



APPLICATION ACCEPTED: September 13, 2011  
PLANNING COMMISSION: February 23, 2012  
BOARD OF SUPERVISORS: not scheduled

# County of Fairfax, Virginia

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February 8, 2012

## STAFF REPORT

### APPLICATION RZ/FDP 2011-MA-029

#### MASON DISTRICT

**APPLICANT:** Neighborhoods VI, LLC

**PRESENT ZONING:** R-2, HC

**REQUESTED ZONING:** PDH-4, HC

**PARCEL(S):** 71-2 ((1)) 36, 71-2 ((13)) 1, and 71-2 ((10)) 17A

**ACREAGE:** 8.79 acres

**OPEN SPACE:** 30.2%

**PLAN RECOMMENDATION:** Residential at 3 to 4 dwelling units per acre (du/ac)

**PROPOSAL:** The applicant seeks to rezone 8.79 acres from R-2 and HC (Highway Corridor Overlay) to PDH-4 (Planned Development at 4 du/ac) and HC to permit the development of 35 single family detached dwelling units at an overall density of 3.98 du/ac.

#### STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2011-MA-029, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDP 2011-MA-029.

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

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William O'Donnell

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



Staff recommends approval of a waiver to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #25234-WPFM-001-1 Conditions dated January 19, 2012.

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

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

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application. For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

*N:\ZED\Rezoning\RZ 2011-MA-029 Callaway Residential\Report\RZ 2011-MA-029 - Callaway - Staff Report Cover.doc*



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Rezoning Application

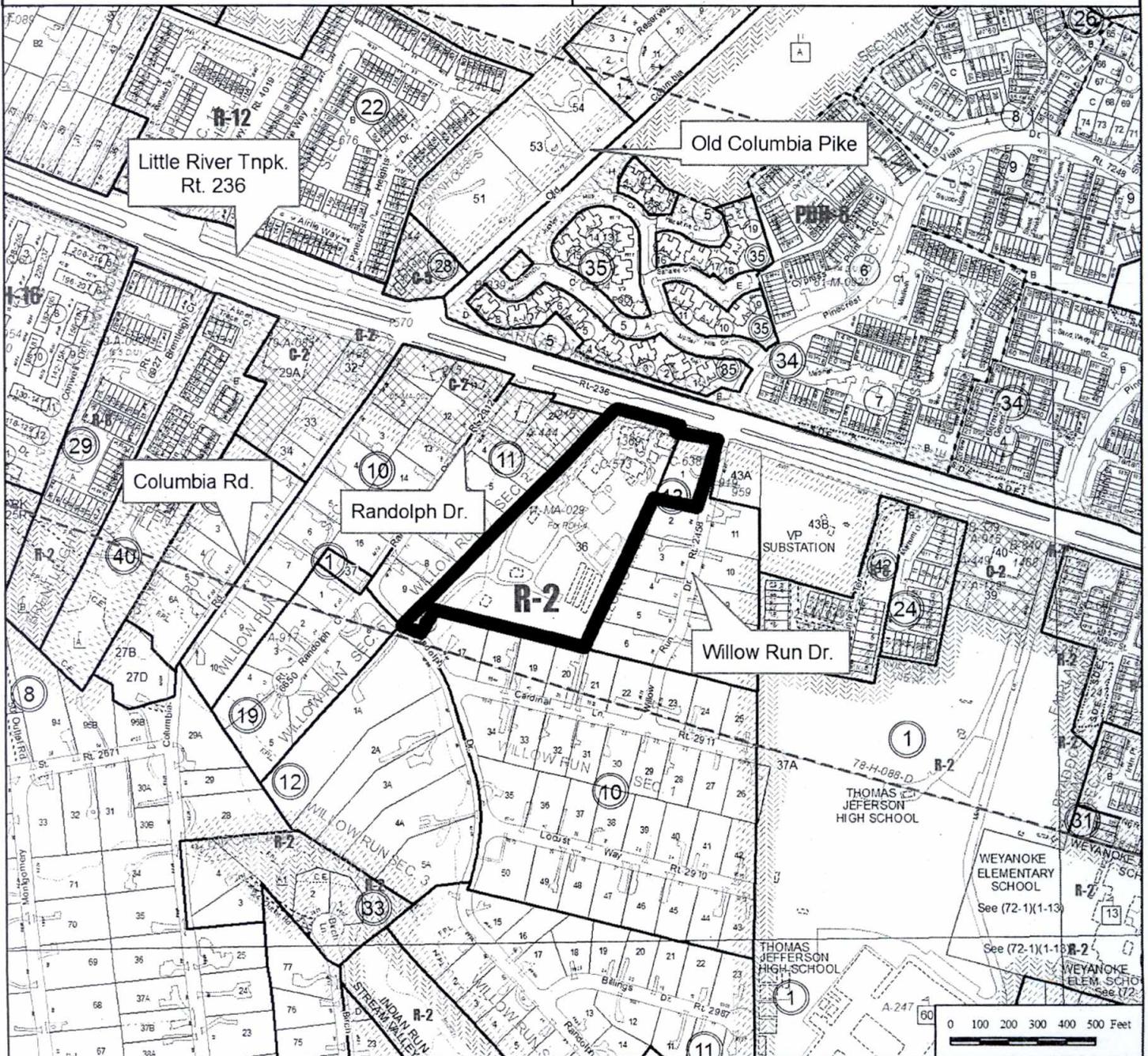
RZ 2011-MA-029

# Final Development Plan

FDP 2011-MA-029

Applicant: NEIGHBORHOODS VI, LLC  
Accepted: 09/13/2011  
Proposed: RESIDENTIAL  
Area: 8.79 AC OF LAND; DISTRICT - MASON  
Located: SOUTHWEST QUADRANT OF THE INTERSECTION OF WILLOW RUN DRIVE AND LITTLE RIVER TURNPIKE  
Zoning: FROM R- 2 TO PDH- 4  
Overlay Dist: HC  
Map Ref Num: 071-2- /01/ /0036 /10/ /0017A /13/ /0001

Applicant: NEIGHBORHOODS VI, LLC  
Accepted: 09/13/2011  
Proposed: RESIDENTIAL  
Area: 8.79 AC OF LAND; DISTRICT - MASON  
Located: SOUTHWEST QUADRANT OF THE INTERSECTION OF WILLOW RUN DRIVE AND LITTLE RIVER TURNPIKE  
Zoning: PDH- 4  
Overlay Dist: HC  
Map Ref Num: 071-2- /01/ /0036 /10/ /0017A /13/ /0001



**CALLAWAY**  
**CONCEPTUAL/FINAL DEVELOPMENT PLAN**  
**RZ-2011-MA-029**

MASON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

JULY, 2011  
 REVISED AUGUST 5, 2011  
 REVISED NOVEMBER 9, 2011  
 REVISED DECEMBER 7, 2011  
 REVISED JANUARY 6, 2012  
 REVISED JANUARY 30, 2012



VICINITY MAP  
 SCALE: 1" = 2,000'

**CONTRACT PURCHASER/APPLICANT**

NEIGHBORHOODS VI, LLC  
 11111 Sunset Hills Road  
 Suite 200  
 Reston, VA 20190  
 Telephone 703.964.5000  
 Fax 703.715.8076

**ATTORNEY/AGENT**

McGUIREWOODS, LLC  
 1750 Tysons Boulevard  
 Suite 1800  
 McLean, VA 22102-4215  
 Telephone 703.712.5000  
 Fax 703.712.5050

**SHEET INDEX**

Sheet Number	Sheet Title
1	COVER SHEET
2	CONCEPTUAL-FINAL DEVELOPMENT PLAN
3	GENERAL NOTES AND COMMENTS
4	EXISTING CONDITIONS AND EXISTING VEGETATION MAP
5	ILLUSTRATIVE LANDSCAPE PLAN
6	TREE CANOPY LANDSCAPE PLAN
7	CONCEPTUAL STREAM RESTORATION PLAN
8	LANDSCAPE DETAILS
9	TREE PRESERVATION PLAN
10	TREE INVENTORY AND CONDITION ANALYSIS
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14	TREE TRANSPLANTATION PLAN
15	TREE TRANSPLANTATION SPECIFICATIONS AND DETAILS
16	AMENITY PLAN
17	ILLUSTRATIVE - ELEVATIONS
18	ILLUSTRATIVE SECTIONS
19	STREET SECTIONS
20	EXTENT OF REVIEW AND OUTFALL NARRATIVE
21	STORMWATER MANAGEMENT PLAN
22	STORMWATER MANAGEMENT COMPUTATIONS
23	STORMWATER MANAGEMENT OPTIONAL PLAN

**ENGINEER/LANDSCAPE ARCHITECT/PLANNER**

THE BC CONSULTANTS  
 12800 Fair Lakes Circle  
 Suite 100  
 Fairfax, VA 22033  
 Telephone 703.449.8100  
 Fax 703.449.8108

**ENVIRONMENTAL AND CULTURAL  
 RESOURCES CONSULTANT**

WETLAND STUDIES AND SOLUTIONS, INC.  
 5300 Wellington Branch Drive  
 Suite 100  
 Gainesville, VA 20155  
 Telephone 703.679.5600  
 Fax 703.679.5601



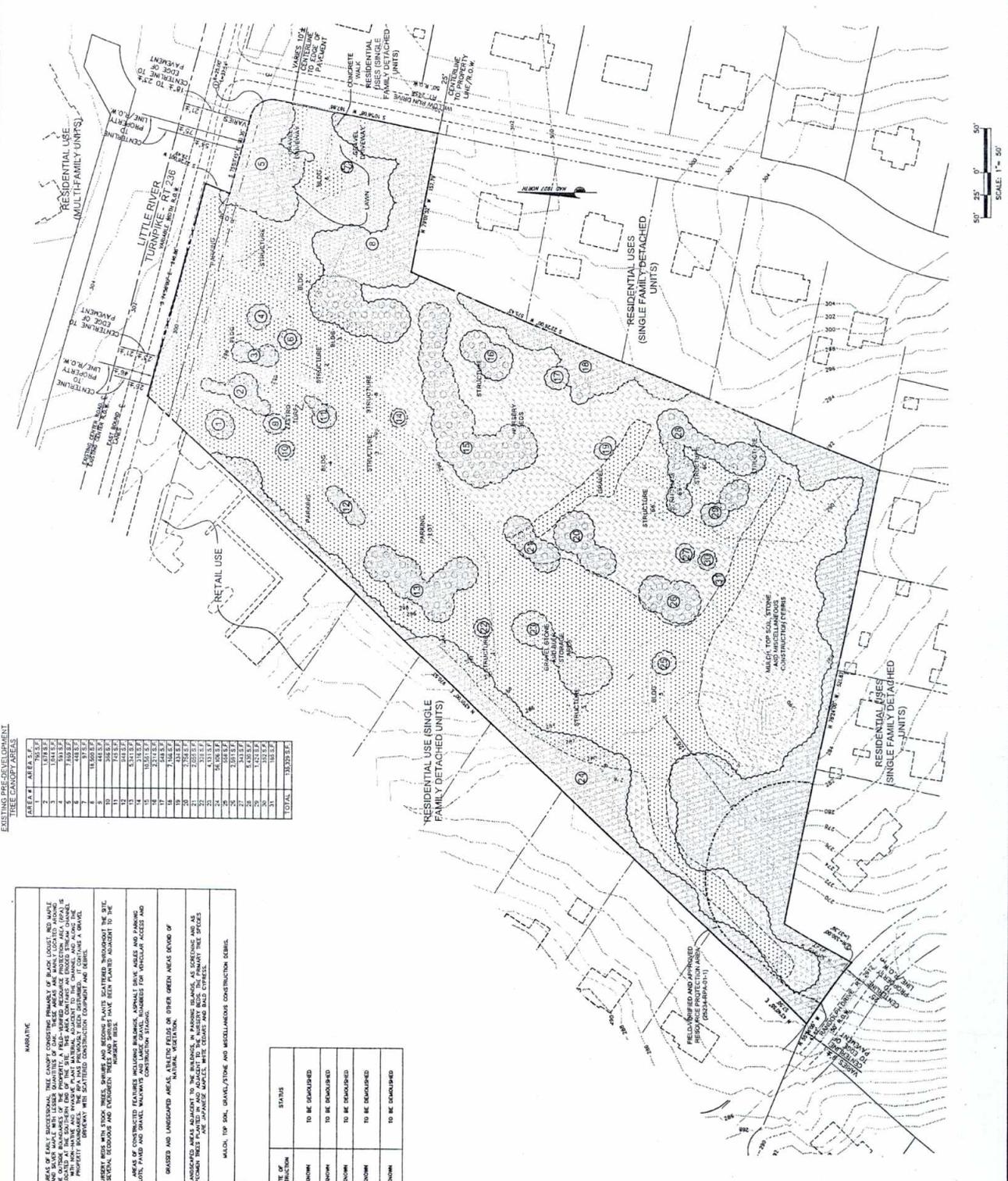
**BC Consultants**  
*Planners - Engineers - Surveyors - Landscape Architects*  
 12800 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
 Telephone (703)449-8100 (Phone)  
 Fax (703)449-8108 (Fax)  
 www.bcconsultants.com







REVISIONS	NO. DATE	DESCRIPTION
1	11-09-11	PREPARED FOR PERMITTING
2	11-09-11	REVISED TO ADD COMMENTS
3	12-07-11	REVISED TO ADD COMMENTS
4	01-08-12	REVISED TO ADD COMMENTS
5	07-20-12	REVISED TO ADD COMMENTS
6	07-20-12	REVISED TO ADD COMMENTS
7	07-20-12	REVISED TO ADD COMMENTS
8	07-20-12	REVISED TO ADD COMMENTS
9	07-20-12	REVISED TO ADD COMMENTS
10	07-20-12	REVISED TO ADD COMMENTS
11	07-20-12	REVISED TO ADD COMMENTS
12	07-20-12	REVISED TO ADD COMMENTS
13	07-20-12	REVISED TO ADD COMMENTS
14	07-20-12	REVISED TO ADD COMMENTS
15	07-20-12	REVISED TO ADD COMMENTS
16	07-20-12	REVISED TO ADD COMMENTS
17	07-20-12	REVISED TO ADD COMMENTS
18	07-20-12	REVISED TO ADD COMMENTS
19	07-20-12	REVISED TO ADD COMMENTS
20	07-20-12	REVISED TO ADD COMMENTS
21	07-20-12	REVISED TO ADD COMMENTS
22	07-20-12	REVISED TO ADD COMMENTS
23	07-20-12	REVISED TO ADD COMMENTS
24	07-20-12	REVISED TO ADD COMMENTS
25	07-20-12	REVISED TO ADD COMMENTS
26	07-20-12	REVISED TO ADD COMMENTS
27	07-20-12	REVISED TO ADD COMMENTS
28	07-20-12	REVISED TO ADD COMMENTS
29	07-20-12	REVISED TO ADD COMMENTS
30	07-20-12	REVISED TO ADD COMMENTS
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33	07-20-12	REVISED TO ADD COMMENTS
34	07-20-12	REVISED TO ADD COMMENTS
35	07-20-12	REVISED TO ADD COMMENTS
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37	07-20-12	REVISED TO ADD COMMENTS
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39	07-20-12	REVISED TO ADD COMMENTS
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95	07-20-12	REVISED TO ADD COMMENTS
96	07-20-12	REVISED TO ADD COMMENTS
97	07-20-12	REVISED TO ADD COMMENTS
98	07-20-12	REVISED TO ADD COMMENTS
99	07-20-12	REVISED TO ADD COMMENTS
100	07-20-12	REVISED TO ADD COMMENTS



EXISTING PRE-DEVELOPMENT TREE CANOPY AREAS

AREA #	AREA S.F.	PERCENT
1	10,000.00	1.00
2	10,000.00	1.00
3	10,000.00	1.00
4	10,000.00	1.00
5	10,000.00	1.00
6	10,000.00	1.00
7	10,000.00	1.00
8	10,000.00	1.00
9	10,000.00	1.00
10	10,000.00	1.00
11	10,000.00	1.00
12	10,000.00	1.00
13	10,000.00	1.00
14	10,000.00	1.00
15	10,000.00	1.00
16	10,000.00	1.00
17	10,000.00	1.00
18	10,000.00	1.00
19	10,000.00	1.00
20	10,000.00	1.00
21	10,000.00	1.00
22	10,000.00	1.00
23	10,000.00	1.00
24	10,000.00	1.00
25	10,000.00	1.00
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29	10,000.00	1.00
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31	10,000.00	1.00
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33	10,000.00	1.00
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35	10,000.00	1.00
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94	10,000.00	1.00
95	10,000.00	1.00
96	10,000.00	1.00
97	10,000.00	1.00
98	10,000.00	1.00
99	10,000.00	1.00
100	10,000.00	1.00
TOTAL	3,333,333.33	33.33

EXISTING VEGETATION MAP SUMMARY AND NARRATIVE

TYPE	PRIMARY SPECIES	SUCCESSORIAL STAGE	HEALTH AND CONDITION (A-C)	AREA (A-C)	NARRATIVE
3	EARLY SUCCESSIONAL FOREST	MATURE	POOR TO GOOD	1.85	AREAS OF EARLY SUCCESSIONAL TREE CANOPY CONSISTING PRIMARILY OF BLACK HAWK, RED BARK AND BLACK MAPLE WITH LARGER QUANTITIES OF OAK. THESE AREAS ARE WELL LOCATED AROUND LOCATIONS AT THE SOUTHWEST END OF THE SITE. THIS AREA CONTAINS AN ENDED STREAM CHANNEL PROPERTY BOUNDARY. THE SPA HAS PREVIOUSLY BEEN ABANDONED. IT CONTAINS A GRAVEL DRIVEWAY WITH EXISTING CONSTRUCTION DEBRIS AND DEBRIS.
4	AGRICULTURAL LAND	N/A	N/A	1.10	MATURE BIRCH WITH STUCK STEEL SHEDS AND SCISSOR PLANTS SCATTERED THROUGHOUT THE SITE. SEVERAL LOGS AND TRUCKS THAT HAVE BEEN TACKLED ADJACENT TO THE NEARBY BIRCH.
5	DEVELOPED LAND	N/A	N/A	3.43	AREAS OF CONSTRUCTED PAVEMENT INCLUDING DRIVEWAYS, SIDEWALKS AND PARKING LOTS, PAVED AND GRAVEL DRIVEWAYS AND LARGE DRIVEWAYS, BOUNDARIES FOR VEHICULAR ACCESS AND CONSTRUCTION STAGING.
6	MAINTAINED GRASSLANDS	N/A	N/A	0.79	GRAZED AND UNGRAZED AREAS, ATHLETIC FIELDS OR OTHER OPEN AREAS DEVOID OF NATURAL VEGETATION.
9	LANDSCAPE TREE CANOPY	MATURE	GOOD TO EXCELLENT	0.81	LANDSCAPED AREAS ADJACENT TO THE BUILDINGS, IN PARKING AREAS, AS SCREENING AND AS SPORADIC TREES AND JAPANESE MAPLES, WHITE OAKS AND RED OAKS.
10	MISCELLANEOUS	N/A	N/A	0.72	MALODOROUS SOIL, GRAVEL/TOPSOIL AND MISCELLANEOUS CONSTRUCTION DEBRIS.

EXISTING BUILDING STRUCTURE INVENTORY

TYPE	HEIGHT	DATE OF CONSTRUCTION	STATUS
BUILDINGS 1 THRU 4	10'-20'6"	UNKNOWN	TO BE DEMOLISHED
BUILDING 6	30'6"	UNKNOWN	TO BE DEMOLISHED
STRUCTURES 1, 2 AND 3	15'6"	UNKNOWN	TO BE DEMOLISHED
STRUCTURES 4, 5, 7, 8 AND 9	15'6"	UNKNOWN	TO BE DEMOLISHED
STRUCTURES 10, 11 AND 12	15'6"	UNKNOWN	TO BE DEMOLISHED

- EXISTING VEGETATION MAP LEGEND
- EXISTING PRE-DEVELOPMENT TREE CANOPY AREAS (SEE TABLE 1 FOR COVER TYPES LISTED BELOW ARE DELINEATED WITHIN THIS AREA.)
  - COVER TYPE 1 (EARLY SUCCESSIONAL FOREST COMMUNITY)
  - COVER TYPE 2 (AGRICULTURAL LAND)
  - COVER TYPE 3 (DEVELOPED LAND-BUILDING/SIDEWALK/ASPHALT/PAVEMENT)
  - COVER TYPE 4 (MAINTAINED GRASSLANDS)
  - COVER TYPE 5 (LANDSCAPED TREE CANOPY)
  - COVER TYPE 6 (MISCELLANEOUS)
  - EXISTING PRE-DEVELOPMENT TREE CANOPY AREAS NUMBER

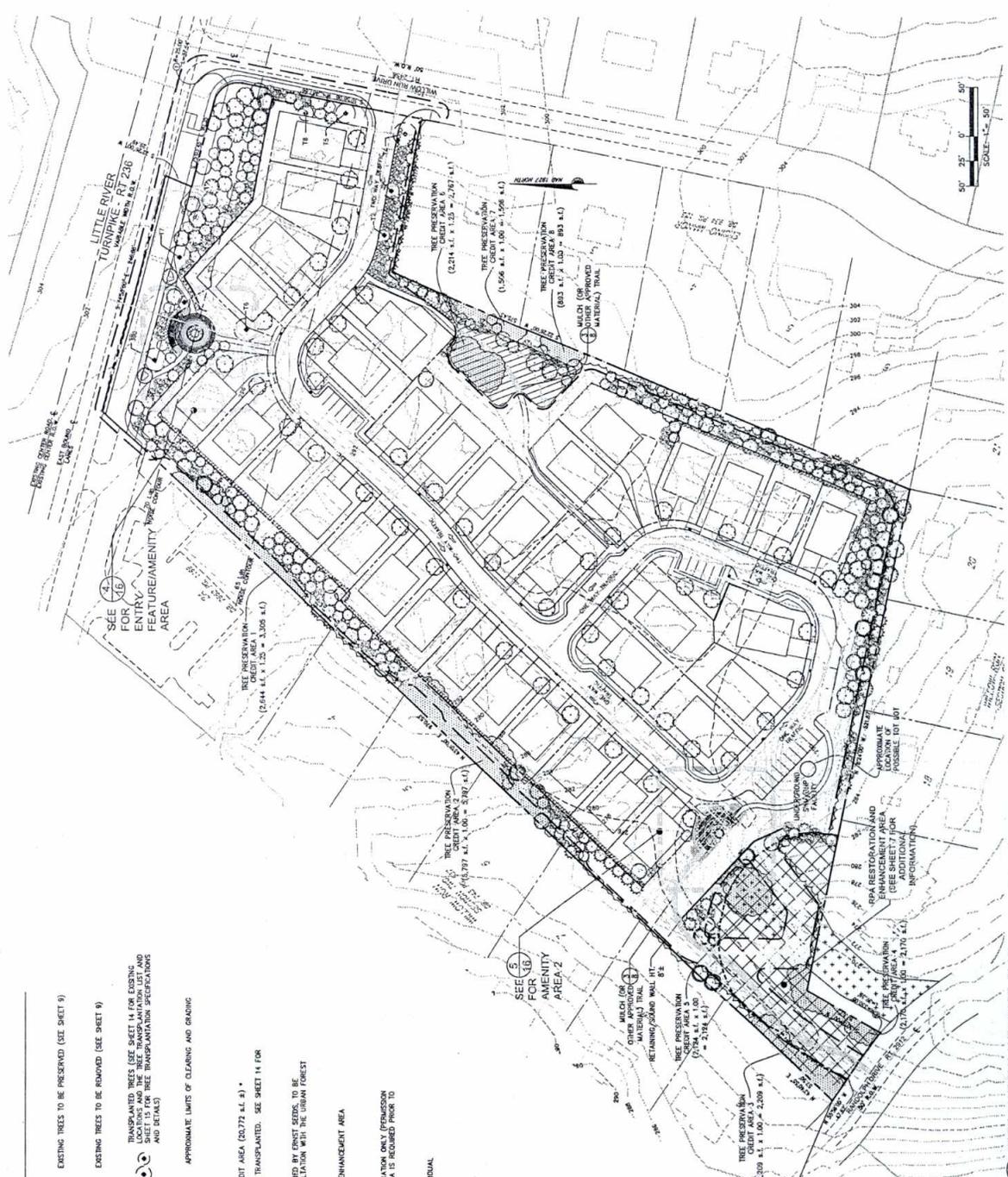
THERE ARE NO ON-SITE UNIQUE OR ENDANGERED FOREST COMMUNITIES AS DEFINED IN THE PUBLIC CONSERVATION, TABLE 12.2. SEE SHEET 8 FOR THE TREE PRESERVATION TARGET AND STATEMENT (10-YEAR TREE CANOPY CALCULATIONS).





