW
5	REVISED PER COMMENTS	12/24/2024	JLW	JLW
6	REVISED PER COMMENTS	12/26/2024	JLW	JLW
7	REVISED PER COMMENTS	12/28/2024	JLW	JLW
8	REVISED PER COMMENTS	12/30/2024	JLW	JLW
9	REVISED PER COMMENTS	1/1/2025	JLW	JLW
10	REVISED PER COMMENTS	1/3/2025	JLW	JLW
11	REVISED PER COMMENTS	1/5/2025	JLW	JLW
12	REVISED PER COMMENTS	1/7/2025	JLW	JLW
13	REVISED PER COMMENTS	1/9/2025	JLW	JLW
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23	REVISED PER COMMENTS	1/29/2025	JLW	JLW
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99	REVISED PER COMMENTS	6/29/2025	JLW	JLW
100	REVISED PER COMMENTS	7/1/2025	JLW	JLW

I HEREBY CERTIFY THAT OTHER THAN THE REVISIONS INDICATED IN THIS TABLE, NO OTHER CHANGES HAVE BEEN MADE TO THIS PLAN.

SEAL OF THE BOARD OF SUPERVISORS
COUNTY OF FAIRFAX, VIRGINIA
JAMES L. MARSHALL
COMMISSIONER
SCALE: 1" = 30'

SHEET 1
OF 3
DATE: DECEMBER 2024
DRAWN: JLW
CHECK: JLW
FILE NUMBER: 24-00000001
REV: 1-0-20

TABULATIONS

SITE AREA: 76,000 OR 1.744 ACRES
 EXISTING ZONING - R-1
 PROPOSED ZONING - R-9
 MAXIMUM BUILDING HEIGHT RECD. - 35 FEET
 MAXIMUM BUILDING HEIGHT PROPOSED - 35 FEET
 MINIMUM LOT SIZE REQUIRED - NONE
 MINIMUM LOT SIZE PROPOSED - 1,000 SF.
 MINIMUM YARDS:

REQUIRED: CONTROLLED BY A 8 DEGREE ANGLE OF BULK PLANE, BUT NOT LESS THAN 5 FEET
 CONTROLLED BY A 8 DEGREE ANGLE OF BULK PLANE, BUT NOT LESS THAN 10 FEET

MINIMUM YARD PROPOSED:
 FRONT - 8 FEET
 SIDE - 10 FEET
 REAR - 20 FEET
 LOT WIDTH - 8' REQUIRED (1/4' PROPOSED)

OPEN SPACE REQUIRED: 6,26 SF (20%)
 OPEN SPACE PROPOSED: 178,000 SF (1.87%)

PARKING:
 REQUIRED (2.3 SPACES/UNIT) - 23 SPACES
 PROPOSED (2 SPACES/UNIT) - 30 SPACES
 OFF STREET PARKING - 5 SPACES
 TOTAL - 28 SPACES PROPOSED

DENSITY:
 UNITS (13 UNITS) - 8.00 DU/AC
 UNITS (10 UNITS) - 9.22 DU/AC
 MAJOR OF THE MINORITY DISTRICT SIZE IS REQUESTED

TRANSITIONAL SCREENING REQUIREMENT:
 SOUTHWESTERN PROPERTY LINE:
 TRANSITIONAL SCREENING 1 (7' YARD)

REQUIRED: 6 LARGE EVERGREENS, 6'-8" HT
 16 FREEMPT EVERGREENS, 6' HT

PROVIDED: SEE SHEET 3A
 BARRIER A OR B

REQUIRED: 42"-48" BRICK WALL OR WOOD FENCE, 80 FEET IN LENGTH
 PROVIDED: 7' MASONRY WALL (SEE PROFFERS)

MODIFICATION REQUESTED

THE APPLICANT RESPECTFULLY REQUESTS A MODIFICATION OF THE BARBER AND PLANTING REQUIREMENTS OF THE TRANSITIONAL SCREENING YARD 1 REQUIRED ALONG THE LONGER 50 FEET OF THE SOUTHWESTERN PROPERTY LINE IN ACCORDANCE WITH SECTION 12-304 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

THE APPLICANT SPECIFICALLY REQUESTS A MODIFICATION OF THE PLANTING REQUIREMENTS AND BARRIER REQUIREMENTS IN FAVOR OF THAT DEPICTED HEREIN ON SHEETS 2 AND 3A AND IDENTIFIED IN THE PROFFERS. THE APPLICANT HAS PROVIDED PLANT MATERIAL AND A 7' WALL IN THE REQUIRED TRANSITIONAL SCREENING YARD, WHICH ADEQUATELY SCREENS ADJACENT USES.

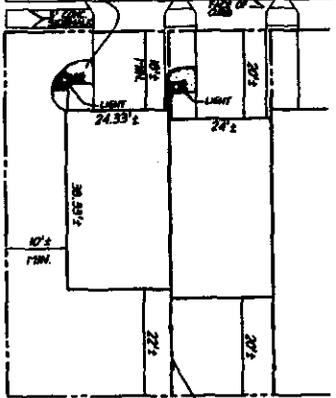
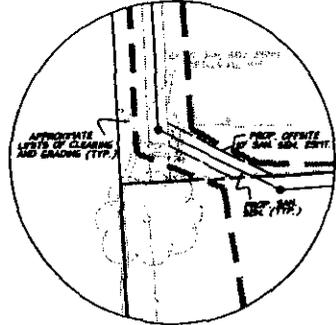
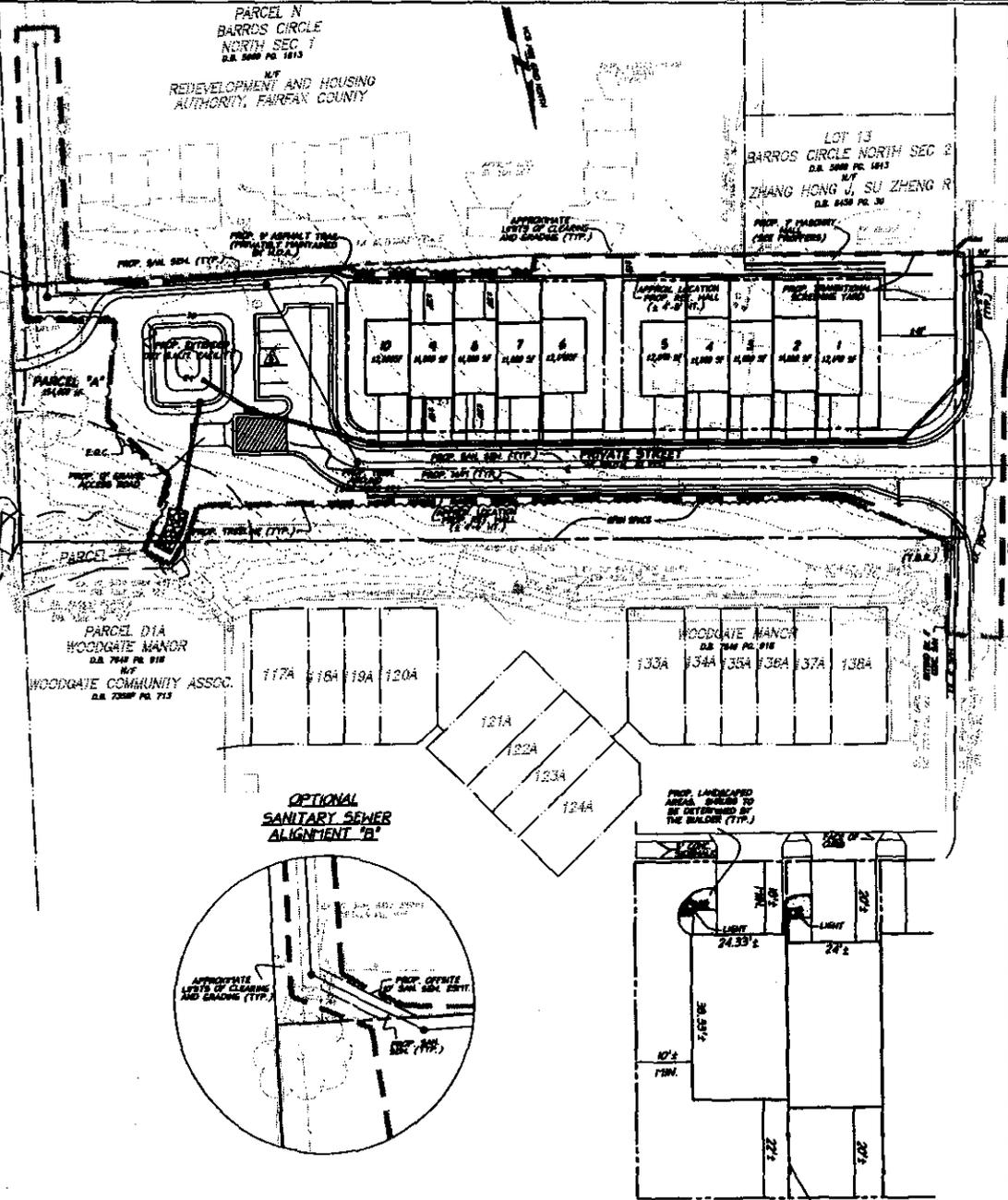
TREE COVER CALCULATIONS:

SITE AREA - 76,000 SF
 TREE COVER REQUIRED (20%) - 15,200 SF
 TOTAL TREE COVER PROVIDED - 1,9,200 SF

PARCEL N
 BEECH PARK SUBDIVISION
 D.B. 838 PG. 172
 N/F
 BAWA 2000 LLC
 D.B. 1185 PG. 22

PARCEL D1A
 WOODGATE MANOR
 D.B. 7849 PG. 918
 N/F
 WOODGATE COMMUNITY ASSOC.
 D.B. 7289 PG. 713

LOT 13
 BARRIS CIRCLE NORTH SEC 2
 D.B. 8088 PG. 1613
 N/F
 ZHANG HONG U, SU ZHENG R
 D.B. 8438 PG. 30



ON BOARD PROJECT PRICE
 ALONG CENTER LINE LOT LINES
TYPICAL UNIT
 NOT TO SCALE
 EXTENSIONS PERMITTED INTO MINIMUM YARDS
 PER ARTICLE 3 OF THE ZONING ORDINANCE



GENERALIZED DEVELOPMENT PLAN

O'DAY DRIVE PROPERTY

NO.	DATE	DESCRIPTION	BY	APPROVED DATE
1	10/15/04	PRELIMINARY	J. L. MARSHALL	10/15/04
2	10/15/04	REVISION	J. L. MARSHALL	10/15/04
3	10/15/04	REVISION	J. L. MARSHALL	10/15/04
4	10/15/04	REVISION	J. L. MARSHALL	10/15/04
5	10/15/04	REVISION	J. L. MARSHALL	10/15/04
6	10/15/04	REVISION	J. L. MARSHALL	10/15/04
7	10/15/04	REVISION	J. L. MARSHALL	10/15/04
8	10/15/04	REVISION	J. L. MARSHALL	10/15/04
9	10/15/04	REVISION	J. L. MARSHALL	10/15/04
10	10/15/04	REVISION	J. L. MARSHALL	10/15/04
11	10/15/04	REVISION	J. L. MARSHALL	10/15/04
12	10/15/04	REVISION	J. L. MARSHALL	10/15/04
13	10/15/04	REVISION	J. L. MARSHALL	10/15/04
14	10/15/04	REVISION	J. L. MARSHALL	10/15/04
15	10/15/04	REVISION	J. L. MARSHALL	10/15/04
16	10/15/04	REVISION	J. L. MARSHALL	10/15/04
17	10/15/04	REVISION	J. L. MARSHALL	10/15/04
18	10/15/04	REVISION	J. L. MARSHALL	10/15/04
19	10/15/04	REVISION	J. L. MARSHALL	10/15/04
20	10/15/04	REVISION	J. L. MARSHALL	10/15/04



