



RZ APPLICATION ACCEPTED: June 28, 2010  
RZ APPLICATION AMENDED: January 7, 2011  
PCA APPLICATION ACCEPTED: January 7, 2011  
PLANNING COMMISSION PUBLIC HEARING: March 2, 2011  
BOARD OF SUPERVISORS: March 8, 2011 @ 3:30 P.M.

## County of Fairfax, Virginia

---

February 16, 2011

### STAFF REPORT

#### APPLICATION RZ 2010-LE-007 (Concurrent w/PCA 2006-LE-018)

#### LEE DISTRICT

**APPLICANT:** Fleet Drive, LLC

**RZ PRESENT ZONING:** R-1 & R-12

**RZ REQUESTED ZONING:** R-12

**RZ PARCEL(S):** 91-1 ((1)) 59A, 59B, 60  
91-1 ((5)) 2, 3, 4, and 7

**RZ ACREAGE:** 4.33 acres

**PCA ZONING:** R-12

**PCA PARCEL(S):** 91-1 ((1)) 59A, 59B, and 60  
91-1 ((5)) 2, 3, and 4

**PCA ACREAGE:** 3.68 acres

**DENSITY:** 6.90 du/ac

**PLAN MAP:** Residential; 8-12 du/ac

**RZ PROPOSAL:** The applicant seeks to rezone 4.33 acres from R-1 and R-12 to R-12 to permit the construction of thirty single-family attached dwelling units.

**PCA PROPOSAL:** To amend the proffers and GDP approved with RZ 2006-LE-018, to delete 3.68 acres of land area that is currently approved to permit the development of 49 single-family attached units.

St.Clair Williams

---

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



## **STAFF RECOMMENDATIONS:**

Staff recommends approval of RZ 2010-LE-007, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of PCA 2006-LE-018, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of a waiver of the 600-foot maximum private street length requirement.

Staff recommends approval of a deviation from the tree preservation target in favor of the development conditions and that shown on the GDP.

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

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

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.



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

# Rezoning Application

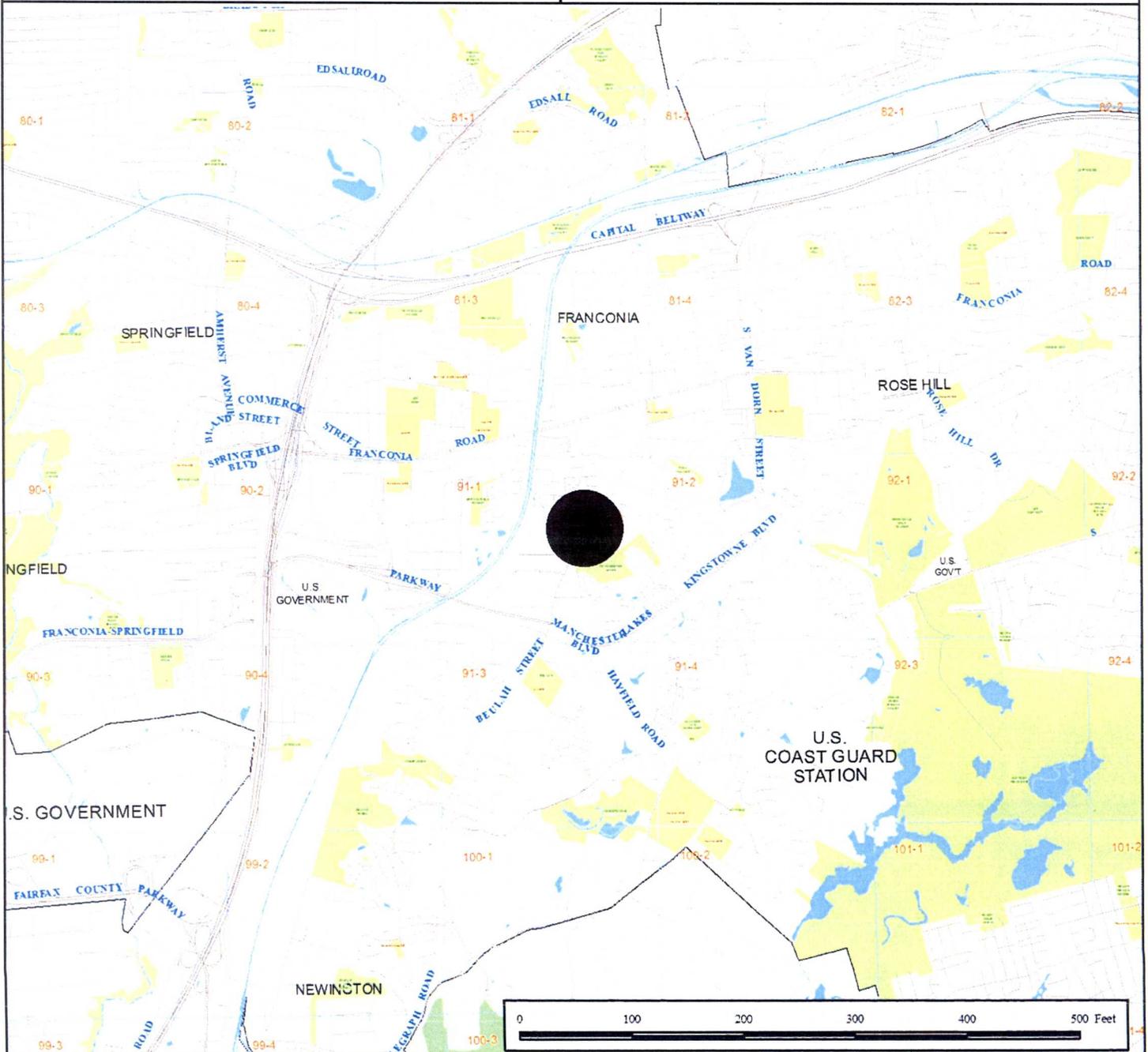
RZ 2010-LE-007

# Proffered Condition Amendment

PCA 2006-LE-018

Applicant: FLEET DRIVE LLC  
Accepted: 06/28/20100 - AMENDED 1/07/2011  
Proposed: RESIDENTIAL  
Area: 4.33 AC OF LAND; DISTRICT - LEE  
Located: WEST SIDE OF BEULAH STREET EAST SIDE OF FLEET DRIVE AT ITS INTERSECTION WITH GRAVEL AVENUE  
Zoning: FROM R-1 AND R-12, TO R-12  
Map Ref Num: 091-1- /01/ /0059A /01/ /0059B /01/ /0060 /05/ /0002 /05/ /0003 /05/ /0004 /05/ /0007

Applicant: FLEET DRIVE LLC  
Accepted: 01/07/2011  
Proposed: AMEND RZ 2006-LE-018 PREVIOUSLY APPROVED FOR RESIDENTIAL DEVELOPMENT TO PERMIT DELETION OF LAND AREA  
Area: 3.68 AC OF LAND; DISTRICT - LEE  
Located: WEST SIDE OF BEULAH STREET EAST SIDE OF FLEET DRIVE AT ITS INTERSECTION WITH GRAVEL AVENUE  
Zoning: R-12  
Map Ref Num: 091-1- /01/ /0059A /01/ /0059B /01/ /0060 /05/ /0002 /05/ /0003 /05/ /0004

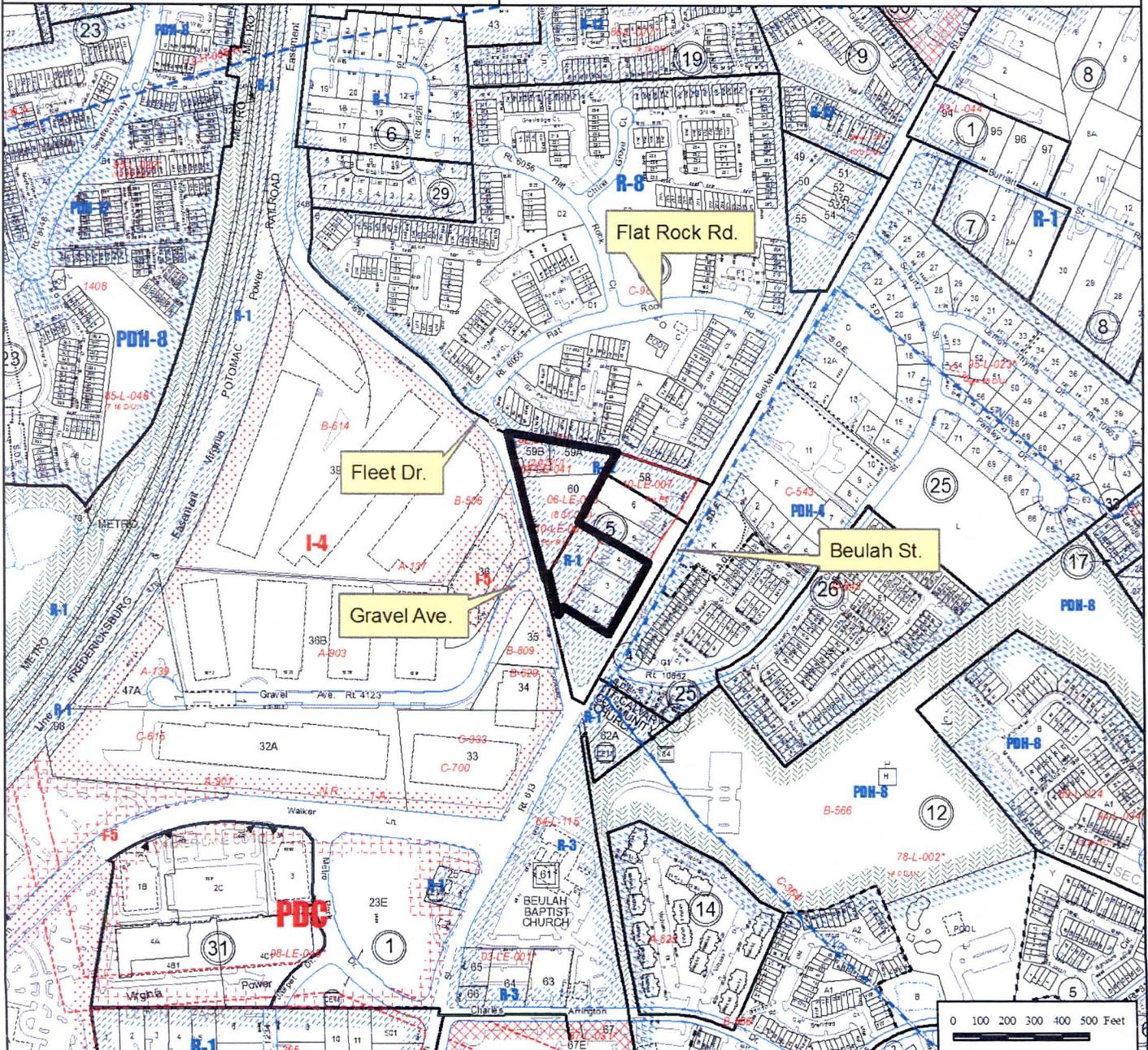


# Rezoning Application

## RZ 2010-LE-007



Applicant: FLEET DRIVE LLC  
 Accepted: 01/07/2011- AMENDED 06/28/2010  
 Proposed: RESIDENTIAL  
 Area: 4.33 AC OF LAND; DISTRICT - LEE  
 Zoning Dist Sect:  
 Located: WEST SIDE OF BEULAH STREET EAST SIDE OF FLEET DRIVE AT ITS INTERSECTION WITH GRAVEL AVENUE  
 Zoning: FROM R- 1 TO R-12, FROM R-12 TO R-12  
 Overlay Dist:  
 Map Ref Num: 091-1- /01/ /0059A /01/ /0059B /01/ /0060 /05/ /0002 /05/ /0003 /05/ /0004 /05/ /0007



# Proffered Condition Amendment

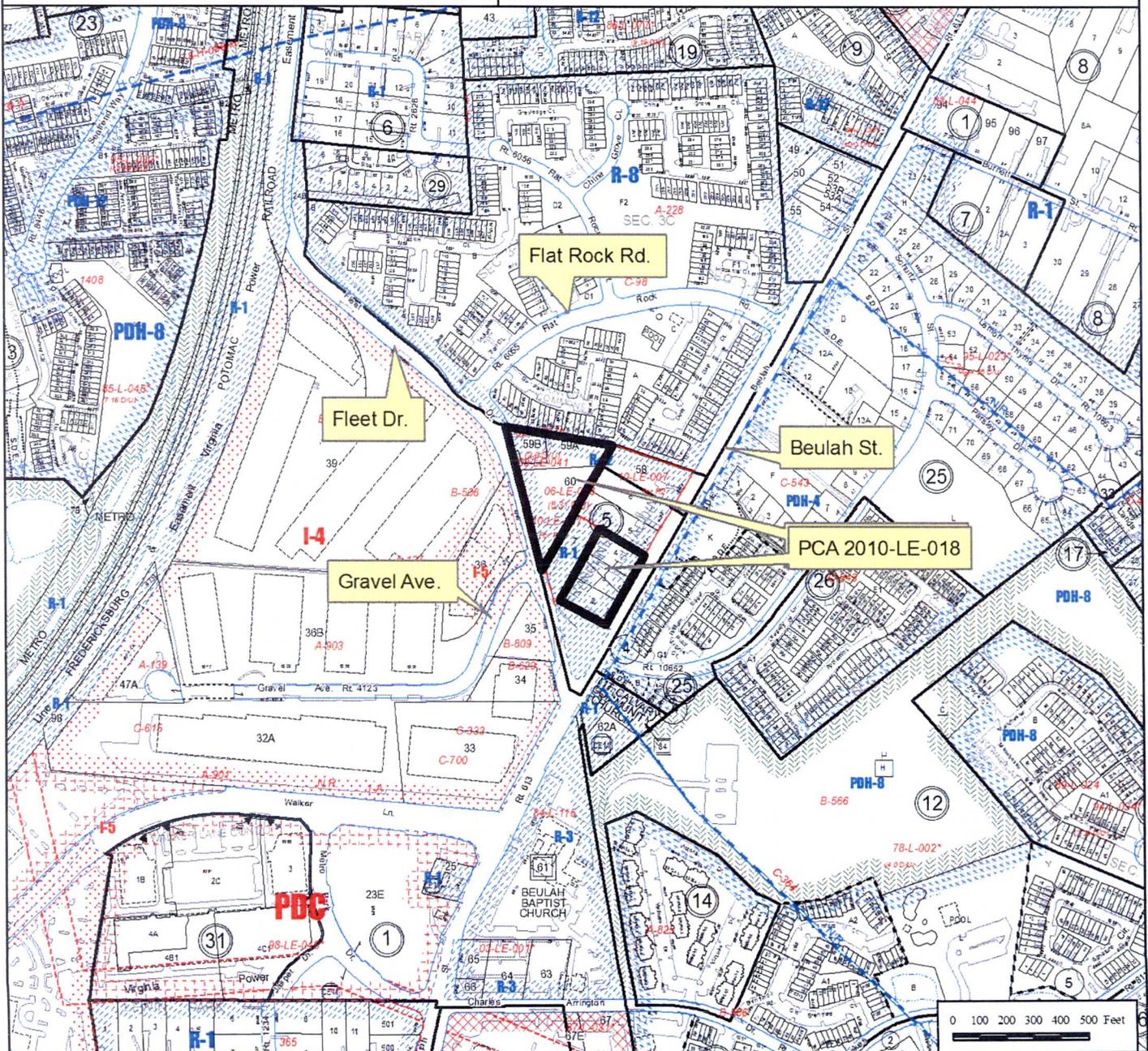
## PCA 2006-LE-018

Applicant: FLEET DRIVE LLC  
 Accepted: 01/07/2011  
 Proposed: AMEND RZ 2006-LE-018 PREVIOUSLY APPROVED FOR RESIDENTIAL DEVELOPMENT TO PERMIT DELETION OF LAND AREA



Area: 3.68 AC OF LAND; DISTRICT - LEE  
 Zoning Dist Sect: WEST SIDE OF BEULAH STREET EAST SIDE OF FLEET DRIVE AT ITS INTERSECTION WITH GRAVEL AVENUE

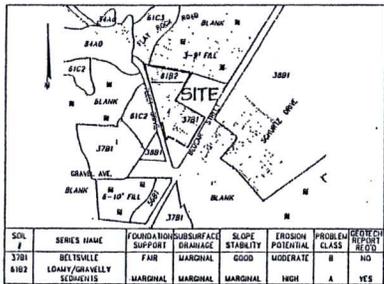
Zoning: R-12  
 Overlay Dist:  
 Map Ref Num: 091-1- /01/ /0059A /01/ /0059B  
 /01/ /0060 /05/ /0002 /05/  
 /0003 /05/ /0004



# GENERALIZED DEVELOPMENT PLAN FOSTERS CREST

LEE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

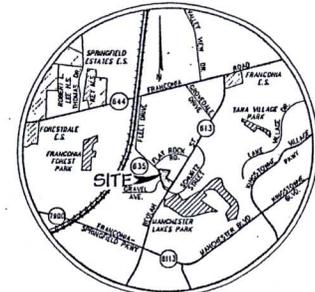
RZ 2010-LE-007  
PCA 2006-LE-018



**SOILS MAP/DATA**  
SCALE: 1" = 500'

### NOTES

- THE PROPERTY DELINEATED ON THIS PLAN IS LOCATED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NUMBER 91-1(1)58A, 58B & 60 AND 91-1(5)2-4 & 7 THE SITE IS CURRENTLY ZONED R-1 & R-12. THE PROPOSED ZONING IS R-12.
- THE PROPERTY HEREON IS CURRENTLY IN THE OWNERSHIP OF:
  - 91-1(1)58A - KIM SUNG SOO AND SON LAI-FONG IN DEED BOOK 13860 AT PAGE 1751
  - 91-1(1)58B - KIM SUNG WON IN DEED BOOK 13681 AT PAGE 131
  - 91-1(1)58C - FLEET DRIVE, LLC IN DEED BOOK 17383 AT PAGE 1255
  - 91-1(5)2 - DALLAS W. AND RUTH W. SMITH IN DEED BOOK 3055 AT PAGE 392
  - 91-1(5)3 - ALDO C. DOMAZETZ IN DEED BOOK 10541 AT PAGE 247
  - 91-1(5)4 - ERIC B. MCGEE AND GLORIA CARMIANICHIO IN DEED BOOK 11033 AT PAGE 1454
  - 91-1(5)7 - AHMAD HAJIB IN DEED BOOK 12948 AT PAGE 304
- BOUNDARY INFORMATION BASED ON A FIELD RUN SURVEY PREPARED BY CHARLES P. JOHNSON & ASSOCIATES, DATED MARCH 24, 2008. EXISTING TOPOGRAPHIC INFORMATION IS BASED ON A FIELD RUN SURVEY BY CHARLES P. JOHNSON & ASSOCIATES, DATED APRIL 2008, UPDATED APRIL 2010. CONTOUR INTERVAL EQUALS TWO FEET NOVEMBER 1928.
- THERE ARE NO 100-YEAR FLOODPLANS ON-SITE. NO FLOODPLAN OR DRAINAGE STUDIES ARE REQUIRED FOR THIS PROJECT.
- THERE ARE NO RESOURCE PROTECTION AREAS (RPAs) OR ENVIRONMENTAL QUALITY CORRIDORS (EQCs) ON THIS SITE. A WATER QUALITY IMPACT ASSESSMENT WILL NOT BE REQUIRED.
- TO THE BEST OF OUR KNOWLEDGE, THE SITE HAS NO SECMC AREAS OR NATURAL FEATURES DESERVING OF PROTECTION AND PRESERVATION.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO KNOWN GRAVES, OBJECTS, OR STRUCTURES MARKING A PLACE OF BURIAL.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITY EASEMENTS HAVING A WIDTH OF 25 FEET OR GREATER, NOR ANY MAJOR UNDERGROUND UTILITY EASEMENTS LOCATED WITHIN THE SITE.
- ALL EXISTING WELLS ON-SITE ARE TO BE CAPPED AND ABANDONED IN ACCORDANCE WITH HEALTH DEPARTMENT REGULATIONS.
- SEE SHEET 4 FOR A DESCRIPTION OF EXISTING VEGETATION.
- EXISTING STRUCTURES ARE TO BE REMOVED. DATES OF CONSTRUCTION FOR THE EXISTING DWELLINGS:
  - 91-1(1)58A - 1948
  - 91-1(1)58B - 1948
  - 91-1(1)58C - 1956
  - 91-1(5)2 - 1948
  - 91-1(5)3 - 1956
  - 91-1(5)4 - 1925
  - 91-1(5)7 - 1958
- THERE ARE NO ZONING OVERLAY DISTRICTS FOR THIS SITE.
- THERE ARE NO AFFORDABLE DWELLING UNITS (ADUs) REQUIRED FOR THIS PROJECT.
- NO DENSITY REDUCTIONS ARE REQUIRED BY ZONING ORDINANCE SECTION 2-308.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 118.4, 302.4, AND 305; ALL HAZARDOUS WASTE AS SET FORTH IN COMMONWEALTH OF VIRGINIA/DEPARTMENT OF WASTE MANAGEMENT VS 872-10-1 - VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS; AND/OR PETROLEUM PRODUCTS AS DEFINED IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 260; TO BE GENERATED, UTILIZED, STORED, TREATED, AND/OR DISPOSED OF ON-SITE AND THE SIZE AND CONTENTS OF ANY EXISTING OR PROPOSED STORAGE TANKS OR CONTAINERS.
- IN ACCORDANCE WITH THE ADOPTED COMPREHENSIVE PLAN, THE PROPOSED DEVELOPMENT WILL PROVIDE RESIDENTIAL DEVELOPMENT AT 7.8 DWELLING UNITS PER ACRE AND WILL CONFORM TO ALL APPLICABLE ORDINANCES, REGULATIONS, AND ADOPTED STANDARDS EXCEPT AS NOTED BELOW:
  - A WAIVER OF THE 60' MAXIMUM PRIVATE STREET LENGTH IS HEREBY REQUESTED
  - A MODIFICATION OF THE TRADITIONAL SCREENING REQUIREMENT AGAINST 91-1(1)58B AND 91-1(5)5 & 8 IS HEREBY REQUESTED, AS ALLOWED UNDER Z.O. 813-202.5
  - A WAIVER OF THE BARRIER REQUIREMENT IS HEREBY REQUESTED, AS ALLOWED UNDER Z.O. 813-202.13
  - A WAIVER TO CONSTRUCT A 4-FOOT CONCRETE SIDEWALK IN LIEU OF THE REQUIRED MINOR PAVED TRAIL ALONG FLEET DRIVE IS HEREBY REQUESTED
- PROPOSED PUBLIC IMPROVEMENTS:
  - WATER SERVICE TO BE PROVIDED BY AN EXISTING 12" MAIN LOCATED IN FLEET DRIVE
  - SANITARY SERVICE TO BE PROVIDED BY AN EXISTING 8" MAIN LOCATED OFFSITE
- PARKING SPACES WILL BE PROVIDED AS GENERALLY SHOWN ON THE GENERALIZED DEVELOPMENT PLAN. THE NUMBER OF PARKING SPACES MAY BE INCREASED OR DECREASED FROM THAT NUMBER REPRESENTED IN THAT TABULATION AS LONG AS THE MINIMUM NUMBER OF SPACES IS PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11 OF THE ZONING ORDINANCE.
- A RECREATIONAL FACILITY IS PROPOSED WITH THIS DEVELOPMENT (TOT LOT).
- A SPECIAL AMENITY IS PROPOSED WITH THIS DEVELOPMENT (LANDSCAPED SITTING AREA WITH BENCHES).
- A DEVELOPMENT SCHEDULE HAS NOT BEEN DETERMINED AT THIS TIME.
- ARCHITECTURAL ELEVATIONS ARE NOT AVAILABLE AT THIS TIME.
- A MINOR PAVED TRAIL IS REQUIRED ALONG FLEET DRIVE FOR THIS PROJECT PER THE FAIRFAX COUNTY TRAILS PLAN. (SEE NOTE 16)
- PARCEL "A" WILL BE CONVEYED TO A HOMEOWNERS ASSOCIATION FOR OWNERSHIP AND MAINTENANCE.
- THE APPLICANT RESERVES THE RIGHT TO LOCATE ONE OR MORE TEMPORARY SALES OFFICES ON THE PROPERTY IN ACCORDANCE WITH ARTICLE 8-808 OF THE ZONING ORDINANCE.
- MINOR MODIFICATIONS TO THE BUILDING FOOTPRINTS, LOT AREAS, DIMENSIONS, UTILITY LAYOUT, AND LIMITS OF CLEARING AND GRADING MAY OCCUR WITH THE FINAL ENGINEERING DESIGN, IN SUBSTANTIAL CONFORMANCE WITH THE GDP, PROVIDED SUCH ARE IN ACCORDANCE WITH THE MINOR MODIFICATIONS PROVISION IN SECTION 18-204 OF THE ZONING ORDINANCE.