CONCEPTUAL/FINAL DEVELOPMENT PLAN  
 ILLUSTRATIVE LANDSCAPE PLAN  
**CALLAWAY**  
 PALMYRA COUNTY, VIRGINIA  
 MARKET DISTRICT

DATE: JULY, 2011	SCALE: 1"=50'
CHECKED BY: PAK	DRAWN BY: CAD
PROJECT NO. 11524-08	SHEET 9 OF 23
CD NO. 11524-08	CAD NUMBER/PROJECT NUMBER
FILE NO. 11524-08	ILLUSTRATIVE



- LEGEND:**
- 2' OR 3' CAL CATEGORY IV DECIDUOUS TREES
  - 2' CAL CATEGORY I-III DECIDUOUS TREES
  - 10' HEIGHT CATEGORY IV EVERGREEN TREES
  - 8' HEIGHT CATEGORY IV-IV EVERGREEN TREES
  - 8' HEIGHT CATEGORY II EVERGREEN TREES
  - DECIDUOUS AND/OR EVERGREEN SHRUBS
  - EXISTING BOUNDARY
  - PROPOSED BOUNDARY
  - POST DEVELOPMENT 10-YEAR TREE CANOPY CREDIT AREA (20,773 s.f. ±)
  - EXCLUDES CANOPY CREDIT FOR TREES TO BE TRANSPORTED. SEE SHEET 14 FOR ADDITIONAL INFORMATION.
  - WOODLAND SEED MIX (FINAL SEED MIX AS SUPPLIED BY CRIST SEEDS, TO BE DETERMINED AT THE SHOWSTOP PLAN IN CONSULTATION WITH THE URBAN FOREST MANAGEMENT DIVISION)
  - RESOURCE PROTECTION AREA RESTORATION AND ENHANCEMENT AREA
  - RESTORATION/ENHANCEMENT AREA FOR URBAN RESTORATION ONLY (RESTORATION FROM THE BASE OF OFF-OR RESTORATION AREA IS REQUIRED PRIOR TO ANY RESTORATION ACTIVITIES WITHIN THIS AREA)
- NOTE:**
- SEE SHEET 6 FOR PLANT SCHEDULE, TREE CANOPY CALCULATIONS AND INDIVIDUAL TRANSPORTATION SPECIFICATIONS AND DETAILS.
  - SEE SHEET 14 FOR TREE TRANSPORTATION PLAN AND SHEET 15 FOR TREE TRANSPORTATION SPECIFICATIONS AND DETAILS.
  - RESTORATION/ENHANCEMENT ACTIVITIES SHALL BE DONE IN THE LEAST DISRUPTIVE MANNER POSSIBLE IN CONSULTATION WITH THE URBAN FOREST MANAGEMENT DIVISION.



1 TREE CANOPY LANDSCAPE PLAN  
 5

SCALE: 1"=50'

























**BC Consultants**  
 Planners • Designers • Surveyors • Landscape Architects  
 12600 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
 (703)449-6100 (703)449-6108 (fax)  
 www.bccon.com

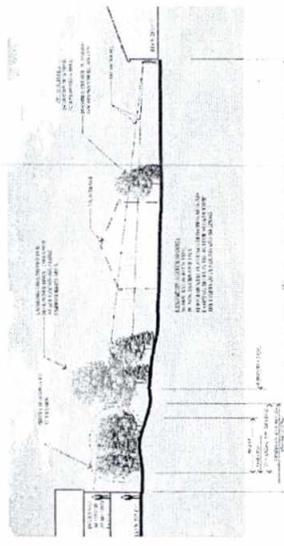


CONCEPTUAL/FINAL DEVELOPMENT PLAN  
 ILLUSTRATIVE SECTIONS  
**CALLAWAY**  
 MAJOR DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

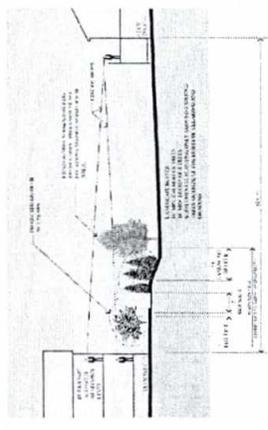
NO. REVISIONS	04-09-11
REVISIONS	11-09-11
REVISIONS	01-09-12
REVISIONS	01-09-12
REVISIONS	01-30-12
DESIGNED BY: PLR	PLANNING
DRAWN BY: CAD	CAD
CHECKED BY: PLR	PLANNING
DATE: 01-30-12	
SCALE: 1/8" = 1'-0"	
SHEET: 18 OF 23	
CAD NAME: P153466	
LAYOUT ELEVATIONS	
FILE NO.: 11524-08	



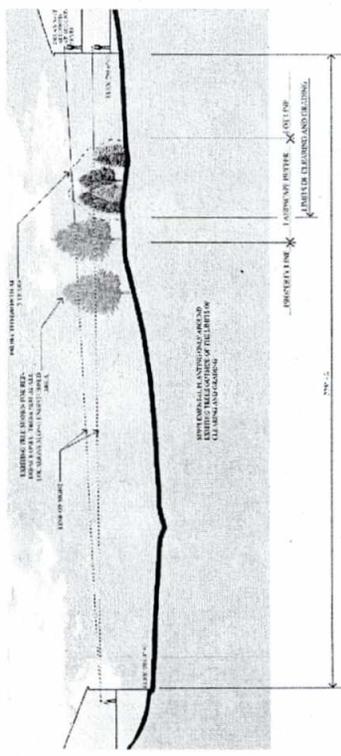
KEY PLAN  
NO SCALE



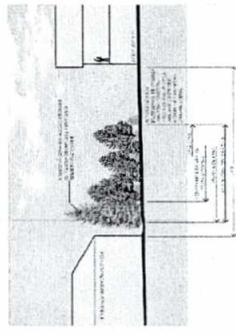
SECTION B  
SCALE 1" = 20'



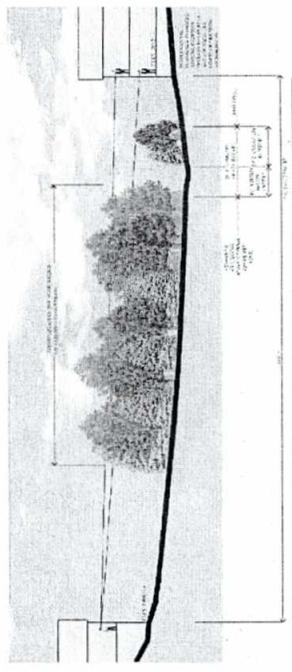
SECTION A  
SCALE 1" = 20'



SECTION C  
SCALE 1" = 20'



SECTION D  
SCALE 1" = 20'



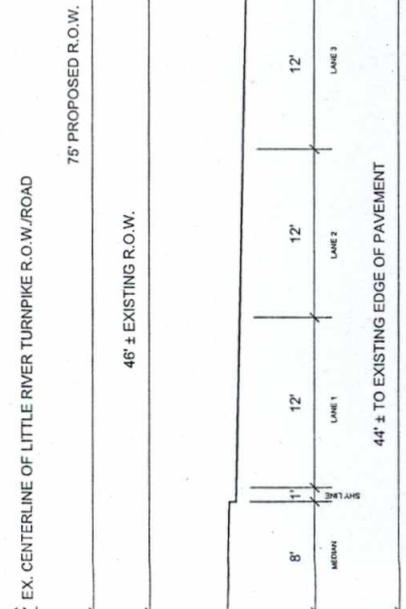
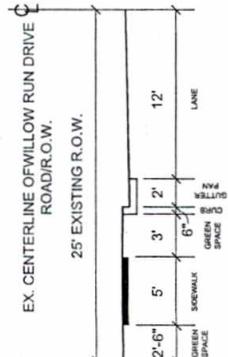
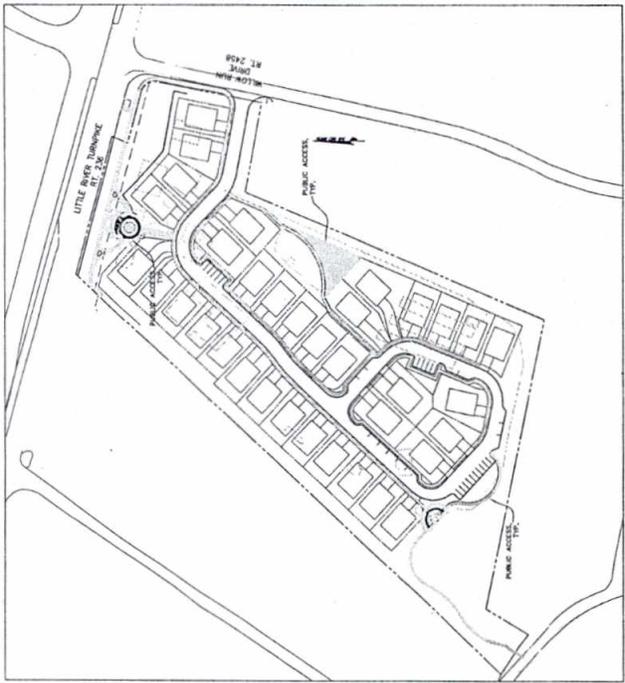
SECTION E  
SCALE 1" = 20'

**BC Consultants**  
 Planners - Engineers - Surveyors - Landscape Architects  
 12600 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
 (703)449-8100 (703)449-8108 (Fax)  
 www.bc-va.com



CONCEPTUAL/FINAL DEVELOPMENT PLAN  
 STREET SECTIONS  
**CALLAWAY**  
 MADON DISTRICT  
 PARKWAY COUNTY, VIRGINIA

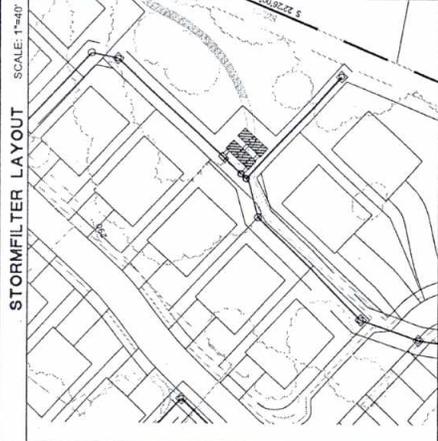
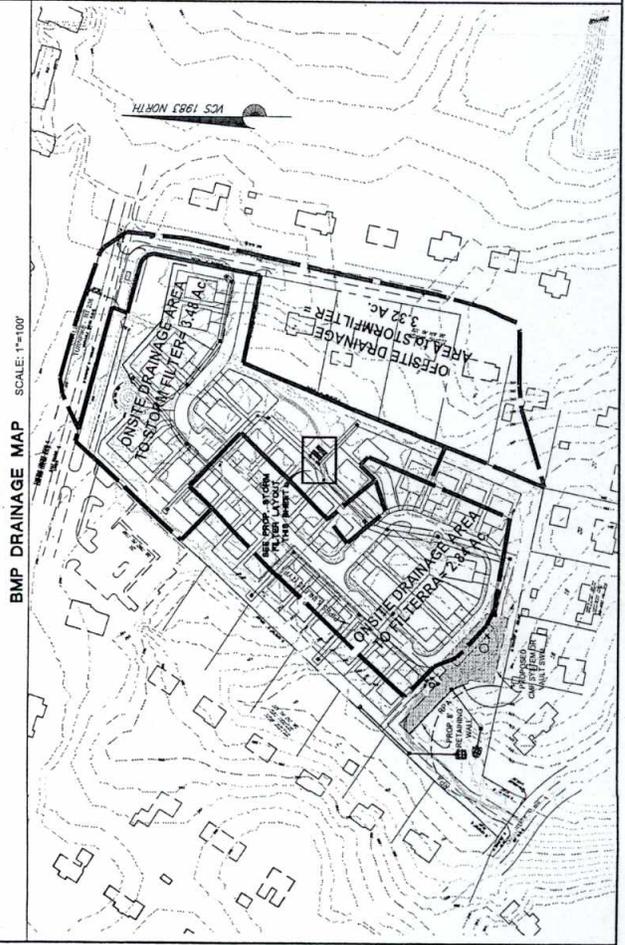
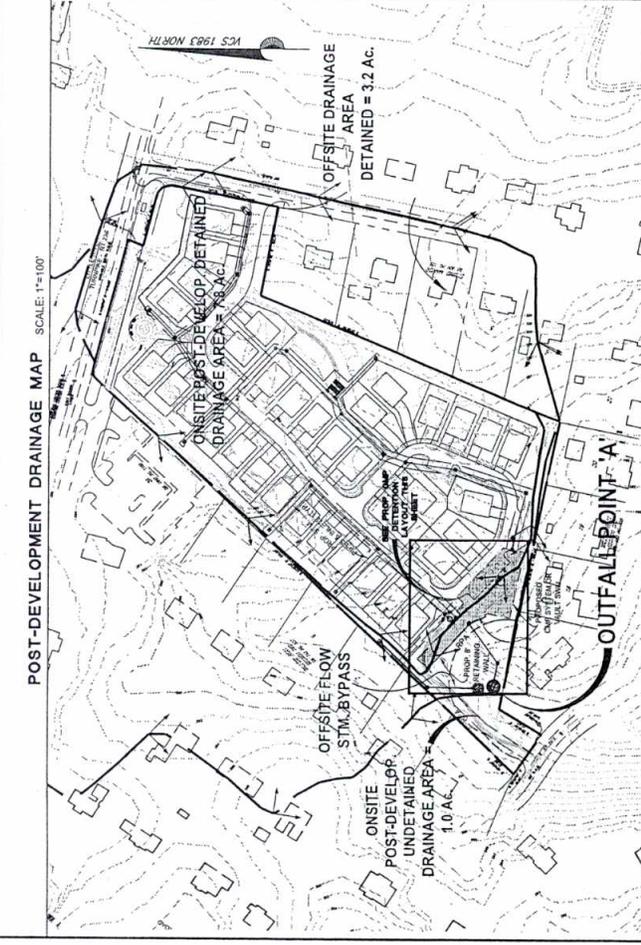
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DRAWN BY: CAD
CHECKED BY: JTG
DATE: 01-24-11
SCALE: AS SHOWN
SHEET NO. 23
SHEET TOTAL 23
CO. NO.
CAD NAME: PRESHET SECTION
LAYOUT: SECTIONS
FILE NO.: 11524-08











CONCEPTUAL/FINAL DEVELOPMENT PLAN  
STORMWATER MANAGEMENT PLAN  
CALLAWAY  
MADISON DISTRICT  
FAIRFAX COUNTY, VIRGINIA

**BC Consultants**  
Planners • Surveyors • Engineers • Landscape Architects  
12600 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
(703)448-8100 (703)448-8106 (Fax)  
www.bccon.com



DESIGNED BY: RLR  
CHECKED BY: RLR  
DATE: JULY 2011  
SCALE: AS SHOWN  
SHEET 23 OF 23  
C.D. NO.  
CAD NAME: F1524-SW42  
LAYOUT: FOP-SW41  
FILE NO.: 11524-08

**BMP FACILITY DESIGN CALCULATIONS**  
Plan Name: CALLAWAY  
Plan Number: 2011070101  
Site Area (Acres): 1.80  
Engineer: BC CONSULTANTS

**K. WATERSHED INFORMATION**  
PART L. LIST ALL OF THE SUBAREAS AND "C" FACTORS USED IN THE BMP CALCULATIONS

SUBAREA DESIGNATION & DESCRIPTION	"C" FACTOR	AREA (AC)
B1 ONSITE TO FILTER	0.70	2.44
B2 ONSITE TO STORM FILTER	0.35	2.44
B3 ONSITE TO TERRACE	0.35	2.44
B4 ONSITE TO STORM FILTER #2	0.45	2.00

**PART M. COMPUTE THE WEIGHTED AVERAGE "C" FACTOR FOR THE SITE**

(A) AREA OF THE SITE	(B) SUBAREA DESIGNATION	(C) "C" FACTOR	(D) AREA (AC)	(E) PRODUCT
1.80	B1	0.70	2.44	1.69
	B2	0.35	2.44	0.85
	B3	0.35	2.44	0.85
	B4	0.45	2.00	0.90
(M) TOTAL			1.70	4.29

**(N) WEIGHTED AVERAGE "C" FACTOR**  
PART N. COMPUTE THE TOTAL PHOSPHORUS REMOVAL FOR THE SITE

SUBAREA DESIGNATION	BMP TYPE	REMOVAL EFF. (%)	AREA (AC)	"C" FACTOR	RATIO	PRODUCT
B1	ONSITE TO FILTER	50	2.44	0.70	0.35	0.85
B2	ONSITE TO STORM FILTER #1	50	2.44	0.35	0.12	0.30
B3	ONSITE TO TERRACE	50	2.44	0.35	0.12	0.30
B4	ONSITE TO STORM FILTER #2	50	2.00	0.45	0.22	0.45
(N) TOTAL			1.70			1.90

**PART L. DETERMINE COMPLIANCE WITH PHOSPHORUS REMOVAL REQUIREMENT**

(A) SELECT REQUIREMENT  
(B) PHOSPHORUS REMOVAL REQUIREMENT (PPM)  
(C) PHOSPHORUS REMOVAL REQUIREMENT (PPM)  
(D) PHOSPHORUS REMOVAL REQUIREMENT (PPM)

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

**DESCRIPTION OF THE APPLICATION**

- Applicant:** Neighborhoods VI, LLC
- Location:** South side of Little River Turnpike, between Randolph Drive and Willow Run Drive.
- Request:** To rezone 8.79 acres from R-2 and HC (Highway Corridor Overlay) to PDH-4 (Planned Development at 4 du/ac) and HC to permit the development of 35 single family detached dwelling units at an overall density of 3.98 du/ac.
- Waivers/Modifications:** Waiver of the 600 foot maximum length for a private street.
- Waiver to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #25234-WPFM-001-1 Conditions dated January 19, 2012.

A reduced copy of the proposed Conceptual Development Plan and Final Development Plan (CDP/FDP) is included in the front of this report. The proffers, Affidavit and the statement of justification are included as Appendices 1 through 3.

**LOCATION AND CHARACTER**

**Site Description**

The subject property consists of a consolidation of three parcels located on the south side of Little River Turnpike, between Randolph Drive and Willow Run Drive. The majority of the property (8 acres on Lot 36) currently functions as a plant nursery, known as the Campbell & Ferrara Nursery, which was established in 1946. Access is provided via a service drive to the west along the Little River Turnpike frontage. This service drive does not currently extend across the frontage of the site. An unused, unimproved access drive extends from the southern corner of the site to Randolph Drive. Existing buildings are located at the northern end of the site, adjacent to the road. The southern portion of the nursery is used for plant cultivation and storage, and for ancillary landscape contracting services. The remaining 0.79 acres contains a single family house fronting Willow Run Drive.

### Surrounding Area Description

	Use	Zoning	Plan
<b>North</b>	Multifamily Residential (Pinecrest)	PDH-8	Residential, 5-8 du/ac
<b>South &amp; East</b>	Single Family Detached (Willow Run)	R-2	Residential, 1-2 du/ac
<b>West</b>	Single Family Detached (Willow Run)	R-2	Residential, 1-2 du/ac
	Retail	C-5	Retail

### BACKGROUND

The site was originally used for a plant nursery beginning in 1946. Its existence and operation prior to the 1978 Zoning Ordinance would confer upon it the status of a legally non-conforming use, were it to be operated in accordance with the definition of a plant nursery in 1946.