SHEET 2 of 3
 DATE: 10/15/04
 DESIGN: J. L. MARSHALL
 CHECK: J. L. MARSHALL
 TITLE: PROJECT ARCHITECT
 10/15/04

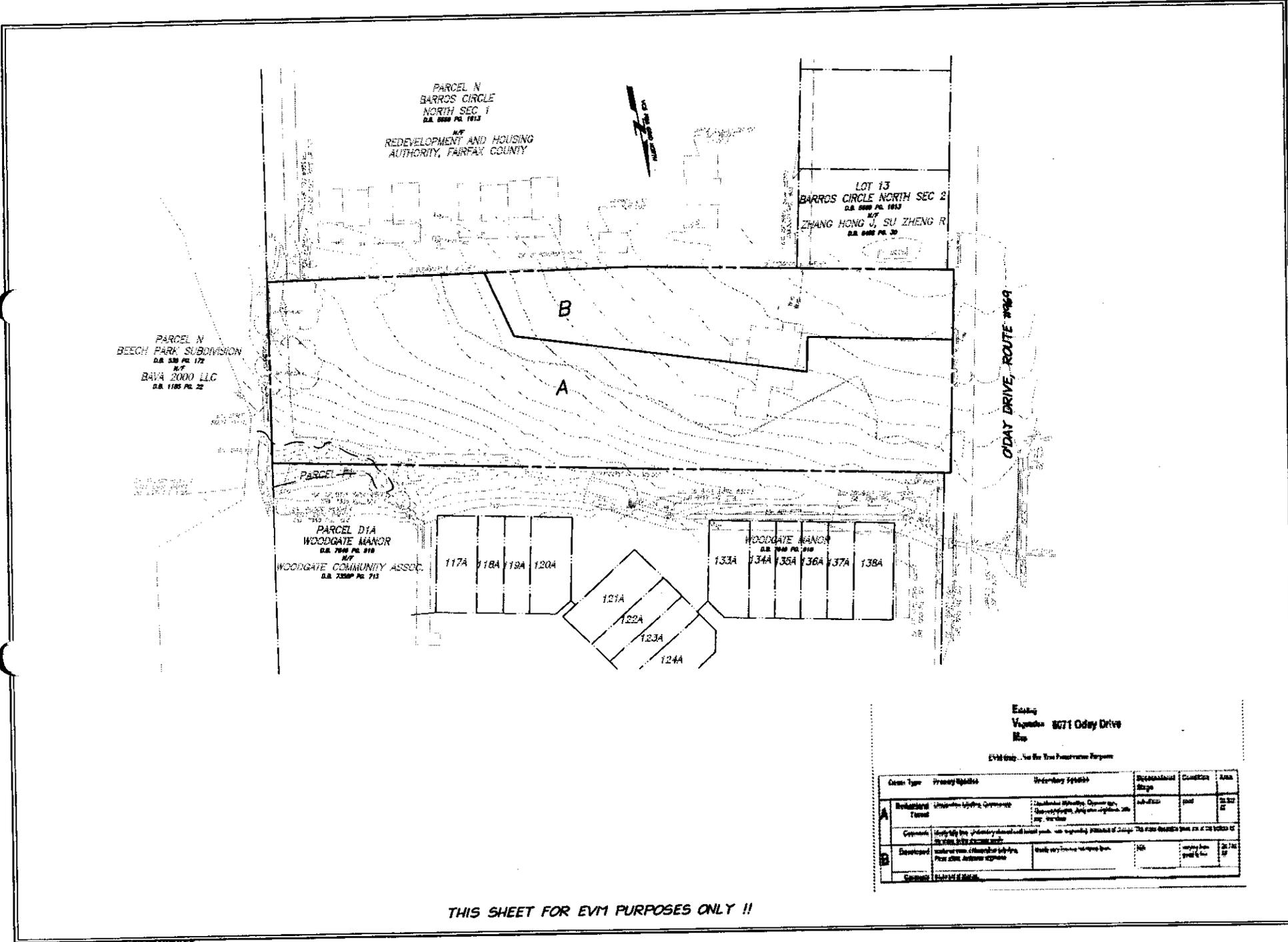
NO.	DATE	REVISION	BY	DATE
1	01/03/09	ISSUED FOR PERMIT	JLM	01/03/09
2	01/03/09	REVISED PER COMMENTS	JLM	01/03/09
3	01/03/09	REVISED PER COMMENTS	JLM	01/03/09
4	01/03/09	REVISED PER COMMENTS	JLM	01/03/09
5	01/03/09	REVISED PER COMMENTS	JLM	01/03/09
6	01/03/09	REVISED PER COMMENTS	JLM	01/03/09
7	01/03/09	REVISED PER COMMENTS	JLM	01/03/09
8	01/03/09	REVISED PER COMMENTS	JLM	01/03/09
9	01/03/09	REVISED PER COMMENTS	JLM	01/03/09
10	01/03/09	REVISED PER COMMENTS	JLM	01/03/09

I HEREBY CERTIFY THAT OTHER THAN THE REVISIONS SHOWN HEREON, NO OTHER CHANGES HAVE BEEN MADE.

JOHN L. MARSHALL
 No. 13728
 License
 SCALE
 1" = 50'

SHEET 3 of 3

DATE: JANUARY, 2009
 DRAWN: JLM
 CHECK: JLM
 PLOT: 1-3



Class Type	Primary Symbol	Secondary Symbol	Recommended Sign	Comments	Area
A Recreational Trails	Line with wavy dashes, green color	Line with wavy dashes, green color	Sub-4200	None	26,523 sq
B Developed	Line with wavy dashes, green color	Line with wavy dashes, green color	Sub-4200	None	26,523 sq

THIS SHEET FOR EVM PURPOSES ONLY !!

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

DESCRIPTION OF APPLICATION

Proposal

The applicants, Carl Bernstein, Trustee and Horacio Magalhaes, Trustee, request approval of a rezoning of a 1.75 acre property from the R-1 and WS Districts to the R-8 and WS Districts to permit the development of 10 single family attached dwelling units at an overall density of 5.71 dwelling units per acre (du/ac).

Waivers and Modifications

- Waiver of the minimum district size (5 acres)
- Modification of the Transitional Screening and barrier requirements (TS 1, Barrier B or A) along a portion of the southern property boundary.

LOCATION AND CHARACTER

Site Description:

The 1.75 acre property is located on the east side of O'Day Drive, approximately 1,000 feet north of its intersection with Lee Highway. The 150 foot wide property is currently occupied by a single family detached dwelling. The site drains to the northeast where an EQC associated with Big Rocky Run is located. Existing vegetation is in good condition and consists of primarily tulip poplar trees located along the northern and eastern property boundaries.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Single Family Attached	PDH-8 & WS	Residential ; 5-8 du/ac & Public Park
South	Single Family Attached (HCD) and Single Family Detached	R-8 & WS	Residential ; 5-8 du/ac & Public Park
East	Cub Run Floodplain (FCPA)	PDH-12 & WS	Public Park
West	Single Family Attached	R-8 & WS	Residential ; 5-8 du/ac

BACKGROUND

Site History:

- RZ 90-Y-053 was indefinitely deferred on April 18, 1991 and dismissed on October 5, 1994. The application requested to rezone the subject property to the R-8 District to permit the development of 13 single family attached dwelling units at an overall density of 7.47 dwelling units per acre.

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

In the Fairfax County Comprehensive Plan, 2003 Edition, Area III, Bull Run Planning District, Centreville Area and Suburban Center, as amended through December 6, 2004, Land Unit G-1, pages 26 and 27 states:

“Land Unit G (245 Acres)

The upper portion of this land unit is in an area of existing and planned residential use at 2-3 dwelling units per acre. The lower portion of the land unit has good access to the regional highway network (Route 29) and is adjacent to the London Towne townhouse development. Townhouses are also being developed in the area around O'Day Drive.

G-1 (129 Acres)

The Center Heights subdivision in Land Unit G-1 has existing residential development and significant undeveloped land. Part of the Big Rocky Run Environmental Quality Corridor is located in this land unit. This area includes property along Battery Ridge Lane and south to Route 29. Residential use at 5-8 dwelling units per acre is planned. The upper end of the density range is appropriate only with substantial consolidation of lots into a single parcel not smaller than 10 acres. Development under the Planned Development Housing (PDH) district requirements of the Zoning Ordinance is encouraged.”

ANALYSIS

Generalized Development Plat (Copy at the front of staff report)

Title of GDP:	O'Day Drive Property
Prepared By:	Land Design Consultants
Original and Revision Dates:	December, 2004, with revisions through August 17, 2005

Contents	
Sheet 1	Notes, Vicinity Map, Soils Map, Stormwater Management Information
Sheet 2	Generalized Development Plan Detail, Tabulations, Modifications Requested, Tree Cover Calculations, Planting Schedule, Typical Lot Detail, Sanitary Sewer Connection Option
Sheet 3	Existing Vegetation Map
Sheet 3A	Landscape Plan, Planting Notes, Bench Detail and Cross-Section Between Proposed Lot 1 and Parcel 13

The GDP proposes a layout as follows:

- Ten (10) single family attached dwelling units arranged in two rows of 5 units, at an overall density of 5.71 dwelling units per acre with 37% open space.
- The units will front on the private street, with the rear yards oriented towards the southern property boundary. The side yard of proposed Lot 1 will be located 41 feet east of the property boundary along O'Day Drive.
- The units will be offset two feet from each other to provide visual depth to the two rows of attached units.
- Each dwelling unit will be approximately 24 feet wide and 38 feet deep, with a maximum building height of 35 feet.
- Each lot will have an 18 or 20 foot long driveway (front yard), 10 foot side yards for end units and 20 or 22 foot rear yards.
- Each rear yard of the proposed dwelling units will be separated by a six foot tall board fence to be located along the common side yard lot lines.
- An additional five feet of right-of-way will be provided on O'Day Drive, resulting in the property boundary located 30 feet from the centerline of O'Day Drive.
- Frontage improvements consisting of curb and gutter will be provided to extend to that existing on the adjacent properties to the north and south along O'Day Drive. A 5 foot wide sidewalk will be provided along O'Day Drive that will enter the site and continue along the south side of the private road and continue east as an asphalt trail south of the stormwater management facility and connect to the asphalt trail on the Fairfax County Park Authority property to the east. A four foot wide path will extend from the east side of the sidewalk along O'Day Drive and enter the site through the streetscape elements in the western portion of the property.

- Five visitor parking spaces will be provided between the stormwater management facility and proposed Lot 10. The proposed turn around area will be surfaced with grasscrete or another similar pervious material subject to the approval of DPWES. If grasscrete or a similar material is not approved by DPWES, the turn around area will be paved with asphalt.
- An extended detention dry stormwater management facility will be provided in the southeast portion of the property outside of the EQC and RPA. The outfall pipe is depicted as discharging in a northeasterly direction into the natural channel that leads to the floodplain. A 12 x 12 foot gravel access road is proposed at the eastern terminus of the turnaround area.
- The limits of clearing and grading have been designed to preserve an approximately 20 foot wide buffer of existing vegetation along the northern property boundary and along the southern property boundary behind proposed Lots 7–10 (approximately 5 feet wide behind proposed Lot 7 that tapers down to approximately 2 feet in width behind proposed Lot 10). The EQC and RPA in the eastern portion of the site will be preserved, with the exception of the necessary clearing to permit the proposed stormwater management facility to outfall into the natural channel.
- Retaining walls will be located behind the rear yards of the proposed lots (4-8 feet in height) and on the north side of the private road, south of the existing vegetation to be preserved (4-6 feet in height).
- Landscaping elements are depicted to complement the preservation of existing vegetation to provide a vegetated buffer around the 10 proposed dwelling units. Dogwoods and Red Maple trees will be planted along the frontage of O'Day Drive, between the sticks of attached units and between the private road and proposed Lot 10; Hedge Maples will be planted in the rear yards of each proposed Lot; while Hollies will separate the visitor parking spaces from the stormwater management facility; and Dogwoods and Hollies will buffer the EQC from the proposed attached units in the northeastern corner of the property. A path and bench will be located within the streetscape elements in the western portion of the property along O'Day Drive.
- As depicted in the cross-section on Sheet 3A of the GDP, proposed Lots 1-3 will be buffered from the single family detached dwelling unit on the adjacent lot to the southwest of the subject property. A row of Hollies will be planted along the shared property boundary, with a seven foot tall masonry wall located on the north side of the Hollies approximately 8 feet from the property boundary. A row of shrubs will be planted between the proposed masonry wall and the retaining wall located behind the rear yards of the proposed Lots.
- Option B depicts how sanitary sewer could be provided to the site while preserving a Poplar tree in the southeast corner of the property, which would require the acquisition of an off-site easement with the property owner

(Fairfax County Redevelopment and Housing Authority) of Tax Map 54 -3 ((12)) N. If this easement is not acquired, sanitary sewer would be provided through an existing easement that would require the removal of this Poplar tree.

- Illustrations A-D are attached to the proffers which portray the proposed architectural composition of the dwellings. Each dwelling unit will have a two car garage with front and side facades constructed of brick while the rear facades will be sheathed in vinyl.

COMPREHENSIVE PLAN ANALYSIS

The applicants proposes to rezone the 1.75 acre property to the R-8 District to permit the development of 10 single family attached dwelling units, at an overall density of 5.71 du/ac, with 37% of the site as open space. The Comprehensive Plan recommends residential development at 5-8 du/ac for Land Unit G-1, but states that the high end of this range (6.8 du/ac) should only be applicable to developments of properties consolidated into a single parcel of not less than 10 acres. The subject property is the last remaining undeveloped property within the vicinity, and because it was not consolidated with adjacent parcels as they developed with residential uses, staff believes that the property should only be developed below the high end of the Plan density range. The applicants initially proposed a development with 13 dwelling units, which has now been revised to request approval to permit the development of 10 dwelling units at 5.71 du/ac which is below the high end of the range, while preserving the EQC, RPA and healthy vegetation worthy of preservation. Therefore, staff believes that the applicants' proposal is in conformance with the recommendations of the Comprehensive Plan.

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. For the complete Residential Development Criteria text, see Appendix 14.

Site Design (Development Criterion #1)

This Criterion requires that the development proposal address consolidation goals in the Comprehensive Plan, further the integration of the development with adjacent parcels and not preclude adjacent properties from developing according to the recommendations of the Plan. The Comprehensive Plan recommends residential development at 5-8 du/ac for the subject property, but states that the

high end of this range (6.8 du/ac) should only be applicable to developments of properties consisting of a single parcel of not less than 10 acres. As stated, since the subject property is the last remaining undeveloped property within the vicinity. The applicants propose to develop the property below the high end of the Plan density range at an overall density of 5.71 dwelling units, which staff believes is in conformance with the Comprehensive Plan. Surrounding properties are developed according to the Plan recommendations with residential uses at the PDH-8 District (north), R-8 District (south), PDH-12 District (east) and R-8 District (west).

The development proposal should provide a logical and functional design with appropriate relationships within the development, including appropriately oriented dwelling units and usable yard areas within the individual lots. Convenient access to transit facilities should be provided where available, and all aspects pertaining to utilities shall be identified. The GDP depicts a layout of ten single family attached dwelling units arranged in two rows of five units each. The proposed dwellings will be oriented towards the private street, with minimum eighteen foot front yards, ten foot side yards and twenty foot rear yards. As proposed, dwelling units will be located approximately 78 feet from the northern property boundary, 190 feet from the eastern property boundary (Lot 10), 35 feet from the southern property boundary (Lots 1-10) and 51 feet from the western property boundary (Lot 1). The rear yards (20-22 feet) of the proposed dwelling units will provide usable yards with sufficient room for future additions to the dwelling units in accordance with the applicable provisions of the Zoning Ordinance. Sidewalk improvements will be provided along the property's frontage on O'Day Drive to connect to that existing on the adjacent properties, which will connect to the sidewalk on the south side of the private road. An asphalt trail will continue from the sidewalk interior to the site and connect to the asphalt trail on the Park Authority property to the east. The applicants have proffered to provide an extension of the trail on the Park Authority property across the eastern frontage of the subject property. As shown on Sheet 3A of the GDP, a proposed path will enter the site from the southwest corner of the property and traverse the streetscape and seating area in the western portion of the property. Water will be provided to the site through an extension of an existing eight inch water main located under O'Day Drive. Sanitary sewer will be provided to the site through a connection to the existing easement on the adjacent property to the southeast. Option B on Sheet 2 of the GDP illustrates the applicants' intentions to attempt to acquire an off-site easement from the owner of the property to the south, which would permit sanitary sewer to be provided to the site while preserving a Poplar tree.

