



# FAIRFAX COUNTY

APPLICATION FILED: May 24, 2000  
APPLICATION AMENDED: March 19, 2001  
PLANNING COMMISSION: May 10, 2001  
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

April 25, 2001

## STAFF REPORT ADDENDUM

### APPLICATION RZ/FDP 2000-SU-024

#### SULLY DISTRICT

**APPLICANT:** ALD Group Inc.

**PRESENT ZONING:** R-1, WS

**REQUESTED ZONING:** PDH-12, WS

**PARCEL(S):** 56-2 ((1)) 44

**ACREAGE:** 1.06 acres

**FAR:** 11.30 du/ac

**OPEN SPACE:** 31%

**PLAN MAP:** Fairfax Center Area, 20 du/ac at Overlay Level

**PROPOSAL:** Rezone 1.06 acres from the R-1 and WS Districts to the PDH-12 and WS Districts to develop one building with twelve (12) multi-family units at an overall density of 11.30 dwelling units per acre. The applicant is also requesting Final Development Plan approval.

#### STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2000-SU-024 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2000-SU-024 subject to the proposed development conditions contained in Appendix 2 and the Board of Supervisors approval of RZ 2000-SU-024.

Staff recommends approval of a variance for the minimum district size.

Staff recommends approval of a waiver of the service drive requirement along Lee Highway (Route 29).

Staff recommends approval of a variance to permit a fence in the front yard up to six feet in height.

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

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



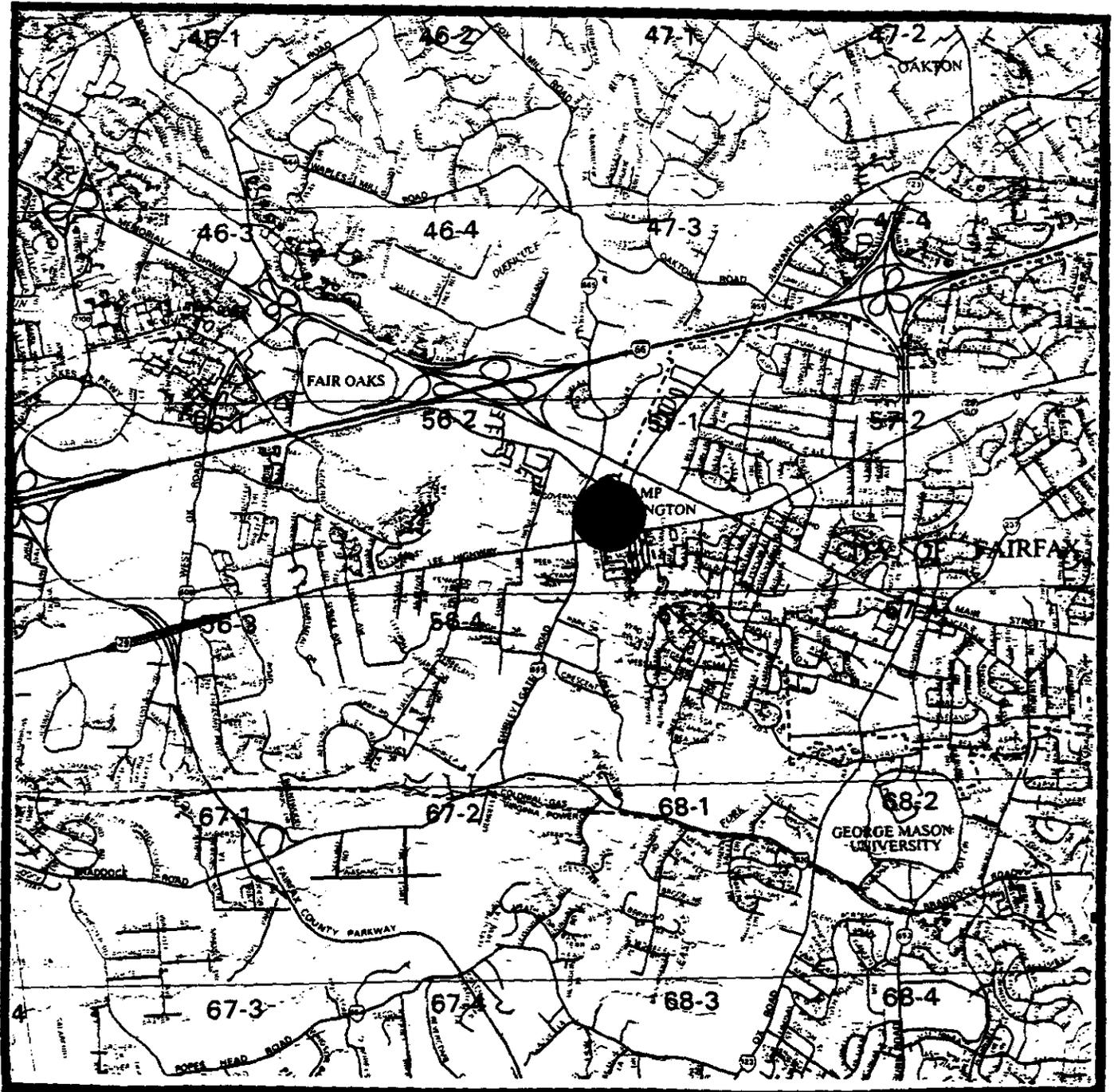
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334.

**REZONING APPLICATION /**  
**RZ 2000-SU-024**

**FINAL DEVELOPMENT PLAN**  
**FDP 2000-SU-024**

FILED 05/24/00 AMENDED 03/19/01  
ALD GROUP, INC.  
TO REZONE: 1.06 ACRES OF LAND; DISTRICT - SULLY  
PROPOSED: RESIDENTIAL DEVELOPMENT & WAIVERS OF MINIMUM DISTRICT SIZE  
LOCATED: LEE HIGHWAY (RT. 29) WITHIN NORTHEAST QUADRANT OF INTERSECTION OF LEE HIGHWAY (RT. 29) AND WAPLES MILL ROAD  
ZONING: R-1  
TO: PDH-12  
OVERLAY DISTRICT(S): WS  
MAP REF 056-2- /01/ /0044-

FILED 05/24/00 AMENDED 03/19/01  
ALD GROUP, INC.  
FINAL DEVELOPMENT PLAN  
PROPOSED: RESIDENTIAL DEVELOPMENT & WAIVERS OF MINIMUM DISTRICT SIZE  
APPROX. 1.06 ACRES OF LAND; DISTRICT - SULLY  
LOCATED: LEE HIGHWAY (RT. 29) WITHIN NORTHEAST QUADRANT OF INTERSECTION OF LEE HIGHWAY (RT. 29) AND WAPLES MILL ROAD  
ZONING: PDH-12  
OVERLAY DISTRICT(S): WS  
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**REZONING APPLICATION /**  
**RZ 2000-SU-024**