On February 17, 2000, a Notice of Violation was issued to Campbell & Ferrara Nursery, citing the following issues: temporary shade structures (hoop houses) in the rear of the site and a permanent shade structure in the center of the site had been constructed without SE approval. Subsequent inspections revealed that the violations had not been abated, and that the owners had not filed for SE approval.

On September 14, 2001, the Zoning Administrator requested that the Fairfax County Attorney initiate legal action to resolve the violations.

On March 8, 2002, the Circuit Court of Fairfax County issued a consent decree stating that Fairfax County would "refrain from any zoning enforcement action against the Plan Nursery...for a period of time not to exceed 22 months from February 15, 2002," and that the applicant would diligently pursue a Special Exception.

On May 24, 2004, the Board of Supervisors approved SE 2002-MA-019 to permit the Plant Nursery with ancillary sales of nursery related items and ancillary landscape contracting services. The development was approved with two phases: Phase 1 incorporated all existing structures and brought the existing nursery into compliance with the Zoning Ordinance; Phase 2 would have replaced certain buildings with new construction and added parking, including frontage improvements to the site. **Phase 2 has not been implemented. Redevelopment of the entire property is now proposed in the current application.**

On July 27, 2010, the Board of Supervisors approved APR 09-I-1A to add a development option to the Comprehensive Plan recommendation (Residential use at 1-2 du/ac) for the subject property, which includes office, retail or a combination of office and retail use up to 30,000 square feet on two acres of the northern portion of the site and for the residual area or the entire area, residential use at 3-4 du/ac. ***The applicant is proposing to implement this development option.***

## COMPREHENSIVE PLAN PROVISIONS

**Plan Area/Planning District:** Area I; Annandale

**Planning Sector:** Indian Run Community Planning Sector

**Plan Recommendation:**

On Page 107 of the Annandale Planning District of the 2011 edition of the Area I Plan, the Plan states:

“8. Parcels 71-2((1)) 36, 71-2((10)) 17A, and 71-2((13)) 1 are planned for residential use at 1-2 dwelling units per acre and developed with a garden nursery and a single-family detached dwelling. As an option, an area up to two acres including parcel 71-2((13))1 and the northern portion of parcel 71-2((01)) 36 fronting Little River Turnpike may be appropriate for retail or office use or a combination of these uses up to 30,000 square feet of development. Auto-oriented uses, including drive-thru facilities, are discouraged. Any commercial building should be oriented toward Little River Turnpike with parking located to the rear or side of the building to create an attractive streetscape. The residual land or entire area may be appropriate for single-family detached dwellings up to 3-4 dwelling units per acre. Any redevelopment should be viewed as an opportunity for the removal of existing encroachments, restoration and protection of the headwaters area on site. Development should be designed in a manner including the use of effective buffering and screening to maintain the stability of surrounding low-density residential uses.”

## ANALYSIS

**Conceptual Development Plan and Final Development Plan (CDP/FDP)** (Copy at front of staff report)

Title: Callaway

Prepared By: BC Consultants

Original and Revision Dates: July, 2011, as revised through January 30, 2012.

The Combined CDP/FDP consists of 23 sheets. The following features are depicted on the proposed GDP:

Site Layout: The subject property (8.79 acres) consists of a consolidation of three parcels located on the south side of Little River Turnpike, between Randolph Drive and Willow Run Drive. The applicant seeks to rezone the property from R-2 and HC to PDH-4 and HC to permit 35 single family detached dwelling units, which would yield 3.98 dwelling units per acre (du/ac). Most of the land is currently used a plant nursery. Graphic 1 shows the general layout of the proposed redevelopment.

**Graphic 1: Proposed Site Layout**



As shown on the graphic, access to the property is proposed to be provided from Willow Run Drive. A private road would extend into the site with single family detached dwelling units located on both sides of the road and would continue south into the site creating a private loop with lower case "b" configuration. Sheet 3 of the CDP/FDP shows a typical lot layout showing seven foot minimum side setbacks for interior units (seven feet on each lot; 14 feet between units) and ten foot minimum side setbacks for corner units. A minimum of 25 feet of landscaped buffering is proposed around the entire periphery of the property, with additional landscaping at the northern, southern, and eastern sides of site. Two pedestrian amenity areas are proposed on the site: one located on the north side of the site along Little River Turnpike, and the other on the south side of the

site. These areas include benches, seating walls and sidewalks connecting to the proposed sidewalk network on the site. Sheet 16 of the CDP shows these proposed amenities in greater detail. An additional open space area is located on the eastern side of the site, which contains several trees proposed to be preserved.

Architectural elevations and site sections are included on Sheet 17 of the CDP/FDP. The proposed maximum height for the single family detached dwelling units is 35 feet and the elevations on the CDP/FDP show primarily two to three story tall units. Five site sections are also provided, which show that the proposed dwelling units would be approximately 151 feet from the existing adjacent units on the southeast side; 115 feet from units on the east side, and a range of 60 feet to 235 feet from dwelling units along the west side. The applicant proffered to design the dwellings in substantial conformance with the bulk, mass and type and quality of materials and elevations shown on the CDP/FDP. Additional commitments for rear facades and architecture of proposed Units 14 through 17 and 23 through 30 include rear dormers or gables to be incorporated into the roof architecture and decorative windows and fixtures similar to the type and style used on the front facade.

A retaining/sound wall is also shown on Sheet 2 of the CDP/FDP with a potential range in size of approximately 6 feet to 9 feet in height and is located on the north side, along Little River Turnpike. The applicant has proffered to construct the wall as an architecturally solid wall, with no gaps. A second retaining wall, a maximum of 8 feet in height, is proposed to be located to the north of the RPA area, on the south side of the property, to prevent grading into the environmentally sensitive area.

Vehicular Access: One access point is provided into the subject property from Willow Run Drive. Access to each unit is proposed to be provided from individual driveways, a minimum of 20 feet in length.

Right-of-Way Dedication: Sheet 18 of the CDP/FDP shows a total of 75 feet of proposed right-of-way, measured from the centerline of Little River Turnpike, to permit for future expansion. A street section is included, which shows right-of-way for the future construction of three twelve foot wide through lanes, a five foot wide bike lane, a twelve foot wide turn lane and a five foot wide sidewalk.

Parking: The Zoning Ordinance requires three spaces for single family detached dwelling units with frontage on a private street (35 units requires 105 parking spaces). The applicant is proposing to provide 176 parking spaces (two spaces in garages, two parking spaces in the driveway and 36 guest parking spaces). In addition, the applicant proffered to construct driveways with a minimum of twenty feet in length (to permit the parking of two vehicles without overhanging onto the sidewalk) and to build garages that will accommodate two vehicles.

*Pedestrian Access:* Five foot wide sidewalks are shown along the frontage of the property facing Little River Turnpike and Willow Run Drive, leading to five foot wide sidewalks on both sides of the proposed internal private street. Two five foot wide mulch (or other approved permeable material) trails, that connect to these sidewalks, are located in two environmentally sensitive areas on the site; one is located in the open space area on the east side of the property, to lessen the impact to the root zones of trees proposed to be preserved (which is discussed below) and the other is located in the open space area on the south side of the site, to lessen the impact to the Resource Protection Area and the stream restoration area (which is discussed below as well). The applicant has proffered to provide public access easements for all of these trails and sidewalks shown on the CDP/FDP.

*Tree Save and Landscaping:* The majority of the property (8 acres on Lot 36) currently functions as a plant nursery, known as the Campbell & Ferrara Nursery. Sheet 5 of the CDP/FDP provides a landscape plan for the proposed redevelopment of the property, depicting a minimum of 25 feet of landscaped buffering around the entire periphery of the property, with additional landscaping on portions of the northern, southern, and eastern sides of site. Sheet 6 of the CDP/FDP provides the proposed plant schedule and tree canopy calculations, yielding approximately 70,000 square feet of proposed new tree canopy through tree plantings.

In addition, the applicant proposes to preserve over 40 trees on the site and several trees located off-site along the property boundaries. Sheets 9 through 15 provide a Tree Preservation Plan, Tree Inventory Condition Analysis, and Tree Transplanting Plan. The applicant has also made the necessary proffer commitments to protect and preserve these trees through walk-throughs, monitoring and tree appraisals. Sheet 14 of the CDP/FDP provides a Tree Transplanting Plan, which proposes to transplant nine existing trees on the site to other areas on the site highlighted on the CDP/FDP. The applicant has proffered to prepare this plan using a certified arborist to identify proper staging areas for these trees during construction and to ensure that proper transitional and after-transplanting care methods are in place as approved Urban Forest Management Division of the Department of Public Works and Environmental Services (UFMD DPWES).

*Stormwater Management:* According to the Stormwater Management narrative on Sheet 20 of the CDP/FDP, the applicant proposes two alternatives to address stormwater management (SWM) on the southern portion of the site. Alternative 1 includes a rain-tank facility that would provide detention through infiltration. However, the soils in vicinity of the facility are rated poor for infiltration and, at the current time, the County is not approving plans with plastic detention systems. Alternative 2 includes an underground detention system consisting of a series of pipes and/or a vault, which requires an underground detention waiver to be approved by the Board of Supervisors in conjunction with the zoning

approvals (PFM 6-0303.8). An application for the waiver was received and recommended for approval by DPWES (see the Waiver and Modifications section below). For Best Management Practices (BMP), the applicant proposes two BMP facilities (bay-filters) located on the southwest and south sides of the property that will result in 46% to 50% phosphorous removal from the stormwater.

*Stream Restoration and Invasive Species Removal:* An existing stream and a Resource Protection Area (RPA) are located on the southwestern portion of the site, which has been degraded for several years from the storage of fertilizer, pesticides and herbicides on the subject property. On Sheet 7 of the CDP/FDP, the applicant proposes a stream and RPA restoration plan which would restore this area by raising the existing stream where needed; decreasing channel incision; and reconnecting the stream with its floodplain. The stream bed is proposed to be reinforced and rock structures installed (cross veins and step pools) to provide grade control, bank stability, and to dissipate water energy. As part of this plan, invasive vegetation would be removed and a dense replanting plan is proposed. This restoration area would occur from the existing culvert on the southern portion of the site to the existing culvert on Randolph Drive. Final design of the restoration plan is subject to the review and approval by DPWES and the Northern Virginia Soil and Water Conservation District.

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

The baseline Comprehensive Plan recommendation for the subject property is residential use at 1 to 2 dwelling units per acre. The approval of Area Plans Review (APR) Item 09-I-1A added an option to consider up to 30,000 square feet of retail or office use or a combination of these uses on 2 acres and 3-4 dwelling units per acre on the residual land or the entire subject property, under certain conditions. Specifically, with any redevelopment, the Comprehensive Plan envisions removal of existing encroachments, restoration and protection of the headwaters area on site and the use of effective buffering and screening to maintain the stability of surrounding low-density residential uses. The applicant is pursuing the Plan option to develop all single-family dwellings on the subject property within the recommended 3-4 du/ac density range.

Since the initial development plan submission, the design of the proposed development has been improved:

- The restoration and preservation of the headwaters area which includes a Resource Protection Area (RPA) has been enlarged.
- The stub street near the headwaters area was eliminated.
- Buffers on the east and west boundaries adjacent to single-family homes have been increased from 20 to 25 feet.

- Buffers near the retail development on the northwest side have been increased from 20 to 35 feet.
- Open space has increased from 22 to 30.2% of the site.
- Two recreational amenity areas have been added to the north and south sides of the property to replace a central pocket park.
- Side setbacks have increased from five to seven feet.

With these changes, staff concludes that the proposal for 35 single-family dwellings at 3.98 du/ac is in general conformance with the land use recommendations of the Comprehensive Plan.

### **Residential Development Criteria (Appendix 5)**

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing, and being responsive to the unique, site specific considerations of the property. For the complete Residential Development Criteria text, see Appendix 5.

### **Site Design (Development Criterion #1) and Neighborhood Context (Development Criterion #2)**

*The Site Design Development Criterion #1 requires that the development proposal address consolidation goals in the plan, further the integration of adjacent parcels, and not preclude adjacent parcels from developing in accordance with the Plan. In addition, the proposed development should provide useable, accessible and well-integrated open space, appropriate landscaping and other amenities. The Neighborhood Context Development Criterion requires the development proposal to fit into the fabric of the community. In this application, the subject property consists of a consolidation of three parcels located on the south side of Little River Turnpike, between Randolph Drive and Willow Run Drive. The majority of the property (8 acres on Lot 36) currently functions as a plant nursery, known as the Campbell & Ferrara Nursery, which was established in 1946. The applicant proposes to develop 35 single-family detached dwelling units on the property along a new private street that has one access point from Willow Run Drive and continues into the site creating a private loop with lower case "b" configuration. The application property abuts single-family detached dwelling units to the west, south and east (R-2 District), and a small retail center to the northwest (C-5 District). The existing lot sizes for these dwelling units are larger than the average lot size of the proposed dwelling units. Graphic 2 shows the proposed lots on an aerial map of existing lots.*

**Graphic 2: Proposal**



Staff is concerned that the proposed houses on the west side of the property are very close together, and with side setbacks of seven feet, may not be consistent with the adjacent properties. Staff expressed concern that the rears of these dwelling units create the appearance of a two to three story "wall" facing the existing single family dwellings, because of the proximity of the units to each other, with no significant variation in building height or building style. Graphic 3 shows the rear elevations of three of these units.

**Graphic 3: Proposed Rear Elevations along Western Boundary**



To address this concern, the applicant proffered to include rear dormers or gables in the roof architecture and decorative windows and fixtures similar to the type and style used on the front facade. The applicant also proffered to provide two exterior colors for each unit, with no two adjacent units having the same color. In addition, a minimum of 25 feet of landscaped buffering is proposed along the western boundary. Site sections were also included on the CDP/FDP that show 225 feet of distance between the existing dwellings and the closest proposed dwelling on the western boundary. Staff acknowledges these improvements, but feels that additional measures could be incorporated to further help to break the appearance of a wall, such as alternating the building heights and/ or providing different dwelling unit styles (such as using L-shape configurations or splitting the rooflines.)

*Development should also provide for a logical design with appropriate relationships within the neighborhood, including appropriately oriented units and useable yards. Access should be provided to transit facilities where available, and utilities should be identified to the extent possible.* The average lot size of the proposed units is approximately 5,700 square feet, with a typical yard configuration that includes fifteen foot minimum front yards, seven foot minimum side yards and twenty foot minimum rear yards. The typical lot schematic on Sheet 3 of the CDP/FDP shows a large building footprint. Based on the proposed lot sizes alone, staff feels that proposal would not provide enough useable open space. However, staff has noted that the proposal incorporates 30.2 percent open space which includes: 1) buffers a minimum of 25 feet in width along the entire periphery of the site; 2) two pedestrian amenity areas on the north and south sides of the property; and 3) a significant stream restoration area on the south side of the property. Based upon the combined value of all of these features to the future residents and the surrounding community, staff feels the proposal provides adequate open space.

*Open space should be useable, accessible, and integrated with the development. Appropriate landscaping should be provided.* The applicant has provided approximately 2.66 acres (30.2 percent) of open space on the site. Some of these areas are programmed with amenities such as two pedestrian amenity areas linked by a sidewalk and trail system; a tot lot; and a significant stream restoration area, while other areas are included in the landscaped buffering along the periphery of the site. In addition, the applicant proposes to provide additional landscaping on the site yielding approximately 70,000 square feet of new tree canopy through tree plantings. Over 40 trees on the site are proposed to be preserved, with nine trees proposed to be transplanted elsewhere on the site. The applicant has also proffered to protect and preserve these trees through walk-throughs, monitoring and tree appraisals, which adhere to County Policies. With these commitments, staff feels that the open space is useable, accessible, and well-integrated into the development.

*Development should fit into the fabric of the community as evidenced in the architectural elevations and materials.* The applicant has indicated on Sheet 2 of the CDP/FDP that the maximum building height for the proposed single-family units is 35 feet. The applicant has also provided the elevations of the proposed single-family units on Sheet 17 of the CDP/FDP and has proffered to use the same quality, general appearance, style and proportion of materials depicted on the illustrative perspective and elevations on the CDP/FDP (Sheet 17). As previously discussed in Development Criterion 1 (site layout), staff feels that additional architectural treatments could be incorporated into the development to help fit the proposed development into the fabric of the community.

### ***Environment (Development Criterion #3) (Appendix 4)***

*This Criterion requires that developments respect the natural environment by conserving natural environmental resources, account for soil and topographic conditions and protect current and future residents from the impacts of noise and light. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts.*

This section characterizes environmental concerns that arose from staff's evaluation of this site and the proposed development. Solutions are suggested to remedy these concerns, but there may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

### **Restoration and Preservation of Headwaters Area**

The subject property is located in the Accotink Creek watershed. The County's Chesapeake Bay Preservation Ordinance map depicts an unnamed tributary associated with the Indian Run Stream Valley in the southwestern portion of the subject property. This tributary and associated buffer area is a Resource Protection Area (RPA). A field-verified RPA delineation by the applicant has been approved by the Department of Public Works and Environmental Services (DPWES). This general area, which has been disturbed, also contains some features of an environmental quality corridor. To be in conformance with Policy Plan and site-specific guidance, any redevelopment of the site should be viewed as an opportunity to remove encroachments and provide restoration in this area. Accordingly, the applicant has committed to a stream restoration and invasive plant species management plan which will be subject to review and approval by DPWES.

Sheet 7 of the CDP/FDP shows the concepts of the restoration plan, which include: raising the existing stream where needed, decreasing channel incision and reconnecting the stream with its floodplain. The stream bed is proposed to be reinforced and rock structures (cross veins and step pools) installed, to provide grade control, bank stability, and dissipate water energy. As part of this

plan, invasive vegetation would be removed and a dense replanting plan is proposed. This restoration area would occur from the existing culvert on the southern portion of the site to the existing culvert on Randolph Drive. Final design of the restoration plan is subject to review and approval by DPWES and the Northern Virginia Soil and Water Conservation District. Commitments have also been made to ensure that this area is restored and that annual monitoring and reporting to DPWES for a period of five years with the commencement of the restoration plan occurs.

#### Green Building Certification

The applicant is seeking to develop the subject property at 3.98 dwelling units per acre under the Plan option for 3-4 dwelling units per acre. The requested density is at the high end of the planned density range. Therefore, in conformance with Policy Plan's green building guidance, the applicant has committed to attain Energy Star Qualified Homes designation prior to the issuance of a residential use permit (RUP) for each dwelling unit.

#### Transportation Generated Noise

The subject property is affected by transportation generated noise from Little River Turnpike. The applicant has conducted a traffic noise study. In accordance with Policy Plan's guidance on transportation noise mitigation, the applicant has committed to reduce interior noise in houses to a level of approximately Day-Night Average Sound Levels (DNL) 45 dBA for lots within the traffic noise impact area of DNL 65 and 70 dBA through the use of specified building materials. In addition, for lots affected by traffic noise above DNL 65 dBA, the applicant has committed to mitigate to a level below DNL 65 dBA through the use of noise attenuation fencing which will be architecturally solid from the ground up with no gaps or openings, and with a height of six to nine feet. The applicant is requesting the option to submit a revised noise study based on final grading and engineering plans. The revised noise study would be subject to staff's review and approval.

In summary, staff feels this criterion has been met. Further discussion about stormwater management is in the Public Facilities section below.

#### ***Tree Preservation & Tree Cover Requirements (Development Criterion #4)***

*This Criterion states that all developments should be designed to take advantage of existing tree cover and developed appropriately to disturb as little existing tree cover as possible, including the extension of utility improvements to the site.*

As previously mentioned, the majority of the property currently functions as a plant nursery. Sheet 5 of the CDP/FDP provides a landscape plan for the proposed redevelopment of the property, which shows a minimum of 25 feet of landscaped buffering around the entire periphery of the property with additional landscaping on portions of the northern, southern, and eastern sides of site.

Sheet 6 of the CDP/FDP shows the proposed plant schedule and tree canopy calculations, which yield approximately 70,000 square feet of proposed new tree canopy through tree plantings.

In addition, the applicant proposes to preserve over forty trees on the site and several trees located off-site along the property boundaries. Sheets 9 through 15 provide a Tree Preservation Plan; Tree Inventory Condition Analysis; and Tree Transplanting Plan. The applicant has committed to protect and preserve these trees through walk-throughs, monitoring and tree appraisals. Sheet 14 of the CDP/FDP provides a Tree Transplanting Plan, which proposes to transplant nine existing trees on the site to other areas on the site highlighted on the CDP/FDP. The applicant has committed to prepare this plan using a certified arborist to identify proper staging areas for these trees during construction and to ensure that proper transitional care and after-transplanting care methods are in place throughout the transplanting process, as approved Urban Forest Management Division of the Department of Public Works and Environmental Services (UFMD DPWES).

Staff from UFMD, DPWES have reviewed the application and identified three minor concerns (see Appendix 6), which include:

- 1) Commitments to include inventorying trees with trunks 8 inches in diameter and greater, located within 25 feet of either side of the limits of clearing and grading and to include a condition analysis of each tree inventoried (not only trees that rate 40% or lower) should be provided;
- 2) The tree plant schedule on Sheet 6 of the CDP/FDP should be revised so that all evergreens have a height of at least seven feet in accordance with Proffer 24. In addition, all three inch caliper trees should be clearly highlighted on the CDP/FDP to allow for proper verification during subdivision plan review.

The applicant has revised their application to address these concerns. Staff feels this criterion has been met. Final determination will be made during subdivision plan review.

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

*Criterion 5 requires that development provide safe and adequate access to the surrounding road network, and that transit and pedestrian travel and interconnection of streets should be encouraged. In addition, alternative street designs may be appropriate where conditions merit.*

The applicant is proposing a new residential development with a private street entering the site from the Willow Run Drive on the northeast side of the property. A private road is proposed to extend into the site with single family detached dwelling units located on both sides of the road, and would continue south into the site creating a private loop with lower case "b" configuration.

