



FAIRFAX COUNTY

APPLICATION FILED: January 2, 2002
PLANNING COMMISSION: March 21, 2002

V I R G I N I A

March 7, 2002

STAFF REPORT

APPLICATION FDPA 2001-MV-025

MOUNT VERNON DISTRICT

APPLICANT:	Pulte Home Corporation
PRESENT ZONING:	PDH-4
PARCEL(S):	106-4 ((1)) 54 pt.
ACREAGE:	57.73 acres
DENSITY:	4.12 du/ac Land Bay E 2.8 du/ac overall
OPEN SPACE:	16.6 acres (28 percent) Land Bay E 25 percent overall
PLAN MAP:	4-6 du/ac
PROPOSAL:	Amend the Final Development Plan for Land Bay E of the Laurel Hill South development to Allow 150 Single Family Attached Dwelling Units and 88 Single Family Detached Dwelling Units
WAIVERS AND MODIFICATIONS:	None

STAFF RECOMMENDATIONS:

Staff recommends that FDPA 2001-MV-025 be approved subject to the proposed development conditions contained in Appendix 1.

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

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

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



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

FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION

FDPA 2001-MV-025

FDPA 01-V-025

FILED 01/02/02

PULTE HOME CORPORATION

FINAL DEVELOPMENT PLAN AMENDMENT

PROPOSED: RESIDENTIAL DEVELOPMENT

APPROX. 57.73 ACRES OF LAND; DISTRICT - MT VERNON

LOCATED: NORTH OF SILVERBROOK ROAD APPROXIMATELY

4600 FEET NORTH OF ITS INTERSECTION

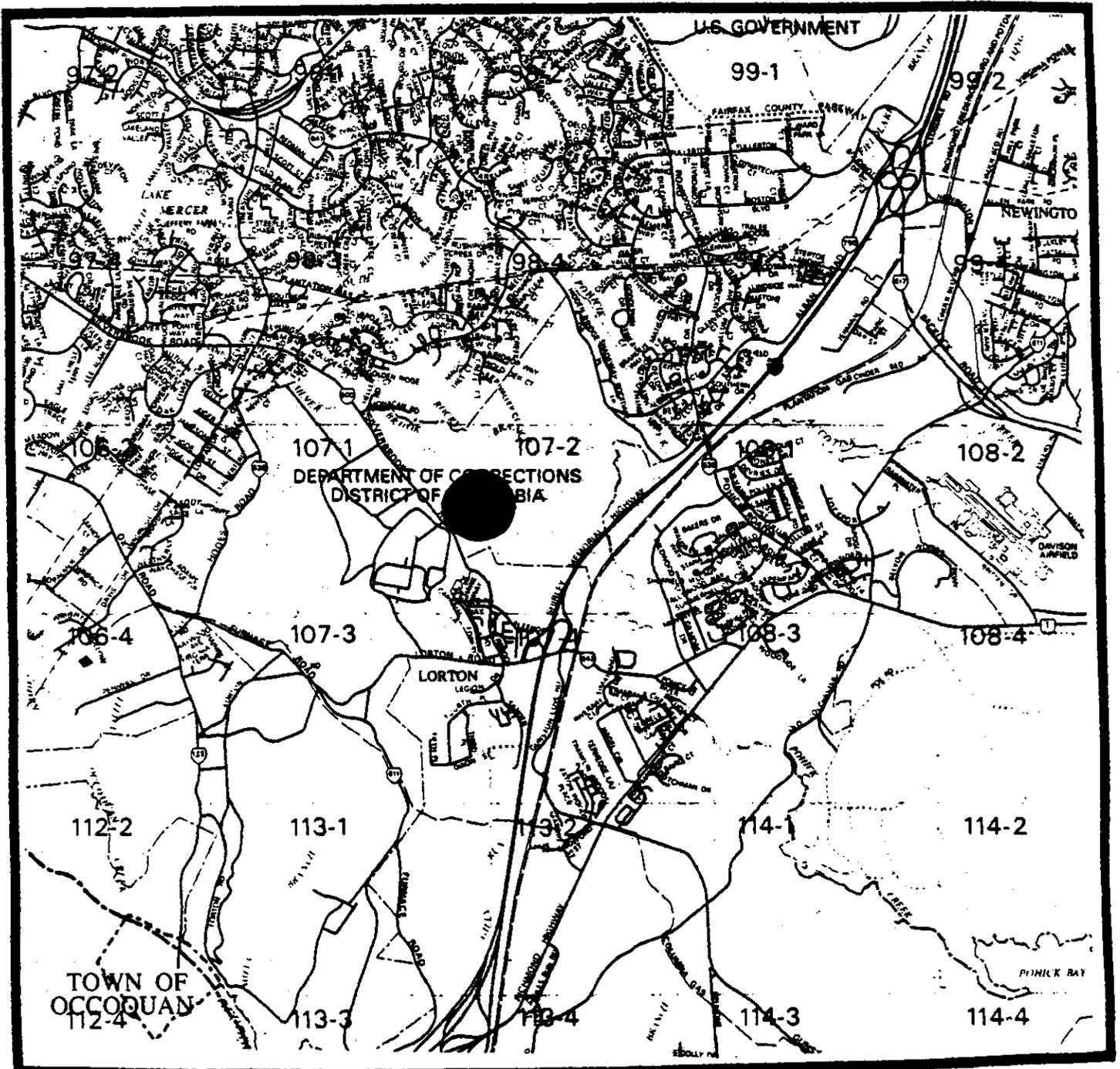
WITH PLASKETT LANE

ZDNING: PDH- 4

OVERLAY DISTRICT(S):

MAP REF

106-4- /01/ /0054- P



FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION

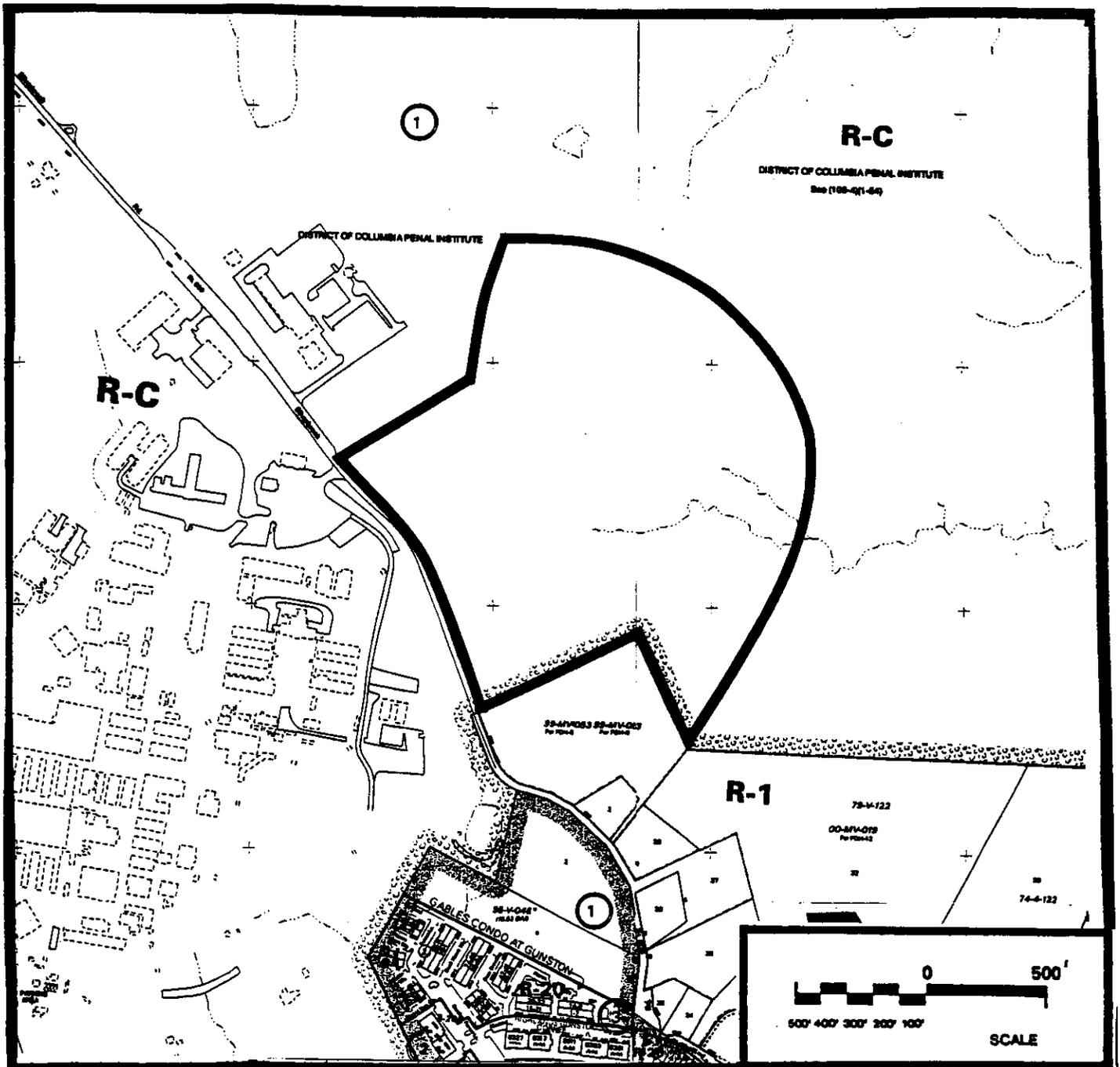
FDPA 2001-MV-025

FDPA 01-V-025
FILED 01/02/02

PULTE HOME CORPORATION
FINAL DEVELOPMENT PLAN AMENDMENT
PROPOSED: RESIDENTIAL DEVELOPMENT
APPROX. 57.73 ACRES OF LAND; DISTRICT - MT VERNON
LOCATED: EAST OF SILVERBROOK ROAD APPROXIMATELY
4600 FEET NORTH OF ITS INTERSECTION
WITH PLASKETT LANE

ZONING: PDH- 4
OVERLAY DISTRICT(S):
106-4- /01/ /0054- P

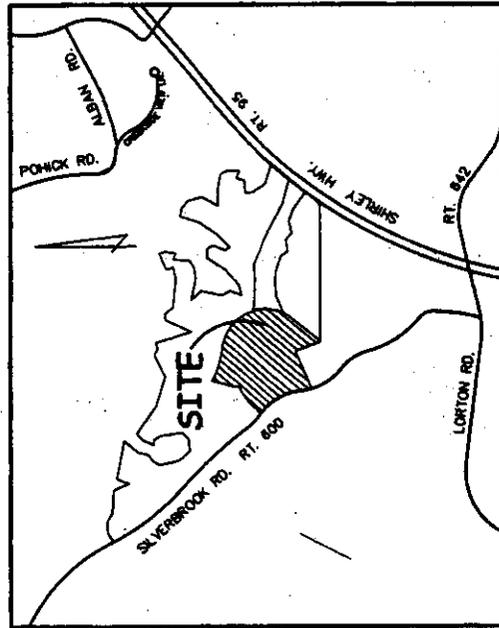
MAP REF



LAUREL HILL SOUTH LANDBAY E

MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

FINAL DEVELOPMENT PLAN AMENDMENT



VICINITY MAP
SCALE: 1" = 2,000'

SHEET INDEX:

1. COVER SHEET
2. NOTES AND TABULATIONS
3. COMPOSITE PLAN
4. FINAL DEVELOPMENT PLAN AMENDMENT
5. ENTRANCE LANDSCAPE DETAIL AND HOUSE WALL DETAILS
6. LOT DETAILS-TYPICAL LOT LANDSCAPE-ELEVATIONS
7. SITE IDENTITIES/FURNITURE

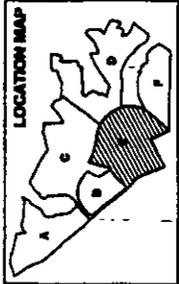
AGENT FOR APPLICANT
PULTE HOME CORPORATION
10600 ARROWHEAD DRIVE, SUITE 225
FAIRFAX, VIRGINIA 22030

NOVEMBER 15, 2001
FEBRUARY 26, 2003



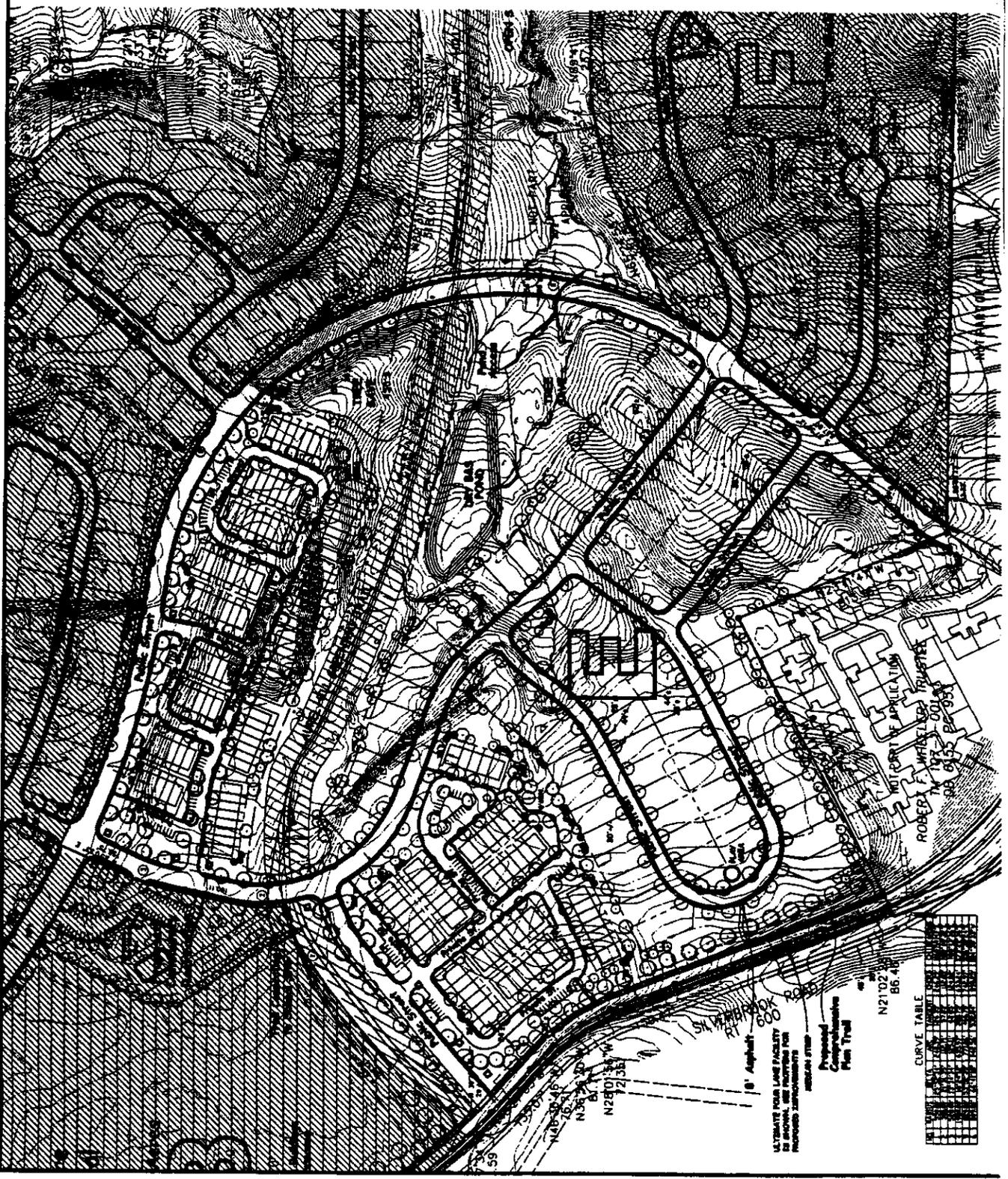
Dowberry & Davis LLC
A Landscape Architecture Firm
10000 W. WOODBURN
FAIRFAX, VA 22030
(703) 248-0100 Fax (703) 448-0110

LAUREL HILL SOUTH
LANDBAY E
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA
FINAL DEVELOPMENT PLAN AMENDMENT
FP/A 2001-27-025



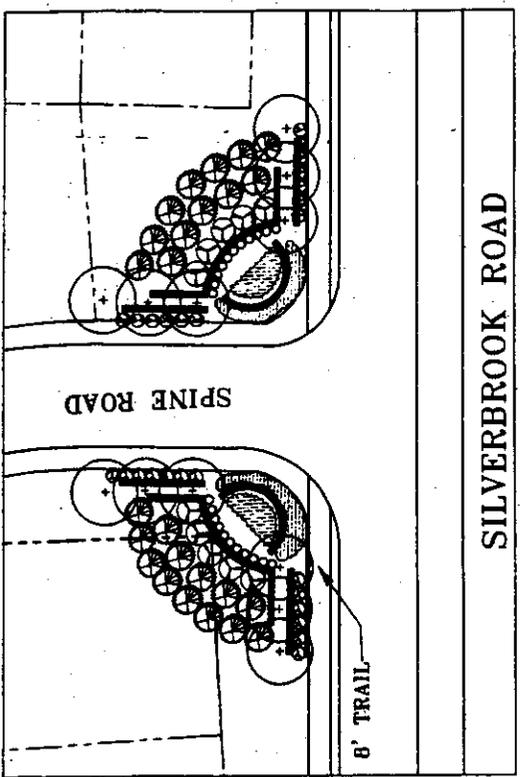
- Legend:**
- Existing LDC
 - Existing Throughway Limits
 - Existing Utility
 - Proposed Limits of Overlay
 - Proposed Comprehensive Plan Text
 - Proposed Street
 - Proposed Stormwater Management
 - Proposed Landmark Fencing

This plan shall be subject to the review and approval of the Board of Supervisors of Fairfax County, Virginia, and shall be subject to the review and approval of the Board of Supervisors of Fairfax County, Virginia.