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**FDP 2000-SU-024**

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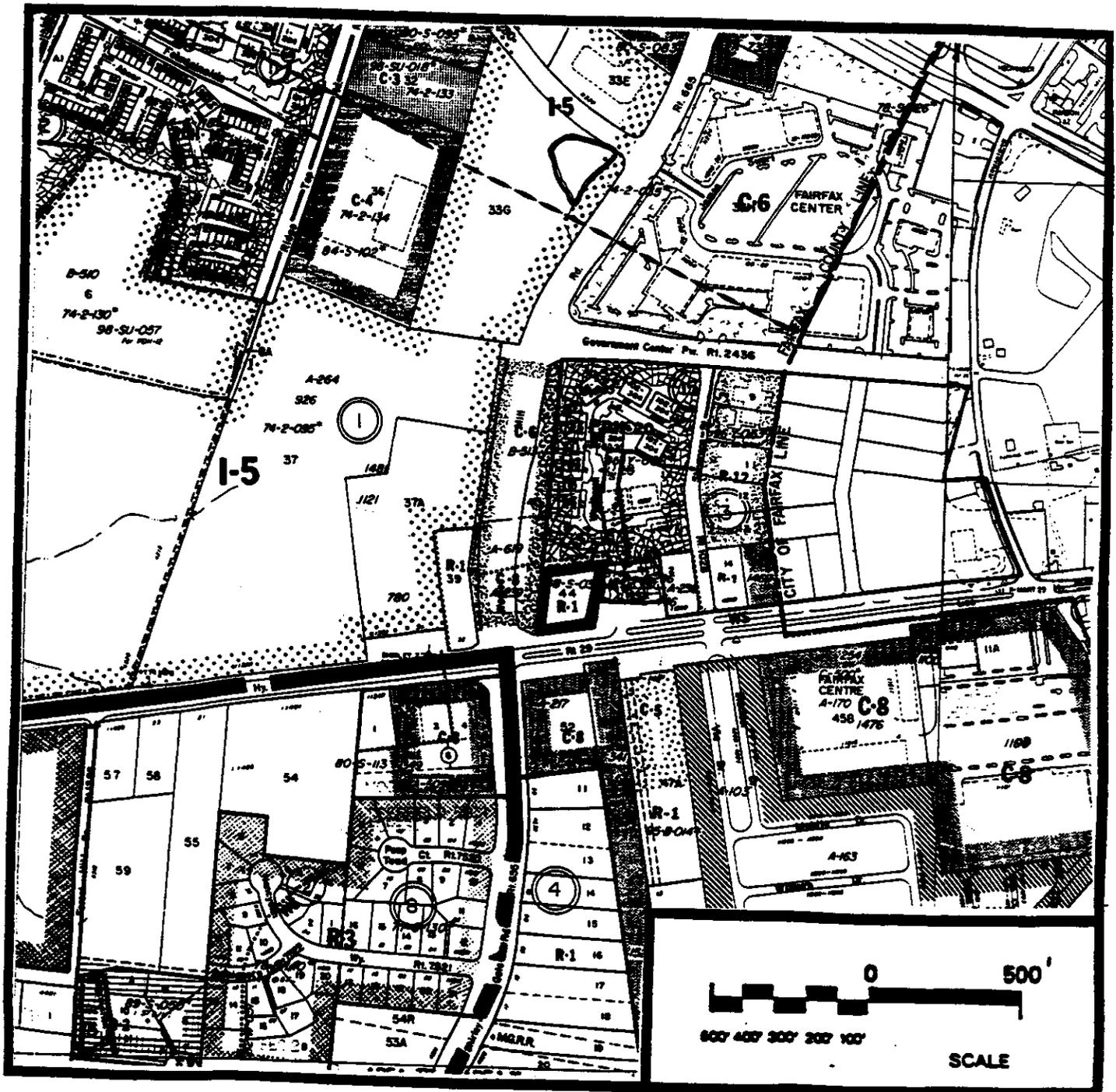
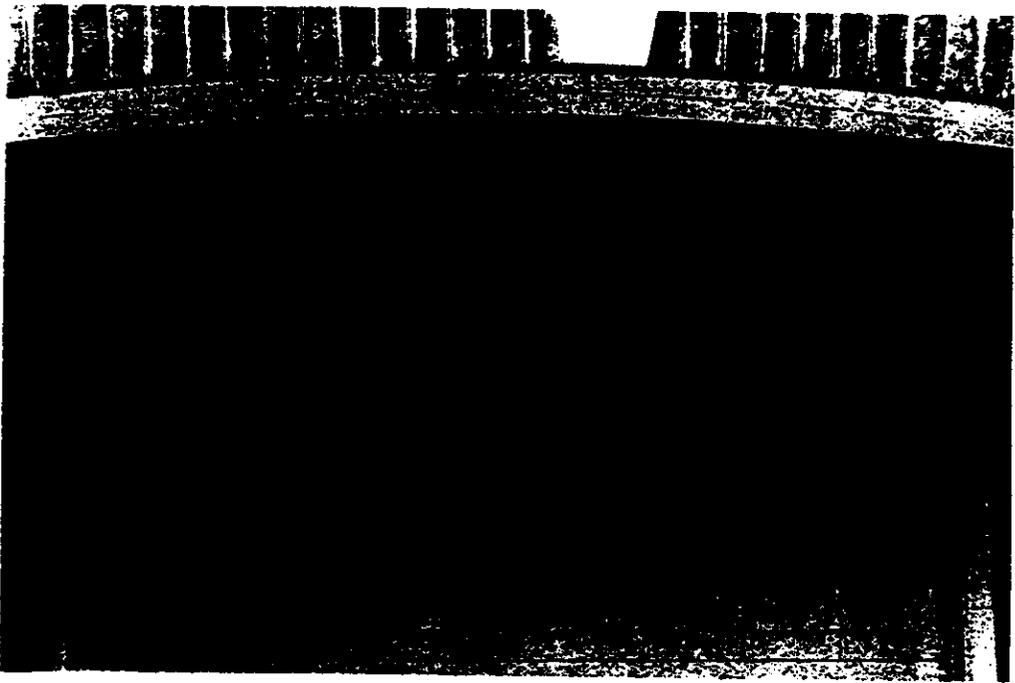






Exhibit A



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## **BACKGROUND**

RZ/FDP 2000-SU-024 originally requested to rezone 1.06 acres from the R-1 and WS Districts to the PDH-20 and WS Districts and variances of the minimum district size, minimum open space and waiver of the service drive requirements in order to develop sixteen (16) multi-family (MF) dwelling units in two eight (8) unit buildings at a density of 15.06 dwelling units per acre (du/ac). In addition, the applicant requested Final Development Plan (FDP) approval. In the staff report published November 29, 2000, staff recommended denial of the original requests. This denial recommendation was based on staff's opinion that the site was not designed to be a cohesive extension of the adjacent Westbrook Court development. In addition, in staff's opinion the application failed to satisfy the Fairfax Center Checklist requirements for the overlay level. The applicant failed to provide on-site recreation and create a substantial buffer along Lee Highway (Route 29). The application failed to satisfy the purpose and intent of a PDH District as stated in Section 6-101, General Standards 1, 2 and 4, as stated in Section 16-101 and Design Standard 2, as stated in Section 16-102 of the Zoning Ordinance. Finally, the application did not meet the minimum district size or open space requirements and in staff's opinion failed to satisfy the requirements to grant the requested variances.

In response to comments by staff, the applicant, ALD Group, Inc., deferred the scheduled Planning Commission public hearing and amended the application. The applicant now requests to rezone the 1.06 acres from the R-1 (Residential – One Dwelling Unit Per Acre) and WS (Water Supply Overlay) Districts to the PDH-12 (Planned Development Housing – Twelve Dwelling Units Per Acre) and WS Districts to develop twelve (12) multi-family units in one buildings at an overall density of 11.30 dwelling units per acre. The applicant is also requesting Final Development Plan approval. In addition, the applicant is requesting a variance of the minimum district size, waiver of the service drive requirement along Lee Highway (Route 29) and a variance for the maximum height for a fence in the front yard. A copy of the revised Proffers, Proposed Final Development Plan Conditions, and Statement of Justification are contained in Appendices 1-3, respectively.

## **DISCUSSION**

The applicant submitted a revised CDP/FDP prepared by RC Fields, Jr. & Associates dated February 2000, as revised through January 2001. The revised CDP/FDP depicts a single building with twelve units facing north/south parallel to Lee Highway and replaces the proposal for two eight unit buildings facing east/west. The revised development plan provides for increased landscaping, passive recreation and site amenities on the west side of the development. There was no change for access from an extension of a Westbrook Court street. The following table compares the previous and revised development proposals.

	Previous Submission Feb. 2001	Revised Submission Rev. Jan 2001
No. of Units	16 units	12 units
Density	15.06 du/ac	11.30 du/ac
Open Space	32%	31%

#### **Land Use Analysis Addendum (Appendix 4)**

A land use analysis was prepared in response to the revised CDP/FDP. All issues are addressed with the execution of the proffers and adoption of the proposed development conditions.

#### **Issue: Design/Buffering/Lighting**

The applicant was requested to demonstrate how the proposed development relates to the existing Westbrook Court development in terms of building orientation, pedestrian and vehicular access. The applicant was requested that lighting feature full-cut off fixtures and that there be no up-lighting for signs, buildings and or landscaping. The applicant was requested to provide rear and side elevations to ensure that appropriate architectural elements and façade treatments were provided on all sides of the building. In addition, the applicant was requested to provide additional shade and evergreen trees along Lee Highway (Route 29).

#### **Resolution:**

The revised application orients the building north/south and 24 feet north of the ultimate right of way for Lee Highway. This is the same orientation and location of the Westbrook Court building located directly to the east of the site. The site is accessed from the extension of a Westbrook Court private street and the sidewalks and trail are proposed to connect to the adjacent development. The applicant proffered to provide full-cut off lighting of a similar design as Westbrook Court. The applicant proffered to provide facades that are compatible with Westbrook Court. The applicant proffered to locate a fence along the Lee Highway frontage and provided additional landscaping. In staff's opinion this issue has been adequately addressed.

#### **Fairfax Center Checklist Analysis: (Appendix 5)**

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

The Comprehensive Plan recommends a density of 20 dwelling units per acre at the overlay level for this area; the intermediate level is 10 dwelling units per acre. The applicant proposes a density of 11.30 du/ac, which is at the overlay level of intensity. In order to justify the overlay level, the application should satisfy all applicable basic

elements; all major transportation elements; all essential elements; and three-fourths of the applicable minor elements and one-half of the major elements or all of the minor and one-third of the major development elements.