**VICINITY MAP**  
SCALE: 1" = 2000'



### MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

- Plot is at a minimum scale of 1"=50' (unless it is depicted on one sheet with a minimum scale of 1"=100').
- A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, site outlets, energy dissipation devices, and stream stabilization measures as shown on Sheet 3.
- Provide:
 

Facility Name/Type & No.	On-site area served (acres)	Off-site area served (acres)	Drainage area (±)	Footprint area (±)	Storage volume (±)	Flow rate (cfs)	Flow rate (ft³)
1. 18" RCP Stormwater Pond	3.54±	2.28±	5.83±	10,250±	83,800±	8.5±	8.5±
- Outlet drainage channels, outfalls, and pipe systems are shown on Sheet 3. Pond inlet and outlet pipe systems are shown on Sheet 3.
- Maintenance access (road) to stormwater management facility(ies) are shown on Sheet 3. Type of maintenance access road surface noted on the plot is asphalt.
- Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet 3.
- A "stormwater management narrative" which contains a description of how detention and best management practices requirements will be met is provided on Sheet 3.
- A description of the existing conditions of each numbered site outlet extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (±10 acres) is provided on Sheet 3.
- A description of how the outfall requirements, including known changes to contributing drainage areas (i.e. drainage diversions), of the Public Facilities Manual will be satisfied is provided on Sheet 3.
- Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is on an survey or field run is provided on Sheet 1, 2 & 3.
- A submission waiver is requested for N/A
- Stormwater management is not required because N/A

REVISIONS		
NO.	SHEET NUMBER AND REVISION DESCRIPTION	DATE
1	(1) REVISED SITE TABULATIONS (2) ADDED EXISTING SEPTIC WFD (3) ADDED SIGHT LINES & UTILITY EASEMENTS (4) REVISED LANDSCAPING & TREE COVER CALC (5) REVISED ACoustical BARRIER DETAIL; REVISED 8' FENCE (6) NEW NOISE FENCE LABEL (EACHES) & SPLINAY (7) ADDED EX. TREES TO BE SAVED (8) NEW LEGEND; ADDED PARKING LOT LANDSCAPING CALC; MOVED TREES 4' AWAY FROM OBSTRUCTIONS	8-4-10
2	(1) REVISED NOTES (2) REVISED SITE TABULATIONS; ADDED PRIVATE FENCE DETAIL (3) REVISED AREA OF REZONING (4) REVISED LAYOUT & UTILITIES (5) REVISED LANDSCAPING (6) REVISED DRAINAGE AREA AND TABULATIONS (7) NEW SHEET	8-15-10
3	(1) REVISED NOTES (2) REVISED SITE TABULATIONS; ADDED PRIVATE FENCE DETAIL (3) REVISED LAYOUT & UTILITIES (4) REVISED LANDSCAPING (5) REVISED DRAINAGE AREA AND TABULATIONS (6) NEW SHEET	12-17-10
4	(1) REVISED SMI INFORMATION CHART (2) ADDED DIMENSIONS, BUS STOP, SIGHT LINE MARK & REVISED POND (3) REVISED LANDSCAPING	1-21-11

NO CHANGES, OTHER THAN THOSE SPECIFIED ABOVE, HAVE BEEN MADE TO THIS PLAN FROM WHAT WAS PREVIOUSLY SUBMITTED OR APPROVED.

**DEVELOPER**  
FLEET DRIVE, LLC  
115 BELURAY ROAD NE  
SUITE 200B  
WENNA, VIRGINIA 22180  
(703) 281-1703

**TABLE OF CONTENTS**

- COVER SHEET
- SITE TABULATIONS
- EXISTING CONDITIONS PLAN
- EXISTING VEGETATION MAP
- GENERALIZED DEVELOPMENT PLAN
- CONCEPTUAL LANDSCAPE PLAN
- OUTFALL ANALYSIS
- POTENTIAL LAYOUT FOR ADJACENT PARCELS

**CPJ** Charles P. Johnson & Associates, Inc.  
PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS  
3103 FLEET DRIVE SUITE 210 FAIRFAX, VIRGINIA 22030 (703)330-3333  
SALES OFFICE: 40  
703/330-3333

DATE: JUNE 9, 2010  
REVISED: AUGUST 4, 2010  
SEPTEMBER 15, 2010  
DECEMBER 17, 2010  
JANUARY 21, 2011

SHEET 1 of 8

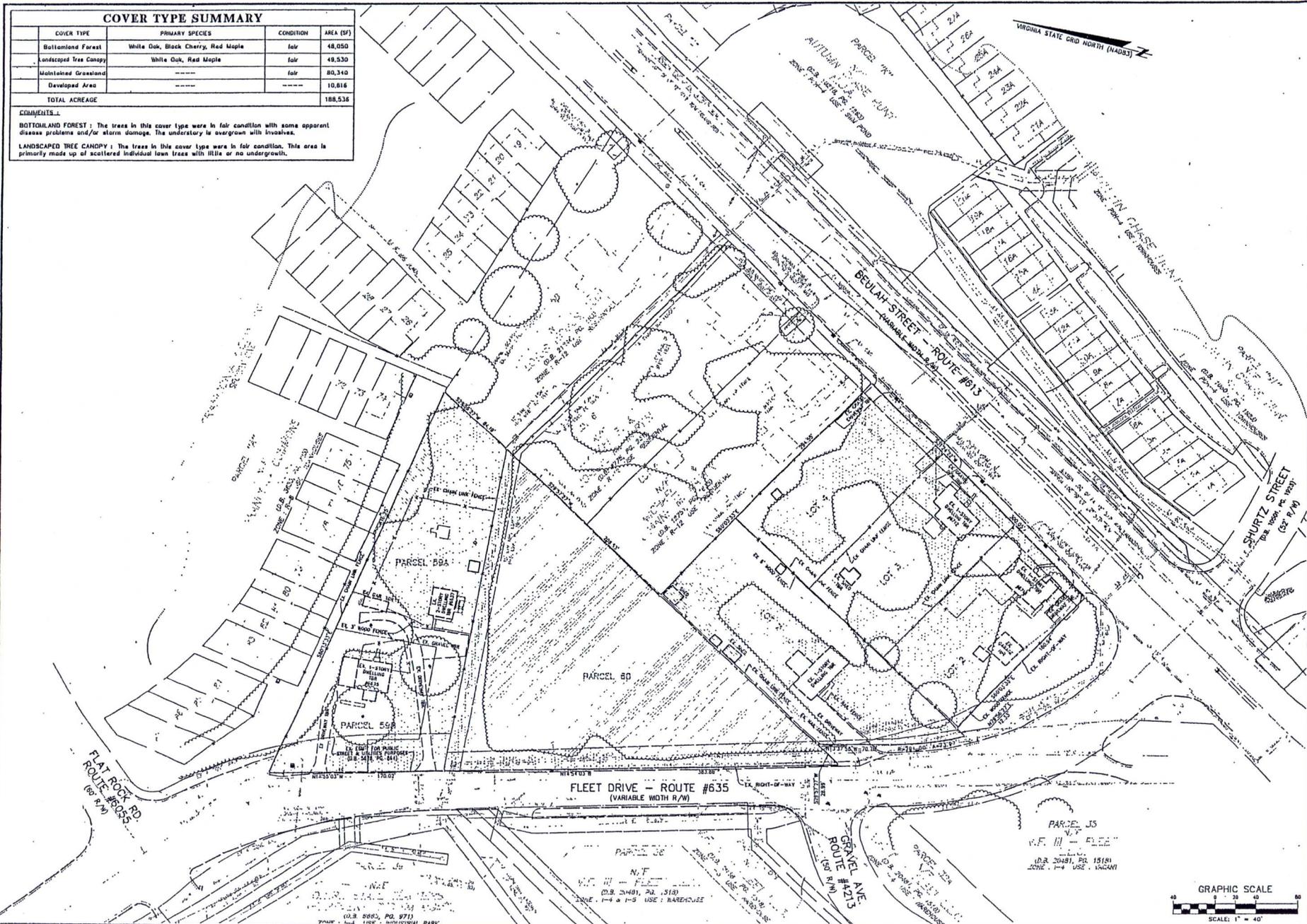
**FOSTERS CREST**





COVER TYPE SUMMARY			
COVER TYPE	PRIMARY SPECIES	CONDITION	AREA (SF)
Bottomland Forest	White Oak, Black Cherry, Red Maple	fair	48,050
Landscaped Tree Canopy	White Oak, Red Maple	fair	49,530
Maintained Grassland		fair	80,340
Developed Area			10,616
<b>TOTAL ACREAGE</b>			<b>188,538</b>

**COMMENTS:**  
**BOTTOMLAND FOREST:** The trees in this cover type were in fair condition with some apparent disease problems and/or storm damage. The understory is overgrown with invasives.  
**LANDSCAPED TREE CANOPY:** The trees in this cover type were in fair condition. This area is primarily made up of scattered individual lawn trees with little or no undergrowth.



NO.	DATE	REVISION	PREP'D BY	APPROVED BY
1	12-17-2010	RECORD AREA OF REVISION (LAW)		

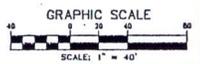
Charles P. Johnson & Associates, Inc.  
 PLANNERS, ENGINEERS, LANDSCAPE ARCHITECTS, SURVEYORS  
 10000 WOODBRIDGE DRIVE, SUITE 200, FARMERS BRANCH, VIRGINIA 22434  
 (540) 885-1000  
**CPJ** ASSOCIATES

EXISTING VEGETATION MAP  
**FOSTERS CREST**  
 LEE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 RZ 2010-LE-007



NO.	DESCRIPTION	REVISIONS
1		

DESIGN	DATE	BY	APP'D	SCALE
4	8			
SHEET 4 OF 8				
PROJ. NO. 03-591				
TYPE: GMP				





December 17, 2018

Fairfax County  
 Urban Forest Management Division  
 12055 Government Center Parkway  
 Fairfax, Virginia 22035

Attention: Mr. Mike Knapp

Re: Fosters Crest

Dear Mr. Knapp:

The purpose of this letter is to request a deviation from the Tree Preservation Target Area requirement of PFM § 12.05.01. A study of this site was previously approved under plan number FZ-2008-16-014. Some of the stakeholders have decided to be removed from the previous rezoning while a previous zoning has been withdrawn.

It is our belief that the deviation request meets the conditions allowed under PFM § 12.05.01.2A (1) but meeting the Target would preclude the densities otherwise allowed by the Zoning Ordinance. Given that the site is in a residential area, the density of the proposed development should be 8 dwelling units per acre, which is the 12 dwelling units per acre allowed by the Zoning Ordinance.

The only area on the site with any significant existing trees is located where an ENVIRONMENTAL pond is being proposed, along the west side of the site. Many of the proposed open spaces areas, especially along Lots 14, are located where there is little existing tree cover. Because of these factors, the only way to achieve a significant reduction in the area to be cleared would be to reduce the number of lots, decreasing the density even further below what is allowable.

The deficit in the Tree Preservation Target Area will be made up with new planting of site, to reach the required 18% total tree cover.

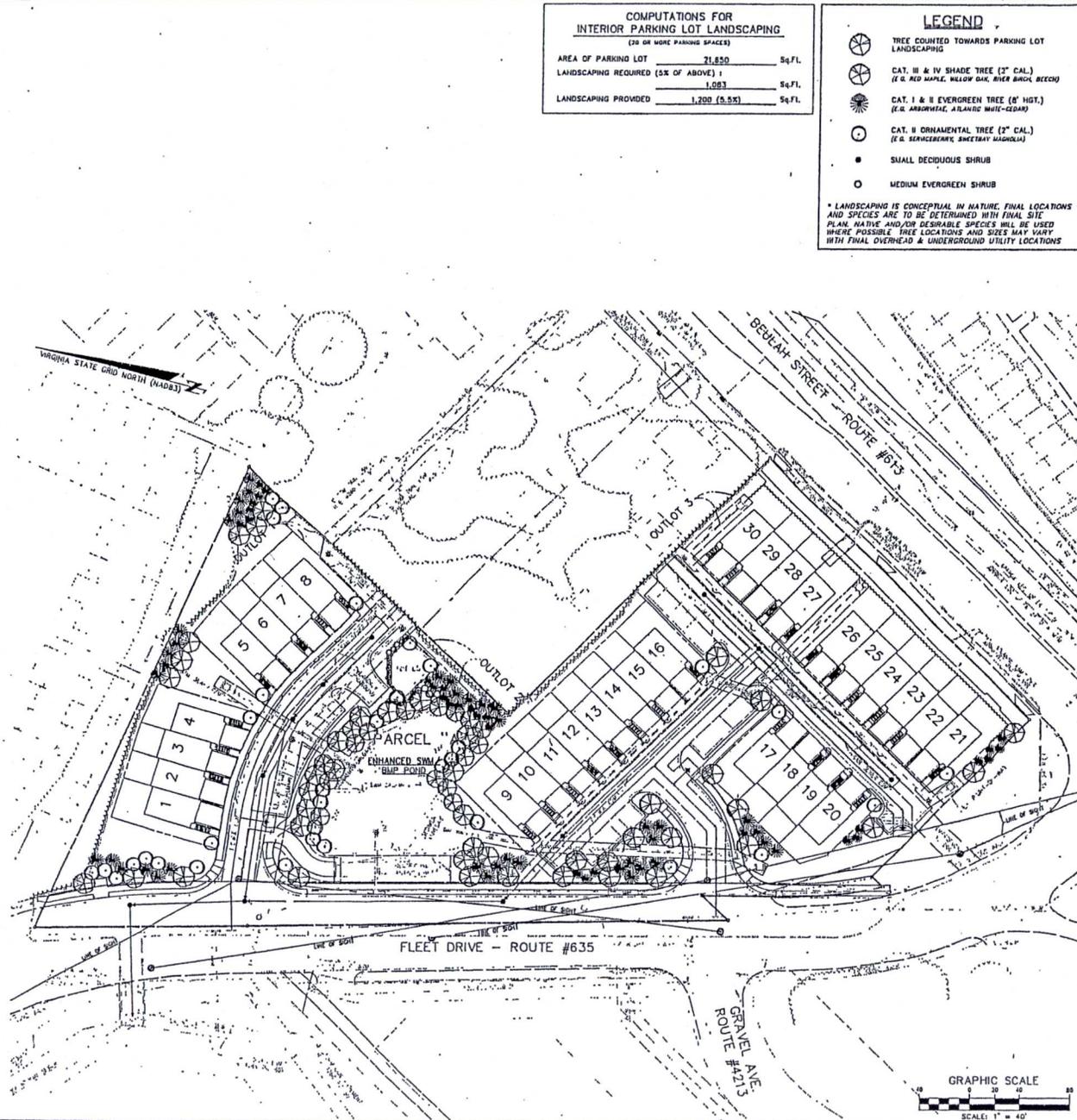
If you have any questions please don't hesitate to contact me at [ljohn@cpj.com](mailto:ljohn@cpj.com) or 703-385-7555.

Sincerely,  
 Kenneth L. Vestal, L.A.

Kenneth L. Vestal, L.A. is a member of the following associations:  
 Silver Spring, MD • Gaithersburg, MD • Frederick, MD • Eastern Shore, MD • Fairfax, VA

**Table 12.12 10-YEAR TREE CANOPY CALCULATION WORK SHEET**

Tree Preservation Factors, Calculations and Summary of Table 12.12	Area (Sq Ft)
1. Total Area of Site	87,500 SF
2. Area of Site to be Preserved (Pond, etc.)	10,000 SF
3. Percentage of Total Area to be Preserved	11.43%
4. Percentage of 10-year canopy requirement that remains to be met through tree preservation	15.1%
5. Proposed percentage of canopy requirement that will be met through tree preservation	11.43%
6. Percent of canopy requirement that will be met through tree preservation	75.5%
7. Total Area of Site to be Preserved	10,000 SF
8. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
9. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
10. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
11. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
12. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
13. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
14. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
15. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
16. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
17. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
18. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
19. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
20. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
21. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
22. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
23. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
24. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
25. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
26. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
27. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
28. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
29. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
30. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
31. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
32. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
33. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
34. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
35. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
36. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
37. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
38. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
39. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
40. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
41. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
42. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
43. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
44. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
45. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
46. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
47. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
48. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
49. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
50. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
51. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
52. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
53. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
54. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
55. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
56. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
57. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
58. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
59. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
60. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
61. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
62. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
63. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
64. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
65. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
66. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
67. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
68. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
69. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
70. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
71. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
72. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
73. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
74. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
75. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
76. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
77. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
78. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
79. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
80. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
81. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
82. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
83. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
84. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
85. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
86. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
87. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
88. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
89. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
90. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
91. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
92. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
93. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
94. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
95. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
96. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
97. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
98. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
99. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF
100. Total Area of Site to be Preserved (Pond, etc.)	10,000 SF



**COMPUTATIONS FOR INTERIOR PARKING LOT LANDSCAPING**  
 (20 OR MORE PARKING SPACES)

AREA OF PARKING LOT	21,850	Sq.Ft.
LANDSCAPING REQUIRED (5% OF ABOVE)	1,093	Sq.Ft.
LANDSCAPING PROVIDED	1,200 (5.5%)	Sq.Ft.

- LEGEND**
- TREE COUNTED TOWARDS PARKING LOT LANDSCAPING
  - CAT. III & IV SHADE TREE (3" CAL.)  
 (E.G. RED MAPLE, YELLOW OAK, BIRCH, BUCK, BECCO)
  - CAT. I & II EVERGREEN TREE (8" HGT.)  
 (E.G. ARBORVITAE, ATLANTIC WHITE-ODOR)
  - CAT. II ORNAMENTAL TREE (2" CAL.)  
 (E.G. SCURFLEAFY, SHEETRAY MAGNOLIA)
  - SMALL DECIDUOUS SHRUB
  - MEDIUM EVERGREEN SHRUB

\* LANDSCAPING IS CONCEPTUAL IN NATURE. FINAL LOCATIONS AND SPECIES ARE TO BE DETERMINED WITH FINAL SITE PLAN. NATIVE AND/OR DESIRABLE SPECIES WILL BE USED WHERE POSSIBLE. TREE LOCATIONS AND SIZES MAY VARY WITH FINAL OVERLAP & UNDERGROUND UTILITY LOCATIONS

CONCEPTUAL LANDSCAPE PLAN

**FOSTERS CREST**

LEE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

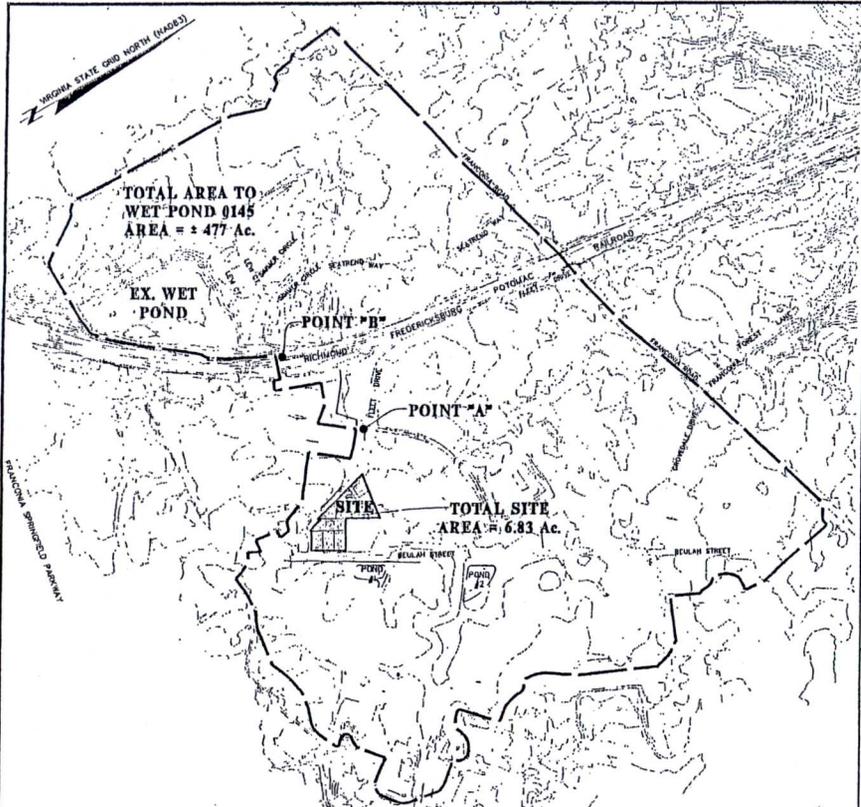
REVISIONS

NO.	DATE	DESCRIPTION	BY	APP'D.
1	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
2	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
3	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
4	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
5	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
6	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
7	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
8	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
9	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
10	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
11	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
12	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
13	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
14	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
15	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
16	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
17	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
18	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
19	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
20	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
21	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
22	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
23	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
24	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
25	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
26	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
27	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
28	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
29	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
30	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
31	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
32	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
33	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
34	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
35	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
36	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
37	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
38	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
39	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
40	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
41	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
42	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
43	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
44	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
45	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
46	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
47	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
48	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
49	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
50	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
51	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
52	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
53	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
54	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
55	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
56	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
57	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
58	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
59	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
60	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
61	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
62	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
63	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
64	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
65	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
66	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
67	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
68	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
69	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
70	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
71	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
72	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
73	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
74	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
75	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
76	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
77	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
78	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
79	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
80	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
81	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
82	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
83	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
84	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
85	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
86	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
87	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
88	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
89	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
90	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
91	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
92	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
93	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
94	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
95	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
96	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
97	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
98	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
99	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ
100	12/17/18	ISSUED FOR PERMITTING	CPJ	CPJ

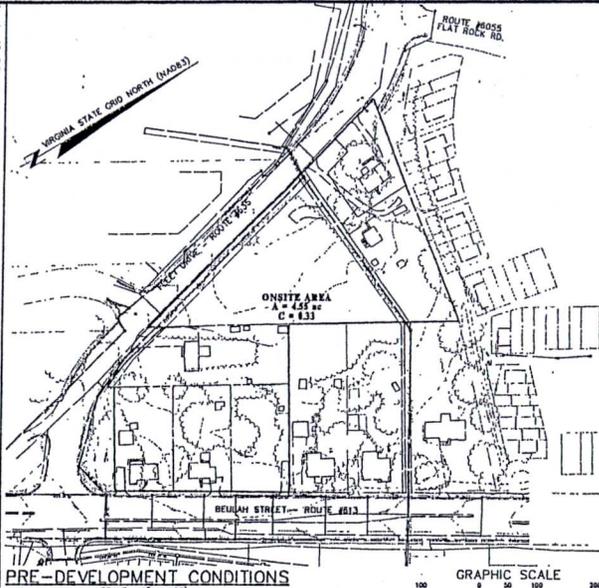
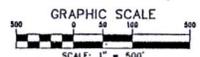
GRAPHIC SCALE  
 SCALE: 1" = 40'

PROJECT NO: 03-591  
 SHEET: 6 OF 8  
 TYPE: GDD

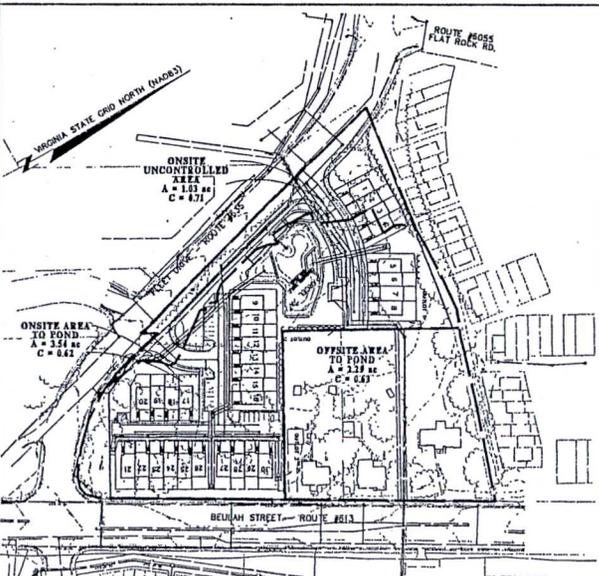
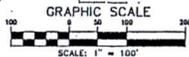
Charles P. Johnson & Associates, Inc.  
 PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS ENVIRONMENTAL SERVICES  
 3959 FENDER DRIVE, SUITE 210, FAIRFAX, VA 22030  
 TEL: 703-385-7555 FAX: 703-373-8595



**OVERALL DRAINAGE MAP**  
SCALE: 1" = 500'



**PRE-DEVELOPMENT CONDITIONS**  
SCALE: 1" = 100'



**POST-DEVELOPMENT CONDITIONS**  
SCALE: 1" = 100'



**OUTFALL NARRATIVE**

THE SITE CONSISTS OF 4.55 ACRES ON WHICH A 30 SINGLE-FAMILY ATTACHED UNIT COMMUNITY WITH RELATED UTILITIES ARE PROPOSED TO BE BUILT. THERE ARE CURRENTLY 5 SINGLE FAMILY DETACHED DWELLINGS AND RELATED UTILITIES ON THE SITE. THE STORM WATER MANAGEMENT POND WILL BE DESIGNED TO ACCOUNT FOR THE DEVELOPMENT OF OUTLOT 3. THE SITE IS FAIRLY WOODED AND MODERATELY SLOPED. CURRENTLY THERE ARE SOME EXISTING STORM SEWER STRUCTURES ON THE SITE THAT CAPTURE SOME OF THE RUNOFF FROM THE SITE AND BYPASS THE OUTFLOW FROM THE UPSTREAM POND #1 ALONG BELLAH STREET. THE REMAINDER OF THE RUNOFF FROM THE EXISTING SITE SHEET FLOWS FROM SOUTH TO NORTH INTO THE EXISTING STORM SEWER SYSTEM ALONG FLEET DRIVE.

