



APPLICATION ACCEPTED: August 25, 2010
PLANNING COMMISSION: February 3, 2011
BOARD OF SUPERVISORS: not scheduled

County of Fairfax, Virginia

January 19, 2011

WSPOD

STAFF REPORT

REZONING APPLICATION RZ 2010-SP-012

SPRINGFIELD DISTRICT

APPLICANT: Westbrook Property, LLC

PRESENT ZONING: R-1, WS

REQUESTED ZONING: PDH-2, WS

PARCEL(S): 55-4 ((3)) R7

ACREAGE: 7.27 acres

DENSITY: 1.93 du/acre

OPEN SPACE: 31%

PLAN MAP: Fairfax Center Area;
Residential; 2 du/ac at the overlay level

PROPOSAL: Request to rezone the property from the R-1 district to the PDH-2 district to permit the development of fourteen single-family detached units.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2010-SP-012, subject to the execution of proffers consistent with those contained in Appendix 1.

S.Zottl

Staff recommends approval of FDP 2010-SP-012, subject to the Board of Supervisors approval of RZ 2010-SP-012.

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

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

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

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

N:\RZ\RZ FDP 2010-SP-012 Westbrook\Westbrook Cover.doc



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).

Staff recommends approval of FDP 2010-SP-012, subject to the Board of Supervisors approval of RZ 2010-SP-012.

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Rezoning Application

RZ 2010-SP-012

Applicant: WESTBROOK PROPERTY, LLC
 Accepted: 08/25/2010
 Proposed: RESIDENTIAL
 Area: 7.27 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect:
 Located: EASTERN TERMINUS OF AUTUMN DRIVE
 APPROXIMATELY 2300 FEET EAST OF
 STRINGFELLOW ROAD AND SOUTHERN
 TERMINUS OF LINCOLN DRIVE

Zoning: FROM R- 1 TO PDH- 2
 Overlay Dist: WS
 Map Ref Num: 055-4- /03/ / R7

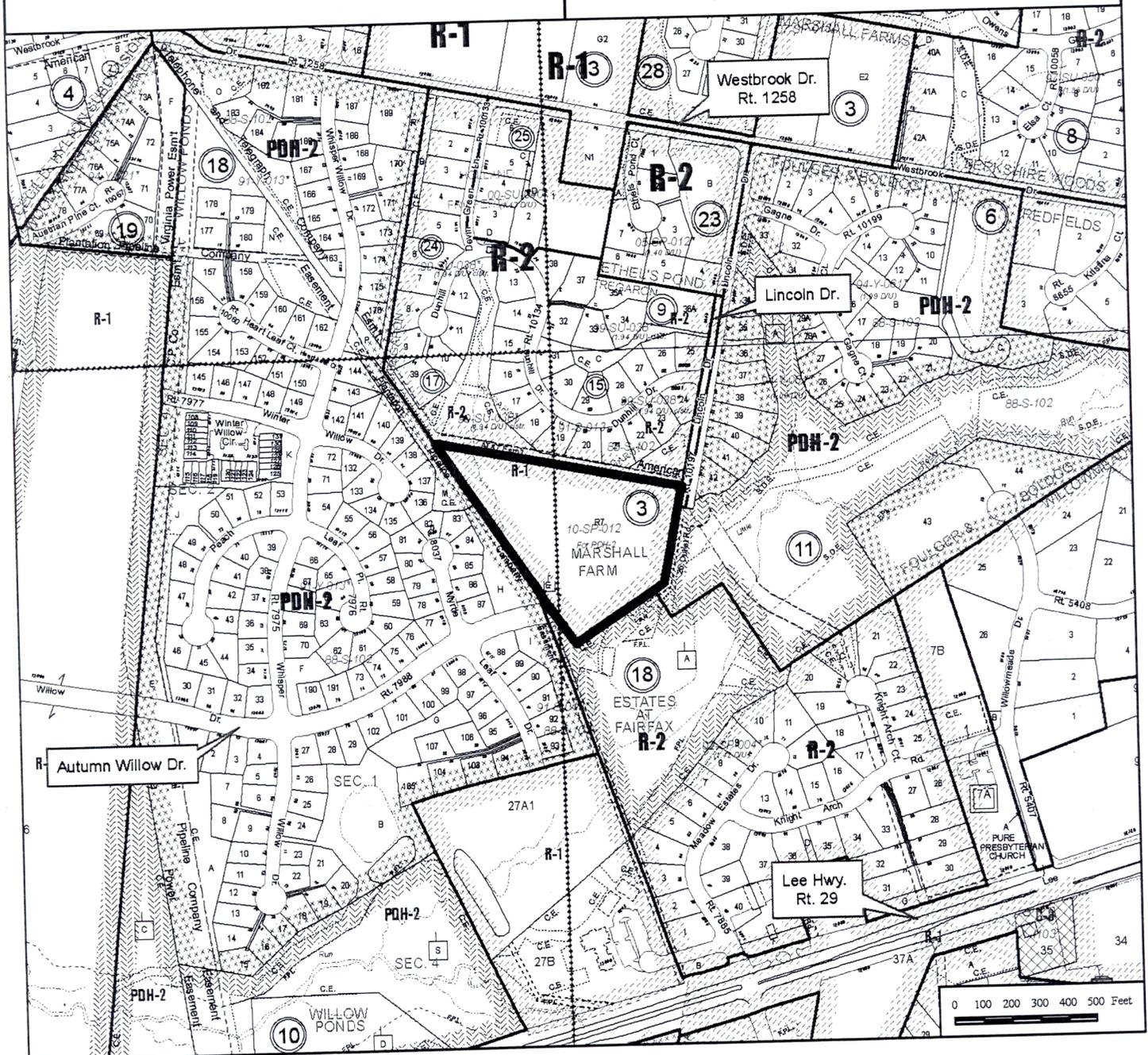
Final Development Plan

FDP 2010-SP-012

Applicant: WESTBROOK PROPERTY, LLC
 Accepted: 08/25/2010
 Proposed: RESIDENTIAL
 Area: 7.27 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect:
 Located: EASTERN TERMINUS OF AUTUMN DRIVE
 APPROXIMATELY 2300 FEET EAST OF
 STRINGFELLOW ROAD AND SOUTHERN
 TERMINUS OF LINCOLN DRIVE

Zoning: PDH- 2
 Overlay Dist: WS
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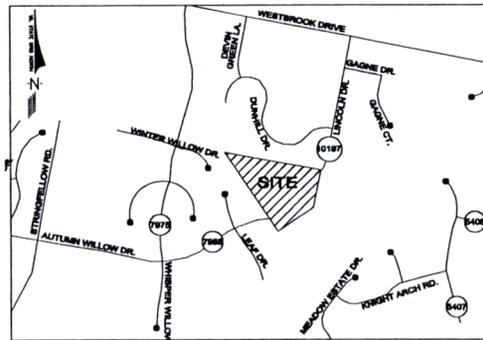


WESTBROOK

CONCEPTUAL DEVELOPMENT PLAN FINAL DEVELOPMENT PLAN (CDP/FDP)

Springfield District
Fairfax County, Virginia

JUNE 18, 2010
AUGUST 13, 2010
OCTOBER 21, 2010
DECEMBER 10, 2010



VICINITY MAP
SCALE 1"=500'

SHEET INDEX

- 1 COVER SHEET
- 2 NOTES & DETAILS
- 3 EXISTING VEGETATION MAP
- 4 CDP/FDP LAYOUT
- 5 LANDSCAPE PLAN
- 6 ILLUSTRATIVE PLAN
- 7 PRELIMINARY STORMWATER MANAGEMENT PLAN
- 8 OVERALL DRAINAGE DIVIDES
- 9 ROAD PLAN AND PROFILE
- 10 SIGHT DISTANCE PROFILE

APPLICANT:

WESTBROOK PROPERTY, LLC
10501 HANNAH FARM ROAD
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CIVIL ENGINEER:



ATTORNEY:

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1701 PINNACLE DRIVE, SUITE 1700
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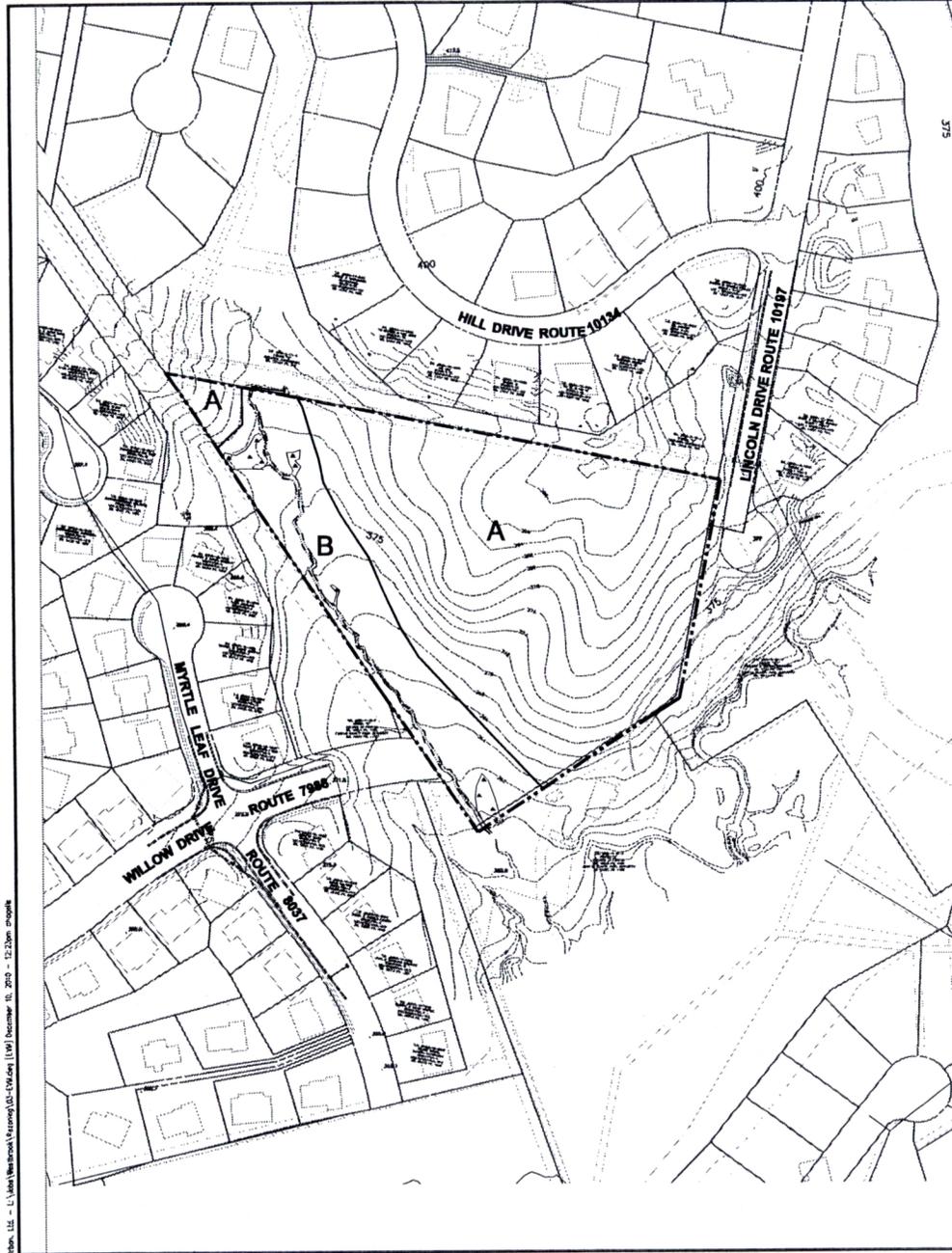
ENVIRONMENTAL CONSULTANT:

WETLAND STUDIES & SOLUTIONS, INC.
14088-B BULLYFIELD CIRCLE
CHANTILLY, VA 20151
(703) 631-5800



SHEET 1 OF 10
ZP-1973

WESTBROOK



NOTES:

1. This Existing Vegetation Map is based upon examination of background materials, such as the USGS Manassas, VA, 1994 topographic quadrangle, existing topography, the Fairfax County Soils Map, the National Wetlands Inventory Map, and aerial photography, as well as a field verification performed by Benjamin N. Roemer, PWS, PWD, CFI, CE, and Caitlin Keilher of Wetland Studies and Solutions, Inc. (WSSI) on April 22, 2010.
2. Topography and boundary information provided by Urban, Ltd., and a Spring 2004 WSSI Color Infrared Aerial Photograph, were used as the base for this exhibit.
3. Waters of the U.S. delineation information shown hereon, was performed by WSSI as described in a report dated April 9, 2010. A jurisdictional determination from the U.S. Army Corps of Engineers verifying these boundaries is pending.

LEGEND

	SITE BOUNDARY
	VEGETATION COMMUNITY BOUNDARY
	PERENNIAL STREAM (PER WSSI FIELD INVESTIGATION AND FAIRFAX COUNTY CHESAPEAKE BAY MAPPING, SEE NOTE 3)
	INTERMITTENT STREAM (PER WSSI FIELD INVESTIGATION AND FAIRFAX COUNTY CHESAPEAKE BAY MAPPING, SEE NOTE 3)
	WETLAND BOUNDARY (SEE NOTE 3)

urban

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FAX: (703) 443-0802

Revision / Issue

No.	Description	Date
1.		
2.		
3.		
4.		

Issue

Date	Description
June 10, 2010	
August 12, 2010	
October 21, 2010	
December 10, 2010	

Project Name
WESTBROOK

CDP/FDP
Springfield District
Fairfax County, Virginia

Drawn By JL
Checked By AHH / DTM

Date DECEMBER 10, 2010

Drawing Title
EXISTING
VEGETATION MAP

Scale: 1"=50'
Drawing Number
3
Sheet 3 of 10



Copyright ADC The Map People
Permitted Use Number 20711154

Vicinity Map
Westbrook Drive
WSSI #21875.01
Scale: 1" = 2000'

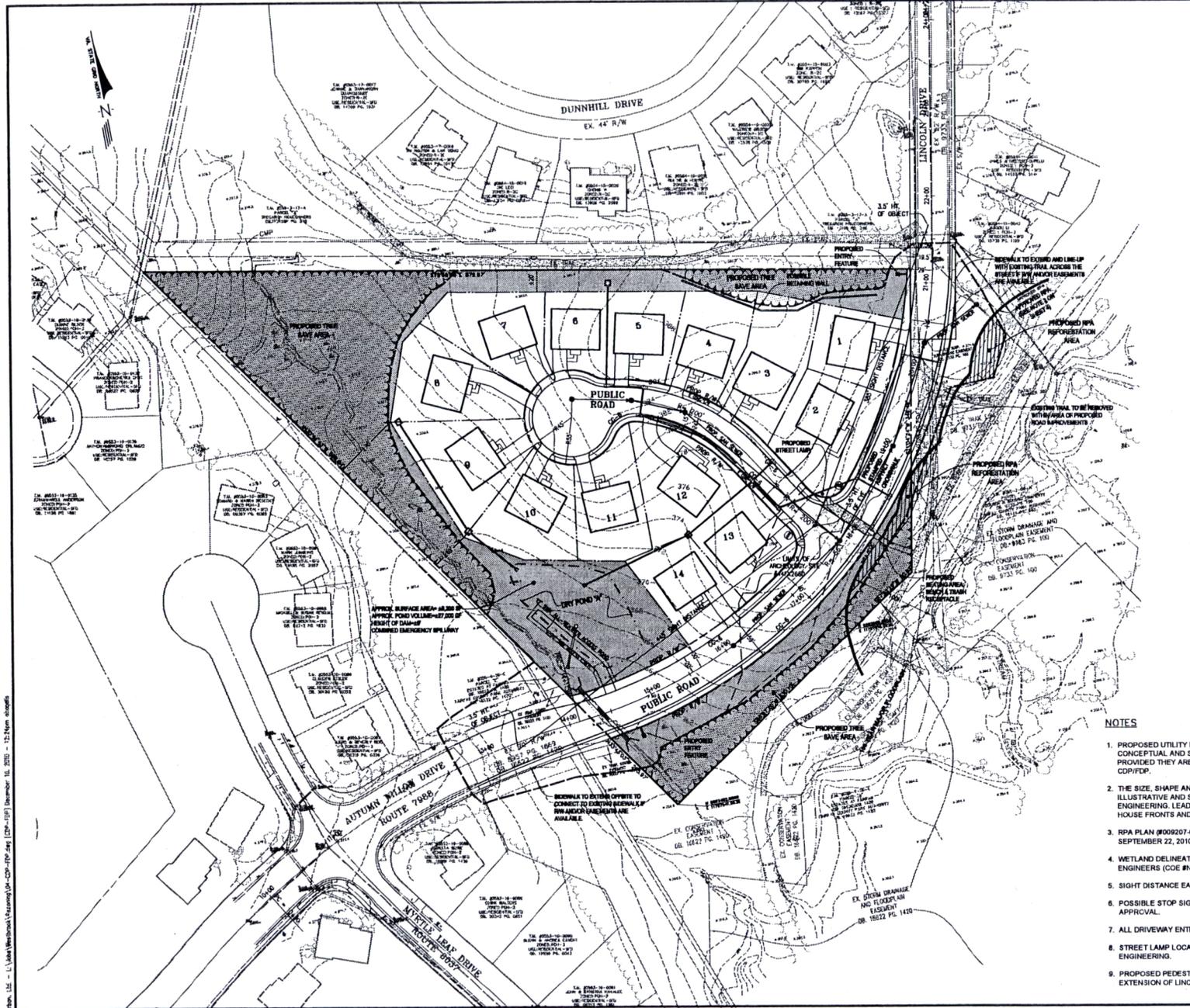
Wetland Studies and Solutions, Inc. Exhibit 1

EXISTING VEGETATION MAP SUMMARY TABLE

VEGETATION COMMUNITY	COVER TYPE	PRIMARY SPECIES	SUCCESSIONAL STAGE	CONDITION	ACREAGE (±)	COMMENTS
A	Upland Forest	Tulip Poplar/Beech	Sub-C In:ax	Good	5,4836	See condition description
B	Bottomland Forest	Tulip Poplar/Red Maple	Sub-C In:ax	Good	1,7960	See condition description
Total Approx In:ate Ac:age					7,2696	

CONDITION DESCRIPTION:

- Area A is a mature upland forest in good overall condition and comprises the majority of the site. The canopy is dominated by tulip poplar (*Liriodendron tulipifera*), and American beech (*Fagus grandifolia*). Sub-dominants include pignut hickory (*Carya glabra*), Virginia pine (*Pinus virginiana*) and red oak (*Quercus rubra*). The understorey includes the species found in the canopy. The herbaceous layer consists of May-apple (*Podophyllum peltatum*), an unknown blueberry (*Vaccinium* sp.), Solomon's-seal (*Polygonatum* sp.), and a variety of ferns. Few mature dead trees (predominantly Virginia pine) were noted within the stand.
- Area B is a mature bottomland forest in good overall condition in the western portion of the site and is associated with the floodplain of the unnamed tributary to Little Rocky Run. The canopy is dominated by mature tulip poplar (*Liriodendron tulipifera*), and red maple (*Acer rubrum*). Other tree species include green ash (*Fraxinus pennsylvanica*), sweet gum (*Liquidambar styraciflua*), American beech (*Fagus grandifolia*), and pignut hickory (*Carya glabra*). The understorey includes Virginia creeper (*Parthenocissus quinquefolia*), Nepal microstegium (*Eriolaella viridula*), spotted touch-me-not (*Impatiens capensis*), narrow-leaf spring beauty (*Claytonia virginica*), common green biter (*Smilax roboridifolia*), and a variety of ferns. Few mature dead standing trees are present within the stand.



