



# County of Fairfax, Virginia

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

April 19, 2011

John F. Amatetti, P.E.  
Vika, Inc.  
8180 Greensboro Drive, Suite 200  
McLean, VA 22102

RE: Interpretation for PCA/CDPA/FDPA 2002-PR-016-2, Park Crest, Tax Map: 29-3 ((29)):  
Tree Save Area/Limits of Clearing and Grading

Dear Mr. Amatetti:

This letter is in response to your correspondence of March 21, 2011, (attached) requesting an interpretation of the proffers and Conceptual Development Plan Amendment (CDPA) accepted by the Board of Supervisors in conjunction with the approval of PCA 2002-PR-016-2 and the Final Development Plan Amendment (FDPA) approved by the Planning Commission with FDPA 2002-PR-016-2. As I understand it, the question is whether modification of a tree save area to facilitate installation of a trail and a pair of retaining walls would be in substantial conformance with the proffers and the CDPA/FDPA. This determination is based on the plan entitled "Exhibit A -- Tree Save Interpretation Exhibit", which was prepared by Vika, Inc., date-stamped received March 21, 2011, and attached to the interpretation request letter.

The aforementioned applications govern the Park Crest project, a development approved in Tysons Corner, just northeast of the intersection of Westpark Drive and International Drive. The project consists of five buildings, three of which are constructed or under construction. The approved CDPA/FDPA depicts a tree save area that adjoins Westpark Drive to the south, a driveway for Building 1 to the east, a small parking lot and another tree save area to the north, and additional tree save and landscaped areas to the west. The subject tree save area slopes downward from Westpark Drive at a 3:1 grade and is protected by the limits of clearing and grading as shown on the CDPA/FDPA. This tree save area was reduced in size as part of the previous FDPA to allow for a change in configuration of the adjoining small parking lot to the north and its driveway to the east. With this reduction in size, the subject tree save area contained approximately 6,000 square feet and retained five trees. Based on proximity to proposed disturbance areas and based on species type and tree condition, Urban Forestry Management (UFM) staff determined that three of the five trees will not survive and should be removed.

Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703 324-1290  
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John F. Amatetti

Page 2

This interpretation involves the two remaining trees, a pair of yellow poplars. The condition of the poplars is rated as 55 and 70 percent. (A 100 percent rating is considered ideal for long term survivability.) According to UFM, given the poor and moderate rating of the trees, removal would not be detrimental to the area if appropriate replanting were done, including an appropriate mix of trees, shrubs, and ground cover.

Proffer 8G states:

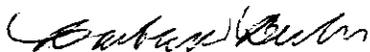
Limits of Clearing and Grading – The Applicant shall conform to the limits of clearing and grading as shown on the CDPA/FDPA, subject to necessary encroachment for the installation of utilities, public and private, and/or trails, as determined necessary by the Director of DPWES. If it is determined that necessary encroachments to install utilities, public and private, and/or trails outside the limits of clearing and grading as shown on the CDPA/FDPA, they shall be located in the least disruptive manner necessary as determined by the UFMD. A replanting plan shall be developed and implemented, subject to approval by UFMD, for any area outside the limits of clearing and grading that must be disturbed.

The proposed modification of the tree save area is being requested to install a trail connecting Building 1 and its parking lot to Westpark Drive and to install a pair of retaining walls given the steeply sloping grade. At their highest point, the retaining walls will be approximately six feet in height. The retaining walls will be located downslope of Westpark Drive and not be visible from the roadway. The walls will be located in a ravine and will be shielded from view from the adjoining property to the north by topography and by existing and proposed trees and landscaping. The trail and retaining walls would result in a design that provides more usable and accessible open space. You propose to provide a replanting plan to compensate for the removal of trees and to enhance the landscaping within the subject area.

It is my determination that the proposed modifications to the tree save area located to the west of Building 1 as described above, are in substantial conformance with proffers and the CDPA/FDPA, subject to final approval by DPWES, and provided that a replanting plan is submitted and implemented as determined by UFM, DPWES. This determination addresses only the issue discussed herein and has been made in my capacity as the duly authorized agent of the Zoning Administrator.

