



# FAIRFAX COUNTY

APPLICATION FILED: June 12, 2001  
PLANNING COMMISSION: November 28, 2001  
BOARD OF SUPERVISORS: not scheduled

---

V I R G I N I A

November 21, 2001

## STAFF REPORT

APPLICATION RZ 2001-SU-034  
in association with RZ 2001-SU-035

### SULLY DISTRICT

**APPLICANT:** Madison Homes, Inc.

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

**REQUESTED ZONING:** R-5, WS

**PARCELS:** 45-2 ((2)) 17

**ACREAGE:** 1.93 acres

**RESIDENTIAL DENSITY:** 4.66 dwelling units per acre (du/ac)

**OPEN SPACE:** 25%

**PLAN MAP:** Residential; option for 4-5 du/ac

**PROPOSAL:** To rezone from the R-1 to the R-5 District to permit residential development consisting of nine (9) single family attached units.

This application was designed and reviewed in association with RZ 2001-SU-035 (85 single family attached units).

### STAFF RECOMMENDATION:

Staff recommends approval of RZ 2001-SU-034, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a waiver of the minimum district size for RZ 2001-SU-034.

Staff recommends approval of the modification of transitional screening and waiver of the barrier on all sides of RZ 2001-SU-034, in favor of that shown on the GDP.

Staff recommends approval of RZ 2001-SU-035, subject to the execution of proffers consistent with those contained in Appendix 2.

Staff recommends approval of the modification of transitional screening and waiver of the barrier on all sides of RZ 2001-SU-035, in favor of that shown on the GDP.

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.

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





# FAIRFAX COUNTY

APPLICATION FILED: June 12, 2001  
APPLICATION AMENDED: October 10, 2001  
PLANNING COMMISSION: November 28, 2001  
BOARD OF SUPERVISORS: not scheduled

V I R G I N I A

November 21, 2001

## STAFF REPORT

APPLICATION RZ 2001-SU-035  
in association with RZ 2001-SU-034

### SULLY DISTRICT

**APPLICANT:** Madison Homes, Inc.

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

**REQUESTED ZONING:** R-5, WS

**PARCELS:** 45-2 ((2)) 5 – 15

**ACREAGE:** 14.88 acres

**RESIDENTIAL DENSITY:** 5.71 dwelling units per acre (du/ac), including affordable dwelling units (ADUs)

**OPEN SPACE:** 32%

**PLAN MAP:** Residential; option for 4-5 du/ac

**PROPOSAL:** To rezone from the R-1 to the R-5 District to permit residential development consisting of 85 single family attached units, including 11 ADUs.

This application was designed and reviewed in association with RZ 2001-SU-034 (9 single family attached units).

### STAFF RECOMMENDATION:

Staff recommends approval of RZ 2001-SU-035, subject to the execution of proffers consistent with those contained in Appendix 2 of the Staff Report.

Staff recommends approval of the modification of transitional screening and waiver of the barrier on all sides of RZ 2001-SU-035, in favor of that shown on the GDP.

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.

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



# REZONING APPLICATION

## RZ 2001-SU-035

FILED 06/12/01

AMENDED 10/10/01

MADISON HOMES, INC.

TO REZONE: 14.88 ACRES OF LAND; DISTRICT - SULLY  
PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE R-5 DISTRICT

LOCATED: WEST SIDE OF RUGBY ROAD, NORTH OF U.S. ROUTE  
50 AND SOUTH OF FAIRFAX COUNTY PARKWAY

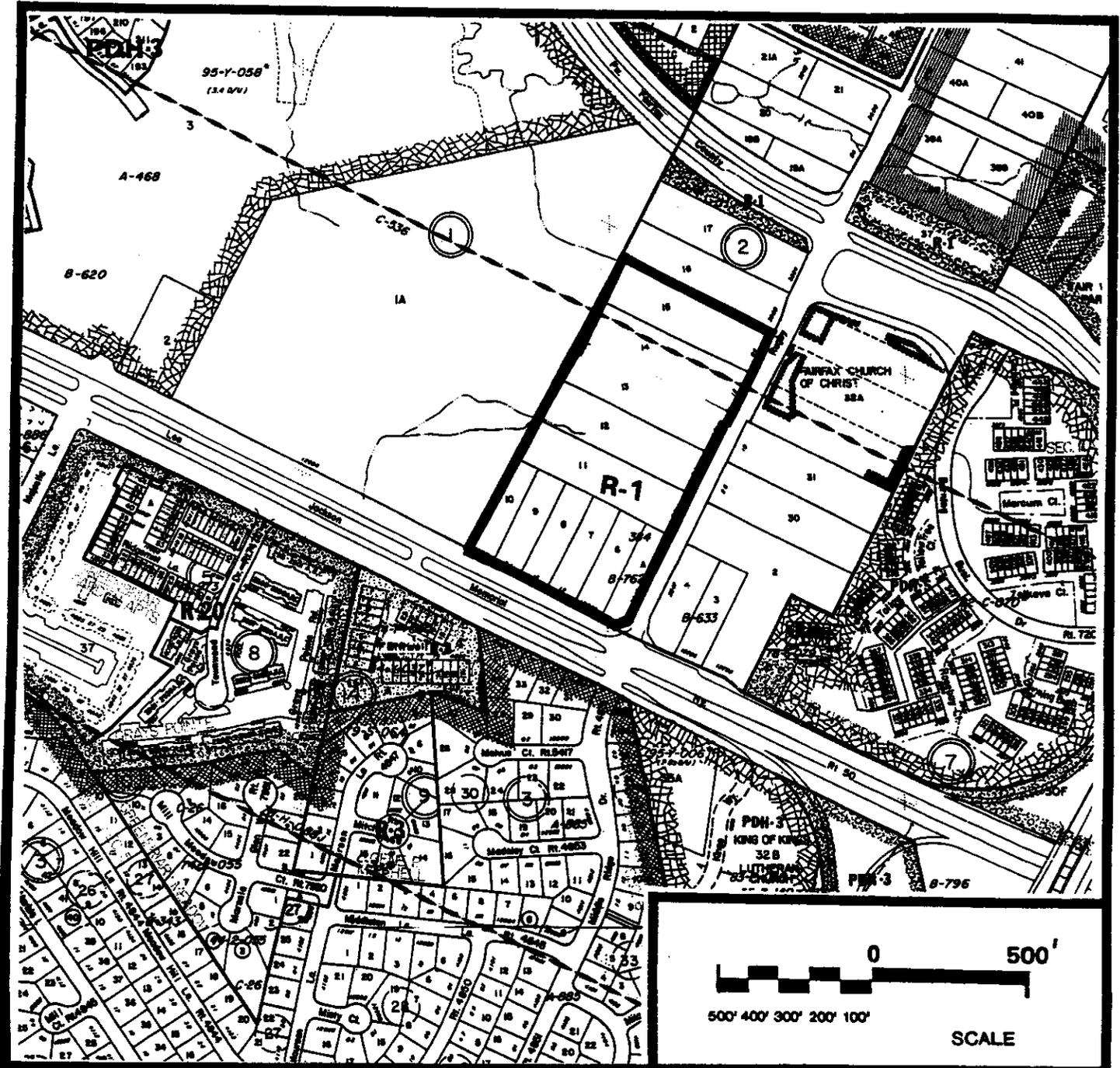
ZONING: R-1

TO: R-5

OVERLAY DISTRICT(S): HC WS

MAP REF

045-2- /02/ /0005- ,0006- ,0007- ,0008- ,0009  
045-2- /02/ /0010- ,0011- ,0012- ,0013- 0014 0015



# REZONING APPLICATION

## RZ 2001-SU-035

MADISON HOMES, INC.  
TO REZONE: 14.88 ACRES OF LAND; DISTRICT - SULLY  
PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE R-5 DISTRICT  
LOCATED: WEST SIDE OF RUGBY ROAD, NORTH OF U.S. ROUTE  
50 AND SOUTH OF FAIRFAX COUNTY PARKWAY  
ZONING: R-1  
TO: R-5  
OVERLAY DISTRICT(S): HC WS

MAP REF	045-2- /02/ /0005-	,0006-	,0007-	,0008-	,0009
	045-2- /02/ /0010-	,0011-	,0012-	,0013-	0014 0015



# REZONING APPLICATION

## RZ 2001-SU-034

MADISON HOMES, INC.

