



FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

(703) 324-1290

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V I R G I N I A

May 10, 2002

Mr. Gregory Riegler
McGuire Woods
1750 Tysons Boulevard, Suite 1800
McLean, Va. 22101-4215

Re: Interpretation for RZ 1999-HM-011 and FDPA 1999-HM-011, Woodland Park,
Tax Map 16-3 ((1)) 25-D2 (Formerly Tax Map 61-3 ((1)) Pt. 25D and 16-4 ((1)) 32B):
Layout Modification for Land Bay C-2, Buildings, Parking and Landscaping (Revised)

Dear Mr. Riegler:

This letter supercedes my letter dated May 9, 2002. This is in response to your letter dated February, 2002, and follow-up letters from Hillary K. Zahm, of Vika Inc., dated March 8, 2002, and April 1, 2002, (attached) requesting an interpretation of the proffers and Conceptual Development Plan (CDP) accepted by the Board of Supervisors in conjunction with the approval of RZ 1999-HM-011, and the Final Development Plan Amendment (FDPA) and development conditions approved by the Planning Commission with FDPA 1999-HM-011. As I understand it, there are two questions that will be addressed individually below. These determinations are based on the plans entitled "Interpretation Exhibit – Van Metre @ Woodland Park – Land Bay C-2," and "Interpretation Exhibit – Van Metre @ Woodland Park – Land Bay C-2 – Showing Open Space," both prepared by VIKA Incorporated and dated January 25, 2002, and revised through April 22, 2002, and the drawing entitled "Woodland Park Apartments – Phase II – Building Type II Elevations," prepared by Lemay Erickson Architects and dated October 12, 2001.

The area subject to this interpretation is the southwestern portion of Land Bay C-2 and consists of 1.64 acres. The approved FDPA shows the subject area to be developed with 3 multi-family buildings. The northern building is depicted with garage units at the north end of the building; the remaining units are not shown with garages. The FDPA tabulations indicate Land Bays B and C may be developed with up to a total of 757 market rate multi-family units and affordable dwelling units and a total of 1,245 parking spaces. Of those, you have indicated that 115 apartment units and 127 parking spaces were intended to be provided in this portion of Land Bay C. The approved FDPA shows a peripheral screening area 35' wide and to include existing vegetation and supplemental landscaping.

FDPA sheet 2 of 7 entitled "Notes and Tabulations" includes the following note 24:

“The footprints represented heron are approximate. Building footprints may be increased or decreased and the number of units in each multi-family building may be modified, so long as the minimum open space provided in the tabulation and the minimum dimensions to the peripheral lot lines are not diminished...”

Note 30 on sheet 2 of the FDPA reads as follows:

“Parking will be provided in accordance with the provisions of Article 11 of the Zoning Ordinance. The number of parking spaces provided will be adjusted based on the actual number of units constructed. Garages may or may not be provided; if provided, the garages and any tandem space behind will count as part of the required parking spaces. The applicant reserves the right to provide more than the minimum required parking. On site parking may be located on the surface, within the building footprint, and/or in freestanding parking garages.”

Sheet 4 of the approved CDP shows the typical apartment building layout with garage spaces and tandem parking spaces on the first level of the three story units.

It is my understanding that your first question is whether providing garage units on one side of all three buildings, reconfiguring the footprint of the buildings, and reconfiguring the parking layout for this part of Land Bay C-2 is in substantial conformance with the proffers, CDP, FDPA and development conditions. You are proposing to provide garage units on the western side of the northern building (the approved plan showed garages along the north side), the northern side of the middle building, and the western side of the southern building. You have stated that the number of units has decreased by three, from 115 units to 112 units. You have verbally informed staff that there is an increase of 7,900 square feet in the size of the three buildings, from 40,500 square feet to 48,400 square feet; the open space has increased a total of 0.32 acres, from 1.64 acres shown on the FDPA to 1.96 acres; there are 144 proposed parking spaces, that is 17 more parking spaces than the 127 parking spaces approved; and that you are continuing to provide a 35' transitional screening area with supplemental vegetation along the eastern boundary.