If you have any questions regarding this interpretation, please feel free to contact Bob Katai at (703) 324-7285.

Sincerely,



Barbara C. Berlin, AICP, Director  
Zoning Evaluation Division, DPZ

ZED/BKATAI/INTERPRETATIONS/PARK CREST TREE SAVE 041511

Attachments: A/S

cc: Linda Q. Smyth, Supervisor, Providence District  
Kenneth Lawrence, Planning Commissioner, Providence District  
Diane Johnson-Quinn, Senior Deputy Zoning Administrator, ZAD, DPZ  
Kenneth Williams, Plan Control, Office of Land Development Services, DPWES  
Angela Rodeheaver, Chief, Site Analysis Section, DOT  
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES  
Kevin J. Guinaw, Chief, Special Projects/Applications Management Branch, DPZ  
File: Site Plan #2002 CDPA/FDPA/PCA-PR-016-2, PI 1103 028, Imaging, Reading File



March 21, 2011

Ms. Barbara Berlin, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway  
Suite 801  
Fairfax, VA 22035

RECEIVED  
Department of Planning & Zoning  
MAR 21 2011  
Zoning Evaluation Division

**RE: Park Crest Tree Save Area Interpretation  
Plan # 2002 CDPA / FDPA / PCA-PR-016-2  
VIKA #V65719**

Dear Ms. Berlin:

The purpose of this letter is to request the approval of minor modifications to a proffered Conceptual Development Plan Amendment (CDPA) / Final Development Plan Amendment (FDPA) in accordance with Paragraph 4A of Section 16-403 of the Fairfax County Zoning Ordinance. This request is made on behalf of the owner, Avalon Park Crest, LLC (the "Applicant").

The referenced application was submitted by Park Crest SPE Phase I, LLC on property then identified among the Fairfax County tax map records as 29-4 ((7)) A6, A9, 29-4 ((13)) C1, all condominiums, 29-4 ((14)) C, C1 (the "Subject Property"). A proffered condition amendment, PCA 2002-PR-016-2, amended the plans and proffers for RZ 2002-PR-016, previously approved. The approved CDPA/FDPA has a final revision date of April 9, 2010 and the approved proffers are dated May 7, 2010. The Board of Supervisors approved the referenced application on May 11, 2010. The CDPA/FDPA includes a tree save area to the west of Building 1, which is the subject of this interpretation request.

This tree save area is part of a larger development known as Park Crest. Approvals for buildings and associated improvements within Park Crest include Site Plan #5166-SP-01, which was approved on December 20, 2005, and Site Plan #5166-SP-02, which was approved on November 19, 2010. A copy of both is attached. These site plans are associated with Buildings 1,4 and 5, as shown on the CDPA/FDPA. The Applicant proposes a minor modification to the tree save area west of Building 1 as shown on the approved PCA and CDPA/FDPA in accordance with the attached sketch prepared by VIKA, Inc. dated March 21, 2011 ("Exhibit A"). We have also enclosed a copy of Sheets 4, 11 and 11A of the CDPA/FDPA as well as an excerpt from the proffers that we feel are pertinent to the requested interpretation.

**VIKA, Incorporated**

8180 Greensboro Drive, Suite 200 • McLean, Virginia 22102 • 703.442.7800 Fax 703.761.2787  
McLean, VA • Germantown, MD • Washington, DC  
[www.vika.com](http://www.vika.com)

Although the tree save area has been reduced per the revised limits of clearing and grading on the attached sketch, this revision will allow for the installation of a trail from Westpark Drive into the site in this area. Furthermore, these revised limits of clearing and grading will allow for the creation of an open space area which will translate to Westpark Drive and be useable, as opposed to the existing slope which exists in this area at a slope steeper than 3:1. Additionally, as allowed/required by Proffer 8.D, the Applicant will provide a replanting plan for this area to account for the additional tree removal proposed with the revised limits of clearing and grading. Installation of retaining walls as shown on the attached sketch (with heights shown on said sketch) will be required for this revised open space area.