Open space should be usable, accessible and integrated. Appropriate landscaping and amenities should be provided. Thirty seven percent (37%) of the site will be retained as open space. Pedestrian connections will be provided from the sidewalk along O'Day Drive through the property to connect with the existing trail on the Park Authority property to the east. A bench will be provided within the streetscape and seating area in the western portion of the property. The applicants have proffered to provide an extension of the trail on the Park

Authority property across the eastern frontage of the subject property. The trail on the Park Authority property currently terminates at the northeastern corner of the property. Landscaping will be provided to complement the proposed preservation of existing vegetation to provide a buffer between the proposed dwelling units and the existing residential neighborhoods to the north, south and west.

Neighborhood Context (Development Criterion #2)

While developments are not expected to be identical with the existing development within which they are to be located, this Criterion states that they should fit into the fabric of the community. The applicants propose to develop the subject property with 10 single family attached dwelling units at an overall density of 5.71 du/ac. The proposed density is less than that existing on the adjacent properties. Single family attached units are located on the properties to the north and south, and across O'Day Drive to the west. Multi-family dwelling units exist on the property to the south and across the Cub Run stream valley to the east. Single family detached dwelling units are located to the southwest of the subject property fronting on O'Day Drive. The proposed unit type is compatible with the surrounding development, although the proposed size of the individual units (24 feet x 38 feet; 35 feet tall) is significantly larger than those existing within the adjacent residential neighborhoods. Staff believes that the proposed tree preservation and supplemental landscaping will provide sufficient screening between the proposed development and the adjacent residential uses.

Environment (Development Criterion #3) (Appendix 5)

This Criterion requires that developments respect the natural environment by conserving natural environmental resources, account for soil and topographic conditions and protect current and future residents from the impacts of noise and light. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts.

The original submission of the GDP failed to depict the presence of a RPA on the eastern portion of the property and illustrated extensive limits of clearing and grading that appeared greater than that necessary to accommodate the outfall from the proposed stormwater management facility. Staff requested that the GDP be revised to show the presence and extent of the RPA and EQC on the property along with relocating the stormwater management facility in connection with the reduction of units. The applicants satisfactorily revised the proposed layout according to staff's recommendations, which included a reduction in the number of proposed dwelling units that allowed for the relocation of the stormwater management facility further upland, tighter limits of clearing and grading around the outfall and the depiction of the RPA and EQC on site, which will remain as open space. Ultimate approval of any stormwater management facilities constructed on site must be approved by DPWES; this issue is discussed below.

**Tree Preservation and Tree Cover Requirements (Development Criterion #4)
(Appendix 6)**

This Criterion states that all developments should be designed to take advantage of existing tree cover and developed appropriately to disturb as little existing tree cover as possible, including the extension of utility improvements to the site.

The applicants revised the GDP and have proffered to preserve healthy vegetation along the northern, eastern and southern property boundaries. Supplemental landscaping will be planted to provide a buffer for the proposed dwelling units from adjacent residential developments and O'Day Drive. The GDP illustrates an option to provide sanitary sewer to the site in a manner that would ensure the preservation of a large Tulip Poplar tree in the southeast corner of the property. This would only be possible if the applicants successfully acquire an easement from the owner of the property to the south. If this easement is not attained, then sanitary sewer will be provided to the site through the existing easement, which would require the removal of the Tulip Poplar tree.

Transportation (Development Criterion #5) (Appendix 7)

Criterion 5 requires that development provide safe and adequate access to the surrounding road network, and that transit and pedestrian travel and interconnection of streets should be encouraged. In addition, alternative street designs may be appropriate where conditions merit.

The applicants have committed to dedicate right-of-way along the property's frontage 30 feet from the centerline of O'Day Drive, and to construct sidewalk improvements along the frontage that connect to the internal sidewalk and the trail on the Park Authority property to the east. The subject property is located within the Centreville Area Road Fund and the applicants have proffered to contribute \$2,017 per dwelling unit to the Board of Supervisors to be used for transportation improvements within the Centreville area. Adequate sight distance from the proposed entrance has been demonstrated to the satisfaction of the Virginia Department of Transportation (VDOT).

Public Facilities (Development Criterion #6)

Criterion 6 states that residential developments should offset their impacts upon public facility systems (i.e. schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). Impacts may be offset by the dedication of land, construction of public facilities, contribution of in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. (Specific Public Facilities issues are discussed in detail in Appendices 8 – 13).

Fairfax County Public Schools (Appendix 8)

The proposed development would be served by Bull Run Elementary School, Stone Middle School and Westfield High School. Bull Run Elementary School is projected to exceed capacity through the 2009-2010 school year, while Stone Middle School and Westfield High School are projected to be under capacity by the 2009-2010 school year. The total number of students generated by this development is anticipated to be 4 total students: 2 elementary, 1 middle and 1 high school student. This is an increase of 4 students above that generated by the existing zoning district. An appropriate contribution would be between \$7,500 and \$30,000 (4 students x \$7,500 per student). The applicant has proffered a contribution of \$30,000 to provide for capital improvements to schools that serve the area.

Fairfax County Park Authority (Appendix 9)

The proposed development would add approximately 36 persons to the current population of the Sully District. The GDP depicts sidewalk frontage improvements that will connect to the internal sidewalk and continue to the trail on the Park Authority property to the east. The applicants have proffered to construct an extension of the trail on the Park Authority property across the eastern frontage of the subject property. Aside from a seating bench and trail connections, no recreational facilities are proposed on-site. The applicants have proffered to provide \$9,570 to the Fairfax County Park Authority for off-site park facility development.

Fire and Rescue (Appendix 10)

The subject property would be serviced by the Fairfax County Fire and Rescue Department Station #38, West Centreville. The requested rezoning currently meets fire protection guidelines.

Sanitary Sewer Analysis (Appendix 11)

The subject property is located within the Cub (T5) Watershed and would be sewered into the UOSA Pollution Control Plant. An existing 8 inch line located in an easement approximately 70 feet from the property is adequate for the proposed use.

Fairfax County Water Authority (Appendix 12)

The subject property is located within the Fairfax County Water Authority service area. Adequate domestic water service is available at the site from an existing 8-inch water main located at the property.

Utilities Planning and Design, DPWES (Appendix 13)

The applicants' proposal to provide an extended detention dry stormwater management facility that will discharge into an existing channel appears to satisfy the water quality and quantity requirements of the PFM.

Affordable Housing (Development Criterion #7)

This Criterion states that ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of Fairfax County. This Criterion may be satisfied by the construction of units, dedication of land, or by a contribution to the Housing Trust Fund. The applicant has proffered to contribute one half of one percent (½%) of the projected sales price of the houses to the Housing Trust Fund, in accordance with Fairfax County policy.

Heritage Resources (Development Criterion #8)

This Criterion requires that developments address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation. No heritage resources have been identified on this site.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-8)		
Standard	Required	Provided
District Size	5 acres	1.75 acres ¹
Building Height	35 feet	35 feet
Front Yard	15° ABP (Angle of Bulk Plane), but not less than 5 feet (9 feet minimum)	18 feet minimum
Side Yard	15° ABP, but not less than 10 feet (9 feet minimum)	10 feet minimum
Rear Yard	30° ABP, but not less than 20 feet (20 feet minimum)	20 feet minimum
Open Space	20%	37%
Parking Spaces	23 spaces	25 spaces
Maximum Density	8 dwelling units per acre	5.71 du/ac
Tree Cover	20%	20%

¹. Waiver of the minimum district size requested.

Watershed Protection Overlay District (Sect. 7-800)

The provisions of Sect. 7-808, Use Limitations, apply additional standards for uses in the WSPOD. Any use requiring a site plan must provide water quality control measures designed to reduce by one-half the projected phosphorus runoff pollution for the proposed use. Such water quality control measures or Best Management Practices (BMPs) shall be reviewed, modified, waived and/or approved by the Director in accordance with the Public Facilities Manual. The GDP shows stormwater management and BMPs to be provided through the construction of an extended detention dry stormwater management facility in the southeast corner of the property that will outfall into an existing channel within an easement located on the property to the north. The proposed use must meet the requirements of the WSPOD at the time of site plan approval.

WAIVERS AND MODIFICATIONS

Waiver of the minimum district size

The applicants request a waiver of the 5 acre minimum district size of the R-8 District. The 1.75 acre subject property is proposed to be developed with 10 single family attached dwelling units at an overall density of 5.71 du/ac. As proposed, the development conforms to all of the R-8 District bulk regulations and lot size requirements, with the exception of minimum district size. As previously stated, the Comprehensive Plan recommends residential uses for the subject property at a density of 5-8 du/ac, but reserves the upper end of the Plan range (6.8 du/ac) for developments greater than 10 acres. All of the surrounding properties are developed with residential uses in conformance with the Plan. The subject property was not consolidated with previous developments and is currently occupied by a single family detached dwelling unit constructed in 1951. Staff supports this waiver request because there are no logical consolidation possibilities at the current time, and that the applicants propose to develop the property in conformance with the Comprehensive Plan below the high end of the Plan range.

Modification of the Transitional Screening and barrier requirements

The applicants request modifications of the Transitional Screening (TS 1) and barrier requirements (B or A) along the shared southern property boundary with that property identified as Tax Map 54-3 ((12)) 13 which is occupied by a single family detached dwelling unit. The Zoning Ordinance permits modifications of the Transitional Screening requirement when the land between the building and the property line has been designed to minimize adverse impacts through a combination of architectural and landscaping techniques. As depicted on Sheet 3A of the GDP, the rear yards of proposed dwelling units 1-3 will be separated from the adjacent property to the south by a 13 foot wide buffer yard consisting of an 8 foot wide row of Holly trees, 7 foot tall masonry wall, row of shrubs and retaining wall. The dwelling unit on proposed Lot 1 will be located approximately

42 feet from the single family detached dwelling unit on the adjacent lot. Staff believes that the applicants' proposal to install a fence with screening on both sides, will provide an adequate buffer yard between the proposed attached dwelling units and the existing detached dwelling unit on the property to the south. Therefore, staff supports the applicants requested modifications of the Transitional Screening and barrier requirements along a portion of the southern property boundary.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicants request to rezone the subject 1.75 acre property from the R-1 and WS Districts to the R-8 and WS Districts to permit the development of 10 single family attached dwelling units at an overall density of 5.71 du/ac with 37% of the site remaining as open space. The property is planned for residential uses at 5-8 du/ac. Staff believes that the proposal is in conformance with the Comprehensive Plan and applicable Zoning Ordinance provisions.

Recommendation

Staff recommends approval of RZ 2005-SU-007, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of a waiver of the minimum district size.

Staff recommends approval of a modification of the Transitional Screening and barrier requirements along a portion of the southern property boundary in favor of the treatment depicted on the GDP.

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

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

APPENDICES

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Plan Analysis
5. Environmental Analysis
6. Urban Forest Management Analysis

APPENDICES (Cont.)

7. Transportation Analysis
8. Fairfax County Public Schools
9. Fairfax County Park Authority
10. Fire and Rescue
11. Sanitary Sewer Analysis
12. Fairfax County Water Authority
13. Utilities Planning and Design, DPWES
14. Residential Development Criteria
15. Glossary



PROFFERS

RZ 2005-SU-007

September 06, 2005

Pursuant to Section 15.2-2303(A), Code of Virginia (1950), as amended, Lloyd P. Given as the owner of Tax Map No. 54-3((2))-47 (the "Subject Property"), and Carl Bernstein, Trustee, and Horacio Magalhaes, Trustee, as the Applicants and Contract Purchaser, for themselves and their respective successors and assigns, hereby proffer to develop the Subject Property in accordance with the following conditions, provided that the Board of Supervisors rezones the Subject Property to the R-8 and WS Zoning Districts for the development of ten (10) single family attached dwelling units. For the purpose of these Proffers, the term "Developer" refers to the Applicant, its successors and assigns.

1. GDP. Development of the Subject Property shall be in substantial conformance with the generalized development plan entitled "Generalized Development Plan", consisting of three sheets, prepared by Land Design Consultants, dated December 2004 and revised through August 17, 2005 (the "GDP"). Minor modifications to the GDP shall be permitted as determined by the Zoning Administrator in accordance with Section 18-204 (5) of the Fairfax County Zoning Ordinance (the "Ordinance") The Applicant reserves the right to make minor adjustments to the layout, internal lot lines, and lot sizes during site plan review based on final house locations,

building footprints, and utility locations, provided that any adjustments are in substantial conformance with the GDP and that there is no decrease to the amount of open space, tree save, limits of clearing and grading, or distances to peripheral lot lines as dimensioned on the GDP.

2. Architecture.

(A) Illustrations A, B, C, and D attached to these Proffers are provided to show the design intent for the proposed single family attached dwelling units. The front elevations shall be generally consistent with the character and quality of the options shown on Illustrations A and B. The front elevations of the residential dwellings shall be brick as shown on Illustrations A and B, but with vinyl and wood trim and other materials for features such as roofs, doors, windows, entrance steps and garage doors. Illustration C depicts side elevation options for those proposed dwelling units with an exposed side elevation . The side elevations shall be brick as shown on Illustration C, but with vinyl and wood trim and other materials for features such as roofs, gables, doors, windows, entrance steps, and garage doors. The primary materials for the rear elevations of the single family attached dwelling units shall be vinyl, as shown on Illustration D, but such elevations shall incorporate other materials, such as wood, in trim work such as soffits, friezeboards, and corner boards, and shall incorporate architectural features, generally as shown on Illustrations C and D. Specific features for the single family attached dwelling units, such as the exact location and size of windows, doors, shutters and roofline, are subject to modification by the Developer upon final engineering and final architectural design.

(B) The development shall include the following elements:

(1) The number and spacing of exterior lights near the driveways for some of the single family attached dwelling units shall be as determined by the Developer during site plan review. These lights shall be shielded downward to prevent extraneous glare. All exterior lighting shall comply with the applicable performance standards in Article 14 of the Zoning Ordinance.