It is my determination that use of garage units on one side of all three buildings, the reconfigured footprint of the buildings, and the reconfigured parking layout as described above would be in substantial conformance with the proffers, CDP, FDPA, and development conditions provided the total number of units in Land Bays B and C do not exceed 757.

It is my understanding that your second request is whether the relocation of 11 deciduous trees and a row of 17 parking spaces shown on the FDPA adjacent to Fox Mill Road would be in substantial conformance with the proffers, CDP, FDPA, and development conditions. You propose to relocate the trees and parking approximately 20 feet to the north in order to provide adequate sight distance from the adjacent Great Oak development to the intersection of Fox Mill Road and Sunrise Valley Drive. While the proposed sight distance easement varies in width, the widest easement area is approximately 30 feet, an additional 20 feet from that shown on the

Mr. Gregory A. Riegle
Page 3

FDPA. Your letters state that there will be no change in transitional screening, buffering, landscaping, yard setbacks, open space, drive aisles, parking quantities, or building heights.

It is my determination that the proposed relocation of 11 deciduous trees and 17 parking spaces adjacent to Fox Mill Road would be in substantial conformance with the proffers, CDP, FDPA and development conditions provided that the proposed landscaping is approved by the Urban Forestry Division of DPWES.

These determinations have been made in my capacity as the duly authorized agent of the Zoning Administrator.

If you have any questions regarding these interpretations please call Lisa Feibelman at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

Attachments: A/S

cc: Catherine M. Hudgins, Supervisor, Hunter Mill District
Frank A. de la Fe, Planning Commissioner, Hunter Mill District
Michael Congleton, Chief of the Zoning Permit Review Branch, DPZ
Michelle Brickner, Director, Office of Site Development Services, DPWES
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
File: PCA 99-HM-011, FDPA 1999-HM-011-1, and PI 0202 019

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McLean, VA 22102-4215
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Gregory A. Riegler
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McGUIREWOODS

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FEB 4 2002

ZONING EVALUATION DIVISION

griegler@mcguirewoods.com
Direct Fax: 703.712.5218

February 4, 2002

VIA HAND DELIVERY

Barbara A. Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning
12055 Government Center Parkway, Suite 830
Fairfax, VA 22035

RE: Proffer Interpretation for Approved Rezoning 1999-HM-011
PCA 94-H-065, FDP 1999-HM-011

Dear Barbara:

This request is a follow-up to a preliminary discussion that was conducted with Lisa Feibelman of your office regarding an interpretation of the proffers governing the above-described rezoning. The subject property is a project commonly known as "Woodland Park." Woodland Park abuts an adjacent project commonly known as "Great Oak." Great Oak is comprised of the property formerly known as the "Greg-Roy Subdivision," and is governed by approved rezoning RZ 2000-HM-025. I am requesting written confirmation that minor modifications to the approved CDP/FDP for Woodland Park described on the attached exhibit (consisting of two (2) sheets) are deemed to be in substantial conformance with the governing approvals.

This request has two (2) primary components, including: (1) approval of the overall building and parking layout, and (2) a reorientation of landscaping along Fox Mill Road, as needed to accommodate a sight distance easement that is required in connection with the development of the Great Oak property.

The attached exhibit also reflects the most current overall site design for the buildings and parking located on the Woodland Park property. The exhibit reflects several minor modifications to the shape of buildings and the configuration of the parking. These modifications have resulted from the final engineering of the project and the inclusion of a site distance easement more fully described below. When compared to the approved CDP/FDP for Woodland Park, the number of units decreases slightly, open space increases, and the building envelopes and their general location and orientation continues to be consistent with that shown on the approved CDP/FDP. Please confirm that the building and parking configuration shown on the attached exhibit is in substantial conformance with the governing CDP/FDP.