Perimeter set backs are maintained, and gross square footage will not exceed the approved GSF. Open space remains 35.6% which exceeds the requirement of 35.5% as shown on the original CDPA/FDPA. Parking shall meet Article 11 of the Zoning Ordinance unless a parking reduction is approved by the Board of Supervisors in accordance with the proffers. No heights will exceed the limit shown on the approved CDPA/FDPA. Exhibit A illustrates the proposed reduction in tree save area as well as the design for the proposed open space in this area. Exhibit A is prepared at the same scale Sheet 11A of the CDPA/FDPA.

The proposed minor modification results in no increase in intensity to that previously approved on the Subject Property. The Applicant proposes the modification within the approved height, open space and gross square footage limitations as shown on the CDPA/FDPA. The revised limits of clearing and grading are necessary to provide a trail and create an open space area that is useable and translates to Westpark Drive at this end of the property. This minor modification meets the requirements of Paragraph 4A, Section 16-403 of the Zoning Ordinance. Further, the proposal meets the limitation of Paragraph 4A as the modification does not include any of the following:

- *Permit a more intensive use from that previously approved.* The Applicant proposes a modification within the limitations of the approved building height and square footage. The use will remain residential.
- *Result in an increased parking requirement.* The Applicant is continuing to provide parking in accordance with Article 11 as provided for in the proffers, unless a parking reduction is approved by the Board of Supervisors in accordance with the proffers.



- *Permit uses other than those approved pursuant to the proffered conditions.* The Applicant proposes no changes to the previously approved uses.
- *Reduce the effectiveness of approved transitional screening, buffering, landscaping or open space.* The Applicant has complied with the proffered conditions regarding open space, landscaping, and setbacks. The effectiveness of the open space has been improved by making the area west of Building 1 useable and accessible from Westpark Drive.
- *Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to the adjacent property.* Perimeter set backs are maintained and no changes to the proposed buildings (including size, location, shape, orientation, etc.) are proposed so there is no adverse impact on surrounding properties.
- *Result in an increase in the amount of clearing and/or grading for a stormwater management facility.* The applicant is not proposing any changes that will result in a modification to the existing stormwater management system approved with the prior site plans. Clearing and grading limits will be adjusted for the purposes of trail installation and open space improvement.
- *Include the addition of any building or addition to buildings.* The Applicant is not modifying the approved number of buildings on the Subject Property or constructing any additions thereto.

In consideration of the above, I am asking for your administrative approval of the minor modifications described herein as being in substantial conformance with the approved CDPA/FDPA

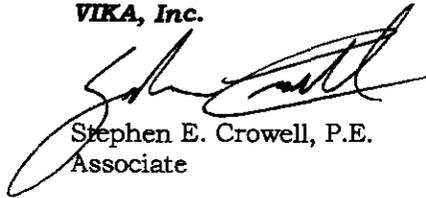


Ms. Barbara Berlin  
Fairfax County Dept. of Planning & Zoning  
**RE: Park Crest Building #2 Layout**  
**Plan # 2002 CDPA / FDPA / PCA-PR-016-2**  
**VIKA #V6571CC**

January 14, 2011  
Page 4 of 4

and the proffers approved for the Subject Property. In accordance with the requirements of the Zoning Ordinance, I have enclosed a check in the amount of \$500.00 payable to Fairfax County that represents the filing fee for interpretation requests. I have also enclosed two (2) copies of this request with all attachments pursuant to your policy. Should you have any questions regarding this request, or require additional information, please do not hesitate to give me a call. I would appreciate a response at your earliest convenience. As always, I appreciate your cooperation and assistance.