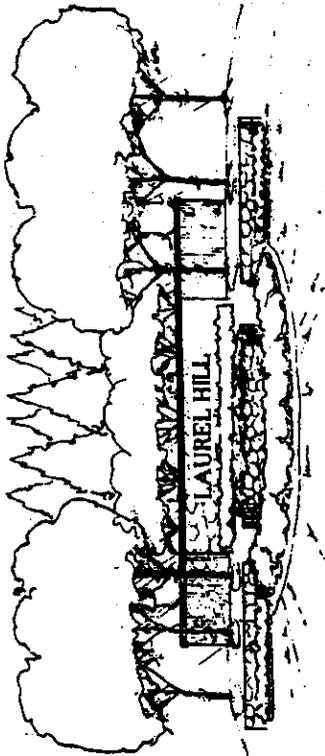


CURVE TABLE

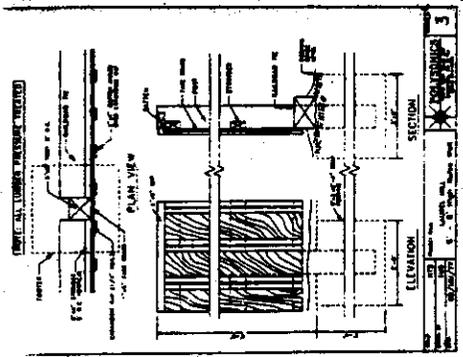
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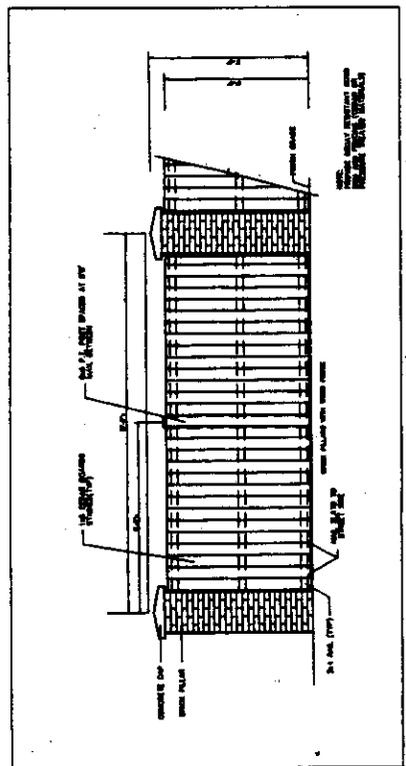
ENTRANCE PLAN



ENTRANCE ELEVATION



NOISE WALL DETAILS FOR FENCING IN LANDBAYS 'D' & 'F'

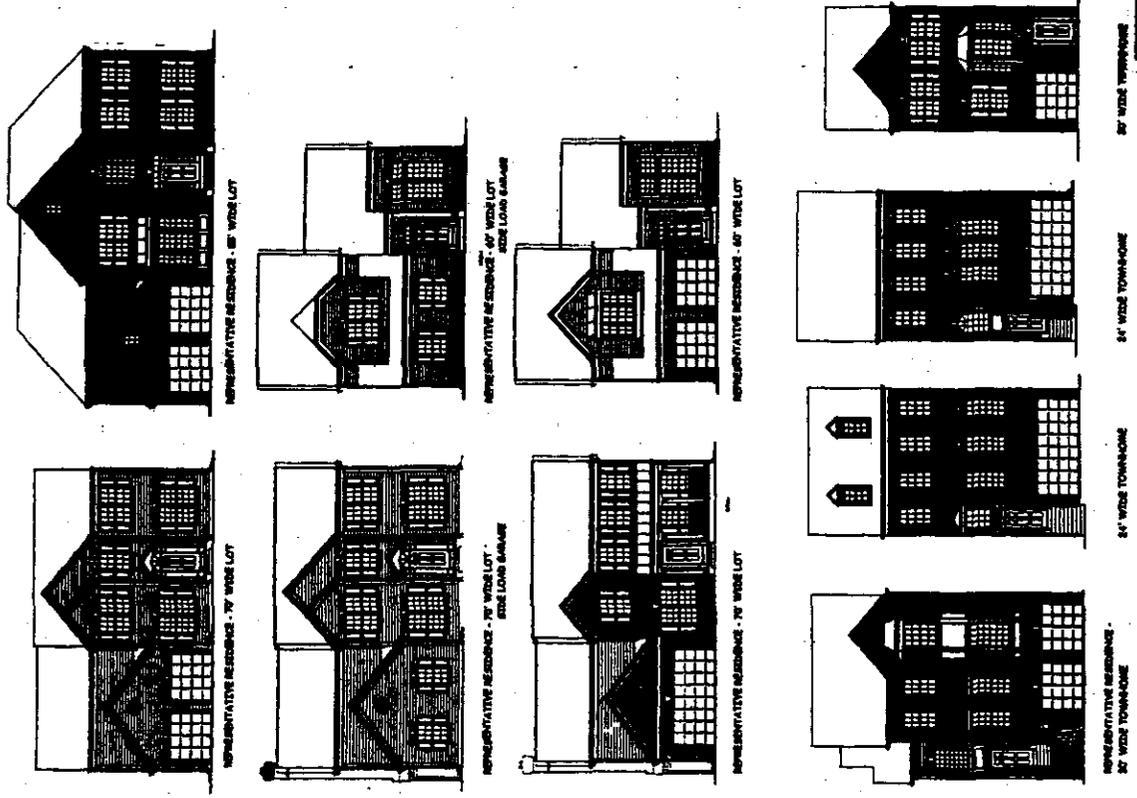


TYP. NOISE ATTENUATION/DECORATIVE FENCE

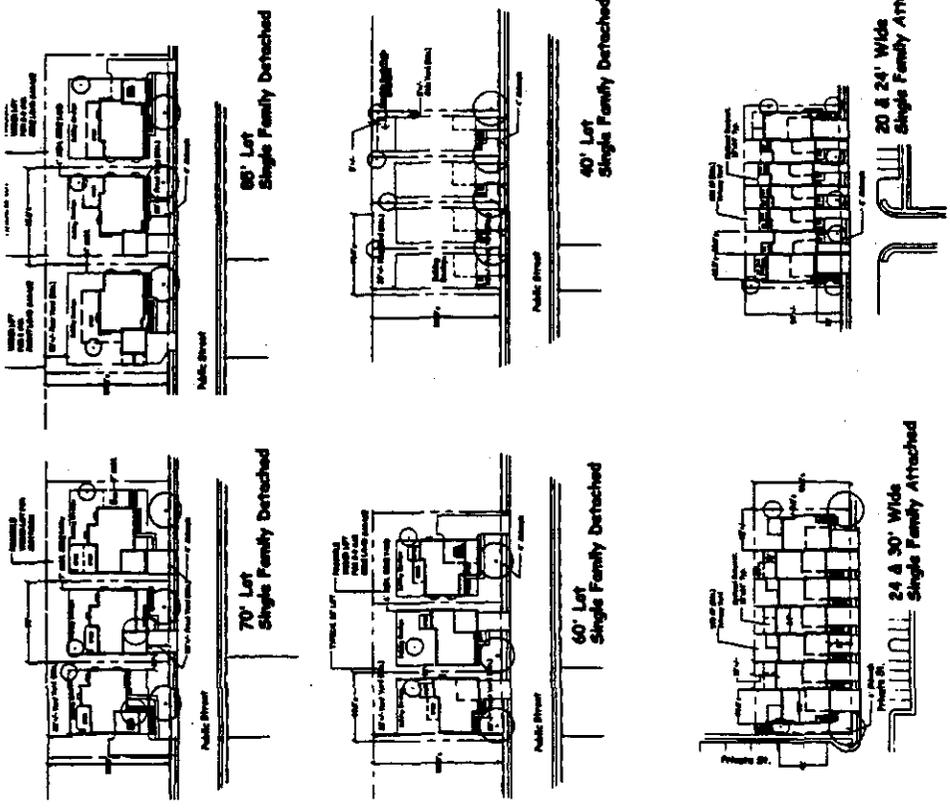
LANDBAY 'A' FRONTAGE - SILVERBROOK RD.



RZ / FDP 2001 - MW-025

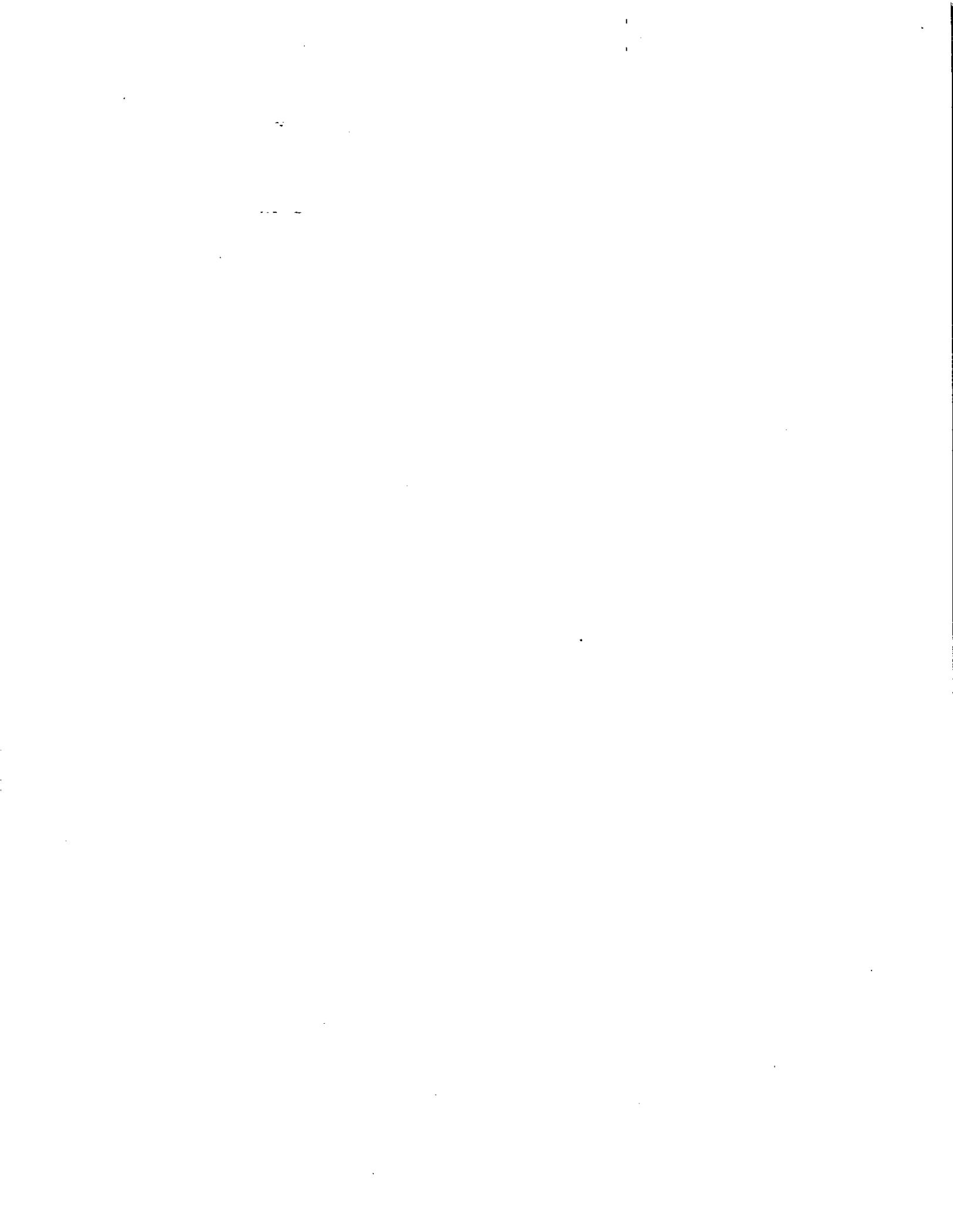


TYPICAL HOUSE ELEVATIONS
 Not To Scale



- LANDSCAPE LEGEND
- STREET TREES / LARGE CANOPY TREES
2" = 2 1/2" CALIPER
 - ORNAMENTAL AND MEDIUM CANOPY TREES
6" - 8" Height
 - EVERGREEN TREES
6" - 8" Height
 - FOUNDATION PLANTING (GENERALIZED)

TYPICAL LOT LAYOUT DETAILS
 SCALE 1" = 50'



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

DESCRIPTION OF THE APPLICATION

The applicant, the Pulte Home Corporation, is requesting approval of a revised Final Development Plan for Land Bay E of Laurel Hill South, which is a 57.73 acre portion of the 261 acre PDH-4 District, approved by the Board of Supervisors on October 22, 2001. The revised final development plan depicts a total of 238 dwelling units consisting of 150 single family attached dwelling units and 88 single family detached dwelling units. The maximum building height would be 35 feet. The proportion of open space is 28 percent or 16.6 acres.

A reduced copy of the proposed Final Development Plan is included in the front of this report. The Proposed Development Conditions are contained in Appendix 1. The applicant's affidavit is Appendix 2 and the applicant's statements regarding the application are included as Appendix 3.

Approval of a final development plan is subject to the General Standards and the Design Standards found in Part 1 of Article 16, Development Plans. The relevant standards are contained in the Excerpts from the Zoning Ordinance found in Appendix 7.

LOCATION AND CHARACTER

Land Bay E of Laurel Hill South is located to the east of Silverbrook Road and south of where that road is crossed by the Laurel Hill Greenway, a future trail that follows the alignment of a former rail line. Land Bay E is currently undeveloped and is largely open field along Silverbrook Road with a wooded area along the stream that crosses its eastern boundary. This stream valley was the subject of a petroleum products spill, which has been remediated in accordance with the memorandum of understanding between the County and the General Services Administration related to the transfer of the former Lorton Reformatory to the County.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan Map
North	Laurel Hill South Land Bay B (Approved for Elementary School)	PDH-4	Institutional
	Laurel Hill South Land Bay C (Approved for Single Family Detached Dwellings)	PDH-4	2-4 du/ac
South	Large Lot Single Family Detached ¹	PDH-8	5-8 du/ac
East	Laurel Hill South Land Bay D	PDH-4	1-2 du/ac

SURROUNDING AREA DESCRIPTION			
	Laurel Hill Land Bay F (Approved for Single Family Detached Dwellings)		2-4 du/ac
West	Lorton Reformatory (closed)	R-C	Public Park Adaptive Reuse of Historic property

1. Rezoned to the PDH-8 District pursuant to the approval of RZ/FDP 1998-MV-053 to allow the development of clustered single family detached dwellings at a density of 6.6 du/ac.

BACKGROUND

Land Bay E is one of six land bays included in RZ 2001-MV-025, known as Laurel Hill South, which was approved by the Board of Supervisors on October 22, 2001. Laurel Hill South and Laurel Hill North (RZ 2001-MV-026), a companion application, were part of the trade of land involving Meadowood Farm on Mason Neck and residentially planned land northeast of Silverbrook Road that is part of the District of Columbia Department of Corrections Facility in Lorton (DCDC). The trade was addressed by the federal legislation related to the closing of the DCDC. The trade is reflected in the Plan text related to the Laurel Hill Community Planning Sector, which provides options for development with and without the proposed land trade. RZ 2001-MV-025 and RZ 2001-MV-026 approvals were based on the option with the land trade. The land included in the two companion applications has been transferred to the Pulte Home Corporation. The remainder of the DCDC property not included in either application located between Silverbrook Road and Pohick Road is to be acquired by the County for parkland. This land includes the environmental quality corridors that abuts the application properties for RZ 2001-MV-025 and RZ 2001-MV-026.

The combined CDP/FDP submitted with the Laurel Hill South rezoning application included two different layouts for Land Bay E. The principal difference between the two layouts related to the number of single family attached dwelling units shown. The applicant, Pulte Home Corporation, proposed two layouts because the adopted Comprehensive Plan text for Laurel Hill in effect in October of 2001 included a limitation on the proportion of single family attached dwelling units to total number of dwelling units within Sub-Unit 2B. The applicant's preferred layout (Concept A and the subject of this current application) included 150 single family attached dwelling units and 88 single family detached dwelling units for a total of 238 dwelling units; however, this proposal exceeded the recommended twenty percent limitation on the proportion of single family attached dwellings within Sub-unit 2B (the resultant proportion of attached dwelling units is thirty-two percent). An alternate layout (Concept B) that included a total of 242 dwelling units, consisting of 77 single family attached dwelling units and 165

single family detached dwelling units was also included in the combined CDP/FDP. The following chart illustrates the differences to the two layouts.

Land Bay E	Acreage	Unit Mix	Density	Open Space
Concept A (Proposed FDPA)	57.73 ac.	150 sfa 88 sfd 238 total	4.12 du/ac	16.60 ac.
Concept B, Approved FDP)	57.73 ac.	77 sfa 165 sfd 242 total	4.19 du/ac	11.50 ac.

The Planning Commission approved the FDP for Concept B (the layout with 77 single family attached dwelling units) and did not approve the FDP for Concept A (the layout with 150 single family attached dwelling units). The accepted proffers and the approved Conceptual Development Plan for Laurel Hill South, RZ 2001-MV-025 included an optional layout based on Concept A, allowing the final development plan for Option A to be filed without amending either the proffers or the CDP. Additionally, on the same date as the approval of the rezoning application, October 22, 2001, the Board of Supervisors authorized an Out-of-Turn Plan Amendment (OTPA) to facilitate the review of the preferred option (Concept A). The Board of Supervisors approved OTPA S01-IV-LP2 on March 4, 2002. With that approval, the limitation on the proportion of single family attached dwelling units was raised from twenty percent to thirty-five percent.