(2) The Developer may construct two (2) small monument style entrance features at the locations indicated on the GDP. The heights and dimensions of these shall be in conformance with Article 12 of the Zoning Ordinance. Any lighted entrance feature shall be lit in accordance with the performance standards in Article 14 of the Zoning Ordinance.

3. Tree Preservation and Landscaping.

(A) Subject to the provisions of this Proffer No. 3, the Developer shall preserve the existing trees and vegetation outside of the limits of clearing and grading as shown on the GDP. (the “Tree Preservation Areas.”) The Applicant shall submit a tree preservation plan, prepared by an International Society of Arboriculture Certified Arborist or the equivalent (hereafter sometimes referred to as “Developer’s Arborist,”) with the first and all subsequent site plan submissions. The tree preservation plan shall show locations of all trees ten inches in diameter at four and one-half feet above the soil line (referred to as diameter at breast height or “DBH” and a tree that is of this size may be referred to as a “DBH tree”) within twenty feet of

either side of the limits of clearing and grading. The tree preservation plan shall adhere to PFM requirements, as approved by Fairfax County Urban Forest Management (hereafter referred to as "Urban Forest Management" or "UFM"). The condition of each DBH tree will be rated using the latest edition of the *Guide for Plant Appraisal*. The tree preservation plan shall be subject to the review and approval of UFM.

The tree preservation plan shall specify tree preservation practices to be employed to preserve trees, including but not limited to, root pruning, crown pruning, mulching, and suppression of invasive exotics.

Supplemental plantings using indigenous species shall be used where necessary and practical, as approved by UFM, to improve density and longevity of the Tree Preservation Areas along the northern, eastern, and southern property boundaries, as shown on the GDP. Plantings to be so used shall be listed and described on the landscape plan. At least seventy-five percent of the supplemental trees to be planted in the tree preservation areas shall be rated at seventy-five percent or higher in the Mid-Atlantic Chapter of the International Society of Arboriculture *Species Rating Guide*.

(B) All tree preservation-related work occurring in or adjacent to tree preservation areas shall be accomplished in a manner that minimizes any potential for damage to vegetation to be preserved, including any woody, herbaceous, or vine plant species that occur in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Any removal of any vegetation or any soil

disturbance in Tree Preservation Areas, including the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, or multi-floral rose, shall be subject to the review and approval of UFM.

(C) For all Tree Preservation Areas, the Developer shall provide tree protection fencing during construction of the improvements contemplated by the GDP in the form of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart, or other forms of tree protection fencing approved by UFM. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures.

(D) The Developer shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Developer's Arborist shall walk the limits of clearing and grading with a UFM representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. The Developer's Arborist shall at this time also identify trees within Tree Preservation Areas that may be dead or dying or that will be unlikely to survive construction. Upon approval by the UFM, any such trees may be removed by the Developer and need not be bonded. Any tree to be removed by the Developer shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little

disturbance as possible to the adjacent trees and associated understory vegetation and soil conditions.

(E) In order to minimize site disturbance, the private trail within the Subject Property, as shown on the GDP, shall be field located in consultation with UFM, prior to the first submission of the site plan. Once the trail is located in the field, it shall be shown on the site plan with the limits of clearing and grading reflecting the minimum amount required for access and construction.

(F) The area of disturbance of the SWM/BMP facility shown on the GDP shall be minimized to the greatest extent possible, given site and engineering constraints.

(G) Along with the tree preservation plan, the Developer shall submit a landscape plan to provide the additional landscaping as shown on the GDP. In order to restore a natural appearance to the proposed stormwater management pond, as shown on the GDP, the landscape plan shall show a restrictive planting easement for the pond, and extensive landscaping in all areas outside of that restrictive planting easement, to the maximum extent feasible in accordance with the planting policies of Fairfax County.

(H) The limits of clearing and grading as shown on the GDP shall be subject to the necessary installation of utilities and/or trails. If it is determined necessary to install utilities and/or trails outside of the limits of clearing and grading as shown on the GDP they shall be

located in the least disruptive manner necessary as determined by UFM. A replanting plan shall be developed and implemented, subject to approval by UFM, for any areas outside the limits of clearing and grading that must be disturbed.

(I) The Developer shall pursue an off-site easement, depicted as Option B on the GDP, with the owner of the property abutting to the south, which is the Fairfax County Redevelopment and Housing Authority (hereinafter, the "Parcel N Owner"), (Tax Map # 54-3((12))-N). The purpose of this easement is to locate the sanitary sewer connection for the Subject Property in order to protect a large tree in or near the southwest corner of the subject Property, as indicated on the GDP. If requested by the Parcel N Owner, the Developer shall pay a reasonable appraised value of the easement in order to obtain the easement. The exact location of the easement shall be determined during site plan review in consultation with the UFB, DPWES. If the offsite easement cannot be obtained within sixty (60) days of a written request, sent by certified mail, return receipt requested, from the Developer to the Parcel N Owner, then the sanitary sewer may be located as shown on the GDP (excluding Option B). Copies of the request for the easement, any appraisal, all offers by the Developer, all responses by the Parcel N Owner, and all other information regarding this easement shall be contemporaneously delivered to DPWES.

(J) Trees and other vegetation shown to be protected shall be subject to the requirements of the PFM, including requirements for conservation deposits and public improvement bonds, and such requirements generally obligate the Developer to remedial actions if the Developer, or any of its agents or contractors, damage any trees beyond the limits of

clearing and grading. The Developer proffers additional obligations relating to tree preservation as set out in this Proffer No. 3(J).

The Developer's Arborist shall submit the replacement value of the DBH trees within the Tree Preservation Areas at the time of the first submission of the site plan, subject to the review and approval by UFM. The replacement value shall take into consideration the age and size of the trees and shall be determined according to the methods contained in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, subject to review and approval by the UFM.

At the time of final site plan approval, the Developer shall post a cash bond or letter of credit, payable to the County of Fairfax, to ensure preservation and/or replacement of the DBH trees (excluding those specified pursuant to Proffer 3(D)) in accordance with this Proffer No. 3(K). The total amount of the cash bond or letter of credit shall be in the amount of the sum of the assigned replacement values of the DBH trees.

If, at the time of final bond release, DBH trees (excluding those specified pursuant to Proffer 3(D)) are found to be dead or dying (such trees hereafter called the "impacted trees") as a result of the impacts of development and construction on the Subject Property, despite adherence by the Developer to approved construction practices, as determined by UFM, then the cash bond or letter of credit shall be used as necessary to fund the costs to plant trees of similar size (or if a similar size is not feasible, trees that are appropriate substitutes) and species to the impacted trees, in consultation with UFM and the Developer. The cash bond or letter of credit

shall not be used for the removal of the dead and/or dying trees normally required by the Fairfax County in accordance with the typical conservation escrow required pursuant to the PFM

Any funds remaining in the letter of credit or cash bond will be released to the Developer two years from the date of release of the project's conservation escrow, or sooner, if approved by the UFM.

(K) The demolition of existing features and structures shall be conducted in a manner that does not impact on individual trees and/or groups of trees that are to be preserved as reviewed and approved by UFM. Methods to preserve existing trees may include, but not be limited to the use of super silt fence, welded wire tree protection fence, root pruning, mulching, as approved by the UFM.

4. Stormwater Management A stormwater management/Best Management Practices (SWM/BMP) facility shall be provided in the location shown on the GDP and in accordance with the requirements of the Public Facilities Manual and the Chesapeake Bay Preservation Ordinance, unless waived or modified by DPWES. In the event that a SWM/BMP facility is not required to be provided on-site, the area depicted on the GDP as SWM/BMP facility shall remain as open space. If an on-site SWM/BMP facility is required, the tree preservation/landscape plan shall show extensive landscaping in all possible planting areas of the pond, in keeping with the planting policies of the PFM, as determined by Urban Forest Management and approved by DPWES.

5. Energy Efficiency All residential units constructed on the Subject Property shall meet the thermal standards of the CABO Model Energy Program of energy efficient homes, or its equivalent, as determined by DPWES, for either electrical or gas systems.

6. Transportation.

(A) The Developer shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the O'Day Drive frontage of the Subject Property, 30 feet from the centerline of O'Day Drive, as shown on the GDP. Such dedication and conveyance shall be made upon demand by Fairfax County or VDOT, or at the time of site plan approval, whichever occurs first. All density related to such dedication is hereby reserved pursuant to paragraph 4 of Section 2-308 of the Zoning Ordinance. Subject to VDOT and DPWES approval, Applicant shall construct frontage improvements on O'Day Drive to PFM standards as shown on the GDP.

(B) At the time of final site plan approval, the Applicant shall make a monetary contribution to the Fairfax County Board of Supervisors in the amount of (\$2,017) per approved single family attached dwelling unit. Said funds shall be utilized as determined by the Board of Supervisors for road improvements in the Centreville area. Using the approval date of this application as the base date, this monetary contribution shall be adjusted yearly in accordance with the construction cost index as published in the Marshall and Swift Building Cost Index.

(C) At the time of site plan submission, the Applicant shall demonstrate adequate sight distance at the entrance to the development from O'Day Drive in accordance with applicable VDOT and Fairfax County standards.

7. Schools. The Developer shall contribute the sum of \$30,000 to the Board of Supervisors for capital improvements to the schools in the vicinity of the Subject Property. This contribution shall be made at the time of the final site plan approval.

8. Affordable Housing. At the time of the building permit approval for the first single family attached dwelling unit, a contribution shall be made to the Fairfax County Housing Trust Fund of one-half of one percent (0.5%) of the projected sales price of each new single family attached dwelling unit actually constructed on the Subject Property, to assist Fairfax County's low and moderate income housing goals. The Developer, in consultation with the staff of the Fairfax County Department of Housing and Community Development, shall determine the estimated sales price.

9. Recreation.

(A) The Subject Property abuts the Big Rocky Run Stream Valley Park, the land for which is titled to the Fairfax County Park Authority ("Park Authority"). An asphalt trail within the Park, running north to south, terminates near the northeast boundary of the Subject Property. The Developer shall extend this trail (sometimes referred to as the "Park Authority Trail") from its current terminus southerly, along the eastern boundary of the Subject Property, to a point near the southeast corner of the Subject Property as shown on the GDP. The surface of this trail extension shall be asphalt. This trail extension shall be approved by the Park Authority's Trail Coordinator prior to site plan approval. If the Park Authority does not approve this trail extension, then the Developer shall escrow funds, with Fairfax County, in the amount of

the estimated construction cost of the trail extension, for construction of other trails in the Sully District.

(B) As a private amenity for the Subject Property, the Developer shall install on the Subject Property a trail connection to the Park Authority trail, as shown on the GDP. The surface of this internal trail shall be asphalt.

(C) The Developer shall contribute \$9,570.00 to the Fairfax County Park Authority for capital improvements to recreational facilities in the vicinity of the Subject Property. This contribution shall be made at the time of final site plan approval.

10. Hours of Construction .

(A) Construction activity for the installation of site improvements and construction of single family attached dwelling units shall be limited to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday.

(B) Construction activity on Sundays shall be limited to interior work only and to the hours between 7:00 a.m. and 6:00 p.m.

11. Signs. No temporary signs (including “popsicle” style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia, shall be placed on or off-site by the Developer or at the Developer’s direction to assist in the initial sale of homes

on the Property. Furthermore, the Developer shall direct its agents and employees involved with marketing and/or home sales for the Subject Property to adhere to this Proffer.

12. Homeowners Association.

(A) The Developer shall establish a homeowners association (“HOA”) for the proposed development to own, manage, and maintain the open space, including the private street, and all other community-owned land and improvements within the Subject Property. Purchasers of residential units shall be advised in writing prior to entering into a contract as to the responsibilities of the homeowners association.

(B) Garages shall be utilized only for those uses that will not interfere with the intended purposes of the garages, namely, the parking of vehicles. A restrictive covenant to that effect, approved by the County Attorney, and running to the homeowners association and Fairfax County, shall be recorded among the land records of Fairfax County and in the homeowners association documents.