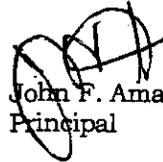
Sincerely,  
**VIKA, Inc.**



Stephen E. Crowell, P.E.  
Associate

SEC/sec

Sincerely,  
**VIKA, Inc.**



John F. Amatetti, P.E.  
Principal

Enclosures: Exhibit "A"  
Approved Site Plan #5166-SP-01 (Sheet 3 of 64A)  
Approved Site Plan #5166-SP-02 (Sheet 6 of 106)  
PCA/FDPA Sheet #4, 11, 11A  
Select Proffer Sheets

cc: Rick Borowski; Avalon  
Chris Helsabeck; Avalon  
Kevin Guinaw; Fairfax County  
Bob Katai; Fairfax County

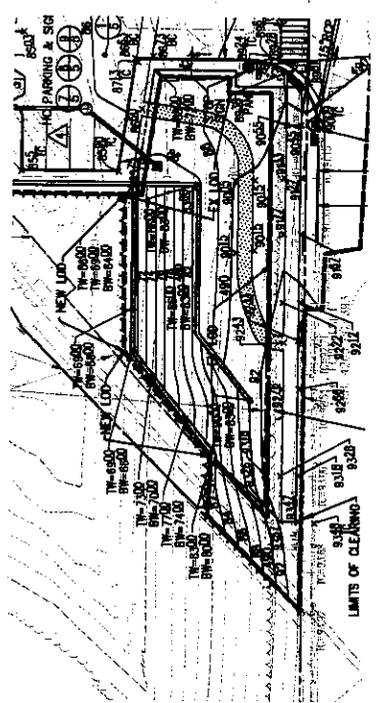
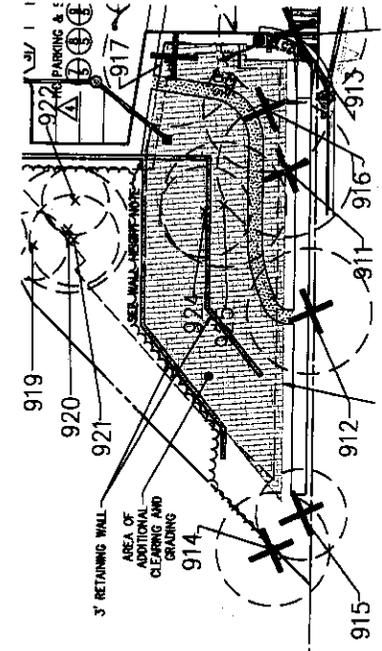
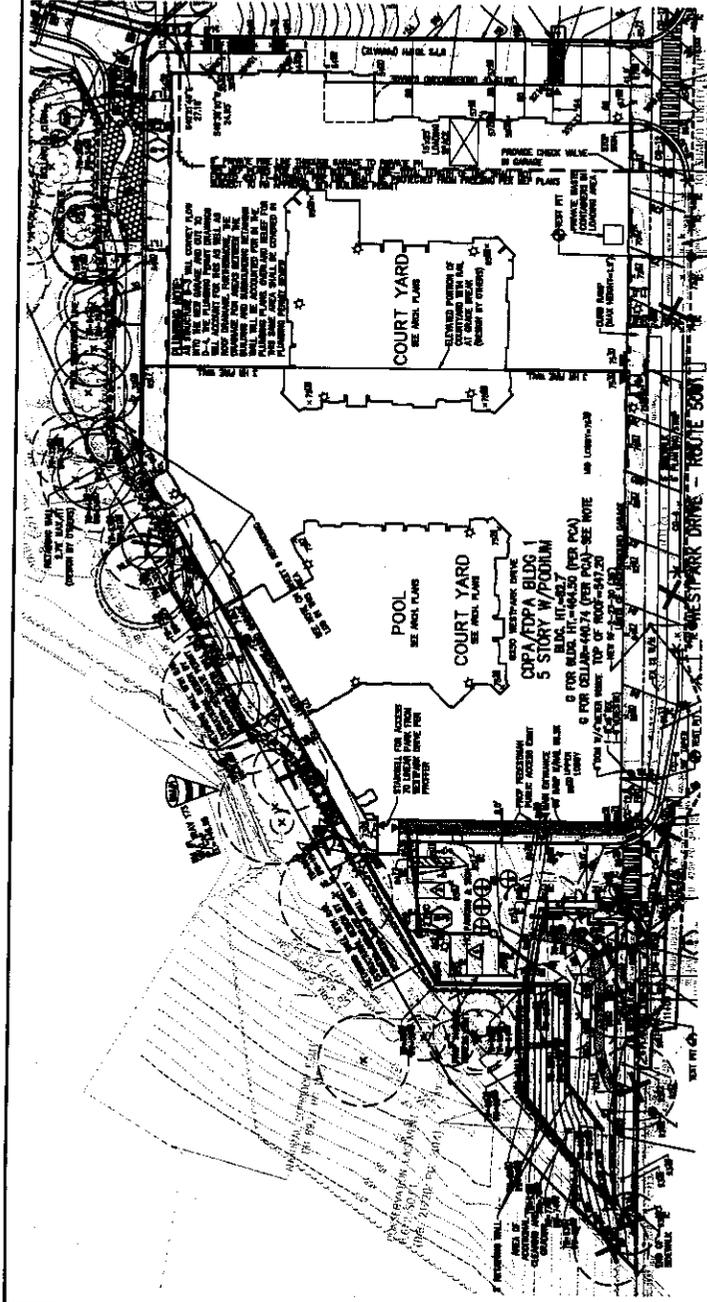