**PRE-DEVELOPMENT FLOWS:**

Existing Condition  
 $Q_2 = 4.250 \text{ CFS}$ ,  $2.42 \text{ HFR}$ ,  $0.33 = 8.20 \text{ CFS}$   
 $Q_1 = 4.250 \text{ CFS}$ ,  $7.27 \text{ HFR}$ ,  $0.33 = 10.94 \text{ CFS}$

AFTER DEVELOPMENT, MOST OF THE SITE'S STORM WATER WILL BE COLLECTED BY AN ONSITE CLOSED STORM SEWER SYSTEM AND TAKEN INTO A PROPOSED ONSITE ENHANCED EXTENDED DETENTION POND LOCATED IN THE WESTERN PART OF THE SITE. THIS POND WILL PROVIDE STORMWATER MANAGEMENT FOR THIS SITE AND REDUCE THE PROPOSED FLOWS BELOW EXISTING FLOWS. THE SWM/BMP POND WILL DRAIN TO THE WEST INTO AN EXISTING OFFSITE CLOSED STORM SEWER SYSTEM LOCATED NORTHEAST OF THE SITE.

THIS EXISTING STORM SEWER SYSTEM RUNS ALONG FLEET DRIVE AND THEN JOINS EXISTING TRIPLE 6"x7" BOX CULVERTS AT JUNCTION POINT "A" AS SHOWN ON OVERALL DRAINAGE MAP ON THIS SHEET. THIS EXISTING CLOSED STORM SEWER SYSTEM HAS BEEN ANALYZED AND FOUND TO HAVE ADEQUATE CAPACITY. THIS EXISTING STORM SEWER SYSTEM ULTIMATELY DISCHARGES RUNOFF UNDER THE RAILROAD INTO AN EXISTING WET POND, DOWNSTREAM OF JAPONICA SECTION 4 SUBDIVISION AT POINT "B". THE TOTAL DRAINAGE AREA TO THIS EXISTING WET POND IS APPROXIMATELY 477 ACRES AS SHOWN IN THE OVERALL DRAINAGE AREA MAP ON THIS SHEET. SINCE THE TOTAL SITE AREA (4.55 ACRES) IS LESS THAN 1% OF THE OVERALL DRAINAGE AREA INTO THE EXISTING WET POND (APPROXIMATELY 477 ACRES), AT THIS POINT, THE EXTENT OF THE REVIEW OF THE DOWNSTREAM IS COMPLETE.

SINCE THE FLOWS FROM THE SITE WILL BE REDUCED AND THE EXISTING CLOSED STORM SEWER SYSTEM HAS ADEQUATE CAPACITY, THE PROPOSED DEVELOPMENT WILL NOT HAVE AN ADVERSE IMPACT ON DOWNSTREAM PROPERTIES. IT IS THEREFORE THE ENGINEER'S OPINION THAT AN ADEQUATE OUTFALL EXISTS FOR THIS PROJECT.

**STORMWATER MANAGEMENT AND BMP NARRATIVE**

STORMWATER MANAGEMENT WILL BE PROVIDED VIA AN ONSITE ENHANCED EXTENDED DETENTION POND. THE SIZE OF THE SITE WILL REDUCE THE POST DEVELOPMENT PEAK FLOWS FROM THE SITE FOR THE 2 AND 10 YEAR STORMS BELOW PRE-DEVELOPMENT FLOWS.

**POST-DEVELOPMENT FLOWS:**

Storm to Pond  
 $Q_2 = 2.290 \text{ CFS}$ ,  $1.42 \text{ HFR}$ ,  $0.33 = 4.12 \text{ CFS}$   
 $Q_1 = 2.290 \text{ CFS}$ ,  $7.27 \text{ HFR}$ ,  $0.33 = 2.48 \text{ CFS}$

Developed Uncontrolled  
 $Q_2 = 1.020 \text{ CFS}$ ,  $2.42 \text{ HFR}$ ,  $0.71 = 3.55 \text{ CFS}$   
 $Q_1 = 1.020 \text{ CFS}$ ,  $7.27 \text{ HFR}$ ,  $0.71 = 2.08 \text{ CFS}$

Allowable Pond Release  
 $Q_2 = 8.20 \text{ CFS}$ ,  $4.12 \text{ HFR}$ ,  $0.33 = 8.37 \text{ CFS}$   
 $Q_1 = 10.94 \text{ CFS}$ ,  $4.12 \text{ HFR}$ ,  $0.33 = 11.17 \text{ CFS}$

Post-Development Runoff to Pond  
 Control Runoff to Pond = 2.290 CFS  
 Offsite Runoff to Pond = 2.290 CFS  
 Total Runoff to Pond = 4.580 CFS

Diagrams From SWM Pond Routings  
 $Q_2 = 4.250 \text{ CFS}$   
 $Q_1 = 7.13 \text{ CFS}$

BMP'S WILL BE PROVIDED WITH THIS ENHANCED DETENTION POND. THE TOTAL PHOSPHORUS REMOVAL FOR THIS SITE IS APPROXIMATELY 44.89%, WHICH IS GREATER THAN THE REQUIRED 40% (SEE BMP COMPUTATION BELOW). THEREFORE, THE BMP REQUIREMENTS HAVE BEEN SATISFIED FOR THIS PROJECT.

**BMP COMPUTATION**

Part 1 - List all the Subareas and 'C' Factors used in the BMP Computation

Subarea Designation and Description	Area (ac)
A1 - Open to Pond	0.03
A2 - Open Uncontrolled	0.71
A3 - Closed to Pond	0.15
<b>Total</b>	<b>0.89</b>

Part 2 - Compute the Total Phosphorus Removal for the Site

Subarea	BMP	Removal Ratio (%)	C Factor	Product
A1	01	14	0.03	0.42
	02	14	0.03	0.42
A2	01	14	0.71	9.88
	02	14	0.71	9.88
A3	01	14	0.15	2.10
	02	14	0.15	2.10
<b>Total</b>				<b>22.98</b>

NOTE: THESE COMPUTATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE WITH FINAL ENGINEERING PLANS.

15-17-10 REVISED DRAINAGE AREA & UTILITIES  
 REVISION PRIOR TO APPROVAL  
 DATE

Charles P. Johnson & Associates, Inc.  
 PLANNERS ENGINEERS ARCHITECTS  
 3000 PARK DRIVE, SUITE 208, FAIRFAX, VIRGINIA 22030 (703)241-1000  
 FAX (703)241-1001

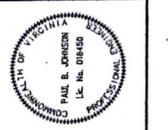
**CPJ**  
 ASSOCIATES

**OUTFALL ANALYSIS**

**FOSTERS CREST**

LEE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

PRJ NO: 03-591  
 TYPE: GDP



NO.	DATE	DESCRIPTION	BY	CHKD

DESIGN & PLAN APPROVED  
 DATE: APRIL 2010  
 DRAWN BY: AS  
 VTR: SHOWN

SHEET 7 OF 8

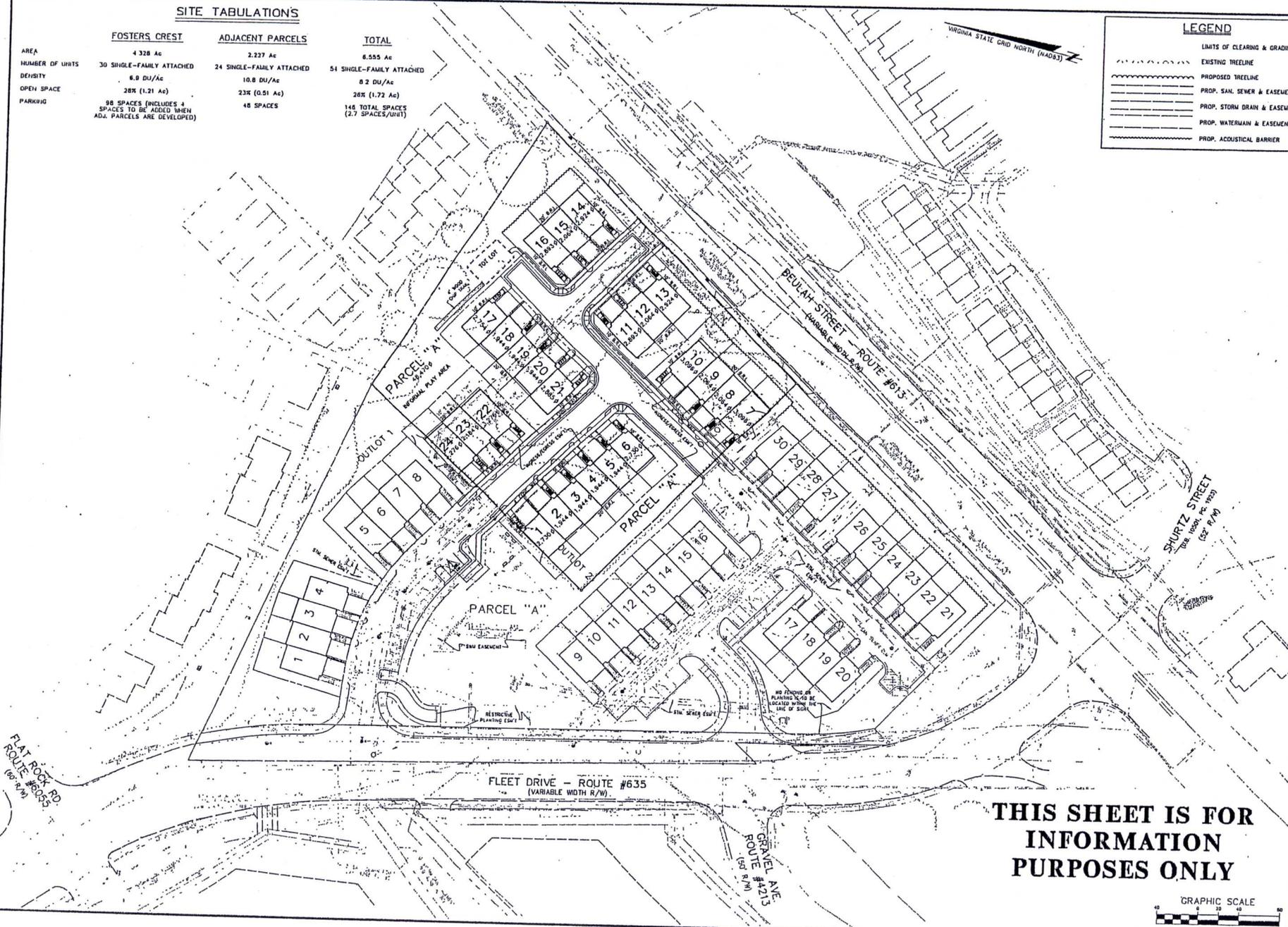
PRJ NO: 03-591  
 TYPE: GDP

**SITE TABULATION'S**

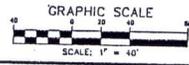
	<u>FOSTERS CREST</u>	<u>ADJACENT PARCELS</u>	<u>TOTAL</u>
AREA	4.328 Ac	2.237 Ac	6.565 Ac
NUMBER OF UNITS	30 SINGLE-FAMILY ATTACHED	24 SINGLE-FAMILY ATTACHED	54 SINGLE-FAMILY ATTACHED
DENSITY	6.9 DU/Ac	10.6 DU/Ac	8.2 DU/Ac
OPEN SPACE	28% (1.21 Ac)	23% (0.51 Ac)	26% (1.72 Ac)
PARKING	98 SPACES (INCLUDES 4 SPACES TO BE ADDED WHEN ADJ. PARCELS ARE DEVELOPED)	48 SPACES	146 TOTAL SPACES (2.7 SPACES/UNIT)

**LEGEND**

	LIMITS OF CLEARING & GRADING
	EXISTING TREE LINE
	PROPOSED TREE LINE
	PROP. SAN. SEWER & EASEMENT
	PROP. STORM DRAIN & EASEMENT
	PROP. WATERMAIN & EASEMENT
	PROP. ACOUSTICAL BARRIER



**THIS SHEET IS FOR INFORMATION PURPOSES ONLY**



DATE: 12/17/2010  
 SHEET NO: 03-581  
 PROJECT: FOSTERS CREST  
 REVISION: 10 - APPROVAL  
 Charles P. Johnson & Associates, Inc.  
 PLANNERS, ENGINEERS, LANDSCAPE ARCHITECTS, CONSULTANTS  
 300 PARK DRIVE, SUITE 210, FAIRFAX, VIRGINIA 22031 (703)237-2333  
 WWW.CPJ-ASSOCIATES.COM

POTENTIAL LAYOUT FOR ADJACENT PARCELS  
 BASED ON APPROVED PLAN RZ 2006-LE-D18  
**FOSTERS CREST**  
 LEE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 RZ 2010-LE-007



DESIGNER	DATE	BY	APPROVED
SCALE	DATE	BY	APPROVED
PROJECT	DATE	BY	APPROVED
DESCRIPTION	DATE	BY	APPROVED
REVISIONS	DATE	BY	APPROVED

DESIGNER: CPJ  
 DATE: 12/17/2010  
 BY: [Signature]  
 APPROVED: [Signature]  
 PROJECT: FOSTERS CREST  
 DESCRIPTION: POTENTIAL LAYOUT FOR ADJACENT PARCELS  
 REVISIONS: 10 - APPROVAL  
 SHEET NO. 03-581  
 TYPE: GDP

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

**DESCRIPTION OF THE APPLICATION**

**Rezoning (RZ) Proposal:**

The applicant, Fleet Drive LLC, requests approval to rezone the subject 4.33 acre site from the R-1 and R-12 Districts to the R-12 District, in order to permit the development of 30 single-family attached dwelling units, at a density of 6.9 dwelling units per acre (du/ac). The RZ application area includes Tax Map 91-1 ((1)) 59A, 59B, and 60 and Tax Map 91-1 ((5)) 2, 3, 4, and 7. The proposed consolidation does not include Tax Map 91-1 ((5)) 5 and 6, and Tax Map 91-1 ((1)) 58 (approximately 2.24 acres), which were included in the consolidation approved with RZ 2006-LE-018.

RZ 2010-LE-007 Site Area



**Proffered Condition Amendment (PCA) Proposal:**

The applicant has also filed a PCA application to amend the previously approved proffers, and delete land area (3.68 acres) from the development approved with RZ 2006-LE-018. The PCA application area is 3.68 acres and includes Tax Map 91-1 ((1)) 59A, 59B, and 60.

## PCA 2006-LE-018 Site Area



The applicant's draft proffers, affidavit, and Statement of Justification are contained in Appendices 1-3 respectively.

### Waivers and Modifications

The applicant has requested the following waivers and modifications with this rezoning application:

- Waiver of the 600-foot maximum length for a private street; and
- Waiver of the minor paved trail requirement along Fleet Drive to permit a 5-foot wide concrete sidewalk.

### LOCATION AND CHARACTER

#### Site Description:

The 4.33 acre property subject to the rezoning application is comprised of seven parcels located to the west of Beulah Street and to the east of Fleet Drive and abuts the single-family attached neighborhood of Franconia Commons to the north. With the exception of Parcel 4 (eastern portion of site) and Parcel 60 (northern portion of site), the site is currently developed with single-family detached dwellings and accessory structures. The site is generally flat and slopes gently from the east to the west. The trees on site are mainly mature specimens in good condition.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Single-family attached (Franconia Commons)	R-8	Residential; 8-12 du/ac
<b>South</b>	Vacant Land	R-1	Residential; 8-12 du/ac
<b>East</b>	Single-family attached & private open space (Autumn Chase Hunt)	PDH-4	Residential; 3-4 du/ac
	Single-family detached (Existing) RZ 2006-LE-018 (24 single-family attached dwellings)	R-12	Residential; 8-12 du/ac
<b>West</b>	Industrial (Wholesale, warehousing & storage)	I-5	Industrial
	Industrial Park	I-4	

## BACKGROUND

On August 28, 2003, a rezoning application (RZ 2003-LE-041) was filed on Tax Map Parcels 91-1 ((1)) 59A and 59B to rezone the site from R-3 District to the R-12 District. On July 26, 2006, RZ 2003-LE-041 was withdrawn.

On April 30, 2007, the Board of Supervisors approved RZ 2006-LE-018 subject to proffers dated April 10, 2007, to rezone 5.90 acres from the R-1 and R-3 Districts to the R-12 District and permit development of 49 single-family attached residential units at a density of 8.31 du/ac. This rezoning included Tax Map 91-1 ((1)) 58, 59A, 59B, 60 and (1-1 ((5)) 2-6. The associated proffers are included as Appendix 4.

## COMPREHENSIVE PLAN PROVISIONS

<b>Plan Area:</b>	IV
<b>Planning District:</b>	Springfield Planning District
<b>Planning Sector:</b>	S9 Beulah Community Planning Sector
<b>Plan Map:</b>	Residential; 8-12 du/ac

Fairfax County Comprehensive Plan, 2007 Edition Area IV, Springfield Planning District, Amended through 4-6-2010, S9 Beulah Community Planning Sector, Page 96 the plan text states:

*The Beulah Planning Sector contains stable residential neighborhoods. Infill development should be of a compatible use, type, and density and in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.*

**Objective 8:** *Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.*

*Policy a. Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur.*

*Policy c. Discourage the consolidation of residential neighborhoods for redevelopment that is incompatible with the Comprehensive Plan.*

**Objective 14:** *Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses.*

*Policy a. Locate land uses in accordance with the adopted guidelines contained in the Land Use Appendix.*

*Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.*

*Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening.*

*Policy f. Utilize urban design principles to increase compatibility among adjoining uses.*

*Policy h. Utilize landscaping and open space along rights-of-way to minimize the impacts of incompatible land uses separated by roadways.*

*Policy i. Minimize the potential adverse impacts of the development of frontage parcels on major arterials through the control of land use, circulation and access.*

*Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.*

**ANALYSIS**

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

**Title of Generalized Development Plan:** Fosters Crest

**Prepared By:** CPJ Associates

**Original and Revision Dates:** June 9, 2010 as revised through January 21, 2011

<b>Generalized Development Plan (Fosters Crest)</b>	
<b>Sheet #</b>	<b>Description of Sheet</b>
1 of 8	Cover Sheet, Soils Map & Data, Notes, Vicinity Map
2 of 8	Details and Site Tabulations, Typical lot layout, Tot Lot Landscaping, Sitting Area Landscaping, Legend
3 of 8	Existing Conditions Plan
4 of 8	Existing Vegetation Map
5 of 8	Generalized Development Plan
6 of 8	Conceptual Landscape Plan
7 of 8	Outfall Analysis, Pre-Development Conditions, Post-Development Conditions, Outfall Narrative, Stormwater Management and BMP Narrative, BMP Computational
8 of 8	Potential Layout Plan for Adjacent Parcels

The following features are depicted on the GDP:

Site Layout: The proposed site layout depicts a total of 30 single-family attached dwelling units on 4.33 acres of the site, at a density of 6.9 dwelling units per acre (du/ac). Two entrances and one emergency access into the site are proposed from Fleet Drive. An acoustical wall is depicted along the rear lot lines for lots 21-30 to mitigate traffic generated noise from Beulah Street.

Open Space and Landscaping: Approximately 28% (1.21 acres) of the site will remain as open space. The majority of this open space will be the proposed stormwater management/best management practices (SWM/BMP) dry pond proposed along Fleet Drive. A tot lot and an area with benches for sitting are depicted just to the east of the SWM/BMP pond.

Vehicular Access and Parking: Two access points are proposed from Fleet Drive, in the northwest and southwest portions of the site. Each proposed dwelling unit is shown to have two parking spaces in the driveway and 34 visitor parking spaces, for a total of 94 parking spaces.

Pedestrian Facilities: A five-foot wide sidewalk is shown to be provided on both sides of the internal street, providing pedestrian access out to Fleet Drive. The GDP also depicts a five-foot wide concrete sidewalk along the site's Fleet Drive frontage, and an existing five-foot wide sidewalk along the site's Beulah Street frontage will remain.

Stormwater Management/Best Management Practices (SWM/BMP) Facilities: A SWM/BMP dry pond is depicted near the northwestern boundary of the site to meet the water quantity and water quality requirements for the site.

## **ANALYSIS**

### **Comprehensive Plan**

The concurrent applications propose to rezone 4.33 acres from the R-1 and R-12 District to the R-12 District to allow the development of 30 single-family detached dwelling units at a density of 6.90 du/ac, and to delete land area from the development approved with RZ 2006-LE-018. The Comprehensive Plan Map shows the area that includes the subject property planned for residential uses at 8-12 du/ac. While the proposed density of 6.90 du/ac for the subject rezoning application is below the range identified in the Plan (8-12 du/ac), if and when the three parcels that remain subject to RZ 2006-LE-018 are integrated into the overall development, the resulting density will be 8.21 du/ac. The configuration of the parcels subject to this proposed rezoning does not permit achieving a higher density while also providing the required open space. Therefore, staff believes that this request is in general conformance with the recommendations of the Comprehensive Plan.

**RESIDENTIAL DEVELOPMENT CRITERIA** (Appendix 14)

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

***Site Design*** (Development Criterion #1)

*Development Criterion #1 requires that the development proposal address consolidation goals in the Comprehensive Plan, or when consolidation is not specifically identified, further the integration of the development with adjacent parcels. In any case, the consolidation of the development should not preclude adjacent parcels from developing in accordance with the Plan.*

The subject property is bounded by the Franconia Commons subdivision to the north, which is zoned R-8 and developed with single-family attached (townhouse) dwelling units. Industrial development zoned I-4 and I-5 are located to the west of the subject property. The individual parcels located directly to the east (Lots #5, 6, and 58) of the rezoning application property contain single-family detached units, circa 1950's. These parcels were included in the area rezoned to the R-12 District with the approval of RZ 2006-LE-018. The applicant has contacted the adjacent property owners to explore the opportunity for consolidating these parcels into the subject application, however, the adjacent property owners [Tax Map 91-1 ((1)) 58, 91-1 ((5)) 5, and 6] do not wish to consolidate those parcels into these applications. Those parcels will continue to be subject to the proffers and GDP approved with RZ 2006-LE-018.

In order to demonstrate that the proposed development would not preclude the adjacent properties to the east from developing in accordance with the approved proffers and GDP, the applicant has included an integrated layout of the proposed GDP and the approved GDP for the adjacent parcels. In addition, the applicant has provided staff with a proffer analysis to demonstrate that parcels 5, 6, and 58 will be able to develop in accordance with the proffers approved with RZ 2006-LE-018 if the subject PCA application is approved. Finally, the applicant has proffered to incorporate parcels 5, 6, and 58 into the Homeowners Association (HOA) established for the proposed development when those parcels redevelop in the future, and to provide outlots adjacent to lots 5, 6, and 58 to allow for the minimum required setbacks for the adjacent site when it redevelops. Based on the provisions discussed above, staff believes that this criterion has been met.

*(Development Criterion #1, Cont'd)*

*The development proposal should provide logical, functional, and appropriate design relationships within the development, including appropriately oriented units and useable 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 proposed site layout shows an average lot size of 2,290 SF and a range of lot sizes from 1,968 SF to 2,918 SF (Lot 1). The site tabulations shown on Sheet 2 of the GDP indicate a minimum front yard setback of five feet, a side yard setback of ten feet, and a rear yard setback of 20 feet. These setbacks meet the required setbacks for the R-12 District. In addition, the dwelling units are appropriately oriented towards the proposed private streets.

*Open space should be usable, accessible and integrated. Appropriate landscaping should be provided, as should amenities such as benches, recreational amenities, and special design treatments.*

The R-12 District has a minimum open space requirement of 25% for conventional subdivisions. The development proposed with the subject rezoning application is shown to provide 28% (1.21 acres) open space, primarily in the area of the proposed dry pond and tot lot with benches.

***Neighborhood Context*** (Development Criterion #2)

*While new development is not expected to be identical to neighboring developments within which it is located, this Criterion states that they should fit in the fabric of the area as evidenced by an evaluation of: transitions to abutting and adjacent uses; bulk/mass of the proposed dwelling units; building setbacks and orientation; architectural elevations and materials; pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses.*

As discussed previously, the lot typical for the proposed development depicts a minimum front yard setback of 5 feet, a side yard setback of twelve ten feet, and a rear yard setback of 20 feet, which meet the required setbacks for the R-12 District. As previously mentioned, the proposed development is immediately south of the Franconia Commons townhouse development, which is zoned R-8. A townhouse development to the east of the site (opposite side of Beulah Street) is zoned PDH-4 and Industrial zoned properties are located to the west. The proposed development will provide a better transition from the residential development to the north to the industrial uses than the existing single-family detached dwellings.

Furthermore, the applicant has demonstrated that the adjacent parcels to the east, which will remain subject to RZ 2006-LE-018, can be integrated into the proposed development when they redevelop in accordance with the approved GDP. The GDP depicts supplemental planting, consisting of shade, evergreen, ornamental and deciduous species to be provided along the northern, western, and southern boundaries of the subject property, and around the proposed dry pond and tot lot area shown on the GDP. Based on the provisions described, staff believes this criterion has been met.

***Environment & Preservation and Tree Cover Requirements (Development Criteria #'s 3 & 4)***

*Development Criterion #3 requires that the development respect the natural environment by: conserving natural environmental resources to the extent possible; designing development while considering existing topographic and soil conditions; minimizing off-site impacts from stormwater runoff and adverse water quality impacts; protecting current and future residents from noise and lighting impacts; and, providing a site layout which encourages and facilitates energy preservation. (Appendices 5 and 6)*

The application proposes to minimize off-site impacts from stormwater runoff and to address water quality requirements via a proposed dry pond depicted near the northwestern boundary of the site. The stormwater management narrative indicates that the proposed facility will achieve 44.99% phosphorus removal, which exceeds the 40% requirement established by the Chesapeake Bay Preservation Ordinance. The proffers state that in order to restore a natural appearance to the proposed pond, the applicant will plant water-tolerant plants in the bed of the pond if determined feasible by DPWES. It should be noted that the final determination on SWM/BMP requirements will be made at the time of subdivision review.