FILED 06/12/01

TO REZONE: 1.93 ACRES OF LAND; DISTRICT - SULLY

PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE R-5 DISTRICT

LOCATED: WEST SIDE OF RUGBY ROAD,  
AND SOUTH OF FAIRFAX COUNTY PARKWAY

ZONING: R-1

TO: R-5

OVERLAY DISTRICT(S): WS

MAP REF

045-2- /02/ /0017-

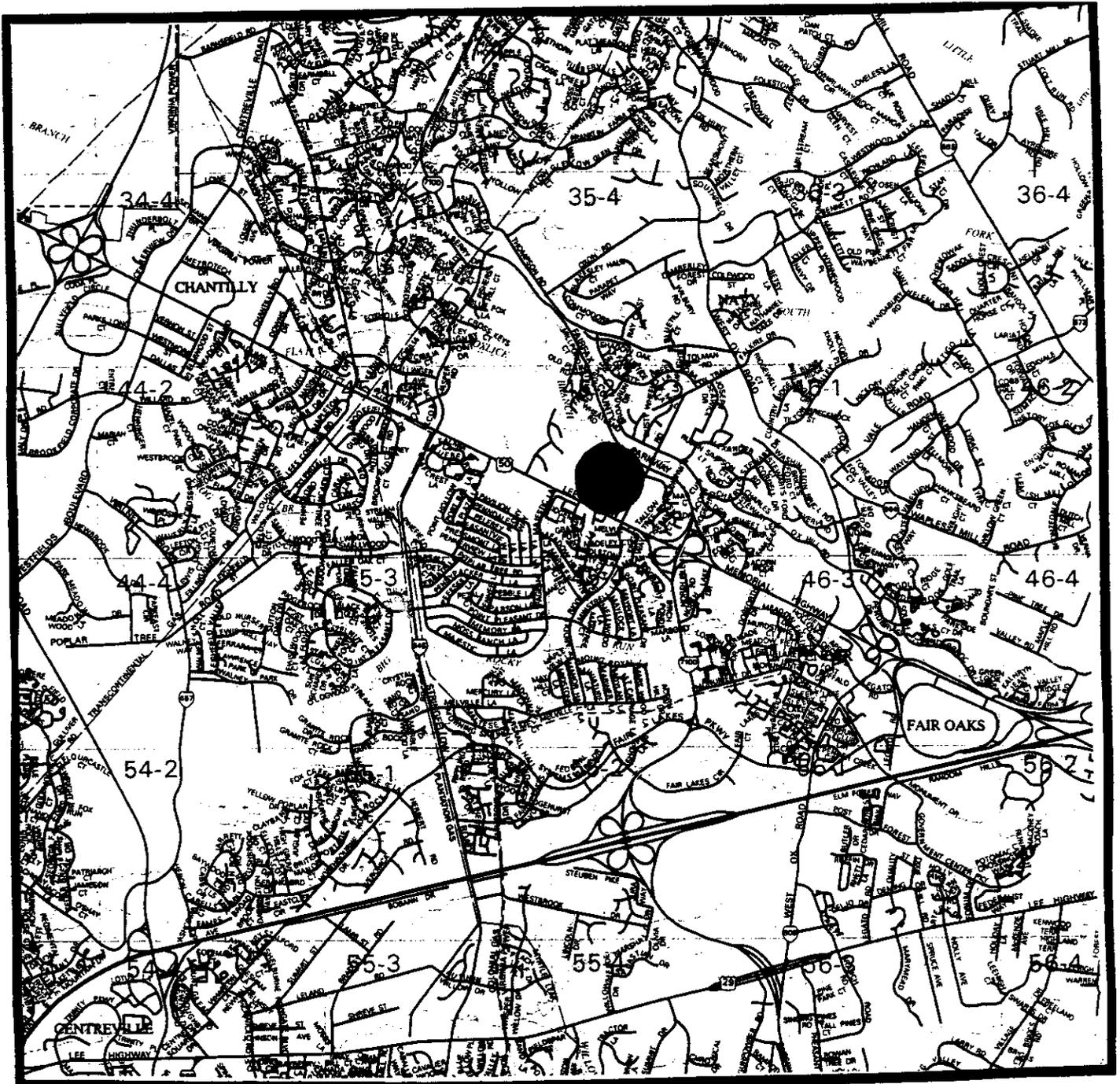


# REZONING APPLICATION

## RZ 2001-SU-034

MADISON HOMES, INC.

FILED 06/12/01 TO REZONE: 1.93 ACRES OF LAND; DISTRICT - SULLY  
PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE R-5 DISTRICT  
LOCATED: WEST SIDE OF RUGBY ROAD,  
AND SOUTH OF FAIRFAX COUNTY PARKWAY  
ZONING: R- 1  
TD: R- 5  
OVERLAY DISTRICT(S): WS  
MAP REF 045-2- /02/ /0017-



# Madison / Rugby Road II

SULLY DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
GENERALIZED DEVELOPMENT PLAN



VICINITY MAP  
Scale: 1"=2.00"

**APPLICANT:**

Madison Homes  
6723 Whittier Avenue  
Suite 104  
McLean, Virginia 22101

**SHEET INDEX:**

1. COVER SHEET
2. NOTES AND TABULATIONS
3. COMPOSITE PLAN
4. GENERALIZED DEVELOPMENT PLAN

May 4, 2001  
Revised: July 26, 2001  
Revised: October 12, 2001  
Revised: October 23, 2001



Madison / Rugby Road II

SULLY DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
GENERALIZED DEVELOPMENT PLAN







# Madison / Rugby Road I

## SULLY DISTRICT FAIRFAX COUNTY, VIRGINIA GENERALIZED DEVELOPMENT PLAN



**APPLICANT:**

Madison Homes  
6723 Whittier Avenue  
Suite 104  
McLean, Virginia 22101



Madison / Rugby Road I

SULLY DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
GENERALIZED DEVELOPMENT PLAN

**SHEET INDEX:**

1. COVER SHEET
2. NOTES AND TABULATIONS
3. COMPOSITE PLAN
4. GENERALIZED DEVELOPMENT PLAN
5. FRONT ELEVATION
6. REAR ELEVATION / BERM SECTION
7. LANDSCAPE DETAILS

May 4, 2001  
Revised: July 26, 2001  
Revised: October 12, 2001  
Revised: October 23, 2001