Appendix 4 includes a copy of the Clerk to the Board's letter regarding the approval of RZ 2001-MV-025, which includes the motion authorizing the Out-of-Turn Plan Amendment, and the accepted proffers for that case. Appendix 5 includes copies of selected sheets of the approved combined Conceptual/Final Development Plans for Laurel Hill South: the overall development plan, a copy of each option for Land Bay E, and copies of the typical lot layouts that would apply to Land Bay E. Additional records with regard to the approval of RZ 2001-MV-025 are on file with the Zoning Evaluation Division in the Department of Planning and Zoning.

The Final Development Plan (FDP 2001-MV-025-2) for Land Bay B of Laurel Hill South, the elementary school, is scheduled for public hearing before the Planning Commission on the same date as this application.

COMPREHENSIVE PLAN PROVISIONS (Appendix 6)

Plan Area:	IV
Planning District:	Lower Potomac Planning District
Planning Sector:	Laurel Hill Planning Sector Land Unit 2

Land Bay E is located within Sub-Unit 2B of the Land Unit 2. On Pages 39-42 of 116 of the Area IV volume of the 2000 Comprehensive Plan, the Plan states:

"Land Unit 2 is comprised of approximately 370 acres, of which approximately 40 percent is considered to be located within environmentally sensitive areas and approximately 60 percent is developable (see Figure 15). The land unit is generally bounded by EQCs consisting of Silverbrook Run, Rocky Branch and South Run on the north; Shirley Memorial Highway (I-95) on the east; the Lorton-South Route 1 Community Planning Sector to the south; and Silverbrook Road on the west. Secondary tributaries to South Run generally flow west to east through the land unit and serve as the divide between Sub-unit 2A and 2B. The D.C. Department of Corrections Transportation Facility, opened in 1996, is located on Silverbrook Road in this Land Unit.

As in Land Unit 1, the stream valleys or EQC areas are major environmental features which should be preserved as part of the Countywide Natural Resource Park. In Land Unit 2, these areas are associated with Pohick Creek, Rocky Branch, South Run and Silverbrook Run. A portion of the remaining non-EQC acreage should be considered for residential development that may facilitate the land trade permitted by the Lorton Technical Corrections Act of 1998. The portion of the trail within the Laurel Hill Greenway, located within this land unit, should be constructed along with any development that is planned for this land unit. In addition, any development proposal should be in accordance with the following Land Unit guidance and densities should only exceed the mid-point of each sub-unit's density range if necessary to facilitate the land trade.

Sub-unit 2B: The developable land within Sub-unit 2B is subdivided by EQC, creating two distinct areas. This EQC includes the northern terminus of the Laurel Hill Greenway and the primary sector trail. The area located to the northeast is planned for single family detached at 2-4 dwelling units per acre. The developable area on the south and west is planned for residential use at 4-6 dwelling units per acre with a potential elementary school abutting the southern boundary of the current transportation facility that is located in Sub-unit 2A. The south side of this Sub-unit abuts Sub-unit A2 of the Lorton-South Route 1 Community Planning Sector, which is planned for residential use at 8-12 dwelling units per acre. Development in Sub-unit 2B may occur with the following additional guidance:

- If the elementary school is located within this sub-unit, the school's minimum land area should be a 15 acre site with 6 acres for the building, parking and circulation and 9 acres for recreation facilities and open space. The elementary school, if developed in this area, should be sited away from Silverbrook Road and should have access from this sub-unit's collector road. If the school is located in Sub-unit 2A (on the current site of the transportation facility), this area should, as an alternative, be planned for residential use at 4-6 dwelling units per acre.

- The area planned for 4-6 dwelling units per acre should be designed as an effective transition between the areas to the north which are planned at 2-4 dwelling units per acre and the higher planned residential development to the south in the Lorton-South Route 1 Community Planning Sector which is planned for 8-12 dwelling units per acre.
- Residential development in this sub-unit should be a mix of small lot single family detached and townhouse uses, with townhouse development limited to a maximum of 35 percent of the units within this sub-unit.
- Clustering should be encouraged due to the extensive EQC and steep slopes associated with this Sub-unit.
- Public street access should be provided to the Lorton-South Route 1 Community Planning Sector, Sub-unit A2 which is located to the south.
- Due to the extensive EQC and the related steep slopes, the northeastern (20 acre) and southeastern (30 acre) portions of this Sub-unit (as shown on Figure 15 as potential park and open space), should only be considered for development if additional value is needed for the land trade as permitted by the Lorton Technical Corrections Act of 1998. Should the land trade not occur, these areas should be used for park and open space uses."

ANALYSIS

Final Development Plan (Reduction at front of staff report)

Title of Final Development Plan: Laurel Hill South Landbay E
Prepared By: Dewberry & Davis LLC
Original and Revision Dates: November 15, 2001 as revised through February 28, 2002

Combined CDP/FDP (Project Name)	
Sheet #	Description of Sheet
1 of 7	Cover Sheet including the Vicinity Map
2 of 7	Notes, Tabulations and Soils Map
3 of 7	Plan for Laurel Hill South as a Whole
4 of 7	Final Development Plan Amendment
5 of 7	Entrance Landscape and Noise Wall Detail
6 of 7	Lot Details/Lot Landscape/House Elevations
7 of 7	Amenities and Site Furniture

Comparison with Concept A: The layout, tabulations number of single family detached units, the location of the access points, the public street network, the private street network within the single family attached dwelling unit portions and the number of single family attached dwelling units are the same as that shown as Concept A submitted with RZ 2001-MV-025. This submission includes additional pedestrian pathways. The detail sheets included as sheets 5, 6 and 7 are copies of sheets included in the CDP/FDP proffered pursuant to RZ 2001-MV-025. These sheets from the proffered CDP/FDP include typical lot layouts, elevations of the units and typical lot landscaping details.

Laurel Hill South: As approved, Laurel Hill South consists of six (6) land bays, designated A through F. This application concerns Land Bay E only. Three (3) of the land bays in Laurel Hill South, Land Bays A (single family detached dwelling units), B (elementary school) and E (a mix of single family detached dwelling units and single family attached dwelling units) abut Silverbrook Road. Land Bay E is the southernmost of the three land bays located adjacent to Silverbrook Road. It is bisected by the Laurel Hill Greenway and is the only land bay to include townhouse units. If this proposal is approved, Laurel Hill South will contain a total of 732 dwelling units at a density of 2.8 du/ac with a unit mix that consists of 582 single family detached dwelling units and 150 single family attached dwelling units. The attached dwelling units are in a typical townhouse configuration and all the attached units are within Land Bay E.

Open Space and Landscaping: The Laurel Hill Greenway constitutes a major open space corridor that crosses this land bay from west to east. Additional open space is provided on either side of the Laurel Hill Greenway. In addition, approximately five (5) acres of tree save is to be provided along the loop road and near the SWM/BMP. A landscape strip approximately fifty (50) feet wide is shown adjacent to Silverbrook Road. A twenty (20) foot wide landscape strip is shown along the southern boundary abutting Tax Map Parcel 107-1 ((1)) 1, which was the subject of RZ/FDP 1999-MV-053 that rezoned that land to PDH-8. Along the other boundary with Parcel 1, a larger triangularly shaped area of open space separates Land Bay E from Tax Map Parcel 107-1 ((1)) 1. Additional open space is shown among the proposed townhouses within Land Bay E.

Along Silverbrook Road, between the proposed residences and the roadway, the proffered CDP/FDP for Laurel Hill South depicts a row of large deciduous trees (identified on the CDP/FDP as "street trees/large canopy trees") interspersed with evergreens. Along the segment of Silverbrook Road that abuts Land Bay E, there are two different treatments along the roadway. The townhouses would be setback approximately fifty (50) feet from Silverbrook Road with the internal private road located between the units and Silverbrook Road. The landscape strip is to be planted with large deciduous trees and evergreen trees. In the single family detached portion of Land Bay E, where the units are separated

from Silverbrook Road by another roadway and the landscape strip widens to fifty (50) feet in depth, a single row of large deciduous trees is shown with another row of street trees along the internal road.

The units and private roads within Land Bay E are all setback twenty-five (25) feet from the public streets. Within this area, large deciduous trees are to be planted along with evergreen and ornamentals where units are adjacent to the public streets. Street trees, including large deciduous trees, are shown along the private streets and within the parking lots that are within the townhouse areas. In addition, clusters of mixed trees types are shown between the townhouse units and the Laurel Hill Greenway and where proposed townhouses back up to single family detached homes.

Transportation Analysis (Appendix 7)

The revised FDP does not change any of the proffered street network associated with Laurel Hill South. The larger transportation issues associated with this application were addressed at the time of the approval of the rezoning in October 2001. There are three minor transportation issues raised with this submission:

- Provide additional pedestrian circulation within the townhouse bays;
- Provide a left turn lane from Silverbrook Road onto the planned public street on the northern side of Land Bay E;
- And, provide a second point of access from the internal public street network into the townhouse bay that is adjacent to Silverbrook Road.

The first issue regarding pedestrian connections has been addressed by the revised FDPA dated February 28, 2002. A proposed development condition requires the following additional pedestrian connections:

- a) provide a pedestrian connection from the planned public street immediately south of the Greenway to the trail within the Laurel Hill Greenway;
- b) extend the sidewalk that accesses the tot lot to the sidewalk along the main road through Land Bay E;

The second issue has been addressed in the accepted proffers, which require that turn lanes be provided at each entrance from Silverbrook Road when warranted by VDOT standards (see Par. c of Proffer Number 2). Further, Par. h of Proffer Number 6 requires that the depth of the landscaping strip along Silverbrook Road will not be diminished by turn lanes.

The third issue is addressed by a proposed development condition that requires that an additional access point be constructed from the main spine road in Land Bay E into the townhouse section located along Silverbrook Road.

Environmental Analysis (Appendix 6)

The environmental issues associated with this application were addressed with the approval of RZ 2001-MV-025. The pending FDPA does not affect the manner in which those issues were addressed because the FDPA includes the same tree save areas as shown on the previous FDP for Land Bay E.

Land Use Analysis (Appendix 6)

With the adoption of S01-IV-LP2, the limitation on the number of townhomes that affected the approval of this layout for Land Bay E in October, 2001, has been changed to 35 percent to accommodate the proposed layout with 150 single family attached dwelling units. The other land use issues associated with Laurel Hill South were addressed at the time of the initial rezoning, which was approved on October 22, 2001.

ZONING ORDINANCE PROVISIONS (Appendix 8)

The revised Final Development Plan does not affect the conformance of Laurel Hill South with the requirements of the applicable Zoning Ordinance requirements. The current submission was addressed in the Staff Report for RZ 2001-MV-025.

Other Zoning Ordinance Requirements:

Affordable Dwelling Units (Part 8 of Article 2)

The requirement for affordable dwelling units was addressed at the time of the original approval of RZ 2001-MV-025. The accepted proffers for that rezoning state that affordable dwelling units will be provided in accordance with the provisions of Part 8 of Article 2 and that the affordable dwelling units may be located in either single family detached or attached portions of the development. The proffers also note that no more than four affordable dwelling units will be located in any one building.

Conformance with Conceptual Development Plan (CDP) and Proffers

Par. 1 of Sect. 16-402 of the Zoning Ordinance requires that all final development plans be prepared in accordance with the approved Conceptual Development Plan and any conditions as may have been adopted by the Board of Supervisors. As noted above, the proposed Final Development Plan Amendment is consistent with the proffers and approved Conceptual Development Plan.

Standards for all Planned Developments (Sect. 16-100)

Sect. 16-101 contains six general standards that must be met by a planned development. Sect. 16-102 contains three design standards to which all Conceptual and Final Development Plans are subject.

The proposed revised Final Development Plan for Land Bay E does not affect the conformance of Laurel Hill South with these standards.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

With the adoption of Out of Turn Plan Amendment, S01-IV-LP2, the FDPA for Land Bay E is in harmony with the recommendations of the Comprehensive Plan. Further, this application conforms with the applicable Zoning Ordinance standards.

Recommendation

Staff recommends approval of FDPA 2001-MV-025 subject to the proposed development conditions in Appendix 1.

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. Proposed Development Conditions
2. Affidavit
3. Applicant's Statements
4. Accepted Proffers for RZ 2001-MV-025
5. Sheets 1, 2, and 10 from the proffered CDP/FDP for RZ 2001-MV-025
6. Plan Citations, Land Use Analysis and Environmental Analysis
7. Transportation Analysis
8. Selected Excerpts from the Zoning Ordinance
9. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS**March 7, 2002****FDPA 2001-MV-025**

If it is the intent of the Planning Commission to approve Final Development Plan Amendment (FDPA 2001-MV-025) for residential development on property known as Land Bay E of Laurel Hill South located at Tax Maps 106-4 ((1)) pt. 54, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

1. The development of Land Bay E, Laurel Hill South, shall be in substantial conformance with the plan entitled, Laurel Hill South, Land Bay E, Final Development Plan Amendment, which was prepared by Dewberry & Davis LLC and is dated November 15, 2002 as revised through February 28, 2002.
2. A private street connection shall be provided from the planned public street that is a spine road through Land Bay E to the townhouse section located adjacent to Silverbrook Road. The location of the street connection shall be subject to the approval of the Department of Public Works and Environmental Services.
3. The following additional pedestrian facilities shall be provided in the townhouse section located adjacent to Silverbrook Road:
 - a) a five foot wide sidewalk shall be provided from the planned public street immediately south of the Laurel Hill Greenway to the trail within the Laurel Hill Greenway;
 - b) the sidewalk that accesses the tot lot shall be extended to the sidewalk along the main road through Land Bay E;

REZONING AFFIDAVIT

DATE: February 28, 2002
(enter date affidavit is notarized)

I, Inda E. Stagg, agent, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below *2002-02a*

in Application No.(s): FDPA 2001-MV-025
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Pulte Home Corporation	10600 Arrowhead Drive, Suite 225 Fairfax, Virginia 22030	Applicant/Title Owner
Agents & Attorneys-in-Fact for Pulte Home Corporation: Stanley F. Settle, Jr. Richard D. DiBella		
Dewberry & Davis LLC	8401 Arlington Boulevard Fairfax, Virginia	Engineers/Agent
Agents: Lawrence A. McDermott Dennis M. Couture		

(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.

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

Rezoning Attachment to Par. 1(a)

DATE: February 28, 2002
 (enter date affidavit is notarized)

for Application No. (s): FDPA 2001-MV-025
 (enter County-assigned application number (s))

2002-02a

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Wetland Studies & Solutions, Inc. Agent: Michael S. Rolband	14088 M. Sullyfield Circle Chantilly, Virginia 20151	Environmental Consultant/Agent
Thunderbird Archaeological Associates, Inc. Agent: Kimberly A. Snyder	126 East High Street Woodstock, Virginia 22664	Archeologist/Agent
Wells & Associates, LLC Agents: Martin J. Wells Robin L. Antonucci Michael J. Workosky	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/Agent
Engineering Consulting Services, Ltd. Agent: Anthony Fiorillo (nmi)	14026 Thunderbolt Place #100 Chantilly, Virginia 20151	Engineering/Agent
Polysonics Corp. Agent: Peter C. Brenton George Spanio (nmi) Scott B. Harvey	10075 Tyler Place, #16 Ijamsville, Maryland 21754	Noise Consultant/Agent for the Applicant

(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 Attachment to Par. 1(a)

DATE: February 28, 2002

(enter date affidavit is notarized)

for Application No. (s):

FDPA 2001-MV-025

(enter County-assigned application number (s))

2002-02a

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
---	--	---

Zimar and Associates, Inc. Agent: Donald E. Zimar	10105-C Residency Road Manassas, Virginia 20110	Arborists/Agent for Applicant
---	--	--------------------------------------

Walsh, Colucci, Stackhouse, Emrich, & Lubeley, P.C.	2200 Clarendon Boulevard, 13 th Floor	Attorney/Planner/Agent Arlington, Virginia 22201
--	--	---

Agents:
 Inda E. Stagg
 Martin D. Walsh
 Keith C. Martin
 Timothy S. Sampson
 Lynne J. Strobel
 M. Catharine Puskar
 Elizabeth D. Baker
 Susan K. Yantis
 William J. Keefe
 Former Agent:
 Holly A. Tompkins

(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: February 28, 2002
(enter date affidavit is notarized)

2002-02a

for Application No. (s): FDPA 2001-MV-025
(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)

Pulte Home Corporation
10600 Arrowhead Drive, Suite 225
Fairfax, Virginia 22030

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Pulte Diversified Companies, Inc.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President,

Vincent J. Frees, Dir., VP, Contrl	Ralph S. Raciti, V. Pres.	Amy E. Fagan, Asst. Sec. (Ltd)
Mark J. O'Brien, Director	Bruce E. Robinson, VP, Treas, Asst. Sec.	James Fonville (nmi), Asst. Sec.
John R. Stoller, Director, VP, Sec.	Robert P. Schafer, VP-Finance	Nancy H. Gawthrop, Asst. Sec.
Robert J. Halso, Pres.	John R. Stoller, VP, Secretary	Kevin Martin (nmi), Asst. Sec(Ltd)
Calvin R. Boyd, Asst. Sec.	Thomas W. Bruce, Asst. Sec.(Ltd)	Colette R. Zukoff, Asst. Secretary
Gregory M. Nelson, VP, Asst. Sec.	Norma J. Machado, Asst. Sec. (Ltd)	Marla G. Zwas, Asst. Sec.
Maureen E. Thomas, Asst. Sec.	Sheryl Palmer(nmi), Asst. Sec. (Ltd.)	