The Comprehensive Plan recommends that new development not expose people to noise in excess of DNL 45 dBA in their homes, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. The subject property is located between Fleet Drive on the west and Beulah Street. Previously submitted acoustical analysis for the subject property determined that future unmitigated traffic noise from Beulah Street ranging between 65 dBA Ldn will affect the rear yards of proposed lots 21-30. The analysis recommends mitigation of exterior noise by the placement of a noise barrier along the eastern periphery of the development to shield the rear yards of the affected dwellings. A six to eight-foot high vinyl acoustical fence was depicted on the GDP to mitigate noise in the rear yards of proposed lots 21-30. However, the applicant has proffered that a brick acoustical wall will be constructed in lieu of the vinyl wall shown on the GDP.

The analysis also recommends that interior noise mitigation be achieved for these units through the use of building materials for the affected units – both upper and lower stories- so that noise in interior areas is mitigated to 45 decibels or less in accordance with Comprehensive Plan guidance. The applicant has proffered to provide the proper construction materials to mitigate interior noise levels to meet the standards of the Comprehensive Plan. The proffers also state that the applicant will conduct a refined acoustical analysis prior to subdivision plan approval and revise any interior and exterior noise mitigation measures as determined by the analysis. The maintenance of the proposed noise fence will be the general responsibility of the homeowners' association.

The applicant has proffered that all homes constructed on the site will meet the thermal standards of the CABO Model Energy Program for Energy Star qualified homes, or the equivalent, as determined DPWES.

*Criterion #4 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. Furthermore, the extension of utility improvements to the site should be located in a manner that does not interfere with proposed tree save and landscape areas. (Appendix 7)*

The subject application does not propose any tree preservation. Mature trees and certain specimen trees worthy of preservation are located in the northwestern portion of the rezoning application property, the location where the enhanced SWM/BMP dry pond and tot lot area are proposed. Staff recommended that the applicant work with the Urban Forest Management Division (UFMD), DPWES to identify additional suitable areas for tree preservation on the site.

The applicant has submitted a request to deviate from the Tree Preservation Target requirements because meeting the target would preclude the densities recommended by the Comprehensive Plan and allowable by the Zoning Ordinance for the R-12 District. The applicant further noted that the proposed density of 6.9 du/ac is significantly less than the 12 du/ac permitted in the R-12 District. The final determination on the deviation from the Tree Preservation Target requirements is typically made at the time of site plan review; however staff has no objections to the deviation request.

**Transportation** (*Development Criterion #5*) (*Appendix 8*)

*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.*

As previously discussed, two vehicular access points are proposed from Fleet Drive, in the northwest and south west portions of the site. The GDP includes a Potential Layout Plan for the adjacent properties to the east (parcels 5, 6, and 58) to demonstrate how the street network proposed with the subject rezoning and the street network approved for the properties to the east (RZ 2006-LE-018) could be interconnected. When both sites are developed, the vehicular and pedestrian circulation would be integrated, providing direct and safe circulation between the sites.

The GDP shows the line of sight from the two access points to the site to demonstrate whether adequate sight distance will be provided at the access points. Staff noted that the line of sight for the southernmost access to the site extended into a portion of proposed lot 20 and vegetation on that lot could block sight distance at the southern access point. The applicant has provided a note on Sheet 5 of the GDP, stating that no fencing or planting is to be located within the line of sight.

Pedestrian access will be provided both on and off-site. Specifically, a five-foot wide sidewalk will be provided on both sides of the internal street, providing pedestrian access out to Fleet Drive. In addition, the applicant is proposing a five-foot wide concrete sidewalk along the site's Fleet Drive frontage; there is an existing five-foot wide sidewalk along the site's Beulah Street frontage, which will remain.

The applicant is seeking a waiver of the requirement for a minor paved trail along the Fleet Drive frontage of the site in order to provide the five-foot wide concrete sidewalk described above. However, a minor paved trail is defined as being constructed of asphalt or concrete, 4 feet to 7 feet 11 inches in width. Therefore the proposed five-foot wide concrete sidewalk would be considered a minor paved trail and the waiver request is not required.

The subject site is served by the Fairfax Connector Routes 231 and 232 (Kingstowne Line), which provides service to both the Franconia-Springfield Metro Station and the Van Dorn Street Metro Station. There is an existing bus stop near the subject site (located near proposed units 1 through 4). The GDP depicts a concrete pad adjacent to the proposed concrete sidewalk to the west of unit 1. The concrete pad would allow for a bus shelter to be provided by others in the future.

***Public Facilities (Development Criterion #6)***

*Residential development should offset its impacts on public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned facilities). Development Criterion #6 states that impacts may be offset through the dedication of land, 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. Phasing of development may be required to ensure mitigation of impacts.*

The specific public facilities analyses are provided below.

### **Fairfax County Public Schools**

The proposed development would be served by Franconia Elementary, Twain Middle and Edison High Schools. The applicant has proffered a contribution of \$107,548, prior to the issuance of the first building permit to the Board of Supervisors to be utilized for the provision of capital facilities for the Fairfax County schools serving this development. In the event that the approved final site plan yields fewer than 30 units, the applicant has proffered that the contribution amount would be reduced proportionately based upon a ratio of 30 units to \$107,548.

### **Fairfax County Park Authority (Appendix 9)**

While no active recreation areas are proposed for this development, the applicant has proffered to evaluate the opportunity to incorporate the HOA for the proposed development into the HOA for the abutting townhouse development to the north (Franconia Commons) to allow the future residents to utilize the recreational facilities available to the Franconia Commons residents.

In order to offset the additional impact caused by the proposed development, the Fairfax County Park Authority (FCPA) recommends that the applicant contribute \$45,000 to FCPA (or \$1,500.00 per dwelling unit) for recreational facility development at one or more of the sites located within the service area of this development. The applicant has proffered the sum of \$1,500 per unit for the total number of dwelling units (a maximum contribution of \$45,000) on the approved site plan to FCPA for use on recreational facilities at Manchester Lakes Public Park, subject to a credit for expenditures on-site for a tot lot and benches within the open space area depicted on the GDP. Additionally, the applicant has proffered that the recreational equipment on the site shall be IPEMA certified and installed in conformance with ASTM standards, or the equivalent, as determined by DPWES.

### **Fairfax County Water Authority (Appendix 10)**

The subject property is located within the Fairfax County Water Authority service area. Adequate domestic water service is available to the site from existing 12-inch and 24-inch water mains located at the property.

### **Fire and Rescue (Appendix 11)**

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #405, Franconia. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

**Sanitary Sewer Analysis** (Appendix 12)

The subject property is located within the Long Branch (M6) watershed and would be sewered into the Noman M. Cole, Jr. Pollution Control Plant. A proposed 8-inch line located in an easement and approximately 100 feet from the property is adequate for the proposed use.

**Affordable Housing** (Development Criterion # 7)

*Criterion 7 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 the County. Satisfaction of this criterion may be achieved by the construction of units, contribution of land, or by a contribution to the Housing Trust Fund.*

Per Sect. 2-802 of the Zoning Ordinance the Affordable Dwelling Unit (ADU) Program is applicable to any site or portion thereof at one location which is subject to a rezoning application which yields 50 or more dwelling units at a density greater than one unit per acre. The Ordinance clarifies that "site or portion thereof at one location" includes all adjacent undeveloped land of the property owner and/or applicant. The subject PCA application seeks to delete 3.68 acres from the development approved with RZ 2006-LE-018. The applicant has attempted to consolidate the adjacent parcels into the current proposal, but those property owners have chosen to not have their properties included. The three parcels which will remain subject to the GDP and proffers approved with RZ 2006-LE-018 are under separate ownership from the properties subject to RZ 2010-LE-007 and PCA 2006-LE-018. As such, staff has determined that the proposed development is subject to the ADU Ordinance. However, the applicant has proffered to contribute a sum equal to 0.5% of the aggregate sales price of all units on the property to the Fairfax County Housing Trust Fund, prior to the issuance of the first building permit for the proposed development. Therefore, this criterion has been met.

**Heritage Resources** (Development Criterion #8)

This Criterion requires that developments address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation.

The Fairfax County Park Authority (FCPA), Cultural Resource Management and Protection Section (CRMPS) requested that a Phase I Archeological Survey be conducted on the subject property to determine the presence or absence of archeological remains, as the property is located in an area with several known historical architectural resources and in the vicinity of two churches with adjacent cemeteries.

The applicant has proffered to conduct a Phase I archaeological study on those areas of the site identified by CRMPS at least 30 days prior to any land disturbance on site, and provide the results of the study for the review and approval of CRMPS. If the Phase I study concludes that an additional Phase II study of the Property is warranted, the applicant will complete a Phase II study and provide the results to CRMPS.

### ZONING ORDINANCE PROVISIONS (Appendix 14)

The requested rezoning of the subject property from R-1 and R-12 to the R-12 District must comply with the applicable regulations of the Zoning Ordinance. A comparison of the R-12 District requirements and those proposed for the new development are as follows:

<b>Bulk Standards (R-12 District)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
<b>Maximum Density</b>	12 du/ac	6.9 du/ac
<b>Minimum District Size</b>	4 Acres	4.33 Acres
<b>Minimum Lot Area</b>	N/A	1,968 SF
<b>Average Lot Area</b>	N/A	2,290 SF
<b>Minimum Lot Width</b>	18 ft.	24 ft.
<b>Max. Building Height</b>	35 ft.	35 ft.
<b>Front Yard</b>	15 degree angle, no less than 5 ft.	5 ft.
<b>Side Yard</b>	15 degree angle, no less than 10 ft.	10 ft.
<b>Rear Yard</b>	30 degree angle, no less than 20 ft.	20 ft.
<b>Parking Spaces</b>	81 spaces (2.7 p/unit) Including visitor parking	94 spaces (3.1 p/unit) (incl. 34 visitor spaces)
<b>Open Space</b>	25% (1.08 Acres)	28% (1.21 Acres)

#### Sect. 18-204 Proffered Condition Regulations

As previously discussed, PCA 2006-LE-018 has been filed on a portion of the land area subject to RZ 2006-LE018. Par. 6 of Section 18-204 of the Zoning Ordinance states that an amendment to an approved proffered condition can be filed on a portion of the property subject to proffered conditions, upon the following determinations by the Zoning Administrator:

- (a) *The amendment would not adversely affect the use of the property subject to the proffered conditions but not incorporated into the amendment application.*

The PCA application proposes a development that is consistent with the GDP approved with RZ 2006-LE-018. Additionally, the proposed amendment will not affect the current access to those properties or the access shown on the approved GDP. Therefore, this standard has been met.

*(b) The amendment would not inhibit, adversely affect, or preclude in any manner the fulfillment of the proffered conditions applicable to the area not incorporated into the amendment application.*

The applicant has provided staff with a proffer analysis (*See Appendix 3*) to demonstrate that the proposed amendment will not preclude the area not included in the application from fulfilling the approved proffers. Staff has reviewed the analysis and has determined that the proposed amendment would not inhibit or preclude the fulfillment of the proffers approved with RZ 2006-LE-018. Therefore this standard has been met.

*(c) The amendment would not adversely affect the vehicular and pedestrian circulation, connectivity, landscaping and streetscape applicable to the area not incorporated into the amendment application.*

The subject amendment proposes a development that can be integrated with the layout approved with RZ 2006-LE-018, providing safe and efficient vehicular and pedestrian circulation between the developments. The applicant has provided a layout plan on Sheet 8, which depicts the integrated development of the sites. Therefore this standard has been met.

*(d) The amendment would not increase the overall approved density/intensity for the development.*

The area subject to the PCA application and the area not included in the amendment are both zoned R-12. RZ 2006-LE-018 was approved to permit residential development at a density of 8.31 du/ac. The combined density for the development subject to the current applications and the area not included in the amendment would be 8.22 du/ac. Therefore the amendment would not increase the overall approved density/intensity for the development, and this standard has been met.

## **Waivers and Modifications**

### Waiver of the 600-foot maximum length for a private street

The applicant is seeking a waiver of the 600-foot maximum length for a private street in order to permit private streets throughout the proposed development. No justification for this waiver has been provided. However, staff believes that the private street network proposed will provide for safe and efficient vehicle circulation within the development. In addition, the applicant has proffered to construct all private streets on the site to public street standards. Therefore, staff does not object to this waiver request.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

Staff concludes that the proposed applications are in conformance with the Comprehensive Plan recommendations for the site and the applicable Zoning Ordinance standards.

### **Staff Recommendations**

Staff recommends approval of RZ 2010-LE-007, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of PCA 2006-LE-018, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of a waiver of the 600-foot maximum private street length requirement.

Staff recommends approval of a deviation from the tree preservation target in favor of the development conditions and that shown on the GDP.

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

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. Proposed Proffers
2. Affidavit
3. Statement of Justification
4. Previously Approved Proffers RZ 2006-LE-018
5. Environmental Analysis
6. Stormwater Management Analysis
7. Urban Forest Management Division Analysis
8. Transportation Analysis
9. Park Authority Analysis

**APPENDICES** (Continued)

10. Fairfax Water Analysis
11. Fire and Rescue Analysis
12. Sanitary Sewer Analysis
13. Residential Development Criteria
14. Applicable Zoning Ordinance Provisions
15. Glossary of Terms

**PROFFERS****RZ 2010-LE-007/PCA 2006-LE-018  
FLEET DRIVE, LLC****February 15, 2011**

Pursuant to Section 15.2-2303A of the Code of Virginia, as amended, and subject to the Board of Supervisors approval of RZ 2010-LE-007 and PCA 2006-LE-018, Fleet Drive Associates LLC (the "Applicant") and the undersigned owners of the approximately 4.328 acres (known as Fairfax County Tax Map 91-1((5)), Parcels 2, 3, 4 7 and 91-1((1), Parcels 59A, 59B and 60) included in this application (the "Property"), hereby proffer for themselves and their successors and assigns that development of the Property shall be in conformance with the proffer conditions contained herein, provided the Property is rezoned to the R-12 District as proffered herein. In the event this application is denied, these proffers shall immediately be null and void. (Note: These proffers shall supersede the Proffers in RZ 2006-LE-018 as they relate to Tax Map 91-1((5)) Parcels 2, 3 and 4 and 91-1 ((5)) Parcels 59A, 59B and 60. (Tax Map 91-1((5)) Parcel 7 was not included in RZ 2006-LE-018.) However, these proffers do not apply to Fairfax County Tax Map Parcels 91-1 ((5)) Parcels 5 and 6 and 91-1 ((1)) Parcel 58, as those parcels remain subject to the proffers in RZ 2006-LE-018. These three parcels are hereinafter collectively referred to as the "RZ 2006 Property".)

1. **Generalized Development Plan.** Development of the Property shall be in substantial conformance with the plan entitled "Generalized Development Plan Fosters Crest" ("GDP"), prepared by Charles P. Johnson & Associates, Inc. (Sheets 1 through 8), revised through January 21, 2010. Outlots 1, 2 and 3 as depicted on the GDP are hereby reserved to provide side yard setbacks for the contiguous single-family attached lots on the RZ 2006 Property to be developed pursuant to RZ 2006-LE-018, as generally depicted on the proffered GDP in RZ 2006-LE-018. The Applicant shall authorize the Developer of the RZ 2006 Property to include said outlots in a site plan submitted to Fairfax County. Upon site plan approval, the Applicant shall convey said outlots to the owner of the RZ 2006 Property.
2. **Energy Efficiency.** All homes constructed on the Property shall meet the thermal standards of the CABO Model Energy Program for energy qualified Star homes, or the equivalent, as determined by the Department of Public Works and Environmental Services ("DPWES") for either electric or gas energy homes, as applicable. All homes constructed on the property shall meet the guidelines of the Energy Star program and will be so certified.
3. **Recreational Facilities.** At the time of site plan approval, the Applicant shall contribute the sum of \$1500 per approved dwelling unit for the total number of dwelling units on the approved site plan for the Property to the Fairfax County Park Authority for recreational facilities at the nearby Manchester Lakes Public Park as determined by the Park Authority, subject, however, to a credit for

expenditures on-site for a tot lot and benches within the open space area depicted on the GDP. The recreational equipment shall be IPEMA certified and installed in conformance with ASTM standards, or the equivalent, as determined by DPWES.

4. **Road Dedication/Construction.** At the time of subdivision plat approval, or upon demand by Fairfax County, whichever occurs first, right-of-way up to forty-five feet (45') from centerline along the Fleet Drive road frontage, necessary for public street purposes and as shown on the GDP, shall be dedicated and conveyed to the Board of Supervisors in fee simple without encumbrances. Upon site plan approval, the Applicant shall also construct road widening, with curb gutter and sidewalk thirty-five feet (35') from centerline along the Fleet Drive frontage of the Property as shown on the GDP, subject to the approval of the Fairfax County Department of Transportation and the Virginia Department of Transportation. The applicant shall also construct a concrete pad behind the sidewalk on Fleet Drive for bus stop pedestrians at the location delineated on the GDP.
5. **Stormwater Management Pond Landscaping.** Subject to DPWES approval, the Applicant shall provide an enhanced detention stormwater management pond on the Property. In order to restore a natural appearance to the proposed stormwater management pond and to plant water-tolerant plants in the bed of the pond, if determined feasible by DPWES, the landscape plan to be submitted as part of the first submission of the site plan shall show the maximum feasible amount of landscaping that will be allowed in the planting areas of the pond, in keeping with the planting policies of Fairfax County. In the event that the developer of the RZ 2006 Property develops first, the Applicant shall convey the stormwater management area to the homeowners association (HOA) responsible for the common areas of the subdivision.
6. **Homeowners' Association.**
  - a. The Applicant shall establish a Homeowners' Association ("HOA") for the proposed development to own, manage and maintain the open space areas, private streets, common parking areas, and all other community-owned land and improvements. The HOA documents shall be designed to include the lot owners of the RZ 2006 Property within the HOA upon the development of that subdivision.
  - b. The HOA shall also maintain the acoustical wall on the Property, as shown on the GDP.
  - c. At such time as the Applicant is prepared to turn over full control of the HOA to the homeowners, the Applicant shall host a meeting with the HOA board and invite representatives of the Franconia Commons Board of Directors to attend. The purpose of the meeting will be to allow the HOA to determine whether it would be advantageous or desirable for the

residents of the subject property to participate in the use and maintenance of the common facilities within Franconia Commons, if Franconia Commons is amenable to such participation. However, the final determination shall be made solely by the HOA for the Property.

7. **Private Streets.** The on-site private streets shall be constructed in conformance with the Public Facilities Manual ("PFM"). Said streets shall be constructed of materials and depth of pavement consistent with the PFM for public streets. Initial purchasers shall be advised in writing, prior to entering into a contract of sale, that the HOA shall be responsible for the maintenance of all the private streets in the development. The HOA documents shall specify that the HOA is responsible for the maintenance of the private streets.
8. **Affordable Housing Contribution.** Prior to the issuance of the first building permit, the Applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to one half of one percent (.5%) of the aggregate sales price of all the units on the Property subject to the contribution as if all of those units were sold at the time of the issuance of the first building permit and as estimated through comparable sales of similar type units, as determined by the Department of Housing and Community Development and DPWES in consultation with the Applicant to assist the County in its goal to provide affordable dwellings elsewhere in the County.
9. **Density.** All density and intensity of use attributable to land areas dedicated and conveyed to the Board of Supervisors pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and density is hereby reserved to be applied to the residue of the Property.
10. **Noise Attenuation.** With reference to Beulah Street, the Applicant shall provide the following noise attenuation measures:
  - a. In order to achieve a maximum interior noise level of approximately 45 dBA Ldn, the Applicant proffers that all residential units located between 82 feet and 148 feet from the centerline of Beulah Street, impacted by highway noise having levels between 65 and 70 dBA Ldn as depicted on the GDP, shall have the following acoustical attributes:
    - (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 39.
    - (2) Doors and glazing shall have a laboratory STC of at least 28. If glazing constitutes more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.

- (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
  - b. In order to achieve a maximum interior noise level of approximately 45 dBA Ldn, the Applicant proffers that all residential units located within 82 feet from the centerline of Beulah Street, impacted by highway noise having levels between 70 and 75 dBA Ldn as depicted on the GDP, shall have the following acoustical attributes:
    - (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 45.
    - (2) Doors and glazing shall have a laboratory STC of at least 37. If glazing constitutes more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
    - (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
  - c. A brick acoustical wall shall be constructed in lieu of the vinyl wall shown in the Acoustical Barrier Detail on Sheet 2 of the GDP. In order to achieve a maximum exterior noise level of 65 dBA Ldn, a six (6') to eight foot (8') high acoustical wall shall be provided as shown on the GDP for rear yard, ground level areas, unshielded by topography or built structures. Where necessary, utilities or drainage lines may cross under the noise wall. The HOA shall be responsible for the maintenance of the acoustical wall as provided in proffer number 6 hereinabove.
  - d. Prior to site plan approval, the Applicant shall conduct a refined acoustical analysis based upon the final grading of the site to verify or amend the noise levels and impact areas set forth above to revise interior noise attenuation measures as prescribed above and/or to revise exterior noise mitigation in order to determine if the height of the acoustical wall may be reduced to six feet (6'). The refined acoustical analysis and revisions to noise attenuation measures is subject to the approval of DPWES and the Department of Planning and Zoning. Any refined acoustical analysis shall also be forwarded to the Lee District Planning Commissioner at the time of filing with the County.
11. **School Contribution.** Prior to the issuance of the first building permit, the Applicant shall contribute \$107,548 to the Board of Supervisors ("Board") to be utilized for the provision of capital facilities within the Fairfax County schools serving this development. In the event that the approved final site plan yields less

than thirty (30) market rate units on the Property, this contribution amount shall be reduced proportionately based upon a ratio of thirty (30) units to \$107,548.

12. **Landscaping.** Landscaping for the site shall be in substantial conformance with the landscaping shown on Sheet 6 of 7 of the GDP, subject to minor adjustments approved by UFM.
13. **Interparcel Access.** As a part of the subdivision plat approval, the Applicant shall convey access easements allowing interparcel access between the subject property and the RZ 2006 Property over the area so designated on the GDP. Said easements shall be subject to a requirement that the residents of the RZ 2006 Property pay their pro rata share for the ongoing maintenance of the private streets on the Property providing access from Fleet Drive to the RZ 2006 Property. In addition, the Applicant shall place conspicuous signs at these locations stating that these areas will be the site of future construction of the road extensions by others to provide interparcel connections. All prospective new home purchasers shall be advised of these future extensions prior to entering into a contract of sale and notice of the interparcel connections shall also be placed within the HOA documents. The signs shall remain in place until the future road connections are made. The HOA shall maintain the signs in good repair. In the event that the developer of the RZ 2006 Property develops first, the Applicant shall convey said interparcel access easements upon the written request of that developer provided a covenant is recorded among the land records of Fairfax County requiring all lot owners within the RZ 2006 Property to make pro rata payments to the HOA for the maintenance of the private streets on the Property.
14. **Temporary Signage.** No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in the initial marketing and sale of homes on the Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the subject property to adhere to this proffer.
15. **Heritage Resources.** At least thirty (30) days prior to any land disturbing activities on the Property, Applicant shall conduct a Phase I archaeological study on those areas of the Property identified by CRMPS of the Fairfax County Park Authority ("CRMPS") and provide the results of such study for the review and approval of CRMPS. The study shall be conducted by a qualified archaeological professional. No land disturbance activities shall be conducted until this study is approved by CRMPS. If the Phase I study concludes that an additional Phase II study of the Property is warranted, the Applicant shall complete said study and provide the results to CRMPS; however, submission of the Phase II study to CRMPS shall not be a pre-condition of site plan approval. 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 CRMPS; however, any such Phase III work shall not be a pre-condition of site plan approval.

16. **Garage Conversion.** A covenant shall be recorded which provides that garages shall not be used for any purpose that will interfere with the parking of vehicles in the garage. The covenant shall be recorded among the land records of Fairfax County, in a form approved by the County Attorney, prior to the sale of any lots, and shall run to the benefit of the HOA, and to Fairfax County. Purchasers shall be advised of the use restriction prior to entering into a contract of sale; this restriction shall also be included in the HOA documents. Driveways on all lots shall be a minimum of 18 feet in length.
17. **Geotechnical Investigation.** Prior to site plan approval, the Applicant shall submit a geotechnical investigation of the site for the review and approval of DPWES and implement such measures as determined by the investigation, subject to the satisfaction of DPWES.
18. **VDOT Parcel.** Subject to approval by the Virginia Department of Transportation (VDOT), the applicant shall construct an emergency access road over the parcel owned by VDOT as depicted on the GDP. In addition, subject to approval by VDOT, the Applicant shall clear, fine grade and vegetate the balance of this parcel. The HOA shall maintain the new vegetation on this parcel, if permitted to do so by VDOT.
19. **Architectural Treatment.** The rear of all façades that are visible from Beulah Street (i.e., the rear facades of units 21 through 30) shall incorporate the use of shutters or decorative trim and related accent materials on windows on portions of the rear façade that are not visually screened by the noise attenuation wall required by these proffers along Beulah Street (generally the second and third stories). Such shutters, trim or other accent materials shall be complementary in terms of type and color to those items or materials used on other portions of the façade.
20. **Tree Preservation 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 plan 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. 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 GDP 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 GDP. 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 GDP, 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 GDP. 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 GDP. 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.