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PARK CREST  
 CPA/DPA BUILDING 1  
 PROVENANCE DISTRICT  
 FAYATK COUNTY, VIRGINIA

TREE SAVE  
 INTERPRETATION  
 EXHIBIT

DATE	12/15/11
BY	JAS. BRIDGES
SCALE	AS SHOWN
PROJECT/FILE NO.	16571
SHEET NO.	1 OF 1



**WALL HEIGHT NOTE:**  
 AT THIS CORNER WALL HEIGHT WILL EXCEED 3', BUT WILL REMAIN UNCHANGED FROM APPROXIMATE HEIGHT - WALL HEIGHT WILL REDUCE MOVING IN A WESTERLY AND SOUTHERLY DIRECTION TO 3' IN HEIGHT

**NOTE:**  
 TREES 911, 912, 913, 914, 915, 916, AND 917 WERE PREVIOUSLY SCHEDULED TO BE REMOVED, AND ARE STILL TO BE REMOVED. TREES 919, 920, 921, AND 922 WERE SCHEDULED TO BE PRESERVED AND WILL STILL BE PRESERVED. TREES 924 AND 925 WERE PREVIOUSLY SCHEDULED TO BE PRESERVED BUT ARE NOW TO BE REMOVED. REFORESTATION PER APPROVED PROFFERS SHALL APPLY TO THIS NEW TREE REMOVAL.



VDOT standards. In the event that VDOT does not approve the installation of a traffic signal at this location, no signal shall be required and there shall be no further obligation under this proffer.

- ii. Any modifications to the signal heads, poles, controllers, and/or sensors required to implement the lane configuration and split phase southbound Park Run Drive onto eastbound Westpark Drive as shown on Sheet 15 of the CDPA/FDPA shall be at the sole expense of the Applicant, subject to VDOT approval.

7. **Parking** -- Parking shall be provided as approved by DPWES and the Board in conjunction with this application. The Applicant reserves the right to request a future parking reduction or shared parking agreement pursuant to Article 11 of the Zoning Ordinance. Any modification to the proposed parking shall not require a PCA or FDPA, provided the layout is in substantial conformance with the CDPA/FDPA. The number of parking spaces represented on the CDPA/FDPA is based on preliminary estimates; the final number of parking spaces provided at the time of site plan submission shall be consistent with the CDPA/FDPA, any approved parking reduction, and the number of units developed. The Applicant reserves the right to provide parking in excess of the minimum required by Article 11 of the Zoning Ordinance or approved parking reduction, so long as it does not decrease open space and is in substantial conformance with the CDPA/FDPA.

8. **Landscape Plan**

- A. A landscape plan(s) corresponding to each phase of the Application Property shall be submitted as part of each site plan and shall be in substantial conformance with

the design shown on Sheet 11 of the CDPA/FDPA. A landscape plan for the Linear Urban Park as depicted on the CDPA/FDPA, including paving and amenities, shall be included with the site plan for the last multifamily building on the Application Property.

B. The landscaped plan(s) shall include detailed streetscape, courtyard, and open space landscaping. Said plan(s) shall be coordinated and approved by the Urban Forest Management Division (UFMD).