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

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

Rezoning Attachment to Par. 1(b)

DATE: February 28, 2002
(enter date affidavit is notarized)

for Application No. (s): FDPA 2001-MV-025
(enter County-assigned application number (s))

2002-029

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

Pulte Diversified Companies, Inc.
33 Bloomfield Hills Parkway, Suite 200
Bloomfield Hills, Michigan 48304

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)

Pulte Corporation

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

Mark J. O'Brien, Director/President	Gregory M. Nelson, VP/Asst. Secretary	Nancy H. Gawthrop, Asst. Sec.
John R. Stoller, Director/VP/Sec.	Bruce E. Robinson, VP/Treas/Asst. Sec.	Maureen E. Thomas, Asst. Sec.
Vincent J. Frees, VP/Controller	Colette R. Zukoff, Asst. Sec.	Calvin R. Boyd, Asst. Secretary
Norma J. Machado, Asst. Sec (Ltd)		

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

Pulte Corporation
33 Bloomfield Hills Parkway, Suite 200
Bloomfield Hills, MI 48304

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)

William J. Pulte

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

Robert K. Burgess, Chair of Bd./CEO	John J. Shea, Director	Norma J. Machado, VP, HR Plan& Dev.
Patrick J. O'Meara, Director	Mark J. O'Brien, President/COO	Gregory M. Nelson, VP/Asst. Sec.
Debra Kelly-Ennis, Director	Roger A. Cregg, SVP/CFO	Bruce E. Robinson, VP/Treas.
David N. McCammon, Director	John R. Stoller, GC/SVP/Sec.	Wayne B. Williams, VP
William J. Pulte, Director	Michael A. O'Brien, SVP-Corp Dev.	James P. Zeumer, VP Inv&Corp Comm
Alan E. Schwartz, Director	Ralph S. Raciti, VP, CIO	Vincent J. Frees, VP/Controller
Francis J. Sehn, Director	James Lesinski (nmi), VP-Marktg	David Foltyn (nmi), Asst. Secretary
Michael E. Rossi, Director	D. Kent Anderson, Director	Robert P. Shafer, VP-Finan, VP-Operations
Alan E. Laing, VP-Supply Chain, E-Bus & Cust. Satisfaction		

(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: February 28, 2002

(enter date affidavit is notarized)

for Application No. (s): FDPA 2001-MV-025
(enter County-assigned application number (s))

2002-02a

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

Dewberry & Davis LLC
8401 Arlington Boulevard
Fairfax, Virginia 22031

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)

The Dewberry Companies LC, Member
Larry J. Keller, Member
Dennis M. Couture, Member
Steven A. Curtis, 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)

The Dewberry Companies, LC
8401 Arlington Boulevard
Fairfax, Virginia 22031

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)

Sidney O. Dewberry, Member	Barry K. Dewberry, Member
Karen S. Grand Pre, Member	Thomas L. Dewberry, Member
Michael S. Dewberry, 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: February 28, 2002
(enter date affidavit is notarized)

for Application No. (s): EDPA 2001-MV-025
(enter County-assigned application number (s))

2002-02a

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

Wetland Studies & Solutions, Inc.
14088-M Sullyfield Circle
Chantilly, Virginia 20151

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)

Michael S. Rolband

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)

Thunderbird Archeological Associates, Inc.
126 East High Street
Woodstock, Virginia 22664

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)

William M. Gardner
Joan M. Walker
Kimberly A. Snyder

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: February 28, 2002
(enter date affidavit is notarized)

for Application No. (s): FDPA 2001-MV-025
(enter County-assigned application number (s))

2002-02a

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

Wells & Associates, LLC
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)

M.J. Wells & Associates, Inc., Member
Terence J. Miller & Associates, Inc., 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)

M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)

Martin J. Wells
Carol Sargeant (nmi)

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: February 28, 2002
(enter date affidavit is notarized)

2002-02a

for Application No. (s): FDPA 2001-MV-025
(enter County-assigned application number (s))

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

Terrence J. Miller & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)

Terrence J. Miller, Sole Shareholder

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)

Engineering Consulting Services, Ltd.
14026 Thunderbolt Place, # 100
Chantilly, Virginia 20151

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)

Henry L. Lucas
James W. Eckert

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: February 28, 2002

(enter date affidavit is notarized)

2002-02a

for Application No. (s): FDPA 2001-MV-025
(enter County-assigned application number (s))

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

Polysonics Corp.
10075 Tyler Place, # 16
Ijamsville, MD 21754

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)

George Spano (nmi)	Peter C. Brenton	Xiangming Zhang (nmi)
Scott B. Harvey	Karen Marble-Hall (nmi)	
Robert M. Capozello	Marianne E. Blankenship	

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)

Zimar and Associates, Inc.
10105-C Residency Road
Manassas, Virginia 20110

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)

Donald E. Zimar, Sole shareholder

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: February 28, 2002

(enter date affidavit is notarized)

2002-02a

for Application No. (s): FDPA 2001-MV-025

(enter County-assigned application number (s))

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

Walsh, Colucci, Stackhouse, Emrich, & Lubeley, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, Virginia 22201

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)

Martin D. Walsh	Michael D. Lubeley
Thomas J. Colucci	Nan E. Terpak
Peter K. Stackhouse	
Jerry K. Emrich	

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)

DESCRIPTION OF CORPORATION: (check one statement)

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

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

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

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

REZONING AFFIDAVIT

DATE: February 28, 2002
(enter date affidavit is notarized)

2002-02a

for Application No. (s): FDPA 2001-MV-025
(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)

None

(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)

(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 AFFIDAVIT

DATE: February 28, 2002
(enter date affidavit is notarized)

2002-02a

for Application No. (s): FDPA 2001-MV-025
(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: February 28, 2002
(enter date affidavit is notarized)

2002-02a

for Application No. (s): FDPA 2001-MV-025
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the filing 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 \$200 or more, with any of those listed in Par. 1 above. EXCEPT AS FOLLOWS: (NOTE: If answer is none, either "NONE" on line below.)

Steven J. Coniglio of Pulte Home Corporation donated in excess of \$200 to Supervisor Michael Frey.

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

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

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

WITNESS the following signature:

(check one)

[] Applicant [x] Applicant's Authorized Agent

Inda E. Stagg, agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 28 day of February 2002, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Klemm
Notary Public

My commission expires: 11/30/2003

Commissioned as Kimberly A. Klemm

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

COURTHOUSE PLAZA, THIRTEENTH FLOOR
 2200 CLARENDON BOULEVARD
 ARLINGTON, VIRGINIA 22201-3359
 (703) 528-4700
 FACSIMILE (703) 525-3197
 WEBSITE <http://www.wcseel.com>

Inda E. Stagg - -
 Land Use Coordinator
 (703) 528-4700, ext. 23
iesta@arl.wcseel.com

PRINCE WILLIAM OFFICE
 VILLAGE SQUARE
 13863 OFFICE PLACE, SUITE 201
 WOODBRIDGE, VIRGINIA 22192-4218
 (703) 680-4684
 METRO (703) 690-4647
 FACSIMILE (703) 690-2412

MANASSAS OFFICE
 9324 WEST STREET, SUITE 300
 MANASSAS, VIRGINIA 20110-5198
 (703) 330-7400
 METRO (703) 803-7474
 FACSIMILE (703) 330-7430

LOUDOUN OFFICE
 1 E. MARKET STREET, THIRD FLOOR
 LEESBURG, VIRGINIA 20176-3014
 (703) 737-3833
 FACSIMILE (703) 737-3832

November 21, 2001

Barbara Byron
 Fairfax County Department of Planning & Zoning
 Director, Zoning Evaluation Division
 12055 Government Center Pkwy, Suite 801
 Fairfax, Virginia 22035

**Re: Statement of Justification
 Pulte Home Corporation (the "Applicant")
 Final Development Plan Amendment FDP A 2001-MV-025 (the
 "Application")
 Land Bay E; Laurel Hill South (the "Property")**

Dear Ms. Byron:

Please accept this letter as the Statement of Justification for the proposed Application. The Applicant is requesting a Final Development Plan Amendment ("FDPA") for Land Bay E of the Laurel Hill South development. The first FDP was approved by the Planning Commission on September 20, 2001.

At the time of the initial approval for FDP 2001-MV-025, Pulte Home Corporation submitted two FDP concepts. "Concept A", which was described as the "Primary Plan", proposed a total of seven hundred thirty-two (732) dwelling units at an overall density of 2.8 dwelling units per acre. The proposed unit mix for this concept consisted of five hundred eighty two (582) single family detached units and one hundred fifty (150) single family attached dwelling units. "Concept B", which was the "Alternate Plan", proposed a total of seven hundred thirty six (736) dwelling units at a density of 2.82 acre. The unit mix consisted of six hundred fifty-nine (659) single family detached dwelling units and seventy-seven (77) single family attached dwelling units. The differences between the two (2) concepts was limited to Land Bay E. Concept A contained a mix of units that had a larger amount of single family attached dwellings; and Concept B had a greater number of single-family detached dwellings. Although Concept A was the preferred plan for design reasons, the Planning Commission believed that a Comprehensive Plan Amendment would be required in order to find that Concept A was in conformance with the Comprehensive Plan. Therefore, the FDP for Concept A was not approved by the Planning Commission at its September 20, 2001 meeting.

November 21, 2001

Page 2

Plan text for Sub-Unit 2B of the Laurel Hill Plan stated that this Sub-Unit was limited to a maximum of twenty percent (20%) town home units. However, the proposed Concept A resulted in a maximum of twenty percent (20%) town home units within the entire Laurel Hill development. This exceeded the percentage recommended for Sub-Unit 2B: -An Out-Of-Turn Plan Amendment has been authorized by the Board of Supervisors to address this percentage limitation and this FDPA has been requested in order to permit the development of "Concept A".

Land Bay E contains approximately fifty-eight (57.73) acres. A total of two hundred thirty-eight (238) dwelling units are proposed within this Land Bay; one hundred fifty (150) single-family attached and eighty-eight (88) single detached units. The proposed density is approximately four (4.12) dwelling units per acre, which is in conformance with the Comprehensive Plan. Twenty-eight percent (28%) open space is provided within this Land Bay. Adequate parking has also been provided. Three (3) play areas are located within this Land Bay. One (1) in each of the town home areas, and one (1) in the single family detached area. Trails are proposed that connect this Land Bay to the greater trail systems approved pursuant to RZ 2001-MV-025. All proffers accepted pursuant to that rezoning apply to this proposal.

The Applicant believes that the FDPA has been prepared in accordance with the approved Conceptual Development Plan and proffers approved pursuant to RZ 2001-MV-025. Therefore, it is requested that a public hearing be scheduled for the FDPA, and that the Planning Commission consider the FDPA to be in accordance with the approved Conceptual Development Plan, and determine that it complies with the applicable zoning district regulations.

Please let me know if you require any further information. As always, I appreciate your attention to this request.

Very truly yours,

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY, P.C.



Inda E. Stagg
Land Use Coordinator

cc: Stan Settle
Rick DiBella
Larry McDermott
Planning Commissioner John Byers
Supervisor Gerry Hyland

J:\PULTE\11.21 Laurel Hill-FDPA\LandBayE-FDP School Site\statement of just 11-21-01.doc



FAIRFAX COUNTY

APPENDIX 4

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151
FAX: 703-324-3926
TTY: 703-324-3903

November 7, 2001

Martin D. Walsh, Esquire
Walsh, Colucci, Stackhouse, Emrich and Lubeley, P.C.
2200 Clarendon Boulevard – 13th Floor
Arlington, Virginia 22201-3359

RE: Rezoning Application
Number RZ 2001-MV-025
(Concurrent with RZ 2001-MV-026)

Dear Mr. Walsh:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 22, 2001, granting Rezoning Application Number RZ 2001-MV-025 in the name of US Government "Laurel Hill" to rezone certain property in the Mount Vernon District from the R-C District to the PDH-4 District, located northeast of Silverbrook Road, approximately 1,600 feet north of its intersection with Plaskett Lane, Tax Map 106-4 54 pt., subject to the proffers dated October 19, 2001, consisting of approximately 260.96 acres.

The Board approved the Conceptual Development Plan; the Planning Commission having previously approved the Final Development Plan FDP 2001-MV-025 on September 20, 2001, subject to the Board's approval of RZ 2001-MV-025.

In addition, the Board also:

- Modified the transitional screening requirements (for the community recreation center) as shown on the Conceptual Development Plan.
- Waived the barrier requirements along the eastern boundaries for the community recreation center.
- Waived the 600-foot maximum length limitation of private streets in accordance with the provisions of Section 11-302.

RZ 2001-MV-025
November 7, 2001

- 2 -

- **Authorized an Out-of-Turn Plan Amendment to consider changing the text for Sub-Unit 2B of the Laurel Hill Planning Sector that limits the proportion of townhouses in the sub-unit to 20 percent of the units in a manner that could allow a higher percentage of townhouses similar to Concept A of the CDP/Final Development Plan (FDP) for RZ 2001-MV-025, and that this amendment be scheduled for public hearing on an expedited basis.**
- **Directed that the public hearings for the FDP Amendment application for Land Bay E, Concept A, and the FDP application for Land Bay B be scheduled on an expedited basis.**
- **Directed that the Director of the Department of Public Works and Environmental Services review any associated site and subdivision plans concurrently with these applications (the FDPA for Land Bay E and the FDP for Land Bay B).**

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Katherine K. Hanley
Supervisor- Mount Vernon District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Robert Moore, Tnsprt'n. Planning Div., Dept. of Transportation
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Frank Edwards, Department of Highways - VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES
Barbara J. Lippa, Executive Director, Planning Commission

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
NOV 8 2001
ZONING EVALUATION DIVISION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 22nd day of October, 2001, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2001-MV-025
(CONCURRENT WITH RZ 2001-MV-026)**

WHEREAS, US Government "Laurel Hill" filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-C District to the PDH-4 District, and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Mount Vernon District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the PDH-4 District, and said property is subject to the use regulations of said PDH-4 District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcel.

GIVEN under my hand this 22nd day of October, 2001.



Nancy Vehrs
Clerk to the Board of Supervisors

PROFFERS

PULTE HOME CORPORATION LAUREL HILL - SOUTH

RZ 2001-MV-025

October 19, 2001

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Pulte Home Corporation, Inc. (hereinafter referred to as the "Applicant"), for themselves, their successors, and assigns in RZ 2001-MV-025, filed for property identified as Tax Map 106-4 ((1)) 54 pt. (hereinafter referred to as the "Application Property"), hereby proffers the following, provided that the Board of Supervisors ("BOS") approves a rezoning of the Application Property to the PDH-4 District in conjunction with a Conceptual Development Plan ("CDP") for residential and public school development on approximately 260.96 acres.

1. CONCEPTUAL/FINAL DEVELOPMENT PLAN ("CDP/FDP")

- a) Development of the Application Property shall be in substantial conformance with the CDP/FDP, consisting of fifteen (15) sheets prepared by Dewberry & Davis LLC, dated April 9, 2001 and revised through September 17, 2001.
- b) Pursuant to Paragraph 4 of Section 16-403 of the Fairfax County Zoning Ordinance (the "Zoning Ordinance"), minor modifications from the CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the layout, building orientation, internal lot lines, off-lot parking, and lot sizes of the proposed subdivision at time of site plan/subdivision plat submission based on final house locations, grading, building footprints, utility locations, and final engineering design, provided that such adjustments do not increase the total number of units nor decrease the amount and location of open space, tree save, parking, or distances to peripheral lot lines, that the general orientation of the dwelling units that are shown on the CDP/FDP is maintained, and are in substantial conformance with the CDP/FDP and proffers.
- c) Notwithstanding that the CDP/FDP is presented on fifteen (15) sheets and said CDP/FDP is the subject of Proffer 1(a) above, it shall be understood that the CDP shall be the entire plan shown on Sheets 3 - 11 and 13 relative to the land bays, points of access, open space, wetlands, tree save areas and the total number and general location of units and type of units. The Applicant has the option to request Final Development Plan Amendments ("FDPAs") for elements other than CDP elements from the Planning Commission for all of or a portion of the FDP in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance, if the amendment is in substantial conformance with the approved CDP and proffers.
- d) If Concept A (Primary Plan) is approved by the BOS, without the requirement to obtain an Out-of-Turn Plan Amendment ("OTPA"), the Applicant shall submit site plans/subdivision plats for Concept A. If the BOS authorizes an OTPA for Concept A,

and amends the Comprehensive Plan to permit Concept A within twelve (12) months of CDP/FDP approval, then the Applicant shall also proceed with Concept A with no necessity for further public hearings for approval. If neither event set forth above is met, and if Concept B (Alternate Plan) is approved by the BOS, then the Applicant shall proceed with Concept B. However, the Applicant shall be permitted to submit site plans/subdivision plats for Concepts A and B, and to have either Concept reviewed, but not necessarily approved, by DPWES, subsequent to BOS approval of the Application.

- e) The Applicant reserves the right to request Partial Proffered Condition Amendments ("PCAs") in accordance with Paragraph 6 of Section 18-204 of the Zoning Ordinance.