Private streets are narrower than public streets and provide opportunities to increase the peripheral buffers of the site as well as incorporate a number of environmental amenities not possible with public street requirements. The applicant has proffered to construct the private streets in conformance with the Public Facilities Manual (PFM) and to use materials and depth of pavement consistent with the PFM standards for public streets. The applicant also proffered to establish a maintenance account that will be available to a Home Owners Association (HOA) for street maintenance after the applicant turns over control of an HOA to the homeowners. Staff supports the use of private streets.

As previously mentioned, sidewalks approximately five feet in width are also provided on both sides of the road and right-of-way dedication to 75 feet from the centerline of Little River Turnpike is shown along the northern boundary line, for use in the future expansion of Little River Turnpike.

Staff from the Department of Transportation have reviewed the application and indicated two minor concerns (Appendix 7):

- 1) A sidewalk connection between the sidewalk along Little River Turnpike and the proposed bus shelter should be provided; and
- 2) An explanation of how the applicant calculated the transportation improvement calculation in Proffer 17 should be provided.

The applicant has revised the CDP/FDP to show a sidewalk connection to the bus shelter. In the revised statement of justification (Appendix 3), the applicant has explained their transportation improvement calculation as a pro rata share for the future traffic signal located at the intersection of Little River Turnpike and Willow Run Drive. The traffic signal was planned before this proposal was filed and the proposed use actually generates less traffic than the existing use (approximately 1.5% of the total trips using the traffic signal), which the applicant contends would be \$2,250 of a \$150,000 traffic signal. Staff is continuing to work with the applicant to determine what would constitute an equitable pro rata share.

The Virginia Department of Transportation also reviewed the application and identified some additional concerns (Appendix 7), most of which have been addressed or will be addressed during subdivision review, except for concerns about: 1) on-site parking that may be constrained and may lead to spill over parking along adjacent streets; 2) the potential need for a right turn lane onto Willow Run Drive from Little River Turnpike; and 3) a \$2,250 traffic signal pro rata contribution for the traffic signal located at the intersection of Little River Turnpike and Willow Run Drive. The applicant revised their application and increased the amount of guest parking on the site from 22 spaces to 36 spaces by adding more perpendicular guest spaces and creating a one-way road along the loop portion of the private road, which allows for parallel parking on the site. The applicant has also committed to post signs in front of these parking spaces indicating that they are for guests only; no RV or commercial vehicles shall be permitted. This revision increases the total number of parking spaces to 176,

which as previously discussed, would exceed the Zoning Ordinance requirements for proposed development.

In addition, the applicant has acknowledged VDOT's comments about the need for a right turn lane and the need to increase the contribution for the traffic light. However, the applicant maintains that their proposed development would not generate a need for a right turn lane at this time and feels that their proposed right-of-way dedication would accommodate a right turn lane when Little River Turnpike is expanded in the future. The applicant also indicated that the proposed contribution for the traffic light was based on the applicant's estimation of a pro rata share of the use of the traffic light. Final determination of these concerns will be made during subdivision review.

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

*Criterion 6 states that residential developments should offset their impacts upon public facility systems (i.e. schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). Impacts may be offset by the dedication of land, construction of public facilities, contribution of in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. (Specific Public Facilities issues are discussed in detail in Appendices 8 – 13).*

***Fairfax County Park Authority (Appendix 8)***

The proposed development would add approximately 102 new residents to the current population of the Mason District. The CDP/FDP shows two pedestrian amenity areas are proposed on the site: one located on the north side of the site along Little River Turnpike and the other is located on the south side of the site. These areas include benches, seating walls and sidewalks connecting to proposed sidewalk network on the site. Sheet 16 of the CDP shows these proposed amenities in greater detail. An additional open space area is located on the eastern side of the site, which contains several trees proposed to be preserved. A tot lot is also shown on the south side of the site.

The Zoning Ordinance requirement for recreational facilities for the residents of this development is \$1,700 per non-ADU (affordable dwelling unit). The applicant will provide this dollar amount at the time of subdivision plan review, in the event that the proposed facilities do not have sufficient value. In addition, since these funds offset only a portion of the impact to provide recreational facilities for the future residents of this development, the Fairfax County Park Authority requested an additional contribution of \$893 per resident for its "fair share" use of County facilities. The applicant has committed to provide (within 60 days of approval of the rezoning application), a "fair share" contribution of \$91,086 for use at off-site recreational facilities intended to serve future residents.

In addition to these commitments, the Fairfax County Park Authority requested the applicant consider providing onsite interpretative signs for the proposed stream restoration plan. The applicant has proffered to offer outreach programs to students within the Fairfax County Public School system within the school pyramid for the subject property, to teach them about the restoration of the stream and to provide a sign in the vicinity of the stream restoration project detailing that the stream has been restored.

No outstanding issues remain

***Fairfax County Public Schools (Appendix 9)***

The proposed development would be served by Weyanoke Elementary School, Holmes Middle School and Annandale High School. Student enrollment in all three schools is projected to be below capacity through the 2012-2013 school years. If development occurs within the next six years, Weyanoke Elementary School and Annandale High School are projected to have a capacity deficit, while Holmes Middle School is projected to have capacity. The total number of students generated by the development proposal is anticipated to be 18 students: nine elementary, three middle and six high school students (based on the number of dwelling units (35) shown on the CDP/FDP). Since this an increase of 16 students above that generated by the existing zoning district, staff requested that the applicant contribute \$150,048 to offset potential impacts on the schools. The applicant has proffered a contribution of \$150,048 for capital improvements to Fairfax County schools and has proffered to escalate the contribution to reflect future changes to the Fairfax County Public School contribution formula. No issues remain.

***Fire and Rescue (Appendix 10)***

The subject property would be serviced by the Fairfax County Fire and Rescue Department Station #408, Annandale. The requested rezoning currently meets fire protection guidelines.

***Sanitary Sewer Analysis (Appendix 11)***

The subject property is located within the Cameron Run (I-3) watershed and would be sewered into the Alexandria Sanitation Authority (ASA). Existing eight inch lines located in the street are adequate for the proposed use.

***Fairfax County Water Authority (Appendix 12)***

The subject property is located within the Fairfax County Water Authority service area. Adequate domestic water service is available to the site from existing thirty inch water mains in Little River Turnpike. Additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns. Final determination of these facilities will be made by the DPWES during subdivision plan review.

**Stormwater Management, DPWES** (Appendix 13)

Staff has reviewed the proposal and offered the following comments regarding the Chesapeake Bay Preservation Ordinance (CBPO), water quality, storm drainage easements, stormwater detention, and site outfall.

- Staff noted that the field verified RPA delineation study was approved in #25234-RPA-001-1, and noted that the approved RPA boundary should be provided on the CDP/FDP. The applicant has since revised the CDP/FDP to address this concern. In addition, the applicant is proposing to disturb the RPA and several comments were provided that will be resolved during subdivision plan review. These included noting that the proposed invasive species management requires authorization from the Director of DPWES; that the proposed trail in the RPA must be approved by the Director of DPWES; and that, while the proposed stream restoration is permitted, a Water Quality Impact assessment (that can be reviewed during subdivision plan review) will be required. The applicant has committed to restore the stream and remove the invasive species subject to the review and approval of DPWES and the Northern Virginia Soil and Water Conservation District.
- Water Quality Comments: Two BMP facilities are proposed. The facilities cannot be within storm drain easements since they will be maintained by the HOA. Access to the facilities will be required (PFM 6-1306.3F); it is not clear how the bayfilter near Amenity Area 2 would be accessed for maintenance. The drainage areas to Filterras must be limited to 0.44 acres (LTI 09-04); more than 1 Filterra would be required to serve a drainage area of 2.84 acres. Final determination of the adequacy of these facilities will be made during subdivision plan review.
- Storm Drainage Easements: The existing channel in the vicinity of Lots 23 and 24 must be placed in a maintenance easement. The channel in the RPA proposed to be restored must be placed in a storm drain easement. These requirements will be addressed during subdivision plan review.
- Stormwater Detention: Since the outfall is inadequate, the applicant has chosen the detention method in order to meet the County Public Facility Manual (PFM) outfall requirements. Two alternatives were proposed:

Alternative 1 proposes a Raintank facility to provide detention through infiltration. The soils in vicinity of the facility are rated poor for infiltration and at the current time, the county is not approving plans with plastic detention systems.

Alternative 2 proposes an underground detention facility in the same general location as the first alternative. An underground detention waiver is required to be approved by the Board of Supervisors in conjunction with the zoning approvals (PFM 6-0303.8). An application for the waiver was

recently received and recommended for approval by DPWES. The results are discussed in the Waiver and Modifications Section below.

- **Outfall Issues** – The applicant proposes to use the Detention Method to meet the adequate outfall requirements. It should be noted when the Detention Method is employed, an approvable subdivision construction plan must demonstrate that a defined channel exists throughout the extent of review (PFM 6-0203.4C(1) and (3)).

No other issues remain outstanding.

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

*This Criterion states that ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of Fairfax County. This Criterion may be satisfied by the construction of units, dedication of land, or by a contribution to the Housing Trust Fund.*

The applicant has proffered to contribute one half of one percent (0.5%) of the aggregate sales price of all units to the Housing Trust Fund prior to the issuance of the first building permit, which is in accordance with Fairfax County policy. The projected sales price of the units will be determined by the applicant in consultation with the Fairfax County Department of Housing and Community Development (HCD) and DPWES through an evaluation of the sales prices of comparable units in the area.

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

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

No potential for historic or archaeological resources has been identified on the subject property.

**ZONING ORDINANCE PROVISIONS (See Appendix 14)**

**Waivers and Modifications**

Waiver of the 600 foot maximum length for a private street

The applicant has requested a waiver of the 600 foot maximum length for a private street. The use of private streets provides the applicant with opportunities to increase the peripheral buffers of the site as well as to incorporate a number of environmental opportunities not possible with public street requirements. The applicant has proffered to construct private streets in conformance with the Public Facilities Manual (PFM) and utilize materials and

depth of pavement consistent with the PFM. The applicant also proffered to establish a maintenance account that will be available to a Home Owners Association (HOA) for street maintenance after the applicant turns over control of the HOA to the homeowners. Staff supports the waiver request.

Modification of the trail requirements on Little River Turnpike in favor of right-of-way dedication as proffered

The Countywide Trails Plan map depicts a major paved trail, defined as asphalt or concrete, 8 feet or more in width, as well as an on-road bike lane along Little River Turnpike (please note that the Trails Section in the Comprehensive Plan refers to the larger Countywide Trails Plan Map and does not provide specific recommendations). Field review indicates that there are existing segments of a trail on the north side of Little River Turnpike, while the southern side consists primarily of concrete sidewalk. Based on the CDP/FDP and discussions with staff, the applicant has agreed to dedicate right-of-way to 75 feet from centerline along the property's frontage on Little River Turnpike. Sheet 18 of the CDP/FDP also shows a total of 75 feet of proposed right-of-way for the future expansion of the Little River Turnpike. A street section is included which shows right-of-way for the future construction of three twelve foot wide through lanes; a five foot wide bike lane; a twelve foot wide turn lane; and a five foot wide sidewalk. Fairfax County Department of Transportation staff is currently reviewing the waiver request in favor of the right-of-way dedication proposed. A recommendation from staff and the trail committee will be forwarded to the PC/Board when available. This issue will be further addressed during site plan review.

Waiver to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #25234-WPFM-001-1 Conditions dated January 19, 2012, as contained in Appendix 13, as Attachment A.

Stormwater detention on the site has been proposed to be provided by RainTank facilities. At the current time, DPWES is not approving new construction plans using RainTanks or other types of modular plastic facilities. The applicant believes that underground storage may be necessary should DPWES continue to disallow new RainTank facilities or the soils do not allow sufficient infiltration. Underground detention has been proposed as Alternative 2 to meet the PFM detention and outfall requirements. This alternative would include either a single concrete vault or a series of concrete and metal pipes. The applicant has proffered to provide stormwater management as depicted on the CDP/FDP and in conformance with Waiver #25234-WPFM-001-1 and all applicable provisions of the County's PFM. DPWES recommends that the Board approve the waiver to locate underground facilities in a residential area for the Callaway development plan, subject to Waiver #25234-WPFM-001-1 Conditions dated January 19, 2012, as contained in Appendix 13, as Attachment A.

## **OTHER ZONING ORDINANCE REQUIREMENTS**

### **P-District Standards**

The requested rezoning of the 8.79 acre site to the PDH-4 District must comply with, among others, the Zoning Ordinance provisions found in Article 6, Planned Development District Regulations and Article 16, Development Plans, among others.

### **Article 6**

#### **Sect. 6-101 Purpose and Intent**

*This section states that the PDH District is established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote balanced development of mixed housing types and to encourage the provision of affordable dwelling units.*

The development proposes thirty-five single-family detached dwelling units at an overall density of 3.98 du/ac with approximately 30.2 percent open space. The proposed open space in the site design, coupled with the use of private streets and the establishment of programmed open space and tree save areas are the applicant's justification for a "P" District. As previously discussed, the proposed average lot size is approximately 5,700 square feet, with a typical yard configuration that includes fifteen foot minimum front yards, seven foot minimum side yards and twenty foot minimum rear yards. The typical lot schematic on Sheet 3 of the CDP/FDP shows a large building footprint. However, when considering that the proposal incorporates 30.2 percent open space which includes: 1) buffers a minimum of 25 feet in width along the entire periphery of the site; 2) two pedestrian amenity areas on the north and south sides of the property; and 3) a significant stream restoration area on the south side of the property, staff believes that the proposal does meet the purpose and intent of the PDH District.

#### **Sect. 6-107 Lot Size Requirements**

*This section states that a minimum of two acres is required for approval of a PDH District. The area of this rezoning application is 8.79 acres; therefore this standard has been satisfied.*

#### **Sect. 6-109 Maximum Density**

*This section states that the maximum density for the PDH-4 District is 4 dwelling units per acre (du/ac). The applicant proposes a density of 3.98 du/ac; therefore, this standard has been satisfied.*

## **Sect 6-110 Open Space**

*Par. 1 of this section requires a minimum of 20% of the gross area as open space in the PDH-4 District. Par. 2 of this section requires that recreational amenities be provided in the amount of \$1,700/du. The applicant proposes to retain 30.2% of the site as open space. The applicant has also proffered to provide the required monetary contribution to the FCPA if expenditures on site do not equate to the full amount required by the Zoning Ordinance. This standard has been satisfied.*

## **Article 16**

### **Section 16-101 General Standards**

*General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions. As discussed earlier in the Comprehensive Plan analysis section of this report, staff believes that the proposed application has satisfied these recommendations and is therefore, in conformance with the Comprehensive Plan.*

*General Standard 2 states that the planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district. As previously discussed, an existing stream and a Resource Protection Area (RPA) is located on the southwestern portion of the site, which has been degraded for several years from the storage of fertilizer, pesticide and herbicides on the subject property. The applicant proposes to restore this area while developing the northern portion of the property with 35 single family dwelling units. Staff feels that a conventional district would not provide the flexibility needed to incorporate both the stream restoration and the recommended density in the Comprehensive Plan.*

*General Standard 3 states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features. As previously mentioned, the majority of the property currently functions as a plant nursery. Sheet 5 of the CDP/FDP provides a landscape plan for the proposed redevelopment of the property which shows a minimum of 25 feet of landscaped buffering around the entire periphery of the property with additional landscaping on the northern, southern, and eastern sides of site. Sheet 6 of the CDP/FDP shows the proposed plant schedule and tree canopy calculations yielding approximately 70,000 square feet of proposed new tree canopy through tree plantings. In addition, the applicant proposes to preserve over forty trees on the site and several trees located off-site along the property*

boundaries. Sheets 9 through 15 provide a Tree Preservation Plan, Tree Inventory Condition Analysis, and Tree Transplanting Plan. The applicant has made the necessary proffer commitments to protect and preserve these trees through walk-throughs, monitoring and tree appraisals. Sheet 14 of the CDP/FDP provides a Tree Transplanting Plan, which proposes to transplant nine existing trees on the site to other areas on the site highlighted on the CDP/FDP. The applicant has proffered to prepare this plan using a certified arborist to identify proper staging areas for these trees during construction and to ensure that proper after-transplanting care methods are in place as approved Urban Forest Management Division of the Department of Public Works and Environmental Services (UFMD DPWES). Staff feels that this standard has been met.

*General Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan.* The surrounding properties are developed according to the recommendations of the Comprehensive Plan. The applicant is proposing to implement a Plan option to develop the property with all single-family detached dwellings on the subject property at a 3-4 du/ac density range. The proposal includes restoration and preservation of a headwaters area on the southern portion of the site, which includes a Resource Protection Area (RPA). Since the headwaters area and RPA are proposed to be restored, 25 foot wide buffers along the periphery of the site are provided with additional buffering to the northwest, southeast and east boundaries, the open space area on the site has increased to 30.2%, guest parking on the site has increased to include 36 guest parking spaces, and architectural treatments such as rear dormers or gables have been provided for the rear of the units that are similar to the front treatments, staff feels that the proposed development would not impact the use and value of the surrounding existing development. Staff believes this standard has been met.

*General Standard 5 states that the planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently developed.* Adequate public facilities are available and the applicant has made appropriate monetary contributions to offset potential impacts to area schools and parks. Therefore, this standard has been satisfied.

*General Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.* The CDP/FDP depicts a new private street that enters the site from Willow Run Drive. Sidewalks, approximately five feet in width, are provided

on both sides of the private street and connect to two pedestrian amenity areas located on the north and south sides of the property. In addition, two mulch trails (or other permeable material approved by UFMD) located in the stream restoration area and the open space area along the eastern property line connect to those sidewalks and to the existing neighborhoods. The applicant has proffered to provide public access easement along all of these connections. Staff feels that this standard has been met.

### **Section 16-102 Design Standards**

*Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.* The most similar conventional zoning district to the applicant's proposal is the R-4 Cluster District, which requires minimum yards of 16 feet (front), 8 feet (side) and 25 feet (rear) with no requirement for an average lot area. The applicant's PDH-4 development proposes minimum yards of 15 feet (front), 7 feet (side) and 20 feet (rear), with an average lot size of 5,700 square feet. While the proposal does not meet the requirements of an R-4 Cluster District, staff feels that the proposal complements development on adjacent properties with several other features. These features include restoration and preservation of a headwaters area on the southern portion of the site (which is a Resource Protection Area (RPA), 25 foot minimum wide buffers along the periphery of the site with additional buffering to the northwest, southeast and east boundaries, 30.2% open space, and commitments for architectural treatments such as rear dormers or gables for the rear of the units that are similar to the front treatments. With these commitments, staff feels that the proposal meets the Comprehensive Plan recommendations and complements the existing surrounding developments.

*Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.* The CDP/FDP depicts that 30.2% of the site will remain as open space, which is comprised of tree save and landscaped buffers along the perimeter of the site, stormwater management facilities, walkways, two pedestrian areas, a small tot lot and a small open area on the east property boundary. One hundred and seventy-six parking spaces will be provided within the development, with 36 of those spaces dedicated for guest parking. Staff feels this standard has been met.

*Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass*

*transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities. A 24 foot wide private street is proposed on the site. The applicant has proffered to construct these private streets in conformance with the Public Facilities Manual (PFM) and utilize materials and depth of pavement consistent with the PFM. In addition, sidewalks, approximately five feet in width, are provided on both sides of the private streets. Two five foot wide mulch trails (or other permeable material approved by UFMD) are also proposed to be provided in the stream restoration area and open space areas on the south and east sides of the property respectively. These trails will link the proposed development to the existing developments to the east and west. The applicant has also proffered to provide public access easement along all of these connections. Staff feels that this standard has been met.*

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

Staff concludes that the subject application is in conformance with the Residential Development Criteria of the Comprehensive Plan and meets the requirements of the Zoning Ordinance.

### **Recommendations**

Staff recommends approval of RZ 2011-MA-029, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDP 2011-MA-029.

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

Staff recommends approval of a waiver to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #25234-WPFM-001-1 Conditions dated January 19, 2012.

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

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

## **APPENDICES**

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Land Use and Environmental Analysis
5. Comprehensive Plan Residential Development Criteria
6. Urban Forest Management Analysis
7. Transportation Analysis
8. Fairfax County Park Authority
9. Fairfax County Public Schools
10. Fire and Rescue
11. Sanitary Sewer Analysis
12. Fairfax County Water Authority
13. Stormwater Management and Underground Detention Waiver Analysis, DPWES
14. Zoning Ordinance Provisions
15. Glossary

**NEIGHBORHOODS VI, LLC  
CALLAWAY**

**RZ 2011-MA-029  
PROFFERS**

**January 29, 2012**

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owner who is the Applicant in this rezoning proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference – 71-2-((1))-36 and 71-2-((10))-17A and 71-2-((13))-1 (hereinafter referred to as the “Property”) shall be in accordance with the following conditions if, and only if, said rezoning request for the PDH-4 District is granted by the Board of Supervisors of Fairfax County, Virginia (the "Board"). In the event said application request is denied or the Board’s approval is overturned by a court of competent jurisdiction, these proffers shall be null and void. The Owners and the Applicant (“Applicant”), for themselves, their successors and assigns, agree that these proffers shall supersede any and all previously approved proffers or Special Exception conditions and shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board, in accordance with applicable County and State statutory procedures. The proffered conditions are:

**I. GENERAL**

1. Substantial Conformance. Subject to the proffers and the provisions of Article 18 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, the development shall be in substantial conformance with the Conceptual/Final Plan entitled “Callaway” (CDP/FDP), containing twenty four

(24) sheets prepared by BC Consultants dated July 2011 and revised through January 30, 2012.

2. Architecture. The architectural design of the dwellings shall be in substantial conformance with the bulk, mass and type and quality of materials and elevations shown on sheet 17 of the CDP/FDP. The primary building materials exclusive of trim shall be limited to brick, stone, cementitious siding, shingles or other similar masonry materials. Minor modifications may be made with the final architectural designs provided such modifications are in substantial conformance with the elevations shown on the CDP/FDP.