As generally discussed above, in connection with the review of the site and subdivision plans for the Great Oak property, the Virginia Department of Transportation (VDOT) and the Fairfax County Department of Public Works and Environmental Services (DPWES) are requiring

Ms. Barbara A. Byron, Director
February 4, 2002
Page 2

dedication of a sight distance easement along the Fox Mill Road frontage of the Woodland Park property. The sight distance easement generally extends along Fox Mill Road from the westernmost entrance at the Great Oak property toward Centreville Road. The required sight distance easement necessitates the relocation of approximately eleven (11) deciduous trees and several parking spaces shown on the governing Conceptual Development Plan/Final Development Plan (CDP/FDP) for the Woodland Park rezoning.

Proffer 3 of RZ 1999-HM-011/PCA 94-H-065 allows for appropriate flexibility in considering modifications such as these. The requested reconfiguration of buildings, parking and landscaping is also consistent with the provisions of Section 16-403 of the Zoning Ordinance that permit minor modifications to an approved CDP/FDP in circumstances where the requested modification is in response to "issues of layout or design," "issues or requirements of the Virginia Department of Transportation or Fairfax County" or "related to vehicular circulation." The proposed revisions reflect final design considerations and/or are in direct response to the transportation planning requirements of VDOT and DPWES. Section 16-403 further requires a demonstration that "the modification does not reduce the effectiveness of the approved transitional screening, buffering, landscaping or open space." The proposed redesign is also consistent with this requirement. The proffered landscape concept continues to be honored by providing an equal or greater number of trees in locations that reflect the intent of the landscaping shown on the CDP/FDP. Potential visual impacts on Fox Mill Road are actually potentially reduced slightly by the relocation of several parking spaces to areas of the site either removed from Fox Mill Road. Landscaping in other areas of the site remains consistent with the approved CDP/FDP.

Thank you in advance for your consideration of this request. If you have any questions or require any further information, please do not hesitate to give me a call.

Sincerely yours,



Gregory A. Riegler

GAR/jww

Cc: Don Hague
Elizabeth Baker
Dean H. Crowhurst, Esquire
Hillary Zahm, Vika
Lisa Feibelman

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FEB 4 2002

ZONING EVALUATION DIVISION

March 8, 2002

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MAR 08 2002

ZONING EVALUATION DIVISION

Ms. Lisa Feibelman
Zoning Evaluation Division
Department of Planning & Zoning
12055 Government Center Parkway
Suite 830
Fairfax, Virginia 22035-5507

**Re: Woodland Park
VIKA# 5917Y
Interpretation Request Follow Up**

Dear Lisa,

Per our meeting on February 26, 2002, I have revised the interpretation exhibit and will provide additional information for your use in reviewing the interpretation request for Woodland Park. With this letter I am including a revised exhibit showing the proposed plan for Land Bay C-2 as well as an elevation of the proposed units for that portion of the development.

As you may note from the revised C-2 exhibit, the following changes have been made to the plan since our meeting:

- The scale on the previous exhibit was incorrect. After adjusting the scale, the transitional screening changed to 35' as measured at 50-scale. This remains consistent with the proffered CDP/FDP;
- The limits of clearing and grading are now shown on the plan;
- The proposed new ingress/egress on Sunrise Valley Drive has been removed; and
- The existing trees to remain in the landscaped buffer along the eastern property line have been identified and a note added to reflect the approved FDPA. Additionally, a tree line is now shown to delineate the area containing existing vegetation to remain.

The following information regarding C1 and C2 is provided for your use in evaluating the approved and proposed layout for Woodland Park Land Bay C. The information under the "Approved Land Bay C" column is taken from the tabulations of Land Bays B and C on FDPA 1999-HM-011-1 minus the tabulations from the Site Plan for Land Bay B (5518-SP-26). The "C-1 Site Plan" column includes data from the current C-1 site plan, 5518-SP-33-1. The column with the difference between C and C-1 indicates the requirements for C-2 based on the open space, number of units and parking remaining to be constructed or provided within Land Bay C. Column "C-2 Proposed" indicates the open space, units and parking proposed to be provided in a future site plan based on the change in the unit type and layout.