C. Existing street trees along Park Run Drive, and Westpark Drive, shall be preserved to the extent possible, as determined by UFMD and VDOT. Replacement street trees shall be a minimum of three-inch (3") caliper at the time of planting.

D. Tree Preservation Plan – The Applicant shall submit a tree preservation plan as part of each site plan submission. The preservation plan shall be prepared by a professional with landscape experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and reviewed and approved by DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread, and condition rating percentage of all trees twelve inches (12") in diameter and greater, located ten

(10) feet to either side of the limits of clearing and grading as shown on the CDPA/FDPA for the entire site. The tree survey shall also include areas of clearing and grading not shown on the CDPA/FDPA resulting from engineering requirements, such as off-site clearing and grading for utilities or stormwater outfall. The condition analysis 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 mulching, fertilization, and others as necessary, shall be included in the plan.

E. Tree Preservation Fencing – All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing shall be four feet (4') high, with 14 gauge welded wire, attached to six foot (6') steel posts driven eighteen inches (18") into the ground and placed no farther than ten feet (10') apart, shall be erected around all tree save areas that are adjacent to future construction. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fences, except super silt fence, shall be performed under the supervision of a certified arborist. Three (3) days prior to the commencement of any clearing, grading, or demolition activities, DPWES shall be notified and given the opportunity to inspect the Application Property to ensure that all tree protection devices have been correctly installed.

F. Site Monitoring – The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction work and tree preservation efforts in order to ensure conformance with all tree preservation proffers. The monitoring schedule shall be described and detailed in the tree preservation plan, and reviewed and approved by DPWES.

G. Limits of Clearing and Grading – The Applicant shall conform to the limits of clearing and grading as shown on the CDPA/FDPA, subject to necessary

encroachment for the installation of utilities, public and private, and/or trails, as determined necessary by the Director of DPWES. If it is determined that necessary encroachments to install utilities, public and private, and/or trails outside the limits of clearing and grading as shown on the CDPA/FDPA, they shall be located in the least disruptive manner necessary as determined by the UFMD. A replanting plan shall be developed and implemented, subject to approval by UFMD, for any area outside the limits of clearing and grading that must be disturbed.

H. Reforestation – A reforestation plan for the Linear Urban Park shall be submitted concurrently with the site plan submission for the last multifamily building associated with this CDPA/FDPA for review and approval by the UFMD. The plan shall propose an appropriate selection of species based on existing and proposed site conditions to restore the area to a native forest cover type. The reforestation plan shall include, but not be limited to the following:

- i. Plant list detailing species, sizes and stock type of trees and other vegetation to be planted;
- ii. Soil treatments and amendments if necessary;
- iii. Mulching specifications;
- iv. Methods of installation;
- v. Maintenance;
- vi. Mortality threshold;
- vii. Monitoring;
- viii. Replacement schedule.

The reforestation shall occur prior to the issuance of the first RUP for the last multifamily building and its completion shall be a prerequisite to final bond release for the last multifamily building constructed on the Application Property.

- I. Interim Landscaping – Interim landscaping, to include a plant nursery on approximately 0.85 acre on future sites of Buildings 2, 3 and 3A, as well as temporary screening for the temporary sediment basin located in proximity to the Westpark Drive and Park Run Drive intersection, shall be provided as shown on Sheet 21 of the CDPA/FDPA. Notwithstanding that which is shown on the CDPA/FDPA, the final selection of species and size shall be made by the Applicant in coordination with UFMD at time of planting. The general appearance of the plant nursery shall be as depicted on the CDPA/FDPA. The interim landscaping shall be planted on a staggered schedule as described on the CDPA/FDPA commencing within 90 days of approval of this application, weather permitting to ensure maximum survival. Nursery stock may be transplanted to other areas of the Application Property in conjunction with site plans submitted for Buildings 2, 3 and 3A.

**9. Pedestrian Facilities**

**A. On-Site**

- i. The Applicant shall construct a comprehensive sidewalk system, with ADA accessible elements as required by ADA standards within the developed portions of the Application Property as generally shown on Sheet 14 of the CDPA/FDPA. Crosswalk connections between all retail