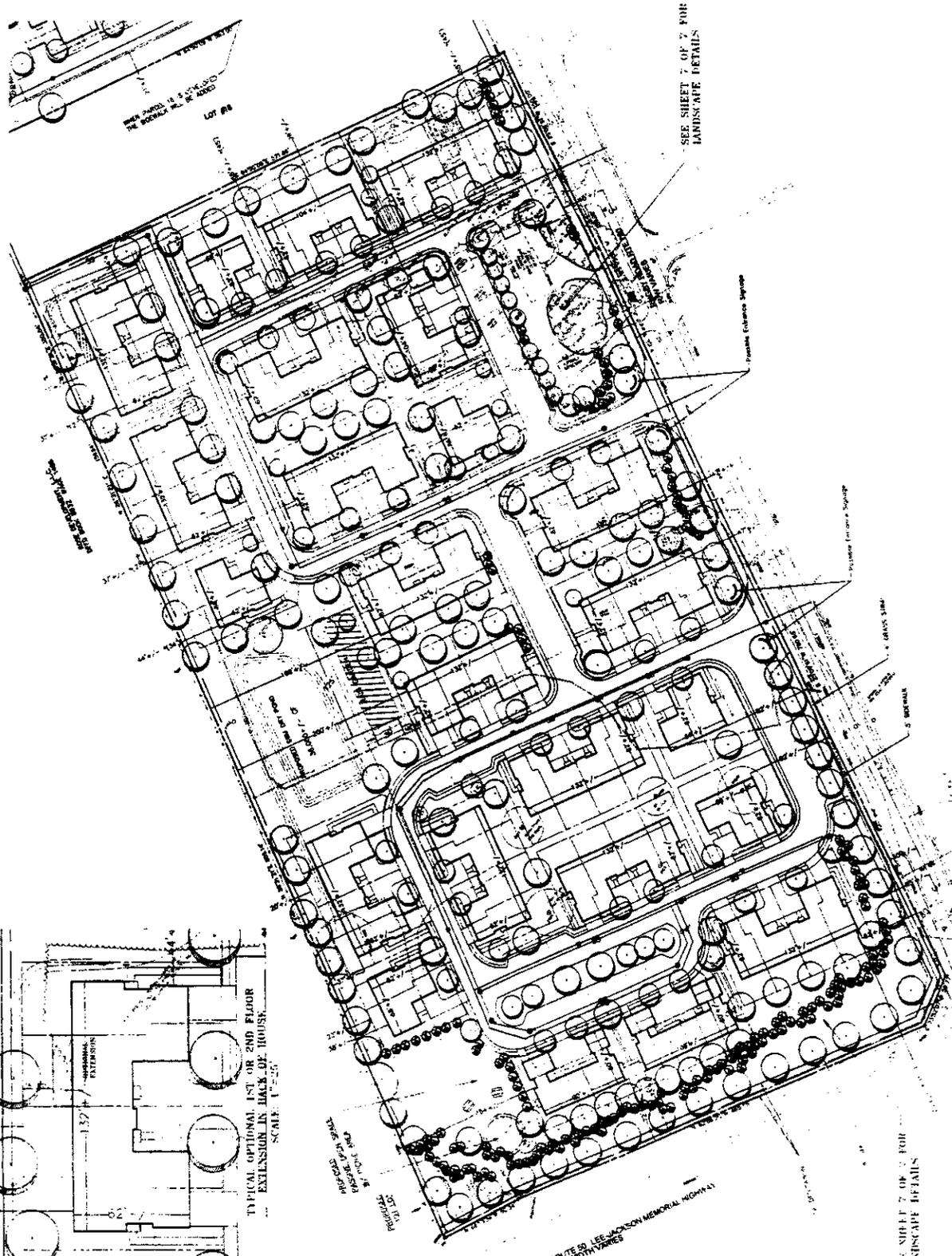
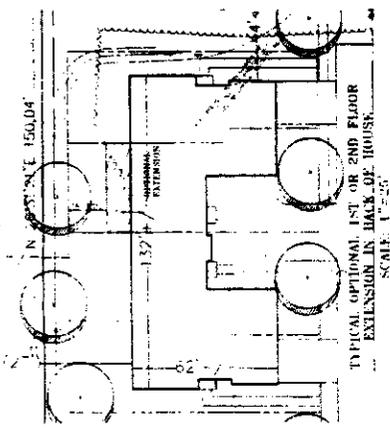


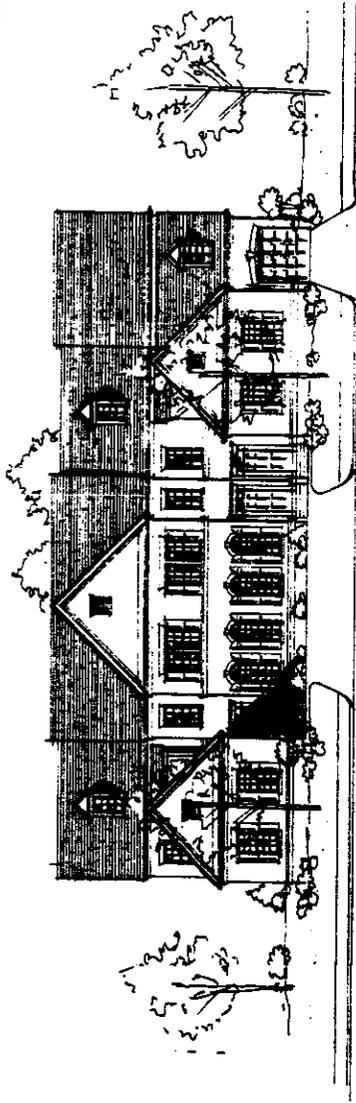




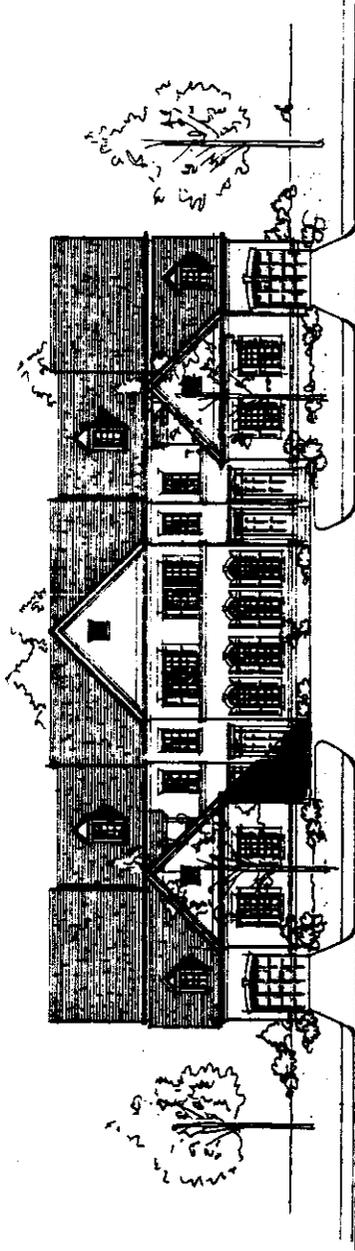
- LEGEND**
- EXISTING WATERMAIN
  - PROPOSED WATERMAIN
  - EXISTING SANITARY SEWER
  - PROPOSED SANITARY SEWER
  - EXISTING VEGETATION
  - LIMITS OF CLEARING AND GRADING
  - PROPOSED LARGE MATURIOUS TREES
  - PROPOSED EVERGREEN TREE
  - PROPOSED TREES TO BE MAINTAINED
  - PROPOSED 4" SBRPALK
  - PROPOSED 6" SBRPALK

\* DIMENSIONS SHOWN WILL BE OBSERVED BY THE CONTRACTOR UNLESS OTHERWISE NOTED.