In staff's opinion, the applicant meets 100% of the basic elements, 92% of the minor development elements, 100% of the major development issues, 94% of the essential development elements and 100% of the major transportation development elements. The applicant failed to provide significant increase in open space, which is an essential development element. The PDH-12 District is required to provide 30% open space and the applicant provided 31% open space. While the applicant provided open space above the minimum Zoning Ordinance requirement, the additional one percent does not meet the intent of the Fairfax Center Checklist for increased open space. However, staff notes that the site's ability to provide open space is limited due to the 1.06 acre size and the significant amount of right of way being dedicated. This is a unique case of infill zoning, since the site was not consolidated with the Westbrook Court rezoning (RZ 1995-Y-008); however the site is designed as a cohesive extension of the Westbrook Court development. The applicant could increase the open space by reducing the excess parking on site. Staff does not support this option since there is a significant shortage of parking on the adjacent Westbrook Court development and in staff's opinion, parking in excess of the Ordinance requirement is needed for the site. In staff's opinion the applicant has satisfied the intent of the Fairfax Center Checklist with the execution of the proffers.

#### **Transportation Analysis Addendum (Append 6)**

A transportation analysis was prepared in response to the revised CDP/FDP. All transportation issues have been addressed with the execution of the proffers and adoption of the development conditions.

#### **Issue: Easements Adjacent to Lee Highway**

The Comprehensive Plan calls for an interchange at the intersection of Lee Highway and Waples Mill Road. These interim improvements call for the widening of Lee Highway to a six lane divided section roadway. Final design plans have not been completed for either the six lane divided section or the future interchange. Ancillary easements 15 feet parallel to the proposed property line were requested from the applicant.

#### **Resolution:**

The applicant proffered to dedicate the right of way for the widening of Lee Highway together with any ancillary easements requested by VDOT. This issue has been adequately addressed.

**Issue: Lee Highway Improvements**

The third westbound travel lane of Lee Highway was constructed across the site's frontage with the construction of Waples Mill Road north of Lee Highway. That lane is serving as an interim right turn deceleration lane until the third travel lane is constructed west of the Waples Mill Road intersection. Numerous sites west of Waples Mill Road are currently under development and will be constructing the third westbound lane prior to site build-out. The application density is at the overlay level of development. Staff believes that the applicant should commit to construct an additional 12-foot lane along the site frontage, which would become a permanent right turn lane when improvements west of Waples Mill are completed.

**Resolution:**

The applicant proffered to dedicate the right-of-way and provide the necessary easements for the widening of the Lee Highway and contribute to the Fairfax Center Road Fund; however, they did not proffer to construct the right turn deceleration lane. Staff proposed a development condition that the right turn lane be constructed unless the requirement is waived by the Director of DPWES during the site plan review process.

Staff notes that the site does not access Lee Highway directly and achieves access through Westbrook Court to Stevenson Street. With the adoption of the development conditions this issue has been adequately addressed.

**Issue: Fairfax Center Road Fund**

The applicant was requested to contribute to the Fairfax Center Area Road Fund per the Fund guidelines. The cost of constructing the requested Lee Highway frontage improvements is creditable towards the contribution.

**Resolution:**

The applicant proffered to contribute to the Fund in accordance with its guidelines. This issue has been adequately addressed.

**Issue: Pedestrian Access**

In order to encourage residents to walk to nearby uses a sidewalk was delineated between the proposed residences and the proposed trail along Lee Highway. A fence is proposed across the sidewalk and the applicant was requested to clarify that unobstructed access to the trail would be provided.

**Resolution:**

The applicant proffered to provide access to the trail via a gate in the fence. This issue has been adequately addressed.

**Issue: Parking in Garages**

The applicant was requested to revise the proffer language that limited the garages for only the parking of vehicles by removing the reference to permit the location of certain utilities.

**Resolution:**

The proffer was revised to remove the reference to the location of utilities and this issue has been adequately addressed.

**Environmental Analysis Addendum (Appendix 6)**

An environmental analysis was prepared in response to the revised CDP/FDP. All environmental issues were adequately addressed by the draft proffers.

**Issue: Transportation Generated Noise**

The applicant was requested to revise the proffer for noise mitigation to reference the noise impact area as 370 feet from the centerline of Lee Highway.

**Resolution:**

The proffers were revised to include the reference to the noise impact area. This issue has been adequately addressed.

**Issue: Water Quality/Problem Soils/Light Pollution**

Staff was concerned with the potential of contamination of soil and water from commercial products used and/or stored on the site. The site appears to be covered with recent fill material and uncontrolled fill can cause problems for building foundations and pavement. The bedrock underlying this property may contain naturally occurring fibrous asbestos minerals and may pose a health hazard. The applicant was requested to provide a Phase I Environmental Investigation, geotechnical studies, and commit to appropriate construction techniques to minimize health risks from asbestos. In addition, the applicant was requested to provide appropriate light designs that would not cause light pollution.

**Resolution:**

The applicant proffered to submit a Phase I and, if required, a Phase II Monitoring and remedial action program. The applicant proffered to submit a geotechnical study. The applicant proffered to the appropriate construction techniques to minimize the risk from naturally occurring asbestos. In addition, the applicant proffered to provide full cut-off lighting. These issues have been adequately addressed.

## **Variations/Waivers**

### **Variance of the Minimum District Size**

In accordance with Section 6-107 of the Zoning Ordinance a minimum of two acres is required for a PDH District; whereas, the application sites contains only 1.06 acres. Since the site is the only unconsolidated property in the area and is designed as a cohesive extension of the adjacent PDH-20 District (Westbrook Court), staff recommends that the variance for the minimum district size be approved.

### **Waiver of the Service Drive**

In accordance with Sect. 17-201 of the Zoning Ordinance a service drive is required to be located adjacent to Lee Highway (Route 29). The application does not propose direct access to Lee Highway and will access the site from the extension of a private street in Westbrook Court. In addition, the service drive requirement was waived for Westbrook Court to the east. A service drive along Lee Highway would not connect to any adjacent service drive or street and staff recommends that the requirement be waived.

### **Variance for the Height of a Fence in the Front Yard**

In accordance with Par. 3 of Sect. 10-104 of the Zoning Ordinance, a fence may not exceed four feet in height in a front yard. The applicant's site fronts on Lee Highway, a major thoroughfare, and is located near the intersection of Lee Highway and Waples Mill Road. The proposed six foot high fence would act as a noise barrier to reduce the traffic noise generated from Lee Highway as recommended in the environmental analysis. It is staff's opinion that the variance for the fence height up to six feet in height is warranted due to the traffic generated noise that will impact the site.

### **Other Zoning Ordinance Requirements:**

#### **Article 6**

**Sect. 6-101.** Purpose and Intent: This section states that the PDH District is established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote a balanced development of mixed housing types and encourage the provision of affordable dwelling units. The development proposes 12 multi-family dwelling units in one building at a density of 11.30 du/ac, which is consistent with the adjacent residential neighborhood. The proposed units match the existing Westbrook Court development in terms of design, materials and landscaping. The applicant proffered to contribute 1% of the estimated sale of each dwelling unit to the Fairfax County Housing Fund. This standard has been satisfied.

**Sect. 6-107 (Par. 1).** Minimum District Size: This section states that a minimum of two (2) acres is required for approval of the PDH District. The site contains 1.06 acres and the applicant must request a variance of this requirement. Since the site is the only

unconsolidated property in the area and is designed as a cohesive extension of the adjacent PDH-20 District (Westbrook Court), staff recommended that the variance be approved.

**Sect. 6-109. Maximum Density:** The maximum density for the PDH-12 District is twelve (12) dwelling units per acre (du/ac). The proposed density of the site is 11.30 du/ac; therefore, this standard has been satisfied.

**Sect. 6-110. Open Space (Par. 1):** A minimum of 30% open space is required for the PDH-12 District. The application provides 31% of the site in open space. This standard has been satisfied.

### **Article 16, Sects. 16-101 and 16-102**

All planned developments must meet the general standards specified in Section 16-101 of the Zoning Ordinance.

General Standard 1 requires substantial conformance with the Comprehensive Plan. The development proposes a density of 11.30 du/ac, which is within the Plan language for residential use at 20 dwelling units per acre at the overlay level. The Plan states the parcels should be developed in a cohesive and unified design and provide a substantial buffer along Route 29. The building is proposed to be located in a similar manner and location to Route 29 to the adjacent Westbrook Court condominiums and the site is designed as a cohesive extension of Westbrook Court. The applicant provides landscaping along the perimeter of the site and a fence along Route 29. In staff's opinion the proposed rezoning is in conformance with the Comprehensive Plan and this standard has been met.

General Standard 2 requires that the design of the proposed planned development result in a more efficient use of the land and in a higher quality site design than could be achieved in a conventional district. The applicant is proposing to preserve 31% open space; whereas, a conventional district would only require 25% open space. Staff believes this standard has been satisfied.

General Standard 3 requires that the design of the proposed development protect and preserve the natural features on the site. There are no natural features to protect on the site. This standard has been satisfied.

General Standard 4 requires that the proposed development prevent substantial injury to the use and value of the existing surrounding development. The proposed development is of a similar density and quality as the adjacent development to the north and east. The applicant proffered to elevations that match the adjacent Westbrook Court Condominiums in terms of design and materials. This standard has been met.

General Standard 5 requires that the planned development be located in an area where transportation, police, fire protection and other public facilities are available and adequate for the proposed use. There are no outstanding public facilities issues. This standard has been satisfied.