LEGEND:

- DENOTES OPEN SPACE
- APPROXIMATE TREE SAVE AREA
- RPA BOUNDARY
- APPROXIMATE LIMITS OF CLEARING
- APPROXIMATE LIMITS OF ARCHEOLOGY SITE
- WETLANDS
- RPA REFORESTATION AREA

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Revision / Issue

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Issue

Date	Description
June 18, 2010	
August 12, 2010	
October 21, 2010	
December 10, 2010	

Project Name
WESTBROOK

CDP/FDP

Springfield District
Fairfax County, Virginia

Drawn By JL **Checked By** AHH / DTM

Project No. ZP-1873

Date DECEMBER 10, 2010

Drawing Title
CDP/FDP
LAYOUT

Scale: 1"=60'

Drawing Number
4
Sheet 4 of 10

NOTES

1. PROPOSED UTILITY LINE, LOT LINE AND DRIVEWAY LOCATIONS ARE CONCEPTUAL AND SUBJECT TO ADJUSTMENT WITH FINAL ENGINEERING, PROVIDED THEY ARE IN SUBSTANTIAL CONFORMANCE WITH THE CDP/FDP.
2. THE SIZE, SHAPE AND LOCATION OF HOUSE FOOTPRINTS ARE ILLUSTRATIVE AND SUBJECT TO ADJUSTMENT AT TIME OF FINAL ENGINEERING. LEAD WALKS ARE INTENDED TO SHOW THE LOCATION OF HOUSE FRONTS AND MAY BE ADJUSTED AT TIME OF FINAL ENGINEERING.
3. RPA PLAN (#08207-002-01) WAS APPROVED BY FAIRFAX COUNTY ON SEPTEMBER 22, 2010.
4. WETLAND DELINEATION WAS APPROVED BY THE U.S. ARMY CORPS OF ENGINEERS (COE #W40-2010-01049) ON JULY 6, 2010.
5. SIGHT DISTANCE EASEMENTS WILL BE PROVIDED WITH FINAL PLANS.
6. POSSIBLE STOP SIGNS AND LOCATIONS ARE SUBJECT TO VDOT APPROVAL.
7. ALL DRIVEWAY ENTRANCES WILL CONFORM TO VDOT CG-90 STANDARDS
8. STREET LAMP LOCATIONS ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING.
9. PROPOSED PEDESTRIAN CROSSWALK ACROSS THE NEW STREET EXTENSION OF LINCOLN DRIVE TO BE PROVIDED IF APPROVED BY VDOT.

Urban, LLC - 11,160 Westbrook (Issued) (CDP/FDP) (2010-1017) December 10, 2010 - 12.10am (dwg)

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

DESCRIPTION OF THE APPLICATION

Proposal

The applicant, Westbrook Property, LLC, requests approval of a rezoning and final development plan for 7.27 acres from the R-1 and WS Districts to the PDH-2 and WS Districts to permit the development of fourteen single family detached dwelling units at an overall density of 1.93 dwelling units per acre (du/ac), with 31 percent of the site retained as open space.

The applicant's draft proffers, Affidavit and Statement of Justification can be found in Appendices 1-3, respectively.

Waivers Requested

The applicant has requested the following waivers and modifications:

- A deviation from the tree preservation target area requirement in PFM Section 12-0507.1 in favor of that proposed on the CDP/FDP.
- Modification to permit recreational facilities off-site as outlined in Section 16-404 of the Zoning Ordinance.

LOCATION AND CHARACTER

The subject property is 7.27 acres of land located at the eastern terminus of Autumn Willow Drive and the southern terminus of Lincoln Drive in sub-unit M2 of the Fairfax Center Area. The surrounding properties are residential in nature, with primarily PDH-2 and R-2 zoning. To the north are the Tregaron and Ashton Wells subdivisions, to the south and west is the Willow Ponds subdivision, and to the east is the Estates at Fairfax subdivision. The site is vacant and does not currently have vehicular access. The applicant proposes to connect the terminus of Autumn Willow Drive to the terminus of Lincoln Drive to create a through street that will provide site access and neighborhood connectivity, as recommended in the Comprehensive Plan.

The majority of the site is currently wooded and contains mature forest trees, many of which are high quality. The topography of the site slopes down from north to south, and the southeastern portion of the property (the lowest portions of the site) contains wetlands and an intermittent stream. The majority of this area will be severed by the proposed road, and is proposed to remain as undisturbed tree save area.

Surrounding Area Description

Direction	Use	Zoning	Plan
North Northeast	Single family residential, detached (Tregaron) (Ashton Wells)	R-2	Fairfax Center
South	Single family residential, detached (Willow Ponds), Open Space (Fairfax County Park Authority)	R-2C, PDH-2	Fairfax Center
East	Open Space (Fairfax County Park Authority)	R-2C, PDH-2	Fairfax Center
West	Single family residential, detached (Willow Ponds)	PDH-2	Fairfax Center

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

- Plan Area:** Area III
- Planning Sector:** Fairfax Center Area, Sub-unit M2
- Plan Map:** Fairfax Center Area

In the Area III volume of the Comprehensive Plan, 2007 Edition, Fairfax Center Area, as amended through March 9, 2010, Land Use Recommendations, beginning on page 82 under the heading Sub-units M2, M3, the plan states:

“These sub-units are planned for residential use at 2 dwelling units per acre at the overlay level....Any new development proposed in this area must be compatible with the stable Willowmeade residential subdivision and other residential subdivisions.”

The Autumn Willow-Lincoln Drive road connection was adopted into the Comprehensive Plan in July, 1991, and no changes to the road location or alignment have been made since that time. The Plan version of the road was the result of a community-based task force; the alignment and location as adopted were supported by the surrounding community at the time.

ANALYSIS

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

Title of CDP/FDP: Westbrook
Prepared By: Urban, Ltd.
Original and Revision Dates: June 18, 2010 as revised through
December 10, 2010

The sheet index is found on Sheet 1 of the Plans, which are attached to the front of this report for reference.

The CDP/FDP depicts the following:

Residential Units: Fourteen single family detached dwelling units with an average lot area of 9,927 square feet are proposed. Twelve of the lots (identified as Lots 3 through 12 on the CDP/FDP) are accessed by and face onto a proposed cul-de-sac, which extends off of the proposed Autumn Willow Drive-Lincoln Drive road connection. Lots 1 and 14 have driveways that provide access from this road, while Lots 2 and 13 are accessed from the proposed cul-de-sac.

Each lot is shown with a building footprint of approximately 45 feet x 55 feet, with a maximum height of 35 feet. A two car garage will be provided in each dwelling. The units on Lots 4 through 7 sit approximately 40 to 50 feet from the northern property line. The units on Lots 9 and 10 sit approximately 100 to 110 feet from the southeastern property line.

Lots 1, 2, 13, and 14 are immediately adjacent to the proposed Autumn Willow-Lincoln Drive road connection, and the units vary in setback from 20 to 40 feet from the right-of-way, which will allow parking for a minimum of two to four cars on each lot.

The applicant has provided illustrative architectural drawings (see Sheet 2 of the CDP/FDP) to show the general character of the proposed units. In addition, a proffer has been provided which states the applicant will construct the dwelling units consistent with the character of the architectural style and quality as shown on the CDP/FDP. Materials will include brick, stone, and/or similar materials.

Open Space and Landscaping: 31 percent of the site will remain as open space, which is located on the periphery of the development. A large tree save area is located in the western corner of the property and extends southeast to a proposed stormwater management pond. Additional open space is proposed along the northeast corner of the site. Both these areas will be owned and

maintained by the development's HOA. A separate open space area, located on the southern side of the proposed Autumn Willow-Lincoln Drive road connection, will be dedicated to the Fairfax County Park Authority to provide additional lands for the existing stream valley park system. No transitional screening or barriers are required for the proposed use, but the applicant has provided additional planting along the property lines in order to create an additional buffer between the individual lots and the tree save/stormwater management areas. In addition, individual shade trees and foundation plantings will be provided on each lot.

On-Site Recreation: No recreational areas are provided on site. The applicant has requested that the Board of Supervisors approve, in conjunction with the rezoning, a \$22,400 cash contribution in lieu of providing the recreation on-site, as outlined by Paragraph two of Section 16-404 of the Zoning Ordinance. A total contribution of \$35,000 has been made in the proffers, to be directed to Fairfax County Park Authority facilities in the immediate vicinity of the site, which includes Arrowhead Park, the Stringellow Road fields, and the Little Rocky Run Stream Valley system.

Access and Parking: The applicant proposes to connect Autumn Willow Drive to Lincoln Drive, as recommended by the Comprehensive Plan. A 29 foot wide public road that terminates in a cul-de-sac will provide access into the site from the Autumn Willow-Lincoln Drive connection. Five foot wide concrete sidewalks will be provided along both sides of the cul-de-sac road and will connect to the proposed sidewalk along the western side of the proposed Autumn Willow-Lincoln Drive road. A sidewalk will also be provided along the eastern side of the Autumn Willow-Lincoln connection. The applicant also proposes a crosswalk with the Autumn Willow-Lincoln Drive connection, which will provide access to the existing Park Authority trails and stream valley park to the east.

Each dwelling will have a two car garage and a minimum 20 foot long driveway that will accommodate a minimum of two additional vehicle parking spaces, for a total of four spaces per lot. No additional visitor parking is provided; however, cars could park along the public road.

Stormwater Management: Water quality control is proposed to be met through two undisturbed open space areas, located on the periphery of the site, and a dry pond located in the vicinity of proposed Lots 11 and 14. The dry pond will also meet the site needs for water quantity control. If additional measures are needed, low impact development measures will be incorporated at the time of site plan.

Autumn Willow-Lincoln Drive Road Connection, Including Existing Cul-De-Sac Removal and Area Restoration: Lincoln Drive currently terminates in a temporary cul-de-sac, while Autumn Willow Drive simply terminates by the pavement

ending. These two roads will be connected through a 39 to 40 foot wide public road in a 59 foot wide right-of-way. The cul-de-sac on Lincoln Drive, as it will no longer be needed, will be scarified and the area restored with grass and plantings. As portions of this proposed road location are within RPA and EQC, the applicant has proffered to RPA reforestation areas, which will be replanted in conformance with PFM Standards and in consultation with Fairfax County's Urban Forester.

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 16.

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. There is no immediately adjacent property available for consolidation, as all of the surrounding properties are developed according to the recommendations of the Comprehensive Plan. The density proposed for this development is consistent with Comprehensive Plan guidelines.

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 CDP/FDP depicts a layout of 14 single family detached dwelling units oriented toward public streets. The layout has been designed to provide maximum tree save areas on the periphery and usable front, side, and rear yards. The lots are logically arranged, such that the lots all front onto a public street, side yards abut side yards, and no pipestem or oddly-configured lots are created as a result of the layout. The lots all meet the shape factor, meaning they are proportionate. All applicable utility information has been identified on the plan and reviewed by appropriate staff.

Open space should be usable, accessible and integrated. Appropriate landscaping and amenities should be provided. Approximately 31 percent of the development will remain as open space, generally located on the periphery of the site. The open space areas contain tree save and stormwater management facilities. While no recreational facilities are provided on-site, the applicant has proffered to provide a seating area with site furnishings at the trail entrance, as shown on the CDP/FDP and proffered. The proposed open space to the south of the Autumn Willow-Lincoln Drive connection will be dedicated to the Park Authority and will provide additional lands within that stream valley trail system.

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 surrounding properties to the north, south, and west are developed with single family detached dwellings at similar densities. The property's eastern boundary (across the Autumn Willow-Lincoln Drive connection) is a stream valley park with trails. The applicant's proposal to develop this parcel with 14 dwelling units is in conformance with the Comprehensive Plan recommended density range, and the type of residential development (single family detached dwellings) is in harmony with that of the existing surrounding properties. The residential neighborhood to the north is zoned R-2 and contains homes with a typical footprint of 3,454 square feet with typical yard areas of 30 feet (front), 15 feet (side), and 45 feet (rear). The residential neighborhood to the south and west is zoned PDH-2 and contains homes with a typical footprint of 2,390 square feet with typical yard areas of 25 feet (front), 10 feet (side), and 30 feet (rear). The applicant's development proposes home sizes and yards similar to that of the existing community. The proposed homes have a footprint of 2,475 square feet and yards of 20 feet (front), 8 feet (side), and 15 feet (rear). In addition, the applicant's initial development proposal had shown proposed Lot 8 set further into the open space area and proposed Lots 1, 2, 13 and 14 oriented differently. Staff appreciates the applicant's modifications to the plan as currently shown. The rear yards of proposed Lots 3 through 7 abut the rear yards of the adjacent residential development. There is also a tree save area, behind proposed Lots 1, 3, and 4, where existing trees are preserved and additional landscaping provided. The applicant is providing a road connection and connecting to the stream valley trails in the area; the location of the tree save is complimentary to the existing tree save on the adjacent developments.

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 applicant responded to staff's initial request to provide more tree save area; the applicant is providing 71,929 square feet of tree save area (82 percent of the target area requirement). The applicant has requested a deviation from the tree preservation target area, which will be discussed in greater detail under the Zoning Ordinance Provisions section of this report. The lot and dwelling unit layout proposed works with the site's natural topography, to the extent possible. Street lights provided will be colonial in style and will be the shortest poles possible in order to reduce the impact of lighting for the future homeowners. Although no transitional screening or barriers are required for this property, the applicant has provided plantings along the public roads and along the periphery of the development in order to soften the transition to the tree save and stormwater management areas, and to provide additional buffer along Lots 5 through 7, which abut an existing trail. The stormwater management for this site will be treated and controlled through a dry pond; should additional measures be required at the time of site plan, the applicant will use low impact development techniques such as rain gardens and swales, as outlined on the CDP/FDP and in the proffers.

In order to address concerns about energy conservation, the applicant has proffered to build all the dwelling units as Energy Star Qualified Homes. This is consistent with the Policy Plan's green building recommendation that development proposals seeking the high end of the density range obtain this designation.

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.

As the subject property is in a Water Supply Protection Overlay District, preservation and protection of existing quality vegetation is important for the protection of water quality. While the applicant has made an effort to preserve additional tree cover along the periphery of the site, no specific tree information, such as a tree survey with health ratings, has been provided for the property. Based on the information that has been provided, it is unclear as to whether or not any outstanding trees are being removed that could potentially be saved. While the proposed Autumn Willow-Lincoln Drive road connection is in the appropriate location, additional measures could be taken to preserve more trees on the portion of the site where the homes will be located. While the applicant has responded to staff's request to provide more tree save areas, staff believes

that additional areas could be provided with additional revisions to the development layout. It should be noted, however, that the applicant has proffered to a number of the standard tree preservation activities, including the submission of a tree preservation plan at site plan, adherence to the limits of clearing and grading, tree preservation fencing, root pruning, and site monitoring.

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 Comprehensive Plan recommends that the subject properties be developed with residential uses at a density of 1-2 dwelling units per acre at the Overlay level. The site contains the area which has been designated on the Comprehensive Plan to contain the road to connect Autumn Willow Drive to Lincoln Drive; this connection will eliminate two dead-end streets and provide street connectivity to the surrounding area. The applicant has proffered to dedicate the right-of-way and construct this road connection as well as all trail connections to tie into the adjacent Park Authority stream valley trail system. Sidewalk will be provided along both proposed roads, and they will connect to the adjacent properties. A pedestrian crosswalk will be provided from the site across the Autumn Willow-Lincoln Drive road connection. Staff does not believe that another road design is possible in this location; the applicant has provided information on their proposed road alignment and alternative designs, which would not work due to the multiple constraints faced, including grading and tie-in locations. Staff believes that, although the location as shown requires RPA disturbance and reforestation, it is the preferred location and should be completed as outlined by the Comprehensive Plan.

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 Powell Elementary School, Lanier Middle School and Fairfax High School. Fairfax High School is projected to have excess capacity through the 2010-11 school year, while Powell Elementary and Lanier Middle School are projected to exceed capacity. The total

number of students generated by this development is anticipated to be six: three elementary, one middle, and two high school students. This is an increase of two students above that generated by the existing by-right zoning. The applicant has been requested to provide a contribution of \$18,756 for improvements to Fairfax County schools and has proffered to provide this amount.

Fairfax County Park Authority (Appendix 9)

The proposed development would add approximately 41 new residents to the population of the Springfield District; all of the new residents will need access to recreational facilities. The Zoning Ordinance requires that \$1,600 per non-ADU unit be expended on recreational facilities (14 units x \$1,600=\$22,400.) The applicant has requested that the Board of Supervisors approve the applicant's proffered commitment to provide this amount in funding for off-site recreational improvements in lieu of providing them on-site, as per Section 6-110 of the Zoning Ordinance.