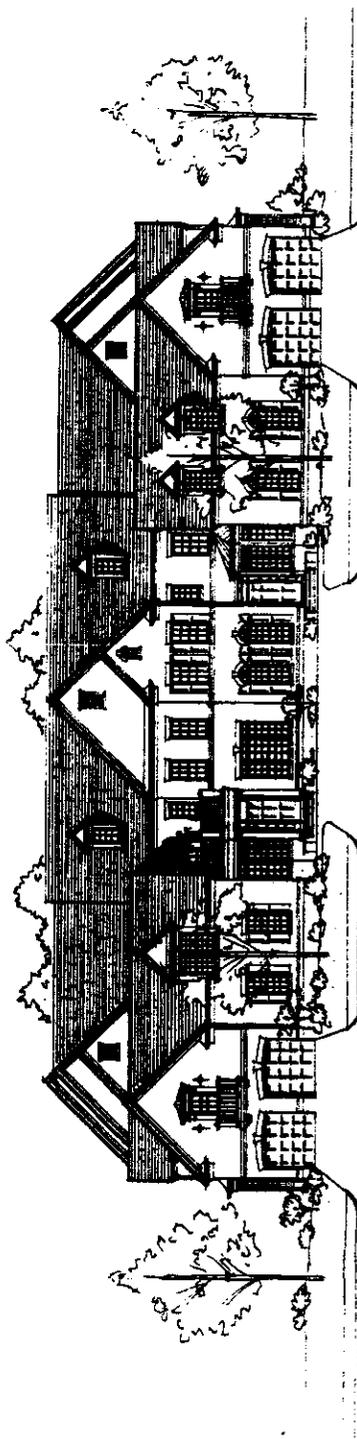




ADU



ADU



SINGLE FAMILY ATTACHED

FRONT ELEVATION

Madison Homes

RUGBY ROAD

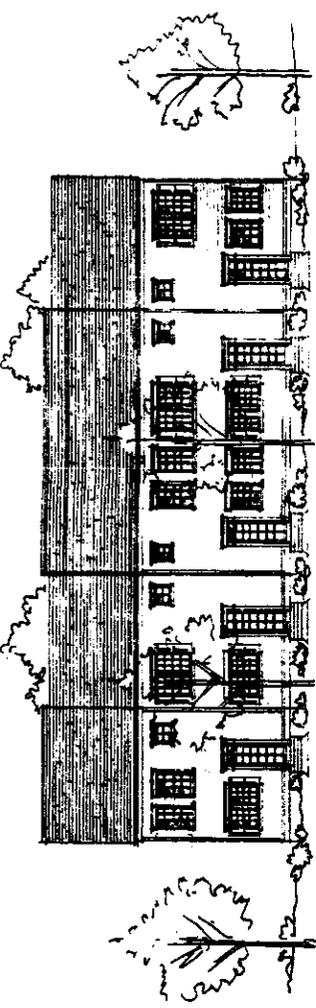
OCTOBER 9, 2001

10/12/01  
MHS/SA SCALE: 1/8"=1'-0"

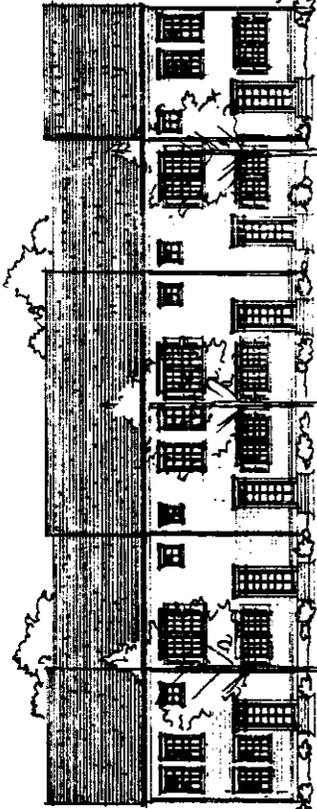
THE LESSARD ARCHITECTURAL GROUP INC.  
8003 Westwood Court, Suite 400, Vienna, VA 22182  
703/760-8344 • Fax 703/760-8339  
ARCHITECTURE • INTERIORS • EXTERIORS • LANDSCAPE



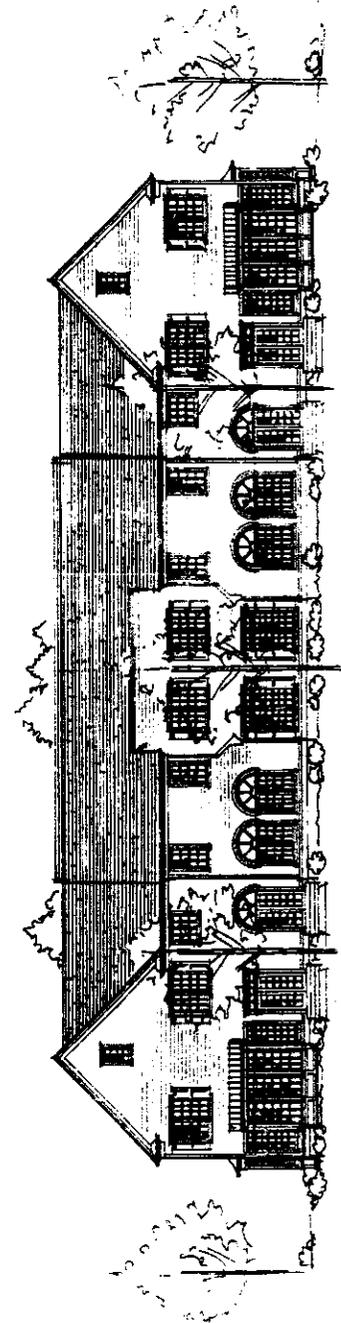
5 of 7



ADU



ADU



SINGLE FAMILY ATTACHED

REAR ELEVATION

# RUGBY ROAD

Madison Homes

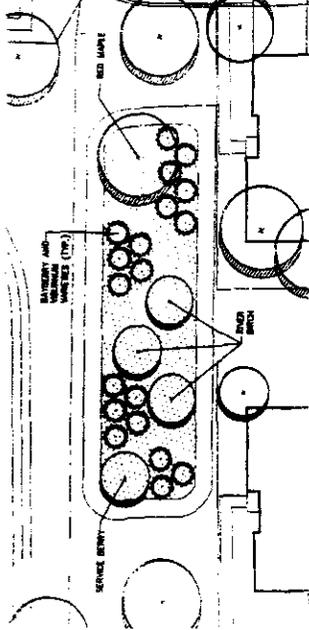
OCTOBER 9, 2001

SCALE: 1/8" = 1'-0"

THE LESSARD ARCHITECTURAL GROUP INC  
8613 WINDWOOD CEMETERY ROAD, SUITE 400, NORTON, VA 22182  
703/760-9344 / FAX 703/760-8328  
ARCHITECTURE • LANDSCAPE ARCHITECTURE • INTERIOR DESIGN • HISTORIC PRESERVATION