13. Miscellaneous. These Proffers shall bind and inure to the benefit of the Owner and the Applicant, and their respective successors and assigns. These Proffers may be executed in one or more counterparts, each of one when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but the same instrument.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

Signature Page to Proffers

RZ 2002-SU-021

OWNER:

Lloyd P. Given

Date Signed: _____

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

Signature Page to Proffers

RZ 2002-SU-021

DEVELOPER/CONTRACT PURCHASER:

Carl Bernstein, Trustee

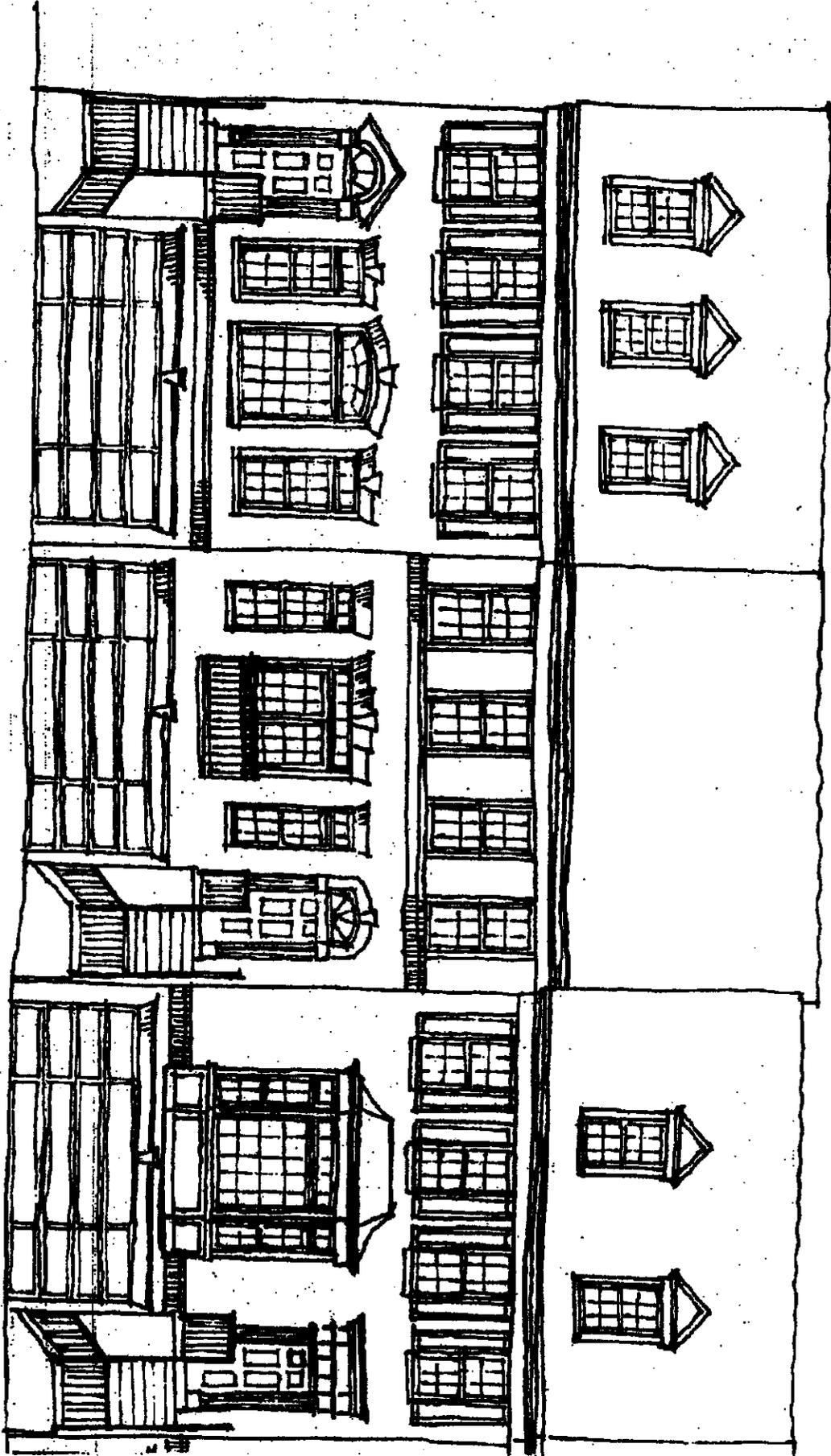
Date Signed: _____

Horacio Magalhaes, Trustee

Date Signed: _____

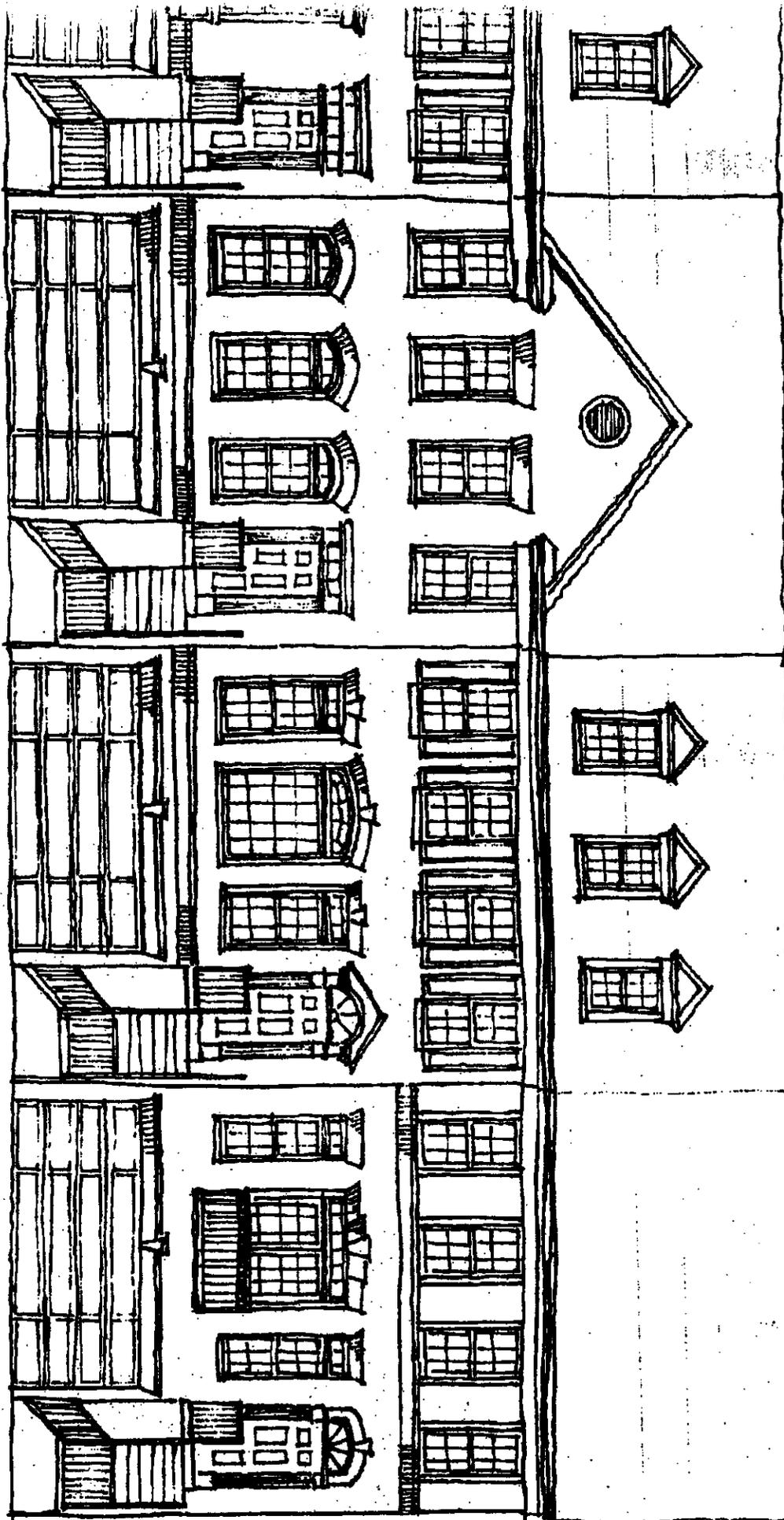
[FINAL PAGE]

O'DAY DRIVE
CARL BERNSTEIN

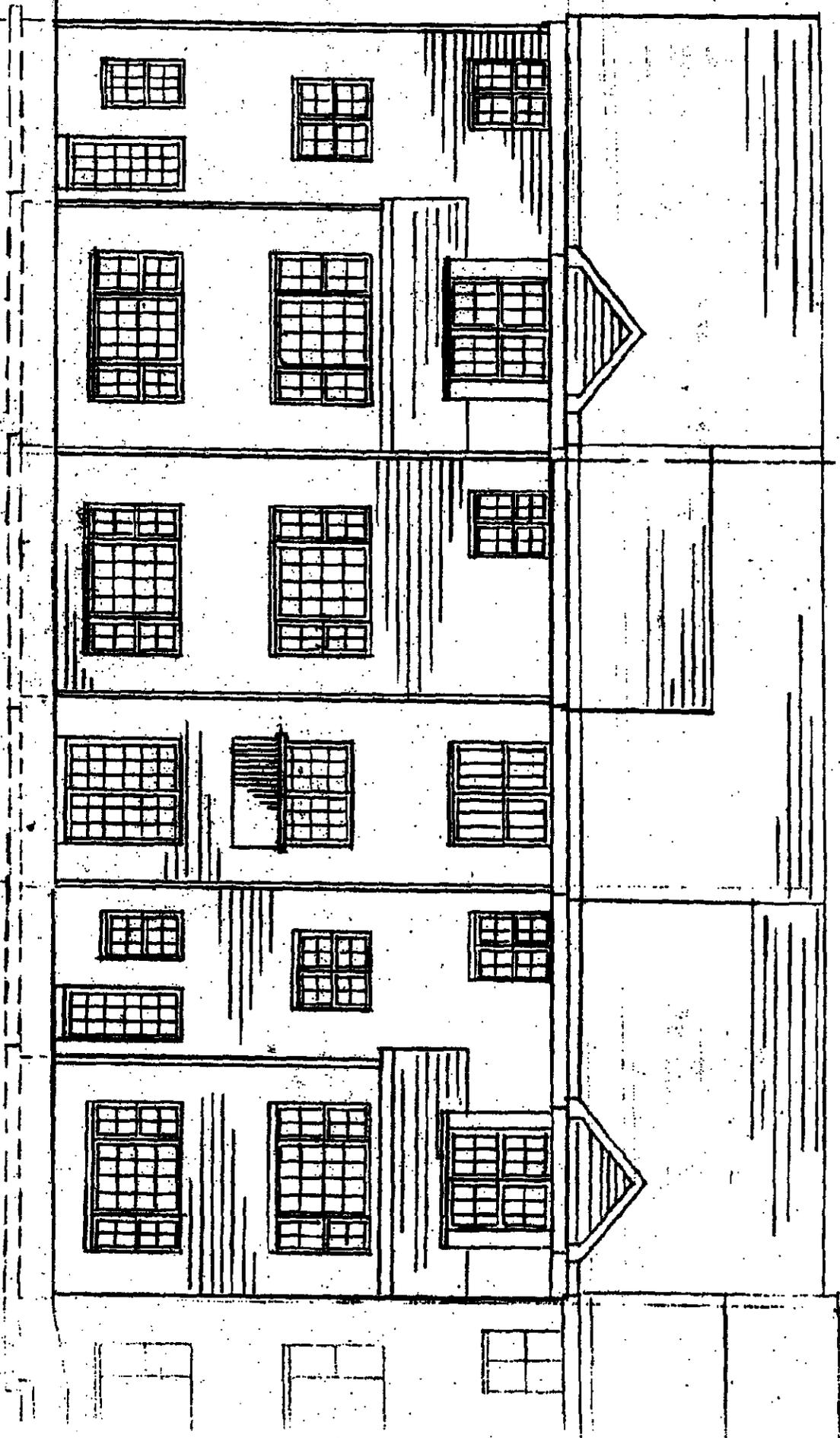


1)