General Standard 6 requires that the planned development coordinate linkages among internal facilities and services as well as connections to major external facilities. The site is provided access through the adjacent Westbrook Court development to the east. The development plan proposes the extension of the trail across the site's frontage. In addition, the applicant proffered to extend their internal sidewalks to Westbrook Court. This standard has been satisfied.

All planned developments must meet the Design Standards of Section 16-102 of the Zoning Ordinance.

Sect. 16-102 Design Standards:

Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development, the bulk regulations and landscaping and screening provisions generally will conform to the provisions of that conventional zoning district which most closely characterize the particular type of development under consideration. The conventional zoning district which most closely resembles this district is the R-12 District. A comparison with the R-12 District is as follows:

Standard	Required (PDH-12)	Westbrook (PDH-20, Existing)	ALD (PDH-12, Proposed)
Building Height	65 feet	45 feet	35 feet
Front Yard	15° ABP <sup>1</sup> , but not less than 5 feet <sup>2</sup>	25 feet	24 feet
Side Yard	15° ABP, but not less than 10 feet <sup>2</sup>	25 feet	18 feet
Rear yard	30° ABP, but not less than 25 feet <sup>3</sup>	35 feet	65 feet

1. ABP = Angle Bulk Plane
2. With a height of 35 feet a 15° ABP = 9 feet
3. With a height of 35 feet a 30° ABP = 20 feet

As demonstrated in the preceding table, the proposed development conforms to the R-12 bulk requirements at the peripheral lot lines and provides similar setbacks as Westbrook Court.

Design Standard 2 states the development must provide adequate open space, parking and loading spaces as set forth in the Ordinance. The development proposes 31% open space; whereas, 30% is required by the PDH-12 District. The applicant is providing additional parking spaces above those required for the site; there are no loading spaces required. This standard has been met.

Design Standard 3 states the streets and driveways shall be designed to conform to the Ordinance, a network of trails and sidewalks shall provide access to recreational amenities and open space. The streets are designed in accordance with the Ordinance and the development proposes sidewalks linking the buildings to the trail on the south of the site and the housing development to the east. This standard has been satisfied.

**Overlay District Requirements**

Water Supply Protection (WSPOD) (Sect. 7-800)

**CONCLUSIONS AND RECOMMENDATIONS**

**Conclusions**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

**Recommendations**

Staff recommends approval of RZ 2000-SU-024 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2000-SU-024 subject to the adoption of the proposed development conditions contained in Appendix 2 and the Board of Supervisors approval of RZ 2000-SU-024.

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

Staff recommends approval of a waiver of the service drive requirement along Lee Highway (Route 29).

Staff recommends approval of a variance to permit a fence in the front yard up to six feet in height.

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 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.

**ATTACHMENTS**

1. **Draft Proffers**
2. **Proposed Final Development Plan Conditions**
3. **Statement of Justification**
4. **Land Use Analysis Addendum**
5. **Fairfax Center Checklist Addendum**
6. **Transportation Analysis Addendum**
7. **Environmental Analysis Addendum**

Draft – Revised 4/20/01

**PROFFERS**  
**RZ 2000-SU-024**

Pursuant to Section 15.2-2303(A), Code of Virginia (1950), as amended, ALD Group, Inc., as the owner of Tax Map No. 56-2((1))-44 (“Subject Property”) and as the Applicant, for itself and its successors and assigns, hereby proffers to develop the Subject Property in accordance with the following conditions, provided the Board of Supervisors rezones the Subject Property to the PHD-12, WS Zoning Districts, for twelve (12) multi-family dwelling units. For the purpose of these Proffers, the term “Developer” refers to the Applicant, its successors and assigns.

1. Development of the Subject Property shall be in substantial conformance with the plan entitled “CDP/FDP on the Property of ALD Group, Inc.”, consisting of two sheets, prepared by R.C. Fields, Jr. and Associates, dated February 2000 and revised through January 2001 (the “Plan”).

2. The Applicant reserves the right to make minor modifications to the Plan, pursuant to paragraph 4 of Section 16-403 of the Fairfax County Zoning Ordinance (the “Ordinance”), as determined by the Zoning Administrator.

3. (A) As part of site plan review, Applicant shall prepare and submit a landscape plan for review and approval by the Urban Forestry Division and the Department of Public Works and Environmental Services (“DPWES”). This landscape plan shall include the plantings indicated on sheet 2 of the Plan and each planting shall be of the minimum size specified on Sheet 2. Notwithstanding anything to the contrary on the Plan, all deciduous trees to be planted pursuant to the Plan shall be a minimum of 2.5 inch caliper.

(B) Landscaping, brick accents for sidewalks, benches, gazebo, and building elevations and materials shall be substantially as shown on Sheet 2 of the Plan. The building shall utilize substantially the same materials and façade treatments on all sides as those on the existing buildings in Westbrook Court Condominium, located adjacent to the Subject Property. Photographs of buildings within Westbrook Court Condominium shall be provided to DPWES, prior to building permit approval, so that the Director of DPWES may make a determination that the proposed facades are compatible with existing facades in Westbrook Court Condominium.

(C) Exterior lighting for the buildings and enclosures for trash receptacles shall be equivalent in design and quality as such features presently exist in the Westbrook Court Condominium and as illustrated by photographs attached as Exhibit A to these Proffers, as determined by DPWES. Any lights shall be shielded with full cut-off to prevent extraneous glare.

(D) Subject to Proffer 12(C) and the Board of Supervisors approval, Applicant shall install a six-foot tall board on board wood fence along the southern boundary of the Subject Property. In the alternative, Applicant may provide this fence, subject to permission and approval by the Westbrook Court Condominium, by relocating the existing fence on the

8. The Developer shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the Lee Highway frontage of the Subject Property, as shown on the Plan, together with any ancillary easements requested by the Virginia Department of Transportation ("VDOT") that do not prevent development of the Subject Property as proffered. Such dedication and conveyance shall be made upon demand by Fairfax County or VDOT, or at the time of site plan approval, whichever occurs first. All density related to such dedication is hereby reserved pursuant to paragraph 4 of Section 2-308 of the Ordinance.

9. Prior to site plan approval, the Applicant will make a contribution in accordance with the Fairfax Center Area Roadway contribution formula adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credits for all creditable expenses as determined by the Office of Transportation and DPWES. This contribution sum is currently specified to be nine hundred six dollars (\$906.00) per dwelling unit.

10. (A) The Developer shall, prior to final site plan approval, provide an independent environmental site investigation of the Subject Property conducted by a qualified consultant or firm for the review by DPWES in coordination with the following County agencies ("the reviewing agencies"): The Department of Health; the Fire and Rescue Department; the Soil Science Office; and other appropriate agencies as determined by DPWES. This investigation will consist of the following:

(i) A "Phase I" investigation of the Subject Property that is generally consistent with procedures described within the American Society for Testing and Materials document entitled "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process"; and

(ii) If warranted by the results of the Phase I investigation, a Phase II monitoring program shall be conducted. This program shall be sufficient to determine if soil, surface-water, and/or groundwater contaminants such as hazardous substances and petroleum products, as referenced within the aforementioned American Society for Testing and Materials document, are present on the Subject Property and/or have migrated from the Subject Property onto one of more nearby properties. Monitoring parameters (e.g. locations of monitoring sites, number of monitoring sites, media to be sampled (soil, groundwater), substances to be tested for, number of samples to be taken, duration of sampling, depth of sampling) shall be subject to the review and approval of DPWES in coordination with the reviewing agencies.

If as a result of the Phase II investigation, it is determined that contamination levels of soil or water require remedial action, then a remediation program shall be performed in accordance with all applicable Federal, State and County requirements. Sufficient documentation of completion of the remediation program (with the possible exception of long-term follow-up monitoring efforts) or of an appropriate corrective action plan consistent with the proposed development, in consultation with DPWES and in coordination with the reviewing agencies, shall be provided to DPWES prior to final site plan approval.

8. The Developer shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the Lee Highway frontage of the Subject Property, as shown on the Plan, together with any ancillary easements requested by the Virginia Department of Transportation ("VDOT") that do not prevent development of the Subject Property as proffered. Such dedication and conveyance shall be made upon demand by Fairfax County or VDOT, or at the time of site plan approval, whichever occurs first. All density related to such dedication is hereby reserved pursuant to paragraph 4 of Section 2-308 of the Ordinance.

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(i) A "Phase I" investigation of the Subject Property that is generally consistent with procedures described within the American Society for Testing and Materials document entitled "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process"; and

(ii) If warranted by the results of the Phase I investigation, a Phase II monitoring program shall be conducted. This program shall be sufficient to determine if soil, surface-water, and/or groundwater contaminants such as hazardous substances and petroleum products, as referenced within the aforementioned American Society for Testing and Materials document, are present on the Subject Property and/or have migrated from the Subject Property onto one of more nearby properties. Monitoring parameters (e.g. locations of monitoring sites, number of monitoring sites, media to be sampled (soil, groundwater), substances to be tested for, number of samples to be taken, duration of sampling, depth of sampling) shall be subject to the review and approval of DPWES in coordination with the reviewing agencies.