The funds contributed per unit as required by the Zoning Ordinance do not fully address what is needed in order to provide recreational facilities for the new residents generated by this development. In addition to the per unit funds contributed as part of the P District requirement, the Fairfax County Park Authority (FCPA) has requested a "Fair Share" contribution of \$36,613 to offset the additional impact to area parks and park facilities that this proposed development will have. The applicant has committed to provide \$12,600 above the \$22,400 required by the Zoning Ordinance, bringing the total contribution amount to \$35,000.

In addition to the monetary contribution, the applicant has provided draft proffer language to dedicate the land area east of the proposed connector road to the Park Authority, with the open space north of the proposed connector road to be retained by the future HOA. The applicant should be aware that any proffered land dedication must be approved by the Park Authority Board. The Park Authority also requested to transfer ownership to the applicant a small portion of Rocky Run Stream Valley Park, identified as parcel 55-4 ((18)) E. The applicant has agreed to obtain ownership of this parcel, which will be owned and maintained by the future HOA. This will be a land swap and will not require either party to purchase land.

The CDP/FDP indicates that easements will be required on Park Authority land for construction and reforestation purposes. In order to do any clearing, grading, or improvements on parkland, the applicant must first acquire a letter of Permission and/or Easement from the Park Authority. The applicant is aware of this requirement and will seek any necessary easements at a future date.

The Park Authority will not accept the installation of a trash can within the proposed dedication area; and the style of bench shown on the plan is not consistent with the current standard. Staff has noted these concerns and has asked the applicant to modify the proffers to indicate that street furnishings within areas to be dedicated to the Park Authority are subject to Park Authority review and approval.

Fire and Rescue (Appendix 10)

The subject property would be serviced by the Fairfax County Fire and Rescue Department Station #417, Centreville. The property requested for rezoning currently meets fire protection guidelines.

Sanitary Sewer Analysis (Appendix 11)

The subject property is located within the Little Rocky Run (S-1) watershed and would be sewered into the Upper Occoquan Sanitation Authority. An existing eight-inch pipeline located on the property is adequate for the proposed use.

Fairfax County Water Authority (Appendix 12)

The subject property can be served by Fairfax Water. The closest water main available is an existing twelve inch main located on Lincoln Drive, approximately fifty feet to the north of the site. There is also an existing twelve inch main located in Autumn Willow Drive. Fairfax Water may request a system improvement be designed and constructed as part of this rezoning; details of this request will be sent to the developer as part of site plan submittal.

Stormwater Management/Best Management Practices (Appendix 13)

The applicant proposes an on-site dry pond to meet the stormwater management requirements of the PFM. As requested by staff, the drainage areas for the dry pond were corrected to include the drainage area to the proposed yard inlet west of proposed Lot 8. As this property is in the WSPOD, 50 percent phosphorous removal is required. The applicant is proposing that the dry pond and open space areas will satisfy water quality for the site. It should be noted that, for the purposes of BMP, open space in residential areas is defined as perpetually undisturbed HOA owned open space that is placed in floodplain or conservation easements and is without other encumbrances. The applicant has also provided a site outfall narrative and has revised the narrative to provide all information required by the Zoning Ordinance.

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 requirements of the Affordable Dwelling Unit Program do not apply to this project, as the project yields less than fifty (50) proposed units. The applicant has not opted to provide a monetary contribution equivalent to 0.5% of the projected sale price of each new dwelling unit to the Fairfax County Housing Trust Fund, as in accordance with the Board of Supervisors policy.

Heritage Resources (Development Criterion #14) (Appendix 9)

This Criterion requires that developments address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation. The applicant and their archeological consultant have been working closely with the Cultural Resource Management and Protection staff with regard to the Westbrook prehistoric archaeological site, identified by Fairfax County as 44FX2660. A Phase I study was completed, and at the present time a full data recovery is underway with the applicant cooperating fully with the excavations. The applicant has provided a proffer that states that Phase II study will be completed if the findings from the Phase I study warrant it. The proffer further states that a Phase III will also be conducted, if warranted.

Fairfax Center Checklist Analysis (Appendix 14)

The Fairfax Center Checklist is a tool utilized by staff in evaluating a zoning application for conformance with the Comprehensive Plan for the Fairfax Center Area. The Checklist contains transportation, environmental, site design, land use, and public facilities elements.

In order to justify development at the Overlay Level, this application must satisfy all applicable basic elements; all transportation elements relating to highway improvements (rights-of-way dedication, highway construction, and off-site roadway contributions) and ridesharing programs; all essential elements; and *either* three-fourths of the applicable minor elements and one-half of the applicable major elements, or the inclusion of all applicable minor elements and one-third of the major elements. Based on staff's analysis as found in Appendix 5, the application, as proffered, satisfies 83% of the basic elements, all applicable major elements, all applicable essential elements, and all applicable major transportation elements, justifying development at the Overlay Level.

ZONING ORDINANCE PROVISIONS

The applicant has requested a deviation from the tree preservation target area requirement in PFM section 12-0507.1 in favor of that proposed on the CDP/FDP. Although the applicant has incrementally added tree save areas to the development plan throughout the review process, staff does not believe adequate justification has been made to recommend approval of a deviation from the tree preservation target area. The applicant should continue to explore possibilities for tree preservation in the proposed open space north of proposed Lots 5 through 7, along the northern boundary of the site. Staff does not support this deviation request.

The applicant has requested that the Board of Supervisors approve the provisions of recreational facilities off-site as outlined in Section 16-404 of the Zoning Ordinance. The applicant has proffered to contribute the per-unit amount for improvements at park facilities in the immediate vicinity of the site, and has provided the following justification for this request:

- This rezoning is a small, infill piece of land, entirely surrounded by passive recreation;
- A major public goal in this application is construction of the connection of Lincoln and Autumn Willow Drives, which takes up a significant portion of the developable portion of the property;
- The site is heavily wooded, and provision of on-site recreation would decrease the amount of tree save;
- Larger surrounding residential neighborhoods have comparable zoning and densities and do not appear to have on-site recreational facilities;
- Arrowhead Park, the Stringfellow Road fields, and the substantial Little Rocky Run Stream Valley system are all facilities intended to support the area and to which the applicant is contributing.

Due to the site constraints, staff does not object to this request.

OTHER ZONING ORDINANCE REQUIREMENTS

P-District Standards

The requested rezoning of the 7.27 acre site to the PDH-2 District must comply with the Zoning Ordinance provisions found in Article 6, Planned Development District Regulations and Article 16, Development Plans, among others.

Article 6

Sect. 6-101 Purpose and Intent

This section states that the PDH District is established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote balanced development of mixed housing types and to encourage the provision of affordable dwelling units. The Autumn Willow-Lincoln Drive road connection intersects the property in such a way that it makes sense for the applicant to dedicate the land to the east of the proposed road to the Park Authority for inclusion in the stream valley park. Staff believes this to be an efficient use of open space. The open space surrounding the proposed lots preserves environmentally sensitive site features, such as the intermittent stream, provides additional buffer area to/from the adjacent properties, and will enhance access to the existing stream valley trail network. Staff believes that ample open space is provided, as 31 percent of the site is designated as open space which is well above the requirement. The proffered commitment to tree preservation activities as well as open space ensures that the tree save areas and open space areas will be preserved for the enjoyment of the residents.

Sect. 6-107 Lot Size Requirements

This section states that a minimum of two acres is required for approval of a PDH District. The 7.27 acre application area meets this minimum requirement.

Sect. 6-109 Maximum Density

This section states that the maximum density for the PDH-2 District is two dwelling units per acre (du/ac). The applicant proposes to develop the application area with 14 single family dwelling units at an overall density of 1.93 dwelling units per acre.

Sect 6-110 Open Space

Par. 1 of this section requires a minimum of 20% of the gross area as open space in the PDH-2 District. Par. 2 of this section requires that recreational amenities be provided in the amount of \$1,600/du. As previously stated, approximately 31 percent of the application area will remain as open space. The applicant has presented a proffer that \$1,600 per dwelling unit be contributed for off-site recreational amenities in lieu of providing them on site, and additional funds have been proffered to the Park Authority for use in the vicinity of the site.

Article 16Section 16-101 General Standards

General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions. The Comprehensive Plan recommends that the subject property be developed with residential uses at a density of one to two dwelling units per acre at the Overlay level. This Plan recommendation indicates that the property be developed with single family detached dwellings units in a manner consistent with the surrounding residential properties. The applicant proposes a residential development consisting of 14 single-family detached dwellings at an overall density of 1.93 du/ac, which is consistent with the housing type and density recommendations of the Plan and surrounding residential properties.

General Standard 2 states that the planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district. In order to achieve a development within the density range recommended by the Comprehensive Plan, the applicant has designed the site as a PDH-2 District, which permits lots smaller than permitted by a R-2 District. Furthermore, the R-2 District has no open space requirement while the PDH-2 District does, and the applicant is providing more open space than is required of the PDH-2 District. The PDH-2 District allows for a layout that results in larger tree save areas, while still permitting a lot yield within the density range recommended by the Plan. By having a reduced side yard requirement and flexibility in the orientation of Lots 1, 2, 13, and 14, the applicant was able to provide a development layout that fits well with that of the surrounding community.

Standard 3 states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features. As the proposed road is connecting two existing streets, there is little flexibility in the location and design of this connection. The applicant has, however, provided tree save areas in the location of the intermittent stream on-site and has provided a site layout that works with the existing topography to the extent possible. With the proffer to dedicate the remaining land along the eastern side of the proposed road to the Park Authority, the applicant has helped preserve/enhance the stream valley trail and provided additional land for the neighborhood to enjoy.

General Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan. The surrounding properties to the north, west and south have been developed with single family residential uses according to the recommendations of the Comprehensive Plan. The lots are logically arranged. All lots front the private street, side yards abut side yards, and no oddly-shaped lots are created as a result of the layout. The rear yards of the proposed lots back onto the rear yards of the existing adjacent lots. This development proposal is consistent with the surrounding properties and will fit into the existing fabric and will provide the road connection per the Plan.

Standard 5 states that the planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently developed. Sanitary sewer and water are available at this site. Stormwater management controls will be accommodated by a dry pond located on site. The site has adequate levels of police and fire protection services. The site has access to Autumn Willow and Lincoln Drives, and the applicant will provide additional signage as needed to facilitate safe turning into and out of the development. The development proposal meets fire protection guidelines.

Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development. A sidewalk will be located along the public roads, and all connections to existing trails will be made.

Section 16-102 Design Standards

Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.

Transitional screening and barriers are not required with this development, as it is the same housing type as located on the properties to the north, west and south. Landscaped buffers are provided along all property lines in order to supplement the proposed tree save, and shade trees and foundation plantings will be provided in the front yards of the individual lots. The yard requirements proposed by the applicant through the PDH-2 District, most notably the front

yards, are smaller than those that would be required under the provisions of the R-2 District. However, the smaller yards offer the applicant the ability to design a tighter clearing area while achieving a desired density range that is in conformance with the recommendations of the Comprehensive Plan. As shown by the following chart, the yards provided are similar to those required for R-2 Cluster.

P DISTRICT COMPARISON			
Regulation	PDH-2 (Proposed)	R-2	R-2 Cluster
Front Yard	20 ft. min.	35 ft. min.	25 ft. min.
Side Yard	8 ft. min.*	15 ft. min.	8 ft. min., but a total min. of 24 ft.
Rear Yard	15 ft. min.	25 ft. min.	25 ft. min.
Open Space	31%	N/A	25%

* Therefore, there will be a minimum of 16 feet between the walls of the dwellings.

Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments. Approximately 31% of the site will remain as open space. A minimum of four parking spaces are provided on each lot (two garage spaces, two driveway spaces), and additional street parking is provided on the public streets. The applicant has provided unique entry feature signage, as detailed on sheet six of the CDP/FDP.

Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities. All proposed driveways are accessible via a public street, which provides connections to the greater area transportation network. All sidewalk connections are provided, including along the proposed cul-de-sac street and the Autumn Willow-Lincoln Drive connection. All off-site trails are proposed to be connected to provide access to the stream valley trail, located to the southeast and north of the subject property.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

As proposed, staff believes that the applicant's proposal to develop the subject 7.27 acres with fourteen single family detached dwelling units at an overall density of 1.93 du/ac is in conformance with the recommendations of the Comprehensive Plan. The proposal meets P-District Standards and the Residential Development Criteria as discussed above.

Although all standards have been met, staff urges the applicant to contribute the full "Fair Share" amount as requested by the Park Authority in order to offset the additional park needs generated by this development. Furthermore, staff suggests that the applicant proffer to provide the contribution to the Fairfax County Housing Fund, in conformance with the Board of Supervisor's Policy.

Staff also suggests that, at the time of site plan, the applicant conduct additional studies to explore the possibility of providing additional tree save and avoid the need for a deviation from the required tree preservation target.

Staff Recommendations

Staff recommends approval of RZ 2010-SP-012, subject to proffers consistent with those set forth in Appendix 1 of the Staff Report.

Staff recommends approval of FDP 2010-SP-012, subject to the Board of Supervisors approval of RZ 2010-SP-012.

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.

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

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

APPENDICES

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Plan Citations
5. Environmental Analysis
6. Urban Forest Management Analysis
7. Transportation Analysis
8. Schools Analysis
9. Park Authority Analysis
10. Fire and Rescue Analysis
11. Sanitary Sewer Analysis
12. Water Authority Analysis
13. Stormwater Management Analysis
14. Fairfax Center Checklist
15. Zoning Ordinance Provisions
16. Residential Development Criteria
17. Glossary of Terms

**RZ/FDP 2010-SP-012
WESTBROOK PROPERTY, LLC
DRAFT PROFFER STATEMENT**

**October 21, 2010
December 10, 2010
January 13, 2011
January 18, 2011**

Pursuant to Section 15.2-2303(A) of the Code of Virginia, as amended, and subject to the Fairfax County Board of Supervisors' (the "Board") approval of rezoning application RZ 2010-SP-012, as proposed, for rezoning from the R-1 and WSPOD Districts to the PDH-2 and WSPOD Districts, Westbrook Property LLC (the "Applicant"), for itself and its successors and assigns, hereby proffers that development of Tax Map Parcel 55-4 ((3)) R7 (the "Property"), containing approximately 7.23 acres, shall be in accordance with the following proffered conditions:

1. Substantial Conformity. The Property shall be developed in substantial conformance with the Conceptual Development Plan and Final Development Plan ("CDP/FDP") consisting of ten (10) sheets prepared by Urban Engineering & Associates, Inc., and dated June 18, 2010, revised through December 10, 2010, as further modified by these proffered conditions.
2. Final Development Plan Amendment. Notwithstanding that the CDP/FDP consists of seven (7) sheets and is the subject of Paragraph 1 above, it shall be understood that (i) the CDP shall consist of the entire plan relative to the general layout, points of access to the existing road network, peripheral setbacks, the maximum number and type of units, limits of clearing and grading and the location and amount of open space on the Property; and (ii) the Applicant has the option to request Final Development Plan Amendment ("FDPA") approvals from the Planning Commission in accordance with Section 16-402 of the Zoning Ordinance with respect to the remaining elements.
3. Minor Modifications to Design. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the approved CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the CDP/FDP provided such changes are in substantial conformance with the CDP/FDP and proffers, and do not increase the total number of units, change the unit mix, or decrease the minimum amount of open space or peripheral setbacks shown to be provided on the Property.
4. Maximum Density. A maximum of fourteen (14) single family detached dwelling units at a maximum density of 1.93 dwelling units per acre shall be permitted on the Property. The Applicant reserves the right to develop fewer than this maximum number of units referenced in this paragraph without the need for a Proffered Condition Amendment ("PCA") application or CDPA/FDPA.

5. Right-of-Way Dedication. The Applicant shall dedicate right-of-way for two new public roads as depicted on the CDP/FDP, subject to review and approval by VDOT and DPWES. All road right-of-way ("ROW") dedicated in conjunction with these proffers and depicted on the CDP/FDP shall be conveyed to the Board in fee simple upon demand by Fairfax County (the "County") or at the time of recordation of the final record plat/subdivision plat, whichever occurs first, and shall be subject to the "Density Credit" Proffer below regarding reservation of development intensity to the residue of the subject Property.
6. Transportation Improvements.
 - A. Prior to the issuance of the first Residential Use Permit ("RUP") and subject to VDOT and DPWES approval, the Applicant shall construct a public street connection linking Autumn Willow Drive and Lincoln Drive, generally as depicted on the CDP/FDP ("Lincoln Drive Extended") in accordance with VDOT and DPWES requirements.
 - B. Prior to the issuance of the first Residential Use Permit ("RUP") and subject to VDOT approval, the Applicant shall construct a public street with a cul-de-sac, generally as depicted on the CDP/FDP in accordance with VDOT and DPWES requirements.
 - C. Subject to VDOT and DPWES approval, as an appropriate traffic-calming measure the Applicant shall provide signage for a three-way stop at the intersection of Lincoln Drive Extended and the proposed cul-de-sac street (referenced in Paragraph 6B above).
 - D. As determined by VDOT, the Applicant shall provide a pedestrian crosswalk consisting of stamped asphalt or striped with paint across Lincoln Drive Extended which connects the subdivision sidewalk to the relocated parkland trail access (see Proffer #9) on the east side of Lincoln Drive Extended.
 - E. Subject to provision at no cost to the Applicant of a construction permit and right-of-entry by the Fairfax County Park Authority ("FCPA"), the Applicant shall scarify the asphalt associated with the existing temporary cul-de-sac and replant said area with grass, except for that portion identified as Resource Protection Area ("RPA") "Reforestation Area" on the CDP/FDP, which shall be planted as described in Proffer #14 below.
7. Fairfax Center Area ("FCA") Road Fund. At the time of final site plan approval, the Applicant shall contribute to the FCA Road Fund in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses as determined by Fairfax County Department of Transportation and/or DPWES.
8. Public Street Access. All single family lots shall have frontage on a public street in accordance with Zoning Ordinance requirements.