21. **Lot 20 Restriction.** A covenant shall be recorded which prohibits plantings or fencing within that portion of Lot 20 that is located within the line of site area depicted on sheet 5 of the GDP. The covenant shall be recorded among the land records of Fairfax County, in a form approved by the County Attorney, prior to the sale of any lots, and shall run to the benefit of the HOA, which shall be established, and to Fairfax County. Purchasers shall be advised of the use restriction prior to entering into a contract of sale for Lot 20; this restriction shall also be included in the HOA documents.
22. **Counterparts.** These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

**APPLICANT/CONTRACT PURCHASER OF TAX  
MAP 91-5 ((5)) Parcels 2, 3, 4 and 7; 91-1 ((1)), Parcels  
59A and 59B; Owner of Tax Map 91-1 ((1)) Parcel 60**

**FLEET DRIVE, LLC**

By:

\_\_\_\_\_  
Ray E. Smith, III, Managing Member

**OWNERS OF TAX MAP 91-1 ((5)) PARCEL 2**

**DALLAS R. SMITH**

By: \_\_\_\_\_  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Dallas R. Smith

**OWNER OF TAX MAP 91-1 ((5)) PARCEL 3**

**JULIO C. GONZALEZ**

By: \_\_\_\_\_  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Julio C. Gonzalez

**OWNER OF TAX MAP 91-1 ((5)) PARCEL 7**

**NAJIB AHMAD**

By: \_\_\_\_\_  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Najib Ahmad

**OWNERS OF TAX MAP 91-1 ((5)) PARCEL 4**

**ERIC B. MCGEE**

By: \_\_\_\_\_  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Eric B. McGee

**GLORIA CARHUANCHO**

By: \_\_\_\_\_  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Gloria Carhuancho

**OWNERS OF TAX MAP 91-1 ((1)) PARCEL 59A**

**SUNG SOO KIM**

By: \_\_\_\_\_  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Sung Soo Kim

**LAI-FOONG GOH**

By: \_\_\_\_\_  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Lai-Foong Goh

**OWNER OF TAX MAP 91-1 ((1)) PARCEL 59B**

**SUNG WON KIM**

By: \_\_\_\_\_  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Sung Won Kim



Rezoning Attachment to Par. 1(a)

DATE: January 20, 2011  
 (enter date affidavit is notarized)

10903815

for Application No. (s): RZ 2010-LE-007  
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Eric B. McGee and Gloria Carhuancho	6701 S. Benson Drive Alexandria, Virginia 22306	OWNER OF TAX MAP 91-1 ((5)) PARCEL 4
Najib Ahmad	8390 C Terminal Road Lorton, Virginia 22079	OWNER OF TAX MAP 91-1 ((5)) PARCEL 7
Susan L. Craft	6713 Fleet Drive Alexandria, Virginia 22310	LESSEE OF TAX MAP 91-1 ((5)) PARCEL 7
Sung Soo Kim and Goh Lai-Foong	7414 Long Pine Drive Springfield, Virginia 22151	OWNER OF TAX MAP 91-1 ((1)) PARCEL 59A
Shannon E. Peck and Joseph M. Loy	6637 Fleet Drive Alexandria, Virginia 22310	LESSEE OF TAX MAP 91-1 ((1)) PARCEL 59A
Sung Won Kim	6635 Fleet Drive Alexandria, Virginia 22310	OWNER OF TAX MAP 91-1 ((1)) PARCEL 59B
Mark E. Brown	6635 Fleet Drive Alexandria, Virginia 22310	LESSEE OF TAX MAP 91-1 ((1)) PARCEL 59B
CHARLES P. JOHNSON & ASSOCIATES, INC. AGENTS: Paul B. Johnson Henry M. Fox, Jr. Allan D. Baken	3959 Pender Drive Suite 210 Fairfax, Virginia 22030	ENGINEERS/AGENTS
REED SMITH LLP AGENTS: Robert A. Lawrence Grayson P. Hanes Michael A. Banzhaf Benjamin F. Tompkins J. Howard Middleton, Jr. Linda S. Broyhill	3110 Fairview Park Drive Suite 1400 Falls Church, Virginia 22042	ATTORNEYS/AGENTS

(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: January 20, 2011  
(enter date affidavit is notarized)

1090386

for Application No. (s): RZ 2010-LE-007  
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

FLEET DRIVE, LLC  
C/O MARKETING VENTURES  
115 BEULAH ROAD, NE, SUITE 200  
VIENNA, VIRGINIA 22180

**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)

Ray E. Smith, III  
R. Bruce Thompson

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name & title, e.g. President, Vice President, Secre tary, 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: January 20, 2011  
(enter date affidavit is notarized)

1090386

for Application No. (s): RZ 2010-LE-007  
(enter County-assigned application number (s))

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

CHARLES P. JOHNSON & ASSOCIATES, INC.  
3959 PENDER DRIVE, SUITE 210  
FAIRFAX, VIRGINIA 22030

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

Charles P. Johnson  
Paul B. Johnson

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

Charles P. Johnson, CAO	Charles P. Johnson, II, Executive VP
Paul B. Johnson, President	David M. O'Bryan, VP
James R. Thren, VP	

**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: January 20, 2011  
 (enter date affidavit is notarized)

1090388

for Application No. (s): RZ 2010-LE-007  
 (enter County-assigned application number(s))

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

## PARTNERSHIP INFORMATION

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

Reed Smith LLP  
 3110 Fairview Park Drive  
 Suite 1400  
 Falls Church, Virginia 22042

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

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

Abbot, Kevin C.  
 Abdalla, Tarek F.  
 Allen, Thomas L.  
 Andrews, Alex T.

Arnold, Roy W.  
 Atallah, Ana  
 Baker, Scott D.  
 Banzhaf, Michael A.  
 Barber, William James Gresham  
 Barnes, James J.  
 Bartfield, Arnold L.  
 Bastier, Ellen L.  
 Beale, Giles W.

Begley, Sara A.  
 Bernier, Maria N.  
 Bernstein, Leonard A.  
 Bevan, III, William  
 Bhattacharyya, Gautam  
 Bickham, J. David  
 Binis, Barbara R.  
 Birt, Steven James  
 Blasler, Peter C.

Bochner, Russell J.  
 Bolden, A. Scott  
 Bonessa, Dennis R.

Booker, Daniel L.  
 Boutcher, David J.  
 Boven, Douglas G.  
 Bovich, John P.  
 Bowers, Kevin Richard  
 Bradley, Patrick E.  
 Brand, Mark A.  
 Bresch, Jeffrey J.  
 Brown, Andrew Kenneth  
 Brown, Charles A.  
 Brown, Michael K.  
 Burroughs, Jr., Beaton

Cameron, Douglas E.  
 Caplan, Gary S.  
 Carder, Elizabeth B.  
 Cardozo, Raymond A.  
 Casdagli, Emma Francis  
 Castro, Amando  
 Charot, Benoit  
 Cheung, Bo Chun Janet  
 Clark, II, Peter S.  
 Cobetto, Jack B.  
 Colen, Frederick H.  
 Colman, Abraham J.  
 Connoley, Mark F.  
 Connors, Eugene K.

(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: January 20, 2011  
(enter date affidavit is notarized)

1090386

for Application No. (s): RZ 2010-LE-007  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)Reed Smith LLP  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042(check if applicable)  The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)Convery, III, J. Ferd  
Cooper, Steven  
Cotler, Alan K.  
Davies, Colleen T.  
Davis, James M.  
Demase, Lawrence A.  
DeNunno, David L.  
Dermody, Debra H.  
DiFiore, Gerard S.  
Dilling, Robert M.  
Dillon, Lee Ann  
Dillon, Paul M.  
DiNome, John A.  
Dittoe, John E.Doran, William E.  
Doron, Uri  
Drew, Jeffrey  
Dubelier, Eric A.  
Dumville, S. Miles  
Duronio, Carolyn D.  
East, Lindsay T.Eggert, Russell R.  
Ellison, John N.  
Epstein, Bette B.  
Eskilson, James R.  
Evagora, Kyri  
Evans, David C.  
Fagelson, Ian B.  
Fagelson, Karen C.  
Flatley, Lawrence E.  
Fox, Thomas C.  
Francis, Jr., Ronald L.  
Frank, Ronald W.  
Freeman, Lyne P.  
Frenier, Diane M.  
Fritton, Karl A.  
Gabbert, DaleGallatin, Jr., James P.  
Gallo, Frank J.  
Gaspiretti, Lorenzo E.  
Gentile, Jr., Pasquale D.Gilalrd, Neil D.  
Glatzer, Jeffrey L.  
Green, Terry R.  
Greubblatt, Lewis B.  
Green-Kelly, Diane  
Gresson, Thomas W.  
Grellet, Luc  
Grignon, Margaret A.  
Grimes, David M.  
Gross, Dodi Walker  
Guadagnino, Frank T.  
Gwynne, Kurt F.  
Hackitt, Mary J.  
Halbreich, David M.  
Hardy, Peter  
Hargreaves, Phillip M.  
Hartley, Simon P.  
Hartman, Ronald G.  
Hassleman, Scot T.  
Hawley, Terence N.  
Healy, Christopher W.  
Heffler, Curt L.  
Hemming, Seth M.  
Hewetson, Charles M.  
Hill, Robert J.  
Hill, Thomas E.  
Hirsch, Austin L.  
Hitt, Leo N.  
Ho, Delpha  
Honigberg, Carol C.  
Hooper, John P.  
Howse, Christopher Guy  
Hultquist, James T.Husar, Linda S.  
Iino, John M.  
Ilquz, Stephane  
Innamorato, Don A.  
Jared, Cynthia  
Jaskot, Paul J.  
Jeffcott, Robin B.  
Jenkinson, Andrew P.  
Johnston, Paul F.  
Jong, Denise  
Jordan, Gregory B.  
Kabnick, Lisa D.  
Karides, Constantine  
Kaung, Alexander Wal Ming  
King, Robert A.  
Kirkpatrick, Stephen A.Klein, Murray J.  
Kohn, Steven M.  
Kozlov, Herbert F.  
Kramer, Ann V.  
Krebs-Markrich, Julia  
Kugler, Stefan L.  
Kwuon, Janet H.  
Lacy, Jr., D. Patrick  
Lai, Ivy  
Lasher, Lori L.Leech, Frederick C.  
Leiderman, Harvey L.  
Lewis, Richard P.  
Li, Lianjun  
Lisi, David M.  
Loepere, Carol C.  
Lo Vallo, Michael A.  
Lowenstein, Michael E.  
Luchini, Joseph S.(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: January 20, 2011

(enter date affidavit is notarized)

1090386

for Application No. (s): RZ 2010-LE-007

(enter County-assigned application number (s))

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

Reed Smith LLP  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042

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

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

Lyons, III, Stephen M.  
Magera, George F.  
Mahone, Glenn R.  
Maiden, Todd O.  
Mantell, Nanette W.  
Martin, James C.  
Martini, John D.  
McAllister, David J.  
McCarroll, James C.  
McDavid, George E.  
McGarrigle, Thomas J.

McNichol, Jr., William J.  
Mehfoud, Kathleen S.  
Melodia, Mark S.  
Metro, Joseph W.

Miller, Edward S.  
Miller, Steven A.  
Greeting-Min, Catherine  
Moberg, Marilyn A.  
Mok, Kar Chung  
Morris, Robert K.  
Morrison, Alexander David  
Munsch, Martha Hartle  
Napolitano, Perry A.  
Naugle, Louis, A.  
Nelson, Jack R.  
Nicholas, Robert A.  
Nicol, Richard C.

O'Brien, Kathyleen A.  
O'Neil, Mark T.  
Olmer, Phillip  
Opperman, Craig P.  
Paisley, Belinda L.  
Parker, Roger J.  
Patterson, Lorin E.

Pearman, Scott A.  
Peck, Jr., Daniel F.  
Pedretti, Mark G.  
Pepper, Michael Ross David  
Perfido, Ruth S.  
Peterson, Kurt C.  
Phillips, Richard P.

Phillips, Robert D.  
Pike, Jon R.  
Poe, Alexandra  
Pollack, Michael B.  
Powell, David C.  
Queenby, Georgia M.  
Quinn, Jonathan S.  
Quinn, Tracy Zurzolo  
Radley, Lawrence J.  
Rahl, J. Andrew  
Raju, Ajay K.  
Rawles, Douglas C.  
Raymond, Peter D.  
Reed, W. Franklin  
Reid, Graham M.  
Reinke, Donald C.  
Rithey, Patrick W.  
Robinson, Richard A.  
Roche, Brian D.  
Rofe, Douglas J.  
Rolfes, James A.

Rosen, Barry S.  
Roscabaum, Joseph I.  
Rosenberg, Carolyn H.  
Roth, Robert A.  
Rubenstein, Donald P.  
Rudolf, Joseph C.  
Ryan, Catherine C.  
Rydstrom, Kirsten R.  
Rymer, Phillip R.

Sanders, James L.  
Sanders, Michael  
Sauvage, Nicolas C.  
Schaffer, Eric A.

Schatz, Gordon B.  
Schlecker, David M.  
Schlesinger, Matthew J.  
Schmarak, Bradley S.  
Schumacher, Jeffrey A.  
Schwartz, Wendy H.  
Scogin, Hugh T.  
Scott, Michael T.  
Scudellari, Richard  
Seaman, Charles H.  
Sedlack, Joseph M.  
Shanus, Stuart A.  
Sharma, Asha Rani  
Shaw, Nick J.  
Shay-Byrne, Olivia  
Short, Carolyn P.  
Shugrue, John D.  
Siev, Jordan W.  
Sigelko, Duane F.  
Simons, Robert P.  
Singer, Paul M.  
Skrein, Michael P.  
Slater, Phillip  
Smersfelt, Kenneth N.  
Smith, John Lynn.

Smith, Robert M.  
Sollie, Kyle O.  
Spafford, Richard A.

Speed, Nicholas P.  
Springer, Claudia Z.

(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: January 20, 2011  
(enter date affidavit is notarized)

1090386

for Application No. (s): RZ 2010-LE-007  
(enter County-assigned application number (s))

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

Reed Smith LP cont'd

(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)

Stanley, David E.  
Stephenson, Leon  
Stewart, II, George L.

Suddath, Thomas H.  
Suss, Philipp  
Sussman, Allen Z.  
Swinburn, Richard G.  
Tabachnick, Gene A.  
Tandler, James R.  
Taylor, Andrew D.  
Taylor, Philip M.  
Terras, Alexander  
Thallner, Jr., Karl A.  
Thomas, Alexander Y.

Thompson, Barry J.  
Thompson, David A.  
Thompson, Gary S.  
Tillman, Eugene  
Tocci, Gary M.  
Todd, Thomas  
Tompkins, Benjamin F.  
Trevelise, Andrew J.  
Unkovic, John C.  
Vishnewski, John S.  
Vitsas, John L.  
von Waldow, Arnd W.  
Wallis, Eric G.  
Warne, David G.  
Wasserman, Mark W.  
Weissman, David L.  
Weissman, Sonja S.  
Weller, Charles G.  
Weyman, Mark L.  
Wilkinson, James F.  
Wilkinson, John  
Williams, Christopher James

Wilson, Stephanie  
Winter, Graham Paul  
Wolff, Sarah  
Wood, Douglas J.  
Wray, Richard K.  
Yan, Betty  
Yavitz, Judith A.  
Yoo, Thomas J.  
Zaimes, John P.  
Zhang, Jinshu  
Zoeller, Lee A.

NEW PARTNERS

Beilke, Michele J.  
Bell, Gordon F.  
Cameron, Scott  
Cassidy, Peter J.  
Estrada, Edward J.  
Fawcett, David  
Hansson, Leigh T.  
Hartley, Keith  
Hofmeister, Jr., Dan J.  
Houston, Marsha A.  
Ince, Thomas  
Kaufman, Marc  
Kirk, Dusty Elias  
Krasik, Carl  
McNair, James  
Rowan, Vincent  
Sorensen, Anker.  
Tashman, Matthew E.  
Weiss, David E.

FORMER PARTNERS

Arkebauer, J. Todd  
Blitch, Stephen G.  
Bobo, Stephen T.  
Borrowdale, Peter E.  
Buckley, Mike C.  
Dolin, Stewart  
Edwards, Stephen S.  
Garcia, Sergio  
Gilbert, Jeffrey L.  
Kleier, James P.  
Kwong, Nanette Fung Ling  
LeDonne, Eugene  
McGough, W. Thomas  
Meyers, Michael A.  
Norman, David Michael  
Phillip, Hywel J.  
Rosales, Rex  
Schaidler, Joel R.  
Smith, Michael A.  
Spaulding, Douglas R.  
Subramaniam, Siva  
Thomas, William G.  
Wallis, Eric G.  
Warne, David G.

(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: January 20, 2011  
(enter date affidavit is notarized)

1090386

for Application No. (s): RZ 2010-LE-007  
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

REZONING AFFIDAVIT

DATE: January 20, 2011  
(enter date affidavit is notarized)

1090386

for Application No. (s): RZ 2010-LE-007  
(enter County-assigned application number(s))

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

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

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

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

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

WITNESS the following signature:

(check one)

[ ] Applicant

Robert A. Lawrence  
[x] Applicant's Authorized Agent

Robert A. Lawrence  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 20<sup>th</sup> day of January 2011, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 03/31/2013

Pamela C Rosenthal  
Notary Public  
PAMELA C. ROSENTHAL  
Notary Public  
Commonwealth of Virginia  
121653  
My Commission Expires Mar 31, 2013

# REZONING AFFIDAVIT

DATE: January 20, 2011  
(enter date affidavit is notarized)

I, ROBERT A. LAWRENCE, ESQ., AGENT, do hereby state that I am an  
(enter name of applicant or authorized agent)

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

110773a

in Application No.(s): PCA 2006-LE-018  
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
FLEET DRIVE, LLC AGENTS: Ray E. Smith, III R. Bruce Thompson	c/o Marketing Ventures 115 Beulah Road, NE, Suite 200 Vienna, Virginia 22180	<b>APPLICANT/CONTRACT PURCHASER OF TAX MAP NO. 91-1 ((5)) PARCELS 2, 3, 4, 91-1 ((1)) PARCELS 59A AND 59B; TITLE OWNER OF TAX MAP NO. 91-1 ((1)) PARCEL 60</b>
Dallas R. and Ruth M. Smith	6716 Beulah Street Alexandria, Virginia 22310	<b>OWNER OF TAX MAP 91-1 ((5)) PARCEL 2</b>
Julio C. Gonzalez	6712 Beulah Street Alexandria, Virginia 22310	<b>OWNER OF TAX MAP 91-1 ((5)) PARCEL 3</b>

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

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

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

**Rezoning Attachment to Par. 1(a)**DATE: January 20, 2011  
(enter date affidavit is notarized)

110773a

for Application No. (s): PCA 2006-LE-018  
(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.

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Eric B. McGee and Gloria Carhuancho	6701 S. Benson Drive Alexandria, Virginia 22306	OWNER OF TAX MAP 91-1 ((5)) PARCEL 4
Sung Soo Kim and Goh Lai-Foong	7414 Long Pine Drive Springfield, Virginia 22151	OWNER OF TAX MAP 91-1 ((1)) PARCEL 59A
Shannon E. Peck and Joseph M. Loy	6637 Fleet Drive Alexandria, Virginia 22310	LESSEE OF TAX MAP 91-1 ((1)) PARCEL 59A
Sung Won Kim	6635 Fleet Drive Alexandria, Virginia 22310	OWNER OF TAX MAP 91-1 ((1)) PARCEL 59B
Mark E. Brown	6635 Fleet Drive Alexandria, Virginia 22310	LESSEE OF TAX MAP 91-1 ((1)) PARCEL 59B
CHARLES P. JOHNSON & ASSOCIATES, INC. AGENTS: Paul B. Johnson Henry M. Fox, Jr. Allan D. Baken	3959 Pender Drive Suite 210 Fairfax, Virginia 22030	ENGINEERS/AGENTS
REED SMITH LLP AGENTS: Robert A. Lawrence Grayson P. Hanes Michael A. Banzhaf Benjamin F. Tompkins J. Howard Middleton, Jr. Linda S. Broyhill	3110 Fairview Park Drive Suite 1400 Falls Church, Virginia 22042	ATTORNEYS/AGENTS

(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: January 20, 2011  
(enter date affidavit is notarized)

110773 a

for Application No. (s): PCA 2006-LE-018  
(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)

FLEET DRIVE, LLC  
C/O MARKETING VENTURES  
115 BEULAH ROAD, NE, SUITE 200  
VIENNA, VIRGINIA 22180

**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)

Ray E. Smith, III  
R. Bruce Thompson

**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: January 20, 2011  
(enter date affidavit is notarized)

110773a

for Application No. (s): PCA 2006-LE-018  
(enter County-assigned application number (s))

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

CHARLES P. JOHNSON & ASSOCIATES, INC.  
3959 PENDER DRIVE, SUITE 210  
FAIRFAX, VIRGINIA 22030

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

Charles P. Johnson  
Paul B. Johnson

---

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

Charles P. Johnson, CAO	Charles P. Johnson, II, Executive VP
Paul B. Johnson, President	David M. O'Bryan, VP
James R. Thren, VP	

---

**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: January 20, 2011  
 (enter date affidavit is notarized)

110773a

for Application No. (s): PCA 2006-LE-018  
 (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)

Reed Smith LLP  
 3110 Fairview Park Drive  
 Suite 1400  
 Falls Church, Virginia 22042

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

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

Abbott, Kevin C.  
 Abdalla, Tarek F.  
 Allen, Thomas L.  
 Andrews, Alex T.

Arnold, Roy W.  
 Atallah, Ana  
 Baker, Scott D.  
 Banzhaf, Michael A.  
 Barber, William James Gresham  
 Barnes, James J.  
 Bartfield, Arnold L.  
 Bastier, Ellen L.  
 Beale, Giles W.

Bigley, Sara A.  
 Bernier, Maria N.  
 Bernstein, Leonard A.  
 Bevan, III, William  
 Bhattacharyya, Gautam  
 Bickham, J. David  
 Binis, Barbara R.  
 Birt, Steven James  
 Blasler, Peter C.

Bochner, Russell J.  
 Bolden, A. Scott  
 Bonessa, Dennis R.

Booker, Daniel L.  
 Boutcher, David J.  
 Boven, Douglas G.  
 Bovich, John P.  
 Bowers, Kevin Richard  
 Bradley, Patrick E.  
 Brand, Mark A.  
 Bresch, Jeffrey J.  
 Brown, Andrew Kenneth  
 Brown, Charles A.  
 Brown, Michael K.  
 Burroughs, Jr., Benton

Cameron, Douglas E.  
 Caplan, Gary S.  
 Carder, Elizabeth B.  
 Cardozo, Raymond A.  
 Casdagli, Emma Francis  
 Castro, Armando  
 Charot, Benoit  
 Cheung, Bo Chun Janet  
 Clark, II, Peter S.  
 Cobetto, Jack B.  
 Colen, Frederick H.  
 Colman, Abraham J.  
 Connoley, Mark F.  
 Connors, Eugene K.

(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: January 20, 2011  
(enter date affidavit is notarized)

110773a

for Application No. (s): PCA 2006-LE-018  
(enter County-assigned application number (s))

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

Reed Smith LLP  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042

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

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

Convery, III, J. Ferd  
Cooper, Steven  
Cotler, Alan K.  
Davies, Colleen T.  
Davis, James M.  
Demase, Lawrence A.  
DeNimmo, David L.  
Dermody, Debra H.  
DiFiore, Gerard S.  
Dilling, Robert M.  
Dillon, Lee Ann  
Dillon, Paul M.  
DiNome, John A.  
Dittoe, John E.

Doran, William E.  
Doron, Uri  
Drew, Jeffery  
Dubelier, Eric A.  
Dumville, S. Miles  
Duronio, Carolyn D.  
East, Lindsay T.

Eggert, Russell R.  
Ellison, John N.  
Epstein, Bette B.  
Eskilson, James R.  
Evagora, Kyri  
Evans, David C.  
Fagelson, Ian B.  
Fagelson, Karen C.  
Flatley, Lawrence E.  
Fox, Thomas C.  
Francis, Jr., Ronald L.  
Frank, Ronald W.  
Fresman, Lynne P.  
Frenier, Diane M.  
Fritton, Karl A.  
Gabbert, Dale

Gallatin, Jr., James P.  
Gallo, Frank J.

Gasparetti, Lorenzo E.  
Gentile, Jr., Pasquale D.

Gilard, Neil D.  
Glatzer, Jeffrey L.  
Green, Terry R.  
Greeneblatt, Lewis B.  
Green-Kelly, Diane  
Greeson, Thomas W.  
Grellet, Luc  
Grignon, Margaret A.  
Grimes, David M.  
Gross, Dodi Walker  
Guadagnino, Frank T.  
Gwynne, Kurt F.  
Hackitt, Mary J.  
Halbreich, David M.  
Hardy, Peter  
Hargreaves, Phillip M.  
Hartley, Simon P.  
Hartman, Ronald G.  
Hassleman, Scot T.  
Hawley, Terence N.  
Healy, Christopher W.  
Heffler, Curt L.  
Henning, Seth M.  
Hewetson, Charles M.  
Hill, Robert J.  
Hill, Thomas E.  
Hirsch, Austin L.  
Hitt, Leo N.  
Ho, Delpha  
Honigberg, Carol C.  
Hooper, John P.  
Howse, Christopher Guy  
Hultquist, James T.