O'DAY DRIVE
CARL BERNSTEIN

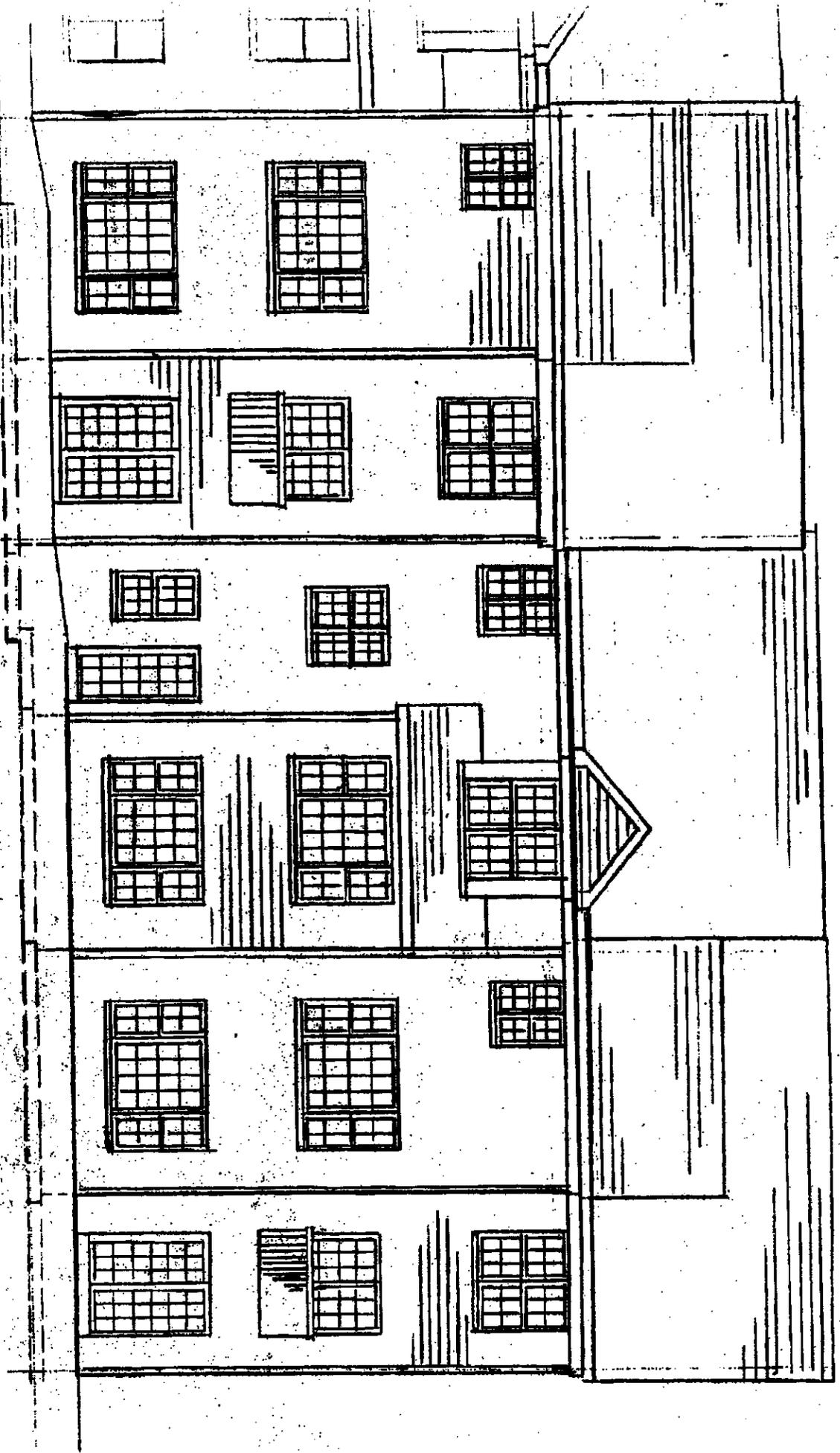


REAR ELEVATION

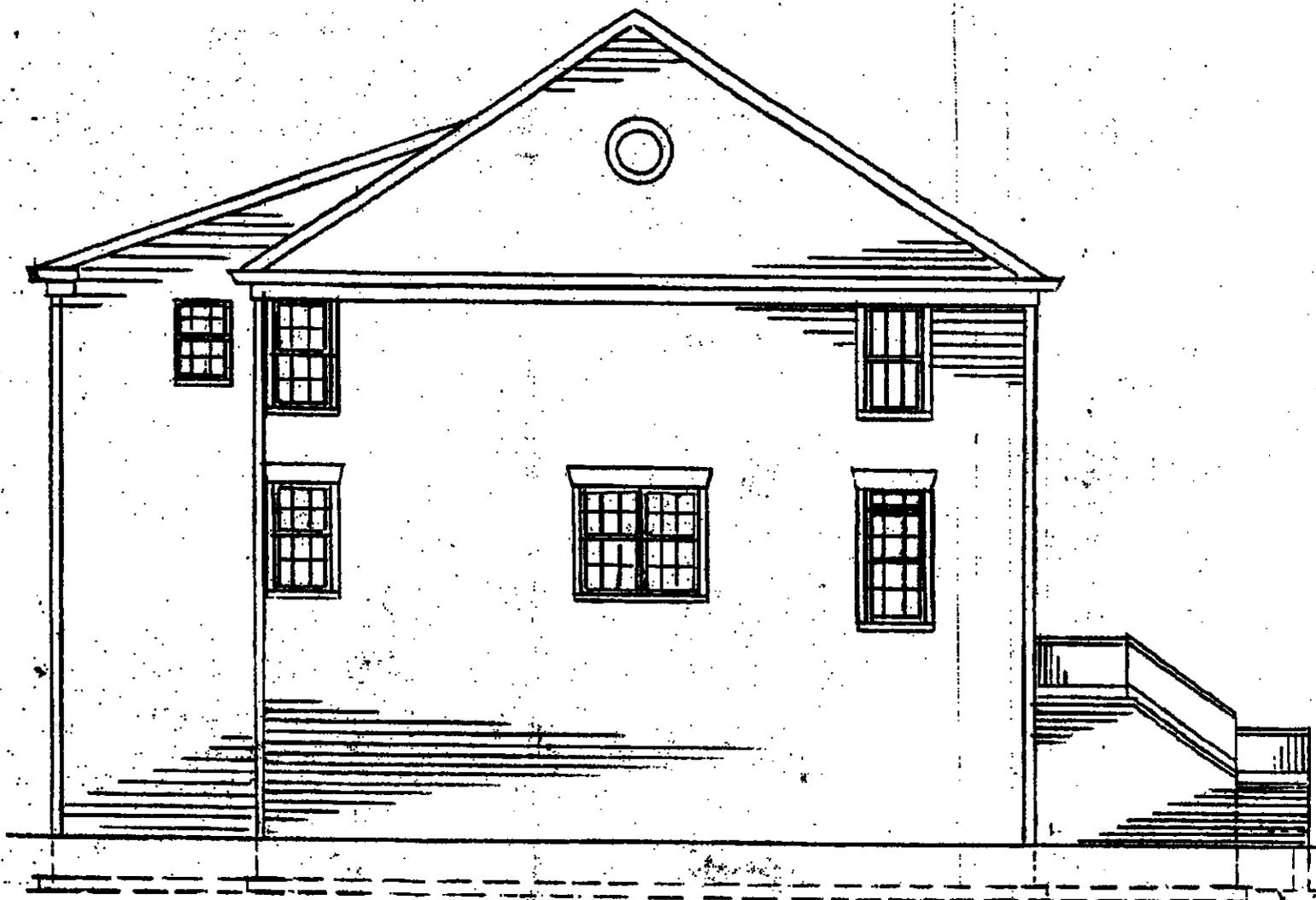


5)

REAR ELEVATION

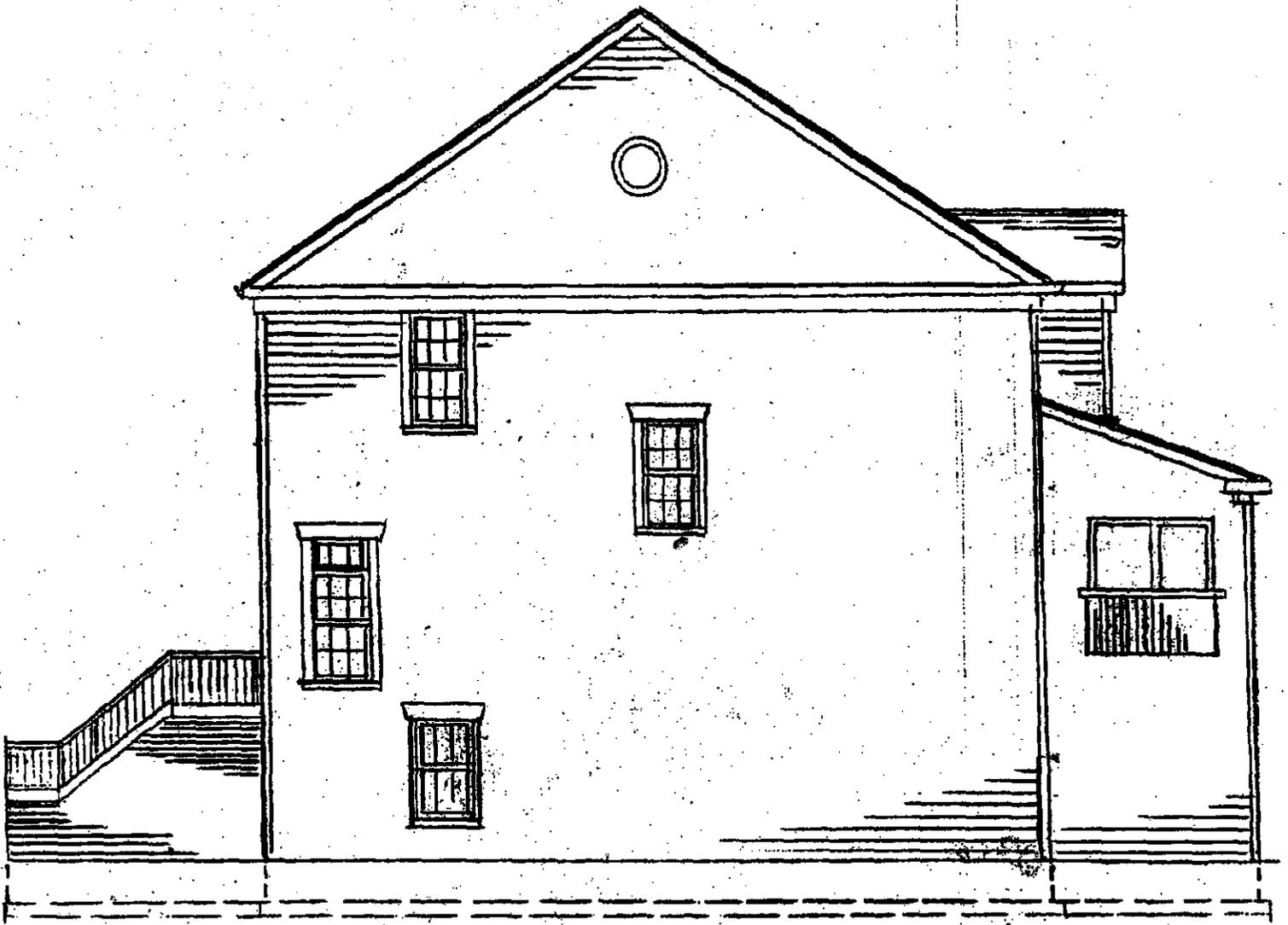


6)



LEFT SIDE ELEVATION

4)



RIGHT SIDE ELEVATION

REZONING AFFIDAVIT

DATE: August 15, 2005
 (enter date affidavit is notarized)

I, Mark G. Jenkins, 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

868406

in Application No.(s): RZ 2005-SU-007
 (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)
Lloyd P. Given	6701 O'Day Drive, Centreville, VA 20120	Title Owner
Carl Bernstein, Trustee, and Horacio Magalhaes, Trustee for the benefit of		Applicants/Contract Purchasers
Carl Bernstein	4842 Reservoir Rd., Washington, D.C. 20007	Beneficiary
Horacio Magalhaes	c/o Carl Bernstein, 4842 Reservoir Rd., Washington, D.C. 20007	Beneficiary
Carlos Magalhaes	c/o Carl Bernstein, 4842 Reservoir Rd., Washington, D.C. 20007	Beneficiary
Mark G. Jenkins, P.C.	2071 Chain Bridge Rd., Suite 400, Vienna, VA 22182	Attorney/Agent

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

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

Rezoning Attachment to Par. 1(a)

DATE: AUGUST 15, 2005
 (enter date affidavit is notarized)

868406

for Application No. (s): RZ 2005-SU-007
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Mark G. Jenkins	2071 Chain Bridge Rd., Suite 400, Vienna, VA 22182	Attorney/Agent
• Land Design Consultants, Inc.	8569-B Sudley Rd., Manassas, VA 20110	Engineer/Surveyor/Planner/Agent
Matthew T. Marshall	8569-B Sudley Rd., Manassas, VA 20110	Planner/Agent
Kelly M. Atkinson	8569-B Sudley Rd., Manassas, VA 20110	Planner/Agent
• Planning & Development Services, Inc.	10012 Island Fog Court, Bristow, VA 20136	Landscape Architects/Agent
Paul R. Jeanin, Jr.	10012 Island Fog Court, Bristow, VA 20136	Landscape Architect/Agent
• HGS, LLC, dba Angler Environmental	12801 Randolph Ridge Lane, Suite 102, Manassas, VA 20109	Environmental Engineers/Agent
Paul J. Pitera	12801 Randolph Ridge Lane, Suite 102, Manassas, VA 20109	Environmental Engineer/Agent
• Edward P. Milhous, Inc., dba Trees Please	P.O. Box 1025, Haymarket, VA 20168	Arborist/Agent
Edward P. Milhous	P.O. Box 1025, Haymarket, VA 20168	Arborist/Agent

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

REZONING AFFIDAVIT

DATE: AUGUST 15, 2005
(enter date affidavit is notarized)

868406

for Application No. (s): RZ 2005-SU-007
(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)

Land Design Consultants, Inc.
8569-B Sudley Rd
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 SHAREHOLDERS: (enter first name, middle initial, and last name)

John L. Marshall
Matthew T. Marshall

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

John L. Marshall, President and sole Director
Matthew T. Marshall, Vice President

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

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

Rezoning Attachment to Par. 1(b)

DATE: AUGUST 15, 2005
(enter date affidavit is notarized)

868408

for Application No. (s): RZ 2005-SU-007
(enter County-assigned application number (s))

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

Planning & Development Services, Inc.
10012 Island Fog Court
Bristow, VA 20136

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)

Paul R. Jeanin, Jr.

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

Paul R. Jeanin, Jr., President and Director
Kathleen M. Jeanin, Vice-President

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

HGS, LLC, dba Angler Environmental
12801 Randolph Ridge Lane, Suite 102
Manassas, VA 20109

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)

John T. Hazel, III, member
Edward L. Goodwin, Jr., member
Donald J. Seaborn, Jr., member

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

Edward L. Goodwin, Jr., Manager
Donald J. Seaborn, Jr., Manager

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

Rezoning Attachment to Par. 1(b)

DATE: AUGUST 15, 2005
(enter date affidavit is notarized)

868406

for Application No. (s): RZ 2005-SU-007
(enter County-assigned application number (s))

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

Edward P. Milhous, Inc.
P.O. Box 1025
Haymarket, VA 20168

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 P. Milhous

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

Edward P. Milhous, President and Director

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

Mark G. Jenkins, P.C.
2071 Chain Bridge Road, Suite 400
Vienna, VA 22182

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)

Mark G. Jenkins

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

Mark G. Jenkins, President and Director

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

REZONING AFFIDAVIT

DATE: AUGUST 15, 2005
(enter date affidavit is notarized)

868406

for Application No. (s): RZ 2005-SU-007
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

N/A

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

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

N/A

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

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

REZONING AFFIDAVIT

DATE: AUGUST 15, 2005
(enter date affidavit is notarized)

8684015

for Application No. (s): RZ 2005-SU-007
(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: August 15, 2005
(enter date affidavit is notarized)

808406

for Application No. (s): RZ 2005-SU-007
(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.)

Land Design Consultants, Inc. and Supervisor Elaine McConnell have a business relationship; however, the business relationship is not related to any party to this application.

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

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

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

WITNESS the following signature:

(check one)

[] Applicant

[x] Applicant's Authorized Agent

MARK G. JENKINS
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 15 day of August 20 05, in the State/Comm. of Virginia, County/City of Fairfax Co.

Bobby J. Hagan
Notary Public

My commission expires: 02/28/09

RECEIVED
Department of Planning & Zoning

MAR 01 2005

Zoning Evaluation Division

RE: Rezoning Application
Property: Tax Map No. 54-3-((2))-47
Applicant: Carl Bernstein, Trustee

**APPLICANT'S STATEMENT OF CONFORMANCE WITH
RESIDENTIAL DEVELOPMENT CRITERIA**

The discussion shows how the residential development criteria set out in Appendix 9 of the Land Use Element of the Policy Plan can be applied to the proposed rezoning. The Applicant respectfully reserves the right to supplement and modify this analysis upon further refinement of the Generalized Development Plan ("GDP"); discussions with neighbors, with neighborhood homeowners associations, and with civic associations; and discussions with the Staff, the Planning Commissioners, and the Board of Supervisors.

1. Site Design This project, located on a 1.7 acre parcel of land, has no consolidation opportunity, since all of the land in the vicinity of the area has already been developed. Given the development of the entire area and the location near a major transportation node – I-66 at Lee Highway – current planning logic ratifies the desirability of a high density for this Property. Small sites should be eligible for higher densities in such areas so that, cumulatively, they contribute density where it ought to be: within and adjacent to similar higher density areas near major regional transportation connections.

The proposed lots are laid out in a functional relationship to adjacent land. The entrance is sited on the northern side of the O'Day Drive frontage to optimize site distance. Each unit has a useable yard. An integral open space lies adjacent the Big Rocky Run Stream Valley Park and conserves the small amount of EQC on the Property.