9. Trail Improvements. Subject to approval and provision, at no cost to Applicant, of a construction permit and right-of-entry by the Fairfax County Park Authority (“FCPA”), the Applicant shall remove parts of the existing trail within the area of the proposed construction of Lincoln Drive Extended and shall reconstruct a new, accessible segment of trail connecting the crosswalk referred in Proffer 6(c) to the existing FCPA trail on the east side of Lincoln Drive Extended, generally as depicted on Sheet 4 of the CDF/FDP, of a similar width and materials. The exact location of the proposed trail connection shall be determined in coordination with the Park Authority Trail Coordinator.
10. Connection to Trail. Subject to obtaining necessary easements and/or right-of-way from the Fairfax County Park Authority (“FCPA”) and the “Tregaron Homeowners’ Association,” the Applicant shall construct a new, off-site sidewalk connection, providing a link to the existing wood chip trail within Tregaron, at Lincoln Drive, in accordance with DPWES and VDOT requirements. Said connection shall be completed prior to issuance of the Residential Use Permit (“RUP”) for the final dwelling unit.
11. Open Space. A minimum of 2.3 acres (including the land dedicated to the FCPA per Proffer 12), or thirty (30) percent of the site shall remain in open space. At the time of recordation of the subdivision, the Applicant shall convey all open space located along the western and northern property boundaries outside private lot lines, as shown on the CDP/FDP, to the HOA for ownership and maintenance.
12. Land Dedication to Fairfax County Park Authority (“FCPA”). At the time of final subdivision plat recordation or upon completion of Applicant's trail construction, scarifying and reforestation, whichever is later, the Applicant shall dedicate in fee simple, without monetary encumbrances or covenants, approximately 26,000 square feet (±0.60 acre) of open space located east of the new public road adjacent to the existing parkland as depicted on the CDP/FDP to the FCPA, solely for public park passive open space purposes. Dedication of said 0.60 acre shall be contingent upon FCPA effecting a land exchange with the Applicant in which approximately 3,900 square feet (±0.09 acre) of parkland (located adjacent to the northeast corner of the Property and within the future road right-of-way of Lincoln Drive Extended, as generally defined on the CDP/FDP) is conveyed to the Board of Supervisors in fee simple for public street purposes.
13. Triangle Parcel “E.” Should the FCPA elect to convey in fee simple without monetary encumbrances or covenants Tax Map Parcel 55-4 ((18)) E to the Applicant at no cost in conjunction with Applicant’s land dedication referenced above, then the Applicant shall accept Parcel E which shall be owned and maintained by the future Homeowners Association.
14. Reforestation Area. As defined by striped lines on the “Landscape Plan” (Sheets 4 and 5 of the CDP/FDP), the Applicant shall scarify the asphalt and provide plantings in accordance with PFM Standards to reforest the strip of land located east of Lincoln Drive Extended within and adjacent to the Resource Protection Area (“RPA”) in consultation with the County Urban Forester and the Park Authority Staff.

15. Limits of Clearing and Grading. Development of the Property shall conform to the limits of clearing and grading shown on the CDP/FDP, subject only to the installation of utilities, trails and roadways, if necessary, as approved by DPWES. All limits of clearing and grading shall be protected by temporary wire fencing that is a minimum of four (4) feet in height, in accordance with County Urban Forestry Division standards (see below). Any necessary disturbance for utilities beyond that shown on the CDP/FDP shall be coordinated with the Urban Forester and accomplished in the least disruptive manner reasonably possible given engineering, cost, and site design constraints, as determined by the Urban Forester. Any area protected by the limits of clearing and grading that must be disturbed due to the installation of water lines shall be replanted with the application of straw, mulch, grass seed and/or a mix of native vegetation as determined by the Urban Forester, to return the area as nearly as reasonably possible to its condition prior to the disturbance, as determined by the Urban Forester.

16. Tree Preservation.

A. Plan. The Applicant shall contract with a certified arborist to prepare a tree preservation plan to be submitted as part of the first and all subsequent subdivision submissions. The plan shall be reviewed and approved by the Urban Forestry Division in accordance with all applicable PFM and Zoning Ordinance requirements, as such may be modified by appropriate approvals such as, but not limited to, the Tree Preservation Target Area Deviation Request set forth in this rezoning application. The certified arborist responsible for the preparation of the tree preservation plan shall be referred to as the "Project Arborist." Said tree preservation plan shall provide for preservation of specific quality trees or stands of trees within the tree save areas depicted on the CDP/FDP to the maximum extent reasonably feasible, subject to the potential installation of utilities, and to the maximum extent reasonably feasible without precluding the development of a single family home typical to this project on each of the building envelopes and lots shown on the CDP/FDP. The Urban Forester may require reasonable modifications of such plan to the extent these modifications do not alter the number of dwelling units shown on the CDP/FDP, reduce the size of the proposed units, significantly move their location on the lot, or require the installation of retaining walls. The tree preservation plan shall consist of a tree survey which includes the locations, species, size, crown spread, and condition rating percent of all trees measuring twelve (12) inch diameter at breast height ("dbh") or greater located within ten feet (10) inside and twenty-five (25) feet outside the limits of clearing areas depicted on the CDP/FDP. Additionally, included in the tree preservation plan shall be a condition analysis and rating for all trees measuring twelve (12) inch dbh or greater located within ten (10) feet of the inside and twenty-five (25) feet outside of the limits of clearing and grading for all tree buffer areas shown to be preserved on the CDP/FDP. The condition analysis shall be prepared using methods outlined in the latest edition of "The Guide for Plant Appraisal." Specific tree preservation activities shall be incorporated into

the tree preservation plan. Activities should include, but not be limited to, crown pruning, root pruning, mulching and fertilization.

- B. Tree Preservation Walk-Through. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, 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. Trees that are identified as dead or dying or potentially hazardous may be removed as part of the clearing operation with approval of the Urban Forest Management Division. Any tree that is so designated 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 adjacent trees and associated understory vegetation and soil conditions.
- C. Tree Preservation Fencing. All trees and buffers shown to be preserved on the tree preservation plan shall be protected by fencing. Tree protection fencing shall be erected at the limits of clearing and grading. Materials and installation of tree protection fencing shall consist of four foot-high, 14-gauge welded wire, attached to six foot steel posts, driven 18 inches into the ground and placed no further than 10 feet apart. The tree protection fencing shall be installed after the tree preservation walk-through meeting and prior to the performance of any clearing and grading activities on-site. All tree preservation activities, including the installation of tree protection fencing, shall be performed under the supervision of the Project Arborist and accomplished in a manner that does not harm existing vegetation to be preserved. Prior to commencement of any clearing and grading activities on-site, the Project Arborist shall verify in writing that the tree protection fencing has been properly installed.
- D. Signage shall be securely attached to the protective fencing, identifying the tree preservation area and made clearly visible to all construction personnel. Signs shall measure a minimum of 10x12 inches and read: "TREE PRESERVATION AREA - KEEP OUT." Three days prior to the commencement of any clearing, grading or demolition activities, the Urban Forestry Division shall be notified and given the opportunity to inspect the site to ensure that all tree protection fencing has been installed properly.

E. The HOA documents shall require that no structures (other than utilities, utility lines, and/or trails as provided herein above) or fences shall be erected in the tree save area, and that trees in HOA open space areas and the tree save area will not be disturbed except as approved by the Urban Forest Management Division for (i) the removal of diseased, dead, dying, or hazardous trees or parts thereof; and/or (ii) selective maintenance to remove noxious and poisonous weeds.

17. Landscaping. Landscaping shall be generally consistent with the quality, quantity and the locations shown illustratively on Sheet 5 of the CDP/FDP. At the time of planting, the minimum caliper for deciduous trees shall be two (2) to two and one-half (2 ½) inches and the minimum height for evergreen trees shall be seven (7) feet. Actual types, locations and species of vegetation shall be determined pursuant to more detailed landscape plans submitted at the time of submission of subdivision plans for review and approval by the Urban Forester. Such landscape plans shall provide tree coverage and species diversity consistent with the PFM criteria, as determined by the Urban Forester. The Applicant reserves the right to make minor modifications to such landscaping to reasonably accommodate utilities and other design considerations, provided such relocated landscaping shall retain a generally equivalent number of plantings as shown on the approved CDP/FDP.
18. Stormwater Management. In accordance with County engineering requirements and subject to approval by the County DPWES, stormwater management/Best Management Practices (“BMPs”) shall be provided on-site in a dry detention facility within the SWM/BMP facility, as depicted on the CDP/FDP. The Applicant shall grant an easement to Fairfax County, in a location approved by DPWES at the time of final subdivision plat approval, to provide access to the stormwater facility for maintenance by Fairfax County. At the time of recordation of the record plat, the Applicant shall convey the stormwater management facilities to the relevant HOA for stormwater management/BMP purposes. The HOA shall maintain all landscaping adjacent to such on-site stormwater management facility.
19. Low-Impact Development (“LID”) Techniques. Supplementary innovative measures may be used on the subject Property, such as a bio-retention facility (rain garden) and/or grassy swales, subject to DPWES approval, to meet water quality requirements if necessary.
20. Public Schools Contribution. At the time of issuance of the first building permit, Applicant shall contribute to Fairfax County a maximum of \$18,760.00 for capital improvements to schools located within the pyramid serving the subject Property.
21. Recreational Facility Contribution. The Applicant shall provide a total contribution of \$35,000.00 to the Fairfax County Park Authority for recreational facilities (“Park Contribution”), of which \$22,400 shall be applicable to and shall be in lieu of and satisfy the on-site requirements of Sections 6-110 and 16-404 of the Zoning Ordinance and the remainder shall constitute the Applicant’s off-site contribution for this 14-lot subdivision.

Said contribution shall be payable pro rata at the time of issuance of each respective building permit and used entirely off-site for development of park facilities within the service area of the Property, subject to Board of Supervisors' approval and in accordance with Paragraph 2 of Section 16-404 of the Zoning Ordinance.

22. Garages and Driveways. The Applicant shall place a covenant on each residential lot that prohibits the use of the garage for any purpose which would preclude motor vehicle storage. This covenant shall be recorded among the land records of Fairfax County prior to the sale of lots and shall run to the benefit of the HOA and to the Board. Prior to recordation, the covenant shall be approved by the Fairfax County Attorney's office. The HOA documents shall expressly state this use restriction. The driveway provided for each home shall be a minimum of twenty (20) feet in length and sixteen (16) feet in width to permit the parking of vehicles without overhanging into the sidewalk.
23. Architectural Elevations. Illustrative building elevations for the proposed units shall be generally consistent in character, as to architectural style and quality, with the conceptual elevations depicted on Sheet 2 of the CDP/FDP, as determined by DPWES. As determined by the Applicant, siding materials consisting of brick, stone and/or similar materials shall be provided.
24. Energy Efficiency. All new dwelling units shall be designed and constructed as ENERGY STAR qualified homes. The major features of ENERGY STAR homes include features such as: Effective Insulation, High-Performance Windows, Tight Construction and Ducts, Efficient Heating and Cooling Equipment, Efficient Products, and Third Party Verification (Home Energy Rater). Prior to issuance of the Residential Use Permit (RUP) for each dwelling unit, documentation shall be submitted to the Environment and Development Review Branch of the Department of Planning and Zoning (DPZ) from a home energy rater certified through the Residential Energy Services network (RESNET) program that demonstrates that the dwelling unit has attained the ENERGY STAR for homes qualification.
25. Archaeological Studies. As may be required by the County Archaeologist based upon the findings of the "Phase I Archaeological Assessment" (prepared and filed by the Applicant prior to rezoning approval), a "Phase II Archaeological Evaluation" shall be performed either at the Applicant's expense by a certified, professional archaeologist or by archeologists of the Cultural Resource Management and Protection Section of the Fairfax County Park Authority in the immediate vicinity of Fairfax County Archaeological Site #44FX2660. If the work is performed by the Cultural Resource Management and Protection Section of the Fairfax County Park Authority, submission of the Phase II study shall not be a pre-condition of Subdivision Plan approval or recordation of the same. If the Phase II study concludes that additional Phase III evaluation and/or recovery is warranted, the Applicant shall also complete said work in consultation and coordination with the County Archaeologist; however, any such Phase III work shall not be a pre-condition of Subdivision Plan approval or recordation of the same. In accordance with findings and recommendations of said "Phase II Evaluation," the Applicant and its certified professional archaeologist or archeologists of the Cultural Resource Management and Protection Section of the Fairfax County Park Authority shall, prior to

final approval of the subdivision plan, perform the following as may be required: collect and catalog archaeological data/relics deemed significant.

26. Street-furnishings. Pursuant to the recommendations of the Fairfax Center Area Plan, the Applicant shall provide site entrance zone features, including special plantings and lighting, street lighting and at least one bench at the park trail entrance, generally as depicted on the CDP/FDP and subject to Park Authority review and approval for those elements located within areas to be dedicated.
27. Unreasonable Delay. In the event that, despite diligent efforts by the Applicant, provision of an improvement has been unreasonably delayed by others or by circumstances beyond the control of the Applicant, the Zoning Administrator may agree to a later date for the completion of each such improvement
28. Escalation. All monetary contributions required by Proffer 21 shall be adjusted for inflation in conformance with the Consumer Price Index, occurring subsequent to the date of subject rezoning approval and up to the date of payment of the respective contribution.
29. Density Credit. All intensity of use attributable to land areas dedicated and conveyed to the Board or any other County agency pursuant to these proffers (including, without limitation, the dedications referenced in Paragraphs 5 and 12) shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and is hereby reserved to the residue of the Property.
30. Severability. Any of portion may be the subject of a PCA, CDPA and/or FDPA without joinder and/or consent of the other lots, if such PCA, CDPA and/or FDPA does not have any material adverse effect on such other lots. Previously approved proffered conditions or development conditions applicable to the portion not the subject of such a PCA, CDPA, and/or FDPA shall otherwise remain in full force and effect.
31. Successors and Assigns. Each reference to “Applicant” in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant’s successor(s) in interest, assigns, and/or developer(s) of the Property or any portion of the Property.

[SIGNATURE ON FOLLOWING PAGE]

WESTBROOK PROPERTY, LLC

By: _____
Richard D. DiBella, Manager

Rezoning Attachment to Par. 1(a)

DATE: December 21, 2010
 (enter date affidavit is notarized)

109642a

for Application No. (s): RZ/2010-SP-012
 (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)
Jeannie A. Mathews	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Paralegal/Agent for Applicant
Urban Engineering & Associates, Inc. d/b/a Urban, Ltd.(3) Agents: David T. McElhaney Chad E. Jernigan Alvis H. Hagelis John Lightle (nmi) Phillip A. Blevins (former) Michael J. Gallagher (former)	7712 Little River Turnpike Annandale, VA 22003	Engineers/Agents for Applicant
M. J. Wells & Associates, Inc.(4) Agents: Robin L. Antonucci Kevin R. Fellin John F. Cavan	1420 Spring Hill Road, Suite 600 McLean, VA 22102	Traffic Consultants/Agents for Applicant
Wetland Studies and Solutions, Inc.(5) Agents: Michael S. Rolband Kimberly A. Snyder Mark W. Headly Benjamin N. Rosner	5300 Wellington Branch Drive, Suite 100 Gainesville, VA 20155	Environmental Consultants/Agents for Applicant

(check if applicable)

[]

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

REZONING AFFIDAVIT

DATE: December 21, 2010
(enter date affidavit is notarized)

109642a

for Application No. (s): RZ/PDP 2010-SP-012
(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)

(1)Westbrook Property, LLC
10501 Hannah Farm Road
Oakton, VA 22124

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)

Richard D. DiBella, Manager/Member	Julie DiBella (nmi), Member
Madelyn DiBella (nmi), Member	Samantha K. DiBella, Member
Dominic J. DiBella, Member	

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

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

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

Rezoning Attachment to Par. 1(b)

DATE: December 21, 2010
(enter date affidavit is notarized)

109642a

for Application No. (s): RZ 2010-SP-012
(enter County-assigned application number (s))

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

(3)Urban Engineering & Associates, Inc. t/a URBAN, Ltd.
7712 Little River Turnpike
Annandale, VA 22003

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)

Barry B. Smith
J. Edgar Sears, Jr.
Brian A. Sears

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

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

(4)M. J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

M. J. Wells & Associates, Inc. Employee Stock Ownership Trust (ESOT)
(All employees are eligible Plan participants; however, none owns 10% or more of any class of stock)

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

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

Rezoning Attachment to Par. 1(b)

DATE: December 21, 2010
(enter date affidavit is notarized)

109642a

for Application No. (s): RZ/2010-SP-012
(enter County-assigned application number (s))

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

(5)Wetland Studies and Solutions, Inc.
5300 Wellington Branch Drive, Suite 100
Gainesville, VA 20155

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)

Michael S. Rolband

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

REZONING AFFIDAVIT

DATE: December 21, 2010
(enter date affidavit is notarized)

109642a

for Application No. (s): ^{FDR} RZ/2010-SP-012
(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)

(2)Hunton & Williams LLP
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102

(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)

- Benjamin C. Ackerly
- Robert A. Acosta-Lewis
- Lawrence C. Adams
- Michael F. Albers
- Virginia S. Albrecht
- Kenneth J. Alcott
- Fernando C. Alonso
- Chris M. Amantea
- Thomas E. Anderson
- Walter J. Andrews
- Charles E. G. Ashton
- L. Scott Austin
- Ian Phillip Band
- Sean M. Beard
- John J. Beardsworth, Jr.
- Steven H. Becker
- Stephen John Bennett
- Melinda R. Beres

(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 Attachment to Par. 1(c)

DATE: December 21, 2010
(enter date affidavit is notarized)

109642a

for Application No. (s): RZ^{FDP} 2010-SP-012
(enter County-assigned application number (s))

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

(2)Hunton & Williams LLP (Continued)
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102