Huser, Linda S.  
Iino, John M.  
Illeuz, Stephane  
Innamorato, Don A.  
Jared, Cynthia  
Jaskot, Paul J.  
Jeffcott, Robin B.  
Jenkinson, Andrew P.  
Johnston, Paul F.  
Jong, Denise  
Jordan, Gregory B.  
Kabnick, Lisa D.  
Karides, Constantine  
Kaung, Alexander Wai Ming  
King, Robert A.  
Kirkpatrick, Stephen A.

Klein, Murray J.  
Kohn, Steven M.  
Kozlov, Herbert F.  
Kramer, Ann V.  
Krebs-Markrich, Julia  
Kugler, Stefan L.

Kwuon, Janet H.  
Lacy, Jr., D. Patrick  
Lai, Ivy  
Lasher, Lori L.

Locch, Frederick C.  
Leiderman, Harvey L.  
Lewis, Richard P.  
Li, Jianjun  
Lisi, David M.  
Loepere, Carol C.  
Lo Vallo, Michael A.  
Lowenstein, Michael E.  
Luchini, Joseph S.

(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: January 20, 2011  
(enter date affidavit is notarized)

110773a

for Application No. (s): PCA 2006-LE-018  
(enter County-assigned application number (s))

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

Reed Smith LLP  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042

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

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

Lyons, III, Stephen M.  
Magera, George F.  
Mahone, Glenn R.  
Maiden, Todd O.  
Mantell, Nanette W.  
Martin, James C.  
Martini, John D.  
McAllister, David J.  
McCarroll, James C.  
McDavid, George E.  
McGarrigle, Thomas J.

McNichol, Jr., William J.  
Mehfoud, Kathleen S.  
Melodia, Mark S.  
Metro, Joseph W.

Miller, Edward S.  
Miller, Steven A.  
Greeting-Min, Catherina  
Moberg, Marilyn A.  
Mok, Kar Chung  
Morris, Robert K.  
Morrison, Alexander David  
Munsch, Martha Hartle  
Napolitano, Perry A.  
Naugle, Louis, A.  
Nelson, Jack R.  
Nicholas, Robert A.  
Nicoll, Richard C.

O'Brien, Kathyleen A.  
O'Neil, Mark T.  
Olmer, Phillip  
Opperman, Craig P.  
Paisley, Belinda L.  
Parker, Roger J.  
Patterson, Lorin E.

Pearman, Scott A.  
Peck, Jr., Daniel F.  
Pedretti, Mark G.  
Pepper, Michael Ross David  
Perfido, Ruth S.  
Peterson, Kurt C.  
Phillips, Richard P.

Phillips, Robert D.  
Pike, Jon R.  
Poe, Alexandra  
Pollack, Michael B.  
Powell, David C.  
Queenby, Georgia M.  
Quinn, Jonathan S.  
Quinn, Tracy Zurzolo  
Radley, Lawrence J.  
Rahl, J. Andrew  
Raju, Ajay K.  
Rawles, Douglas C.  
Raymond, Peter D.  
Reed, W. Franklin  
Reid, Graham M.  
Reinke, Donald C.  
Ritchey, Patrick W.  
Robinson, Richard A.  
Roche, Brian D.  
Rofe, Douglas J.  
Rolfes, James A.

Rosen, Barry S.  
Rosenbaum, Joseph I.  
Rosenberg, Carolyn H.  
Roth, Robert A.  
Rubenstein, Donald P.  
Rudolf, Joseph C.  
Ryan, Catherine C.  
Rydstrom, Kirsten R.  
Rymer, Phillip R.

Sanders, James L.  
Sanders, Michael  
Sauvage, Nicolas C.  
Schaffer, Eric A.

Schatz, Gordon B.  
Schlecker, David M.  
Schlesinger, Matthew J.  
Schmaarak, Bradley S.  
Schumacher, Jeffrey A.  
Schwartz, Wendy H.  
Scogin, Hugh T.  
Scott, Michael T.  
Scudellari, Richard  
Seaman, Charles H.  
Sedlack, Joseph M.  
Shanus, Stuart A.  
Sharma, Asha Rani  
Shaw, Nick J.  
Shay-Byrne, Olivia  
Short, Carolyn P.  
Shugrue, John D.  
Siev, Jordan W.  
Sigelko, Duane F.  
Simons, Robert P.  
Singer, Paul M.  
Skrein, Michael P.  
Slater, Phillip  
Smersfelt, Kenneth N.  
Smith, John Lynn.

Smith, Robert M.  
Sollie, Kyle O.  
Spafford, Richard A.

Speed, Nicholas P.  
Springer, Claudia Z.

(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: January 20, 2011  
(enter date affidavit is notarized)

110773a

for Application No. (s): PCA 2006-LE-018  
(enter County-assigned application number (s))

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

*Need Smith UP cont'd*

(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)

Stanley, David E.  
Stephenson, Leon  
Stewart, II, George L.

Suddath, Thomas H.  
Suss, Philipp  
Sussman, Allen Z.  
Swinburn, Richard G.  
Tabachnick, Gene A.  
Tandler, James R.  
Taylor, Andrew D.  
Taylor, Philip M.  
Terras, Alexander  
Thallner, Jr., Karl A.  
Thomas, Alexander Y.

Thompson, Barry J.  
Thompson, David A.  
Thompson, Gary S.  
Tillman, Eugene  
Tocci, Gary M.  
Todd, Thomas  
Tompkins, Benjamin F.  
Trevelise, Andrew J.  
Unkovic, John C.  
Vishnewski, John S.  
Vitsas, John L.  
von Waldow, Arnd W.  
Wallis, Eric G.  
Warne, David G.  
Wasserman, Mark W.  
Weissman, David L.  
Weissman, Sonja S.  
Weller, Charles G.  
Weyman, Mark L.  
Wilkinson, James F.  
Wilkinson, John  
Williams, Christopher James

Wilson, Stephanie  
Winter, Graham Paul  
Wolff, Sarah  
Wood, Douglas J.  
Wray, Richard K.  
Yan, Betty  
Yavitz, Judith A.  
Yoo, Thomas J.  
Zaimes, John P.  
Zhang, Jinshu  
Zoeller, Lee A.

NEW PARTNERS

Beilke, Michele J.  
Bell, Gordon F.  
Cameron, Scott  
Cassidy, Peter J.  
Estrada, Edward J.  
Fawcett, David  
Hansson, Leigh T.  
Hartley, Keith  
Hofmeister, Jr., Dan J.  
Houston, Marsha A.  
Ince, Thomas  
Kaufman, Marc  
Kirk, Dusty Elias  
Krasik, Carl  
McNair, James  
Rowan, Vincent  
Sorensen, Anker.  
Tashman, Matthew E.  
Weiss, David E.

FORMER PARTNERS

Arkebauer, J. Todd  
Blitch, Stephen G.  
Bobo, Stephen T.  
Borrowdale, Peter E.  
Buckley, Mike C.  
Dolin, Stewart  
Edwards, Stephen S.  
Garcia, Sergio  
Gilbert, Jeffrey L.  
Kleier, James P.  
Kwong, Nanette Fung Ling  
LeDonne, Eugene  
McGough, W. Thomas  
Meyers, Michael A.  
Norman, David Michael  
Phillip, Hywel J.  
Rosales, Rex  
Schaidler, Joel R.  
Smith, Michael A.  
Spaulding, Douglas K.  
Subramaniam, Siva  
Thomas, William G.  
Wallis, Eric G.  
Warne, David G.

(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: January 20, 2011  
(enter date affidavit is notarized)

110773a

for Application No. (s): PCA 2006-LE-018  
(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: January 20, 2011  
(enter date affidavit is notarized)

110773a

for Application No. (s): PCA 2006-LE-018  
(enter County-assigned application number(s))

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)

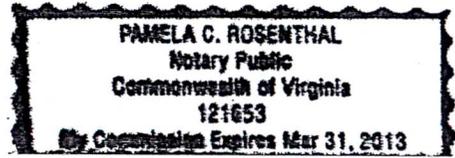
Robert A. Lawrence  
[ ] Applicant [x] Applicant's Authorized Agent

Robert A. Lawrence  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 20<sup>th</sup> day of January 20 11, in the State/Comm. of Virginia, County/City of Fairfax.

Pamela C. Rosenthal  
Notary Public

My commission expires: 03/31/2013



## STATEMENT OF JUSTIFICATION

## RZ 2010-LE-007/PCA 2006-LE-018

Applicant: Fleet Drive LLC

Rezoning/PCA Applications for Tax Map Nos. 0911-05, Parcels 0002, 0003, 0004, 0007  
Tax Map 0911-01 Parcels 0059A, 0059B, 0060

RECEIVED  
Department of Planning & Zoning  
DEC 22 2010  
Zoning Evaluation Division

This is a proffered Condition Amendment Application ("PCA") to amend the previously approved proffers in RZ 2006 LE 018, as they relate to a portion of the property that was rezoned to the R-12 District. The PCA area includes Tax Map 0911-05 Parcels 0002, 0003, and 0004 and Tax Map 0911-01 Parcels 59A, 59B and 60, a total of 3.658 acres. In addition, a new rezoning application has been filed to rezone an additional parcel, Tax Map 0911-05-0007, from the R-1 District to the R-12 District. The rezoning application area includes all of these parcels, comprising a total of 4.328 acres.

On April 30, 2007, the Board of Supervisors, in Rezoning RZ 2006-LE-018, rezoned 5.09 acres from the R-1 District to the R-12 District. A portion of that original rezoning is not being modified in this PCA. Therefore, Tax Map Parcels 0911-05 Parcels 0005 and 0006 and Tax Map Parcels 0911-01-Parcel 0058, a total of 2.227 acres are not included in this PCA Application. That area remains subject to the original proffers in RZ 2006 LE 018, including the proffered GDP as it relates to that area.

As stated earlier, Tax Map 0911-05-0007 is being rezoned to the R-12 District to create R-12 application area of 4.3228 acres. The property is located in the Springfield Planning District, S9- Beulah Community Planning Sector. The Comprehensive Plan for the Beulah Planning Sector states that this sector contains stable residential neighborhoods, and recommends that infill development be of a compatible use, type and density, and in accordance with Land Use Objectives 8 and 14 of the Policy Plan. In addition, the Comprehensive Plan Map recommends a density of 8 to 12 dwelling units per acre for the subject property. The proposed development conforms to these objectives and is therefore in conformance with the adopted Comprehensive Plan recommendations. The proposed development is compatible in use, type and intensity with the surrounding neighborhoods. The subject property is located immediately south of the Franconia Commons townhouses, which are zoned R-8. Another townhouse community is located across Beulah Street. It is zoned PDH-4, but the effective density on this portion of the site is very similar to the R-8 density in Franconia Commons. The property across Fleet Drive from the subject property has industrial uses and it is zoned I-4. The proposed development will therefore provide a transitional use between this industrial property and the residential developments to the north and east.

Given the surrounding land use pattern and zoning, the nature of the proposed uses and the size of the subject property, there will be no adverse effects on adjacent or neighboring properties prompted by the proposed development, which conforms to all current land development ordinances, regulations, and adopted standards, except as noted on the Generalized Development Plan (GDP).

## Compliance with Residential Development Criteria.

For the reasons stated below, the proposed rezoning complies with the Residential Development Criteria contained in Appendix 9 of the Land Use Element of the Policy Plan.

### A. Site Design.

As shown on the PCA Plat, a high quality site design with an efficient layout is proposed. The units are single-family attached townhouses that comply with the bulk regulations of the R-12 zoning district, and are consistent with the character and quality of the existing nearby neighborhoods. This site represents an infill project.

1. Consolidation. The proposed development involves the consolidation of seven (7) parcels within an R-12 District. There is no site-specific text of the Comprehensive Plan addressing parcel consolidation for this area. The nature and extent of the proposed consolidation furthers the integration of the development with the adjacent parcels. It provides for development that is more compatible with the adjacent Franconia Commons community. The proposed consolidation will also permit redevelopment of several parcels that are currently in a state of disrepair.

2. Layout. The proposed layout provides logical, functional and appropriate relationships within the development. The proposed townhouses are appropriately oriented with regard to the internal private streets.

3. Open Space. Well-integrated open space is provided. The proposed open space will contain landscaped areas and a mixture of evergreen and deciduous trees.

4. Landscaping. Landscaping will be provided as shown on the Landscape Plan.

5. Amenities. The proposed development includes ample open space and a sidewalk along the Fleet Drive frontage as well as the internal private streets. The design promotes a self-contained community.

### B. Neighborhood Context.

The proposed development is designed to fit into the fabric of the adjacent neighborhoods, which are characterized by townhouse developments to the north and to the east, and industrial warehousing zoned I-4 across Fleet Drive. The proposed development will provide a transition between different uses and densities and is consistent with the surrounding uses, as well as the adopted Comprehensive Plan. The development will be accessed via private streets that connect with Fleet Drive, and a sidewalk along the private streets and the Fleet Drive frontage of the new R-12 District will allow for pedestrian access to surrounding communities.

### C. Environment.

The proposed development is respectful of the environment. There are no 100-year floodplains, environmental quality corridors, or resource protection areas on the site. The proposed stormwater management facility will be a dry pond located generally as shown on the

PCA plat. Best management practices will also be provided, unless waived or modified during the site plan process.

D. Tree Preservation and Tree Cover Requirements.

Tree save areas may be identified on the PCA Plat at the time of subdivision plan review depending on the need to provide on site stormwater management and BMP facilities.

E. Transportation.

The amount of vehicular traffic associated with the proposed development will not exceed the capacity of nearby streets. The property will be accessed from private streets that connect with Fleet Drive. The proposed development includes a sidewalk along the private streets and the Fleet Drive frontage of the new R-12 District that will allow for pedestrian access to surrounding areas.

F. Public Facilities.

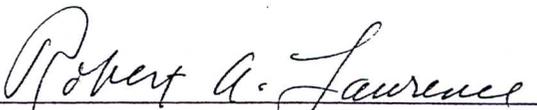
Public facilities impacts may be identified and evaluated during the development review process and addressed through proffers and the proffered plan.

G. Affordable Housing.

Affordable dwelling units will not be provided since the proposed consolidation under common ownership or control will yield less than 50 dwelling units, pursuant to Article 8 of the Zoning Ordinance.

H. Heritage Resources.

There are no known significant historic or archaeological resources on the subject property worthy of preservation.

  
\_\_\_\_\_  
Robert A. Lawrence, Agent

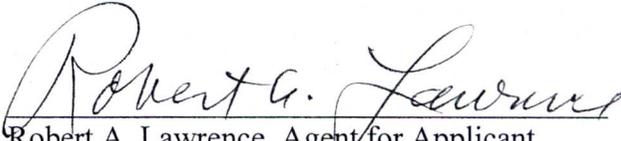
Date: 12/20/10

**Statement Regarding A Partial PCA (Section 18-204 ¶ 6 of the Zoning Ordinance)**

This application meets the requirements of Section 18-204 ¶ 6 of the Zoning Ordinance for the following reasons:

- a) The development proposed on the Partial PCA property will not adversely affect the use of the property not incorporated into this Partial PCA (the "Remaining Area"). The new Generalized Development Plan (GDP) is designed to accommodate the development of the Remaining Area by continuing the road access points and providing stormwater management storage capacity on the new GDP.
- b) The new GDP and Proffers will not inhibit, adversely affect or preclude the fulfillment of the proffered conditions applicable to the Remaining Area. (See the Attached Proffer Analysis marked Exhibit A and incorporated herein by reference.)
- c) Approval of the new rezoning will not increase the approved density for the overall development. RZ-2006-LE-018 permitted an overall density of 8.3 dwelling units per acre. The new application, when combined with the Remaining Area, will permit a density of 8.2 dwelling units per acre. (See Sheet 8 of the GDP for RZ 2010-LE-007.)

Therefore, this application is in conformance with the requirements for a Partial PCA as set forth in Section 18-204 ¶ 6 of the Zoning Ordinance.

  
Robert A. Lawrence, Agent for Applicant

RECEIVED  
Department of Planning & Zoning  
DEC 22 2010  
Zoning Evaluation Division

## EXHIBIT A

### **Proffer Analysis: RZ 2006-LE-018 Proffers as they will relate to RZ 2010-LE-007 and PCA 2006-LE-018**

Tax Map 0911-05 Parcels 0005 and 0006 and 0911-01 Parcel 058 are not included in the PCA application filed herein. Those parcels remain subject to the proffers in RZ 2006-LE-018. Accordingly, these parcels are referred to herein as the "Remaining Area." The area subject to the RZ 2010-LE-007 is referenced to herein as the "New RZ Area." The two areas are referenced to jointly as "Both Areas." References below are to the proffers as numbered in RZ 2006-LE-018.

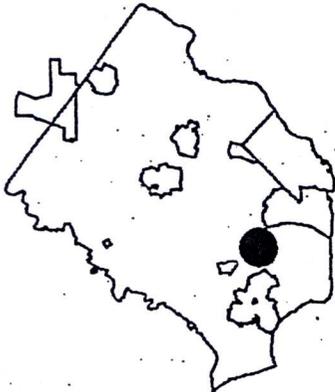
1. **Generalized Development Plan.** The Remaining Area is subject to the GDP proffered in this paragraph. No changes are proposed to the GDP as it relates to the Remaining Area. A New RZ Area proffer will address the three outlots adjacent to lots in the Remaining Area to create yard setbacks for these lots at the time they are site planned.
2. **Energy Efficiency.** Will apply to Both Areas.
3. **Recreational Facilities.** Will apply at time of site plan approval for any portion of the Remaining Area. Units in the New RZ Area will be governed by the proffers in RZ 2010-LE-007.
4. **Road Dedication/Construction.** This proffer will be fulfilled by the developer of the New RZ Area unless the Remaining Area develops first. The New RZ proffers shall provide for dedications to be made by the Applicant of the New RZ Area if the Remaining Area develops first, in which case the developer of the Remaining Area will be responsible for the construction connecting the Remaining Area to Fleet Drive.
5. **Stormwater Management Pond Landscaping.** Same as 4, above. If the Remaining Area develops first, the necessary conveyance of the stormwater management pond area to the HOA will be provided for in the New RZ Area proffers. The New RZ Area GDP will show that the stormwater management pond is sized to accommodate Both Areas.
6. **Homeowners' Association.** The HOA shall be required to be established by either the New RZ Area or the Remaining Area, whoever develops first. Proffer 6e will no longer be applicable since Parcel 7 will be incorporated into the New RZ Area.
7. **Private Streets.** Shall apply to Both Areas.
8. **Affordable Housing Contribution.** This shall apply to all units shown on an approved site plan for either area since those units will become "subject to the contribution."
9. **Density.** Will apply to the New RZ Area since all proffered dedication will occur within that Area.

10. **Tree Preservation.** Will apply to Both Areas, as applicable, where trees to be preserved are located.
11. **Noise Attenuation.** Will apply to Both Areas. However, in subparagraph 3 of the New RZ Area proffers, a vinyl acoustical fence, or equivalent shall be provided on that portion of the New RZ Area where an acoustical fence will be provided.
12. **School Contribution.** The pro rata contribution specified in proffer 12 can be applied to Both Areas. The proffered ratio of 49 units to \$135,000 equates to a pro rata contribution of \$2,755 per dwelling unit.
13. **Landscaping.** Shall apply to the Remaining Area as shown on the GDP for that Area and to the New RZ Area as shown on the New RZ Area GDP.
14. **Architectural Treatment.** Shall apply to the Remaining Area. The New RZ Area proffers will provide for architectural treatment for the units within that Area.
15. **Interparcel Access.** No longer required for parcel 7 since that parcel will be a part of the New RZ Area. However, an interparcel access proffer will be provided in the New RZ Area proffers to insure that the Remaining Area can accomplish access to Fleet Drive through the New RZ Area as specified on the New RZ Area GDP, subject to the provisions of proffer number 4 as specified above.
16. **Temporary Signage.** Applies to Both Areas.
17. **Heritage Resources.** Applies to Both Areas.
18. **Garage Conversion.** Applies to Both Areas.
19. **Bus Stop.** The New RZ Area Applicant shall contribute this sum prior to Site Plan Approval for the New RZ Area.
20. **Geotechnical Investigation.** Applies to Both Areas.
21. **Counterparts.** Applies where applicable.

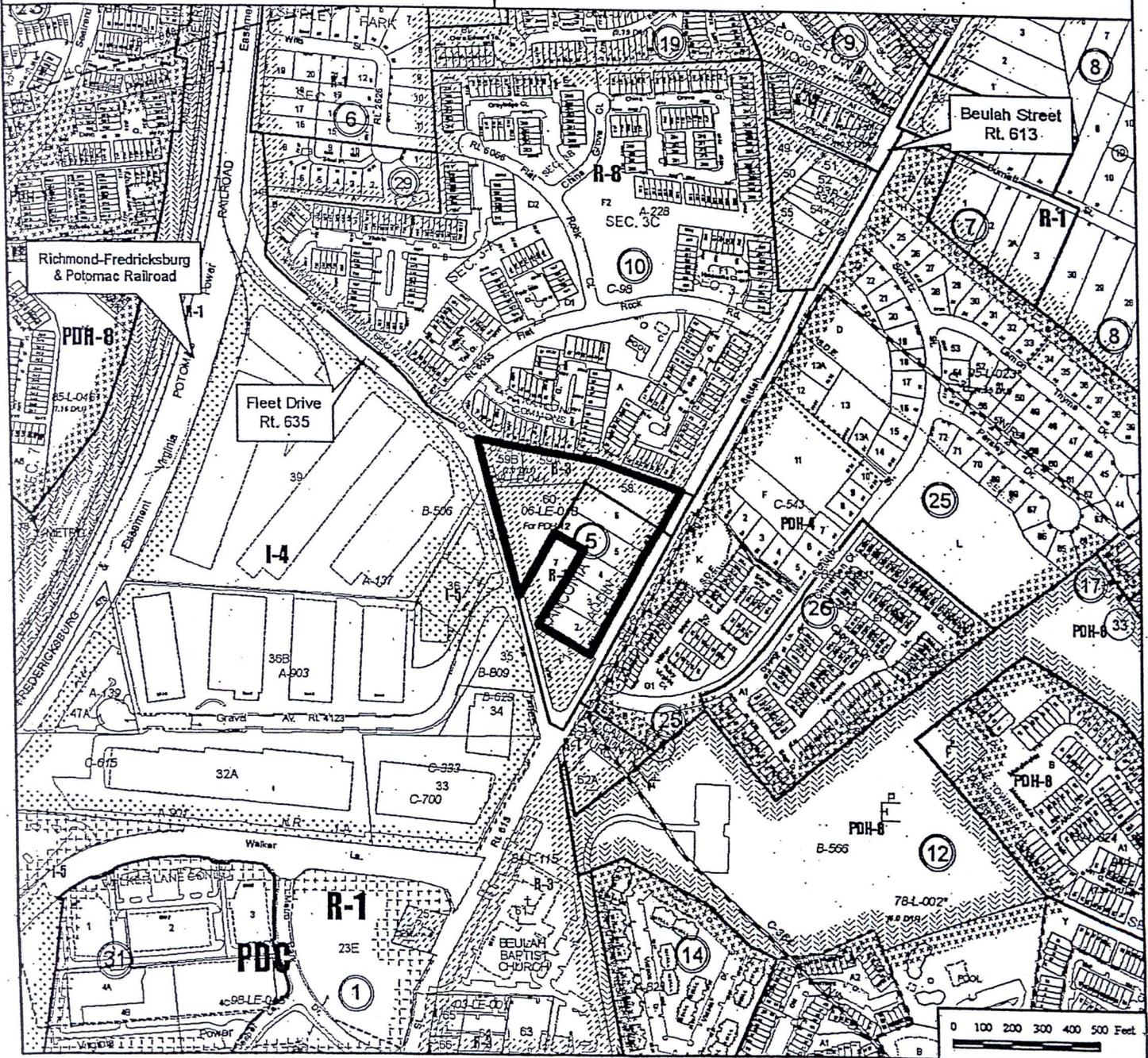
  
Robert A. Lawrence, Agent for Applicant

# Rezoning Application

## RZ 2006-LE-018



**Applicant:** FLEET DRIVE LLC  
**Accepted:** 05/30/2006 Amended: 11/27/2006  
**Proposed:** RESIDENTIAL  
**Area:** 5.9 AC OF LAND; DISTRICT - LEE  
**Zoning Dist Sect:**  
**Located:** WEST SIDE OF BEULAH STREET AND THE EAST SIDE OF FLEET DRIVE AT ITS INTERSECTION WITH GRAVEL AVENUE  
**Zoning:** FROM R-3 TO R-12, FROM R-1 TO R-12  
**Overlay Dist:**  
**Map Ref Num:** 091-1- /01/ /0058 /01/ /0059A /01/ /0059B /01/ /0060 /05/ /0002 /05/ /0003 /05/ /0004 /05/ /0005 /05/ /0006





# County of Fairfax, Virginia

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

May 2, 2007

Robert A. Lawrence  
Reed Smith, LLP  
3110 Fairview Park Drive, Suite 1400  
Falls Church, VA 22042

RE: Rezoning Application RZ 2006-LE-018

Dear Mr. Lawrence:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on April 30, 2007, granting Rezoning Application RZ 2006-LE-018 in the name of Fleet Drive LLC. The Board's action rezones certain property in the Lee District from the R-1 and R-3 Districts to the R-12 District and permits residential development at a density of 8.31 dwelling units per acre on approximately 5.90 acres of land. The subject property is located on the west side of Beulah Street and the east side of Fleet Drive at its intersection with Gravel Avenue, Tax Map 91-1 ((1)) 58, 59A, 59B and 60; 91-1 ((5)) 2-6, and is subject to the proffers dated April 10, 2007.