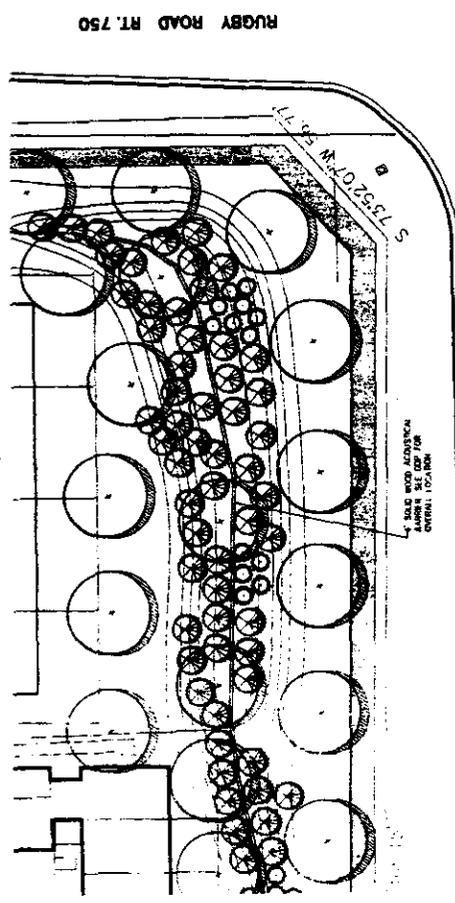
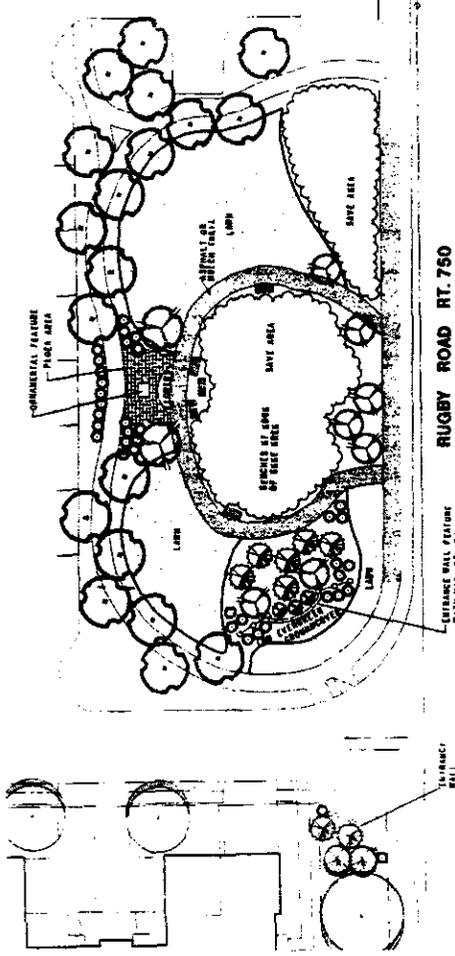
SECTION  
SCALE: 1/8" = 1'-0"

SUPPLEMENTAL LANDSCAPE EXHIBIT



RAIN GARDEN PLANTING SCHEMATIC

- LEGEND
- EXISTING WATERMAIN
  - PROPOSED WATERMAIN
  - EXISTING AIRCRAFT SERVICE
  - PROPOSED AIRCRAFT SERVICE
  - EXISTING VEGETATION
  - PROPOSED VEGETATION
  - LIMITS OF CLEARING AND GRADING
  - PROPOSED LARGE DECIDUOUS TREE
  - PROPOSED SPECIES TREE
  - POSSIBLE TREES TO BE PRESERVED
  - PROPOSED 4" GENERAL
  - PROPOSED 6" GENERAL
  - PROPOSED 8" BICYCLE TRAIL
  - PROPOSED 12" BICYCLE TRAIL
  - PROPOSED 18" BICYCLE TRAIL
  - PROPOSED 24" BICYCLE TRAIL
  - PROPOSED 30" BICYCLE TRAIL
  - PROPOSED 36" BICYCLE TRAIL
  - PROPOSED 42" BICYCLE TRAIL
  - PROPOSED 48" BICYCLE TRAIL
  - PROPOSED 54" BICYCLE TRAIL
  - PROPOSED 60" BICYCLE TRAIL
  - PROPOSED 66" BICYCLE TRAIL
  - PROPOSED 72" BICYCLE TRAIL
  - PROPOSED 78" BICYCLE TRAIL
  - PROPOSED 84" BICYCLE TRAIL
  - PROPOSED 90" BICYCLE TRAIL
  - PROPOSED 96" BICYCLE TRAIL
  - PROPOSED 102" BICYCLE TRAIL
  - PROPOSED 108" BICYCLE TRAIL
  - PROPOSED 114" BICYCLE TRAIL
  - PROPOSED 120" BICYCLE TRAIL



BASE INFORMATION PROVIDED BY DEWBERRY AND DAVIS LLC.

TCC-10-1-18



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

**DESCRIPTION OF THE APPLICATION**

- Proposal:** Two related rezoning applications, which encompass the majority of the remaining lots in an existing subdivision known as Murray Farms. The application properties are not contiguous, but are separated by a single lot that has not been consolidated into either application.
- Both applications seek to rezone property from the R-1 to the R-5 District to develop a residential community consisting of single family attached units in clusters of two to four units, each designed to look like a single "great house."
- RZ 2001-SU-034*** proposes nine (9) single family attached units on 1.93 acres, at a density of 4.66 du/ac.
- RZ 2001-SU-035*** proposes 85 single family attached units (74 market rate units and 11 affordable dwelling units (ADUs)) on 14.88 acres, at a density of 5.71 du/ac.
- Both applications include an illustration of how the entire property (including the un-consolidated parcel) could eventually be developed.
- Location:** West side of Rugby Road between Route 50 and the Fairfax County Parkway
- Proposed Open Space:** ***RZ 2001-SU-034:*** 32%  
***RZ 2001-SU-035:*** 25%
- Waivers Requested:** Modification of the transitional screening and waiver of the barrier requirements on all sides, in favor of that shown on the GDP in both applications.
- Waiver of the minimum district size for RZ 2001-SU-034.

The applicant's draft proffers (for each case individually), affidavits, and statements of justification are included in Appendices 1, 2, 3 and 4, respectively.

**LOCATION AND CHARACTER**

**Site Description:**

The two rezoning applications encompass the majority of the remaining lots in an existing subdivision known as Murray Farms on the west side of Rugby Road, stretching between Route 50 and the Fairfax County Parkway. All but one of the properties fronting Route 50 are vacant, five of the parcels fronting Rugby Road have existing houses, dating from the 1940s and 1950s. The properties exhibit a mixture of open, lawn-like areas and wooded areas on the developed parcels, and scrub growth on the vacant parcels.

The unconsolidated parcel (Parcel 16) is the site of a relatively new, single family detached home.

**Surrounding Area Description:**

	Use	Zoning	Plan
North	Fairfax County Parkway	R-1	--
South	Single Family Detached Single Family Townhouses	R-3 R-8	Residential, 3-4 du/ac
East	Church, Vacant	R-1	Residential, Fairfax Center
West	Golf Driving Range	R-1	Residential, 3-4 du/ac

**BACKGROUND**

No proffers or special exceptions apply to the site.