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

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

- | | | |
|---------------------------|-------------------------|---------------------------|
| Lucas Bergkamp (nmi) | Terence G. Connor | Andrea Bear Field |
| Lon A. Berk | Stephen Gregory Cope | Kevin J. Finto |
| Douglas M. Berman | Cameron N. Cosby | Melanie Fitzgerald (nmi) |
| Mark B. Bierbower | Ted C. Craig | William M. Flynn |
| Stephen R. Blacklocks | Cyane B. Crump | Laura M. Franze |
| Jeffry M. Blair | Ashley Cummings (nmi) | Lauren E. Freeman |
| Michael J. Blayney | Alexandra B. Cunningham | Edward J. Fuhr |
| James W. Bowen | Sean B. Cunningham | Charles A. Gall |
| Lawrence J. Bracken, II | William D. Dannelly | Daniel C. Garner |
| James P. Bradley | Samuel A. Danon | Douglas M. Garrou |
| Sheldon T. Bradshaw | Barry R. Davidson | Richard D. Gary |
| David F. Brandle, Jr. | John Deacon (nmi) | Andrew A. Gerber |
| Craig A. Bromby | John A. Decker | John T. Gerhart, Jr. |
| A. Todd Brown | John J. Delionado | Jeffrey W. Giese |
| Tyler P. Brown | Stephen P. Demm | Neil K. Gilman |
| F. William Brownell | Dee Ann Dorsey | C. Christopher Giragosian |
| Peter N. Brudenall | Edward L. Douma | Timothy S. Goettel |
| Kevin J. Buckley | Mark S. Dray | Allen C. Goolsby |
| Kristy A. Niehaus Bulleit | Sean P. Ducharme | L. Raúl Grable |
| Joseph B. Buonanno | Deidre G. Duncan | Douglas S. Granger |
| Nadia S. Burgard | George C. Dunlap, Jr. | J. William Gray, Jr. |
| Eric R. Burner | Roger Dyer (nmi) | Charles E. Greef |
| M. Brett Burns | Frederick R. Eames | Robert J. Grey, Jr. |
| Brian M. Buroker | Maya M. Eckstein | Greta T. Griffith |
| P. Scott Burton | Joseph C. Edwards | Bradley W. Grout |
| Ellis M. Butler | W. Jeffery Edwards | Jeffrey W. Gutches |
| Ferdinand A. Calice | John C. Eichman | Miles B. Haberer |
| Matthew J. Calvert | Edward W. Elmore, Jr. | Virginia H. Hackney |
| Daniel M. Campbell | Frank E. Emory, Jr. | Robert J. Hahn |
| Thomas H. Cantrill | Juan C. Enjamio | Jarrett L. Hale |
| Curtis G. Carlson | John D. Epps | John F. Haley |
| Jean Gordon Carter | Patricia K. Epps | Eric J. Hanson |
| Charles D. Case | Phillip J. Eskenazi | Ronald M. Hanson |
| Thomas J. Cawley | Joseph P. Esposito | Jason W. Harbour |
| James N. Christman | Kelly L. Faglioni | Richard L. Harden |
| Whittington W. Clement | Susan S. Failla | Ray V. Hartwell, III |
| Herve' Cogels (nmi) | Eric H. Feiler | James A. Harvey |
| Cassandra C. Collins | Edward F. Fernandes | Jeffrey L. Harvey |
| Stacy M. Colvin | Norman W. Fichthorn | John D. Hawkins |

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

Rezoning Attachment to Par. 1(c)

DATE: December 21, 2009
(enter date affidavit is notarized)

109642a

for Application No. (s): RZ^{FDP} 2010-SP-012
(enter County-assigned application number (s))

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

(2)Hunton & Williams LLP (Continued)
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102

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

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

- | | | |
|-------------------------|-------------------------------|---------------------------|
| Timothy G. Hayes | Robert A. King | Patrick J. McCormick, III |
| Rudene Mercer Haynes | Robert Klotz (nmi) | Robert G. McCormick |
| Mark S. Hedberg | Edward B. Koehler | Francis A. McDermott |
| Colleen Heisey (nmi) | John T. Konther | Alexander G. McGeoch |
| Michael S. Held | Torsten M. Kracht | Paul E. McGeown |
| Gregory G. Hesse | Christopher G. Kulp | John C. McGranahan, Jr. |
| George H. Hettrick | Christopher Kuner (nmi) | David T. McIndoe |
| David A. Higbee | David Craig Landin | Mark W. Menezes |
| Thomas Y. Hiner | Gregory F. Lang | Gary C. Messplay |
| D. Bruce Hoffman | David C. Lashway | Patrick E. Mitchell |
| Robert E. Hogfoss | Andrew W. Lawrence | Jack A. Molenkamp |
| John R. Holzgraefe | Daniel M. LeBey | Charles R. Monroe, Jr. |
| Cecelia Philipps Horner | Bradley T. Lennie | Will S. Montgomery |
| George C. Howell, III | L. Steven Leshin | T. Justin Moore, III |
| Thomas M. Hughes | Ronald J. Lieberman | Thurston R. Moore |
| Kevin F. Hull | Catherine D. Little | Bruce W. Moorhead, Jr. |
| Donald P. Irwin | David C. Lonergan | Robert J. Morrow |
| Judith H. Itkin | Audrey C. Louison | Ann Marie Mortimer |
| Makram B. Jaber | Carlos E. Loumiet | Michael J. Mueller |
| Lori Elliott Jarvis | David S. Lowman, Jr. | Eric J. Murdock |
| Matthew D. Jenkins | Michael J. Madden, Jr. | Frank J. Murphy, Jr. |
| Andrew E. Jillson | Tyler Maddry (nmi) | Ted J. Murphy |
| Harry M. Johnson, III | Kimberly M. Magee | Thomas P. Murphy |
| James A. Jones, III | Manuel E. Maisog | David A. Mustone |
| Kevin W. Jones | Alan J. Marcuis | James P. Naughton |
| Laura E. Jones | Brian R. Marek | Michael Nedzbal (nmi) |
| Dan J. Jordanger | Stephen S. Maris | Henry V. Nickel |
| Roland Juarez (nmi) | Thelma Marshall (nmi) | Lonnie D. Nunley, III |
| Thomas R. Julin | Jeffrey N. Martin | Michael A. Oakes |
| W. Alan Kailer | John S. Martin | Leslie A. Okinaka |
| Andrew Kamensky (nmi) | J. Michael Martinez de Andino | John D. O'Neill, Jr. |
| E. Peter Kane | Walfrido J. Martinez | Pam Gates O'Quinn |
| Thomas F. Kaufman | Joseph Clarke Mathews | Michael A. O'Shea |
| Joseph C. Kearfott | Laurie Uustal Mathews | Brian V. Otero |
| Michael G. Keeley | John Gary Maynard, III | Raj Pande (nmi) |
| G. Roth Kehoe, II | Fraser A. McAlpine | Randall S. Parks |
| Douglas W. Kenyon | William H. McBride | Peter S. Partee, Sr. |
| Michael C. Kerrigan | Michael C. McCann | J. Steven Patterson |
| Ryan T. Ketchum | T. Allen McConnell | William S. Patterson |

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

Rezoning Attachment to Par. 1(c)

DATE: December 21, 2009
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109642a

for Application No. (s): RZ 2010-SP-012
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PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

(2)Hunton & Williams LLP (Continued)
 1751 Pinnacle Drive, Suite 1700
 McLean, VA 22102

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

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

- | | | |
|----------------------------------|-------------------------|-----------------------------|
| Michael P. F. Phelps | John R. Schneider | B. Cary Tolley, III |
| Robert Dean Pope | Howard E. Schreiber | Timothy J. Toohey |
| Laurence H. Posorske | Jeffrey P. Schroeder | Bridget C. Treacy |
| Kurtis A. Powell | Robert M. Schulman | Thomas B. Trimble |
| Lewis F. Powell, III | Jeremy R. Schwer | Melvin E. Tull, III |
| J. Waverly Pulley, III | P. Watson Seaman | Julie I. Ungerman |
| Robert T. Quackenboss | James S. SeEVERS, Jr. | Surasak Vajasit (nmi) |
| Dearbhla Quigley (nmi) | Douglass P. Selby | Mark C. Van Deusen |
| Dionne C. Rainey | Joel R. Sharp | C. Porter Vaughan, III |
| Gordon F. Rainey, Jr. | Michael R. Shebelskie | Enid L. Veron |
| Katherine E. Ramsey | Rita A. Sheffey | Emily Burkhardt Vicente |
| John Jay Range | Michael A. Silva | Mark R. Vowell |
| Stuart A. Raphael | Aaron P. Simpson | Linda L. Walsh |
| Craig V. Rasile | Jo Anne E. Sirgado | William A. Walsh, Jr. |
| John M. Ratino | Laurence E. Skinner | Lynnette R. Warman |
| Robert S. Rausch | Thomas G. Slater, Jr. | Abigail C. Watts-FitzGerald |
| Belynda B. Reck | Brooks M. Smith | William L. Wehrum |
| Baker R. Rector | Caryl Greenberg Smith | Peter G. Weinstock |
| Shawn Patrick Regan | John R. ("J. R.") Smith | David B. Weisblat |
| Sona Rewari (nmi) | Yisun Song (nmi) | Malcolm C. Weiss |
| Thomas A. Rice | Lisa J. Sotto | Mark G. Weisshaar |
| Jennings G. ("J. G.") Ritter, II | Joseph C. Stanko, Jr. | Hill B. Wellford, Jr. |
| Kathy E. B. Robb | Marty Steinberg (nmi) | David E. Wells |
| Daryl B. Robertson | Todd M. Stenerson | Kevin J. White |
| Gregory B. Robertson | John J. Stenger | Jonathan M. Wilan |
| Patrick L. Robson | Gregory N. Stillman | Amy McDaniel Williams |
| Robert M. Rolfe | C. Randolph Sullivan | Matthew J. Williams |
| Ronald D. Rosener | R. Michael Sweeney, Jr. | Holly H. Williamson |
| Michael Rosenthal (nmi) | Henry Talavera (nmi) | Michael G. Wilson |
| Brent A. Rosser | Andrew J. Tapscott | Evan D. Wolff |
| William L. S. Rowe | Robert M. Tata | Allison D. Wood |
| Marguerite R. Ruby | Rodger L. Tate | John W. Woods, Jr. |
| D. Alan Rudlin | W. Lake Taylor, Jr. | David C. Wright |
| Mary Nash K. Rusher | Wendell L. Taylor | Richard L. Wyatt, Jr. |
| D. Kyle Sampson | Robin Lyn Teskin | Scott F. Yarnell |
| Karen M. Sanzaro | Paul R. Tetlow | William F. Young |
| Stephen M. Sayers | John Charles Thomas | Andrew D. Zaron |
| Arthur E. Schmalz | Martin K. Thomas | Lee B. Zeuglin |
| Gregory J. Schmitt | Gary E. Thompson | Manida Zimmerman (nmi) |

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

Rezoning Attachment to Par. 1(c)

DATE: December 21, 2009
(enter date affidavit is notarized)

109642a

for Application No. (s): ^{FDP} RZ 2010-SP-012
(enter County-assigned application number (s))

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

(2)Hunton & Williams LLP (Continued)
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102

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

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

FORMER PARTNERS:

Jeannie P. Breckinridge
Kenneth L. Dobkin
Chet A. Fenimore
Matthew Freimuth (nmi)
Lowell W. Harrison
Douglas J. Heffner
Geoffrey S. Kay
Sylvia K. Kochler
Robert H. Lockwood
Fernando Margarit (nmi)
Wesley R. Powell
Keila D. Ravelo
William P. Silverman
Chanmanu Sumawong (nmi)

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

REZONING AFFIDAVIT

DATE: December 21, 2010
(enter date affidavit is notarized)

109642a

for Application No. (s): ^{LED} RZ 2010-SP-012
(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: December 21, 2010
(enter date affidavit is notarized)

109642a

for Application No. (s): ^{100P} RZ 2010-SP-012
(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.)

Francis A. McDermott, attorney for Applicant, has contributed in excess of \$100.00 to Supervisor Herryty.

(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)

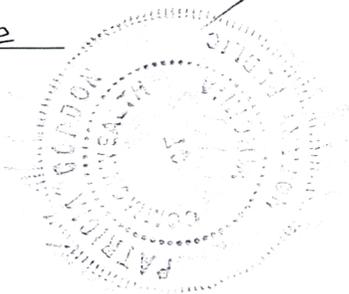
Richard D. DiBella
[] Applicant [x] Applicant's Authorized Agent

Richard D. DiBella, Manager
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 21 day of December 2010, in the State/Comm. of Virginia, County/City of Fairfax.

Patricia A. DeCarlo
Notary Public # 22 9181

My commission expires: 6/30/2012



July 6, 2010

**WESTBROOK PROPERTY, LLC
APPLICANT'S STATEMENT**

The approximately 7.27-acre site is identified as Tax Map Parcel 55-4 ((3)) R7 (the "Property") and located at the eastern terminus of Autumn Willow Drive and the southern terminus of Lincoln Drive between Stringfellow Road and the Fairfax County Parkway. The Property is zoned to the "R-1" (Residential at One Dwelling Unit Per Acre) and "WSPOD" (Water Supply Protection Overlay) Districts and is vacant.

Surrounding parcels are developed with single family detached dwelling units zoned to two dwelling units per acre to the north, south, east and west, with public parkland owned by the Fairfax County Park Authority ("FCPA") to the east and south. An AT&T easement abuts the northern boundary and a Plantation Pipeline Company easement abuts the western boundary of the Property. The parcel is located within "Sub-unit M2" of the Fairfax Center Area Plan, which recommends single family detached residential use up to two dwelling units per acre at the "Overlay Level."

Westbrook Property, LLC (the land owner and "Applicant") seeks to rezone the Property to the PDH-2 (Planned Development Housing - Two Dwelling Units Per Acre) and WSPOD Districts to permit development of fourteen (14) single family detached dwelling units at a density of approximately 1.93 dwelling units per acre. Approximately twenty-five percent (± 1.82 acres) of the Property is proposed to remain in open space and will be offered for dedication to the Fairfax County Park Authority. With this proposed density and open space, this new subdivision will be in conformance with the Comprehensive Plan and will fit seamlessly into the character of the surrounding Westbrook area, which is largely developed with single family detached housing at two dwelling units per acre and interspersed by parkland.

The Property is located between the terminus of two public streets, Autumn Willow Drive and Lincoln Drive. The Applicant proposes to remove the temporary cul-de-sac existing on Lincoln Drive and to connect Autumn Willow Drive and Lincoln Drive, which is a transportation recommendation in the Comprehensive Plan. This connection will provide secondary access to Stringfellow Road for the some of the residents in the Westbrook area.

The Applicant's construction of this "missing link" to VDOT public street standards will require approximately 3,200 square feet of land from the Fairfax County Park Authority. As shown on Sheet 4 of the CDP/FDP, the Applicant proposes to reforest a small portion of the Resource Protection Area along its western edge due to grading requirements for the road. It should be noted that County archaeological site #44FX2660 has been identified within the proposed street right-of-way necessarily determined by the existing street termini, and along the southern edge of proposed residential Lot 13. "Thunderbird Archaeology" has been retained by the Applicant to perform a "Phase 1 Archaeological Study" of this site and has been in communication with the County Archaeologist concerning previous testing associated with this site and adjacent properties. Indications are that this site has been previously plowed for agricultural purposes.

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Department of Planning & Zoning
JUL 07 2010
Zoning Evaluation Division

The Applicant proposes to offer for dedication to the Fairfax County Park Authority approximately one-quarter of the site, which is identified as public open space on the CDP/FDP. In addition to the proposed extension of the existing open space network, the Applicant shall fulfill the recreational facility requirement set forth in Section 16-404 of the Zoning Ordinance on- or off-site through provision of either a park-related amenity or a cash contribution to be determined during the rezoning process, and proffered by the land owner, pursuant to Paragraph 2 of Section 16-404.

The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards, except as noted above.

Respectfully submitted,



Francis A. McDermott
Attorney and Agent for Applicant



Zoning Evaluation Division
DEC 13 2010
RECEIVED
Department of Planning & Zoning

HUNTON & WILLIAMS LLP
1751 PINNACLE DRIVE
SUITE 1700
MCLEAN, VIRGINIA 22102

TEL 703 • 714 • 7400
FAX 703 • 714 • 7410

FRANCIS A. MCDERMOTT, ESQ.
DIRECT DIAL: 703 • 714 • 7422
EMAIL: fmcdermott@hunton.com

FILE NO: 77216.000002

December 10, 2010

**BY EMAIL AND HAND
DELIVERY**

Ms. Suzianne M. Zottl
County of Fairfax, Virginia
Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Pkwy., Suite 801
Fairfax, Virginia 22035

"Westbrook" Rezoning RZ 2010-SP-012

Dear Ms. Zottl:

Enclosed please find a revised draft proffer statement dated December 10, 2010 and a black-line comparison to the first submission on October 21, 2010. Also enclosed is our "Fairfax Center Area Checklist" analysis which, we believe, accurately portrays the high level of commitments associated with this low-density, infill subdivision. Twelve full-sized copies of the revised Conceptual/Final Development Plan, also dated December 10, 2010, will be delivered this afternoon under separate cover by Urban Engineering, including a reduction for your Staff Report.

This rezoning application proposes an infill single-family detached subdivision at 1.9 dwelling units per acre, which would be compatible with the density, lot size and architectural quality of the surrounding neighborhoods. My client is committing to construct an important road connection as set forth in the Comprehensive Plan, adding to the construction cost and tree clearing associated with this small development. Construction of this road requires a land swap with the Fairfax County Park Authority ("FCPA"), as recommended by staff and set forth in Proffer 12.

Both the public and private tree preservation areas proposed in this application would interconnect with and enhance the expansive open space system surrounding the subject property. On the December 10, 2010 CDP/FDP, my client has enlarged the common open space area

Ms. Suzianne M. Zottl

December 10, 2010

Page 2

provided outside of lots, including the addition of a landscaped buffer area and tree save area along the northern property boundary, and committed to a minimum of thirty percent open space in this seven-acre application area. Per Staff's suggestion, Lot 8 has been better integrated into the streetscape and lots 2 and 13 have been re-oriented to be more compatible with homes on adjacent lots.

The proffered CDP/FDP shows additional landscaping along the street frontages of lots 2 through 13, as well as fringe landscaping on the rear of lots, as requested by staff. Site entrance features and street furnishing have been committed to in the proffers to conform with the "Overlay" level density recommendations of the Fairfax Center Area Plan. As requested by FCPA Staff and VDOT, my client has committed to construct sidewalk and trail connections, to relocate and reconstruct the entrance into the existing County Park trail, and to create a cross walk connecting the subdivision to this new park entrance. My client has further proffered to a park contribution of \$35,000.00 for park facilities in the immediate vicinity of the site.