2. VEHICULAR TRANSPORTATION

- a) Subject to Virginia Department of Transportation ("VDOT") and Department of Public Works and Environmental Services ("DPWES") approval, the Applicant shall dedicate and convey in fee simple to the BOS right-of-way ("ROW") up to a width of approximately forty-five (45) feet from the design centerline along the Application Property's Silverbrook Road frontage as shown on the CDP/FDP. If additional ROW is necessary to accommodate turn lanes, the appropriate amount of ROW, as determined by DPWES and VDOT shall be provided. Dedication shall be made at the time of site plan/subdivision plat approval, or upon demand from either Fairfax County or VDOT, whichever shall first occur.
- b) The Applicant shall construct frontage improvements measuring approximately thirty-five (35) feet from design centerline along the Application Property's Silverbrook Road frontage within the dedicated ROW as shown on the CDP/FDP from the northern edge of the Application Property's southernmost Silverbrook Road entrance to the Application Property's northern boundary. Further, the Applicant shall construct a four (4)-lane divided section from the Application Property's southern boundary to the northern edge of the Application Property's southernmost entrance. The frontage improvements shall taper northward from the Application Property's southernmost Silverbrook Road entrance. All improvements are subject to the receipt of any off-site easements as necessary.
- c) Right and left turn lanes shall be constructed along the Application Property's Silverbrook Road frontage where traffic volumes warrant their construction, as determined by VDOT and DOT.
- d) The Applicant shall construct off-site frontage improvements measuring approximately thirty-five (35) feet from the design centerline of Silverbrook Road along the County's property, which is located northwest of Land Bay A and south of Monacan Road.
- e) Further, the Applicant shall construct full, four (4) lane divided frontage improvements, consisting of improvements required to place this area in the State system on those portions of Silverbrook Road that extend southeast from the Application Property, and which were not proffered to be constructed by others pursuant to RZ 1999-MV-053, subject to the receipt of any off-site easements as necessary. If the Applicant is unable to

obtain off-site easements, and copies of the correspondence regarding the attempts to obtain the easements are provided to DPWES, then the Applicant shall escrow an amount equivalent to the cost of the improvements with DPWES at time of subdivision plat/site plan approval.

- f) A signal warrant study shall be provided for each of the Application Property's intersections with Silverbrook Road, which includes projections for the elementary school, to DPWES and VDOT for review and approval prior to site plan/subdivision plat approval, and a coordination study shall be performed. Traffic signals shall be installed by the Applicant, when and if warranted. The commitment to install any warranted signals shall remain in effect until final bond release for this development.
- g) The private streets shown on the CDP/FDP shall be constructed of materials and depth of pavement consistent with the Public Facilities Manual ("PFM") standards for public streets. Initial purchasers shall be advised of the requirement to maintain private streets/pipestems and estimated costs prior to entering into a contract of sale. This requirement to maintain the private streets/pipestems as constructed and the estimated maintenance costs shall be included in the homeowners' association ("HOA") documents prepared for the Application Property.
- h) On or before final bond release for the proposed development, and as a condition thereto, the Applicant shall deposit into an escrow account, owned and controlled by the HOA established for the proposed development, the amount of five thousand dollars (\$5,000.00), and adjusted as follows. These escrowed funds shall be utilized by the HOA for future maintenance of the private streets and pipestems within the community. Using the BOS approval date of the rezoning application as the base date, the payment amount shall be adjusted in accordance with the *Construction Cost Index* at the time of payment.
- i) No vehicular access for the elementary school site or individual lots shall be provided directly via Silverbrook Road.
- j) The Applicant reserves density credit as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance for all dedications described herein or as may be reasonably required by Fairfax County or VDOT, whether such dedications occur prior to or at time of site plan/subdivision plat approval.

3. TRAILS/SIDEWALKS

- a) All off-site trail locations shall be coordinated with the Fairfax County Park Authority ("FCPA") and the methods of construction with respect to any such trails shall be designed and constructed in such a manner as to minimize the impact on environmentally sensitive areas such as wetlands, steep slopes, Environmental Quality Corridors, streams, and stream beds. The final design of such trails and methods of construction shall be subject to the review and approval of DPWES and the Fairfax County Park Authority, at their sole discretion.

- b) The Applicant shall provide written notice to initial prospective contract purchasers of lots adjacent to internal trails that connect to the Laurel Hill Greenway, the Stream Valley Trail, the trail in Rocky Run, or the Connector Trail, of the likelihood that any trail that does not connect to county-wide trail system trails in the vicinity will most likely connect to the larger trail system in the future. The HOA documents shall also include said notification. Signs shall be installed at the terminus of any such trails (which shall be built to the edge of the Subject Property) stating, generally, that the trails will be extended in the future.
- c) The Applicant shall construct a twelve (12) foot wide, Type 1 trail within the Laurel Hill Greenway prior to the issuance of the 500th RUP, from Silverbrook Road to its I-95 ROW terminus, provided that the County grants a construction easement for the trail on property not owned by the Applicant. If such easement is not granted, the Applicant shall escrow an amount equivalent to the cost of the trail with DPWES at the time of subdivision plat/site plan approval. That portion of the Laurel Hill Greenway constructed by the Applicant on the Application property shall be dedicated to the FCPA, within an area of land one-hundred (100) feet in width, as generally shown on the CDP/FDP.
- d) The Applicant shall construct an eight (8) foot wide, Type 1 trail within the dedicated ROW of Silverbrook Road as shown on the CDP/FDP. Said trail shall be constructed concurrent with the improvements to Silverbrook Road.
- e) The Applicant shall construct an eight (8) foot wide Type 1 trail between the Laurel Hill Greenway and Pohick Road, as generally shown on Sheet 12 of the CDP/FDP, as coordinated with the FCPA, as determined feasible by DPWES at the time of site plan/subdivision plat approval, and provided that the County grants a construction easement for the trail on property not owned by the Applicant. If such easements are granted, this trail shall be completed prior to release of bonds for the project. If such easement is not granted, the Applicant shall escrow an amount equivalent to the cost of the trail with DPWES at the time of final bond release.
- f) The Applicant shall construct an eight (8) foot wide Type 1 Greenway Connection trail from the Laurel Hill Greenway to the park land that was proffered to be dedicated to the FCPA pursuant to the approval of RZ 2000-MV-019, as determined feasible by DPWES, prior to the issuance of the final RUP for Land Bay F.
- g) If needed, the Applicant shall attempt to obtain an easement at no cost from the Newington Heights Homeowners Association, Inc. to construct an off-site trail along Tax Map Parcel's 98-3 ((5)) K Silverbrook Road frontage, and shall construct an eight (8) foot wide, Type 1 trail in that location if such an easement is granted, as qualified below, at the same time as the Silverbrook Road trail is constructed along the Application Property's frontage. Such attempts to obtain an easement shall include requesting such easement of the controlling entity via Certified Mail no more than two (2) times. If such easement is not granted in writing without condition or demand of payment, or if no positive response is received within sixty (60) days of mailing the second letter, then there shall be no further obligation on the part of the Applicant to construct such a trail connection. However, if the trail is not constructed due to the circumstances stated above,

the Applicant shall escrow sufficient funds to construct the trail, as determined by DPWES. Documentation of all attempts to obtain such easement, or escrowed funds sufficient to construct the trail shall be provided to DPWES prior to site plan/subdivision plat approval.

- h) The Applicant shall provide painted crosswalks and signage at all locations where trails cross a public ROW, including Silverbrook Road and internal public streets, subject to approval of VDOT and DPWES at the time of site plan/subdivision plat approval.
- i) The Applicant shall provide four (4) foot wide sidewalks on both sides of public and private streets, as shown on the CDP/FDP, except on Silverbrook Road where a trail is to be constructed.
- j) The Applicant may be permitted to co-locate trails/trail connections within sanitary sewer and/or storm drainage line temporary construction easements, if the location of these temporary construction easements are acceptable locations for such trail/trail connections as determined by DPWES at the time of site plan/subdivision plat review. The purpose of such co-locations of trails/trail connections would be to minimize clearing and grading of areas within the EQC. Final location of the easement(s) shall be reviewed by the FCPA at the time of site plan/subdivision plat approval.
- k) All other internal trails that connect to the larger, county-wide trail system shall be a minimum of eight (8) feet in width. All other internal trails within the Land Bays that do not connect to the larger system shall be a minimum of four (4) feet in width, and shall be constructed of asphalt or concrete, at the option of the Applicant.

4. DESIGN FEATURES

- a) Facades of homes shall be constructed as generally represented in the typical house elevations located on Sheet 14 of the CDP/FDP.
- b) The Applicant shall provide brick or stone on a minimum of eighty percent (80%) of the fronts of all single-family detached residential units. The Applicant shall provide brick or stone on a minimum of eighty percent (80%) on all fronts, and on the sides of all single family attached units that face on any public street. The said eighty percent (80%) shall be exclusive of windows, doors, shutters, and trim. Further, the Applicant shall provide decorative shutters on windows of dwelling units that face on Silverbrook Road.
- c) All single family detached residential units shall maintain a minimum front and rear yard setback of twenty (20) feet, with the exception of decks and patios that may extend into this setback area as allowed by the Zoning Ordinance, and a side yard setback of five (5) feet, which provides for a minimum distance between single family detached homes of ten (10) feet.
- d) All single family attached units shall maintain a minimum rear yard setback of twenty (20) feet, with the exception of decks and patios that may extend into this setback area, as allowed by the Zoning Ordinance.

- e) Landscaping on individual lots shall be, generally, as depicted on the "Typical Lot Layout" on Sheet 14 of the CDP/FDP.
- f) Other features, such as lighting, benches, picnic tables and trash receptacles shall be provided of a quality and type as generally shown on Sheet 15 of the CDP/FDP.
- g) All driveways shall be a minimum of eighteen (18) feet in length.

5. SCHOOLS

- a) Upon demand of the County, which demand shall not occur sooner than twenty-four (24) months from the date of the rezoning, the Applicant shall dedicate in fee-simple approximately 18.5 acres of land designated for an elementary school site as shown on the CDP/FDP to the BOS. This land area shall be exclusive of any areas to be dedicated to Fairfax County or the Park Authority for public street or other purposes.
 - 1) The Applicant shall not place any easements or encumbrances of record on the elementary school site that would affect the use of the property as a school, as determined by the Fairfax County Public Schools Board ("FCPS") and the County.
 - 2) Stormwater Management and Best Management Practices for the school site shall be provided within the residential portion of Laurel Hill, as described in Proffer 8, as determined by DPWES.
 - 3) The Applicant shall demolish the existing structures on the elementary school site, and shall remove all footers and materials associated with the demolition from the site, at no cost to the County, prior to dedication of the school site. Further, the site shall be environmentally clean and the grading shall be performed as described in the paragraph below prior to dedication of the school site, at no cost to the County.
 - 4) The Applicant shall rough grade the elementary school site, the soils shall be compacted under structural bearing pads, and the site shall be seeded, to generally conform to the conceptual school layout, which is attached as "Exhibit 1"; or generally as may be modified by FDP approval for the elementary school site. The Applicant shall not be obligated to perform any final engineering for Site Plan purposes. Further, there shall be no obligation by the Applicant to supply soil other than that which is already on the elementary school site or is considered excess by the Applicant from the Application Property in order to rough grade the site.
 - 5) Sewer connection shall be provided to the school site as described in Proffer 9.
- b) In addition to commitments that benefit the elementary school site, the following shall be provided, at no cost to the County:
 - 1) The Applicant shall extend sanitary sewer and water lines under Silverbrook Road, terminating at the edge of ROW of Silverbrook Road that is across from

Land Bay A, and that are sufficiently sized to accommodate the proposed Middle and High Schools, as well as the golf clubhouse, prior to a date which is two (2) years from the date of the rezoning.

- 2) The Applicant shall grade the entire South County Secondary School (High School) site, including athletic fields, parking areas and school location, but not including any roads extending to the site from Silverbrook Road, assuming that the County and/or the FCPS shall secure all required grading approvals within three (3) years from the date of approval of the first site plan/subdivision plan approved for the Application Property pursuant to RZ 2001-MV-025. In the event that the aforesaid grading approvals and requisite construction permits are not secured by the date that is three (3) years from the date of the first site plan/subdivision plan approval, the Applicant shall have no further obligation to grade the South County Secondary School site.
- c) The Applicant shall notify the FCPS and the County Executive, in writing, within fifteen (15) days of the initial site plan/subdivision plan approval for the Application Property.
- d) The Applicant shall contribute six hundred thousand dollars (\$600,000.00) in cash to the Fairfax County BOS upon first site plan/subdivision plat approval, for the construction of the proposed South County Secondary School, as stated in the 2001 Capital Improvement Program. In-kind contributions to the County shall also include the demolition of the existing Transportation Facility and grading of the elementary school site, sizing of the SWM/BMP facilities for the elementary school site, and sizing the sanitary sewer and water lines in order to accommodate that area of the three (3) proposed school sites that are to be located within the same sewer drainage shed as the Application Property, at no cost to the County.
- e) In the event that the Applicant files a FDPA for Land Bay E that is consistent with Concept A on the CDP/FDP, the Applicant shall include in the FDPA the land area for the elementary school site's FDP in a design layout approved by the FCPS, if the FCPS presents the following information to the Applicant no later than November 15, 2001: (1) the location and arrangement of all proposed uses, including the school building, all accessory structures, and dumpsters; (2) the maximum height in feet of all structures and the number of floors both above and below or partially below finished grade; (3) the location and width of all driveways, entrances to parking areas and parking structures, walkways, bicycle paths and trails; (4) the location of off-street parking and accessible spaces, loading areas and structures; (5) the location of open space areas, the proposed treatment or improvement of all open space areas, and delineation of those areas proposed for specific types of developed recreational facilities; (6) a landscape plan, indicating type and height of screening, if any; (7) the proposed development schedule; (8) the total floor area; (8) the total number of off-street parking and loading spaces provided; (9) architectural sketches, if available, of typical proposed structures, including lighting fixtures and signs; and (10) complete affidavit information. A sales trailer may be placed on the elementary school site in a location and of a size mutually agreed upon by the FCPS and the Applicant, for a period of time not less than twenty-four (24)

months from the date of rezoning approval, unless this date is extended by mutual agreement of the Applicant and the FCPS.

6. LANDSCAPING AND OPEN SPACE

- a) The Applicant shall provide landscaping on the Application Property as generally shown on the CDP/FDP, including landscaping shown along the streets within and abutting Land Bay B (the elementary school site) on the CDP. Final selection of tree species shall be made at the time of site plan/subdivision plat approval, subject to Urban Forester approval, based on availability of plant material. The Applicant shall endeavor to utilize tree species native to the area.
- b) The Applicant shall maintain landscaping within open space areas until such time as the open space is conveyed to the HOA at which time the HOA shall have the maintenance responsibility.
- c) The Applicant shall establish a master HOA for the proposed development to, among other things, own, manage and maintain the open space, noise barriers, signage outlots, private streets, pipestems, and recreational facilities. Restrictions placed on the uses of the open space and maintenance responsibilities of the HOA, including maintenance of open space, signage outlots, private streets, pipestems, noise barriers and recreational facilities, shall be disclosed to all prospective homeowners in a disclosure memorandum at the time of initial contract execution and included in the HOA documents. Sub-associations of the master HOA may be established to regulate issues specific to each Land Bay.
- d) The limits of clearing and grading on the site plan/subdivision plan shall be as shown on the CDP/FDP. Said limits of clearing and grading shall be observed during construction. The Applicant shall retain a certified arborist to prepare a tree preservation plan to be reviewed by the Urban Forestry Division as part of site plan/subdivision plat submission. The tree preservation plan shall consist of a tree survey which includes the location, species, size, crown spread and condition rating percentage of all trees twelve (12) inches or greater in diameter ten (10) feet to either side of the proposed limits of clearing and grading for the tree save areas and EQCs shown on the CDP/FDP. The condition analysis shall be prepared using methods outlined in the latest edition of The Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be provided. Activities may include, but are not limited to, crown pruning, root pruning, mulching, and fertilization. Such measures shall not reduce the number or alter the size of proposed dwelling units.
- e) All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence, silt fence or diversion dikes. Tree protection fencing shall be erected at the limits of clearing and grading for all tree save areas. The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any clearing and grading activities on the Application Property, including the

demolition of any existing structures. The installation of tree protection fencing shall be performed under the supervision of a certified arborist.

- f) Limits of Clearing and Grading shall be strictly adhered to within the open space areas adjacent to the loop road, south of the Laurel Hill Greenway, and north of the single-family detached homes within Land Bays E and F, during construction of that portion of the loop road. The limits of any clearing and grading into the areas designated for temporary grading easements shall be limited to a distance of twenty (20) feet from the edge of ROW.
- g) The Applicant shall minimize runoff from the proposed development at the limits of disturbance of the proposed development above the preservation area to avoid erosion of existing slopes and wetlands as shown on the CDP/FDP. Means for runoff control during the construction phase of the project shall include diversion dikes, or other means approved by DPWES, and drainage swales, or other methods approved by DPWES for the ultimate condition.
- h) The width of the landscape strip shown on the CDP/FDP along Silverbrook Road shall not be diminished by the construction of turn lanes along Silverbrook Road.
- i) All engineering plans, including, but not limited to public improvement plans, site plans, or subdivision plats, that propose any construction activity, including but not limited to clearing and grading, within lands that will ultimately become county parks shall be reviewed by the FCPA staff as part of the review of the plans by the County.
- j) All requests for easements for lands that will ultimately become county parks shall be reviewed by the FCPA staff prior to approval.

7. PARKS AND RECREATION

- a) Pursuant to Paragraph 2 of Section 6-110 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall expend the sum of nine hundred fifty-five dollars (\$955.00) per approved dwelling unit for on-site recreation facilities that shall include, but shall not be limited to: a community center, a bath house, a pool, two (2) multi-purpose or other type of play courts, trails (exclusive of the trail along Silverbrook Road), and five (5) play areas (which shall include at least two (2) playgrounds for older children and no more than three (3) tot-lots for younger children), as generally shown on the CDP/FDP. Additional play or recreational facilities may be provided within any open space area, except for those areas designated as wetlands or tree save area on the CDP/FDP, without the requirement of a CDPA/FDPA or a proffered condition amendment. The balance of any funds not expended on-site, if any, or on the construction of off-site trails, shall be contributed to the FCPA at time of site plan/subdivision plat approval for the maintenance and/or acquisition of recreation facilities located in the vicinity of the Application Property.
- b) A one-hundred (100) foot wide strip along the Subject Property's Interstate 95 frontage, which is measured from the right-of-way of Interstate 95, shall be dedicated in fee simple

to the FCPA within six (6) months of construction of the trail that the Applicant shall construct between the Laurel Hill Greenway and the parkland that abuts the southern portion of the Subject Property, east of Land Bay F, as described in Proffer 3; however, this dedication shall occur no later than final bond release.