The application properties were the subject of Out-of-Turn Plan Amendment S00-III-UP3, which was approved by the Board of Supervisors on August 6, 2001. The Out-of-Turn Plan Amendment modified the option for development in the 4-5 du/ac range to allow for less than 100% consolidation, provided certain conditions were met. These will be discussed in the Land Use Analysis.

**COMPREHENSIVE PLAN PROVISIONS (See Appendix 5)**

<b>Plan Area:</b>	Area III
<b>Planning Sector:</b>	Lee-Jackson Community Planning Sector (UP8) of the Upper Potomac Planning District
	Fairfax Center Area Land Unit A, Sub-unit A-1
<b>Plan Map:</b>	Residential, 1-2 du/ac and Fairfax Center
<b>Plan Text:</b>	

On August 6, 2001, the Board of Supervisors adopted Out-of-Turn Plan Amendment S00-III-UP3. The following Plan text is applicable to the subject property:

**On Page 120 of 128 of the Area III volume of the 2000 Comprehensive Plan,**

"6. The Murray Farms subdivision south of the Fairfax County parkway is planned for residential use at 1-2 dwelling units per acre. As an option, development may be appropriate at 4-5 dwelling units per acre. Redevelopment of this area should strive to create a sense of community and coordinated and attractive residential development on both sides of Rugby Road. This optional density may be considered under the following conditions:

- ...
  - West of Rugby Road, an initial land consolidation of a minimum of 12 acres is required. This initial land consolidation may be satisfied by one or more rezoning applications that are coordinated, fully integrated in terms of design, and concurrently pursued with the County. In addition, the following conditions should be met:
    - a) New development should mitigate impacts on any existing residential uses on unconsolidated parcels using techniques such as screening and buffering; and
    - b) Development should occur in a manner that permits future development of unconsolidated parcels to be unified with the initial consolidation. Unconsolidated parcels may be considered for 4-5 dwelling units per acre if they are designed to be fully integrated with existing (or approved) adjacent development.
    - c) Traffic circulation should be coordinated to the greatest extent possible, in an attempt to minimize the number of access points on Rugby Road."

**And on Pages 48 and 49 of 122 of the Area III volume of the 2000 Comprehensive Plan, in the Fairfax Center Area, Land Unit A, Sub-unit A1, the Plan states:**

**"Sub-unit A1**

This sub-unit contains the portion of the Murray Farms subdivision located south of the Fairfax County Parkway and is planned for residential use at 5 dwelling units per acre at the overlay level. The same conditions for development that apply for the portion of Murray Farms in UP8 Lee-Jackson Community Planning Sector (Upper Potomac Planning District) should apply to Sub-unit A1." Guidance for evaluating development proposals is provided in the Area-Wide Recommendations under Land Use, Urban Design, Transportation, and Public Facilities/Infrastructure sections, as well as the following specific sub-unit recommendations."

## **ANALYSIS**

### **Generalized Development Plans (GDP) (Copies at front of staff report)**

**Titles of GDP:** RZ 2001-SU-034: Madison / Rugby Road II  
RZ 2001-SU-035: Madison / Rugby Road I

**Prepared By:** Dewberry & Davis LLC

**Original and Revision Dates:** May 4, 2001, as revised through  
October 23, 2001

### **Plan Descriptions:**

#### ***RZ 2001-SU-034***

The combined GDP consists of four (4) sheets. **Sheet 1** is the Cover Sheet, and includes an index and vicinity map.

**Sheet 2** includes the Notes, Site Tabulations, a soils map, and an illustration of the angle of bulk plane for single family attached units with a height of 35 feet.

**Sheet 3** is an illustration of the overall development of the entire area, including both current rezoning applications and the un-consolidated parcel between the two. It shows how the un-consolidated parcel could be developed with the same unit type and utilizing the road network of the current applications. Under this scenario, no additional entrance would be constructed onto Rugby Road.

Sheet 4 shows the proposed development of Parcel 45-2 ((2)) 17, showing the following features:

- **Residential Units:** Nine (9) single family attached units are shown in clusters of four, three, and two units. All units have garages, some facing the road and some turned to face interior courtyards (on clusters of three and four units). These units are designed so that each cluster resembles a single "great house."
- **Vehicular Access:** A single, private, street accesses Rugby Road, running along the southern side of the property. The road stubs out at the western end of the property, but the overall illustration indicates that, upon development of Parcel 16, the road could connect across Parcel 16 to RZ 2001-SU-035 to the south. Additional parking is shown in a bay between the first two clusters of units. Although it is unclear on the GDP, draft proffers include a commitment to appropriate right-of-way dedication and frontage improvements on the Rugby Road frontage of the site.
- **Pedestrian Access:** A sidewalk is shown along the north side of the street, adjacent to the proposed units. A note indicates that a sidewalk will be added to the south side of the street when Parcel 16 develops. A sidewalk is also included on the Rugby Road frontage of the property.
- **Rugby Road:** The sheet shows improvements to Rugby Road north of the Fairfax County Parkway to illustrate that appropriate right-of-way and alignment have been proposed.
- **Stormwater Management:** A rain garden is proposed at the western end of the site.
- **Landscaping / Buffering:** Twenty-one feet of existing vegetation is shown between the proposed road and the boundary of un-consolidated Parcel 16 to the south. Street trees are shown along the north side of the proposed road, and along Rugby Road. Additional trees for screening purposes are shown along the northern property line, adjacent to the Fairfax County Parkway.

### **RZ 2001-SU-035**

The combined GDP consists of seven (7) sheets. **Sheet 1** is the Cover Sheet, and includes an index and vicinity map.

**Sheet 2** includes the Notes, Site Tabulations, a soils map, and an illustration of the angle of bulk plane for single family attached units with a height of 35 feet.

**Sheet 3** is the illustration of the overall development of the entire area, as seen in RZ 2001-SU-034

Sheet 4 shows the proposed development of Parcels 45-2 ((2)) 5 - 15, showing the following features:

- **Residential Units:** Seventy-four (74) single family attached units are shown in clusters of two, three, and four units per cluster. All units have garages, some facing the road and some turned to face interior courtyards (on clusters of three and four units). The units are designed so that each cluster resembles a single "great house." A detail shows optional first or second floor extensions at the rear of the units.
- **Affordable Dwelling Units:** Eleven (11) ADUs are located on the southern end of the property. These units are more typical townhouse units, but are designed to be similar in appearance to the market rate units. Each ADU has a single car garage, although not necessarily attached to the unit itself.
- **Vehicular Access:** The development includes a network of private streets with two entrances to Rugby Road. The northern entrance has been placed so as to meet the median break requirements for the eventual improvements to Rugby Road. Additional street parking in parallel spaces is scattered throughout the development, including some spaces directly adjacent to the ADUs (which have only single car garages). A future road connection is shown at the northern edge of the property to connect across Parcel 16 to RZ 2001-SU-034 to the north. Additional parking is shown in a bay between the first two clusters of units. Although it is unclear on the GDP, draft proffers include a commitment to appropriate right-of-way dedication and frontage improvements on the Rugby Road frontage of the site.
- **Pedestrian Access:** Sidewalks are shown on both sides of all internal streets. A five foot wide sidewalk is also shown on the Rugby Road frontage of the property, and an eight foot wide trail is shown along Route 50.
- **Route 50:** An additional 12 feet of right-of-way dedication is shown on the southern property boundary along Route 50 for planned improvements.
- **Stormwater Management:** A stormwater management dry pond is shown on the western property line, generally centered north-south. In front (on the east side) of the dry pond is a proposed rain garden. The combination of the two offers innovative stormwater management, as well as a visual "softening" of the facility achieved by placing the rain garden in front of the dry pond.