Pursuant to Paragraph 2 of Section 16-404 of the Zoning Ordinance, the Applicant seeks Board of Supervisors approval, in conjunction with rezoning approval, for a \$22,400.00 cash contribution in lieu of on-site recreation facilities, as set forth in the proffers, and that the total \$35,000.00 contribution be directed to County Park facilities in the immediate vicinity of the Property, as determined by the FCPA. Justification for this request is based upon the following:

1. This rezoning is a small, infill piece of land, entirely surrounded by passive recreation;
2. A major public goal in this application is construction of an interconnection of Lincoln and Autumn Willow Drives which takes up a significant portion of the developable portion of the property;
3. The site is heavily wooded, so preservation of trees is another paramount planning goal on the Property; provision of on-site recreation facilities would require removal of trees;
4. Larger surrounding residential neighborhoods have comparable zoning and densities and do not appear to have on-site recreation facilities; and
5. Arrowhead Park, the Stringfellow Road fields, and the substantial Little Rocky Run Stream Valley system are the facilities intended to support the area and to which this Applicant is contributing.

HUNTON & WILLIAMS

Ms. Suzianne M. Zottl

December 10, 2010

Page 3

Please also note that, concurrent with consideration of this rezoning application and pursuant to Section 12-0507.1 of the Public Facilities Manual, the Applicant requests Board of Supervisors approval of a Motion to direct the Director of the Department of Public Works and Environmental Services to grant a small deviation from the tree preservation "target area" requirements as set forth on Sheet 5 of the CDP/FDP in favor of the landscaping and RPA restoration proposed on the CDP/FDP and committed in the proffers. Justification for this request is that it is a minor modification only that is necessitated by the need to connect Autumn Willow and Lincoln Drives, and by our dedication of a major tree save area to the Park Authority; otherwise, no such deviation would be necessary.

Please do not hesitate to call me or Elaine Cox if you have questions or require additional information. Thank you for your assistance in this matter.

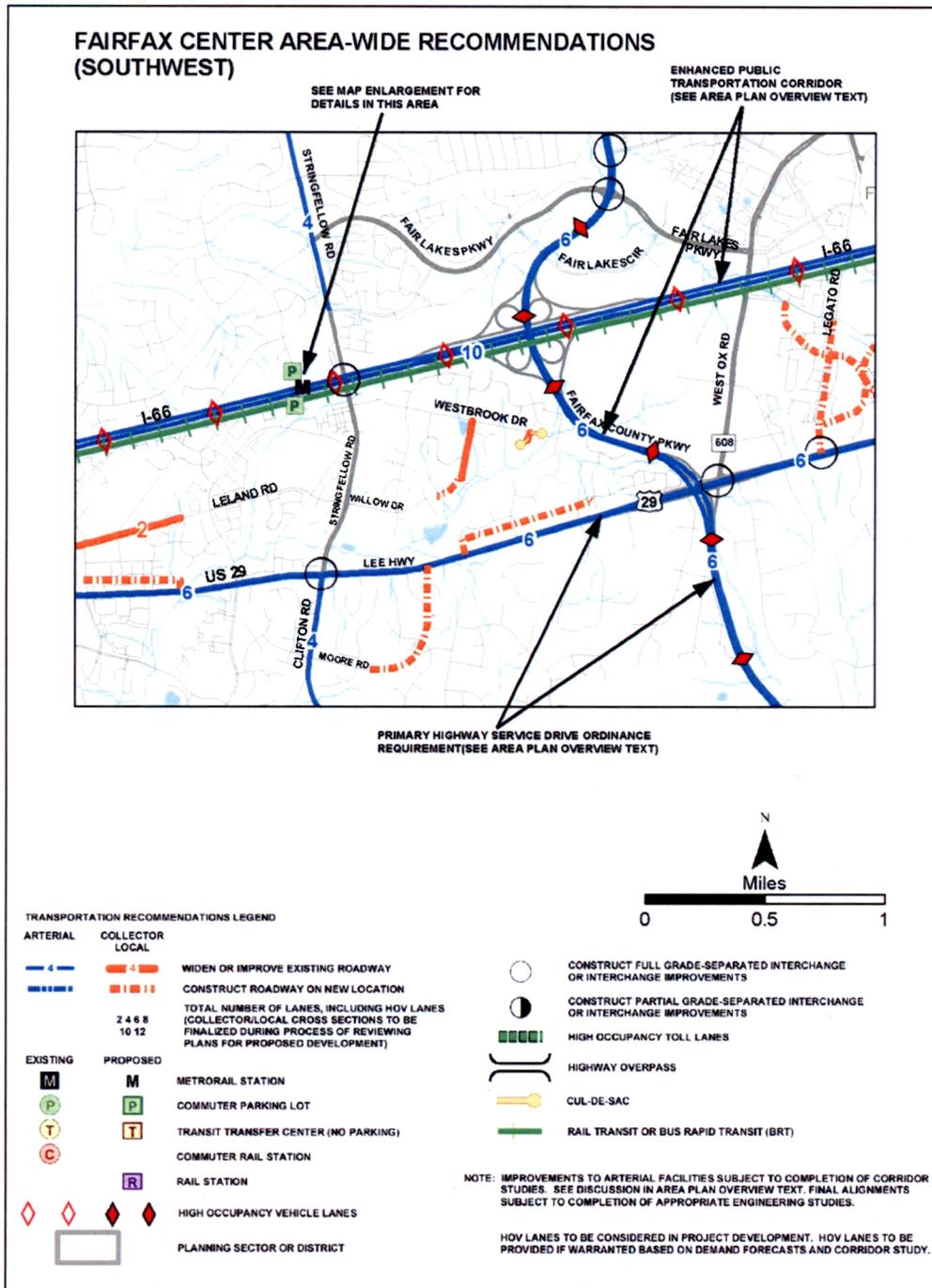
Very truly yours,



Francis A. McDermott

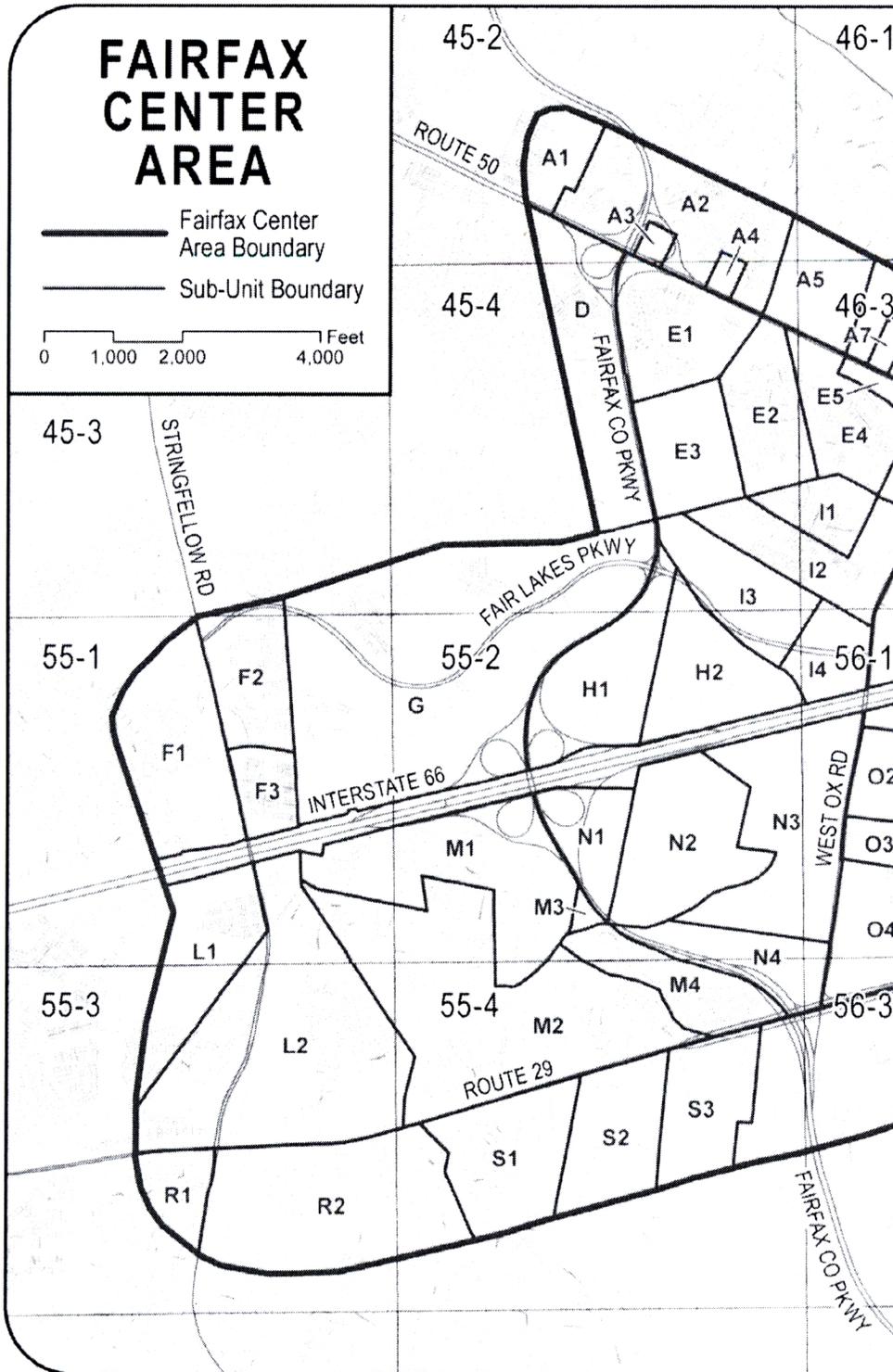
Enclosure

cc: Mr. Stan Settle
Mr. Rick DiBella
Mr. Dave McElhaney



TRANSPORTATION RECOMMENDATIONS
 FAIRFAX CENTER AREA (SOUTHWEST)

FIGURE 5



development plans for parcels adjacent to I-66. As an option at the overlay level, property identified as 55-2((3))F and G2; 55-1((8))Pt. H; 55-1((7))27, 28, 29; 55-2((2))12, 13, 14, 24, 25, and 26; and 55-2((4))B is planned for a Senior Care Community which may include independent living units, assisted living, acute care and related support facilities/uses. In support of this concept and in order to accommodate the different residential and medical related uses proposed for a Senior Care Community, a residential density of up to 4 du/ac at the overlay level would be appropriate. This optional use may be considered for this land if the following conditions are met:

- Substantial consolidation of the property occurs and the proposed community is planned and designed to function as a single integrated project.
- The proposal incorporates appropriate urban design features in order to present a strong residential appearance and to protect the residential character along Westbrook Drive.
- A development plan should be submitted which defines the land area to be developed for independent living facilities at 4 du/ac, as may be increased by the multiplier as allowed by Special Exception in the Zoning Ordinance, and also defines the land area to be developed up to .30 FAR for assisted living and acute care facilities.
- Appropriate screening, buffering, and design to accommodate tree preservation is provided, with particular attention to preservation along common property lines with adjacent residential areas.
- Appropriate noise attenuation measures are incorporated in the design and development of the proposed community.
- Independent Living units should not exceed 200 market units.
- All support facilities/uses should be limited to residents, employees and guests.
- Substantial open space should be retained, including the drainage areas, to promote a natural setting. Tree preservation is a high priority.
- Fencing should be provided to minimize disturbance to existing residents along Westbrook Drive.
- The 2-story Colonial-style house located on Tax Map 55-2((3))F should be preserved for use as a part of the Senior Care Community.
- Building height is limited to four stories.
- The eastern most entrance to the senior care community should be located on Tax Map Parcels 55-2((3))F and/or G2 as far west of the Lincoln Drive intersection as possible and the western most entrance to said facility be off-set from Whisper Willow Drive.

Sub-units M2, M3

These sub-units are planned for residential use at 2 dwelling units per acre at the overlay level. See Sub-unit M1 for the option that includes Tax Map 55-2((3))F (north of Westbrook Drive) as part of a Senior Care Community. Any new development proposed in this area must be compatible with the stable Willowmeade residential subdivision and other residential subdivisions. Visual buffering should be provided in any development plan for parcels

fronting on Route 29.

Existing spot commercially-zoned parcels along Route 29 should not be expanded or intensified. Redevelopment to uses which are more compatible to the adjacent planned residential areas should be encouraged.

Sub-unit M4

Sub-unit M4 is planned for residential use at 4 dwelling units per acre at the overlay level. Visual buffering should be provided in any development plan for parcels fronting on Route 29.

Transportation

The roadway circulation for Land Unit M should be based upon the following text and is depicted on Figure 5.

1. All roads in Land Unit M shall be designated and constructed as interparcel connectors, and shall not be designed or constructed to facilitate or encourage through traffic.
2. All roads in Land Unit M shall be designed and constructed in a manner consistent with the residential character of the area.

Public Facilities

Expand the Girls' Probation Home to 24 beds. This facility is located on Parcel 55-4((1))10 on the north side of Route 29.

Parks and Recreation

Consideration should be given to designating Little Rocky Run as part of the Fairfax County Park Authority Stream Valley Park system and the main channel of the EQC planned for public park use. Consideration should also be given to seeking open space and public use trail easements on those portions of this and other EQCs where public acquisition of land is not feasible due to existing development.

LAND UNIT SUMMARY CHART – LAND UNIT M	
<u>Sub-units</u>	<u>Approximate Acreage</u>
M1	102
M2	273
M3	7
M4	69



County of Fairfax, Virginia

MEMORANDUM

DATE: November 13, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Environmental Assessment: RZ 2010-SP-012
Westbrook Property, LLC

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject rezoning application for this property and the revised Conceptual Final Development Plan (CDF/FDP) and draft proffer statement dated October 21, 2010. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Land Use – Appendix 9, Residential Development Criteria, as amended through September 22, 2008, on pages 26-27, the Plan states:

“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 better site design and low impact development (LID) 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 should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans. . . .

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. . . .”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, on pages 7-9, 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 a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .
- Policy j. Regulate land use activities to protect surface and groundwater resources.
- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques. . . .”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 10, the Plan states:

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

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

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 18, the Plan states:

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

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

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, on pages 19-21, the Plan states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*)
- Optimization of energy performance of structures/energy-efficient design
- Use of renewable energy resources

- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris
- Use of recycled and rapidly renewable building materials
- Use of building materials and products that originate from nearby sources
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED[®]) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR[®] rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . . .

Policy c. Ensure that zoning proposals for residential development will qualify for the ENERGY STAR Qualified Homes designation, where such zoning proposals seek development at the high end of the Plan density range and where broader commitments to green building practices are not being applied.”

ENVIRONMENTAL ANALYSIS

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

This application seeks approval of a rezoning from the R-1 to the PDH-2 Zoning District to allow for the development of 14 single-family detached dwellings on a 7.27 acre parcel of land at a density of 1.93 dwelling units per acre. The subject property is densely vegetated with a predominately deciduous canopy located in the Little Rocky Run watershed.

Water Quality/Stormwater Management:

Issue: The 7.27 acre subject property is located within the County's Water Supply Protection Overlay District (WSPOD) as well as within the Little Rocky Run Watershed, and it is characterized by rolling terrain and a dense deciduous canopy. An unnamed perennial tributary of Little Rocky Run traverses in a northeast-southwest direction on the southeastern boundary of the subject property. The current development plan proposes a significant amount of new impervious surface in a currently undeveloped area including an approximately 700 foot long public road connecting existing Lincoln Drive on the east and Autumn Willow Drive on the west, as well as an additional 320' long cul-de-sac street off the main connecting road that will provide the primary access for 12 of the proposed 14 lots. The development plan shows that the new road is positioned immediately adjacent to the stream valley corridor in such a manner that will result in significant tree loss and land disturbance immediately adjacent to the stream valley. Land disturbance for the road construction will impact trees and other environmentally sensitive features in the area labeled as Resource Protection Area and Environmental Quality Corridor on the development plan.

Resolution: The applicant is encouraged to explore the option of shifting the proposed road connection to the northwest away from the stream valley in order to retain more of the existing vegetation immediately adjacent to the stream valley.

Issue: The development plan identifies two measures to address water quantity and quality control requirements for this proposal including a stormwater management dry pond located in the southwestern portion of the property as well as the dedication of approximately 1.35 acres of undisturbed open space in a perpetual easement. The stormwater narrative also states that the applicant will dedicate additional land area for preservation in the event that the current proposal is not adequate to accommodate the WSPOD 50% phosphorous removal requirement.

Resolution: All potential stormwater management measures should be identified and shown on the development plan to ensure the adequacy of the proposed measures at this phase of the review process. Stormwater management/best management practice measures are subject to review and approval by the Department of Public Works and Environmental Services.

Issue: On Sheet 2 of the development plan, 1.82 acres of open space are identified in the tabulation as the overall amount of open space that will be preserved. Sheet 4 of the development plan depicts areas of open space. Sheet 6 identifies 1.35 acres of land area as undisturbed open space to accommodate best management practice credit. Sheet 4 includes the

dry pond in the calculation of open space, as well as some additional disturbed area in the open space calculation that would not qualify as perpetually undisturbed.

Resolution: While the areas of disturbed and undisturbed open spaces do not need to be identical, the amount of perpetually undisturbed open space should be sufficient to meet water quality control requirements. In addition, any open space should be located and provided in a manner to protect environmental sensitive features of the site. Therefore, the applicant is encouraged to look for opportunities to reduce the impact of the proposed development on the natural environment by reducing the footprint of the proposed development. Much of the natural environment will be affected by the limits of disturbance needed for this residential development particularly on the peripheries of the protected features including the eastern edge of the non-tidal wetland on the west and the northern edge of the stream valley corridor on the southeast of the site. By shrinking the footprint of the development more area of undisturbed open could be maintained intact particularly adjacent to the environmentally sensitive areas features which are proposed to be disturbed by the current layout.

Adequate Outfall: The stormwater and outfall narrative indicates that runoff from the site will flow directly into the Little Rocky Run floodplain through a proposed culvert under the proposed road extension of Autumn Drive. According to the consulting engineer for the applicant, runoff from the proposed development will not have adverse impacts on downstream drainage and the outfall for the site is adequate. Outfall adequacy is subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Tree Preservation: The 7.27 subject property is characterized by a dense deciduous canopy worthy of preservation. However, the development plan proposes a 14 lot development and introduces a significant amount of impervious surface in an area which is currently pristine. The stream valley corridor and the dense tree canopy throughout the property are natural features worthy of preservation. Therefore, the applicant is encouraged to work with the Urban Forestry Management Branch of DPWES to identify larger areas of tree preservation particularly along the stream valley corridor to the southeast.