The Applicant is investigating specific new and supplemental landscaping and what specific neighborhood amenities might contribute to the fabric of the neighborhood.

2. Neighborhood Context This townhouse project fits into a neighborhood that is overwhelmingly townhouse, typically zoned R-8 or PDH-8. Lot sizes and bulk/mass of the proposed units are comparable to the existing units in the neighborhood. The applicant will identify architectural elevations and materials to blend with the neighborhood.

3. Environment A good percentage of the Property has historically been cleared and maintained as lawn. The more desirable trees are at the bottom of the slope, on the existing drainage swale toward the northern and northeastern side of the Property. The limits of clearing on the GDP are intended to maximize tree preservation in these areas, consistent with the environmental need for the on-site SWM pond. The required turnaround for the private street is located toward the center of the Property, rather than at the end of the townhouse rows, to avoid impact on the EQC. The Application identifies EQC located on the southern end of the Property, adjacent to Big Rocky Run Stream Valley Park. This EQC is predominately a result of floodplain and relatively steep slopes

at that location. In keeping with County goals, the EQC can be placed in a conservation easement. The Property would also contain an on-site stormwater management pond for purposes of both water quality and quantity.

4. Tree Preservation and Tree Cover Requirements As noted above, the more desirable existing trees are on the northerly and northeasterly areas, and the GDP seeks to place development and improvements outside these areas. The Applicant will be evaluating, with expert assistance, opportunities for new and supplemental plantings, especially along the peripheral of the Property.

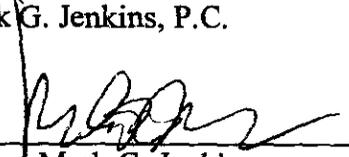
5. Transportation The GDP shows dedication along O'Day Drive, to match the existing right of way on the adjacent properties. The GDP proposes a sidewalk along the frontage, linking to existing sidewalks on either side. Internal sidewalks will link to the sidewalk network in the neighborhood. The project provides 33 parking places, including seven off street parking spaces. A private street minimizes the degree of land disturbance and facilitates preservation of environmental features, such as EQC.

6. Public Facilities: As noted above, the applicant is initiating meetings and communications with stakeholders in the vicinity, to determine the optimum way to address public facility needs and to offset public facility impacts.

7. Affordable Housing: The applicant, of course, acknowledges the importance of addressing Criteria No. 7. At this stage, the applicant anticipates a contribution to the Housing Trust Fund, but wishes to await completion of its consultation with neighborhood organizations and County officials to fix the exact form, or combination, which will address Criteria No. 6.

8. Heritage Resources: To date, applicant's review of the subject property does not reveal any heritage resource on the Property.

Sincerely,
Mark G. Jenkins, P.C.

By: 

Mark G. Jenkins

Date: 2/24/05

RE: Rezoning Application
Property: Tax Map No. 56-2-((1))-47
Applicant: Carl Bernstein, Trustee and
Horacio Magalhaes, Trustee

Statement explaining the relationship of the development to and compliance with the development criteria of the adopted comprehensive plan of the County. (§18-202(10))

The Property is located within Land Unit G-1 of Centreville Area in Bull Run Planning District. The Comprehensive Plan text for this Land Unit calls for residential use of 5 to 8 dwelling units per acre.

The Comprehensive Plan, when originally enacted, noted that "significant undeveloped land" remained within Land Unit G-1. Consequently, the plan recommended that the upper end of the density range was appropriate only with "...substantial consolidation of lots into a single parcel not smaller than 10 acres."

Since virtually the entire Land Unit has now been developed, this provision in the Comprehensive Plan has served its purpose and should not be applied to the Property, which would be developed as a compatible infill within this Land Unit. Given the Property's proximity to a major transportation node (I-66 and Lee Highway), this application puts density where it ought to be, and is able to do so in a manner that complements its environment and surrounding uses.

See Statement of Justification for further detail.

RECEIVED
Department of Planning & Zoning

FEB 11 2005

Zoning Evaluation Division

RE: Rezoning Application
Property: Tax Map No. 54-3-((2))-47
Applicant: Carl Bernstein, Trustee and
Horacio Magalhaes, Trustee

A listing, if known, of all hazardous or toxic substances set forth in Title 40, Code of Federal Regulations, Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Commonwealth of Virginia Department of Environmental Quality Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers (§18-202(11)).

RESPONSE: None known.

RECEIVED
Department of Planning & Zoning

FEB 11 2005

Zoning Evaluation Division

RE: Rezoning Application
Property: Tax Map No. 54-3-((2))-47
Applicant: Carl Bernstein, Trustee and
Horacio Magalhaes, Trustee

Statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards, or, if any waiver, exception or variance is sought by the applicant, such shall be specifically noted with the justification for such modification (§18-202(12)).

RESPONSE: The proposed development conforms to the provisions to all applicable ordinances, regulations, and adopted standards, except that the Applicant requests:

(A) A waiver of the minimum district size set forth in Section 6-107(1).

(B) In accordance with Section 13-304(4) of the Zoning Ordinance, modification of the width of the transitional screening yards required along the lower 115 feet of the southwestern property line, and modification of the planning requirements of Article 13 in favor of the plantings as shown on the GDP for this area. See notes on Sheet 2 of the GDP.

RECEIVED
Department of Planning & Zoning

FEB 11 2005

Zoning Evaluation Division

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: Addendum to the Land Use Analysis: RZ 2005-SU-007
Bernstein & Maghalaes, Trustees

DATE: 6 September 2005

BACKGROUND

The applicant initially requested approval to rezone the 1.75 acre site from the R-1 to R-8 District to permit the development of 13 single family townhouse units at an overall density of 7.47 dwelling units per acre (du/ac). The Comprehensive Plan recommends a density range of 5-8 du/ac but further states, that for parcels less than 10 acres in size, only the low end of that range is appropriate. The Comprehensive Plan Land Use Analysis, dated May 12, 2005, concluded that the proposed development was not in conformance with the Plan and recommended that the density be reduced. Other issues identified at that time related to design concerns with the long, narrow lot, adequate buffers and screening.

DISCUSSION

The applicant has provided a revised GDP dated August 17, 2005 which proposes a total of 10 town homes at an overall density of 5.72 du/ac and with 37 % of the site retained in open space. A deeper building setback from the road and improved buffers are depicted on the GDP that staff believes will provide a more compatible development with the surrounding neighborhood, including the adjacent single family homes. Based on the revised development plan, staff finds that the proposed application is in conformance with the Comprehensive Plan.

PGN: DMJ

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: Comprehensive Plan Land Use Analysis: RZ 2005-SU-007
Bernstein & Maghalaes, Trustees

DATE: 12 May 2005

This memorandum, prepared by Denise M. James, AICP, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject rezoning application and generalized development plan (GDP) dated December, 2004 as revised through April 12, 2005. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted.

DESCRIPTION OF THE APPLICATION

The applicant seeks to rezone a 1.75 acre parcel from the R-1 to the R-8 District to permit the development of 12 single family attached (townhouse) units at an overall density of 6.87 dwelling units per acre (du/ac). Access to the development is proposed via a private street off of O'Day Drive. On-site storm water management is to be provided in the easternmost edge of the site. Approximately 53% of the site is proposed to be retained as open space.

LOCATION AND CHARACTER OF THE AREA

The application property is located on the east side of O'Day Drive, approximately 1,500 feet north of the intersection of Rt. 29 and O'Day Drive in Centreville. This site is a single parcel that was not consolidated with the surrounding town homes and small lot single family detached developments. The stream valley and floodplain for Big Rocky Run abuts the eastern edge of the site.

COMPREHENSIVE PLAN CITATIONS:

In the Fairfax County Comprehensive Plan, 2003 Edition, Area III, Bull Run Planning District, Centreville Area and Suburban Center, as amended through December 6, 2004, Land Unit G-1, pages 26 and 27 state:

"Land Unit G (245 Acres)

The upper portion of this land unit is in an area of existing and planned residential use at 2-3 dwelling units per acre. The lower portion of the land unit has good access to the

regional highway network (Route 29) and is adjacent to the London Towne townhouse development. Townhouses are also being developed in the area around O'Day Drive.

G-1 (129 Acres)

The Center Heights subdivision in Land Unit G-1 has existing residential development and significant undeveloped land. Part of the Big Rocky Run Environmental Quality Corridor is located in this land unit. This area includes property along Battery Ridge Lane and south to Route 29. Residential use at 5-8 dwelling units per acre is planned. The upper end of the density range is appropriate only with substantial consolidation of lots into a single parcel not smaller than 10 acres. Development under the Planned Development Housing (PDH) district requirements of the Zoning Ordinance is encouraged”

COMPREHESIVE PLAN MAP: Residential use at 5-8 du/ac

ANALYSIS

The Comprehensive Plan recommends only the low end of the density range unless there is consolidation or unless the parcel is at least 10 acres in size. The application property is a 1.75 acre parcel that was not consolidated with previous zoning applications and therefore does not merit consideration of the requested density. The intent of the Comprehensive Plan to limit development intensity on small, unconsolidated parcels is clear. Based on the parcel size and lack of consolidation, the application property should not achieve densities similar to that of the surrounding developments. Thus, the proposed density of 6.87 dwelling units per acre is not in conformance with the site-specific land use recommendations of the Comprehensive Plan. In light of the Plan recommendation and the fact that the site is a long narrow parcel which limits layout and design options, the applicant should consider rezoning to the R-5 District. A less intensive density would provide some usable open space on the site and provide for an appropriate buffer and transition to the single family detached homes which abut the site to the south.

PGN: DMJ

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ 2005-SU-007
O'Day Drive Property

DATE: 3 May 2005

This memorandum, prepared by John R. Bell, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the generalized development plan dated April 15, 2005. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

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

In the Fairfax County Comprehensive Plan, Policy Plan, 2003 Edition, Environment section as amended through November 15, 2004, on page 5 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 such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land.
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes.
- Encourage the use of open ditch road sections and minimize subdivision street lengths, widths, use of curb and gutter sections, and overall impervious cover within cul-de-sacs, consistent with County and State requirements.
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

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

Proposals that include the use or storage of hazardous materials should provide adequate containment facilities, monitoring, and spill prevention strategies to protect surface and groundwater resources consistent with State regulations. Site investigations and remedial actions, as appropriate, should be pursued to ensure that site contamination on or near properties subject to development proposals will not present unacceptable health or environmental risks.

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.

The more restrictive type of Chesapeake Bay Preservation Area is known as the "Resource Protection Area (RPA)." With a few exceptions (e.g. water wells, recreation, infrastructure improvements, "water dependent" activities, and redevelopment), new development is prohibited in these areas. In Fairfax County, RPAs include the following features:

- water bodies with perennial flow;
- tidal wetlands;
- tidal shores;
- nontidal wetlands contiguous with and connected by surface flow to tidal wetlands or water bodies with perennial flow;
- a buffer area not less than 100 feet in width around the above features; and
- as part of the buffer area, any land within a major floodplain.

The other, less sensitive category of land in the Preservation Areas is called the "Resource Management Area (RMA)." Development is permitted in RMAs as long as it meets water quality goals and performance criteria for these areas. These goals and criteria include stormwater management standards, maintenance requirements and reserve capacity for on-site sewage disposal facilities, erosion and sediment control requirements, demonstration of attainment of wetlands permits, and conservation plans for agricultural activities. In Fairfax County, RMAs include any area that is not designated as an RPA. . . .

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

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

In the Fairfax County Comprehensive Plan, Policy Plan, 2003 Edition, Environment section as amended through November 15, 2004, on page 16, the Plan states:

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

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

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

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

ENVIRONMENTAL ANALYSIS:

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

Water Quality

Issue:

The original development plans failed to depict a small area of Resource Protection Area on the subject property. This original set of plans depicted limits of clearing and grading which appeared to be more extensive than what should be necessary to accommodate the outfall from the proposed stormwater management pond.

Resolution:

The latest set of plans for the proposed development now depict the Resource Protection Area on the subject property and a slightly reduced limits of clearing and grading associated with the stormwater management facility outfall within the Environmental Quality Corridor (EQC). In the event that the layout is revised and additional units are lost staff would encourage the applicants to move the stormwater management facility upland. This should result in some revised grading limits associated with the stormwater management facility outfall which could help to preserve existing vegetation within the EQC. Staff within the Department of Public

Works and Environmental Services will make any final determination on the proposed stormwater management facility.

Tree Cover

Issue:

There are existing stands of trees on the subject property which may be suitable for preservation. The current development plans depict very little preservation of existing tree cover.

Resolution:

Staff would strongly encourage the applicants to seek additional opportunities to preserve existing mature tree cover to the greatest extent possible. The applicants should be encouraged to work with staff from the Urban Forestry Development Branch in the Department of Public Works and Environmental Services.

PGN: JRB

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Aaron Shriber, Staff Coordinator
Zoning Evaluation Division, DPZ

DATE: June 30, 2005

FROM: Phyllis Wilson, Urban Forester II
Forest Conservation Section, DPWES

SUBJECT: O'Day Drive Property, RZ 2005-SU-007

I have reviewed the Generalized Development Plan (GDP), as revised through June, 13, 2005. The design and conditions represented on the GDP represent conditions and design elements discussed at an on-site meeting with the developer and the developer's arborist. Based on the tree preservation and planting design shown on the GDP, as revised through June 13, 2005, the proposed design shown are acceptable to this office.

Revisions have been made in the design to maximize existing tree preservation in as large and continuous an area as possible. The large contiguous tree preservation area on the northern and eastern property boundaries permits continuing environmental contributions, as well as positive design elements, from a viable healthy forest. Other low impact techniques are proposed on the site, including trail construction from stone dust rather than asphalt. Some trees existing on the southern boundary are proposed to be removed. Many of these trees are considered non-native and invasive and are of inferior quality compared to trees on the northern boundary.

If you have questions or require further assistance, please call me at 703-324-1723.