- **Buffering:** Twenty-nine feet of existing vegetation supplemented by additional planted trees is shown between the proposed backyards of the units adjacent to the un-consolidated Parcel 16 to the north, and that parcel's boundary.
- **Landscaping:** Street trees are shown along all interior road and the Rugby Road frontage. In addition, a combination of berming and landscaping is shown along the Route 50 frontage. This will serve both to shield the residents from the traffic on Route 50, and to help preserve the wooded character of the site for travelers on Route 50 itself.
- **Open Space:** The application includes 32% open space, in excess of the 20% required of R-5 ADU developments (or the 25% required of non-ADU developments). The development includes buffering on the perimeter of the site (specifically to the un-consolidated parcel to the north as required by Plan text, and to Route 50 to the south). There are also two areas of active or useable open space. The first is approximately 39,600 square feet (just under an acre), and is located at the main entrance and includes preservation of some of the most worthwhile trees on the property. The second is located in the southwest corner. While this area is not centrally located, it does include a tot-lot adjacent to the ADUs, an adjacent picnic area, and measures approximately 16,800 square feet (not including the area of berming and landscaping adjacent to Route 50). Also, because this open space area backs up to the adjacent golf driving range, it will not feel "hemmed-in" by future adjacent development.

**Sheet 5** illustrates the front elevations of the market rate units and ADUs. The draft proffers commit to similar materials on both types of units. The elevations show three story units with gable windows in the third floor, varied roof lines, and staggered fronts along the length of both types of clusters (ADU and market rate).

**Sheet 6** illustrates the rear elevations of the market rate units and ADUs. The units are staggered in the rear as well, and show window and door detailing similar to that seen on the fronts.

**Sheet 7** shows landscape details for the following areas:

*Open space area along Rugby Road:* This area includes entrance wall features with plantings on either side of the main entrance; sidewalks through the area; a paved plaza with flower beds; two areas of lawn for activity areas, and two areas of tree save that will serve to offer screening from Rugby Road both for residents using the area and nearby units.

*Corner of Route 50 and Rugby Road:* This shows a detail of the berming and landscaping to shelter the rear of the units facing Route 50 and preserve the visual effect of the site from Route 50.

*Rain garden planting scheme:* This shows a proposed planting layout for the rain garden, including river birch and red maple. This will not only aid in stormwater management and water quality, but will also screen the dry pond (located directly behind the rain garden) and the adjacent golf course and driving range beyond that.

### **Transportation Analysis (See Appendix 6)**

Revisions to the GDPs and proffers have resolved all issues raised by the transportation analyses for both applications: transportation issues addressed by the applicant include appropriate right-of-way dedication on Rugby Road (45 feet from centerline); the construction of frontage improvements; illustration of improvements to Rugby Road north of the Parkway; provision of the Fairfax Center Road Fund contribution for a portion of the site; and dedication of additional 12 feet of right-of-way on Route 50 for planned improvements. The following issues are discussed in more detail:

#### ***Issue: Reduction of Entrances on Rugby Road***

Recently adopted Comprehensive Plan language allows an increase in density conditioned upon the reduction of access points to Rugby Road. The applicant should therefore provide a plan with as few entrances as possible at the ultimate build-out, including no more than two entrances on the RZ 2001-SU-035 (larger) application.

#### ***Resolution:***

The applicant has revised the GDP for application RZ 2001-SU-035 to show only two points of access to Rugby Road. In addition, the ultimate build-out schematic shows that no additional access point will be required to allow the un-consolidated parcel to develop. This issue is resolved.

#### ***Issue: Alignment of Entrances***

As Rugby Road is planned to be a four lane facility with a median, the GDP should show at least one entrance at a location that meets the VDOT standards for distance between median breaks and intersections (Route 50 to the south and the Fairfax County Parkway to the north). It would be desirable if this entrance could be aligned with the existing entrance to the church on the east side of Rugby Road.

***Resolution:***

The applicant has revised the GDP for application RZ 2001-SU-035 to locate the main entrance so that it meets the standards for the location of a median break. Although this is not directly aligned with the existing church entrance on the east side of Rugby Road, the church does control the parcel opposite the proposed entrance and therefore would have the ability to align with a median break. This issue is adequately addressed.

***Issue: Interparcel Access to Parcel 16***

The applicant should provide commitments to interparcel access to the unconsolidated Parcel 16, as well as appropriate construction easements, etc. to ensure that these connections can be constructed.

***Resolution:***

The applicant has proffered to the necessary interparcel connections and construction easements. This issue is adequately addressed.

**Environmental Analysis (See Appendix 7)**

All environmental issues have been resolved as follows with the draft proffers.

***Issue: Transportation Noise***

This site is located between Route 50 and the Fairfax County Parkway. Staff analysis indicates noise impacts from both of these roads, as well as from Rugby Road. The applicant should commit to the use of appropriate building materials for all units impacted by traffic noise.

***Resolution:***

The applicant has provided the appropriate proffer commitments for the use of building materials for noise mitigation in all units impacted by noise from Rugby Road, Route 50, and the Fairfax County Parkway. This issue has been resolved.

***Issue: Water Quality***

Individual heating oil fuel tanks and wells can be found on the property. Improperly abandoned fuel tanks can contaminate surface and ground water; improperly capped wells can serve as a conduit to introduce contamination into ground water. The applicant should proffer to properly dispose of any fuel tanks, and to close any existing wells to Health Department standards.

***Resolution:***

The applicant has provided the appropriate proffer commitments. Therefore, this issue has been resolved.

***Issue: Tree Preservation***

The sites have several areas of mature trees; the Urban Forestry Analysis (Appendix 8) indicates trees worthy of preservation near the proposed stormwater management pond and in the area of the open space area adjacent to Rugby Road. In addition, the applicant should commit to a tree preservation plan.

***Resolution:***

The applicant has revised the GDP to allow for preservation of the pin oak located adjacent to the stormwater management pond as well as those spruce in the open space area adjacent to Rugby Road. This issue is resolved.

***Issue: Problem Soils***

The bedrock underlying the soil is shallow, and therefore blasting may be required for construction on this site. The applicant should commit to correct any problems caused to nearby homes by blasting on this site, including both wells and foundations.

***Resolution:***

The applicant has included the appropriate proffer for blasting damage in both rezoning cases. This issue is resolved.

**Public Facilities Analyses (Appendices 9-14)**

All public facilities issues have been resolved as follows.

**Sanitary Sewer Analysis (see Appendix 9)**

The application properties are located in the Cub Run (T-2) Watershed, and would be sewerred into the UOSA Treatment Plant. An existing 8 inch pipe located in Poplar Creek Drive is adequate for the proposed use. Upper Flatlick Sanitary Sewer reimbursement charges are applicable to the development.

Water Service Analysis (see Appendix 10)

The subject properties are located within the Fairfax County Water Authority Service Area. Adequate domestic water service is available at the site from existing 12, 14 and 16 inch mains located at the site.