	Approved Land Bay C	C-1 Site Plan 5518-SP-33-1	Difference between C and C-1	C-2 Proposed
Open Space	5.85 acres	4.21 acres	1.64 acres	1.96 acres
Number of Units	384 units	269 units	115 units	112 units
Parking Provided	614 spaces	487 spaces	127 spaces	144 surface spaces (not including garages)

The table indicates that the open space proposed in C-2 is increased above that required with FDPA 1999-HM-011-1. In addition, the number of units will not exceed that which was approved with the FDPA and more parking than required is proposed to be provided. As was the case with the initial exhibit, the parking remains in a configuration that is consistent with the governing approvals.

I hope this adequately responds to your inquiry. I am more than happy to discuss this with you further; please feel free to contact me if I can clarify any of the above information or answer any questions. Thank you for your assistance with this matter.

Sincerely,

Hillary Katherine Zahm

Hillary Katherine Zahm
Planner

ENC. Revised Interpretation Exhibit Van Metre @ Woodland Park
Woodland Park Apartments-Phase II Building Elevations

X:/Data/5917Y/letters/lisa follow up.doc

April 1, 2002

Ms. Lisa Feibelman
Zoning Evaluation Division
Department of Planning & Zoning
12055 Government Center Parkway
Suite 830
Fairfax, Virginia 22035-5507

**Re: Woodland Park
VIKA# 5917Y
Site Distance Interpretation**

Dear Lisa,

Based on our March 18, 2002 conversation regarding the Woodland Park interpretation, this letter serves to respond to the issues raised during our discussion.

Recreational Facilities: You noted that proffer #4 requires a number of recreational facilities throughout the site and wanted to ensure that the recreational amenities for the eastern portion of the site had already been addressed.

The site plans include the following recreational amenities: Land Bay A includes two tennis courts, a tot lot, and a swimming pool with a bathhouse. Land Bay B includes a clubhouse (with a fitness center and leasing center) and a swimming pool.

Open Space: You asked for clarification on the amount of open space proposed with the site plan.

To respond to this issue, VIKA created the attached exhibit, which indicates the open space proposed with this interpretation. The tabs on the FDPA showed 5.85 acres of open space in Land Bay C. The Site Plan for C-1 presently contains approximately 4.21 acres of open space; therefore, 1.64 acres of open space remain to be provided in Land Bay C-2. The open space proposed with this interpretation for Land Bay C-2 is 85,719.2 SF, or 1.96 acres of open space. When combined with Land Bay C-1, the open space proposed for Land Bay C is 6.17 acres, which is excess of the 5.85 acres required with the FDPA.

Parking: You asked if we could reduce the number of parking spaces proposed.

As I mentioned, Van Metre does intend to pursue an additional ingress/egress on Sunrise Valley Drive in the future, which will eliminate some of the parking spaces currently shown along Sunrise Valley Drive near the existing median break. Van Metre expects the parking demand in this location to be great. Given that there are no nearby locations to allow for overflow parking, Van Metre would like to ensure that adequate parking is available onsite for residents and visitors of the community. The proffers for this site do not place a limit on the

maximum number of parking spaces permitted with this development. Given that the site will still maintain at least the open space required with zoning approval with the proposed increase in parking, this appears to be in substantial conformance with the approved FDPA.

Landscaping: You noted that additional landscaped islands should be provided along Sunrise Valley Drive to break up the number of parking spaces in a row. Additionally, you requested further landscaping in the open space areas on the plan.

The revised exhibit shows additional landscaped islands along the parking on Sunrise Valley Drive as well as vegetation in the open space areas. These changes should still comply with the approved FDPA.

Urban Forestry Comments: After talking with Hugh Whitehead of Urban Forestry, you noted that the trees placed directly in the Dominion Virginia Power easement running through the property may need to be moved so as not to infringe on the easement.

The Dominion Virginia Power easement through the property does not permit buildings to be constructed within the easement but does allow certain deciduous trees. VIKA will address this issue in detail during the review of the site plan to ensure that the setback from the easement is maintained as required. This issue will be resolved through coordination with Dominion Virginia Power during the site planning process.