- c) All other areas designated on the CDP/FDP to be dedicated to the FCPA shall be dedicated in fee simple at the time of site plan/subdivision plan approval, if no trail is located within that dedicated area, or within six (6) months of completion of trails within the area to be dedicated, as appropriate, as described in Proffer 3; however, this dedication shall occur no later than final bond release.

8. STORMWATER MANAGEMENT

- a) The Applicant shall provide stormwater management ("SWM") and Best Management Practices ("BMPs") as determined by DPWES in the locations as generally shown on the CDP/FDP and in accordance with the requirements of the PFM and Chesapeake Bay Preservation Ordinance, unless waived or modified by DPWES. In the event that on-site stormwater management is waived or modified by DPWES, removal or modification of the SWM ponds, if in substantial conformance with the CDP/FDP, shall not require the approval of a proffered condition amendment or an amendment to the CDP/FDP, provided that the modification does not affect the limits of clearing and grading or tree preservation areas. Should one or more of the proposed SWM ponds be waived or modified by DPWES, that area not utilized as a SWM pond shall remain as undisturbed open space owned by the HOA established for the community, subject to the installation of utilities in the least disruptive manner.
- b) In order to restore a natural appearance to the proposed SWM ponds, a landscape plan shall be submitted at time of site plan/subdivision plat submission showing landscaping, in addition to that shown on the CDP/FDP, around the ponds to the greatest extent possible in keeping with the planting policies of Fairfax County, subject to the review and approval of the Urban Forester, DPWES. In order to minimize siltation and erosion impacts downstream of the Application Property, the Applicant shall install super-silt fencing in specific location(s) as approved by DPWES prior to and for the duration of any land disturbing activity.
- c) To address concerns for stream channel degradation caused by the increased volume, frequency and velocity of water flows from the site after development, all SWM/BMP facilities shall be designed with the alternative design criteria provided in the Virginia Department of Conservation and Recreation (DCR) Technical Bulletin No. 1 – Stream Channel Erosion Control (provided with DCR's Virginia Stormwater Management Handbook, First Edition, 1999). This alternative design criteria is allowed pursuant to Virginia Stormwater Management Regulation §4 VAC 3-20-81.C. and provides for 24-hour extended detention of the runoff generated by the 1 year, 24-hour duration storm in lieu of reduction of the 2-year post-developed peak rate of runoff. The Stormwater Planning Division of DPWES shall review any such alternative design. Further, the

Applicant shall reduce the two (2) year post-development peak rate of runoff so that it is at least one-third (1/3) less than the pre-development rate.

- d) All outfall locations shown on the CDP/FDP are conceptual. At the time of site plan/subdivision plat review and approval, the outfall devices shall be designed to minimize the potential for stream channel erosion, as determined by DPWES and the FCPA in coordination with the Northern Virginia Soil and Water Conservation District (NVSWCD), through the use of measures to include, but not be limited to, concentrating off-site flows from the property line to a defined bed and bank condition within closed storm sewer systems, lengthening the outfall pipe or strategically orienting its angle of entry. The Applicant shall put in place appropriate measures (as determined by DPWES and NVSWCD) at the pipe or channel outlet and/or in the stream to protect the streambed and banks from erosion. All off-site methods of construction with respect to any such storm sewer system shall be designed and constructed in such a manner as to minimize the impact on environmentally sensitive areas such as wetlands, steep slopes, Environmental Quality Corridors, streams, and stream beds. The final design of such storm sewer systems and methods of construction shall be subject to the review and approval of DPWES and the FCPA, at their sole discretion.
- e) Each site/subdivision plan or submission plan that contains a stormwater outfall shall incorporate the following:
- 1) Five (5) field surveyed cross-sections of the receiving stream channel in locations determined by the project's submitting civil engineer, subject to DPWES and NVSWCD approval, to be most susceptible to erosion problems due to soil type or geometric shape. One (1) of the field surveyed cross sections shall be located immediately upstream of the buffer. These sections shall be provided with permanent monuments on each end of the section, with monument coordinates (horizontal and vertical) provided on plans.
 - 2) Sieve analysis to determine soil classification data of stream bank and bed materials from representative channel materials, including the material with the lowest allowable velocity in the receiving stream reach.
 - 3) A calculation of the allowable average channel velocity at each cross-section using methods in accordance with Chapter 5 of the Virginia Erosion and Sediment Control Handbook, Third Edition, 1992.
- f) Most, if not all, of the outfalls are anticipated to be within EQC areas and may be partially or wholly on the property to be owned by the BOS or the FCPA. If such outfall is permitted by the BOS or the FCPA, clearing and grading will be minimized to the maximum extent possible, as determined by DPWES or the FCPA, to provide for piped outfalls and armored outfalls required to achieve adequate outfall. Off-site, temporary and permanent easements, as required by the PFM, will be requested from the County, as may be permitted pursuant to contractual agreement the Applicant and the County of Fairfax.

- g) Monitoring of Receiving Stream Channels – Pre-construction: Prior to the approval of a site/subdivision plan or subdivision section that contains a stormwater outfall, the Applicant shall submit a stream monitoring report to DPWES and the NVSWCD for review and approval, that contains the following data for each survey section utilized for the adequate outfall analysis:
- 1) Location of sections and outfall;
 - 2) Cross-section survey data, consisting of a graphical section drawing, coordinates of surveyed points, and the area of the channel below the plane formed by the section monuments;
 - 3) Photograph of each section; and a
 - 4) Narrative statement describing the status of the stream channel.
- h) Monitoring of Receiving Stream Channels – Post-construction: The Applicant shall prepare a stream monitoring report in the same manner as the pre-construction monitoring report in Paragraph (g) above. This report shall be submitted to DPWES and the NVSWCD annually after submission of each pre-construction report, until two (2) years after the development is completed in the drainage area of each outfall (herein after referred to as the “control period”), as evidenced by final bond release. All survey data shall be compared graphically and numerically to the original pre-construction submission.
- i) Criteria for Repair of Outfall Channels: If the stream cross-section (measured vertically from a plane formed by the survey monuments) has not changed by more than an average of 5% and the stream's thalweg (the deepest part of the channel) has not moved in amount greater than three (3) feet or 25% of the stream width (original top-of-bank to top-of-bank), whichever distance is greater, from the pre-construction survey during the monitoring period, then no repairs shall be required.
- j) Responsibility of Outfall Channel Repair: If the repair criteria described above are exceeded, the Applicant accepts responsibility for corrective restoration and/or stabilization measures, as determined by DPWES. The Applicant shall correct the cause of the problem as well as repair any erosion damage.
- k) Outfall Channel Design: To the extent possible, as determined by DPWES, in coordination with NVSWCD, restoration and stabilization measure shall incorporate bio-stabilization or bio-engineering processes to include, but not limited to, stabilization, regarding, or revegetation with native species. In the event restoration and/or stabilization is required within the control period, the control period shall be extended so as to require two (2) years of additional monitoring of all cross sections within and near the stabilized and/or restored areas, as determined by DPWES and NVSWCD, after installation of the required corrective stabilization measures installed consistent with the methodology described herein.
- l) Hydrology in wetlands shall be maintained at pre-construction levels.

9. SANITARY SEWER AND WATER

- a) Sanitary sewer and water lines shall be stubbed to the elementary school site, and shall also be extended under Silverbrook Road, at no cost to the County, terminating at the edge of ROW of Silverbrook Road that is across from Land Bay A, and that are sufficiently sized to accommodate the proposed Middle and High Schools, as well as the golf clubhouse, prior to a date which is two (2) years from the date of the rezoning.
- b) The Applicant shall provide water and sanitary sewer lines, at no cost to the County, to the site of the Maximum Security and Central Facility Redevelopment Area, at capacities which provide for the maximum level of development as set forth in Sub-Unit 3B of the County's Comprehensive Plan for adaptive and redevelopment uses. Sewer and water lines shall be extended under Silverbrook Road terminating at the edge of ROW for Silverbrook Road that abuts the redevelopment/adaptive use area in the general vicinity of where the Laurel Hill Greenway crosses Silverbrook Road, unless such other locations are mutually agreed to by the County and the Applicant. These sanitary sewer and water lines shall be completed prior to a date that is two (2) years from the date of the rezoning.
- c) Subject to DPWES approval, the Applicant shall seek to acquire a public sanitary sewer easement across Tax Map Parcels 107-2 ((1)) 27, 27A, 40, and 44 and shall provide sanitary sewer capacity for the Application Property and other projects in the vicinity of Laurel Hill, to include the three (3) proposed school sites and golf clubhouse. The provision of sanitary sewer for the three (3) proposed school sites and the golf clubhouse shall be at no cost to the County.
- d) The Applicant shall make all reasonable efforts to acquire the easements necessary for the construction of a sanitary sewer line as shown on the CDP/FDP. In the event the Applicant is not able to acquire the easement necessary to establish the sanitary sewer line, the Applicant shall submit a written request to Fairfax County to acquire the utility easements by means of its condemnation powers. In conjunction with such request, the Applicant shall forward to the appropriate County agency: (1) plat, plans and profiles showing the necessary easements to be acquired; (2) an appraisal, prepared by an independent appraiser approved by the County, of the value of the easement to be acquired and of all damages, if any, to the residue of each parcel; (3) a sixty (60) year title search certificate of the property on which the easement is to be acquired; and (4) cash in an amount equal to appraised value of the easement and of all damages to the residue of each parcel. In the event the owner of the property is awarded more than the appraised value of the property and of the damages to the residue in a condemnation suit, the Applicant shall pay the amount of the award in excess of cash amount to the County within fifteen (15) calendar days of said award. It is understood that the Applicant upon demand shall pay all other costs incurred by the County in acquiring the easement to the County. It is also understood that The Applicant cannot obligate the County to condemn or provide sewer to the Subject Property or to the three (3) proposed schools within the same sewer drainage shed as the Subject Property. Prior to and during the contemplated condemnation proceedings described above, the Applicant, its successors and assigns, shall be permitted to submit, process but not receive approval of site plan(s)/subdivision

plat(s) and development permits for other portions of the Application Property as described herein.

- e) If the necessary off-site sanitary sewer easements are obtained by the Applicant, the methods of construction with respect to any such sanitary sewer facilities shall be designed and constructed in such a manner as to minimize the impact on environmentally sensitive areas such as wetlands, steep slopes, Environmental Quality Corridors, streams, and stream beds. The final design of such sanitary sewer facilities and methods of construction shall be subject to the review and approval of DPWES and the FCPA, at their sole discretion.

10. NOISE ATTENUATION

- a) Prior to final site plan/subdivision plat approval, the Applicant shall provide a revised noise analysis based on final site grades and future traffic volumes on I-95 and Silverbrook Road, projected to the year 2020, to DPWES and DPZ for review and approval in accordance with DPZ's established guidelines for such noise analysis. The noise analysis shall utilize standard measures to evaluate noise, and shall demonstrate that exterior noise levels for both ground and upper story levels of any unit does not exceed DNL 75 dBA and that exterior noise within the privacy yards and outdoor recreational areas are reduced to below DNL 65 dBA.
- b) For privacy yards, back yards and outdoor recreation areas exposed to noise levels above DNL 65 dBA, solid wood privacy fences, or other solid wall/fence configurations that are solid from the ground up, with no gaps or openings, as determined necessary, shall be utilized as a sound attenuation measure. These fences shall conform to Zoning Ordinance regulations. Based on the study in Paragraph (a) above, the Applicant must demonstrate to DPWES and DPZ satisfaction that the fences are of sufficient design and height to adequately shield the impacted areas from the source of the noise.
- c) In order to reduce interior noise to a level of approximately DNL 45 dBA, units within a highway noise impact zone of DNL 65-70 dBA, as ultimately determined by the study in Paragraph (a) above, shall be constructed with the following acoustical treatment measures:
 - 1) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
 - 2) Doors and windows shall have a laboratory STC rating of at least 28 unless windows constitute more than 20% of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the windows should have a STC rating of at least 39. However, the Applicant may elect to have a refined acoustical analysis performed to determine minimum STC ratings for exterior walls, windows, and doors; and the STC rating specifications may be reduced based on this analysis, as determined appropriate by DPWES.

- 3) All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.
- d) For privacy yards, back yards and outdoor recreation areas exposed to noise levels above DNL 70 dBA, but below DNL 75 dBA, solid wood privacy fences, or other solid wall/fence configurations that are solid from the ground up, with no gaps or openings, as determined necessary, shall be provided as a sound attenuation measure. These fences shall conform to Zoning Ordinance regulations. Based on the study in Paragraph (a) above, the Applicant must demonstrate to DPWES and DPZ satisfaction that the fences are of sufficient design and height to adequately shield the impacted areas from the source of the noise.
- e) In order to reduce interior noise to a level of approximately DNL 45 dBA, units within a highway noise impact zone of DNL 70-75 dBA, as determined by the study in Paragraph (a) above, shall be constructed with the following acoustical treatment measures:
 - 1) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 45.
 - 2) Doors and windows shall have a laboratory STC rating of at least 37 unless windows constitute more than 20% of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the windows should have a STC rating of at least 45. However, the Applicant may elect to have a refined acoustical analysis performed to determine minimum STC ratings for exterior walls, windows, and doors; and the STC rating specifications may be reduced based on this analysis, as determined appropriate by DPWES.
 - 3) All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.
- f) The Applicant shall not construct residential units within any areas that exceed DNL 75 dBA as shown in the noise analysis unless appropriate noise mitigation measures are provided as approved by DPWES, to bring noise levels to DNL 75 or less. Exterior noise mitigation measures may include a sound attenuation wall and/or berm-wall combination, subject to DPWES and DPZ approval.
- g) Nothing herein shall be construed to restrict or otherwise limit the use of upper-level balconies or decks on residential units.
- h) No residential units shall be constructed within 200 feet of the I-95 ROW as shown on the CDP/FDP.

11. AFFORDABLE HOUSING

The Applicant shall comply with the Affordable Dwelling Unit ("ADU") program as set forth in Part 8 of Article 2 of the Zoning Ordinance. The number of ADUs to be provided may be reduced based on the adoption of a future amendment to the provisions of the ADU Ordinance. Affordable dwelling units may be provided within the single-family attached or detached portion of the development, at the discretion of the Applicant, and shall be dispersed to the extent deemed practical by the Applicant at the time of site plan/subdivision plat approval. However, no more than four (4) ADUs shall be included in any one (1) townhouse building to ensure distribution of ADUs.

12. HERITAGE RESOURCES

- a) The Applicant has conducted Phase I and Phase II archaeological studies on the Application Property. Prior to any land disturbing activities on the Application Property, the Applicant shall conduct a Phase III archaeological study on that area identified on the Application Property as Site 44FX2485. The study shall be performed by a qualified archaeological professional approved by the Fairfax County Heritage Resources Branch ("Heritage Resources"). The results shall be reviewed and approved by Heritage Resources. Further, any Phase III treatment of archaeological resources shall be in accordance with the Memorandum of Agreement between the General Services Administration, the Bureau of Land Management, the County of Fairfax, the Fairfax County Parks Authority, the Fairfax County Public Schools, the Federation of Lorton Communities, the Lorton Heritage Society, the Northern Virginia Regional Park Authority, the Virginia Department of Historic Resources, and the Advisory Council of Historic Preservation.
- b) Prior to any land disturbing activities on the Application Property, the Applicant shall provide access to the Application Property to Heritage Resources to conduct archaeological studies on the Application Property, provided that said studies shall not interfere with the proposed construction schedule of the Application Property or affect the number of lots or lot layout as shown on the CDP/FDP. Access shall be allowed for Heritage Resources to conduct such studies for a period of six (6) months from the final date of this rezoning approval unless otherwise mutually agreed to by the Applicant and Heritage Resources. The Applicant shall also make the Application Property available to Heritage Resources for monitoring during construction for the purpose of recovering any artifacts that may be exposed. Said studies shall not interfere with the construction schedule of the Application Property.
- c) The Applicant shall retain ownership of all artifacts found on the Application Property. The Applicant may offer any artifacts found on the Application Property to Heritage Resources prior to discarding.

13. MISCELLANEOUS

- a) These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.
- b) Improvements shall be phased to be constructed with each phase of the development of the Application Property.
- c) If determined necessary by the Fairfax County Water Authority, the Applicant shall construct a twenty-four (24) inch water main to serve the development, the three (3) proposed schools, the golf clubhouse and other development as set forth in Sub Unit 3B of the County's Comprehensive Plan. This water main shall be located within the ROW of Silverbrook and, perhaps, within the Application Property. It will generally be necessary to extend the water main from its terminus on Silverbrook Road, northwest within the ROW of Silverbrook Road to approximately Monacan Road. It may also be necessary to extend the water main from its terminus on Silverbrook Road, northwest within the ROW of Silverbrook Road, around the "connector", "loop" or "spine" road, and again northwest along the Silverbrook Road ROW to approximately Monacan Road. In accordance with the Code of Virginia §15.2-2232 (A), as of the date hereof, the general location, character, and extent of the public utility structure has been described above. Further, if this proffer is accepted pursuant to §15.2-2303, the 24-inch water main shall be excepted from the requirement for submittal to and approval by the Planning Commission or the Board of Supervisors.
- d) A covenant shall be recorded that provides that garages shall only be used for a purpose that will not interfere with the intended purpose of garages (e.g., parking of vehicles). This covenant shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA and the Fairfax County BOS. Purchasers shall be advised of the use restriction prior to entering into a contract of sale. This restriction shall also be included in the HOA documents.
- e) If requested by DPWES during site plan/subdivision plat review, the Applicant shall have a geotechnical study of the Application Property prepared by a geotechnical engineer, shall submit the report to DPWES for review and approval, and shall implement the recommendations outlined in the approved study.
- f) Homes constructed on the Application Property shall meet thermal guidelines of the Virginia Power Energy Saver Program for energy-efficient homes or its equivalent, as determined by DPWES, for either electrical or gas energy systems.
- g) Notwithstanding the locations for signs and the typical entry sign included in the CDP/FDP, all signs shall comply with Article 12, unless a comprehensive sign plan is approved in accordance with the provisions of Sect. 12-205.
- h) No temporary signs (including "popsicle" style paper or cardboard signs) that are prohibited by Article 12 of the Zoning Ordinance, and no signs that 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 sales of homes on the Application Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and/or home sales for the Application Property to adhere to this proffer.