If as a result of the Phase II investigation, it is determined that contamination levels of soil or water require remedial action, then a remediation program shall be performed in accordance with all applicable Federal, State and County requirements. Sufficient documentation of completion of the remediation program (with the possible exception of long-term follow-up monitoring efforts) or of an appropriate corrective action plan consistent with the proposed development, in consultation with DPWES and in coordination with the reviewing agencies, shall be provided to DPWES prior to final site plan approval.

Westbrook Court Condominium presently located near the eastern boundary of the Subject Property, to a location along the southern boundary of the Subject Property, as indicated on the Plan. The fence shall include a gate to provide unobstructed access to the proposed trail along Lee Highway.

(E) If the Subject Property is not added to the Westbrook Court Condominium by the time of issuance of the first building permit, then the Developer may construct a small monument style entrance feature near the driveway as it enters the Subject Property from the east. This entrance feature shall be of design and character substantially as illustrated on sheet 2 of the Plan.

4. The Applicant intends to request a waiver of on-site stormwater management quantity and quality control requirements. If on-site facilities are required by DPWES at the time of final site plan approval, in lieu of the requested waiver, said facilities will be located on-site substantially as shown on the Plan. If a stormwater management/BMP ("SWM/BMP") facility is not required to be provided on-site, the area depicted on the CDP/FDP as possible SWM/BMP facility shall remain as open space and shall be vegetated in a manner similar (in number, size and type) to the plantings along the western boundary of the Subject Property and shall be shown on the landscape plan. If an on-site SWM/BMP facility is required, the landscape plan shall show extensive landscaping in all possible planting areas of the pond, in keeping with the planting policies of DPWES.

5. All residential units on the Subject Property shall meet the thermal guidelines of the Virginia Power Energy Saver Program for energy efficient homes or its equivalent, as determined by DPWES, for either electric or gas energy systems, as applicable.

6. As part of the landscape plan, the Applicant, in consultation with the Urban Forestry Division, shall identify any existing vegetation that is desirable for preservation, consistent with the clearing and grading required by the Plan, and incorporate techniques in the landscape plan for such preservation.

7. If DPWES, in coordination with the Air Pollution Control Division of the Health Department and with the Soil Science Office, determines that a potential health risk exists caused by the presence of rock containing asbestos on the Subject Property, the Applicant will:

(A) Take appropriate measures as determined by the Health Department to alert all construction personnel of this potential health risk.

(B) Commit to appropriate construction techniques, in coordination with DPWES, with the Air Pollution Control Division, and with the Soil Science office, to minimize such risk. Such techniques may include, but are not necessarily limited to, dust suppression measures during all blasting and drilling activities, transportation of removed material presenting this risk, and appropriate disposal of removed materials presenting this risk.

(iii) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmissions.

(iv) As an alternative to the above, the Developer may elect to have a refined acoustical analysis performed, subject to approval of DPWES, to determine the appropriate noise attenuation measures necessary to meet established County standards and/or to determine which buildings may have sufficient shielding to permit reduction in the mitigation measures described above. The Applicant shall implement said mitigation procedures subject to whatever reductions are permitted pursuant to this paragraph.

(C) In order to reduce the maximum exterior noise, in the open space area near the benches, as shown on the Plan, to a level of approximately 65 dBA Ldn, a noise attenuation barrier shall be provided, if such area is otherwise unshielded by topography or built structures to satisfy this requirement. The Applicant may incorporate acoustical materials in the fence to be located along the southern boundary. It is understood that gates shall be constructed in the fence along the southern boundary, to connect walkways within the Subject Property to the proposed trail, as shown on the Plan. Consequently, the fencing shall be architecturally solid from ground up with no gaps or openings, except as may be necessary for drainage and for gates. Satisfaction of this proffer shall be evaluated during site plan review in light of the requirement for gates in the fence or in any other noise barrier. Any required noise attenuation barrier shall be constructed prior to the issuance of the first RUP for a new dwelling.

13. If the Subject Property is developed as a condominium, the Applicant shall initiate discussions with Westbrook Court Condominium on the possibility of having the Subject Property added to the Westbrook Court Condominium, or the possibility of entering into agreements concerning common areas and recreational facilities, so long as all terms of any agreement are mutually acceptable to the Applicant and Westbrook Court Condominium. This Proffer is deemed satisfied upon delivery, on or before final site plan approval, of a letter from the Applicant to the director of DPWES confirming that Applicant initiated the discussions contemplated by this Proffer and describing agreements, if any, arising from such discussions.

14. The Applicant shall, at the time of final site plan approval, contribute one percent (1%) of the estimated sales price of each new dwelling to Fairfax County for the County's Housing Trust fund for the provision of affordable housing. The Applicant, in consultation with the staff of the Fairfax County Department of Housing and Community Development, shall determine the estimated sales price.

15. (A) At the time of final site plan approval, the Applicant shall contribute \$2,500.00 to the Fairfax County Park Authority for off-site recreational facilities in Arrowhead Park. The contribution in this Proffer 15(A) shall be in addition to the contribution specified in Proffer 15(B).

(B) The Applicant shall construct recreational improvements (benches, gazebo) on the such Property, as shown on the Plan, equal in value to \$955.00 per unit. In the event the cost of on-site recreational improvements is less than \$955.00 per unit (i.e. a maximum

(B) At time of site plan submission, the applicant shall submit a geo-technical investigation of the site and implement such measures as determined by the investigation that will address the fill soils/material to the satisfaction of DPWES.

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

12. (A) In order to achieve a maximum interior noise level of approximately 45 dBA Ldn within a noise contour between 65dBA Ldn and 70dBA Ldn, which contour is an area within approximately 370 feet measured from the centerline of Lee Highway, such residential units within this contour shall have the following acoustical attributes:

(i) Exterior walls shall have a laboratory sound transmission class ("STC") rating of at least 39.

(ii) Doors (excluding garage doors) and windows shall have an STC rating of at least 28. If glazing (excluding any glazing in a garage door) constitutes more than twenty percent (20%) of any facade, then such windows shall have the same STC rating as that facade.

(iii) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

(iv) As an alternative to the above, the Developer may elect to have a refined acoustical analysis performed, subject to approval by DPW&ES to determine the appropriate noise attenuation measures necessary to meet established county standards and/or to determine which buildings may have sufficient shielding to permit reduction in the mitigation measures described above. The Applicant shall implement said mitigation measures subject to whatever reductions are permitted pursuant to this paragraph.

(B) In order to achieve a maximum interior noise level of approximately 45 dBA Ldn, any residential units located within a noise contour between 70dBA Ldn and 75dBA Ldn, as measured from of the centerline of Lee Highway, shall have the following acoustical attributes:

(i) Exterior walls shall have an STC rating of at least 45.

(ii) Doors (excluding garage doors) and windows shall have an STC rating of at least 37. If glazing (excluding any glazing in a garage door) constitutes more than twenty percent (20%) of any facade, then such windows shall have the same STC rating as that facade.

of \$11,460.00) then at the time of the issuance of the first occupancy permit for a residential unit, the Applicant shall contribute the remainder of this recreational contribution, up to the maximum, to the Fairfax County Park Authority for off-site recreational facilities in Arrowhead Park.

16. a. The Applicant shall apply to VDOT for a construction entrance directly from Lee Highway (Route 29) to the Subject Property for use by all construction vehicles during construction. The Applicant shall incorporate such construction entrance into its site plan. The Applicant shall contact the appropriate VDOT office for preliminary written approval of the construction entrance directly from Lee Highway promptly upon the first site plan submission. Westbrook Court Condominium (through its President or its registered agent, as shown of the records of the State Corporation Commission) shall be notified in writing of the filing of the first site plan submission and of such contact with VDOT and shall be invited to any meeting with VDOT concerning the construction entrance. If VDOT does not approve a construction entrance from Lee Highway and construction vehicles must use streets within Westbrook Court Condominium for access to the site, then the developer shall, in accordance with the Fairfax County Public Facilities Manual ("PFM"), include in its bond package coverage for repair of any damage to Westbrook Streets and for cleaning of such streets caused or necessitated by such construction vehicles, in accordance with the provisions and policies of the PFM.

b. Subject to VDOT and DPWES approval, the Applicant will utilize the existing driveway via Lee Highway for construction equipment/vehicle access for the Subject Property during construction activity.

c. Subject to VDOT approval, the Applicant will provide appropriate signage on Lee Highway warning of construction vehicle activity. In the event construction access from Lee Highway is not approved the appropriate signage on Westbrook Court subdivision streets, signage on Stevenson Drive and Lee Highway shall be provided.

d. All construction vehicles shall be parked within the Application Property. The area within the Property to be dedicated pursuant these Proffers may be used for such parking and for the construction entrance. There shall be no construction vehicle parking along any Westbrook Court Condominium subdivision street or Lee Highway.

e. The Applicant shall erect a sign at the construction access point directing all construction traffic to use the access point, as qualified by Proffer 16b.

f. The Applicant shall inspect Lee Highway (and, if the construction entrance is not on Lee Highway, Westbrook Court Condominium streets and Stevenson Street) on a regular basis, as required by DPWES and VDOT, and shall remove all mud, rocks, nails and other construction debris and shall wash those roads as required by VDOT and DPWES to remove dirt and debris.

g. The Applicant shall install a construction vehicle dirt rack at the construction entrance to the Subject Property.