Urban Forestry also noted that the existing and proposed trees shown were not necessarily indicative of what existed or could be planted in the 35' buffer next to the Greg Roy subdivision.

As we discussed, the exhibit reflects the appearance of the buffer as shown on the FDPA. VIKA will work to address this issue during review of the site plan. A note has been added to the exhibit stating, "Proposed landscaping shall be field located and specific tree types coordinated with the Urban Forester."

I believe the above and the attached exhibits should adequately respond to the issues raised in our conversations. As always, please feel free to contact me if I can provide you with additional information. Thank you for all of your time and assistance with this interpretation request.

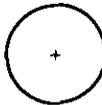
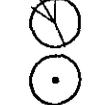
Sincerely,



Hillary Katherine Zahm
Planner

ENC. Revised Interpretation Exhibit Van Metre @ Woodland Park
Open Space Exhibit for Interpretation

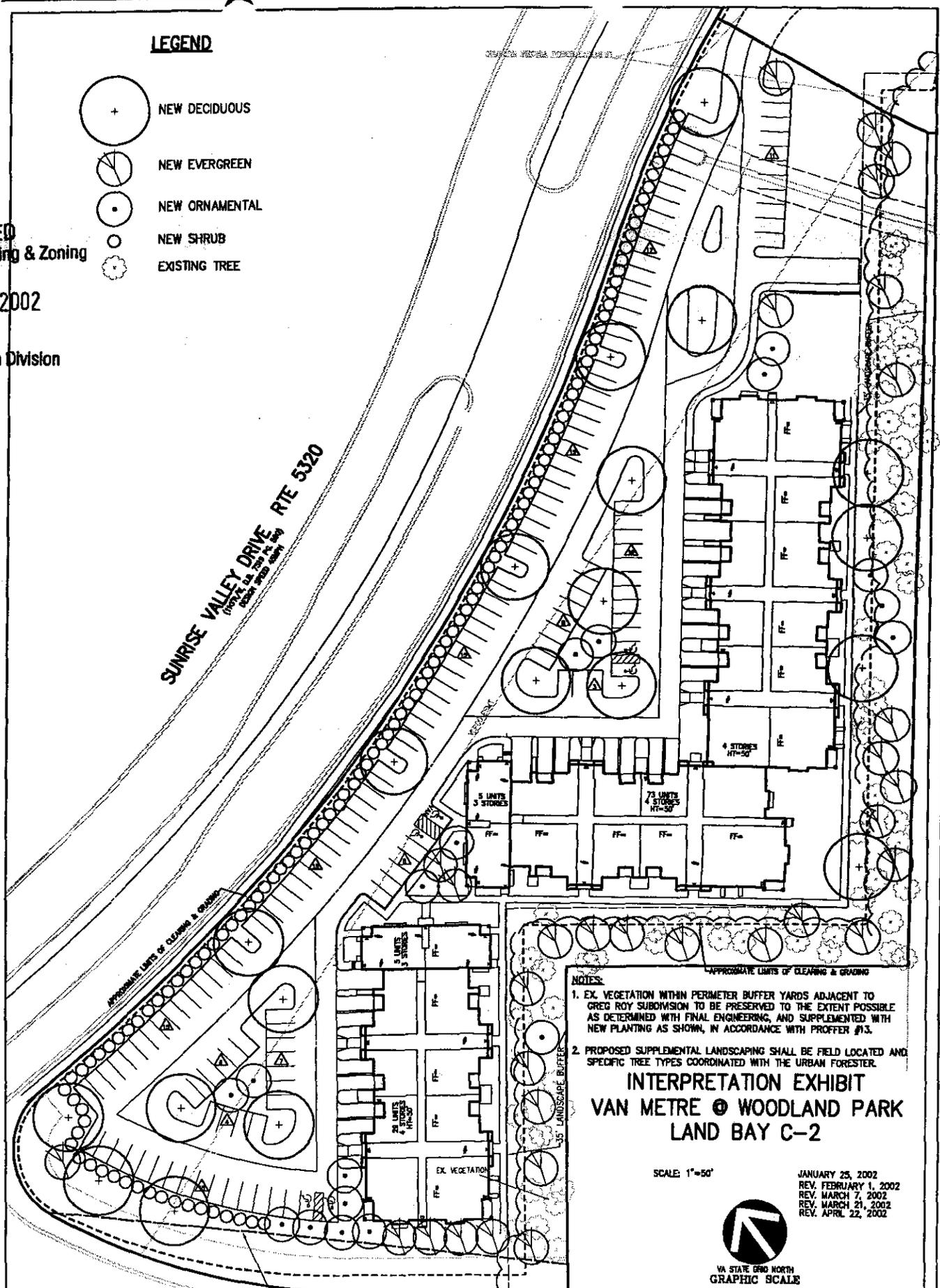
LEGEND

-  NEW DECIDUOUS
-  NEW EVERGREEN
-  NEW ORNAMENTAL
-  NEW SHRUB
-  EXISTING TREE

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APR 22 2002

Zoning Evaluation Division



- NOTES:**
- EX. VEGETATION WITHIN PERIMETER BUFFER YARDS ADJACENT TO GREG ROY SUBDIVISION TO BE PRESERVED TO THE EXTENT POSSIBLE AS DETERMINED WITH FINAL ENGINEERING, AND SUPPLEMENTED WITH NEW PLANTING AS SHOWN, IN ACCORDANCE WITH PROFFER #13.