3. Rears of Units 14-17 and 23-30. The rear facade and architecture of units 14-17 and 23-30 as shown on the CDP/FDP shall include the following:

- Within units 14-17, a minimum of two units shall incorporate rear dormers or gables into the roof architecture.
- Within units 23-30, a minimum of three units shall incorporate rear dormers or gables into the roof architecture.
- There shall be a minimum of two exterior colors used with no two adjacent units having an identical color.
- All paint, siding and other building materials shall be of a flat non-glare finish.
- Decorative window treatments will be varied among the units. The treatments may include but are not limited to: trim, shutters and ornamental features.
- All decorative fixtures shall be of a type and style consistent with those used on the front facade.

4. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers, which may become occasioned as a part of final architectural and engineering design, may be permitted as determined by the Zoning

Administrator in accordance with the provisions set forth in Article 16 of the Zoning Ordinance.

5. Lot Yield and Uses. The development shall consist of a maximum of thirty-five (35) single-family detached dwelling units.

6. Establishment of HOA. Prior to record plat approval, the Applicant shall establish a Homeowners Association (HOA) in accordance with Sect. 2-700 of the Zoning Ordinance for the purpose of, among other things, establishing the necessary residential covenants governing the use and operation of common open space, stormwater management facilities and other common facilities of the approved development and to provide a mechanism for ensuring the ability to complete the maintenance obligations and other provisions noted in these proffer conditions.

7. Dedication to HOA. At the time of record plat recordation, open space, common areas, private roadways, and amenities not otherwise conveyed or dedicated to the County shall be dedicated to the HOA and be maintained by the same.

8. Disclosure. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicants of the maintenance responsibility for the private roadways, guest parking spaces, painted walkways, stormwater management facilities, common area landscaping and any other open space amenities and shall acknowledge receipt of this information in writing. The initial deeds of conveyance and HOA governing documents shall expressly contain these disclosures.

9. Public Access Easement. At the time of record plat recordation, the Applicant shall cause to be recorded among the land records a public access easement running to the benefit of Fairfax County, in a form acceptable to the County Attorney, over the private road and sidewalks as generally shown on the CDP/FDP.

10. Escalation. All monetary contributions required by these proffers shall escalate on a yearly basis from the base year of 2012, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI), as permitted by Virginia State Code Section 15.2-2303.3.

11. Garage Conversion. Any conversion of garages or use of garages that precludes the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA and the Board of Supervisors. This restriction shall also be disclosed in the HOA documents. Prospective purchasers shall be advised of this use restriction, in writing, prior to entering into a contract of sale.

12. Length of Driveways. All driveways serving the residential single family units shall be a minimum of twenty feet (20') in length as measured outward from the face of the garage door to the edge of the sidewalk.

13. Lot Typical, Decks and Similar Appurtenances. Decks, bay windows, patios, chimneys, areaways, stairs and stoops, mechanical equipment and other similar appurtenances may encroach into minimum yards as depicted on the "lot typical" as shown on Sheet 3 of the CDP/FDP, as permitted by Section 2-412 and Article 10 of the Zoning Ordinance. No sheds shall be permitted in the rear yards. Side yards shall be a minimum of seven (7) feet.

## II. TRANSPORTATION

14. Right-of-Way Dedication along Little River Turnpike. At the time of record plat recordation, or upon demand by VDOT or Fairfax County, whichever occurs first, the Applicant shall dedicate, at no cost to Fairfax County and in fee simple to the Board, the right-of-way along the site frontage of Little River Turnpike and any associated ancillary easements, as generally shown on the CDP/FDP.

15. Willow Run Road Frontage Improvements. Prior to the issuance of the first Residential Use Permit for the single family dwellings on the subject property, the Applicant shall construct improvements along Willow Run Drive as shown on the CDP/FDP.

16. Bus Shelter. A bus shelter along Little River Turnpike shall be provided by the Applicant in consultation with DPWES and Fairfax County Department of Transportation (FCDOT). The bus shelter shall be installed prior to issuance of the first Residential Use Permit; provided, however, that the Zoning Administrator may administratively approve a later date for completion of the improvement upon demonstration by the Applicant that despite diligent efforts and due to factors beyond the Applicant's control, the required improvements have been delayed. Final locations shall be determined in consultation with FCDOT and VDOT at the time of subdivision approval.

17. Traffic Signal Pro-Rata Contribution. Prior to the issuance of the first Residential Use Permit, the Applicant shall contribute \$2,250 to Fairfax County Board of Supervisors to be used for the traffic signal programmed for the intersection of Little River Turnpike and Willow Run Drive.

18. Private Road. The street width and remaining standards shall be designed and constructed in accordance with the private residential street standards in accordance with the PFM, subject to DPWES approval.

19. Guest Parking Spaces. Signs shall be posted that the parking spaces along the street are reserved for guests. No RV's or commercial vehicles shall be permitted in those spaces. The restrictions that the parking spaces are restricted for guests shall be included in the initial deeds of conveyance and the HOA governing documents shall expressly contain these disclosures.

### **III. CONSTRUCTION**

20. Construction Access and Hours. The staging and parking of construction vehicles shall occur on the Property, including personal vehicles utilized by construction workers. No parking shall occur on adjacent roadways. The hours of initial construction shall be posted in English and in Spanish and shall be limited to the hours between 7:00 a.m. and 9:00 p.m. Monday through Friday and 8:00 a.m. to 9:00 p.m. on Saturdays. No construction shall occur on Sundays or Federal Holidays. This shall be disclosed to all contractors and sub-contractors who perform work on the subject property during site construction.

21. Erosion & Sedimentation Controls. To ensure off-site properties are not impacted by silt or associated run-off, the Applicant shall design and implement siltation control mechanisms that shall include "super silt" fencing or similar procedures as determined by DPWES. The functioning and integrity of all erosion and sedimentation controls (E&S controls) required by DPWES shall be inspected, by the Applicant or their designated representative, no later than the next business day following each storm event during the period of construction on-site. If the E&S controls have been damaged or

breached, the E&S controls shall be repaired in accordance with the requirements of the Fairfax County Public Facilities Manual as determined by DPWES.

#### **IV. ENVIRONMENTAL**

22. Stormwater Management Facilities and Best Management Practices. Stormwater management shall be provided as depicted on the CDP/FDP and in accordance with Waiver #25234-WPFM-001-1. The stormwater management techniques may include but are not limited to the following: rain tanks, rain gardens, filtera systems, infiltration trenches, drainage swales, bay filters, storm tech chamber, underground vault, or an underground detention system. Stormwater management facilities/Best Management Practices (“BMPs”) shall be provided as generally depicted on the CDP/FDP. Adequate outfall shall be demonstrated in accordance with the PFM as determined by DPWES. If the options listed above are not approved by DPWES, a Proffered Condition Amendment or proffer interpretation will be required.

All SWM and BMP facilities shall be properly maintained on the Property in a manner determined by DPWES. The requirements for maintaining the SWM facility shall be in a standard maintenance agreement between the County and the Applicant who is the land owner, its successor and assigns. This agreement shall be recorded in the County land records and run with the land. Should any deficiencies in the existing SWM or BMP facilities be identified by the Stormwater Management Maintenance Division

during regular inspections, or when investigating a drainage complaint, then maintenance shall be performed in accordance with the recorded maintenance agreement.

23. Stormwater Management and BMP Maintenance. After establishing the HOA, the Applicant shall provide the HOA and all future homeowners with written materials describing proper maintenance of the approved stormwater management facilities and BMPs in accordance with County guidelines. Consistent with the conditions for Waiver #25234-WPFM-001-1, the Applicant shall place in escrow funds for the HOA for the future maintenance of such facilities as well as a contribution towards a reserve fund for the future replacement of the underground facility which will receive annual deposits from the HOA based on initial construction costs.

24. Landscaping. At the time of subdivision plan review, the Applicant shall submit to DPWES, a landscape plan showing landscaping consistent with the quality, quantity and general location shown on the Landscape Plan of the CDP/FDP. This plan shall be subject to review and approval of Urban Forestry Management, DPWES. At the time of planting, the minimum caliper for deciduous trees shall be two (2.0) inches to three (3) inches and the minimum height for evergreen trees shall be eight (8) feet. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans approved by Urban Forest Management at the time of subdivision plan approval. Maintenance responsibilities for the landscaping shall be disclosed in the homeowners' association documents.

25. Landscape Buffer. The landscape buffer around the perimeter of the property shall be owned and maintained by the Homeowners Association. The rear of the single family lots shall be clearly defined by either a fence and/or vegetative buffer to delineate where the lot ends and the landscape buffer begins. The maintenance

responsibilities of the landscape buffer shall be disclosed in HOA documents which shall be distributed to all future homeowners.

26. Energy Conservation. All new dwelling units shall be designed and constructed as ENERGY STAR<sup>®</sup> qualified homes. The major features of an ENERGY STAR home include: Effective Insulation, High Performance Windows, Tight Construction and Ducts, Efficient Heating and Cooling Equipment, Efficient Products (may include but are not limited to: refrigerator, stove and dishwasher) and Third Party Verification (Home Energy Rater). Prior to issuance of the Residential use Permit (RUP) for each dwelling unit, documentation shall be submitted to the Environment and Development Review Branch of the Department of Planning and Zoning from a home energy rater certified through the Residential Energy Services network (RESNET) program that demonstrates that the dwelling unit has attained the ENERGY STAR for homes certification, as described in these conditions.

27. Interior Noise. In order to reduce interior noise to a level of approximately DNL 45 dBA, lots 1-4, 33-35 within the highway noise impact zone of DNL 65-70 dBA shall employ the following acoustical treatment measures:

- Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
- Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20 percent of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20 percent of an exposed façade, then the glazing shall have an STC rating of at least 39.

- All surfaces shall be sealed and caulked in accordance with methods approved by the American Society of Testing and Materials (ASTM) to minimize sound transmission.

In lieu of applying these measures, the Applicant may submit a revised noise study, based on final grading and engineering plans, prior to filing for a building permit to determine appropriate noise attenuation measures in order to reduce interior noise to a level of approximately DNL 45 dBA for lots which are within the highway noise impact zone of DNL 65-70 dBA. Noise attenuation measure may include but are not limited to appropriate STC ratings and construction for walls and windows. The noise study will be conducted by a qualified engineer and the noise attenuation measures shall be subject to review and approval of the Environmental Branch of the Department of Planning and Zoning.

28. Exterior Noise. All lots affected by highway noise above DNL 65 dBA are shown on the CDP/FDP. Exterior noise levels for outdoor recreational areas for the lots within the DNL 65 dBA zone shall be reduced below DNL 65 dBA through the use of noise attenuation fencing as shown on the CDP/FDP. The acoustical fence shall be architecturally solid from ground up with no gaps or openings in the contiguous fence as shown on the CDP/FDP. At the time of Subdivision Plan approval, the Applicant shall have the option to submit a revised noise study based on final grading and engineering plans. The noise study will be conducted by a qualified engineer and the noise attenuation measures shall be subject to review and approval of the Environmental Branch of Department of Planning and Zoning.

#### **V. TREE PRESERVATION**

29. Tree Preservation Plan. The applicant shall submit a Tree Preservation

Plan and Narrative as part of the first and all subsequent submissions of the subdivision plan review process. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division (UFMD), DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone and size for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks eight (8) inches in diameter and greater (measured at 4 1/2 -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet of either side of the limits of clearing and grading. Trees to be inventoried at the northeast corner of the site shall be limited to those as shown on sheet 9 of the CDP/FDP or as directed by UFMD. Additional condition analysis shall be provided for all trees inventoried. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the CDP/FDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning along the limits of clearing (LOC), mulching, fertilization, installation of welded wire tree protection fencing and others as necessary, shall be included in the plan.

30. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by

the UFMD. The Applicant shall retain the services of a certified arborist or registered consulting arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

31. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or registered consulting arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting as part of the tree preservation plan. During the tree preservation walk-through meeting which shall occur prior to the commencement of construction, the Applicant's certified arborist or registered consulting arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented.

Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions

32. Limits of Clearing and Grading. The Applicant shall conform substantially to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities

and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities. Any trees impacted within the limits of clearing and grading as specified above shall be replaced on the site as determined by UFMD.

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

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and

given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

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

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

35. Tree Appraisal. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 8 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective subdivision plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the

latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective subdivision plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Application Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

36. Tree Transplant Plan. The applicant shall provide a transplantation plan as part of the first and all subsequent submissions of the subdivision plan. The plan shall be prepared by a professional with experience in the preparation of tree transplanting plans, such as a Certified Arborist or Registered Consulting Arborist. The plan as detailed on

Sheet 15 of the CDP/FDP shall address all of the following items: (1) the species and sizes to be transplanted, (2) the existing locations of the trees, (3) staging location(s) (4) the proposed final locations of the trees, (5) the proposed time of year when the trees will be moved, (6) the transplant methods to be used, including tree spade size, (7) details regarding after-transplant care, including mulching, watering, soil amendments, etc., support measures such as guying or staking all subject to approval of UFMD. Note, the final location of the trees to be transplanted as shown on Sheet 14 of the CDP/FDP may be adjusted in consultation with UFM at the time of subdivision plan.

## **VI. STREAM RESTORATION AND INVASIVE PLANT SPECIES MANAGEMENT PLAN**

37. Stream Restoration. The stream on the property shall be restored in the general location shown on the sheet entitled Conceptual Stream Restoration Plan accompanying the CDP/FDP, subject to review and approval by DPWES and the Northern Virginia Soil and Water Conservation District (NVSWCD). HEC-RAS shall be used to determine velocities and shear stresses from the design flow rates in the channel bed and any overbank flow area. Substrate materials for the stream shall be specified based on these results. Non-erosive velocities of the substrate material in the stream channel during the 2-year storm event shall be demonstrated in the design calculations. Allowable velocities shall be based on requirement of the Public Facilities Manual (PFM) or by other accepted engineering methods as approved by DPWES. The design shall also provide incipient motion, scour, limiting slope criteria and bed armoring calculations to demonstrate the adequacy of the specified cobble size in the streambed. Calculations shall also be provided to check for toe and bank stability. Final design characteristics

shall be subject to review and modification by DPWES and the NVSWCD and shall be submitted at the time of subdivision plan.

38. Invasive Plant Species Management Plan. As part of the first and all subsequent submissions of the subdivision plan review process the Applicant shall submit a Stream Restoration Plan and Invasive Plant Species Management Plan (Restoration Plan) prepared by a Certified Arborist or Registered Consulting Arborist and shall be subject to the review and approval of the Department of Public Works and Environmental Services and UFMD. The plan will:

- Establish invasive plant management success criteria for evaluation purposes. This plan will describe and document the invasive plant species present. Provide information about each identified invasive plant species. It will include monitoring objectives and protocols for measuring effectiveness of management actions.
- The plan will:
  - Prioritize management of the identified invasive plant species and provide proactive prevention and early detection/rapid response strategies for newly invading plant species (example: assisting with education of volunteers to conduct invasive species searches and implementing management strategies).
  - Describe selected management strategies and control options for invasive plant populations/infested areas, prevention, early detection, control (eradication, suppression, containment), and restoration.
  - Include the selected methods by which the management strategies are to be achieved (e.g. specific treatments such as herbicide application rate and timing, manual removal).
  - Include a list of equipment and other resources to be used in the management plan.
- Annual monitoring shall include restoration reports to DPWES to be submitted by the end of the calendar year each year for five years commencement of the restoration plan. Commencement of the restoration plan shall occur within six months of the final inspection of the landscaping plan by DPWES.

39. Outreach to Students. As part of the restoration project, outreach programs shall be offered to students within the Fairfax County School system within the school pyramid for the subject property to teach them about the restoration of the stream.

40. Stream Restoration Sign. A sign detailing that the stream has been restored shall be posted in the vicinity of the stream prior to submission of the final annual monitoring report.

## **VII. RECREATION**

41. Park Authority Contributions: The Applicant shall contribute \$91,086 to the Board of Supervisors, within 60 days after the Board of Supervisors approves this rezoning application for transfer to the Fairfax County Park Authority, for use at off-site recreational facilities intended to serve the future residents, as determined by FCPA.

42. Parks and Recreation. Pursuant to Section 6-409 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall provide the recreational facilities to serve the Application Property. The amenity areas located at the northern end and southern end of the property may be programmed with recreational amenities at the discretion of the homeowners association. The recreational amenities may include but are not limited to: additional landscaping, playground equipment, a tot lot, picnic area, benches and street furniture. Per Section 6-409, recreational facilities such as recreational trails, walking paths, excluding any trails required by the Comprehensive Plan, and similar features shall be used to fulfill this requirement. At the time of subdivision plan review, the Applicant shall demonstrate that the value of any proposed recreational amenities are equivalent to a minimum of \$1,700 per unit (or as Section 6-409 may escalate). In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall contribute funds in the amount needed to achieve the

overall proffered amount of \$1,700 per unit to the Fairfax County Park Authority ("FCPA") for off-site recreational facilities intended to serve the future residents within the Mason District.

### **VIII. OTHER**

43. Temporary Signage. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in the initial marketing and sale of homes on the subject Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.

44. School Contribution. A contribution of \$150,048 (16 students X \$9,378) shall be made to the Board of Supervisors for transfer to Fairfax County Public Schools (FCPS) and designated for capital improvements directed to the Annandale High School Pyramid and/or Cluster III schools that service the subject property. The contribution shall be made at the time of, or prior to, issuance of the first Building Permit for the approved single family detached units. Following approval of this Application and prior to the Applicant's payment of the amount set forth in this Proffer, if Fairfax County should increase the contribution per student, the Applicant shall increase the amount of the contribution for that phase of development to reflect the then-current contribution. In addition, notification shall be given to FCPS when construction is anticipated to commence to assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

45. Affordable Dwelling Units. Prior to the issuance of the first Building Permit for the single family attached units, the Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one half of one percent (1/2 %) of the value of all the units approved on the property. The one half of one percent (1/2 %) contribution shall be based on the aggregate sales price of all of the units subject to the contribution, as if those units were sold at the time of the issuance of the first Building Permit. The projected sales price shall be determined by the Applicant through an evaluation of the sales prices of comparable units in the area, in consultation with the Fairfax County Department of Housing and Community Development (HCD) and DPWES.

46. Successors and Assigns. Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest, assigns, and/or developer(s) of the Property or any portion of the Property.

Neighborhoods VI, LLC

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

6651, LLC

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

134476950.6

**REZONING AFFIDAVIT**

DATE: JAN 19 2012  
 (enter date affidavit is notarized)

I, Lisa M. Chiblow, do hereby state that I am an  
 (enter name of applicant or authorized agent)

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

113413

in Application No.(s): RZ/FDP 2011-MA-029  
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Neighborhoods VI, LLC Agent: Truett J. Young Christopher W. Spahr David W. Duggar Stuart M. Ginsberg Steven B. Alloy Martin K. Alloy Jarod D. Blancy	11111 Sunset Hills Road, Suite 200 Reston, VA 20190	Applicant/Contract Purchaser of Tax Map Nos. 71-2 ((1)) 36, 71-2 ((10)) 17A, 71-2 ((13)) 1
6651 LLC Agent: Donna P. Campbell, Trustee for Donna P. Campbell Trust dated 11/7/02 James M. Campbell, Trustee for James M. Campbell Trust dated 11/7/02	6651 Little River Turnpike Alexandria, VA 22312	Title Owner of Tax Map Nos. 71-2 ((1)) 36, 71-2 ((10)) 17A, 71-2 ((13)) 1

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

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

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

**Rezoning Attachment to Par. 1(a)**

**JAN 19 2012**

DATE: \_\_\_\_\_  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number (s))

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
The BC Consultants, Inc. Agent: Dennis D. Dixon Peter L. Rinek	12600 Fair Lakes Circle, Suite 100 Fairfax, VA 22033	Engineer/Agent
Wetland Studies and Solutions, Inc. Agent: Jennifer W. Van Houten Kelly L. Petrey Frank R. Graziano Mark W. Headly	5300 Wellington Branch Drive, Suite 100 Gainesville, VA 20155	Environmental Consultant/Agent
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. David R. Gill Jonathan P. Rak Gregory A. Riegler Mark M. Viani Kenneth W. Wire Sheri L. Akin Lisa M. Chiblow Lori R. Greenlief	1750 Tysons Boulevard, Suite 1800 Tysons Corner, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent

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

REZONING AFFIDAVIT

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

Neighborhoods VI, LLC  
11111 Sunset Hills Road, Suite 200  
Reston, VA 20190

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

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

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

Neighborhoods Capital, LLC, sole member

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

Martin K. Alloy, Manager/Chairman/Treas.	Steven B. Alloy, Manager/Pres.	David W. Duggar, VP of Operations
Gordon B. Thomas Jr., VP-Southern MD Division	Stuart M. Ginsberg, VP/Gen.Counsel/Secty.	Lauri D. Payson, VP of Marketing
Michael J. Cleary, VP of Production	Frederick S. Hetzel, VP of Land Acquisition	Jarod D. Blaney, Controller

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Neighborhoods Capital, LLC  
11111 Sunset Hills Road, Suite 200  
Reston, VA 20190

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

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

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

Stanley-Martin Communities LLC, sole member

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

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Stanley-Martin Communities LLC  
11111 Sunset Hills Road, Suite 200  
Reston, VA 20190

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

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

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

Neighborhood Holdings LLC  
Clifton-Alloy Investments LLC  
BlackRock High Income Fund  
R3 Capital Partners Master L.P.