17. (A) All construction activity shall be limited to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday.

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

18. 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 sale of homes on the Property.

19. These Proffers will bind and inure to the benefit of the Applicant and its successors and assigns.

20. These Proffers may be executed in one or more counterparts, each of one when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one in same instrument.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

**Signature Page to Proffers  
RZ 2000-SU-024**

**ALD Group, Inc.**

**BY: \_\_\_\_\_  
Shahman Foradi, President**

**Date: \_\_\_\_\_**

**PROPOSED FINAL DEVELOPMENT CONDITIONS****FDP 2000-SU-024****April 25, 2001**

If it is the intent of the Planning Commission to approve FDP 2000-SU-024 for a multifamily development located at Tax Map 56-2 ((1)) 44, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the Final Development Plan Amendment CDP/FDP consisting of two sheets prepared by R.C. Fields Jr. & Associates dated February 2000, as revised through January 2001.
2. The applicant shall construct the Type 1 Trail as shown on the CDP/FDP prior to issuance of a residential use permit (RUP).
3. All parking spaces shall meet Public Facilities Manual (PFM) standards unless otherwise modified by the Director of the Department of Public Works and Environmental Services.
4. In the event that the subject property is not added to the Westbrook Court condominium association, one freestanding sign shall be permitted at the entrance to the subdivision. The sign shall be subject to Article 12, of the Zoning Ordinance and the sign area shall not exceed 30 square feet. If lighted the sign shall be front-lit only with the lights directed downward or directly onto the sign to minimize glare.
5. Unless the Director of DPWES waives the requirement, a twelve-foot lane shall be constructed along the site frontage to become the permanent right turn lane, prior to issuance of a RUP.

The proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING  
APR 10 2001

RE: Rezoning Application-Amended  
Property: Tax Map No. 56-2-((1))-44  
Owner/Applicant: ALD Group, Inc.

ZONING EVALUATION DIVISION

**AMENDED STATEMENT OF JUSTIFICATION  
AND DESCRIPTION OF PROPOSED USE**

The subject property (the "Property"), consisting of approximately 1.06 acres, is located on Lee Highway (Route 29) near its intersection with Waples Mill Road (Route 665) in the Sully Magisterial District of Fairfax County, Virginia. The Property is currently zoned R-1 under the Fairfax County Zoning Ordinance (the "Ordinance"). The Application requests the rezoning of the property to the PDH-12 District.

The Property has a roughly rectangular shape. Adjacent to the north and east of the Property is the Westbrook Court Condominium, containing approximately 140 condominium units, which was rezoned to the PDH-20 District in 1995; adjacent to the west are parcels zoned C-8 and C-6, and across Waples Mill Road, parcels zoned R-1 and I-5. Lee Highway forms the Property's southern boundary, with commercially zoned property directly across Lee Highway from the Property's southern boundary.

The Property is located within Land Unit Q, Sub-unit Q10 of the Fairfax Center Area Plan. The Comprehensive Plan text for this sub-unit calls for residential use at 20 dwelling units per acre at the overlay level.

As noted above, the Westbrook Court Condominium ("Westbrook"), located to the north and east, was rezoned to PDH-20 in 1995. At that time a serious but unsuccessful effort was made to consolidate the Property, not then owned by the Applicant, into the rezoning of the Westbrook property. The proposed Conceptual Development Plan/Final Development Plan ("CDP/FDP") for the Property functionally accomplishes that consolidation. Proffers for the Westbrook rezoning required the grant of interparcel access for the benefit of the Property by an ingress-egress easement to Stevenson Road, as shown on the CDP/FDP. This avoids a new curb cut on Lee Highway. In addition, the Westbrook Proffers established easements, for the benefit of the Property, to extend sanitary sewer, storm sewer, and water lines for connection to lines proposed or existing on or near the Westbrook property. Existing waterline and sanitary sewer easements on the Westbrook property are indicated on the CDP/FDP.

The Westbrook Proffers also contemplate the possible incorporation of the developed Property into the Westbrook condominium. The Applicant has initiated conversation with the Westbrook Condominium Association to explore this possibility.

The CDP/FDP depicts a one-story building, containing twelve units. The front and rear facades of the building face north/south. The resulting density is 11.30 du/ac. The Plat depicts dedication of a twelve (12) foot wide trail easement on the southern boundary of the Property (after street dedication), which will extend an existing trail abutting the eastern boundary of the Property.

As the EVM information on the CDP/FDP indicates, the Property is predominately open field, with the most conspicuous vegetation - two 20-foot deciduous trees - being located in the proposed dedication area.

The CDP/FDP indicates that common open space would equal 65% of the Property before dedication of right-of-way along Lee Highway; after this dedication common open space is 31% of the Property. This large dedication for right-of-way, consisting of approximately 30% of the Property, will accommodate plans for the eventual widening of Lee Highway and extensive improvements of its intersection with Waples Mill Road. The resulting open space located outside the proposed dedication area exceeds the minimum requirement.

The resulting development is harmonious with adjacent development as shown, for example, by its use of planned interparcel access, by its development in a manner compatible with Westbrook, and by possible integration of the planned units on the Property with the Westbrook Condominium association.

The Applicant intends to request a waiver of on-site stormwater management and Best Management Practices, but should the waivers not be granted, the approximate location and dimensions of an on-site detention pond are shown on the CDP/FDP.

The proposed rezoning complies with the goals of the Comprehensive Plan by providing critical and extensive dedication of right-of-way; by functional and potentially formal consolidation with Westbrook; and by providing a well designed and efficient project, through, among other features, interparcel access and linkage of utilities with existing easements and systems.

Mark G. Jenkins, P.C.  
Attorney for Title Owner/Applicant

BY:   
Mark G. Jenkins

Date: 3/14/01

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

**FROM:** *Bruce G. Douglas*  
Bruce G. Douglas, Chief  
Environment & Development Review Branch, DPZ

**SUBJECT:** Land Use Analysis **ADDENDUM:** RZ 2000-SU-024  
Ald Group, Inc.

**DATE:** 6 April 2001

**BACKGROUND**

The application initially sought to rezone the subject property to the PDH-20 district to construct 2 buildings with 16 units at a density of 15.06 du/ac, which is at the overlay level. Guidance provided by the Comprehensive Plan indicated that the site should be "developed in a cohesive, unified design" and should "provide for sufficient land for open space and on-site recreation" and that "Substantial buffering of these residential units should be provided along Rt. 29...". The issues related to poor design, the lack of an integration and coordination with the adjacent existing development, insufficient buffers and landscaping and lack of open space and recreational amenities. In order to address the lack of open space and buffers and the design concerns, staff recommended that the applicant consider a single building of approximately 10 units. It was further recommended that the applicant provide detailed design information, such as building elevations, lighting, landscaping, sidewalk paver treatments, and signage, along with residential amenities such as mail kiosks and pedestrian/outdoor seating .

**DISCUSSION**

The applicant has submitted a revised CDP/FDP, which depicts a single building of 12 units. The following table compares the previous and revised development proposals.

	Previous submission February 2000	Revised Submission Rev. Jan. 2001
No. of Units	16	12
Density	15.06 du/ac	11.30 du/ac
Open Space	32%	31%

The revised development plan provides for increased landscaping, passive recreational amenities

on the west side of the building; brick edged sidewalks, building elevations which feature garages, and sign elevation details. Site amenities such as outdoor benches and a gazebo are also provided.

## **ANALYSIS**

The revised plan is improved by the provision of a single building, additional landscaping and some site amenities. In order to address the Plan recommendation for a unified and cohesive design, the CDP/FDP should demonstrate how the proposed development relates to the existing development in terms of building orientation, pedestrian and vehicular access.

It is further recommended that all lighting for the site feature full-cut off fixtures and that no up-lighting for signs, buildings and or landscaping be proposed. The building will be highly visible from Rt. 29 and the adjacent areas. Therefore, the applicant should also provide for rear and side building elevations to ensure that the architectural elements and façade treatments shown for the front elevation are provide on all sides. The provision of shade tree and evergreen tree plantings is also desirable along the Rt. 29 frontage of the building to be mixed with the building foundation shrubs depicted on the landscape plan.

With appropriate commitments to address the design detail concerns discussed above, the proposed development would be in conformance with the Comprehensive Plan.