Green Building: The Policy Plan recommends that residential proposals seeking the high end of the planned density range obtain Energy Star Qualified Homes designation. This 7.27 acre site is planned for residential development at one dwelling unit per acre at the baseline and two dwelling units per acre at the overlay level. The current proposal for 14 dwelling units, at an overall density of 1.93 dwelling units per acre, is at the high end of the density range. The applicant has committed to obtaining Energy Star Qualified Homes designation for the new houses in accordance with the Policy Plan's green building guidance. However, the timing of demonstration of green building certification as proposed in the current proffer is not consistent with other commitments received by Fairfax County for Energy Star Qualified Homes designation. The draft proffer should be modified to set the benchmark for meeting this commitment prior to issuance of the Residential Use Permit (RUP) for each dwelling unit, as opposed to thirty days after the issuance of each RUP.

COUNTYWIDE TRAILS MAP

The Countywide Trails Plan depicts a minor paved trail described as asphalt or concrete, varying between 4' to 7'11" wide along the property's southeastern boundary within the stream valley corridor. A stream valley trail currently exists adjacent to the stream valley outside of the property boundary.

PGN: MAW



County of Fairfax, Virginia

MEMORANDUM

December 17, 2010

TO: Suzie Zottl, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II *HAW*
Forest Conservation Branch, DPWES

SUBJECT: Forest Conservation Branch comments and recommendations

RE: Westbrook - Marshall Farms Lt R7 Section 2, RZ/FDP 2010-SP-012

I have reviewed the above referenced rezoning application; including the CDP/FDP stamped as received by the Zoning Evaluation Division on December 10, 2010, and a draft proffer statement dated the same day. The following comments and recommendations are based on this review and a site visit conducted on November 2, 2010. Several of the same comments are made as most issues raised during review of the previous submission of this application were not adequately addressed in this submission.

1. **Comment:** The Applicant is requesting a deviation from the tree preservation target. As a Water Supply Protection Overlay District, preservation and protection of existing quality vegetation is important for the protection of water quality.

Recommendation: Require the Applicant to meet the tree preservation target for this site. Request that the Applicant explore possibilities for tree preservation in the proposed open space north of proposed Lot 5-7 along the northern boundary of the site.

2. **Comment:** The proposed tree preservation area along the western property boundary and north of the new public street and outside of private lot lines is proposed to be conveyed to the HOA for ownership and management. HOA open space adjacent to private lots is often encroached upon by homeowners extending their yards. HOAs seem to find this violation a difficult practice to manage.

Recommendation: Obtain a commitment from the Applicant to place this area into a conservation easement to provide additional protection and give the County management authority for the purpose of restricting disturbance in this area.

3. **Comment:** Consistent with the above comments and PFM requirements for tree preservation plans, the proposed proffers should be revised and amended.

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



Recommendations: Require the following changes and additions to proposed proffers:

The second sentence of proposed Proffer 16.A – Tree Preservation Plan, should be revised as follows:

“The plan shall be reviewed and approved by the Urban Forest Management Division in accordance with PFM requirements and with modification of the “tree preservation target area” as set forth in this rezoning application all applicable PFM and Zoning Ordinance requirements. The tree preservation target area shall be met for this site.”

The third sentence of proposed Proffer 16.B – Tree Preservation Walk-Through, should be revised as follows:

“Trees that are identified as dead or dying or potentially hazardous, based on the introduction of targets to the site as shown on the approved plan, may be removed as part of the general clearing operation, with approval of the Urban Forest Management Division.”

Proffer 16.E should be revised as follows:

“The HOA documents shall require that no structures (other than utilities, utility lines, and/or trails as provided herein above) or fences shall be erected in the tree save area, and that trees in the HOA open space areas and tree save area will not be disturbed except, as approved by the Urban Forest Management Division, for (i) the removal of diseased, dead, dying, or hazardous trees or parts thereof; and/or (ii) selective maintenance to remove noxious and poisonous weeds.

Add Proffer 16.F to read as follows:

“Forested areas preserved with development of the site, as required by the approved subdivision plan and proffers, shall survive construction in a manner that preserves the ecological functionality, health, and condition of any tree species; woody shrubs, herbaceous plants, vines, non-vascular plants, and epiphytes; decaying leaf litter, root mass, fungi, soil biota, and soil conditions that are present at the time of plan submission.”

If there are any questions, please contact me at (703)324-1770.

HCW/
UFMID #: 154320

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: November 10, 2010

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

FROM: Angela Kadar Rodeheaver *AKR*
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 2010-SP-012)

SUBJECT: Transportation Impact

REFERENCE: RZ & FDP 2010-SP-012 Westbrook Property, LLC
Traffic Zone: 1686
Land Identification Map: 55-4 ((3)) 7

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated June 18, 2010, and revised through October 21, 2010. The applicant wishes to rezone the 7.27 acre site from R-2 to PDH-2 for 14 single family dwelling units for a density of 1.93 dwelling units per acre. The applicant proposes to remove the temporary cul-de-sac existing on Lincoln Drive and to make a public street connection of Autumn Willow Drive and Lincoln Drive and to provide sidewalks on both sides of this street and the internal public street. The applicant has also proffered to make a contribution to the Fairfax Center Area Fund.

The applicant should provide sight distance profiles for the driveways on lots #1 and #14 and consider flipping/mirroring the unit on lot #1 if that would provide better sight distance to the north. The applicant should also provide sight distance easements for the entrance road and any others needed to maintain necessary sight distance lines.

AKR/LAH/lah



Department of Facilities and Transportation Services

FAIRFAX COUNTY
PUBLIC SCHOOLSOffice of Facilities Planning Services
8115 Gatehouse Road, Suite 3300
Falls Church, Virginia 22042

September 28, 2010

TO: Suzianne Zottl
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division

FROM: Denise M. James, Director *DMJ*
Office of Facilities Planning Services

SUBJECT: RZ/FDP 2010-SP-012, Westbrook

ACREAGE: 7.27 acres

TAX MAP: 55-4 ((3)) R7

PROPOSAL: Rezone property from the R-1 District to the PDH-2 District to permit 14 single family attached dwelling units.

COMMENTS: The proposed rezoning area is within the Colin Powell Elementary, Lanier Middle, and Fairfax High school boundaries. The chart below shows the existing school capacity, enrollment, and projected six year enrollment.

School	Capacity	Enrollment (9/30/09)	2010-2011 Projected Enrollment	Capacity Balance 2010-2011	2015-16 Projected Enrollment	Capacity Balance 2015-16
Powell ES	858	1031	1115	-257	1180	-322
Lanier MS	1125	1147	1211	-86	1408	-283
Fairfax HS	2416	2355	2366	50	2797	-381

Capacity and enrollment are based on the FCPS FY 2011-15 CIP and projection update.

The school capacity chart shows a snapshot in time for student enrollment and school capacity balance. Student enrollment projections are done on a six year timeframe, currently through school year 2015-16 and are updated annually. At this time, if development occurs within the next six years, all of the schools are projected to have a capacity deficit. Beyond the six year projection horizon, enrollment projections are not available.

The rezoning application proposes to rezone property from the R-1 District to the PDH-2 District to permit 14 single family attached dwelling units. The property contains 7.27 acres and is undeveloped. Based on the current R-1 zoning, if the property was developed by-right, then it appears that a maximum of 7 dwellings could be permitted.

The chart below shows the number of projected students based on the current County-wide student yield ratios.

School level	Single family attached ratio	Proposed # of units	Student yield	Single family detached ratio	Current # of units permitted by-right	Student yield
Elementary	.204	14	3	.266	7	2
Middle	.057	14	1	.084	7	1
High	.118	14	2	.181	7	1
			6 total			4 total

SUMMARY:

Anticipated student yields from the proposed rezoning application are anticipated to further exacerbate the projected capacity deficit at all three receiving schools. It is noted that Powell Elementary is part of the Southwestern boundary study that is being undertaken this fall to address overcrowding and attendance area adjustments.

Suggested Proffer Contribution

The rezoning application is anticipated to yield 2 new students (6-4=2). Based on the approved proffer formula guidelines, the students generated would justify a proffer contribution of \$18,756 (2 students x \$9,378) in order to address capital improvements for the receiving schools. It is recommended that all proffer contributions be directed to the Fairfax HS pyramid and/or to Cluster VII schools that encompass this area at the time of site plan approval or building permit approval. It is also recommended that notification be given to FCPS when construction is anticipated to commence in order for FCPS to include the timely projection of students into its six year Capital Improvement Program.

In addition, a proffer for an escalation condition is recommended. The suggested proffer contribution is updated on an annual basis to reflect current market conditions and the amount has decreased over the last couple of years because of the down turn in the economy and lower construction costs for FCPS. As a result, an escalation condition would allow for payment of the school proffer based on either the current suggested proffer contribution or the proffer contribution in effect at the time of development, whichever is greater. This would better reflect the per student proffer contribution at the time of development, given that in this economy, development may not immediately commence. For your reference, below is an example of an escalation condition that was included as part of an approved proffer contribution to FCPS.

- A. Adjustment to Contribution Amounts. Following approval of this Application and prior to the Applicant's payment of the amount(s) set forth in this Proffer, if Fairfax County should increase the ratio of students per high-rise multifamily unit or the amount of the contribution per student, the Applicant shall increase the amount of the contribution for that phase of development to reflect the then-current ratio and/or contribution. If the County should decrease the ratio or contribution amount, the Applicant shall provide the greater of the two amounts.

Attachment: Locator Maps

cc: Kathy L. Smith, Chairman, School Board, Sully District
 Ilryong Moon, School Board Member, At-Large
 James L. Raney, School Board Member, At-Large
 Martina A. Hone, School Board Member, At-Large
 Janice Miller, School Board, City of Fairfax
 Ann Monday, Superintendent, City of Fairfax
 Dean Tistadt, Chief Operating Officer,
 Phyllis Pajardo, Cluster II, Assistant Superintendent
 Linda Clifford, Principal, Colin Powell Elementary School
 Scott Poole, Principal, Lanier Middle School
 David Goldfarb, Principal, Fairfax High School



FAIRFAX COUNTY PARK AUTHORITY

M E M O R A N D U M



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

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

DATE: December 22, 2010

SUBJECT: RZ/FDP 2010-SP-012, Westbrook - REVISED
Tax Map Number(s): 55-4 ((3)) R7

BACKGROUND

This memo replaces previous comments submitted by the Park Authority in a memo dated October 29, 2010. The Park Authority staff has reviewed the proposed Development Plan dated June 18, 2010 and revised through December 10, 2010, for the above referenced application as well as draft proffers dated October 21, 2010 and revised through December 10, 2010. The Development Plan proposes 14 new single-family homes on a 7.27-acre parcel to be rezoned from R-1 to PDH-2. Based on an average single-family household size of 2.95 in the Bull Run Planning District, the development could add 41 new residents (14 du @ 2.95 residents/du = 41.3) to the Springfield Supervisory District.

The proposed development is adjacent to Rocky Run Stream Valley Park and just north of Willow Pond Park. The plan indicates construction of a public road connecting Lincoln Drive and Autumn Willow Drive, as noted on the Comprehensive Plan Transportation Map. Construction of this roadway will require acquisition of a portion of Rocky Run Park as well as construction easements from the Park Authority.

COMPREHENSIVE PLAN CITATIONS

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

The Fairfax Center Area recommendations indicate that “[o]n-site Neighborhood Park facilities should be provided as part of all planned residential development” (Comprehensive Plan, Area III, Fairfax Center Area, Area-Wide Recommendations, Parks and Recreation, Neighborhood Parks, pp. 41).

ANALYSIS AND RECOMMENDATIONS

Recreational Impact:

The Fairfax County Zoning Ordinance requires provision of open space and recreational features within Planned Development Districts (see Zoning Ordinance Sections 6-110 and 16-404). The minimum expenditure for park and recreational facilities within these districts is set at \$1,600 per non-ADU residential unit for outdoor recreational facilities to serve the development population. With 14 non-ADUs proposed, the Ordinance-required amount to be spent is \$22,400.00. Whenever possible, the facilities should be located within the residential development site. This preference is reiterated within the Comprehensive Plan guidance for the Fairfax Center Area. The applicant has thus far elected not to propose any recreational facilities within the development, citing extensive clearing required to provide construction of the Comprehensive Plan road connection and a desire to preserve the remaining forested area. In lieu of providing recreational facilities within the current application area, the applicant may elect to fund construction of recreational facility improvements off site; however, per Section 6-110, Paragraph 2B of the Zoning Ordinance, this must be approved by the Board of Supervisors. It should be clear that any portion of this amount not spent on site should be conveyed to the Park Authority for recreational facility construction at one or more park sites in the service area of the development.

The \$1,600 per unit funds required by Ordinance offset only a portion of the impact to provide recreational facilities for the new residents generated by this development. Typically, a large portion if not all of the Ordinance-required funds are used for outdoor recreational amenities onsite. As a result, the Park Authority is not compensated for the increased demands caused by residential development for other recreational facilities that the Park Authority must provide.

With the Countywide Comprehensive Policy Plan as a guide (Appendix 9, #6 of the Land Use section, as well as Objective 6, Policy a, b and c of the Parks and Recreation section), the Park Authority requests a fair share contribution with any residential rezoning application to offset impacts to park and recreation service levels. This allows the Park Authority to build additional facilities needed as the population increases. To offset the additional impact caused by the proposed development, the applicant should contribute \$36,613.00 to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property. This requested contribution is based on an assessed level of impact to existing park facilities and land of \$893.00 per resident, developed at the request of the Board of Supervisors to assure the quality of the County’s parks is maintained to meet the expanding population.

The Park Authority acknowledges the applicants draft proffer commitment to contribute \$35,000.00, meeting the contribution required by the Zoning Ordinance and a portion of the requested fair share contribution. The Park Authority continues to request the full fair share contribution of \$36,613.00 to help offset impacts to park and recreation service levels that will be generated by the proposed development.

Dedication of Land to the Park Authority:

In response to prior review comments, the Park Authority acknowledges the applicants draft proffer commitment to dedicate the land area east of the proposed connector road to the Park Authority, with retention of the open space north of the proposed connector road by the future homeowners association. Areas of proposed dedication should be clearly noted on the plan.

The Park Authority requests the following changes to the draft proffer language. Proposed deletions are indicated by a double-strikethrough. Proposed additions are indicated by bold, italicized and underlined text.

12. Land Dedication to Fairfax County Park Authority ("FCPA"). At the time of final subdivision plat recordation or at such later time, upon completion of the Applicant's trail construction, scarifying and reforestation, the Applicant shall dedicate in fee simple, ***without monetary encumbrances or covenants***, approximately 26,000 square feet (± 0.60 acre) of open space located east of the new public road adjacent to the existing parkland as depicted on the CDP/FDP to the FCPA, ~~solely~~ for public park ~~passive open space~~ purposes. Dedication of said 0.60 acres shall be contingent upon FCPA effecting a land exchange with the Applicant in which approximately 3,900 square feet (± 0.09 acre) of parkland (located adjacent to the northeast corner of the Property and within the future road right-of-way of Lincoln Drive Extended, as generally defined on the CDP/FDP) is conveyed to the Applicant ***Board of Supervisors*** in fee simple for public street purposes.

The applicant should be aware that any proffered land dedication to the Park Authority must be approved by the Park Authority Board. Board action regarding staff's recommendation is requested on November 10, 2010.

Disposition of Parkland – Triangle Parcel E

Within this process, the Park Authority is interested in transferring ownership to the applicant a small portion of Rocky Run Stream Valley Park, identified as Parcel 55-4 ((18)) E. This parcel is truncated from the body of Rocky Run Park by the right-of-way for Autumn Willow Drive. The Park Authority acknowledges the applicant's draft proffer that addresses this issue, with modifications as noted below:

13. Triangle Parcel "E." Should the FCPA elect to convey in fee simple ***without monetary encumbrances or covenants***, Tax Map Parcel 55-4 ((18)) E to the Applicant at no cost ~~as further consideration for~~ ***in conjunction with the*** Applicant's land dedication referenced above, then the Applicant shall accept Parcel E which shall be owned and maintained by the future Homeowners Association.

Any land acquisition questions should be addressed through the Park Authority Land Acquisition Manager (Julie Cline, 703-324-8708) and must, ultimately, be approved by the Park Authority Board.

Easements or Grading on Park Authority Land:

Although not clearly noted, the plan indicates that easements will be required on Park Authority land for construction and reforestation activities. The Park Authority continues to request that the applicant clearly identify proposed easements on the plan. In order to do any clearing and grading or drainage improvement on adjacent parkland, the applicant must first acquire a Letter of Permission and/or Easement from the Park Authority. Because of restrictive covenants on some of the Park Authority properties, it may not be possible to approve easements on the park property. Conditions and/or fees may be required for Park Authority permits or easements.

The Park Authority recommends that the Applicant establish any required easements prior to dedication of open space to the Park Authority. After dedication, the Applicant will be required to address the Park Authority's standard process for easements and/or right-of-entry.

If any land disturbing activities are proposed on park property, the applicant must submit a request for a permit and/or easement request. Applications are available from the Easement Coordinator, Fairfax County Park Authority, Planning and Development Division, 12055 Government Center Parkway, Suite 421, Fairfax, Virginia 22035; main telephone number (703) 324-8741.

Trails / Pedestrian Connections:

In response to previous Park Authority request, the applicant has proffered to construct a trail connection from the connector road to the existing park trail system. The exact location of the trail connection to the park, however, should be determined by the Park Authority Trail Coordinator and, subsequently, noted on the plan. Please have the applicant contact Trails Coordinator, Liz Cronauer, at 703-324-8629, to schedule a site visit regarding the trail location. Grading should be provided on the plan to indicate the accessibility of the trail connection. As such, the Park Authority requests the following modifications to the language of draft Proffer #9.

9. Trail Improvements. Subject to approval and provision, ~~at no cost to the Applicant,~~ of a construction permit and right-of-entry by the Fairfax County Park Authority ("FCPA"), the Applicant shall remove parts of the existing trail within the area of the proposed construction of Lincoln Drive Extended and shall reconstruct a new, accessible segment of trail connecting the crosswalk referred in Proffer 6(c) to the existing FCPA trail on the east side of Lincoln Drive Extended, generally as depicted on Sheet 4 of the CDP/FDP, or a similar width and materials. **The exact location of the proposed trail connection shall be determined in coordination with the Park Authority Trail Coordinator.**

The Park Authority also continues to recommend that the applicant provide a publicly accessible connection from the proposed cul-de-sac to the northwest open space parcel.