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number (s))

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

Neighborhood Holdings LLC  
11111 Sunset Hills Road, Suite 200  
Reston, VA 20190

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

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

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

Steven B. Alloy  
Martin K. Alloy

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

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

Clifton-Alloy Investments LLC  
11111 Sunset Hills Road, Suite 200  
Reston, VA 20190

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

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

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

Daris M. Clifton  
Martin K. Alloy

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
BlackRock High Income Fund  
100 Bellevue Parkway  
Wilmington, DE 19809

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

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

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

---

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

---

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
BlackRock Investment Management, LLC  
111 Eight Avenue  
New York, NY 10011

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

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

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

BlackRock Inc., sole managing member

---

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number (s))

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

BlackRock Inc.  
55 East 52nd Street  
New York, NY 10055

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

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

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

=====

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

=====

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

6651 LLC  
6651 Little River Turnpike  
Alexandria, VA 22312

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

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

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

Members:  
James M. Campbell, Trustee for James M. Campbell Trust dated 11/07/02 f/b/o Jamie N. Campbell, Miles P. Campbell, Bryce E. Campbell  
Donna P. Campbell, Trustee for Donna P. Campbell Trust dated 11/7/02 f/b/o Jamie N. Campbell, Miles P. Campbell, Bryce E. Campbell

=====

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number (s))

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

The BC Consultants, Inc.  
12600 Fair Lakes Circle, Suite 100  
Fairfax, VA 22033

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

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

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

James H. Scanlon

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

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

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

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

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

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

Michael S. Rolband

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

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

REZONING AFFIDAVIT

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
Tysons Corner, VA 22102

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

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

Equity Partners of McGuireWoods LLP

- |                         |                       |                       |
|-------------------------|-----------------------|-----------------------|
| Adams, John D.          | Beil, Marshall H.     | Burk, Eric L.         |
| Alphonso, Gordon R.     | Belcher, Dennis I.    | Busch, Stephen D.     |
| Anderson, Arthur E., II | Bell, Craig D.        | Cabaniss, Thomas E.   |
| Anderson, Mark E.       | Beresford, Richard A. | Cacheris, Kimberly Q. |
| Andre-Dumont, Hubert    | Bilik, R. E.          | Cairns, Scott S.      |
| Bagley, Terrence M.     | Blank, Jonathan T.    | Capwell, Jeffrey R.   |
| Barger, Brian D.        | Boland, J. W.         | Cason, Alan C.        |
| Barnum, John W.         | Brenner, Irving M.    | Chaffin, Rebecca S.   |
| Becker, Scott L.        | Brooks, Edwin E.      | Cobb, John H.         |
| Becket, Thomas L.       | Brose, R. C.          | Cogbill, John V., III |

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

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

**Rezoning Attachment to Par. 1(c)**DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
Tysons Corner, VA 22102(check if applicable)  The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,  
**General Partner, Limited Partner, or General and Limited Partner**)

Covington, Peter J.	Gibson, Donald J., Jr.	Kilpatrick, Gregory R.
Cramer, Robert W.	Glassman, Margaret M.	King, Donald E.
Cromwell, Richard J.	Glickson, Scott L.	King, Sally D.
Culbertson, Craig R.	Gold, Stephen (nmi)	Kittrell, Steven D.
Cullen, Richard (nmi)	Goldstein, Philip (nmi)	Kobayashi, Naho (nmi)
Cutler, Christopher M.	Grant, Richard S.	Kratz, Timothy H.
Daglio, Michael R.	Greenberg, Richard T.	Krueger, Kurt J.
De Ridder, Patrick A.	Grieb, John T.	Kutrow, Bradley R.
Dickerman, Dorothea W.	Harmon, Jonathan P.	La Fratta, Mark J.
DiMattia, Michael J.	Harmon, T. C.	Lias-Booker, Ava E.
Dooley, Kathleen H.	Hartsell, David L.	Lieberman, Richard E.
Downing, Scott P.	Hatcher, J. K.	Little, Nancy R.
Edwards, Elizabeth F.	Hayden, Patrick L.	Long, William M.
Ensing, Donald A.	Hayes, Dion W.	Manning, Amy B.
Ey, Douglas W., Jr.	Heberton, George H.	Marianes, William B.
Farrell, Thomas M.	Hedrick, James T., Jr.	Marks, Robert G.
Feller, Howard (nmi)	Horne, Patrick T.	Marshall, Gary S.
Fennebresque, John C.	Hosmer, Patricia F.	Marshall, Harrison L., Jr.
Foley, Douglas M.	Hutson, Benne C.	Marsico, Leonard J.
Fox, Charles D., IV	Isaf, Fred T.	Martin, Cecil E., III
France, Bonnie M.	Jackson, J. B.	Martin, George K.
Franklin, Ronald G.	Jarashow, Richard L.	Martinez, Peter W.
Fratkin, Bryan A.	Jordan, Hilary P.	Mason, Richard J.
Freedlander, Mark E.	Kanazawa, Sidney K.	Mathews, Eugene E., III
Freeman, Jeremy D.	Kannensohn, Kimberly J.	Mayberry, William C.
Fuhr, Joy C.	Katsantonis, Joanne (nmi)	McCallum, Steven C.
Gambill, Michael A.	Kerr, James Y., II	McDonald, John G.

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

**Rezoning Attachment to Par. 1(c)**

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number (s))

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

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
Tysons Corner, VA 22102

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

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

McElligott, James P.  
McFarland, Robert W.  
McIntyre, Charles W.  
McLean, J. D.  
McRill, Emery B.  
Moldovan, Victor L.  
Muckenfuss, Robert A.  
Muir, Arthur B.  
Murphy, Sean F.  
Natarajan, Rajsekhar (nmi)  
Neale, James F.  
Nesbit, Christopher S.  
Nickens, Jacks C.  
O'Grady, Clive R.  
O'Grady, John B.  
O'Hare, James P.  
Oakey, David N.  
Oostdyk, Scott C.  
Padgett, John D.  
Parker, Brian K.  
Phears, H. W.  
Phillips, Michael R.  
Plotkin, Robert S.  
Pryor, Robert H.  
Pusateri, David P.  
Rak, Jonathan P.

Rakison, Robert B.  
Reid, Joseph K., III  
Richardson, David L.  
Riegler, Gregory A.  
Riley, James B., Jr.  
Riopelle, Brian C.  
Roberts, Manley W.  
Robinson, Stephen W.  
Rogers, Marvin L.  
Rohman, Thomas P.  
Rosen, Gregg M.  
Rust, Dana L.  
Satterwhite, Rodney A.  
Scheurer, P. C.  
Schewel, Michael J.  
Schill, Gilbert E., Jr.  
Schmidt, Gordon W.  
Sellers, Jane W.  
Shelley, Patrick M.  
Simmons, L. D., II  
Simmons, Robert W.  
Skinner, Halcyon E.  
Slone, Daniel K.  
Spahn, Thomas E.  
Spitz, Joel H.  
Stallings, Thomas J.

Steen, Bruce M.  
Stein, Marta A.  
Stone, Jacquelyn E.  
Swan, David I.  
Tackley, Michael O.  
Tarry, Samuel L., Jr.  
Thornhill, James A.  
Van der Mersch, Xavier G.  
Vaughn, Scott P.  
Vick, Howard C., Jr.  
Viola, Richard W.  
Wade, H. L., Jr.  
Walker, John T., IV  
Walker, W. K., Jr.  
Walsh, James H.  
Watts, Stephen H., II  
Westwood, Scott E.  
Whepley, David B., Jr.  
White, H. R., III  
White, Walter H., Jr.  
Wilburn, John D.  
Williams, Steven R.  
Wren, Elizabeth G.  
Young, Kevin J.

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

**Rezoning Attachment to Par. 1(c)**

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number (s))

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

R3 Capital Partners Master L.P.  
1271 Avenue of the Americas  
New York, NY 10020

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

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

General Partner:  
BlackRock Investment Management, LLC

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

REZONING AFFIDAVIT

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

REZONING AFFIDAVIT

DATE: JAN 19 2012  
(enter date affidavit is notarized)

113413

for Application No. (s): RZ/FDP 2011-MA-029  
(enter County-assigned application number(s))

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

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

NONE

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

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

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

WITNESS the following signature:

*[Handwritten Signature]*

(check one)

[ ] Applicant

[x] Applicant's Authorized Agent

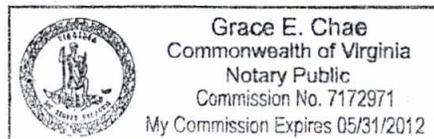
Lisa M. Chiblow, Land Use Planner

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 19<sup>th</sup> day of January 20 12, in the State/Comm. of Virginia, County/City of Fairfax.

*[Handwritten Signature]*  
Notary Public

My commission expires: 5/31/2012



## NARRATIVE STATEMENT OF JUSTIFICATION

for

### Callaway

### Rezoning Application

Tax Map # 71-2-((1))-36, 71-2-((10))-17A and 71-2-((13))-1

Revised January 30, 2012

#### Introduction and Overview

The subject application is filed on behalf of Neighborhoods VI, LLC (the "Applicant"). The application request is to rezone approximately 8.79 acres of property (the "Property") from the R-2 Zoning District to the PDH-4 Zoning District. The proposal is for 35 new single family detached houses. The density will be 3.98 dwelling units per acre. The Property consists of Tax Map #71-2-((1))-36, 71-2-((10))-17A and 71-2-((13))-1. It is located along the south side of Little River Turnpike (Route 236), approximately 2,500 feet west of the intersection of Little River Turnpike and Braddock Road (Route 620) in Annandale, Virginia.

#### Background

The majority of the property, 8 acres (Tax Map #71-2-((1))-36) of the site, currently operates as a plant nursery. The other 0.79 acres houses a single family dwelling unit (Tax Map 71-2-((13))-1). The plant nursery was originally established on the property in 1976. Fertilizers, pesticides and herbicides have been used on the site for the last 35 years making it a good candidate for redevelopment as the site is currently unregulated in terms of stormwater management. Redevelopment will allow evaluation and restoration of the environmental integrity of the site.

#### Compliance with Comprehensive Plan

The Property is in the A3 Indian Run Community Planning Sector. Specific Plan text for the subject property as fairly recently adopted by the Board of Supervisors in July 2010, is included in Paragraph 8:

*Parcels 71-2((1))-36, 71-2((10))-17A, and 71-2((13))-1 are planned for residential use at 1-2 dwelling units per acre and developed with a garden nursery and a single-family detached dwelling. As an option, an area up to two acres including parcel 71-2((13))-1 and the northern portion of parcel 71-2((1))-36 fronting Little River Turnpike may be appropriate for retail or office use or a combination of these uses up to 30,000 square feet of development. Auto-oriented uses, including drive-thru facilities, are discouraged. Any commercial building should be oriented toward Little River Turnpike with parking located to the rear or side of the building to create an attractive streetscape. The residual land or entire area may be appropriate for single-family detached dwellings up to 3-4 dwelling units per acre. Any redevelopment should be viewed as an opportunity for the removal of existing encroachments, restoration and protection of the headwaters area on site. Development should be designed in a*

*manner including the use of effective buffering and screening to maintain the stability of surrounding low-density residential uses.*

This proposal is for a residential project at a proposed density of 3.98 dwelling units per acre. The all residential option will generate less traffic impact than a mixed use development as is also allowed under the Comprehensive Plan guidance. The site layout has been designed with substantial landscape buffering along the perimeter of the site. As expressed in the Plan Guidance, the redevelopment of the site will allow for the removal of existing encroachments on the site and restoration of the Resource Protection Area. The headwaters on the site will be managed with an underground piping system. Exercising the all residential option creates a land use pattern that is harmonious with the surrounding Willow Run community.

#### Comprehensive Plan Guidance from the Policy Plan

*Policy I. In order to augment the EQC system, encourage protection of stream channels and associated vegetated riparian buffer areas along the stream channels upstream of Resource Protection Areas (as designated pursuant to the Chesapeake Bay Preservation Ordinance) and Environmental Quality Corridors. To the extent feasible in consideration of overall site design, stormwater management needs and opportunities, and other Comprehensive Plan guidance, establish boundaries of these buffer areas consistent with the guidelines for designation of the stream valley component of the EQC system as set forth in Objective 9 of this section of the Policy Plan. Where applicable, pursue commitments to restoration of degraded stream channels and riparian buffer areas.*

The subject property is located within the Cameron Run watershed. A stream and a Resource Protection Area are located in the southwestern portion of the site. The site has been subjected to 35 years of fertilizer, herbicide, and pesticide use by the existing nursery operation, have not been maintained in a neither pristine nor regulated condition and are currently disturbed and degraded.

As part of the rezoning application commitments, this stream and the associated riparian area will be restored. The restoration plan shall include raising the stream bed where needed, decreasing channel incision and reconnecting the stream with its floodplain. By raising the stream invert and reconnecting the stream to its floodplain, higher storm flows will be allowed to access the floodplain, decreasing in-stream storm flow velocities and promoting nutrient uptake by riparian vegetation. Also, a reinforced bed (sized to withstand erosive storm flow velocities) will be placed in the stream bottom to prevent future channel incision. Rock structures, such as cross vanes and step pools, will be utilized at key locations in the stream channel to provide grade control, provide additional bank stability (through the reduction of shear stress), help maintain a riffle-pool morphology, which will provide a diversity of habitat for aquatic organisms, and dissipate energy. In addition, invasive vegetation will be removed from the stream banks and adjacent riparian areas. These areas will be planted (at heavy densities) with a diverse mix native trees, shrubs, and herbaceous materials. The vegetation will not only provide additional stability to the channel's bed and banks, but will also help with

pollutant removal, provide shading to for the stream channel, and provide significant habitat benefits.

### Compliance with Residential Development Criteria

For the reasons stated below, the subject rezoning fully complies with the applicable Residential Development Criteria contained in Appendix 9 of the Land Use Element of the Policy Plan. Specific compliance with the Criteria is as follows:

#### I. Site Design.

As shown on the Conceptual/Final Development Plan (CDP/FDP), high quality site design is proposed. Features of the development include an efficient layout and unit type consistent with the fabric of the surrounding community. Single family detached homes will abut single family detached homes.

(A) Layout. The proposed layout provides efficient and logical relationships within the development as well as with the adjoining developments. Substantial landscape buffers shall be planted along the perimeter of the site to provide a vegetative screening to the adjacent existing lots. Special architectural treatments for the rears of the units most proximate to existing homes have been incorporated into the project design.

(B) Open Space. There are areas of common, accessible and well-integrated open space through-out the community which are inter-connected with a pedestrian trail. There are open space areas along the northern, eastern and southern property boundary. The open space and pedestrian trail is an opportunity to provide recreational space for not just the residents of the new community but will also be accessible to the residents of the surrounding community. To encourage this integration with the surrounding community, a wood-chip trail (or similar permeable trail material) will provide a pedestrian connection along the southern end of the property through the Resource Protection Area (RPA) to the open space areas and the inter-connected pedestrian trail network throughout the property. The open space provided is 30.2 % which is over 10% higher than what is required for a PDH-4 Zoning District.

(C) Landscaping. A substantial landscape buffer shall be planted along the perimeter of the property. Existing trees will be preserved where practical with grading. Along the Little River Turnpike frontage supplemental landscaping will be planted to add to the aesthetic features of the site visible from the Little River Turnpike road frontage as well as to the area to the south of the entrance road off of Willow Run Drive. The landscape buffers along the perimeter of the property shall be owned and maintained by the Homeowners Association. To add to the definition of where the future homeowner's property ends and the landscape buffer begins, this area shall be defined with either a decorative fence and or distinct landscaping, such as a hedge. A tree transplant plan will also preserve some existing trees and relocate them within the site.

(D) Amenities. At the north end and the south end of the property, visible from the longest part of the entrance road, there will be two pedestrian oriented focal

points. The focal points will be landscaped and circled with a pedestrian trail. Along the eastern property boundary there will also be an open space area that will serve as passive recreational space and also be serviced by a pedestrian trail. All of the amenity areas will be accessible to the residents of the new community as well as open to the residents of the surrounding community.

II. Neighborhood Context.

The predominant context of the surrounding development to the east, south and a portion of the west is characterized by single family homes. The only non-residential property is directly west of the subject Property. The proposed density is consistent with that recommended under the Comprehensive Plan guidance.

III. Environment.

The site as it was developed in the 1976, is currently unregulated in terms of stormwater management controls. The stormwater management approach will utilize innovative underground stormwater management controls to address the volume and velocity of stormwater runoff from the proposed development. The stormwater management facilities are designed to reduce the post-development peak flows from the property to less than the current, pre-development peak flows. The underground detention proposed has an advantage over the traditional dry pond system as the area above the pond can be covered in top soil, seeded and used as recreational space for the homeowners.

IV. Tree Preservation and Tree Cover Requirements.

The tree cover is being preserved to the extent possible along the periphery of the Property and within the RPA. In addition, a tree transplant plan has been incorporated into the project design to relocate a number of on-site trees worthy of preservation. This was facilitated in cooperation with the Urban Forest Management Division through a number of field walks at the site.

V. Transportation.

Access to the site will be from Willow Run Drive as recommended by VDOT and the Fairfax County Department of Transportation. The traffic to be generated by this proposal will be minimal. It will not trigger the requirement for a Chapter 527 Traffic Impact Analysis study. An ingress/egress easement will be granted over the private drive to allow access by public safety vehicles. As part of the development proposal, the Applicant will proffer to contribute a pro rata share for the traffic signal programmed for the intersection of Little River Turnpike and Willow Run Drive.

Transportation Waivers

Consistent with staff comments, a waiver is being requested to not construct the service drive along the subject property frontage along Little River Turnpike. The waiver is in anticipation of the future widening of Little River Turnpike to its planned ultimate

six lane configuration without a service drive. An access management waiver was also requested of VDOT to permit the entrance along Willow Run Drive at the proposed location. The Applicant is dedicating sufficient right of way for the planned future roadway improvements.

VI. Public Facilities

Through proffers, the Applicant will commit to addressing impacts on public schools in accordance with the criteria and methodology adopted by the Board of Supervisors.

VII. Affordable Housing.

Through proffers, the Applicant will provide the appropriate monetary contribution in accordance with the formula adopted by the Board of Supervisors.

Conclusion

The proposed development is consistent with the current Comprehensive Plan recommendations and shall comply with all ordinances, regulations and adopted standards of Fairfax County. For all of the aforementioned reasons, the Applicant respectfully requests the Staff and Planning Commission to endorse, and the Board of Supervisors to approve this rezoning request.

Respectfully submitted by,

\_\_\_\_\_  
Lisa M. Chiblow  
McGuireWoods LLP  
Agent for Applicant



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** December 15, 2011

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** **Land Use Analysis and Environmental Assessment:**  
RZ/FDP 2011-MA-028, Callaway

The memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plan dated July 2011 and revised through December 7, 2011 and the draft proffers dated December 1, 2011. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

### DESCRIPTION OF THE APPLICATION

The applicant seeks to rezone approximately 8.79 acres of land from R-2 (Residential District, Two Dwelling Units/Acre) within the Highway Corridor (HC) Overlay District to PDH-4 (Planned Development Housing District, 4 Dwelling Units Per Acre) to permit 35 single-family detached dwelling units at 3.98 dwelling units per acre (du/ac). Most of the property is currently used as a plant nursery. The proposed residential development would be accessed from Willow Run Drive. The proposal provides 30% open space compared to 20% open space required by zoning. Two pocket parks are proposed located on the south and north sides of the property. According to the tabs on the development plan, 154 parking spaces are proposed, 49 spaces above the minimum zoning requirement. The applicant is requesting a waiver of the service drive requirement along Little River Turnpike, a waiver/modification to use an underground detention system in a residential development to meet stormwater management/best management practices (SWM/BMP); and a waiver of the maximum 600 feet length for a private road.

Department of Planning and Zoning  
Planning Division  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5509  
Phone 703-324-1380



## LOCATION AND CHARACTER OF THE AREA

The subject property is located south of Little River Turnpike between Randolph Drive and Willow Run Drive. The subject area is developed with a plant nursery and one single-family home. The immediate surrounding area is planned, developed and zoned as follows. The area to the north, across from Little River Turnpike is planned and developed with residential use at 5-8 du/ac and zoned PDH-8. The area to the east is planned and developed with single-family detached houses at 1-2 du/ac and zoned R-2. The area to the south is planned and developed with single-family detached dwellings at 1-2 du/ac and zoned R-2. The area to the west, along Little River Turnpike is planned and developed with retail use and is zoned C-2 and south of this area is planned and developed with single-family detached dwellings at 1-2 du/ac and zoned R-2.

## COMPREHENSIVE PLAN CITATIONS:

### Land Use

Fairfax County Comprehensive Plan, 2011 Edition, Area I volume, Annandale Planning District as amended July 27, 2010, A3 Indian Run Community Planning Sector, Recommendations, Land Use, page 107:

- “8. Parcels 71-2((1))36, 71-2((10))17A, and 71-2((13))1 are planned for residential use at 1-2 dwelling units per acre and developed with a garden nursery and a single-family detached dwelling. As an option, an area up to two acres including parcel 71-2((13))1 and the northern portion of parcel 71-2((01))36 fronting Little River Turnpike may be appropriate for retail or office use or a combination of these uses up to 30,000 square feet of development. Auto-oriented uses, including drive-thru facilities, are discouraged. Any commercial building should be oriented toward Little River Turnpike with parking located to the rear or side of the building to create an attractive streetscape. The residual land or entire area may be appropriate for single-family detached dwellings up to 3-4 dwelling units per acre. Any redevelopment should be viewed as an opportunity for the removal of existing encroachments, restoration and protection of the headwaters area on site. Development should be designed in a manner including the use of effective buffering and screening to maintain the stability of surrounding low-density residential uses.”

### Environment

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 7-9:

- “**Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.**

...