DMJ:BGD

FAIRFAX CENTER CHECKLIST

Case Number:

RZ/FDP 2000-SU-024

Plan Date:

February 2000 as revised through January 2001

I. AREA WIDE BASIC DEVELOPMENT ELEMENTS					
	Applicable	Not Applicable	Essential	Satisfied	Comments
A. Roadways					
1. Minor street dedication and construction	x				
2. Major street R.O.W. dedication		x	x	x	Lee Hwy ROW dedication
B. Transit					
1. Bus loading zones with necessary signs and pavement; Bus pull-off lanes	x				
2. Non-motorized access to bus or rail transit stations	x				
3. Land dedication for transit and commuter parking lots	x				
C. Non-motorized Transportation					
1. Walkways for pedestrians		x	x	x	
2. Bikeways for cyclists		x		x	
3. Secure bicycle parking facilities	x				

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
	Applicable	Not Applicable	Essential	Satisfied	Comments
A. Roadways					
1. Major roadway construction of immediately needed portions			x	x	Addressed with development condition
2. Signs	x				
B. Transit					
1. Bus shelters	x				
2. Commuter parking	x				
C. Non-motorized transportation					
1. Pedestrian activated signals	x				
2. Bicycle support facilities (showers, lockers)	x				
D. Transportation Strategies					
1. Ridesharing programs	x				

FAIRFAX CENTER CHECKLIST

Case Number: RZ/FDP 2000-SU-024  
 Plan Date: February 2000 as revised through January 2001

	Not			Satisfied	Comments
	Applicable	Applicable	Essential		
2. Subsidized transit passes for employees	x				
<b>III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS</b>					
<b>A. Roadways</b>					
1. Contribution towards major (future) roadway improvements		x	x	x	Proffer to contribute to the Fairfax Center Roads Fund
2. Construct and/or contribute to major roadway improvements	x				
3. Traffic signals as required by VDOT	x				
<b>B. Transit</b>					
1. Bus or rail transit station parking lots	x				
<b>C. Transportation Strategies</b>					
1. Local shuttle service	x				
2. Parking fees	x				
<b>D. Non-motorized Circulation</b>					
1. Grade separated road crossings	x				

FAIRFAX CENTER CHECKLIST

Case Number: RZ/FDP 2000-SU-024  
 Plan Date: February 2000 as revised through January 2001

Not Applicable    Applicable    Essential    Satisfied    Comments

<b>I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS</b>					
	Not	Applicable	Essential	Satisfied	Comments
<b>A. Environmental Quality Corridors (EQC)</b>					
1. Preservation of EQCs as public or private open space	x				
<b>B. Stormwater Management (BMP)</b>					
1. Stormwater detention/retention		x		x	
2. Grassy swales/vegetative filter areas	x				
<b>C. Preservation of Natural Features</b>					
1. Preservation of quality vegetation		x		x	
2. Preservation of natural landforms	x				
3. Minimize site disturbance as a result of clearing or grading limits	x				
<b>D. Other Environmental Quality Improvements</b>					
1. Mitigation of highway-related noise impacts		x	x	x	
2. Siting roads and buildings for increased energy conservation (Including solar access)		x		x	Buildings sited facing North

<b>II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS</b>					
	Not	Applicable	Essential	Satisfied	Comments
<b>A. Increased Open Space</b>					
1. Non-stream valley habitat EQCs	x				
2. Increased on-site open space		x	x		No significant increase over required percentage
<b>B. Protection of Ground Water Resources</b>					
1. Protection of aquifer recharge areas	x				
<b>C. Stormwater Management (BMP)</b>					
1. Control of off-site flows	x				
2. Storage capacity in excess of design storm requirements	x				
<b>D. Energy Conservation</b>					

**FAIRFAX CENTER CHECKLIST**

*Provision of Public Facilities*

Case Number:

RZ/FDP 2000-SU-024

Plan Date:

February 2000 as revised through January 2001

Not

Applicable    Applicable    Essential    Satisfied    Comments

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

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

<b>III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS</b>					
A. Park Dedications					
1. Community Parks	X				
2. County Parks	X				
3. Historic and archeological parks	X				
B. Public Indoor or Outdoor Activity Spaces					
1. Health clubs	X				
2. Auditoriums/theaters	X				

**FAIRFAX CENTER CHECKLIST**

*Environmental Systems*

*Case Number:*

RZ/FDP 2000-SU-024

*Plan Date:*

February 2000 as revised through January 2001

Not

	Applicable	Applicable	Essential	Satisfied	Comments
1. Provision of energy conscious site plan		X		X	
<b>III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS</b>					
<b>A. Innovative Techniques</b>					
1. Innovative techniques in stormwater management	X				
2. Innovative techniques in air or noise pollution control and reduction		X		X	
3. Innovative techniques for the restoration of degraded environments	X				

**FAIRFAX CENTER CHECKLIST**

**Provision of Public Facilities**

Case Number:

RZ/FDP 2000-SU-024

Plan Date:

February 2000 as revised through January 2001

Not

Comments

Satisfied

Essential

Applicable

Applicable

**I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS**

	Applicable	Essential	Satisfied	Comments
<b>A. Park Dedications</b>				
1. Dedication of stream valley parks in accordance with Fairfax County Park Authority policy	x			
<b>B. Public Facility Site Dedications</b>				
1. Schools	x			
2. Police/fire facilities	x			

**II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS**

<b>A. Park Dedications</b>				
1. Dedication of parkland suitable for a neighborhood park	x			
<b>B. Public Facility Site Dedication</b>				
1. Libraries	x			
2. Community Centers	x			
3. Government offices/facilities	x			

**III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS**

<b>A. Park Dedications</b>				
1. Community Parks	x			
2. County Parks	x			
3. Historic and archeological parks	x			
<b>B. Public Indoor or Outdoor Activity Spaces</b>				
1. Health clubs	x			
2. Auditoriums/theaters	x			

**FAIRFAX CENTER CHECKLIST**

*Provision of Public Facilities*

**Case Number:**

RZ/FDP 2000-SU-024

**Plan Date:**

February 2000 as revised through January 2001

Not

	Not			Satisfied	Comments
	Applicable	Applicable	Essential		
3. Athletic fields/major active recreation facilities		x	x	x	Proffer contribution to Park Authority in excess of requirement

**FAIRFAX CENTER CHECKLIST**

**Land Use - Site Planning**

Case Number:

RZ/FDP 2000-SU-024

Plan Date:

February 2000 as revised through January 2001

Not

Applicable    Applicable    Essential    Satisfied    Comments

**I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS**

	Not	Applicable	Applicable	Essential	Satisfied	Comments
<b>A. Site Considerations</b>						
1. Coordinated pedestrian and vehicular circulation systems			x	x	x	
2. Transportation and sewer infrastructure construction phased to development construction	x					
3. Appropriate transitional land uses to minimize the potential impact on adjacent sites	x					
4. Preservation of significant historic resources	x					
<b>B. Landscaping</b>						
1. Landscaping within street rights-of-way	x					
2. Additional landscaping of the development site where appropriate			x	x	x	
3. Provision of additional screening and buffering			x	x	x	

**II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS**

<b>A. Land Use/Site Planning</b>						
1. Parcel consolidation	x					
2. Low/Mod income housing			x		x	Housing Trust Fund contribution
<b>B. Mixed Use Plan</b>						
1. Commitment to construction of all phases in mixed-use plans	x					
2. 24-hour use activity cycle encouraged through proper land use mix	x					
3. Provision of developed recreation area or facilities	x					

**FAIRFAX CENTER CHECKLIST**

*Land Use - Site Planning*

*Case Number:*

RZ/FDP 2000-SU-024

*Plan Date:*

February 2000 as revised through January 2001

Not

	Applicable	Applicable	Essential	Satisfied	Comments
<b>III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS</b>					
<b>A. Extraordinary Innovation</b>					
1. Site design		x	x	x	Consistent with Westbrook
2. Energy conservation	x				

**FAIRFAX CENTER CHECKLIST**

*Detailed Design*

Case Number:

RZ/FDP 2000-SU-024

Plan Date:

February 2000 as revised through January 2001

Not

Applicable    Applicable    Essential    Satisfied    Comments

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

<b>II. AREA WIDE MINOR DEVELOPMENT ELEMENTS</b>					
	Applicable	Applicable	Essential	Satisfied	Comments
A. Building Entry Zone					
1. Signs		X		X	
2. Special planting		X	X	X	
3. Lighting		X		X	
B. Structures					
1. Architectural design that complements the site and adjacent developments		X	X	X	
2. Use of energy conservation techniques		X		X	
C. Parking					
1. Planting - above ordinance requirements		X	X	X	
2. Lighting		X		X	
D. Other Considerations					
1. Street furnishing such as seating, drinking fountains		X		X	
2. Provision of minor plazas	X				

# FAIRFAX CENTER CHECKLIST

*Detailed Design*

*Case Number:*  
*Plan Date:*

RZ/FDP 2000-SU-024  
February 2000 as revised through January 2001

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

**FAIRFAX CENTER CHECKLIST**

*Summary*

*Case Number:*

RZ/FDP 2000-SU-024

*Plan Date:*

February 2000 as revised through January 2001

**I. BASIC DEVELOPMENT ELEMENTS**

1. Applicable Elements	15
2. Elements Satisfied	15
3. Ratio	1.00

**II. MINOR DEVELOPMENT ELEMENTS**

1. Applicable Elements	12
2. Elements Satisfied	11
3. Ratio	0.92

**III. MAJOR DEVELOPMENT ELEMENTS**

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

**IV. ESSENTIAL DEVELOPMENT ELEMENTS**

1. Applicable Elements	18
2. Elements Satisfied	17
3. Ratio	0.94

**V. MAJOR TRANSPORTATION DEVELOPMENT ELEMENTS**

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

**VI. LOW/MODERATE INCOME HOUSING ELEMENT**

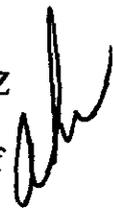
yes

no

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

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

**FILE:** 3-4 (RZ 2000-SU-024)

**SUBJECT:** Revised Transportation Impact Analyses

**REFERENCE:** FDP 2000-SU-024; ALD Group Inc.  
Traffic Zone: 1124; Land Identification Map: 56-2 ((1)) 44

**DATE:** March 30, 2001

The following comments reflect the analyses of the Department of Transportation and are based on the applicant's modified development plan dated February 2000 with revisions to January 2001 and draft proffers dated February 12, 2001. These comments replace the prior Department of Transportation comments dated September 15, 2000.