Reforestation and Landscape Treatment:

Reforestation efforts are indicated on the plan within Park Authority property as well as property to be dedicated to the Park Authority. The Park Authority requests the following modification to draft Proffer #14.

14. Reforestation Area. As defined by striped lines on the "Landscape Plan" (Sheets 4 and 5 of the CDP/FDP), the Applicant shall scarify the asphalt and provide plantings in accordance with PFM Standards to reforest the strip of land located east of Lincoln Drive Extended within and adjacent to the Resource Protection Area ("RPA") in consultation with the County Urban Forester and the Park Authority.

Any plant material established on Park Authority property, both in terms of reforestation and streetscape elements, should be native to Fairfax County.

The current application reflects a level of streetscape plantings along the southeast side of Lincoln Drive Extended. If the proposed landscaping is planned within the area to be dedicated to the Park Authority, the Applicant will be responsible for maintaining such landscaping until it is established. The Park Authority will not be responsible for replacement of any such landscaping should it become diseased or damaged.

Due to the proximity to parkland, the Park Authority continues to request that the applicant commit to the use of only native, non-invasive plant species for any proposed landscaping within the residential development.

The Park Authority would like to advise the applicant that, subsequent to dedication to the Park Authority, the area to the southeast of Lincoln Drive Extended will be maintained with the Park Authority's typical standard for similar areas. Currently, the standard would entail mowing a six-foot strip on either side of the proposed sidewalk, three times a year.

Proposed Elements within Area to be Dedicated:

The current submission reflects several elements to be constructed or installed within the area to be dedicated to the Park Authority including signage, seating and a trash can.

The proposed entry signage must be established within an easement.

The Park Authority will not accept installation of a trash can within the proposed dedication area.

A bench may be installed as indicated along the proposed trail connection; however, the style indicated on the plan is not consistent with the current standard. Bench selection should be PVC coated steel seat and back with powder coated steel frame. The bench should be surface mounted on a concrete pad that is ADA compliant. Colors are to be neutral or earth tone (brown, tan, dark green, etc.) Length is typically 6'.

Cultural Resources Impact:

The applicant and the developer's archaeological consultant, Thunderbird Archeology, have been working closely with Cultural Resource Management and Protection staff with regard to the Westbrook prehistoric archaeological site (44FX2660). The Phase I field work has been completed and a full data recovery is underway with the applicant cooperating fully with the excavations. The Park Authority acknowledges and is satisfied with the applicant's draft proffer commitment #25 for archaeological studies.

SUMMARY OF RECOMMENDATIONS

This section summarizes the recommendations included in the preceding analysis section. Following is a table summarizing required and recommended recreation contribution amounts:

Proposed Units	P-District Onsite Expenditure	Requested Park Proffer Amount	Total
14 Single-family detached units	\$22,400	\$36,613	\$59,013

In addition, the analysis identified the following major issues:

- Continue coordination with the Park Authority Land Acquisition Manager regarding land transactions related to the proposed right-of-way, park dedication and land disposition. Label all areas clearly on plan;
- Provide modifications to Proffers 9, 12,13 and 14 as noted above;
- Coordinate with the Park Authority for all required easements on Park Authority property and area to be dedicated. Indicate all easements clearly on the plan;
- Establish the proposed entry signage at the west side of the property within an easement;
- Coordinate with the Park Authority Trail Coordinator to provide accessible trail connection between the proposed connector road and the existing trail system within Rocky Run Stream Valley Park;
- Provide a publicly accessible connection from the proposed cul-de-sac to the northwest open space parcel;
- Commit to the use of only native, non-invasive species for proposed landscaping and reforestation within area to be dedicated to the Park Authority;
- Commit to the use of only native, non-invasive species for proposed landscaping within the development;
- Remove the proposed trash can from the area to be dedicated to the Park Authority;
- Replace the proposed bench with a style that is consistent with the Park Authority standard noted above.

FCPA Reviewer: Gayle Hooper
DPZ Coordinator: Suzianne Zottl

Copy: Cindy Walsh, Director, Resource Management Division
Julie Cline, Manager, Land Acquisition & Management Branch
Ed Richardson, Manager, Area 5 Operations
Chron Binder
File Copy



County of Fairfax, Virginia

MEMORANDUM

DATE: September 16, 2010

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

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

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application
RZ 2010-SP-012

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #417, **Centreville**
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is ___ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Proudly Protecting and
Serving Our Community

Fire and Rescue Department
4100 Chain Bridge Road
Fairfax, VA 22030
703-246-2126
www.fairfaxcounty.gov/fire





County of Fairfax, Virginia

MEMORANDUM

DATE: September 28, 2010

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

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ-FDP2010-SP-012
Tax Map No. 055-4-/03// R7

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

- The application property is located in the Little Rocky Run (S-1) watershed. It would be sewered into the Upper Occoquan Sanitation Authority (UOSA).
- Based upon current and committed flow, there is excess capacity in the UOSA. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8" inch line located on the property is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

<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>

- Other pertinent information or comments:

Department of Public Works and Environmental Services
Wastewater Planning & Monitoring Division
 12000 Government Center Parkway, Suite 358
 Fairfax, VA 22035-0052
 Phone: 703-324-5030, Fax: 703-324-3946



Fairfax Water

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

**PLANNING & ENGINEERING
DIVISION**

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

September 20, 2010

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

Re: RZ 2010-SP-012
FDP 2010-SP-012
Tax Map: 55-4
Westbrook Property

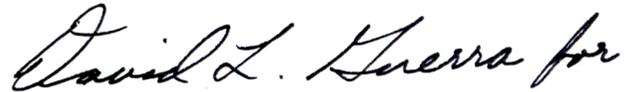
Dear Ms. Coyle:

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

1. The property can be served by Fairfax Water.
2. The closest water main available is an existing 12-inch diameter main located approximately 50 feet to the north of the proposed site on Lincoln Drive (see the enclosed water system map).
3. Due to the close proximity of an existing 12-inch main in Autumn Willow Drive, Fairfax Water may request that a system improvement be designed and constructed with this plan. Details of this request along with a reimbursement schedule will be sent to the developer after formal site plan submittal.
4. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

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

Sincerely,

A handwritten signature in cursive script that reads "David L. Guerra for".

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

Enclosure

cc: David McElhaney, Urban Associates
Francis A. McDermott, Hunton and Williams



County of Fairfax, Virginia

MEMORANDUM

DATE: NOV 4 2010

TO: Suzie Zottl, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: ES Elfatih Salim, Senior Engineer III
Stormwater and Geotechnical Section
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application #RZ/FDP 2010-SP-012; Westbrook Property;
CDP/FDP dated October 21, 2010; Little Rocky Run Watershed; LDS
Project #009207-ZONA-002-1; Tax Map #055-4-03-00-0000-R7;
Springfield District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is a 1993 Resource Protection Area (RPA) on the southeastern part of the site. Applicant need to show the plan number and approval date of the RPA delineation plan (#009207-RPA-002).

Applicant proposes encroachment into the RPA for grading to connect the Autumn Willow Drive and Lincoln Drive through the site. Public Roads are an exempt use in the RPA under CBPO § 118-5-2. The road grading area and the to-be-abandoned cul-de-sac area at the end of Lincoln Drive are proposed to be restored to RPA buffer area establishment requirements {CBPO § 118-3-3(f)}. Final engineering plans shall propose super silt fence be installed along the lower clearing and grading limits as part of the Erosion and Sediment Control Plan to protect the RPA.

Floodplain

There are no regulated floodplains on the property. A drainage study will be required during the subdivision plan review per PFM § 6-1401.2 for the existing open drainage swale crossing the site at the western part of the site where conservation easements are proposed.

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
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Suzie Zottl, Staff Coordinator
Rezoning Application #RZ/FDP 20100-SP-012
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Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

The applicant proposed an onsite dry pond to provide detention for this development. Applicant stated on sheet #6 in the Preliminary Stormwater Management Narrative that if detention pond is found to be inadequate during final engineering, Low Impact Development (LID) practices shall be implemented.

Drainage areas to the dry pond need to be corrected to include the drainage area to the yard inlet west of lot #8.

Water Quality Control

The site is located in a Water Supply Protection Overlay District and 50% phosphorus removal is required. The applicant is proposing two conservation easements of 0.99-acres and 0.36-acres in addition to the dry pond to satisfy the Water Quality Control requirements for this site. For purposes of BMP efficiencies, "open space" in residential areas is defined as perpetually undisturbed Homeowners Association (or "common") areas placed in floodplain or conservation easements and without other encumbrances.

Site Outfall

An outfall narrative for all stormwater outfalls draining this site is required per ZO § 16-502. In bullet #9 of the Minimum Stormwater Information for Rezoning Applications on sheet #6, applicant stated that outfall information is provided on sheet #7. However, sheet #7 did not show any outfall information including contributing drainage areas as required by the Zoning Ordinance and according to the Public Facilities Manual.

Please contact me at 703-324-1720 or elfatih.salim@fairfaxcounty.gov if you require additional information.

ES/tg

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Jeremiah Stonefield, Chief, Stormwater and Geotechnical Section, ESRD, DPWES
Mike Zakkak, Chief Site Review Engineer, ESRD, DPWES
Zoning Application File

FAIRFAX CENTER CHECKLIST

Case Number:

RZ 2010-SP-012

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Not
Applicable Applicable Essential Satisfied Comments

I. AREA WIDE BASIC DEVELOPMENT ELEMENTS					
A. Roadways					
1. Minor street dedication and construction	X				
2. Major street R.O.W. dedication		X	X	X	Comprehensive Plan road connection
B. Transit					
1. Bus loading zones with necessary signs and pavement; Bus pull-off lanes	X				
2. Non-motorized access to bus or rail transit stations	X				
3. Land dedication for transit and commuter parking lots	X				
C. Non-motorized Transportation					
1. Walkways for pedestrians		X	X	X	trail improvements
2. Bikeways for cyclists		X		X	trail improvements
3. Secure bicycle parking facilities	X				

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
A. Roadways					
1. Major roadway construction of immediately needed portions		X	X	X	Autumn Willow-Lincoln Drive connection
2. Signs	X				
B. Transit					
1. Bus shelters	X				
2. Commuter parking	X				
C. Non-motorized transportation					
1. Pedestrian activated signals	X				
2. Bicycle support facilities (showers, lockers)	X				
D. Transportation Strategies					
1. Ridesharing programs	X				
2. Subsidized transit passes for employees	X				

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Not

Applicable Applicable Essential Satisfied Comments

III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Roadways					
1. Contribution towards major (future) roadway improvements		X	X	X	Fairfax Road Fund
2. Construct and/or contribute to major roadway improvements		X	X	X	Comprehensive Plan road connection
3. Traffic signals as required by VDOT	X				
B. Transit					
1. Bus or rail transit station parking lots	X				
C. Transportation Strategies					
1. Local shuttle service	X				
2. Parking fees	X				
D. Non-motorized Circulation					
1. Grade separated road crossings	X				

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Not
Applicable Applicable Essential Satisfied

Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Environmental Quality Corridors (EQC)					
1. Preservation of EQCs as public or private open space		X	X	X	Park Dedication
B. Stormwater Management (BMP)					
1. Stormwater detention/retention		X	X	X	
2. Grassy swales/vegetative filter areas		X			
C. Preservation of Natural Features					
1. Preservation of quality vegetation		X	X	X	
2. Preservation of natural landforms	X				
3. Minimize site disturbance as a result of clearing or grading limits		X	X	X	
D. Other Environmental Quality Improvements					
1. Mitigation of highway-related noise impacts	X				
2. Siting roads and buildings for increased energy conservation (Including solar access)	X				

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Increased Open Space					
1. Non-stream valley habitat EQCs	X				
2. Increased on-site open space		X		X	see proffers - 30%
B. Protection of Ground Water Resources					
1. Protection of aquifer recharge areas	X				
C. Stormwater Management (BMP)					
1. Control of off-site flows		X	X	X	
2. Storage capacity in excess of design storm requirements		X		X	
D. Energy Conservation					
1. Provision of energy conscious site plan		X	X	X	Proffered to Energy Star
III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					

FAIRFAX CENTER CHECKLIST

Environmental Systems

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Not

Applicable Applicable Essential Satisfied

Comments

A. Innovative Techniques					
1. Innovative techniques in stormwater management	X				
2. Innovative techniques in air or noise pollution control and reduction	X				
3. Innovative techniques for the restoration of degraded environments		X	X	X	Proffered to restore RPA, scarify and replant area of cul-de-sac

FAIRFAX CENTER CHECKLIST

Provision of Public Facilities

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Not
Applicable Applicable Essential Satisfied Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Park Dedications					
1. Dedication of stream valley parks in accordance with Fairfax County Park Authority policy		X	X	X	Proffered land swap with FCPA
B. Public Facility Site Dedications					
1. Schools	X				
2. Police/fire facilities	X				

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Park Dedications					
1. Dedication of parkland suitable for a neighborhood park	X				
B. Public Facility Site Dedication					
1. Libraries	X				
2. Community Centers	X				
3. Government offices/facilities	X				

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Park Dedications					
1. Community Parks	X				
2. County Parks	X				
3. Historic and archeological parks	X				
B. Public Indoor or Outdoor Activity Spaces					
1. Health clubs	X				
2. Auditoriums/theaters	X				
3. Athletic fields/major active recreation facilities	X				

FAIRFAX CENTER CHECKLIST

Land Use - Site Planning

Case Number:

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Plan Date:

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Not

Applicable Applicable Essential Satisfied

Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Considerations					
1. Coordinated pedestrian and vehicular circulation systems		X	X	X	
2. Transportation and sewer infrastructure construction phased to development construction	X				
3. Appropriate transitional land uses to minimize the potential impact on adjacent sites	X				
4. Preservation of significant historic resources		X	X	X	artifact recovery project
B. Landscaping					
1. Landscaping within street rights-of-way		X		X	
2. Additional landscaping of the development site where appropriate		X	X	X	
3. Provision of additional screening and buffering		X			

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Land Use/Site Planning					
1. Parcel consolidation	X				
2. Low/Mod income housing	X				<50 dwelling units
B. Mixed Use Plan					
1. Commitment to construction of all phases in mixed-use plans	X				
2. 24-hour use activity cycle encouraged through proper land use mix	X				
3. Provision of developed recreation area or facilities		X			

FAIRFAX CENTER CHECKLIST

Land Use - Site Planning

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Not

Applicable Applicable Essential Satisfied

Comments

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					
	Applicable	Applicable	Essential	Satisfied	Comments
A. Extraordinary Innovation					
1. Site design	X				
2. Energy conservation		X		X	Proffered to Energy Star

FAIRFAX CENTER CHECKLIST

Detailed Design

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Plan Date:

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Not

Applicable Applicable Essential Satisfied

Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Entry Zone					
1. Signs		X	X	X	
2. Planting		X	X	X	
3. Lighting		X			
4. Screened surface parking	X				
B. Street Furnishings					
1. Properly designed elements such as lighting, signs, trash receptacles, etc.		X	X	X	

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
A. Building Entry Zone					
1. Signs	X				
2. Special planting	X				
3. Lighting	X				
B. Structures					
1. Architectural design that complements the site and adjacent developments		X	X	X	see plan for architectural renderings
2. Use of energy conservation techniques		X	X	X	Proffered to Energy Star
C. Parking					
1. Planting - above ordinance requirements	X				
2. Lighting	X				
D. Other Considerations					
1. Street furnishing such as seating, drinking fountains		X	X	X	
2. Provision of minor plazas	X				

III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS
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FAIRFAX CENTER CHECKLIST

Detailed Design

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Not

Applicable Applicable Essential Satisfied

Comments

	Not	Applicable	Essential	Satisfied	Comments
A. Detailed Site Design					
1. Structured parking with appropriate landscaping	X				
2. Major plazas	X				
3. Street furnishings to include structures (special planters, trellises, kiosks, covered pedestrian areas (arcades, shelters, etc.), Water features/pools, ornamental fountains, and special surface treatment	X				
4. Landscaping of major public spaces	X				

FAIRFAX CENTER CHECKLIST

Summary

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I. BASIC DEVELOPMENT ELEMENTS

- 1. Applicable Elements 18
- 2. Elements Satisfied 15
- 3. Ratio **0.83**

II. MINOR DEVELOPMENT ELEMENTS

- 1. Applicable Elements 9
- 2. Elements Satisfied 8
- 3. Ratio **0.89**

III. MAJOR DEVELOPMENT ELEMENTS

- 1. Applicable Elements 4
- 2. Elements Satisfied 4
- 3. Ratio **1.00**

IV. ESSENTIAL DEVELOPMENT ELEMENTS

- 1. Applicable Elements 22
- 2. Elements Satisfied 22
- 3. Ratio **1.00**

V. MAJOR TRANSPORTATION DEVELOPMENT ELEMENTS

- 1. Applicable Elements 2
- 2. Elements Satisfied 2
- 3. Ratio **1.00**

VI. LOW/MODERATE INCOME HOUSING ELEMENT

yes no

6-100 PDH PLANNED DEVELOPMENT HOUSING DISTRICT**6-101 Purpose and Intent**

The PDH District is established to encourage innovative and creative design and to facilitate use of the most advantageous construction techniques in the development of land for residential and other selected secondary uses. The district regulations are designed to insure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development; to promote balanced developments of mixed housing types; to encourage the provision of dwellings within the means of families of low and moderate income; and otherwise to implement the stated purpose and intent of this Ordinance.

To these ends, rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of Article 16.

16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS**16-101 General Standards**

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

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

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

1. In order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.
2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

RESIDENTIAL DEVELOPMENT CRITERIA

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

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

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

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

1. Site Design:

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

a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.

b) *Layout:* The layout should:

- provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
- provide dwelling units that are oriented appropriately to adjacent streets and homes;

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

2. Neighborhood Context

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

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

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

3. Environment:

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

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

4. Tree Preservation and Tree Cover Requirements:

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

5. Transportation:

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

- 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.

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		