**The Board also:**

- **Waived the 600-foot maximum length requirement for a private street.**
- **Waived the trail requirement along Fleet Drive in lieu of the 600-foot concrete sidewalk as shown on the Generalized Development Plan.**
- **Waived the barrier requirement to the existing single-family detached dwelling on abutting parcel 7.**

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors

NV/dms

Enclosure

Office of Clerk to the Board of Supervisors  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

## PROFFERS

RZ 2006-LE-018  
FLEET DRIVE, LLC

April 10, 2007

Pursuant to Section 15.2-2303A. of the 1950 Code of Virginia, as amended, the undersigned applicant and owners, for themselves and their successors or assigns (hereinafter referred to as "Applicant"), hereby proffer the following conditions provided the Subject Property is rezoned as proffered herein.

1. **Generalized Development Plan.** Development of the property shall be in substantial conformance with the plan entitled "Generalized Development Plan Beulah Fleet" ("GDP"), prepared by Charles P. Johnson & Associates, Inc. (Sheets 1 through 9), revised as of March 20, 2007.
2. **Energy Efficiency.** All homes constructed on the property shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by the Department of Public Works and Environmental Services ("DPWES") for either electric or gas energy homes, as applicable.
3. **Recreational Facilities.** At the time of site plan approval, the Applicant shall contribute the sum of \$955 per approved dwelling unit for the total number of dwelling units on the approved site plan, to the Fairfax County Park Authority for recreational facilities at the nearby Manchester Lakes Public Park as determined by the Park Authority, subject, however, to a credit for expenditures on-site for a gazebo, benches and a sidewalk within the open space area depicted on the GDP.
4. **Road Dedication/Construction.** At the time of subdivision plat approval, or upon demand by Fairfax County, whichever occurs first, right-of-way up to forty-five feet (45') from centerline along the Fleet Drive road frontage, necessary for public street purposes and as shown on the GDP, shall be dedicated and conveyed to the Board of Supervisors in fee simple. The Applicant shall also construct road widening, with curb gutter and sidewalk thirty-five feet (35') from centerline along the Fleet Drive frontage of the Subject Property plus a taper as shown on the GDP.
5. **Stormwater Management Pond Landscaping.** Subject to DPWES approval, the Applicant shall provide an extended detention stormwater management pond on the Property. In order to restore a natural appearance to the proposed stormwater management pond and to plant water-tolerant plants in the bed of the pond, if determined feasible by DPWES, the landscape plan to be submitted as part of the first submission of the site plan shall show the maximum feasible amount of landscaping that will be allowed in the planting areas of the pond, in keeping with the planting policies of Fairfax County.

6. **Homeowners' Association.**

- a. The Applicant shall establish a Homeowners' Association ("HOA") for the proposed development to own, manage and maintain the open space areas, private streets, common parking areas, and all other community-owned land and improvements.
- b. The HOA shall also maintain the acoustical wall shown on the GDP. In cases where the wall is installed on a lot, the conveyance of that lot shall be subject to an easement to the benefit of the HOA permitting the HOA access to maintain the acoustic wall on that lot. This easement shall be a covenant running with the land and recorded in the County's land records. The HOA documents shall disclose these maintenance responsibilities.
- c. The Applicant shall deposit the sum of \$10,000 into a maintenance account that will be available for utilization by the HOA for street maintenance after the Applicant turns over control of the HOA to the homeowners.
- d. At such time as the Applicant is prepared to turn over full control of the HOA to the homeowners, the Applicant shall host a meeting with the HOA board and invite representatives of the Franconia Commons Board of Directors to attend. The purpose of the meeting will be to allow the HOA to determine whether it would be advantageous or desirable for the residents of the subject property to participate in the use and maintenance of the common facilities within Franconia Commons, if Franconia Commons is amenable to such participation. However, the final determination shall be made solely by the HOA for the subject property.
- e. In the event that tax map 91-1 (5) Parcel 7 redevelops as a single family attached development, the Applicant shall host a meeting with the HOA board and invite representatives of the Parcel 7 single family attached development to attend. The purpose of the meeting will be to allow the HOA to determine whether it would be advantageous or desirable for the residents of the subject property to allow the residents of the Parcel 7 single family attached development to join the HOA, if the Parcel 7 developer or residents are amenable to such participation. However, the final determination shall be made solely by the HOA for the subject property.

7. **Private Streets.** The on-site private streets shall be constructed in conformance with the Public Facilities Manual ("PFM"). Said streets shall be constructed of materials and depth of pavement consistent with the PFM for public streets. Initial purchasers shall be advised in writing, prior to entering into a contract of sale, that the HOA shall be responsible for the maintenance of all the private

streets in the development. The HOA documents shall specify that the HOA is responsible for the maintenance of the private streets.

8. **Affordable Housing Contribution.** Prior to the issuance of the first building permit, the Applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to one half of one percent (.5%) of the aggregate sales price of all 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 as estimated through comparable sales of similar type units, as determined by the Department of Housing and Community Development and DPWES in consultation with the Applicant to assist the County in its goal to provide affordable dwellings elsewhere in the County.
9. **Density.** All density and intensity of use attributable to land areas dedicated and conveyed to the Board of Supervisors pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and density is hereby reserved to be applied to the residue of the Subject Property.
10. **Tree Preservation.**
  - a. **Tree Preservation Plan.** The Applicant shall submit a tree preservation plan as part of the first and all subsequent subdivision plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and reviewed and approved by the Urban Forestry Management ("UFM"), DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown radius and condition rating percentage of all trees ten inches (10") in diameter or greater, and located within twenty feet (20') to either side of the limits of clearing and grading shown on the GDP for the entire site. The tree preservation plan shall provide for the preservation of those areas shown on the tree preservation plan. The condition ratings shall be prepared using methods outlined in the latest edition of *The Guide for Plant Appraisal* published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved such as: crown pruning, root pruning, soil treatments, mulching, fertilization and others as necessary, shall be included in the plan.
  - b. **Tree Value Determination.** The Applicant shall retain a professional arborist with experience in plant appraisal, such as a certified arborist or landscape architect, to determine the replacement value of all trees ten inches (10") in diameter or greater and located within twenty feet (20') of the outer edge of the limits of clearing and grading (i.e. outside the limits of clearing and grading) as shown on the GDP which are identified to be preserved on the tree preservation plan. These trees and their value shall be identified on the tree preservation plan at the time of the first

submission of the Site Plan. The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the "Trunk Formula Method" contained in the latest edition of *The Guide for Plan Appraisal* published by the International Society of Arboriculture, subject to review and approval by UFM, DPWES.

- c. **Tree Bond.** In order to provide a remedy for any unintended disruption to trees required to be preserved under these proffers, at the time of bond approval, the Applicant shall both post a cash bond and a letter of credit or similar corporate surety payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the previous proffer (hereinafter the "bonded trees") that die or are dying due solely to unauthorized construction activities. The Applicant shall have no obligation for trees that die or are dying for reasons unrelated to unauthorized construction activities, or for no apparent reason. The letter of credit shall be equal to fifty percent (50%) of the replacement value of the bonded trees. The cash bond shall consist of thirty three percent (33%) of the amount of the letter of credit.

During the time period in which the Tree Bond is required to be held, should unauthorized construction activity cause any bonded trees to die, or be removed, the Applicant shall replace such trees at its expense. As stated above, the Applicant shall have no obligation to replace trees that die or are dying for causes unrelated to unauthorized construction activities. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFM and shall incorporate native plant species. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized activity. This payment shall be determined based on the valuation methodology described in Proffer 10.b. above (the Trunk Formula Method) and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the site performance bond for the site, any amount remaining in the tree bond required by this proffer shall be returned/released to the Applicant. At the time of approval of the final RUP, the Applicant may request a release of any monies remaining in the cash bond and a reduction in the letter of credit to an amount up to twenty percent (20%) of the total amounts originally committed provided they are in good standing with the tree proffer commitments. Any funds remaining in the letter of credit or cash bond will be released concurrently with the site performance bond release, or sooner, if approved by UFM.

- d. **Protection of Existing Understory Vegetation and Soil Conditions in Tree Preservation Areas.** All tree preservation-related work occurring in or adjacent to tree preservation areas shall be accomplished in a manner

that minimizes damage to vegetation to be preserved in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Any removal of any vegetation or soil disturbance in tree preservation areas including the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, multi-floral rose, etc., shall be subject to the review and approval of UFM.

- e. **Use of Equipment.** Except as qualified herein, the use of motorized equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaws, wheel barrows, rakes and shovels. Any work that requires the use of motorized equipment, such as tree transplanting, spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by UFM.
- f. **Root Pruning and Mulching.** The Applicant shall 1) root prune, 2) mulch, and 3) provide tree protection fencing in the form of four foot (4') high, fourteen (14) gauge welded wire attached to six foot (6') steel posts driven eighteen inches (18") into the ground and placed no further than ten feet (10') apart, or other forms of tree protection fencing approved by UFM, DPWES for all tree preservation relevant areas. All treatments shall be clearly identified, labeled and detailed on the erosion and sediment control sheets and demolition plan sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by UFM, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
- Root pruning shall be done with a trencher, vibratory plow to a depth of eighteen inches (18").
  - Root pruning shall take place prior to any clearing and grading, or demolition of structures.
  - Root pruning shall be conducted with the supervision of a certified arborist.
  - Tree protection fencing shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area.
  - Immediately after the Phase II Erosion and Sedimentation activities are complete, mulch shall be applied at a depth of four

inches (4") extending ten feet (10') inside the undisturbed area without the use of motorized equipment.

- A UFM representative shall be informed when all root pruning and tree protection fence installation is complete.

- g. **Tree Preservation Walk-Through.** The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with a UFM representative and a representative from the Lee District Land Use Advisory Committee to determine where adjustments to the clearing limits can be made to increase the area of tree preservation; increase the survivability of trees at the edge of the limits of clearing and grading; facilitate the removal of trees adjacent to the limits of clearing and grading; facilitate tree preservation activities such as root pruning or fencing; or facilitate the installation of erosion and sediment control devices. Such adjustment shall be implemented. Trees that are identified specifically by UFM in writing as dead or dying may be removed as part of the clearing operation but it is noted that unless a dead or dying tree presents a safety hazard, attempts will be made to retain the tree. The dead or dying tree may be topped in order to be retained if that eliminates the problem of a safety hazard. 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 the adjacent trees and associated understory vegetation and soil conditions.
- h. **Tree Protection Fencing.** All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing as proffered above. Tree protection fencing shall be installed prior to any clearing and grading activities including the demolition of any existing structures at the limits of clearing and grading as shown on the demolition, and Phase I and II erosion and sediment control sheets, as may be modified during the tree preservation walk-through with a UFM representative. All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fence types shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Five (5) working days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices including fencing, UFM and Lee District

Supervisor staff shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

- i. **Site Monitoring.** During any clearing or tree/vegetation/structure removal, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFM. The inspection/monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by UFM, DPWES. The Lee District Supervisor shall be notified of the name and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk-through meeting.

11. **Noise Attenuation.** With reference to Beulah Street, the Applicant shall provide the following noise attenuation measures:

- a. In order to achieve a maximum interior noise level of approximately 45 dBA Ldn, the Applicant proffers that all residential units located between 82 feet and 148 feet from the centerline of Beulah Street, impacted by highway noise having levels between 65 and 70 dBA Ldn as depicted on the GDP, shall have the following acoustical attributes:
  - (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 39.
  - (2) Doors and glazing shall have a laboratory STC of at least 28. If glazing constitutes more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
  - (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
- b. In order to achieve a maximum interior noise level of approximately 45 dBA Ldn, the Applicant proffers that all residential units located within 82 feet from the centerline of Beulah Street, impacted by highway noise having levels between 70 and 75 dBA Ldn as depicted on the GDP, shall have the following acoustical attributes:
  - (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 45.



approved units that are visible from Beulah Street and Fleet Drive (i.e., the sides of units 21, 22, 34 and 35 facing Beulah Street and the rear walls of units 25 through 31 and 35 through 39) shall incorporate the use of shutters or decorative trim and related accent materials on windows on portions of the rear façade that are not visually screened by the noise attenuation wall required by these proffers along Beulah Street (generally the second and third stories). Such shutters, trim or other accent materials shall be complementary in terms of type and color to those items or materials used on other portions of the façade.

15. **Interparcel Access.** As a part of the subdivision plat approval, the Applicant shall convey an access easement allowing interparcel access between the subject property and Tax Map 91-1 ((5)) Parcel 7 over the area so designated on the GDP. Said easement shall be subject to the residents of Parcel 7 paying their pro rata share for the maintenance of the private street on the subject property providing access from Fleet Drive to Parcel 7. In addition, the Applicant shall place a conspicuous sign at this location stating that this area will be the site of future construction of the road extension by others to provide an interparcel connection. All prospective new home purchasers shall be advised of this future extension prior to entering into a contract of sale and notice of the interparcel connection shall also be placed within the HOA documents. The sign shall remain in place until the future road connection is made. The HOA shall maintain the sign in good repair.
16. **Temporary Signage.** No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in the initial marketing and sale of homes on the subject Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.
17. **Heritage Resources.** At least thirty (30) days prior to any land disturbing activities on the Property, Applicant shall conduct a Phase I archaeological study on those areas of the Property identified by CRMPS of the Fairfax County Park Authority ("CRMPS") and provide the results of such study for the review and approval of CRMPS. The study shall be conducted by a qualified archaeological professional. No land disturbance activities shall be conducted until this study is approved by CRMPS. If the Phase I study concludes that an additional Phase II study of the Property is warranted, the Applicant shall complete said study and provide the results to CRMPS; however, submission of the Phase II study to CRMPS shall not be a pre-condition of site plan approval. 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 CRMPS; however, any such Phase III work shall not be a pre-condition of site plan approval.

18. **Garage Conversion.** A covenant shall be recorded which provides that garages shall not be used for any purpose that will interfere with the parking of vehicles in the garage. The covenant shall be recorded among the land records of Fairfax County, in a form approved by the County Attorney, prior to the sale of any lots, and shall run to the benefit of the HOA, which shall be established, and to Fairfax County. Purchasers shall be advised of the use restriction prior to entering into a contract of sale; this restriction shall also be included in the HOA documents.
19. **Bus Stop.** Prior to subdivision plan approval, the Applicant shall contribute \$5,000 to Fairfax County to be utilized for a bus stop shelter in the general vicinity of the subject property.
20. **Geotechnical Investigation.** Prior to site plan approval, the Applicant shall submit a geotechnical investigation of the site for the review and approval of DPWES and implement such measures as determined by the investigation, subject to the satisfaction of DPWES.
21. **Counterparts.** These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

**APPLICANT/CONTRACT PURCHASER OF TAX  
MAP 91-5 ((5)) Parcels 2, 3, 4, 5 and 6; 91-1 ((1))  
Parcels 58, 59A and 59B; Owner of Tax Map 91-1 ((1))  
Parcel 60**

**FLEET DRIVE, LLC**

By: *Ray E. Smith III Managing Member*  
Ray E. Smith, III, Managing Member

**OWNERS OF TAX MAP 91-1 ((5)) PARCEL 2**

**DALLAS R. SMITH**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Dallas R. Smith  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Dallas R. Smith

**RUTH M. SMITH**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Ruth M. Smith  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Ruth M. Smith

**OWNER OF TAX MAP 91-1 ((5)) PARCEL 3**

**JULIO C. GONZALEZ**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Julio C. Gonzalez  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Julio C. Gonzalez

**OWNERS OF TAX MAP 91-1 ((5)) PARCEL 4**

**ERIC B. MCGEE**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Eric B. McGee  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Eric B. McGee

**GLORIA CARHUANCHO**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Gloria Carhuanchu  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Gloria Carhuanchu

**OWNERS OF TAX MAP 91-1 ((5)) PARCELS 5 AND 6**

**MICHAEL E. MARTIN**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Michael E. Martin  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Michael E. Martin

**JOANNE M. MARTIN**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Joanne M. Martin  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Joanne M. Martin

**OWNER OF TAX MAP 91-1 ((1)) PARCEL 58**

**JORGE BERRIOS**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Jorge Berrios  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Jorge Berrios

**OWNERS OF TAX MAP 91-1 ((1)) PARCEL 59A**

**SUNG SOO KIM**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Sung Soo Kim  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Sung Soo Kim

**LAI-FOONG GOH**

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Lai Foong Goh  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Lai-Foong Goh.

OWNER OF TAX MAP 91-1 ((1)) PARCEL 59B

SUNG WON KIM

By: Ray E. Smith, III, Agent and Attorney-in-Fact for Sung Won Kim  
Ray E. Smith, III, Agent and Attorney-in-Fact for  
Sung Won Kim



# County of Fairfax, Virginia

## MEMORANDUM

DATE: October 27, 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-LE-007  
Fosters Crest

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 Development Plan, dated September 15, 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, Environment, as amended through July 27, 2010, on pages 7-8, 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 11, the Plan states:

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

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

New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA.”

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. . . .”

## 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 to rezone 4.328 acres of land from R-1 and R-12 to the R-12 Zoning District to develop 34 single-family attached dwelling units at a density of 7.9 dwelling units per acre. In addition, the application seeks to rezone 2.227 acres of land from the R-12 to R-2 Zoning District to maintain three existing dwelling units on three lots at a density of 1.35 dwelling units per acre. The environmental analysis will focus on changes proposed from the construction of 34 new single-family attached dwellings on 4.328 acres of land.

**Stormwater Management/Best Management Practices (SWM/BMP):** The 4.328-acre portion of this application which is the subject of the proposed redevelopment is located at the intersection of Fleet Drive and Beulah Street in the Accotink Creek watershed. An enhanced extended detention pond is proposed to accommodate the water quantity and quality control requirements for this development. The stormwater narrative indicates that this facility will achieve 43.95% phosphorous removal which exceeds the 40% phosphorous removal requirement established by the County's Chesapeake Bay Preservation Ordinance.

**Adequate Outfall:** The outfall narrative indicates that runoff from the subject property outfalls into the existing storm sewer west of the subject property along Fleet Drive and ultimately flows under the railroad track to the west into an existing wet pond. The adequacy of the proposed SWM/BMP measures and outfall will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

**Traffic Noise:** The subject property is located between Fleet Drive on the west and Beulah Street on the east. During the prior rezoning application, a preliminary acoustical analysis was provided for the subject property which determined that future unmitigated traffic noise ranging between 65 and 70 dBA  $L_{dn}$  will affect new residential lots along Beulah Street. Those contours have been depicted on the current development plan. Sheet 5 depicts an acoustical barrier on the north side of lot 25 to protect the rear yard, as well as a separate barrier adjacent to the rear yards of lots 26-30 along Beulah Street. Traffic noise migrates diagonally where no barrier exists; therefore, to ensure conformance with Policy Plan guidance, the applicant should extend the proposed acoustical barrier westward from the rear of lot 25 to also include lots 24, 23, and 22 in order to provide acoustical mitigation for all lots which fall within the 65-70 decibel range. The height of the proposed barrier as shown on the insert detail is between 5'-6' high and on the development plan as a height of 6.5' high. Thus, the height of the proposed barrier is not clear. Staff recommends that the height of the barrier should be at least 6 feet. The 2006 acoustical analysis recommended that the barrier specifications, such as height, location and materials could be the subject of a refined acoustical analysis. In addition, that analysis recommended that that interior noise mitigation be achieved for affected units adjacent

to Beulah Street through the use of building materials for the affected units – both upper and lower stories to ensure noise in interior areas is mitigated to 45 decibels or less in accordance with Comprehensive Plan guidance. The applicant should commit to appropriate building materials for all affected lots to mitigate interior noise to ensure conformance with Policy Plan guidance, as recommended by the acoustical consultant. The actual specifications of the proposed barrier, such as size, location and materials could be determined by a refined acoustical analysis subject to the review and approval of DPWES and the Department of Planning and Zoning. Such an analysis should demonstrate that the proposed mitigation measures would meet Plan recommendations after final site grading has been determined.

**Tree Preservation/Restoration:** Mature trees and certain specimen trees worthy of preservation are located in the northwestern portion of the subject property. The remainder of the site is grassy terrain interspersed with an older existing residential development. A generalized map of existing vegetation is provided on Sheet 7 of the development plan. However, no existing vegetation appears to be proposed for preservation. The applicant should look for opportunities for tree preservation on-site, especially in the most densely vegetated northwestern portion of the property, as well as opportunities for additional tree restoration for this proposed development. The applicant should work with the Urban Forestry Management Branch of DPWES to identify additional suitable areas for tree preservation onsite as well as to implement appropriate tree protection measures throughout the construction and development process.

**Green Building Practices:** In accordance with Policy Plan guidance the applicant is encouraged to commit to obtaining Energy Star Qualified Homes designation for the new homes.

#### COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan Map depicts a minor paved trail (defined as asphalt or concrete, 4' to 7'11" in width) along the east side of Fleet Drive adjacent to the subject property. Sheet 5 of the development plan shows a proposed 5' wide concrete sidewalk on the west side of the subject property adjacent to Fleet Drive.

PGN: MAW



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** January 5, 2011

**TO:** St. Clair Williams, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

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

**SUBJECT:** Rezoning Application #RZ 2010-LE-007, Fleet Drive, Generalized Development Plan dated December 17, 2010, LDS Project #24676-ZONA-002-3, Tax Map #91-1-05-0002 through -0007 and #91-1-01-0058, -0059A, -0059B & -0060, Lee District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Water quality controls are required for this development (PFM 6-0401.2A). An enhanced extended detention dry pond has been proposed. An Innovative BMP form must accompany the site plan (LTI 01-11).

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Management

Stormwater detention is required, if not waived (PFM 6-0301.3). A dry pond is located on the plat. Woody vegetation will not be permitted on the embankment (PFM 6-1606.2F), i.e., no trees or shrubs will be allowed between the pond and Fleet Drive. During review of the site plan, the proximity of the proposed sanitary sewer pipe to the pond's embankment will be evaluated (PFM 6-1605.5). Also, please note that trees cannot be planted within 5 feet of a utility easement which contains a pipe (PFM 12-0514.6B); this requirement may restrict plantings along the storm drain pipe between lots 9 and 19.

Site Outfall

An outfall narrative has been provided.

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

BF/

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



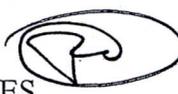


# County of Fairfax, Virginia

## MEMORANDUM

January 24, 2011

**TO:** St. Clair Williams, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Todd Nelson, Urban Forester II   
Forest Conservation Branch, DPWES

**SUBJECT:** Fosters Crest (Fleet Drive); RZ 2010-LE-007

**RE:** Request for assistance dated January 3, 2011

This review is based upon the Generalized Development Plan (GDP) RZ 2010-LE-007, the stamped "Received, Department of Planning and Zoning, December 22, 2010."

General Comment: Comments of the previously submitted GDP were provided to DPZ in my memos dated July 30, 2010, and September 29, 2010. Several comments contained in those memos were not adequately addressed. Additional comments are provided to address the proposed landscaping and 10-year tree canopy requirements.

- 1. Comment:** A deviation from the tree preservation target area is being requested and there does not appear to be any existing forest canopy proposed for preservation. Parcel 60 contains upland and bottomland forest communities covering the entire parcel. The overstory vegetation in the upland forest portion of the parcel consists primarily of white oak and red oak species while the understory vegetation consists primarily of cedar, sweetgum, cherry, sassafras, holly, and Virginia Pine. The overstory vegetation in the bottomland portion of the parcel consists primarily of sweetgum and cherry trees while the understory consists primarily of sassafras and hickory trees. The trees and vegetation located in the upland and bottomland forest communities of Parcel 60 appear to be in fair to good condition and should be considered a priority for preservation.

**Recommendation:** The proposed configuration of the development should be adjusted to provide tree save areas and accommodate preservation of the existing upland and bottomland forest communities located on Parcel 60 prior to the consideration of the deviation request.

- 2. Comment:** The proposed limits of clearing and grading at the eastern property boundaries of parcels 59A and 60 will provide minimal preservation for the existing off-site red oaks, red maple, catalpa, and holly trees located on parcels 58, 6, and 5.

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



**Recommendation:** A contiguous 15-foot wide undisturbed buffer should be provided along the entire length of the eastern property lines of parcels 59A and 60 to protect the existing off-site trees from construction damage.

3. **Comment:** The proposed limits of clearing and grading at the northern property boundaries of parcels 7 and 4 will provide minimal preservation for the existing off-site holly, catalpa, silver maple, and red maple trees located on parcel 5.

**Recommendation:** A contiguous 15-foot wide undisturbed buffer should be provided along the entire length of the northern property lines of parcels 7 and 4 to protect the existing off-site trees from construction damage.

4. **Comment:** The 'shade tree', 'evergreen tree', and 'ornamental tree' classifications identified in the Legend on sheet 6 are unclear. Due to the unclear tree types and size specifications, UFMD is unable to accurately determine if adequate planting space for the proposed landscaping is being provided.

**Recommendation:** Tree proposed to be planted should be identified as Category I, II, III, or IV deciduous trees and/or Category I, II, III, or IV evergreen trees. In addition, minimum planting areas should be provided in accordance with PFM section 12-0601.1B.

5. **Comment:** Given the nature of the tree cover on and adjacent to this site, and depending upon the ultimate development configuration provided, several proffers will be instrumental in assuring adequate tree preservation and protection throughout the development process.