PW/
UFMID #: 102421

cc: RA File
DPZ File

FAIRFAX COUNTY VIRGINIA

MEMORANDUM

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

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

FILE: 3-4 (RZ 2005-SU-007)

SUBJECT: Transportation Impact

REFERENCE: RZ 2005-SU-007 O'Day Drive Property
Traffic Zone: 1674
Land Identification Map: 54-3 ((2)) 47

DATE: June 22, 2005

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plans made available to this office dated December 2004, and revised through June 13, 2005. The subject application is a request to rezone 1.7466 acres from R-1 to R-8 for 11 single-family attached dwelling units for a density of 6.30 dwelling units per acre. The internal street system is to be private and there will be a sidewalk along the O'Day Drive

The applicant should contribute to the Centreville Area Road Fund. All other transportation issues have been addressed.

AKR/LAH/lah

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



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

GREGORY A. WHIRLEY
ACTING COMMISSIONER

September 2, 2005

Ms. Barbara A. Byron
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: RZ 2005-SU-007 O'Day Drive Property
Tax Map No.: 54-3((2))-47

Dear Ms. Byron:

We have reviewed the above referenced plan and have no objection to the approval of this plan.

If you have any questions, please call me at (703) 383-2424.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter K. Gerner".

Peter K. Gerner, P.E.
Transportation Engineer

cc: Ms. Angela Rodeheaver

Date: 6/28/05

Case # RZ-05-SU-007

Map: 54-3

Revised

Acreage: 1.75

PU 4077

Rezoning

From: R-1 To: R-8

TO: County Zoning Evaluation Branch (DPZ)

FROM: FCPS Facilities Planning (246-3609)

SUBJECT: Schools Impact Analysis, Rezoning Application

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

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

School Name and Number	Grade Level	9/30/04 Capacity	9/30/04 Membership	2005-2006 Membership	Memb/Cap Difference 2005-2006	2009-2010 Membership	Memb/Cap Difference 2009-2010
Bull Run 2437	K-6	850	917	946	-96	1005	-155
Stone 2241	7-8	1075	1078	1006	69	943	132
Westfield 2240	9-12	2500/3100	3114	3230	-730	3022	78

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

School Level (by Grade)	Unit Type	Proposed Zoning			Unit Type	Existing Zoning			Student Increase/Decrease	Total Students
		Units	Ratio	Students		Units	Ratio	Students		
K-6	TH	11	X.210	2	SF	2	X.244	0	2	2
7-8	TH	11	X.053	1	SF	2	X.070	0	1	1
9-12	TH	11	X.109	1	SF	2	X.159	0	1	1

Source: FY 2006-2010, Facilities Planning Services Office Enrollment Projections

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

Comments

Based on the approved proffer guidelines the 4 students generated by this rezoning would justify a \$30,000 proffer for schools. (4 students x \$ 7,500 per student)

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



FAIRFAX COUNTY PARK AUTHORITY

M E M O R A N D U M



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

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

DATE: April 12, 2005

SUBJECT: RZ 2005-SU-007, O'Day Drive Property
Tax Map Number: 54-3 ((2)) 47

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated January 25, 2005, for the above referenced application. The Development Plan shows 13 new proposed homes, on approximately 1.8 acres. The proposal will add approximately 36 residents to the current population of the Sully Supervisory District.

COMPREHENSIVE PLAN CITATIONS

1. Park Services and New Development (The Policy Plan, Parks and Recreation Objective 4, p. 6)

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

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

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

application of the Criteria for Assignment of Appropriate Development Intensity.”

2. **Resource Protection** (The Policy Plan, Parks and Recreation Objective 3, p. 5)

Policy a: “Protect park resources from the adverse impacts of development on nearby properties.”

3. **Resource Protection** (Fairfax County Comprehensive Plan, Bull Run Planning District, Overview, p.9)

“Land use controls have been used throughout this district to maintain high water quality standards. Low densities, limited expansion of public facilities, and development designs that encourage preservation of water features and other sensitive lands will contribute to water quality protection. A land use approach to maintaining water quality should be continued and broadened throughout the district.”

ANALYSIS AND RECOMMENDATIONS

Recreational Impact:

In order to offset the additional impact caused by the proposed development, the applicant should provide \$9,540 to the Park Authority for recreational facility development. The Development Plan currently shows no recreational facilities, therefore the full \$9,540 should be dedicated to the Park Authority for offsite FCPA park facility development.

Natural Resources:

The O'Day property is adjacent to FCPA property at its northeastern side. In the site plan submitted by the applicant, the FCPA property is mislabeled as Beech Park Subdivision. The Park Authority requests the applicant resubmit the site plan to show the correct location of the FCPA property.

The site plan shows the development's proposed storm drainage outfall extending to the FCPA property line. Runoff from the applicant's property will be discharged directly onto park property and enter an eroded channel which drains into Big Rocky Run Stream. This stream is in the Cub Run watershed and is rated as a Restoration Area Level II management area (Fairfax County Stream Protection Strategy). The primary goals for streams in a Level II area are “to maintain areas to prevent further degradation and implement measures to improve water quality to comply with Chesapeake Bay initiatives.”

The Park Authority requests that the applicant move the outfall back from the FCPA property line by 10 feet, if possible, to reduce the impact of additional runoff into the existing channel. Low Impact Development strategies should also be incorporated in the development design.

The applicant's property as well as the adjacent FCPA property is littered with garbage that residents have dumped over the years. The Park Authority requests that the applicant remove the garbage from FCPA parcel F1 and dispose of it properly.

cc. Kirk Holley, Manager, Planning Branch
Cindy Messinger, Director, Resource Protection Group
Chron Binder
File Copy

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

March 11, 2005

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

FROM: Michael Torres (246-3968)
System Management
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis for Rezoning Application RZ
2005-SU-007

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 Fairfax County Fire and Rescue Department Station #38, West Centreville
2. After construction programmed for FY 20___, this property will be serviced by the fire station planned for the _____.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is ___ miles outside the fire protection guidelines. No new facility is currently planned for this area.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

DATE: August 1, 2005

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

gok

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 2005-SU-007
Tax Map No. 54-3 ((02))- 0047

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

1. The application property is located in the CUB (T-5) Watershed. It would be sewered into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in AN EASEMENT and APPROX. 70 FEET FROM the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information or comments:

Fairfax Water

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard
Fairfax, Virginia 22031

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

March 17, 2005

TELEPHONE (703) 289-6325

FACSIMILE (703) 289-6382

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

Re: RZ 05-SU-007
Water Service Analysis

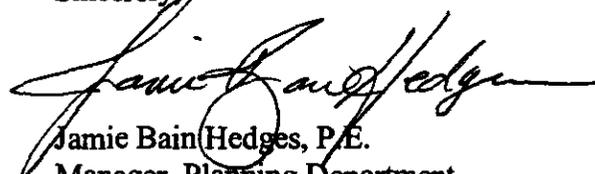
Dear Ms. Byron:

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

1. The property is located within the Fairfax Water service area.
2. Adequate domestic water service is available at the site from an existing 8-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.

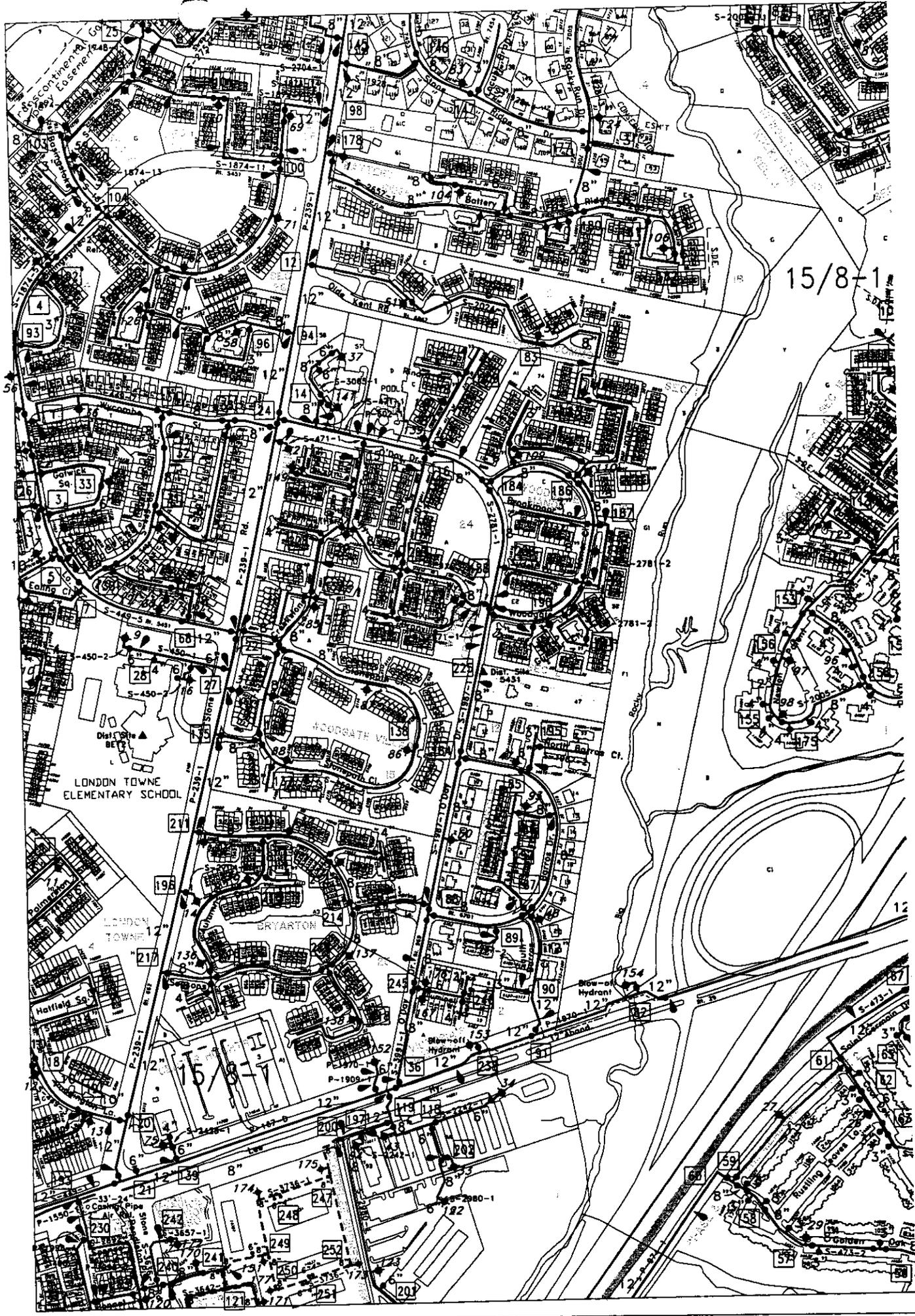
If you have any questions regarding this information please contact me at (703) 289-6302.

Sincerely,



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

Enclosures (as noted)



15/8-1

LONDON TOWNE
ELEMENTARY SCHOOL

BRYARTON

Hattfield Sq

LONDON TOWNE

SCOTTISH VILL

BATTERY

Rolling Lane

Rolling Lane

Rolling Lane

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Aron Shriber, Senior Staff Coordinator
Zoning Evaluation Division, DPZ

DATE: August 26, 2005

FROM: Qayyum Khan, Chief Stormwater Engineer
Site Review West, Environmental and Site Review Division
Land Development Services, DPWES

SUBJECT: Rezoning Application Review, RZ 2005-SU-007, *Revised Generalized Development Plan Dated August 25, 2005 – O'day Property, Tax Map #054-3-02-0047 (Property), Sully District,*

We have reviewed the revised generalized development plan and we have no comments pertaining to stormwater management.

If you have any questions, or need further assistance, please contact Yosif Ibrahim at 703-324-1720.

cc: Carl Bouchard, Director, Stormwater Planning Division, DPWES
Asaad Ayyoubi, Director, Site Review West, Environmental and Site Review Division,
Yosif Ibrahim, Stormwater Engineer, Site Review WES, DPWES
DPWES
Zoning Application File

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation*: Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.
- b) *Layout*: The layout should:
 - provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
 - provide dwelling units that are oriented appropriately to adjacent streets and homes;

- include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
 - provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
 - provide convenient access to transit facilities;
 - Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.
- c) *Open Space:* Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.
- d) *Landscaping:* Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.
- e) *Amenities:* Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

2. Neighborhood Context

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;
- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

3. Environment:

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and low-impact site design techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.
- f) *Lighting:* Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy:* Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling.

4. Tree Preservation and Tree Cover Requirements:

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

5. Transportation:

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:

- Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;
 - Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
- Provision of bus shelters;
 - Implementation and/or participation in a shuttle bus service;
 - Participation in programs designed to reduce vehicular trips;
 - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
 - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
 - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
 - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
 - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
 - The number and length of long, single-ended roadways should be minimized;
 - Sufficient access for public safety vehicles should be ensured.
- d) *Streets:* Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities:* Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
 - Connections between adjoining neighborhoods;
 - Connections to existing non-motorized facilities;
 - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
 - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
 - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
 - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;

- Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.

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

6. Public Facilities:

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first

building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;
- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

ROLE OF DENSITY RANGES IN AREA PLANS

Density ranges for property planned for residential development, expressed generally in terms of dwelling units per acre, are recommended in the Area Plans and are shown on the Comprehensive Plan Map. Where the Plan text and map differ, the text governs. In defining the density range:

- the “base level” of the range is defined as the lowest density recommended in the Plan range, i.e., 5 dwelling units per acre in the 5-8 dwelling unit per acre range;
- the “high end” of the range is defined as the base level plus 60% of the density range in a particular Plan category, which in the residential density range of 5-8 dwelling units per acre would be considered as 6.8 dwelling units per acre and above; and,
- the upper limit is defined as the maximum density called for in any Plan range, which, in the 5-8 dwelling unit per acre range would be 8 dwelling units per acre.
- In instances where a range is not specified in the Plan, for example where the Plan calls for residential density up to 30 dwelling units per acre, the density cited in the Plan shall be construed to equate to the upper limit of the Plan range, and the base level shall be the upper limit of the next lower Plan range, in this instance, 20 dwelling units per acre.

GLOSSARY

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

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

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

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

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

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

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

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

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

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted 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		