**Transportation Issues.** The applicant is seeking permission to redevelop the property as a condominium community of 12 residences. Transportation issues associated with the application relate to: provision of ancillary easements as may be needed to facilitate construction of the Lee Highway/Waples Mill Road interchange; construction of an additional lane along the Lee Highway frontage; modification of the proffer commitment for a contribution to the Fairfax Center Area Road Fund; provision of break in the proposed fence at the sidewalk into the site from the Lee Highway frontage; and modification of the proffer relating to garage parking.

**Easements Adjacent to Lee Highway.** The adopted Comprehensive Plan calls for an interchange at the intersection of Lee Highway and Waples Mill Road. Interim improvements include the widening of Lee Highway to a six lane divided roadway. Final design plans have not been completed for either the six lane divided section, or the future interchange. Therefore the applicant should provide ancillary easements to 15 feet parallel to the proposed property line.

**Lee Highway Frontage Improvements.** The third westbound travel lane on Lee Highway was constructed across the site frontage with the construction of Waples Mill Road north of Lee Highway. That lane is serving as an interim right turn deceleration lane until the third travel lane is continued west of the Waples Mill Road intersection. Numerous sites west of Waples Mill Road are currently under development and soon will be constructing a third westbound along their respective frontages. Therefore, the applicant should commit to construct an additional 12-foot lane along the site frontage, which would become a permanent right turn lane when improvements west of Waples Mill are completed.

**Fairfax Center Road Fund.** The applicant has offered a proffer to contribute to the Fairfax Center Area Road Fund. However, the proffer language should be clarified and corrected to reflect a contribution per Fund guidelines. Note that the cost of constructing Lee Highway frontage improvements is creditable against the Fairfax Center Area Road Fund contribution.

**Pedestrian Access.** In order to encourage residents to walk to nearby retail and restaurant uses, a sidewalk is delineated between the proposed residences and proposed trail along the Lee Highway frontage. However, the development plan delineates a fence across the sidewalk at the junction with the Lee Highway trail. The plan or proffers should be clarified to ensure that unobstructed access is provided which at a minimum, is open to both the new condominium residents and the residents of the adjoining Westbrook town house community.

**Modification of draft proffer 11 relating to parking in garages.** The draft proffer language indicates that the garages will only be utilized for purposes which do not interfere with the parking of vehicles and location of certain utilities. The purpose of the reference to utilities is not apparent. The utility reference should be eliminated.

**Trip Generation.** The following is a comparison of trip generation characteristics if the site is developed in accordance with:

<u>Use</u>	<u>Trips Per Day/Peak Hour</u>
<i>Existing Use: Vacant</i>	0 vpd/0 vph
<i>Existing Zoning: R-1 (1 residence)</i>	10 vpd/1 vph
<i>Comprehensive Plan: (1.06 Acres)</i>	
Base Level: 1 du/ac - 1 residence	10 vpd/1 vph <sup>1a</sup>
Intermediate Level: 2 - 10 du/ac. (2 - 10 residences)	20 - 90 vpd/2 - 9 vph <sup>1a,1b</sup>
Overlay Level: 11 - 20 du/ac. (11 - 21 residences)	100 - 170 vpd/10 - 17 vph <sup>1b</sup>
 <i>Proposed Use: 12 residences</i>	 107 vpd/ 11 vph <sup>1b</sup>

These trip generation estimates are based on data from Trip Generation, Fifth Edition, Institute of Transportation Engineers, 1991, utilizing the parameters noted below.

- 1a. Volumes are based on the rates for single family detached residences (ITE LUC 210).
- 1b. Volumes utilize the rate per unit for residential condominiums/town houses (ITE LUC 230).

AKR/CAA

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services  
 Katharine D. Ichter, Chief, Highway Operations Division, Department of Transportation

## COUNTY OF FAIRFAX, VIRGINIA

## MEMORANDUM

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

**FROM:** *Bruce G. Douglas*  
Bruce G. Douglas, Chief  
Environment and Development Review Branch, DPZ

**SUBJECT:** **REVISED ENVIRONMENTAL ASSESSMENT:**  
**RZ-2000-SU-024, ALD Group**

**DATE:** 18 April 2001

**BACKGROUND:**

This report, prepared by Irish Grandfield, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the Development Plan dated January 2001 and as outlined in the proffers dated March 26, 2001. The report also identifies possible solutions to remedy environmental impacts. Alternative solutions may be acceptable provided that they achieve the desired degree of mitigation and are compatible with Plan policies.

**COMPREHENSIVE PLAN CITATIONS:**

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

1. **Transportation Generated Noise** (Objective 4, p. 89, The Policy Plan)

**“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. . . .”

2. **Water Quality** (Objective 2, p. 86, The Policy Plan)

**“Objective 2: Prevent and reduce pollution of surface and groundwater resources.**

Policy c. Minimize the amount of impervious surface created as a result of development consistent with planned land uses...

Policy k. Regulate land use activities to protect surface and groundwater resources.

3. **Light Pollution** (Objective 5, p. 89, The Policy Plan)

**“Minimize light emissions to those necessary and consistent with general safety.**

Policy a: Recognize the nuisance aspects of unfocused light emissions.”

4. **Trails** (Objective 4, p. 59, The Policy Plan)

**“Fairfax County should provide a comprehensive network of trails and sidewalks as an integral element of the overall transportation network.**

Policy a: Plan for Pedestrian, bicycle, and bridle path/hiking trail system components in accordance with the Countywide Trails Plan . . .”

5. **Problem Soils** (Objective 6, p. 90, The Policy Plan)

**“Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.**

Policy b: Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards.”

## **ENVIRONMENTAL ANALYSIS:**

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions.

### **1. Transportation Generated Noise**

*Issue:* This site is exposed to noise from Lee Highway. A preliminary highway noise analysis for this site indicates noise levels above DNL 65 dBA extend approximately 370 feet from the centerline of Lee Highway onto this site (noise levels above DNL 70 dBA pose no issue for this site). Most of the site will be impacted by noise levels between DNL 65 and 70 dBA.

*Suggested Solution:* The applicant's proffers commit to the use of appropriate building materials for noise mitigation but do not specify the location. It would be preferable if the proffer would reference the noise impact area as 370 feet from the centerline of Lee Highway.

### **2. Water Quality**

*Issue:* It appears that this site had been used previously for commercial uses. Staff is concerned with the potential for contamination of soil and water from products that were used and/or stored on this site. The applicant should provide information regarding past uses on the site and whether or not such uses may have resulted in the release of environmental contaminants.

*Suggested Solution:* The applicant has proffered to complete a Phase I Environmental Investigation of the property prior to site plan approval. The issue has been resolved.

### **3. Light Pollution**

*Issue:* It is unclear from review of the development plan the location and types of outdoor lighting that is proposed for this site. Staff does not object to any particular type of lighting as long as the design is appropriate and the lighting does not cause light pollution.

***Suggested Solution:*** The proffers commit to use full cut-off lighting. This issue has been addressed.

4. **Trails**

***Issue:*** The Countywide Trails Plan shows a proposed trail along Route 29. The Plan appears to call for the trail on the north side of the road (onsite). The Development Plan is showing a proposed 8-foot asphalt trail.

***Suggested Solution:*** The Director of DPWES will determine the sufficiency of the existing trail at site plan.

5. **Problem Soils**

***Issue:*** This site appears to be covered with recent fill material. Uncontrolled fill can cause problems for building foundations and pavement.

In addition, the bedrock underlying this property may contain naturally occurring fibrous asbestos minerals. Excavations made into hard bedrock and/or earth-moving activities may expose asbestos to the atmosphere, allowing the fibers to become airborne. Airborne asbestos poses a human health hazard.

***Suggested Solution:*** The applicant has committed in the proffers to submitting geotechnical studies to address potential soil problems. The issue has been resolved.

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