- Policy j: Regulate land use activities to protect surface and groundwater resources.
- Policy l: In order to augment the EQC system, encourage protection of stream channels and associated vegetated riparian buffer areas along stream channels upstream of Resource Protection Areas (as designated pursuant to the Chesapeake Bay Preservation Ordinance) and Environmental Quality Corridors. To the extent feasible in consideration of overall site design, stormwater management needs and opportunities, and other Comprehensive Plan guidance, establish boundaries of these buffer areas consistent with the guidelines for designation of the stream valley component of the EQC system as set forth in Objective 9 of this section of the Policy Plan. Where applicable, pursue commitments to restoration of degraded stream channels and riparian buffer areas. . . .
- Policy o: Ensure that development and redevelopment sites that have been subject to contamination by toxic substances or other hazardous materials are remediated to the extent that they will not present unacceptable health or environmental risks for the specific uses proposed for these sites and that unacceptable health or environmental risks will not occur as a result of contamination associated with nearby properties.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 11:

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

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

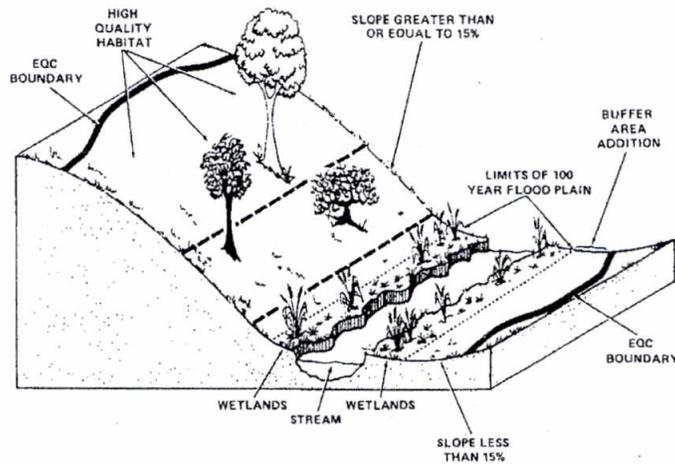
Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 14-16:

**“Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.**

- Policy a: Identify, protect and restore an Environmental Quality Corridor system (EQC). (See Figure 4.) Lands may be included within the EQC system if they can achieve any of the following purposes:

- **Habitat Quality:** The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest. This may include: habitat for species that have been identified by state or federal agencies as being rare, threatened or endangered; rare vegetative communities; unfragmented vegetated areas that are large enough to support interior forest dwelling species; and aquatic and wetland breeding habitats (i.e., seeps, vernal pools) that are connected to and in close proximity to other EQC areas.
- **Connectivity:** This segment of open space could become a part of a corridor to facilitate the movement of wildlife and/or conserve biodiversity. This may include natural corridors that are wide enough to facilitate wildlife movement and/or the transfer of genetic material between core habitat areas.
- **Hydrology/Stream Buffering/Stream Protection:** The land provides, or could provide, protection to one or more streams through: the provision of shade; vegetative stabilization of stream banks; moderation of sheet flow stormwater runoff velocities and volumes; trapping of pollutants from stormwater runoff and/or flood waters; flood control through temporary storage of flood waters and dissipation of stream energy; separation of potential pollution sources from streams; accommodation of stream channel evolution/migration; and protection of steeply sloping areas near streams from denudation.
- **Pollution Reduction Capabilities:** Preservation of this land would result in significant pollutant reductions. Water pollution, for example, may be reduced through: trapping of nutrients, sediment and/or other pollutants from runoff from adjacent areas; trapping of nutrients, sediment and/or other pollutants from flood waters; protection of highly erodible soils and/or steeply sloping areas from denudation; and/or separation of potential pollution sources from streams.

The core of the EQC system will be the County's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements (See Figure 4):



A TYPICAL ENVIRONMENTAL QUALITY CORRIDOR

Source: Fairfax County Office of Comprehensive Planning

FIGURE 4

- All 100 year flood plains as defined by the Zoning Ordinance;
- All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;
- All wetlands connected to the stream valleys; and
- All the land within a corridor defined by a boundary line which is 50 feet plus 4 additional feet for each % slope measured perpendicular to the streambank. The % slope used in the calculation will be the average slope measured within 110 feet of a stream channel or, if a flood plain is present, between the flood plain boundary and a point fifty feet up slope from the flood plain. This measurement should be taken at fifty foot intervals beginning at the downstream boundary of any stream valley on or adjacent to a property under evaluation. . . .”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 18:

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

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

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 19:

**“Objective 12: Improve the identification and mitigation of environmental impacts, and the monitoring and enforcement of environmental policies as applied to land disturbing activities.**

Policy a. Require both public and private development proposals to identify environmental constraints and opportunities and demonstrate how environmental impacts will be mitigated.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 19-20:

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

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

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

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

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

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

**COMPREHENSIVE PLAN MAP:** Residential use at 1 to 2 dwelling units per acre

## **LAND USE ANALYSIS**

### **Use and Intensity**

The baseline Comprehensive Plan recommendation for the subject property is residential use at 1 to 2 dwelling units per acre. The approval of Area Plans Review (APR) Item 09-I-1A added an option to consider up to 30,000 square feet of retail or office use or a combination of these uses on 2 acres and 3-4 dwelling units per acre on the residual land or the entire subject property under certain conditions. Specifically, with any redevelopment the Comprehensive Plan envisions removal of existing encroachments, restoration and protection of the headwaters area on site and the use of effective buffering and screening to maintain the stability of surrounding low-density residential uses. The applicant is pursuing the Plan option to develop all single-family dwellings on the subject property within the recommended 3-4 du/ac density range.

Since the initial development plan submission, the design of the proposed development has been improved:

- The restoration and preservation of the headwaters area which includes a Resource Protection Area (RPA) has been enlarged.
- The stub street near the headwaters area is eliminated.
- Buffers on the east and west boundaries adjacent to single-family homes have been increased from 20 to 25 feet.
- Buffers near the retail development on the northwest side has been increased from 20 to 35 feet.
- Open space has increased from 22 to 32% of the site.
- Two recreational amenity areas to the north and south sides of the property replace a central pocket park.
- Side setbacks have increased from 5 to 7 feet.

With these changes, staff concludes that the proposal for 35 single-family houses at 3.98 du/ac is in general conformance with the land use recommendations of the Comprehensive Plan.

## **ENVIRONMENTAL ANALYSIS**

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

### **Restoration and Preservation of Headwaters Area**

The subject property is located in the Accotink Creek watershed. The County's Chesapeake Bay Preservation Ordinance map depicts an unnamed tributary associated with the Indian Run Stream Valley in the southwestern portion of the subject property. This tributary and associated buffer area is a Resource Protection Area (RPA). A field-verified RPA delineation by the applicant will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES). This general area, which has been disturbed, also contains some features of an environmental quality corridor. To be in conformance with Policy Plan and site-specific guidance, any redevelopment of the site should be viewed as an opportunity to remove encroachments and provide restoration in this area. Accordingly, the applicant has committed to a stream restoration and invasive plant species management plan which will be subject to review and approval by DPWES. The applicant has also committed to annual monitoring and restoration reporting to DPWES for a period of five years with the commencement of the restoration plan.

### **Green Building Certification**

The applicant is seeking to develop the subject property at 3.98 dwelling units per acre under the Plan option for 3-4 dwelling units per acre. The requested density is at the high end of the planned density range. Therefore, in conformance with Policy Plan's green building guidance, the applicant has committed to attain Energy Star Qualified Homes designation prior to the issuance of a residential use permit (RUP) for each dwelling unit.

### **Transportation Generated Noise**

The subject property is affected by transportation generated noise from Little River Turnpike. The applicant has conducted a traffic noise study. In accordance with Policy Plan's guidance on transportation noise mitigation, the applicant has committed to reduce interior noise in houses to a level of approximately DNL 45 dBA for lots within the traffic noise impact area of DNL 65 and 70 dBA through the use of specified building materials. In addition, for lots affected by traffic noise above DNL 65 dBA, the applicant has committed to mitigate to a level below DNL 65 dBA through the use of noise attenuation fencing which will be architecturally solid from ground up with no gaps or opening and not exceed seven feet in height. The proffer should specify that the noise attenuation fence be at least 6 feet in height. The applicant is requesting the option to submit a revised noise study based on final grading and engineering plans. The revised noise study would be subject to staff's review and approval.

### **Landscaping and Tree Preservation**

In accordance with Comprehensive Plan guidance, appropriate landscaped buffers are proposed along the western and eastern boundaries as well as the portion near the existing retail use. The applicant has also committed to a landscape plan and tree preservation plan subject to DPWES' review and approval.

### **COUNTYWIDE TRAILS MAP:**

The Countywide Trails Plan map depicts a major paved trail defined as asphalt or concrete, 8 feet or more in width as well as an on-road bike lane along Little River Turnpike. The trails map does not specify the side of the road for planned trails in the Mason Supervisory District. On sheet 17 of the revised development plan, dated December 7, 2011, the Little River Turnpike Section B-B depicts proposed improvements including a five foot wide bike lane and a five foot wide sidewalk.

## APPENDIX 9

## RESIDENTIAL DEVELOPMENT CRITERIA

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

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

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

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

**1. Site Design:**

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

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

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

## 2. Neighborhood Context:

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

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

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

### **3. Environment:**

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

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

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

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

sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas. Air quality-sensitive tree preservation and planting efforts (see Objective 1, Policy c in the Environment section of this document) are also encouraged.

## 5. Transportation:

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

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:
  - Capacity enhancements to nearby arterial and collector streets;
  - Street design features that improve safety and mobility for non-motorized forms of transportation;
  - Signals and other traffic control measures;
  - Development phasing to coincide with identified transportation improvements;
  - Right-of-way dedication;
  - Construction of other improvements beyond ordinance requirements;
  - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
  - Provision of bus shelters;
  - Implementation and/or participation in a shuttle bus service;
  - Participation in programs designed to reduce vehicular trips;
  - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
  - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
  - Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
  - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
  - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
  - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;

- The number and length of long, single-ended roadways should be minimized;
  - Sufficient access for public safety vehicles should be ensured.
- d) *Streets*: Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities*: Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
  - Connections between adjoining neighborhoods;
  - Connections to existing non-motorized facilities;
  - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
  - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
  - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
  - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
  - Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs*: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

## 6. Public Facilities:

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

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

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

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

**7. Affordable Housing:**

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

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

**8. Heritage Resources:**

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

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

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

#### ROLE OF DENSITY RANGES IN AREA PLANS

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

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



# County of Fairfax, Virginia

## MEMORANDUM

January 10, 2012

**TO:** Mr. William J. O'Donnell Jr. AICP, Planner II  
Zoning Evaluation Division, DPZ

**FROM:** Nicholas J. Drunasky, Urban Forester II NSD  
Forest Conservation Branch, UFMD

**SUBJECT:** 6651 Little River Turnpike (Callaway), RZ/FDP 2011-MA-029

**RE:** Request for assistance dated January 9, 2012

**Site Description:** The site consists of a nursery that has many very nice specimen trees that have been planted in the landscape many years ago, which are all good candidates for preservation. These have not been identified in the EVM (landscape tree canopy) or tree preservation plan that has been included with this application. These trees include but are not limited to baldcypress, dawn redwood, Japanese maple, white cedar, and willow oak. The periphery of the site contains primarily early successional species, with the exception of the northwestern side of the site, which contains a nice row of mature white cedars. Much of the property periphery (including the RPA) contains invasive plant species such as but not limited to bamboo and porcelain berry.

This review is based upon the rezoning application RZ 2011-MA-029 stamped as "Received by the Department of Planning & Zoning January 9, 2012." Site visits were conducted on October 13, 2011 and December 2, 2011.

- 1. Comment:** A tree preservation plan has been proffered, but with this submission the language has been weakened and now only includes the minimum requirements of the Public Facilities Manual and not what was discussed and agreed to at the field meeting on December 2, 2011 and in a meeting with DPZ on January 3, 2012.

**Recommendation:** The proposed proffer condition number 29 should be revised to include inventorying trees with trunks 8 inches in diameter and greater, located within 25 feet of either side of the limits of clearing and grading. It should also include a condition analysis of each tree inventoried, not only trees that rate 40% or lower.

- 2. Comment:** A large number of evergreens are shown in the plant schedule having a size of six feet in height. Proffer 24 states that evergreen trees shall be seven feet.

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



**Recommendation:** The applicant shall revise the plant schedule so that all evergreens have a height of at least seven feet in accordance with proffer 24.

3. **Comment:** Some of the trees proposed for planting are three inches in caliper, which can be difficult to find.

**Recommendation:** As discussed with Dennis Dixon over the phone on January 10, 2012, these three inch caliper trees may be changed to specify exact species so that a multiplier can be taken and smaller caliper trees (two inch) can be proposed in their place so that 10-year canopy cover requirements are still being met. This should be done without reducing the amount of trees proposed to be planted onsite.

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

NJD/

UFMID #: 164802

cc: RA File  
DPZ File





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** December 13, 2011

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

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

**FILE:** 3-4 (RZ 2011-MA-029)

**SUBJECT:** Transportation Impact

**REFERENCE:** RZ/FDP 2011-MA-029 – Neighborhoods VI, LLC (Callaway Residential)  
Traffic Zone: 1408  
Land Identification Map: 71-2 ((1)) 36, ((10)) 17A, ((13)) 1

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated July 2011, and revised through December 7, 2011. The applicant wishes to rezone 8.79 acres from R-2 to PDH-4 to permit 35 single family detached dwelling units at a density of 3.98 du/ac. Access is from Willow Run Drive via a private road. Dedication along the Little River Turnpike frontage is 75 feet from centerline.

- The applicant should provide a sidewalk connection between the 5-foot sidewalk along Little River Turnpike and the proposed bus shelter.
- The applicant has proffered (#16) a contribution of \$2,250 for transportation improvements within the Mason District but has not shown how this sum was derived. The reasoning and calculations for this amount should be provided as it seems low for 35 single family dwellings (approximately \$64 per unit).

AKR/LAH/lah



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

November 16, 2011

GREGORY A. WHIRLEY  
COMMISSIONER

**To:** Ms. Barbara Berlin  
Director, Zoning Evaluation Division

**From:** Kevin Nelson  
Virginia Department of Transportation – Land Development Section

**Subject:** RZ/FDP 2011-MA-029 Neighborhoods VI, LLC  
Tax Map # 71-2((01))0036, ((13))0001 & ((10))0017A

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on November 9, 2011, and received November 9, 2011. The following comments are offered:

1. A typical section for the entire cross section of Rt. 236 needs to be provided. The plan view should show the existing improvements on both sides of the road.
2. The on site is parking severely constrained. This will create problems with parking along adjacent residential streets. The garage restriction does not alleviate this problem. There is a lack of adequate resident and guest spaces.
3. Private streets will not be eligible for VDOT maintenance.
4. VDOT supports elimination of the service drive across this site frontage.
5. The pedestrian access to Randolph Drive should be a concrete sidewalk. Mulch paths tend to wash out with the first hard rain and do not provide adequate ADA access.
6. The first space for on street parking on the site should be eliminated or moved further onto the site where it does not interfere with the entrance movements.
7. A typical section should be shown for Willow Run Drive across the site frontage.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver  
fairfaxrezoning2011-MA-029rz2NeighborhoodsVILLC11-16-11BB



# FAIRFAX COUNTY PARK AUTHORITY



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

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

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

**DATE:** October 13, 2011

**SUBJECT:** RZ/FDP 2011-MA-029, Neighborhoods VI LLC  
Tax Map Numbers: 71-2((1))36, 71-2((19))17A, 71-2((13))1

### BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated August 5, 2011 for the above referenced application. The Development Plan shows 35 new single-family detached dwelling units on 8.79 acres to be rezoned from R-2 to PDH-4. Based on an average single-family detached household size of 3.00 in the Annandale Planning District and accounting for the existing one single-family detached home, the proposed development could add 102 new residents to the Mason Supervisory District.

### COMPREHENSIVE PLAN GUIDANCE

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

The Annandale District recommendations in the Area I Plan describe the need to upgrade athletic fields at existing parks to meet current and projected needs for these facilities (Area I, Annandale District, District-Wide Recommendations, Parks and Recreation, pp. 14). In addition, recommendations for the community planning sector containing this application site further describe the importance to protect and provide public access to stream valley resources (Area I, Annandale District, Indian Run Community Planning Sector, Parks and Recreation Recommendations, pg. 109).

Finally, text from the Annandale District chapter of the Great Parks, Great Communities Park Comprehensive Plan echoes recommendations in the Countywide Comprehensive Plan. Specific

District chapter recommendations include ensuring residents have adequate access to parkland and recreation facilities including stream valley corridors, and protecting natural resources from encroaching development.

## **ANALYSIS AND RECOMMENDATIONS**

### **Park Needs:**

Using adopted service level standards, staff has identified a need for local, district and countywide parkland and recreational facilities in this area. Existing nearby parks (Indian Run Stream Valley, Poe Terrace, Mason District, Mulberry Hill, Green Spring Gardens, Turkeycock Run Stream Valley, Belvedere, and Holmes Run Stream Valley) meet only a portion of the demand for parkland generated by residential development. Based on adopted County parkland standards, the proposed increase of 102 residents generates a need for about one-half acre of parkland. The Development Plan shows an onsite park but does not provide information about its size; only accumulated acreage with the RPA restoration area is indicated.

In addition to parkland, the recreational facilities in greatest need in this area include adult and youth baseball fields, basketball courts, playgrounds, and trails. The Development Plan shows a wood-chip trail that will provide pedestrian access from Randolph Drive on the southern boundary of the site through the RPA restoration area to an onsite sidewalk adjacent to an underground stormwater/BMP facility. The Development Plan states the onsite underground stormwater/BMP facility can potentially be covered in top soil, seeded and used as recreational space if warranted. No further information is included on the Development Plan to indicate what facilities will be provided in the onsite park spaces to meet the recreational needs of the residents.

### **Recreational Impact of Residential Development:**

The Fairfax County Zoning Ordinance requires provision of open space and recreational features within Planned Development Districts (see Zoning Ordinance Sections 6-110 and 16-404). The minimum expenditure for park and recreational facilities within these districts is set at \$1,600 per non-ADU residential unit for recreational facilities to serve the development population. Whenever possible, the facilities should be located within the residential development site. With 35 non-ADUs proposed, the Ordinance-required amount to be spent on-site is \$56,000. Any portion of this amount not spent onsite should be conveyed to the Park Authority for recreational facility construction at one or more park sites in the service area of the development.

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

With the Countywide Comprehensive Policy Plan as a guide (Appendix 9, #6 of the Land Use section, as well as Objective 6, Policy a, b and c of the Parks and Recreation section), the Park Authority requests a fair share contribution of \$893 per new resident with any residential rezoning application to offset impacts to park and recreation service levels. This allows the Park Authority to build additional facilities needed as the population increases. To offset the additional impact relative to the increased population of 102 new residents in the proposed development with little local parkland nearby, the applicant should contribute \$91,086 to the

Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

Natural Resources Impact:

Park Authority owns and maintains Indian Run Stream Valley Park downstream of the applicant's property. All plant materials to be installed should be non-invasive to reduce the spread of invasive species and protect the environmental health of parkland, due to the proximity of the subject property being less than 1,000 feet from the park.

The underground stormwater/BMP facility combined with the restoration of the perennial stream on the southern portion of the subject property will reduce discharge from the property over current conditions. The reduced discharge will lower phosphorous levels by a projected 50% and help restore both the functionality and habitat quality of the perennial stream. In addition, it should improve overall conditions in the watershed and contribute to improved conditions on the downstream parkland. The applicant should consider providing onsite interpretation signs of the underground stormwater/BMP facility and restored stream segment to help residents understand and appreciate not only the care taken in the planning and construction of this community, but their role in the watershed as stewards. In addition, the applicant may want to consider outreach to the nearby Thomas Jefferson High School for Science and Technology to allow engineering and environmental classes the opportunity to see how well designed development can improve the local environment and its importance in restoring ecological functions.

**SUMMARY OF RECOMMENDATIONS**

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

<b>Proposed Uses</b>	<b>P-District Onsite Expenditure</b>	<b>Requested Park Proffer Amount</b>	<b>Total</b>
Single-family Detached Homes	\$56,000	\$91,086	\$147,086
<b>Total</b>	<b>\$56,000</b>	<b>\$91,086</b>	<b>\$147,086</b>

In addition, the analysis identified the following major issues:

- Provide additional information about the size of the onsite park; separate from the accumulated acreage with the RPA restoration area.
- Provide additional information about recreational facilities to be provided in the onsite park spaces.
- All plant materials to be installed should be non-invasive.
- Consider providing onsite interpretation signs of the underground stormwater/BMP facility and the restored stream segment.

Please note the Park Authority would like to review and comment on proffers related to park and recreation issues. We request that draft and final proffers be submitted to the assigned reviewer noted below for review and comment prior to completion of the staff report and prior to final Board of Supervisors approval.

Barbara Berlin  
RZ/FDP 2011-MA-029, Neighborhoods VI LLC  
Page 4

FCPA Reviewer: Jay Rauschenbach  
DPZ Coordinator: William O'Donnell

Copy: Cindy Walsh, Director, Resource Management Division  
Chron Binder  
File Copy

P:\Park Planning\Development Plan Review\DPZ Applications\RZ\2011\RZ-FDP 2011-MA-029\RZ\_FDP 2011-PR-025-FCPA.doc



FAIRFAX COUNTY  
PUBLIC SCHOOLS

Department of Facilities and Transportation Services

Office of Facilities Planning Services  
8115 Gatehouse Road, Suite 3300  
Falls Church, Virginia 22042

November 7, 2011

**TO:** Barbara Berlin, Director  
Fairfax County Department of Planning & Zoning  
Zoning Evaluation Division

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

**SUBJECT:** RZ/FDP 2011-MA-029, Neighborhoods VI, LLC

**ACREAGE:** 8.79 acres

**TAX MAP:** 71-2 ((1)) 36; 71-2 ((13)) 1; 71-2 ((10)) 17A

**PROPOSAL:** Rezone property from the R-2 District to the PDH-4 District to permit 35 single family detached houses.

**COMMENTS:** The proposed rezoning area is within the Weyanoke Elementary, Holmes Middle, and Annandale High school boundaries. The chart below shows the existing school capacity, enrollment, and projected enrollment.

School	Capacity	Enrollment (9/30/11)	2012-2013 Projected Enrollment	Capacity Balance 2012-2013	2016-17 Projected Enrollment	Capacity Balance 2016-17
Weyanoke Elementary	642	576	563	79	688	-46
Holmes Middle	1086	778	759	327	840	246
Annandale High	2562	2486	2529	33	2704	-142

*Capacity and enrollment are based on the FCPS FY 2013-17 draft CIP to be adopted by the School Board.*

The school capacity chart above shows a snapshot in time for student enrollments and school capacity balances. Student enrollment projections are done on a six year timeframe, currently through school year 2016-17 and are updated annually. At this time, if development occurs within the next six years, Weyanoke Elementary and Annandale High are projected to have a capacity deficit. Holmes is projected to have capacity. Beyond the six year projection horizon, enrollment projections are not available.

The rezoning application proposes to rezone property from the R-2 District to the PDH-4 District to permit 35 single family detached houses. The property contains 8 acres and currently operates as a plant nursery. It appears based on the 8 acre site and on the current zoning, the maximum development potential would be four single family dwelling units, if developed by-right.