**Recommendation:** Recommend the following proffer language to ensure effective tree preservation:

Tree Preservation: "The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 8 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the GDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the

survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.”

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 may be removed as part of the clearing operation. 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.”

Limits of Clearing and Grading. “The Applicant shall conform strictly to the limits of clearing and grading as shown on the GDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the GDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.”

Tree Preservation Fencing: “All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the “Root Pruning” proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.”

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

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

Demolition of Existing Structures. “The demolition of all existing features and structures within areas protected by the limits of clearing and grading areas shown on the GDP shall be done by hand without heavy equipment and conducted in a manner that does not impact individual trees and/or groups of trees that are to be preserved as reviewed and approved by the UFMD, DPWES.”

Site Monitoring. “During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.”

Please contact me at 703-324-1770 if you have any questions.

TLN/  
UFMID #: 151920

cc: RA File  
DPZ File



## County of Fairfax, Virginia

**MEMORANDUM**

DATE: February 8, 2011

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

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

**FILE:** 3-4 (RZ 2010-LE-007)

**SUBJECT:** Transportation Impact, Addendum

**REFERENCE:** RZ 2010-LE-007 Fleet Drive, LLC – Fosters Crest  
Traffic Zone: 1589  
Land Identification Map: 91-1 ((1)) 58, 59A, 59B, 60; ((5)) 2-7

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 9, 2010, and revised through January 21, 2011. The applicant wishes to rezone the subject parcels from R-1 and R-12 to R-12 and R-2. The R-12 parcels will total 4.33 acres and the R-2 parcels will have 2.23 acres. Thirty-four single family attached dwelling units (TH's) are proposed for the R-12 site with two private street connections to Fleet Drive.

- The applicant has shown satisfactorily how the future layout for the adjacent parcels would connect to the streets proposed in this application if/when the adjacent parcels redevelop and will provide interparcel easements.
- However, in the present application there is no internal connection, either street or pedestrian, provided between the two townhouse sections. The tot lot and other amenities are only accessible to 8 units and are not accessible from the southern section of 22 townhouses (out of 30). Staff *strongly* recommends that a pedestrian connection be made to the tot lot from the units 9-30. Even better would be to relocate a unit in block 9-16 or divide that section to provide a pedestrian connection between the two sections and then traversing to the tot lot area.
- The bus pad on the Fleet drive frontage should be located with the approval of Fairfax County Department of Transportation.

AKR/LAH/lah

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





## FAIRFAX COUNTY PARK AUTHORITY



## M E M O R A N D U M



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

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

**DATE:** October 4, 2010

**SUBJECT:** RZ 2010-LE-007, Fosters Crest - ADDENDUM  
Tax Map Number(s): 91-1 ((5)) 2-7; 91-1 ((1)) 58, 59A, 59B, 60

**BACKGROUND**

The Park Authority staff has reviewed the proposed Development Plan dated June 9, 2010, as revised through September 15, 2010 for the above referenced application. The Development Plan reflects a proposal for two zoning districts over a total of 7.56 acres. Three lots are proposed to be rezoned from R-12 to R-2. These lots each contain a single-family home and had been included with a previous proffered rezoning action, RZ 2006-LE-018. The owners of these properties no longer wish to be included in the redevelopment plans. Of the total application area, 2.23 acres are proposed to be rezoned to the R-2 district. The three existing homes are proposed to remain unchanged.

The second portion of the application includes six lots which were previously rezoned to the R-12 district, pursuant to RZ 2006-LE-018, plus an additional property that was not included with the previous zoning action. This additional lot is proposed to be rezoned from the R-1 to the R-12 zoning district. Of the total application area, 4.33 acres are proposed to be rezoned or remain as R-12. Within this area, five existing dwellings are proposed to be demolished to allow for the construction of 34 new single family attached dwelling units. The proposed rezoning will potentially generate 75 new residents.

**COMPREHENSIVE PLAN CITATIONS****1. Park Services and New Development (The Policy Plan, Parks and Recreation Objective 6, p. 8)**

**“Objective 6: Ensure the mitigation of adverse impacts to park and recreation facilities and service levels caused by growth and land development through the provision of proffers, conditions, contributions, commitments, and land dedication.”**

“Policy a: Offset residential development impacts to parks and recreation resources, facilities and service levels based on the adopted facility service level

standards (Appendix 2). The provision of suitable new park and recreational lands and facilities will be considered in the review of land development proposals in accordance with Residential Development Criteria - Appendix 9 of the Land Use element of the Countywide Policy Plan.”

“Policy b: To implement Policy a. above, residential land development should include provisions for contributions, or dedication, to the Park Authority of usable parkland and facilities, public trails, development of recreational facilities on private open space, and/or provision of improvements at existing nearby park facilities.”

2. **Heritage Resources** (The Policy Plan, Heritage Resources, Objective 1, p. 3)

**“Objective 1: Identify heritage resources representing all time periods and in all areas of the County.”**

“Policy a: Identify heritage resources well in advance of potential damage or destruction.”

3. **Heritage Resources** (Comprehensive Policy Plan, Heritage Resources Objective 3, page 4)

**“Objective 3: Protect significant historical resources from degradation or damage and destruction by public or private action.”**

4. **Heritage Resources** (Comprehensive Plan, Area IV, Beulah Community Planning Sector, Heritage Resources, p. 105)

“Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered.”

5. **Park and Recreation Needs** (Comprehensive Plan, Area IV, Beulah Community Planning Sector, Parks and Recreation, p. 107)

“Neighborhood Park facilities should be provided in conjunction with new residential development.”

## **ANALYSIS AND RECOMMENDATIONS**

### **Recreational Impact:**

Through the previous review, the Park Authority had requested a fair share contribution of \$66,975.00 to offset impacts to park and recreation service levels generated by the proposed

development. The Park Authority acknowledges the applicant's commitment to contribute \$1500.00 per approved dwelling unit as identified in the draft proffer statement dated September 18, 2010. The Park Authority requests the revision of the proposed proffer language as noted below:

3. **Park Authority Contribution.** At the time of site plan approval, the Applicant shall contribute the sum of ~~\$1,500 per approved dwelling unit for the total number of dwelling units on the approved site plan~~ \$51,000.00 to the Fairfax County Park Authority for recreational facilities *and/or resource management* at the nearby ~~Manchester Lakes Public Park~~ parks within the service area of the site, as determined by the Park Authority, subject, however to a credit for expenditures on-site for a ~~sitting area, tot lot, benches and a sidewalk with the open space areas as depicted on the GDP. The recreational equipment shall be IPEMA certified and installed in conformance with ASTM standards, or the equivalent, as determined by DPWES.~~

The Park Authority also acknowledges the applicant's commitment to provide on-site play equipment that is IPEMA certified and installed per ASTM standards. The Park Authority requests that this proffer commitment be listed separately from the commitment for the fair share contribution.

4. *Recreational Equipment. The recreational equipment provided on-site shall be IPEMA certified and installed in conformance with ASTM standards, or the equivalent, as determined by DPWES.*

Natural Resources Impact:

The Park Authority recommends the following revision to draft proffer #5:

5. **Stormwater Management Pond Landscaping.** Subject to DPWES approval, the Applicant shall provide an enhanced detention stormwater management pond on the Property. In order to restore a natural appearance to the proposed stormwater management pond and to plant water-tolerant plants in the bed of the pond, if determined feasible by DPWES, the landscape plan to be submitted as part of the first submission of the site plan shall show the maximum feasible amount of landscaping that will be allowed in the planting areas of the pond, in keeping with the planting policies of Fairfax County. *Proposed landscaping should exclude the use of non-native, invasive species as listed by Virginia Natural Heritage Program, USDA and the Mid-Atlantic Exotic Pest Plant Council.*

Cultural Resources Impact:

The Park Authority acknowledges and affirms the applicant's proffer commitment to protection of heritage resources as stated in draft proffer #15 – Heritage Resources.

## **SUMMARY OF RECOMMENDATIONS**

This section summarizes the recommendations included in the preceding analysis section.

- Modify proffer language related to contribution to the Park Authority
- Provide proffer commitment related to play equipment in separate proffer
- Modify proffer language related to stormwater management pond landscaping to include commitment to exclude usage of non-native, invasive species.

FCPA Reviewer: Gayle Hooper  
DPZ Coordinator: St. Clair Williams

Copy: Cindy Walsh, Director, Resource Management Division  
Liz Crowell, Manager, Cultural Resource Management & Protection Section  
Chron Binder  
File Copy

\\s51b204\planning\Park Planning\Development Plan Review\DPZ Applications\RZ\2010\RZ  
2010-LE-007\RZ 2010-LE-007 FCPA COMMENT - ADDENDUM.doc



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

July 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-LE-007  
Tax Map: 91-1  
Foster's Crest

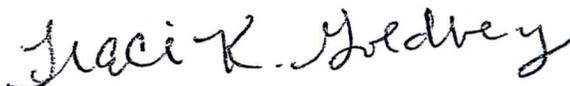
Dear Ms. Coyle:

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. Adequate domestic water service is available at the site from an existing 12-inch water main located in Fleet Drive. See the enclosed water system map.
3. Fairfax Water initially reviewed Foster's Crest (24676-SP-001-1) in September of 2007. The layout has been revised since our last review. The Generalized Development Plan has been marked-up and forwarded to Plan Control for distribution to the engineering firm.
4. Depending upon the final site and water main configurations, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

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

Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg". The signature is written in black ink and is positioned above the printed name and title.

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

Enclosures

cc: Paul B. Johnson, Charles P. Johnson & Associates  
Robert A. Lawrence, Reed Smith LLP



# County of Fairfax, Virginia

## MEMORANDUM

DATE: July 7, 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-LE-007

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #405, Franconia
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.





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** August 4, 2010

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

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

**SUBJECT:** Sanitary Sewer Analysis Report

**REFERENCE:** Application No. RZ2010-LE-007  
Tax Map No. 091-1-/01/0058, 0059A, 0059B, 0060, /05/0002, 0003, 0014, 0005, 0006, 0007

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 Long Branch (M-6) watershed. It would be sewerred into the Noman M. Cole Pollution Control Plant (NMCPCP).
- Based upon current and committed flow, there is excess capacity in the NMCPCP at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8" inch line located in the street 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 Rezonings</u>		<u>Existing Use + Application + Comp Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u>    </u>	<u>X</u>	<u>    </u>	<u>X</u>	<u>    </u>
Submain	<u>X</u>	<u>    </u>	<u>X</u>	<u>    </u>	<u>X</u>	<u>    </u>
Main/Trunk	<u>X</u>	<u>    </u>	<u>X</u>	<u>    </u>	<u>X</u>	<u>    </u>
Interceptor	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Outfall	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>

5. Other pertinent information or comments:



## RESIDENTIAL DEVELOPMENT CRITERIA

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

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

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

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

### 1. Site Design:

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

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

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

## 2. Neighborhood Context

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

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

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

## 3. Environment:

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

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

#### **4. Tree Preservation and Tree Cover Requirements:**

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

#### **5. Transportation:**

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

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

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

- Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs:* Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

## 6. Public Facilities:

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

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

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

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

## 7. Affordable Housing:

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

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

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

## **8. Heritage Resources:**

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

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

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

## ROLE OF DENSITY RANGES IN AREA PLANS

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

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

## FAIRFAX COUNTY ZONING ORDINANCE

**PART 12 3-1200 R-12 RESIDENTIAL DISTRICT, TWELVE DWELLING UNITS/ACRE****3-1201 Purpose and Intent**

The R-12 District is established to provide for a planned mixture of residential dwelling types at a density not to exceed twelve (12) dwelling units per acre; to provide for affordable dwelling unit developments at a density not to exceed fourteen and four-tenths (14.4) dwelling units per acre; to allow other selected uses which are compatible with the residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance.

**3-1202 Permitted Uses**

1. Accessory uses and home occupations as permitted by Article 10.
2. Affordable dwelling unit developments.
3. Churches, chapels, temples, synagogues and other such places of worship.
4. Dwellings, single family attached.
5. Dwellings, multiple family, including accessory service uses as permitted by Article 10.
6. Dwellings, mixture of those types set forth above.
7. Mobile and land based telecommunication facilities, subject to the provisions of Sect. 2-514.
8. Public uses.

**3-1203 Special Permit Uses**

For specific Group uses, regulations and standards, refer to Article 8.

1. Group 3 - Institutional Uses, limited to:
  - A. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
  - B. Convents, monasteries, seminaries and nunneries
  - C. Group housekeeping units
  - D. Home child care facilities
2. Group 4 - Community Uses.
3. Group 5 - Commercial Recreation Uses, limited to:
  - A. Commercial swimming pools, tennis courts and similar courts

## RESIDENTIAL DISTRICT REGULATIONS

4. Group 8 - Temporary Uses, limited to:
  - A. Carnival, circus, festival, fair, horse show, dog show, steeplechase, music festival, turkey shoot, sale of Christmas trees or other seasonal commodities and other similar activities
  - B. Construction material yards accessory to a construction project
  - C. Contractors' offices and equipment sheds to include trailers accessory and adjacent to an active construction project
  - D. Subdivision and apartment sales and rental offices
  - E. Temporary dwellings or mobile homes
  - F. Temporary farmers' markets
  - G. Temporary mobile and land based telecommunications testing facility
  - H. Temporary portable storage containers
5. Group 9 - Uses Requiring Special Regulation, limited to:
  - A. Automated teller machines

3-1204

### Special Exception Uses

For specific Category uses, regulations and standards, refer to Article 9.

1. Category 1 - Light Public Utility Uses.
2. Category 3 - Quasi-Public Uses, limited to:
  - A. Alternate uses of public facilities
  - B. Child care centers and nursery schools
  - C. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
  - D. Colleges, universities
  - E. Conference centers and retreat houses, operated by a religious or nonprofit organization
  - F. Congregate living facilities
  - G. Cultural centers, museums and similar facilities

## FAIRFAX COUNTY ZONING ORDINANCE

- H. Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls
  - I. Independent living facilities
  - J. Medical care facilities
  - K. Private clubs and public benefit associations
  - L. Private schools of general education
  - M. Private schools of special education
  - N. Quasi-public parks, playgrounds, athletic fields and related facilities
3. Category 4 - Transportation Facilities, limited to:
- A. Electrically-powered regional rail transit facilities
  - B. Regional non-rail transit facilities
4. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
- A. Commercial off-street parking in Metro Station areas as a temporary use
  - B. Funeral chapels
  - C. Golf courses, country clubs
  - D. Marinas, docks and boating facilities, commercial
5. Category 6 – Miscellaneous Provisions Requiring Board of Supervisors' Approval:
- Refer to Article 9, Special Exceptions, Part 6, Miscellaneous Provisions Requiring Board of Supervisors' Approval, for provisions which may qualify or supplement these district regulations.

### **3-1205 Use Limitations**

- 1. No sale of goods or products shall be permitted, except as accessory and incidental to a permitted, special permit or special exception use, or in connection with an accessory service use.
- 2. All uses shall comply with the performance standards set forth in Article 14.

### **3-1206 Lot Size Requirements**

- 1. Minimum district size: 4 acres
- 2. Minimum lot area

## RESIDENTIAL DISTRICT REGULATIONS

- A. Non-residential uses: 10,000 sq. ft.
- 3. Minimum lot width
  - A. Single family attached dwellings: 18 feet
  - B. Non-residential uses:
    - (1) Interior lot - 75 feet
    - (2) Corner lot - 100 feet

### 3-1207 Bulk Regulations

- 1. Maximum building height
  - A. Single family dwellings: 35 feet
  - B. All other structures: 65 feet
- 2. Minimum yard requirements
  - A. Single family dwellings
    - (1) Front yard: Controlled by a 15° angle of bulk plane, but not less than 5 feet
    - (2) Side yard: Controlled by a 15° angle of bulk plane, but not less than 10 feet
    - (3) Rear yard: Controlled by a 30° angle of bulk plane, but not less than 20 feet
  - B. All other structures
    - (1) Front yard: Controlled by a 25° angle of bulk plane, but not less than 20 feet
    - (2) Side yard: Controlled by a 25° angle of bulk plane, but not less than 10 feet
    - (3) Rear yard: Controlled by a 25° angle of bulk plane, but not less than 25 feet
- 3. Maximum floor area ratio: 0.70 for uses other than residential
- 4. Refer to Sect. 13-301 for provisions that may qualify the minimum yard requirements set forth above.

FAIRFAX COUNTY ZONING ORDINANCE

5. Refer to Par. 4 of Sect. 2-307 for provisions that qualify the minimum yard requirements for individual units in single family attached dwellings.
6. The minimum yard requirements presented in Par. 2A above shall apply to buildings, comprised of single family attached dwelling units, as they relate to peripheral lot lines, streets and to other buildings, but shall not apply to individual single family attached units within a building.

**3-1208 Maximum Density**

Twelve (12) dwelling units per acre

**3-1209 Open Space**

25% of the gross area shall be open space

**3-1210 Affordable Dwelling Unit Developments**

Affordable dwelling unit developments may consist of single family attached and multiple family dwelling units and the following regulations shall apply to dwelling units in affordable dwelling unit developments:

1. Minimum lot area: No Requirement
2. Minimum lot width
  - A. Single family attached dwellings: 14 feet
  - B. Multiple family dwellings: No Requirement
3. Maximum building height
  - A. Single family attached dwellings: 40 feet
  - B. Multiple family dwellings: 65 feet
4. Minimum yard requirements
  - A. Single family attached dwellings
    - (1) Front yard: Controlled by a 15° angle of bulk plane, but not less than 5 feet
    - (2) Side yard: Controlled by a 15° angle of bulk plane, but not less than 8 feet
    - (3) Rear yard: Controlled by a 25° angle of bulk plane, but not less than 16 feet
  - B. Multiple family dwellings

## RESIDENTIAL DISTRICT REGULATIONS

- (1) Front yard: Controlled by a 25° angle of bulk plane, but not less than 20 feet
  - (2) Side yard: Controlled by a 15° angle of bulk plane, but not less than 10 feet
  - (3) Rear yard: Controlled by a 25° angle of bulk plane, but not less than 25 feet
5. Refer to Par. 4 of Sect. 2-307 for provisions that qualify the minimum yard requirements for individual units in single family attached dwellings. In addition, the minimum yard requirements presented in Par. 4A above shall apply to buildings, comprised of single family attached dwelling units, as they relate to peripheral lot lines, streets and to other buildings, but shall not apply to individual single family attached units within a building.
  6. All other structures shall be subject to the lot size requirements and bulk regulations of Sections 1206 and 1207 above.
  7. The maximum density shall be fourteen and four-tenths (14.4) units per acre.
  8. 20% of the gross area shall be open space.

### 3-1211

#### Additional Regulations

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

## 18-204 Proffered Condition Regulations

Proffered conditions shall include written statements, development plans, profiles, elevations, and/or other demonstrative materials proffered in accordance with the provisions of Par. 4 of Sect. 203 above and approved by the Board in conjunction with the approval of an amendment to the Zoning Map. Proffered conditions shall be subject to the following procedures and regulations:

1. Once conditions to be proffered are signed and made available, and the public hearing before the Board has commenced, no change or modification to any condition shall be made and no additional conditions shall be proffered at that public hearing. If modified or additional conditions are proposed, a second public hearing before the Board shall be held before the application and the modified or additional conditions can be approved. Such application may also be the subject of a second public hearing before the Planning Commission.
2. If the amendment to the Zoning Map is adopted subject to the conditions proffered by the applicant as set forth above, then the property in question shall be appropriately annotated on the Zoning Map and all other land records referencing the conditions as adopted.
3. Such proffered conditions shall become a part of the zoning regulations applicable to the property in question, unless subsequently changed by an amendment to the Zoning Map, and such conditions shall be in addition to the specific regulations set forth in this Ordinance for the zoning district in question.
4. Upon approval, any site plan, subdivision plat or development plan thereafter submitted for the development of the property in question shall be in substantial conformance with all proffered conditions and no development shall be approved by any County official in the absence of said substantial conformance.
5. Notwithstanding the provisions of Part 4 of Article 1, minor modifications to the proffered conditions may be permitted when it is determined by the Zoning Administrator that such are in substantial conformance with the proffered conditions and that such: are in response to issues of topography, drainage, underground utilities, structural safety, layout, design, vehicular circulation, or requirements of the Virginia Department of Transportation or Fairfax County; or are accessory uses; or are accessory structures or minor building additions as permitted by Par 5A(7) or 5B(7) below.
  - A. For proffered rezonings for all uses, other than churches, chapels, temples, synagogues and other such places of worship (hereinafter places of worship) or places of worship with a child care center, nursery school or private school of general or special education, the modifications shall, in no event:
    - (1) Change the amount of land area or permit a more intensive use from that approved pursuant to the proffered conditions; or

(2) Result in an increased parking requirement, except for any additional parking which may be required for any building additions or modifications permitted under Par. 5A(7) below; or

(3) Permit uses other than those approved pursuant to the proffered conditions, except that accessory uses in accordance with this paragraph may be permitted; or

(4) Reduce the effectiveness of approved transitional screening, buffering, landscaping or open space; or

(5) Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or

(6) Result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or

(7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use and minor additions to buildings may be permitted, provided that the sum total of all such structures or additions shall not exceed the following:

(a) five (5) percent of the approved gross floor area or 500 square feet of gross floor area, whichever is less, when the total gross floor area shown on the proffered development plan is less than 50,000 square feet; or

(b) one (1) percent of the approved gross floor area when the total gross floor area shown on the proffered development plan is 50,000 square feet or more; or

(c) 250 square feet of gross floor area of accessory storage structure uses when the total gross floor area shown on the proffered development plan is 10,000 square feet or less; and

(d) the maximum permitted density; or

(e) the maximum permitted FAR for the zoning district in which located.

B. For proffered rezonings for places of worship and places of worship with a child care center, nursery school or private school of general or special education, the modifications shall, in no event:

(1) Permit an expansion of the hours of operation from that approved pursuant to the proffered conditions; or

(2) Permit an increase in the number of seats, parking spaces or students, if applicable, which exceeds more than ten (10) percent of the amount approved pursuant to the proffered conditions; or

(3) Permit uses other than those approved pursuant to the proffered conditions, except that accessory uses in accordance with this paragraph may be permitted; or

(4) Reduce the effectiveness of approved transitional screening, buffering, and landscaping or open space; or

(5) Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or

(6) Result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or

(7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:

(a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and

(b) the maximum permitted FAR for the zoning district shall not be exceeded.

C. For all proffered rezonings, any request for an addition shall require the provision of written notice by the requester in accordance with the following:

(1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and

(2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the proffered conditions, such modification shall require the resubmission and amendment of the proffered conditions in accordance with the provisions of Par. 6 below.

Notwithstanding the above, any modification to a proffered condition to provide an accessibility improvement shall be permitted and shall not require approval of a proffered condition amendment.

6. Once conditions have been approved, and there is cause for an amendment which would not be in substantial conformance with the proffered conditions, or there is a request to proffer conditions on a parcel not currently the subject of a proffered condition, then an application shall be filed for an amendment. An amendment application may be filed on a portion of the property subject to proffered conditions, upon a determination by the Zoning Administrator that the amendment (a) would not adversely affect the use of the property subject to the proffered conditions but not incorporated into the amendment application, (b) would not inhibit, adversely affect, or preclude in any manner the fulfillment of the proffered conditions applicable to the area not incorporated into the amendment application, (c) would not adversely affect the vehicular and pedestrian circulation, connectivity, landscaping and streetscape applicable to the area not incorporated into the amendment application, and (d) would not increase the overall approved density/intensity for the development, provided however, within the PTC District, for a multiple phased development, an increase in the intensity may be approved for any portion of such development, provided it does not adversely affect the intensity applicable to the area not incorporated into the amendment application. Previously approved proffered conditions which are not subject to the amendment request shall remain in full force and effect. If the amendment concerns an approved generalized development plan, such application shall include the submission requirements for a generalized development plan set forth in Sect. 202 above, except the Zoning Administrator may waive any submission requirement if such requirement is not necessary for an adequate review of the generalized development plan amendment application. Such amendment shall be the subject of public hearing in accordance with the provisions of Sect. 205 below.

7. The Zoning Administrator shall be vested with all necessary authority on behalf of the Board to administer and enforce proffered conditions. Such authority shall include the ability to order, in writing, the remedy of any noncompliance with a proffered condition and the ability to bring legal action to insure compliance including injunction, abatement, or other appropriate action or proceedings, as provided for in Part 9 of this Article.

8. The Zoning Administrator, or his agent, may require a guarantee, satisfactory to the Board, in an amount sufficient for and conditioned upon the construction of any physical improvements required by the proffered conditions, or a contract for the construction of such improvements and the contractor's guarantee, in like amount and so conditioned, which guarantee may be reduced or released by the Board or agent thereof, upon the submission of satisfactory evidence that the construction of such improvements has been completed in whole or in part.

9. Failure to meet or comply with any proffered condition shall be sufficient cause to deny the issuance of any permits, Building Permits, Residential and Non-Residential Use Permits as may be deemed appropriate by the Zoning Administrator.

10. Any person aggrieved by a decision of the Zoning Administrator regarding any proffered condition may appeal such decision to the Board. Such appeal shall be filed within thirty (30) days from the date of the decision appealed by filing a notice of appeal with the Clerk to the Board and a notice and filing fee as provided for in Sect. 106 above with the Zoning Administrator. Such notice shall be a written statement specifying the grounds on which aggrieved and the basis for the appeal.

### 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		