 - PROPOSED SUPPLEMENTAL LANDSCAPING SHALL BE FIELD LOCATED AND SPECIFIC TREE TYPES COORDINATED WITH THE URBAN FORESTER.

**INTERPRETATION EXHIBIT
VAN METRE @ WOODLAND PARK
LAND BAY C-2**

SCALE: 1"=50'

JANUARY 25, 2002
REV. FEBRUARY 1, 2002
REV. MARCH 7, 2002
REV. MARCH 21, 2002
REV. APRIL 22, 2002



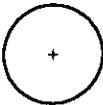
VA STATE GRID NORTH
GRAPHIC SCALE



FOX MILL ROAD
RTE 665
(NORTH VARIET)

DATE: 02/20/02 3:00PM

LEGEND

-  NEW DECIDUOUS
-  NEW EVERGREEN
-  NEW ORNAMENTAL
-  NEW SHRUB
-  EXISTING TREE
-  OPEN SPACE PROVIDED (85,719.2 SF)

SUNRISE VALLEY DRIVE
PROPOSED 1/2" = 100' SCALE
 RTE 5320

APPROXIMATE LIMITS OF CLEARING & GRADING

APPROXIMATE LIMITS OF CLEARING & GRADING

NOTES:

1. EX. VEGETATION WITHIN PERIMETER BUFFER YARDS ADJACENT TO GREG ROY SUBDIVISION TO BE PRESERVED TO THE EXTENT POSSIBLE AS DETERMINED WITH FINAL ENGINEERING, AND SUPPLEMENTED WITH NEW PLANTING AS SHOWN, IN ACCORDANCE WITH PROFFER #13.
2. PROPOSED SUPPLEMENTAL LANDSCAPING SHALL BE FIELD LOCATED AND SPECIFIC TREE TYPES COORDINATED WITH THE URBAN FORESTER.

**INTERPRETATION EXHIBIT
 VAN METRE @ WOODLAND PARK
 LAND BAY C-2
 SHOWING OPEN SPACE**

SCALE: 1" = 50'
 JANUARY 25, 2002
 REV. FEBRUARY 1, 2002
 REV. MARCH 7, 2002
 REV. MARCH 21, 2002
 REV. APRIL 22, 2002



VA STATE GRID NORTH
 GRAPHIC SCALE



FOX MILL ROAD
 RTE 665
(NOTH YARDS)

PROPOSED SITE DISTANCE EASEMENT