Based on the number of residential units proposed, the chart below shows the number of anticipated students by school level based on the current countywide student yield ratio.

School level	Single family detached ratio	Proposed # of units	Student yield	Single family detached ratio	Current # of units permitted by-right	Student yield
Elementary	.266	35	9	.266	4	1
Middle	.084	35	3	.084	4	0
High	.181	35	6	.181	4	1
<b>18 total</b>						<b>2</b>

### SUMMARY:

#### Suggested Proffer Contribution

The rezoning application is anticipated to yield 16 new students. Based on the approved proffer formula guidelines, the students generated would justify a proffer contribution of \$150,048 (16 students x \$9,378) in order to address capital improvements for the receiving schools. It is recommended that all proffer contributions be directed to the Annandale High School pyramid and/or to Cluster III schools that encompass this area at the time of site plan approval or building permit approval. It is also recommended that notification be given to FCPS when construction is anticipated to commence. This will assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

In addition, an "escalation" proffer is recommended. The suggested per student proffer contribution is updated on an annual basis to reflect current market conditions. The amount has decreased over the last couple of years because of the down turn in the economy and lower construction costs for FCPS. As a result, an escalation proffer would allow for payment of the school proffer based on either the current suggested per student proffer contribution at the time of zoning approval or the per student proffer contribution in effect at the time of development, whichever is greater. This would better offset the impact that new student yields will have on surrounding schools at the time of development. For your reference, below is an example of an escalation proffer that was included as part of an approved proffer contribution to FCPS.

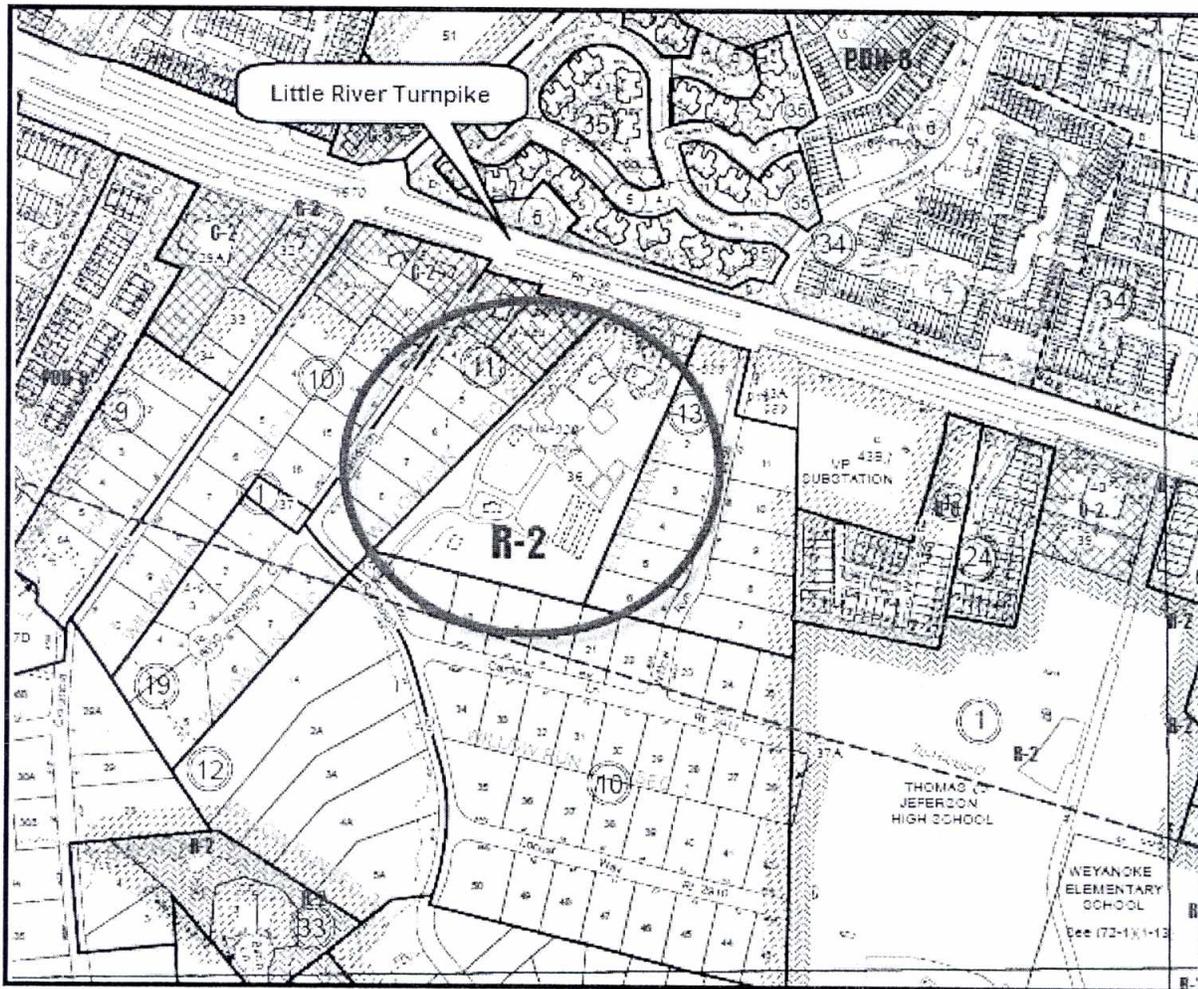
- A. Adjustment to Contribution Amounts. Following approval of this Application and prior to the Applicant's payment of the amount(s) set forth in this Proffer, if Fairfax County should increase the ratio of students per high-rise multifamily unit or the amount of the contribution per student, the Applicant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

DMJ/mat

Attachment: Locator Map

cc: Sandy Evans, School Board, Mason District  
 Ilryong Moon, School Board, At-Large  
 James L. Raney, School Board, At-Large  
 Martina A. Hone, School Board, At-Large  
 Dean Tistadt, Chief Operating Officer  
 Dan Parris, Cluster III, Assistant Superintendent  
 Annette Almedina-Cabrera, Principal, Weyanoke Elementary School  
 Roberto Pamas, Principal, Holmes Middle School  
 Vincent Randazzo, Principal, Annandale High School

Fairfax County Public Schools  
Office of Facilities Planning Services





## County of Fairfax, Virginia

**MEMORANDUM**

DATE: October 3, 2011

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

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

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Rezoning/Final  
Development Application RZ/FDP 2011-MA-029

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #408, **Annandale**
2. After construction programmed \_\_\_ (n/a)\_\_\_ this property will be serviced by the fire station \_\_\_\_\_ (n/a)\_\_\_\_\_





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** October 26, 2011

**TO:** Billy O'Donnell  
Zoning Evaluation Division  
Department of Planning & Zoning

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

**SUBJECT:** Sanitary Sewer Analysis Report

**REFERENCE:** Application No. RZ2011-MA-029  
  
Tax Map No. 071-2- /01/0036, /10/ /0017A, /13/ /0001

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

1. The application property is located in the Cameron Run (I-3) watershed. It would be sewerred into the Alexandria Sanitation Authority (ASA).
2. Based upon current and committed flow, there is excess capacity in the ASA. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8" inch line located in the street is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

Sewer Network	Existing Use +Application		Existing Use + Application Previous Rezoning		Existing Use + Application + Comp Plan	
	Adeq.	Inadeq.	Adeq.	Inadeq.	Adeq.	Inadeq.
Collector	<u>X</u>	_____	<u>X</u>	_____	<u>X</u>	_____
Submain	<u>X</u>	_____	<u>X</u>	_____	<u>X</u>	_____
Main/Trunk	<u>X</u>	_____	<u>X</u>	_____	<u>X</u>	_____
Interceptor	_____	_____	_____	_____	_____	_____
Outfall	_____	_____	_____	_____	_____	_____

5. Other pertinent information or comments:





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

**PLANNING & ENGINEERING  
DIVISION**

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

October 4, 2011

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

Re: RZ 2011-MA-029  
FDP 2011-MA-029  
Callaway  
Tax Map: 71-2

Dear Ms. Berlin:

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

1. The property can be served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 30-inch water main in Little River Turnpike. See the enclosed water system map.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.
4. Relocation of distribution/transmission water facilities necessary to accommodate this development plan will be at the owners' expense, and must be approved in advance by Fairfax Water.
5. In accordance with Fairfax Water policy (copy enclosed) all developer proposed relocations of Fairfax Water transmission mains greater than 16-inches in diameter require the approval of the Fairfax Water Board. If it is determined that the proposed construction requires a relocation, the applicant must submit a letter to the attention of Ms. Jamie Bain Hedges, P.E., Director, Planning and

Engineering, requesting permission to relocate the existing transmission main.  
Relocation of the transmission main, if approved, is at the owner's expense.

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

Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg".

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

Enclosure

cc: Dennis Dixon, BC Consultants

## **Transmission Main Relocation Policy**

**Adopted April 23, 2009**

Water mains larger than 16-inches in diameter constitute the backbone of the Fairfax County Water Authority's (Authority) transmission system. Their continuous operation is necessary to best ensure adequate flow and pressure throughout the system for the provision of domestic service and fire protection. These transmission mains are located in easements benefitting the Authority and in state right-of-ways with approval of the Virginia Department of Transportation.

Occasionally, private land developers request permission to relocate portions of the Authority's transmission mains to facilitate best use of the developer's property. Given the significant risk and high degree of coordination necessary to effectively relocate transmission mains without compromising the integrity of the Authority's operations during these activities, all proposed relocations of water mains larger than 16-inches in diameter that are initiated by private development activity must be submitted to the Authority Board for approval

When reviewing proposed relocations, the Board will consider various factors, including but not limited to:

- 1) The extent of the relocation.
- 2) The anticipated transmission main outage duration during tie-ins.
- 3) The impact to the local service area and the overall system.
- 4) The level of staff effort required to effectively coordinate and execute the relocation.
- 5) The benefits to the Authority of the proposed relocation.

Upon a request from a private developer to relocate a water main larger than 16-inches in diameter, Authority staff will prepare an item discussing the above factors for the Board's consideration.

All such transmission relocations approved by the Authority shall be designed, constructed and completed at the sole cost and expense of the developer, including a reasonable fee to compensate the Authority for staff time devoted to the review, inspection and approval of such relocation. For all approved transmission relocations, the Authority shall require the developer to enter into a written agreement that obligates the developer to complete all work in accordance with the plans approved by the Authority for such relocation. Whether the subject property will be served by the Authority or by another public water utility shall not be a factor in the Board's consideration of whether to approve a relocation request.





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** January 19, 2012

**TO:** Billy O'Donnell, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

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

**SUBJECT:** Rezoning/Final Development Plan Application #RZ/FDP 2011-MA-029, Neighborhoods VI – Callaway, Conceptual/Final Development Plan dated 6 January 2012, LDS Project #25234-ZONA-001-3, Tax Map #71-2-01-0036, #71-2-13-0001 and #71-2-10-0017A, Mason District

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

### Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. A site-specific, field-verified RPA delineation study has been recently approved, #25234-RPA-001-1. The RPA boundary shown on a number of the sheets submitted is an approximation and not the location of the boundary on the approved delineation. Disturbance within the RPA has been proposed:

- Invasive species management within the RPA (Sheet 13) will require written authorization from the DPWES director (CBPO 118-3-3(d)).
- Any vegetation removed from the RPA must be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution.
- A trail is proposed to be constructed within the RPA; at the subdivision plan stage a letter from the director of DPWES will be required to approve this exempt use (CBPO 118-5-3(a)).
- The stream restoration and storm drain improvements within the RPA are allowed uses; approval by the director is required. A Water Quality Impact Assessment (WQIA) for the work can be submitted in conjunction with the subdivision's construction plan (CBPO 118-2-1(b)).
- Should disturbance within the RPA be necessary to construct the detention facility, the disturbance would be considered redevelopment in the RPA. As an allowed use, approval by the director is required for the redevelopment. The required WQIA would be able to be submitted in conjunction with the subdivision's construction plan (CBPO 118-4-4).



Billy O'Donnell, Staff Coordinator

Rezoning/Final Development Plan Application #RZ/FPD 2011-MA-029, Neighborhoods VI – Callaway

January 19, 2012

Page 3 of 3

- The first paragraph of Proffer #22 should include infiltration trenches in its list instead of infiltration ditches.
- Proffer #23 might also mention a second escrow account for the replacement of any underground detention facility. If DPWES recommends that a waiver for an underground facility to be approved, staff will recommend that such an escrow account be initiated by the developer.
- Proffer #38 should be an Invasive Plant Species Management Plan only. There is no criteria listed here for any stream restoration monitoring or repair. Written approval from the director of DPWES is required before any invasive control project is initiated (CBPO 118-3-3(d)).

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

BF/

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



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** January 19, 2012

**TO:** Billy O'Donnell, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

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

**SUBJECT:** Callaway Subdivision, Rezoning/Final Development Plan #RZ/FPD 2011-MA-029 dated 6 January 2012, Tax Map #71-2-01-0036, 71-2-10-0017A, 71-2-13-0001, Mason District

**REFERENCE:** Waiver #25234-WPFM-001-1 for the Location of Underground Facilities in a Residential Area

We have reviewed the referenced submission for consistency with Section 6-0303.8 of the Public Facilities Manual (PFM) which restricts use of underground stormwater management facilities located in a residential development (Attachment B). The Board of Supervisors (Board) may grant a waiver after taking into consideration possible impacts on public safety, the environment, and the burden placed on prospective property owners for maintenance. Underground stormwater management facilities located in residential developments allowed by the Board:

- shall be privately maintained,
- shall be disclosed as part of the chain of title to all future owners responsible for maintenance of the facilities,
- shall not be located in a County storm drainage easement, and
- shall have a private maintenance agreement, in a form acceptable to the Director of the Department of Public Works and Environmental Services (DPWES), executed before the construction plan is approved.

The developer of the Callaway Subdivision has submitted a conceptual/final development plan to allow the redevelopment of the site. The site's current use is a retail garden center. The developer proposes to subdivide the property into 35 single-family lots as well as outlots to be owned by a future homeowners association (HOA).

The site was originally developed before the county's current detention requirements were promulgated; no detention facilities exist on the property. The stormwater detention has been proposed to be provided by RainTank facilities. At the current time, DPWES is not approving new construction plans using RainTanks nor other types of modular plastic detention facilities.



Billy O'Donnell, Staff Coordinator  
Waiver #25234-WPFM-001-1, Callaway Subdivision Underground Detention  
January 19, 2012  
Page 3 of 3

If it is the intent of the Board to approve the waiver request, staff recommends the property owner be required to execute a maintenance agreement prior to subdivision construction plan approval. Staff further recommends the property owner be required to establish a financial plan for the operation, inspection, and maintenance of the underground facilities. The property owner should be required to establish a fund for the annual maintenance. Staff recommends that the property owner provide an initial deposit in an escrow account in an amount equal to the estimated costs for the first 20 years of maintenance of the facilities before construction plan approval.

*Future Replacement:* The engineer has estimated the construction cost of the facility to be \$325,000; staff finds the estimate reasonable. The replacement costs will be similar to the construction costs. Based on this cost and a 50-year lifespan of concrete, staff estimates that the annual cost per unit to fund the facility's replacement would be \$186.

A retaining wall, as high as 8 feet in height, is less than 10 feet from the underground facility. The wall will complicate replacement of the underground facility when it becomes necessary.

If it is the intent of the Board to approve the waiver request, the property owner should be required, as a waiver condition, to address future replacement of the underground facility as part of its private maintenance agreement with the County. In order to maximize the useful life of the underground facilities, the property owner must be required to construct an underground vault with reinforced concrete products only. A replacement cost fund, based on an estimated 50-year lifespan for concrete products, should be established. The replacement reserve fund must be separate from the annual maintenance fund to ensure the monies are available at the time replacement is necessary and have not been previously spent on maintenance activities.

#### RECOMMENDATION

DPWES recommends that the Board approve the waiver to locate an underground detention facility at Callaway, a residential development. If it is the intent of the Board to approve the waiver, DPWES recommends the approval be subject to Waiver #25234-WPFM-001-1 Conditions, Callaway Subdivision dated January 19, 2012, as contained in Attachment A.

If you have any questions, or need further assistance, please contact me at 703-324-1720.

#### ATTACHED DOCUMENTS

Attachment A – Waiver #25234-WPFM-001-1 Conditions, Callaway Subdivision dated  
January 19, 2012  
Attachment B – PFM Section 6-0303.8

BF/

cc: Robert A. Stalzer, Deputy County Executive  
James Patteson, Director, DPWES  
Michelle Brickner, Deputy Director for Land Development Services, DPWES  
Steve Aitcheson, Director, Maintenance and Stormwater Management Division, DPWES  
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Branch, SDID, DPWES  
Zoning Application File (25234-ZONA-001)  
Waiver File

Waiver #25234-WPFM-001-1 Conditions

Callaway Subdivision  
Rezoning/Final Development Plan #RZ/FDP 2011-MA-029  
January 19, 2012

1. The underground facility shall be constructed in accordance with the development plan and these conditions as determined by the Director of the Department of Public Works and Environmental Services (DPWES).
2. To provide greater accessibility for maintenance purposes, the underground facility shall have a minimum height of 72 inches.
3. Any underground vault shall be constructed of reinforced concrete products only.
4. Should infiltration of stormwater be an opportunity at the facility's location, it must be pursued; a subdivision construction plan including a concrete vault shall not be approved.
5. The underground facility shall incorporate appropriate safety features, such as locking manholes and doors, as determined by DPWES at the time of construction plan submission.
6. The underground facility shall be privately maintained and shall not be located in a County storm drain easement.
7. A private maintenance agreement, as reviewed and approved by the Fairfax County Attorney's Office, shall be executed and recorded in the Land Records of the County prior to final plan approval. The maintenance agreement shall run with the land, its successors and assigns. The private maintenance agreement shall include:
  - A condition that the property owner and its successors or assigns shall not petition the County to assume the maintenance, or the replacement, of the underground facility.
  - A reference the establishment of the reserve funds for the maintenance and replacement of the underground facility.
  - A reference to the operation, inspection, and maintenance procedures detailed in the subdivision construction plan.
  - A condition that the property owner provide and continuously maintain liability insurance. The typical liability insurance amount is at least \$1,000,000 against claims associated with underground facility.
  - A statement that Fairfax County shall be held harmless from any liability associated with the facility.
8. The underground facility shall be configured to indirectly receive stormwater runoff, that is, to be an off-line facility.
9. Operation, inspection, and maintenance procedures associated with the underground facility shall be included in the subdivision construction plan to ensure the safe operation, inspection, and maintenance of the facility. The procedures shall include:

Fairfax County Government  
Public Facilities Manual  
Chapter 6 – Storm Drainage

§6-0303.8 (24-88-PFM, 83-04-PFM) Underground detention facilities may not be used in residential developments, including rental townhouses, condominiums and apartments, unless specifically waived by the Board of Supervisors (Board) in conjunction with the approval of a rezoning, proffered condition amendment, special exception, or special exception amendment. In addition, after receiving input from the Director regarding a request by the property owner(s) to use underground detention in a residential development, the Board may grant a waiver if an application for rezoning, proffered condition amendment, special exception, and special exception amendment was approved prior to, June 8, 2004, and if an underground detention facility was a feature shown on an approved proffered development plan or on an approved special exception plat. Any decision by the Board to grant a waiver shall take into consideration possible impacts on public safety, the environment, and the burden placed on prospective owners for maintenance of the facilities. Any property owner(s) seeking a waiver shall provide for adequate funding for maintenance of the facilities where deemed appropriate by the Board. Underground detention facilities approved for use in residential developments by the Board shall be privately maintained, shall be disclosed as part of the chain of title to all future homeowners (e.g. individual members of a homeowners or condominium association) responsible for maintenance of the facilities, shall not be located in a County storm drainage easement, and a private maintenance agreement in a form acceptable to the Director must be executed before the construction plan is approved. Underground detention facilities may be used in commercial and industrial developments where private maintenance agreements are executed and the facilities are not located in a County storm drainage easement.

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

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

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

**16-102 Design Standards**

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

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

## GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals.

It should not be construed as representing legal definitions.

Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

**ABANDONMENT:** Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

**ACCESSORY DWELLING UNIT (OR APARTMENT):** A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

**AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT:** Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

**AGRICULTURAL AND FORESTAL DISTRICTS:** A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

**BARRIER:** A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

**BEST MANAGEMENT PRACTICES (BMPs):** Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

**BUFFER:** Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

**CHESAPEAKE BAY PRESERVATION ORDINANCE:** Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

**CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

**COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

**dBA:** The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

**DENSITY:** Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

**DENSITY BONUS:** An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

**DEVELOPMENT CONDITIONS:** Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

**DEVELOPMENT PLAN:** A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

**EASEMENT:** A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

**ENVIRONMENTAL QUALITY CORRIDORS (EQCs):** An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

**ERODIBLE SOILS:** Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

**FLOODPLAIN:** Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

**FLOOR AREA RATIO (FAR):** An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

**FUNCTIONAL CLASSIFICATION:** A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

**GEOTECHNICAL REVIEW:** An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

**HYDROCARBON RUNOFF:** Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

**IMPERVIOUS SURFACE:** Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

**INFILL:** Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

**INTENSITY:** The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

**Ldn:** Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

**LEVEL OF SERVICE (LOS):** An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

**MARINE-CLAY SOILS:** Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

**OPEN SPACE:** That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

**OPEN SPACE EASEMENT:** An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

**P DISTRICT:** A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

**PROFFER:** A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

**PUBLIC FACILITIES MANUAL (PFM):** A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

**RESOURCE MANAGEMENT AREA (RMA):** That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**RESOURCE PROTECTION AREA (RPA):** That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**SITE PLAN:** A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

**SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP):** Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

**STORMWATER MANAGEMENT:** Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

**SUBDIVISION PLAT:** The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

**TRANSPORTATION DEMAND MANAGEMENT (TDM):** Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

**TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS:** This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

**URBAN DESIGN:** An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

**VACATION:** Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

**VARIANCE:** An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

**WETLANDS:** Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

**TIDAL WETLANDS:** Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

#### Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		