- i) All utilities within the Application Property shall be placed underground. There shall be no new utility poles located along Silverbrook Road, with the exception of any light poles required by DPWES or VDOT pursuant to site plan/subdivision plat review.
- j) In accordance with the United States of America's agreement with the District of Columbia regarding use of the Transportation Facility, the Transportation Facility may continue to be used as such until the license issued to the District of Columbia expires on March 31, 2002.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

Signature Page for RZ 2001-MV-025
Pulte Home Corporation's Laurel Hill - South

Applicant/ Title Owner of the Application Property/ Former
Potential Contract Purchaser of the Application Property/
Agent for the Former Title Owner of the Application
Property/ Former Contract Purchaser of Meadowood Farm/
Former Title Owner of Meadowood Farm

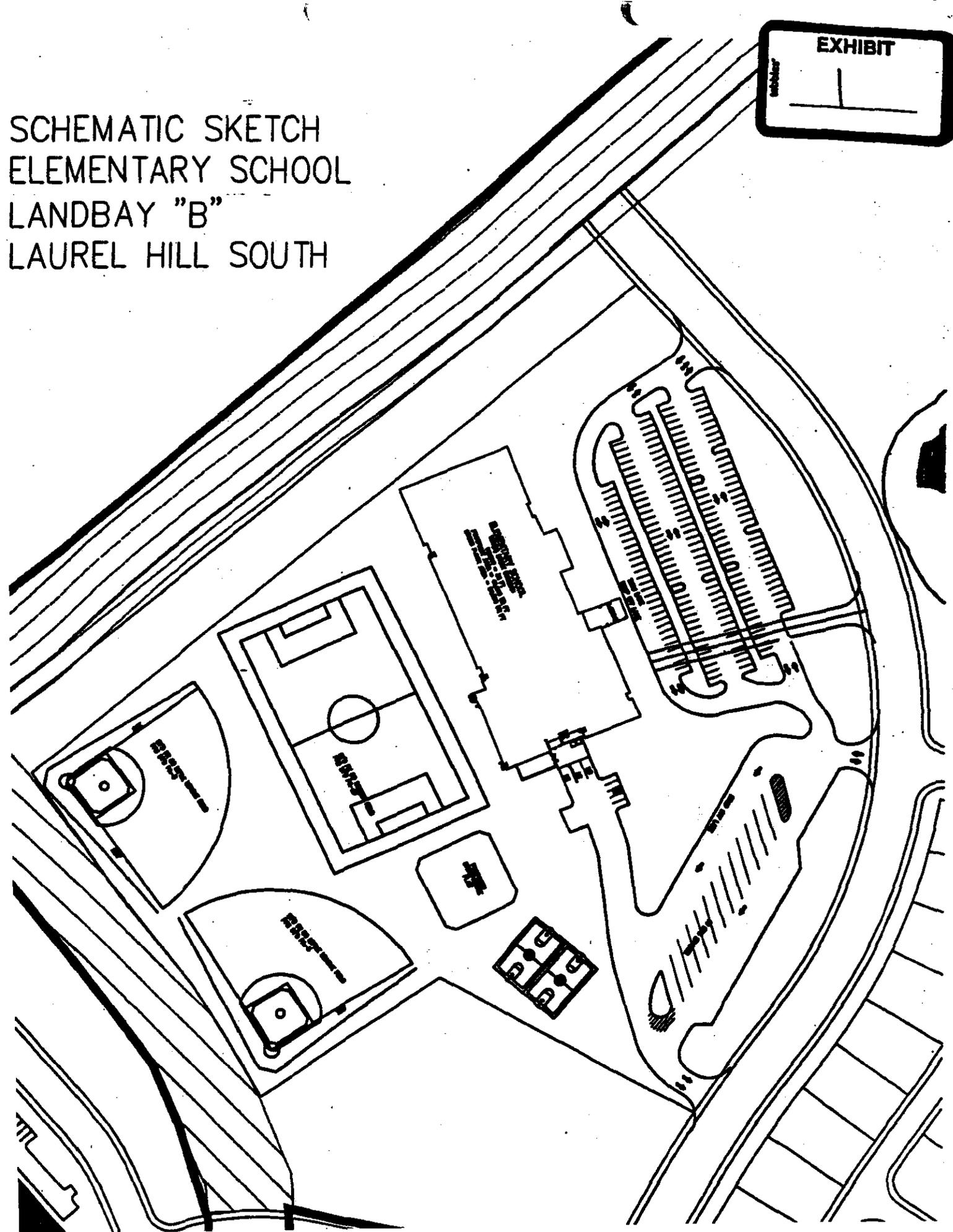
Pulte Home Corporation

By: _____

Name: Stanley F. Settle, Jr.
Title: Agent/Attorney-in-Fact

EXHIBIT

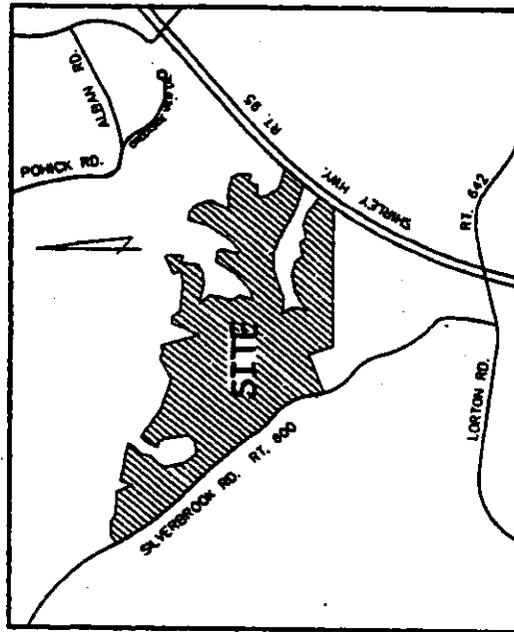
SCHEMATIC SKETCH
ELEMENTARY SCHOOL
LANDBAY "B"
LAUREL HILL SOUTH



LAUREL HILL SOUTH

MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

CONCEPTUAL/FINAL DEVELOPMENT PLAN



VICINITY MAP
SCALE: 1" = 2,000'

- SHEET INDEX:**
1. COVER SHEET
 2. NOTES AND TABULATIONS
 3. COMPOSITE PLAN
 - 4-8. CONCEPTUAL/FINAL DEVELOPMENT PLANS
 9. ALTERNATE COMPOSITE PLAN
 10. ALTERNATE CONCEPTUAL/FINAL DEVELOPMENT PLAN
 11. EXISTING VEGETATION MAP
 12. PEDESTRIAN CIRCULATION - TRAILS & SIDEWALKS
 13. ENTRANCE LANDSCAPE AND NOISE WALL DETAIL
 14. LOT DETAILS/LOT LANDSCAPE/HOUSE ELEVATIONS
 15. AMENITIES AND SITE FURNITURE

AGENT FOR APPLICANT
PULTE HOME CORPORATION
 10600 ARROWHEAD DRIVE, SUITE 225
 FAIRFAX, VIRGINIA 22030

APRIL 9, 2001
 Revises: July 9, 2001
 Revises: August 9, 2001
 Revises: August 28, 2001
 Revises: September 17, 2001



LAUREL HILL SOUTH
 MOUNT VERNON DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 CONCEPTUAL/FINAL DEVELOPMENT PLAN
 DT / PIV 2001-07-003

Dowberry & Davis LLC
 a Dowberry Company
 10000 Old Dominion Blvd., Suite 200
 Fairfax, VA 22030
 Tel: (703) 462-1000 Fax: (703) 462-1010

M-10274

CONCEPTUAL / FINAL DEVELOPMENT PLAN
LAUREL HILL SOUTH

FAIRFAX, VIRGINIA

MT. VERNON DISTRICT

Dewberry & Davis LLC
A Dewberry Company

1000 00-0000
FAX: 703-441-1111

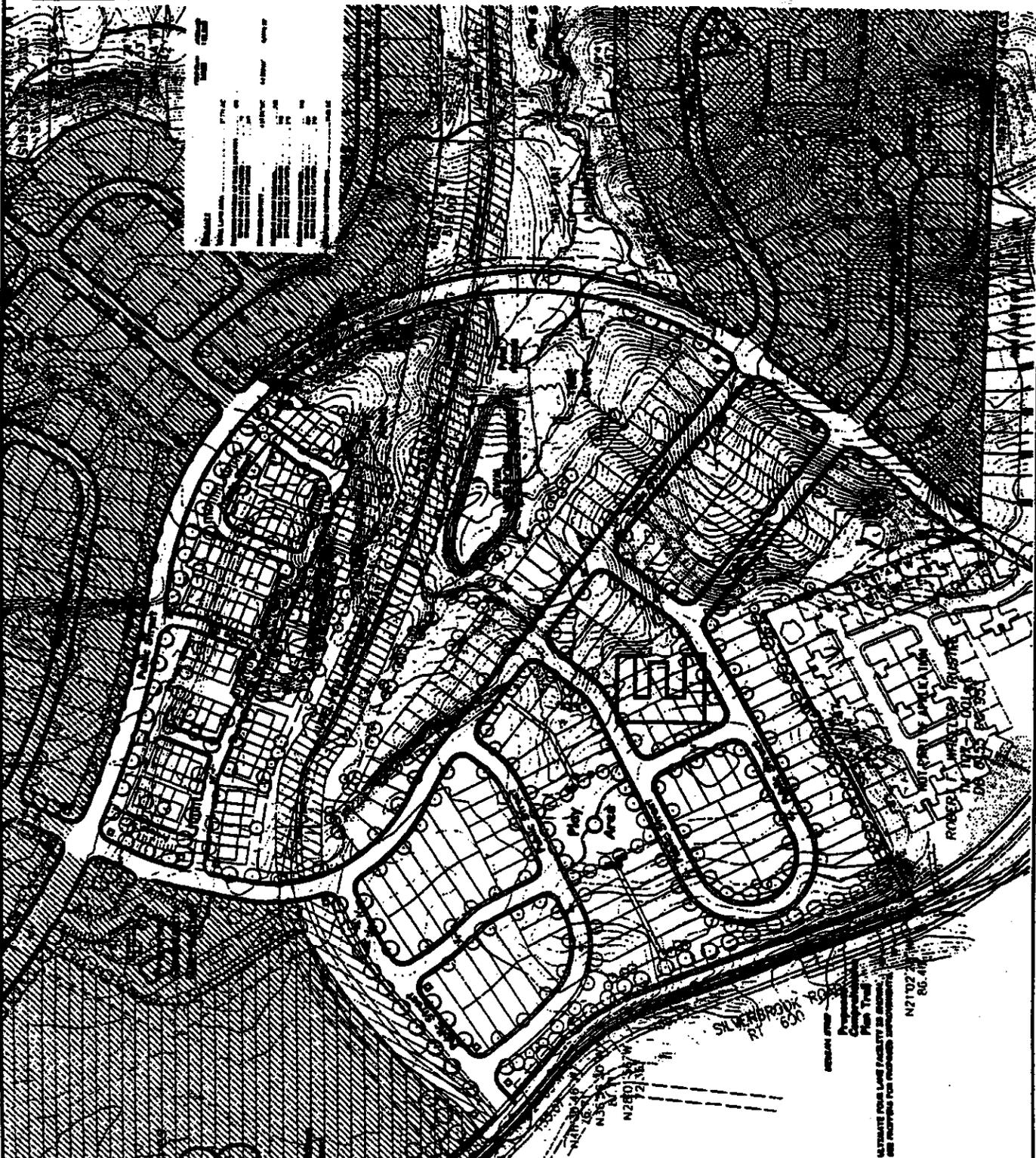
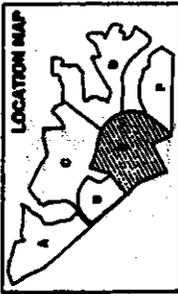
CONCEPT PLAN B (ALTERNATE PLAN)
ALTERNATE PLAN - AREA E
RZ / FDP 2001-MA-025



1. This plan was prepared by Dewberry & Davis LLC, a professional engineering firm, under the supervision of a Professional Engineer registered in the State of Virginia.

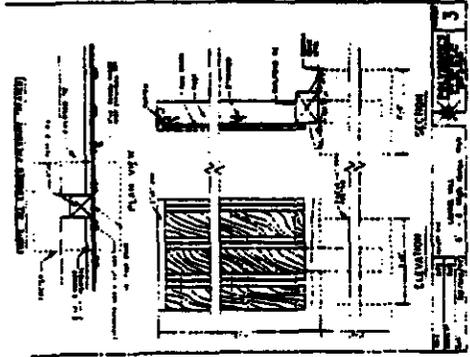


- Proposed Road
- Proposed Right-of-Way
- Proposed Utility Lines
- Existing Road
- Existing Right-of-Way
- Existing Utility Lines
- Proposed Limits of Clearing
- Proposed Limits of Construction
- Proposed Limits of Site

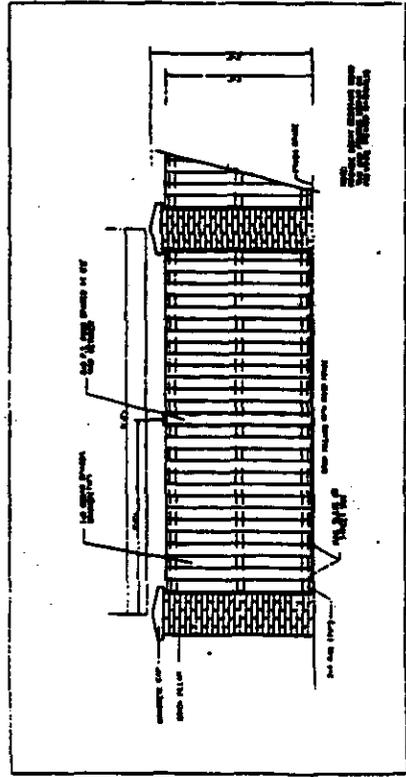


ULTIMATE JOB LANE FACILITY IS SHOWN
AND PROVIDED FOR FUTURE DEVELOPMENT

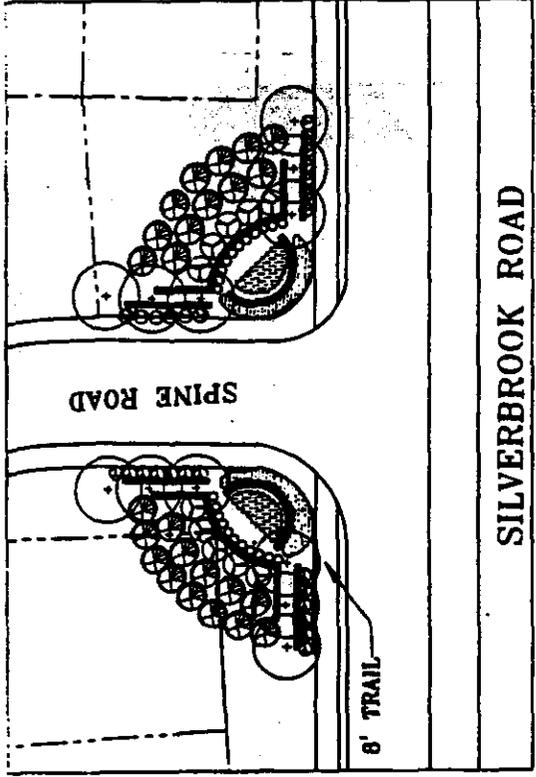
N21702
86.46



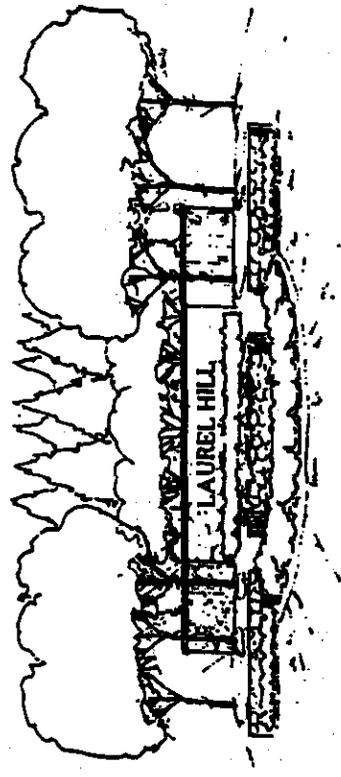
NOISE WALL DETAILS FOR FENCING IN LANDBAYS 'D' & 'F'



TYP. NOISE ATTENUATION/DECORATIVE FENCE
 LANDBAY 'A' FRONTAGE - SILVERBROOK RD.



ENTRANCE PLAN



ENTRANCE ELEVATION

Dowderty & Davis LLC
 2025 North Main Street
 Suite 100
 Fairfax, Virginia 22031
 Phone: 703.441.1111
 Fax: 703.441.1112
 www.dowdertyanddavis.com

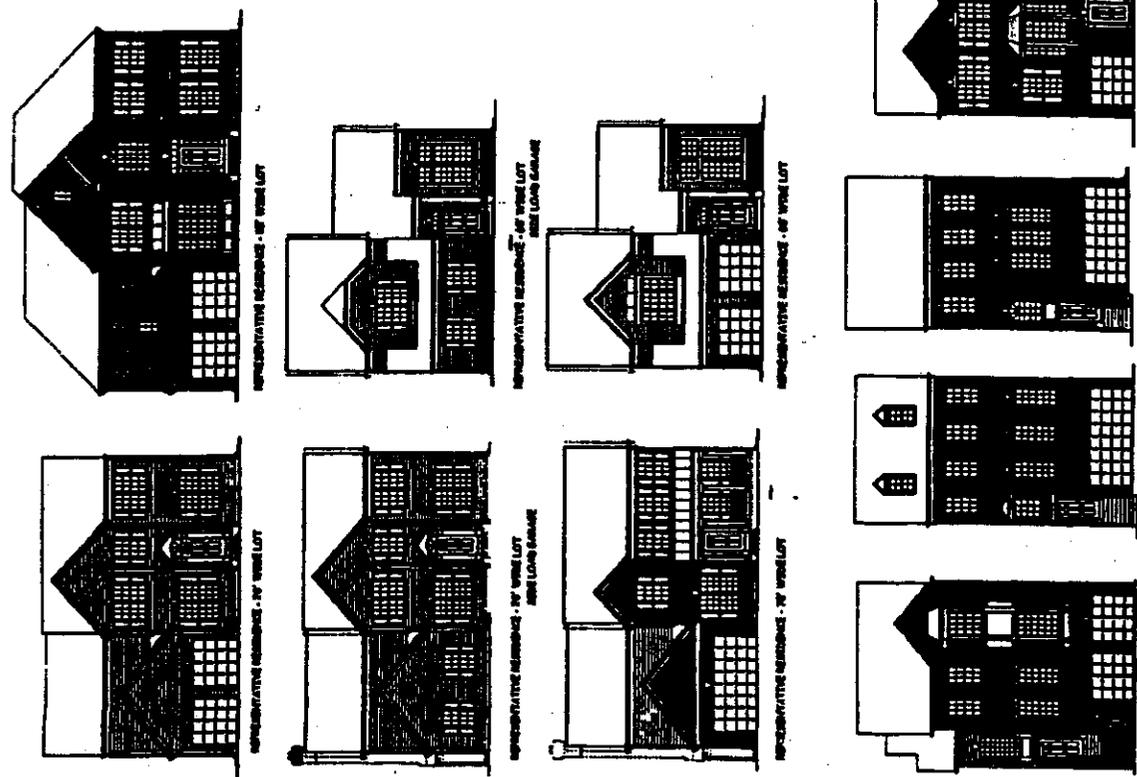
ENTRANCE LANDSCAPE DETAIL
 & NOISE WALL DETAILS
PULTE HOMES \ LAUREL HILL
 FAIRFAX, VIRGINIA
 MOUNTAIN VIEW DISTRICT

DATE: 08/15/15
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]
 SHEET NO.: 13 OF 15

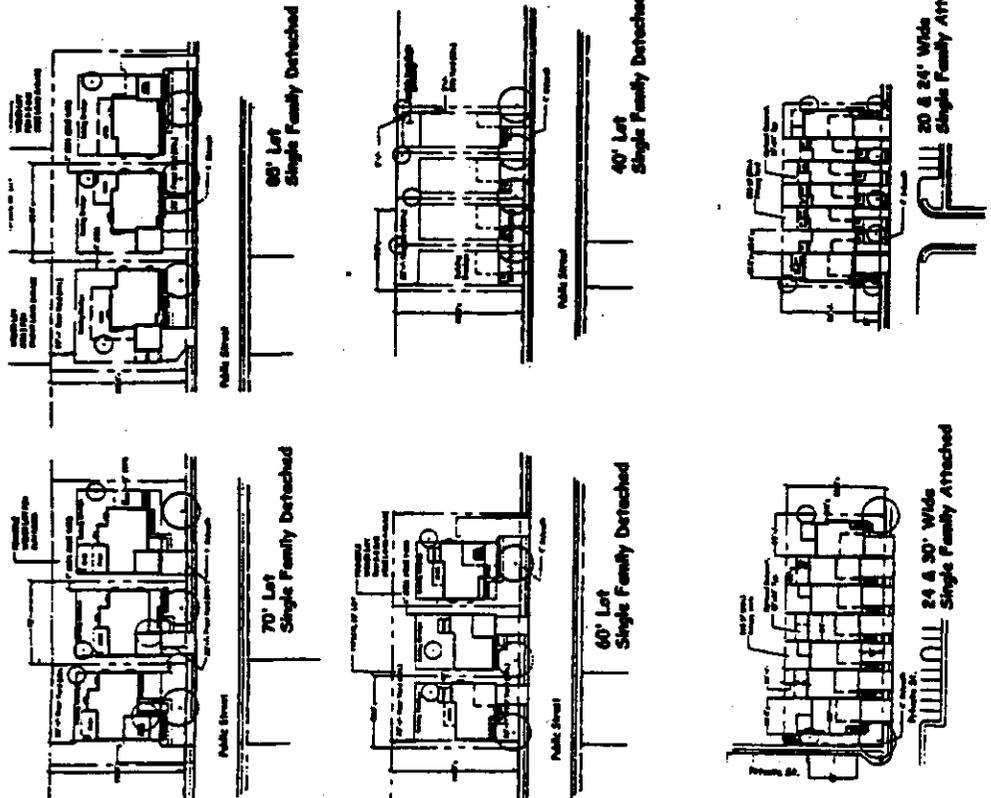


EZ / FDP 2001-VA-025

RZ / FDP 2001 - NV-025



TYPICAL HOUSE ELEVATIONS
 Not To Scale



- LANDSCAPE LEGEND**
- STREET TREES / LARGE CANOPY TREES
2" = 2 1/2" CALIPER
 - EVERGREEN TREES
6' - 8' HEIGHT
 - ORNAMENTAL AND MEDIUM CANOPY TREES
6' - 8' HEIGHT
 - FOUNDATION PLANTING (GENERALIZED)

TYPICAL LOT LAYOUT DETAILS
 SCALE 1" = 50'

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: Comprehensive Plan Analysis, Land Use & Environment:
FDPA 2001-MV-025, Pulte Home Corporation

DATE: 21 February 2002

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the above referenced application and Final Development Plan Amendment (FDPA) dated November 15, 2001. The extent to which the proposed use, intensity and development plan are consistent with the guidance of the Plan is noted.

NOTE: An Out-Of-Turn-Plan Amendment related to the FDPA application is currently scheduled for public hearing before the Planning Commission on February 20, 2002 and before the Board of Supervisors on March 4, 2002. The current Plan stipulates that the number of townhouse units that are to be provided in Sub-unit 2B (the application property) should be limited to 20 percent of the total number of units in that sub-unit, exclusive of any required affordable dwelling units (ADU). The proposed amendment would modify that limitation to allow 35% of the total number of units to be townhouse units.

DESCRIPTION OF THE APPLICATION

The application property consists of approximately 58 acres of land fronting on Silverbrook Road in Laurel Hill. The property is part of a larger development which was recently rezoned (RZ 2001-MV-025) from the R-C District to the PDH-4 District to permit single family attached and detached development at a density of approximately 2.8 du/ac. The FDPA addresses Land Bay E, one of 5 land bays proposed for development with the initial rezoning approval. The overall density of 2.8 du/ac is not proposed to be changed. The approved FDP for Land Bay E contains 77 single-family attached and 165 single family detached units for a total of 242 units. However, the proffered development plans accepted with the rezoning provided two development scenarios: Concept A in which 33 percent of the units were townhouses and Concept B, in which 14 percent of the units were townhouses. At the time of rezoning, staff, the applicant and the community found that the layout for Concept A to be better than Concept B because the number of small single family detached lots was reduced, even though Concept A did not conform to the Plan. Concept B was in conformance with the Plan and the final

development plan (FDP) for that concept was approved as noted above. The conceptual development plan (CDP) for Concept A was also approved, however, the FDP was not. The proffers stated that Concept A could be developed only if a plan amendment to modify the recommended proportion of townhouse units was approved. As noted, the Plan amendment is pending. The subject application requests FDP approval for Concept A which would allow increased proportion of townhouse units, approximately 33%, consistent with the number and layout and number of townhouses depicted in Concept A and approved as part of the conceptual development plan for RZ 2001-MV-025. The proposed FDPA depicts 150 single-family attached and 88 single family detached units which is identical to the alternative development Concept A provided with the initial rezoning.

LOCATION AND CHARACTER OF THE AREA

The application property is located in Land Unit 2 in Laurel Hill, which is generally located on the northeast side of Silverbrook Road, approximately 1,000 feet north of the intersection of Silverbrook Road and Plaskett Lane. The site is bounded by open space, steep slopes and EQC/RPA associated with South Run and Pohick Creek along its northern boundary and a portion of the eastern boundary. Sub-Unit 2B, identified as Tax Map 106-4 ((1) 54 pt., is located in the southern portion of Land Unit 2 and consists of approximately 214 acres situated between Silverbrook Road and Rt. I-95. Property to the south is planned for residential development at 8-12 du/ac and has been rezoned to PDH-8 to permit single family detached development pursuant to RZ 1999-MV-053. Sub-unit 2A to the north is planned for residential development at 2-4 du/ac and, as previously noted, was rezoned to the PDH-4 District pursuant to RZ 2000-MV-025 to permit single family residential development and an elementary school. Land to the west and southwest across Silverbrook Road is part of the former Lorton Prison site and is planned for public facilities.

PLAN CITATIONS

The subject property is located in the Laurel Hill Community Planning Sector, Land Unit 2, Sub-unit 2B in Area IV. The following excerpts found on Page 41 of the Area IV Plan contain the Plan text that is relevant to this proposed amendment.

"Sub-unit 2B:

...

- Residential development in this sub-unit should be a mix of small lot single family detached and townhouse uses, with townhouse development limited to a maximum of 20 percent of the units within this sub-unit."*

In addition to the Plan text cited above, Figure 15 on the following page maps the subdivision of Land Unit 2 into Sub-units 2A and 2B.

**The pending OTPA proposes to modify the proportion of townhouses in Sub-unit 2B to 35%.*

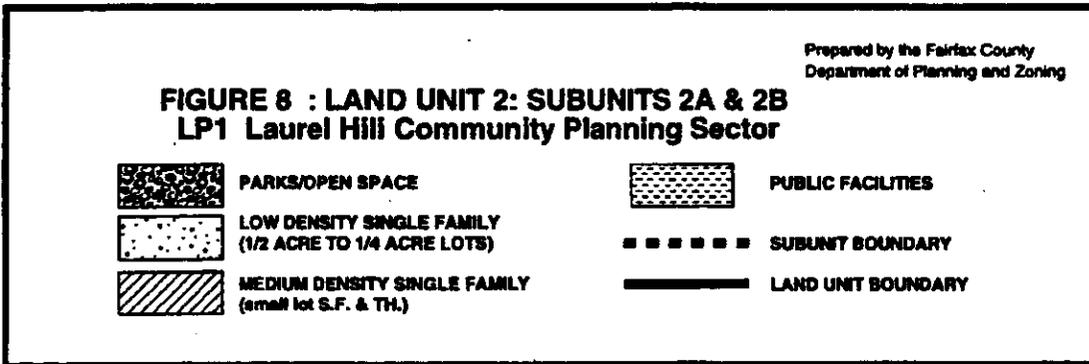
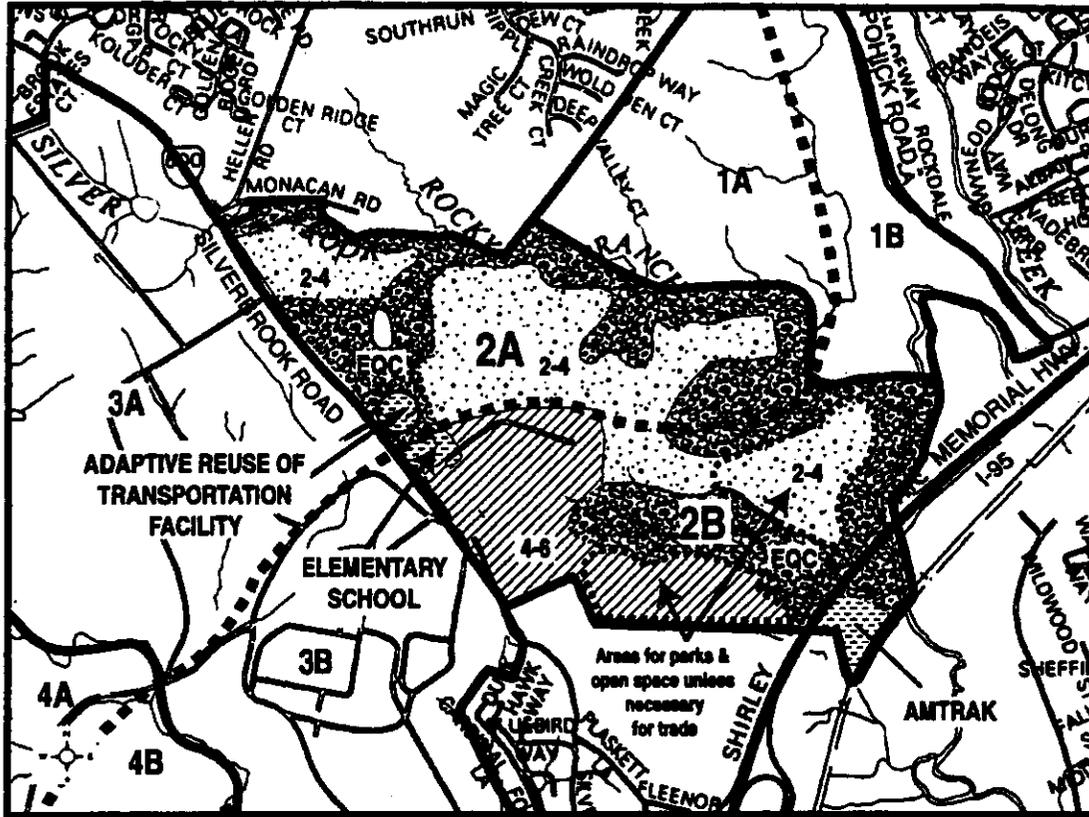


FIGURE 15

ANALYSIS

There are no land use or environmental issues raised in connection with the application. The FDPA continues to address the Plan recommendations related to clustering of units, dedication of

land for public facilities (schools and parks), access and public street connections, trails and active and passive recreation. The revised layout is consistent with Concept A, which was shown as a development alternative with the initial rezoning of the property. The proposed layout provides four fewer units, more open space and a better mix of unit types, and reduces the number of narrow (40 foot wide) single family detached lots. These design elements result in an improved final development plan.

The revised FDP remains in conformance with the land use, design and intensity guidance of the Plan with the single exception of the proportion of townhouse units shown. At such time as the Plan is amended pursuant to the pending OTPA, the proposed development could be deemed in conformance with all of the Plan guidance for development of this area.

BGD:DMJ

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

FILE: 3-4 (RZ 2001-MV-025)

SUBJECT: Transportation Impact

REFERENCE: FDPA 2001-MV-025; Pulte Home Corporation
Land Identification Map: 106-4 ((1)) part of 54
Traffic Zone: 1635

DATE: February 14, 2002

The following comments reflect the position of the Department of Transportation. These comments are based on the applicant's statement of justification dated November 21, 2001, and the amended final development plan dated November 15, 2001.

The applicant is seeking to reduce the overall number of dwelling units and modify the unit mix within one lane bay of the larger development approved with RZ 2001-MV-025. The unit mix will shift from single family detached to single family attached units. Several minor transportation issues are associated with the application and should be addressed prior to favorable consideration of the application. First, pedestrian circulation within the two single family attached sections should be enhanced by providing additional sidewalks and walkways. Second, a right turn lane should be delineated on the development plan and provided into the land bay from northbound Silverbrook Road. Third, a second point of access should be provided into the newly proposed townhouse community within this land bay.

AKR/CAA

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services

SELECTED EXCERPTS FROM THE ZONING ORDINANCE

ARTICLE 16

DEVELOPMENT PLANS

PART 1 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 in the zoning district if the site were developed as a conventional subdivision. See 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.

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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-gnt 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	PD	Planning Division
ADU	Affordable Dwelling Unit	PDC	Planned Development Commercial
ARB	Architectural Review Board	PDH	Planned Development Housing
BMP	Best Management Practices	PFM	Public Facilities Manual
BOS	Board of Supervisors	PRC	Planned Residential Community
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	SP	Special Permit
DP	Development Plan	TDM	Transportation Demand Management
DPWES	Department of Public Works and Environmental Services	TMA	Transportation Management Association
DPZ	Department of Planning and Zoning	TSA	Transit Station Area
DU/AC	Dwelling Units Per Acre	TSM	Transportation System Management
EQC	Environmental Quality Corridor	UP & DD	Utilities Planning and Design Division, DPWES
FAR	Floor Area Ratio	VC	Variance
FDP	Final Development Plan	VDOT	Virginia Dept. of Transportation
GDP	Generalized Development Plan	VPD	Vehicles Per Day
GFA	Gross Floor Area	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	ZAD	Zoning Administration Division, DPZ
Non-RUP	Non-Residential Use Permit	ZED	Zoning Evaluation Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZPRB	Zoning Permit Review Branch
PCA	Proffered Condition Amendment		