Fire and Rescue Analysis (see Appendix 11)

The application properties are serviced by the Fairfax County Fire and Rescue Department Station # 21, Fair Oaks. The subject property currently meets fire protection guidelines.

Schools Analysis (see Appendix 12)

Enrollment in the middle school that serves the property (Franklin Middle) is currently below capacity, and is projected to remain below capacity through 2006. Enrollments in Navy Elementary and Chantilly High are currently above capacity and are projected to remain so. The proposed applications are projected to generate a total of eleven (11) additional elementary school students, two (2) additional middle school students, and five (5) additional high school students.

Utilities Planning and Design Analysis (see Appendix 13)

There are no downstream complaints on file relevant to the proposed development.

Park Authority Analysis (see Appendix 14)

Rezoning application RZ 2001-SU-034 is projected by the Park Authority to add 26 residents to the current population of the Sully District; application RZ 2001-SU-035 is projected to add 141 residents. The GDP shows two passive recreation areas and a tot-lot on-site, but residents of this development will also need active outdoor facilities including tennis and multi-use courts and athletic fields. The proportional development cost for recreational facilities generated by these developments is estimated to be \$5,300 for RZ 2001-SU-034 and \$28,900 for RZ 2001-SU-035. The applicant has proffered to contribute the requested amounts in both cases, a total of \$34,200 for off-site recreation in the area.

Land Use Analysis (See Appendix 5)

A portion of each property, located on the eastern edge of each, lies within the Fairfax Center Area. The application proposes development under the option for

residential uses at 4-5 du/ac, which is the high end of the density range for the area outside the Fairfax Center Area, and at the Overlay Level for the area within Fairfax Center. Staff has chosen to use a single set of criteria, those of the Fairfax Center Area, to evaluate the application.

### *Comprehensive Plan Conditions*

The recently adopted Plan text includes conditions for development in the 4-5 du/ac range. These requirements have been met as follows:

- ***Mitigate impacts on unconsolidated parcels:*** The applicant has provided 21 feet on the northern property boundary between the unconsolidated Parcel 16 and the proposed new road, and 29 feet on the south between Parcel 16 and the backyards of the proposed new units. This, with appropriate tree preservation measures, will allow for the retention of existing trees along both property lines.
- ***Allow for fully integrated design in future development of unconsolidated parcels:*** In both GDPs, the applicant has shown a design for Parcel 16 that is fully integrated with the development proposed in the current applications. These units would be able to access directly onto the proposed road on the northern section of the development, thus eliminating the need for additional roads or additional points of access to Rugby Road. The schematic also shows open space behind the assumed location of future lots on Parcel 16 and in the western portion of the parcel. This would result in three major "pockets" of usable open space areas across the entire development (two in the current application RZ 2001-SU-035 and one in the future application on Parcel 16).
- ***Coordinated circulation and minimization of access points on Rugby Road:*** The GDPs show a total of three access points to Rugby Road (including future development on Parcel 16). One of these entrances is positioned to meet VDOT requirements for a median break, offering full access to residents at such time as the planned median is installed on Rugby Road.

### ***Issue: Buffering and Screening Unconsolidated Parcel 16***

The applicant should provide appropriate buffering and screening for the unconsolidated parcel.

### ***Resolution:***

As discussed above, the applicant has revised the GDP to offer sufficient distance on both the north and south of Parcel 16 to buffer the remaining house

on that lot. With appropriate tree preservation, existing mature vegetation will be able to be preserved for screening. Staff believes this issue has been addressed.

***Issue: Design Quality***

Since a portion of the site is within the Fairfax Center Area, additional design information should be provided, including building elevations, lighting, focal landscaping, and amenities.

***Resolution:***

The revised GDP for RZ 2001-SU-035 shows details including a tot lot and picnic tables located in the southeast corner of the site, adjacent to the ADUs, and an open space area that combines preservation of trees and landscaped and lawn areas adjacent to Rugby Road. Sheets have been added to the GDP for RZ 2001-SU-035 that show elevations for both the market rate units and ADUs. Proffer commitments for both applications include appropriate lighting, similar materials for the market rate units and ADUs, and a tree preservation plan. Staff believes this issue has been addressed.

**Fairfax Center Checklist Analysis (Appendix 15)**

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

The Comprehensive Plan recommends a density of 4-5 du/ac at the Overlay Level for this area. The applicant proposes a density of 4.66 du/ac in application RZ 2001-SU-034 and 5.71 du/ac (including bonus density for ADUs) in application RZ 2001-SU-035. In order to justify the Overlay Level, the application must satisfy:

At the Overlay Level, the application must satisfy:

- All applicable basic elements;
- All applicable major transportation elements;
- All essential elements;
- Three-fourths (75%) of the applicable minor elements; and
- One-half (50%) of the applicable major elements

In staff's evaluation, the application satisfies all applicable basic elements; all applicable major transportation elements; all essential elements, 90% of the

applicable minor elements and all of the applicable major elements. Therefore, staff feels that the application justifies development at the Overlay Level.

**ZONING ORDINANCE PROVISIONS**

<b>Bulk Standards</b>				
	<b>RZ 2001-SU-034 R-5</b>		<b>RZ 2001-SU-035 R-5 ADU development</b>	
<b>Standard</b>	<b>Required</b>	<b>Provided</b>	<b>Required</b>	<b>Provided</b>
Minimum District Size	4 acres	1.93 acres <sup>1</sup>	4 acres	14.88 acres
Maximum Density	5.0 du/ac	4.66 du/ac	6.0 du/ac	5.71 du/ac
Minimum Lot Width	18 feet	18 feet	14 feet	34 feet (market rate) 18 feet (ADUs)
Building Height	35 feet	35 feet	40 feet	35 feet
Front Yard	15 ABP, not less than 5 feet	5 feet	15 ABP, not less than 5 feet	5 feet
Side Yard	15 ABP, not less than 10 feet	10 feet	15 ABP, not less than 8 feet	10 feet
Rear Yard	15 ABP, not less than 20 feet	20 feet	15 ABP, not less than 16 feet	18 feet
Open Space	25%	25%	20%	32%
<b>Transitional Screening &amp; Barrier:</b>				
<b>Required:</b> 25 feet, Barrier A or B (to R-1, R-3)		<b>Provided:</b> No barrier; Minimum of 21 feet to abutting residential, 10 feet to Golf Driving Range		

<sup>1</sup> Waiver requested

**Waivers and Modifications:**

***Modification of Transitional Screening and Waiver of Barrier***

The applicant requests a modification of the transitional screening requirement and a waiver of the barrier requirement along all site boundaries in favor of that shown on the GDPs in both applications.

Par. 9 of Sect. 13-304 states that transitional screening and barrier requirements may be waived or modified where the adjoining land is used for an Special

Permit or Special Exception use. To the west, the R-1 zoned land is the Fair Oaks Golf Park and Driving Range; to the east, the R-1 zoned land is used for a church. Par. 3 of Sect. 13-304 states that transitional screening and barrier requirements may be waived or modified when the property has been specifically designed not to have an adverse effect on the adjoining property. To the south across Route 50 are single family homes zoned R-3. The steep grade of the subject property along Route 50, coupled with the landscaping proposed, negates the need for a buffer. On either side of the unconsolidated Parcel 16, the applicant has proposed a buffer (of 21 feet on the north side and 29 feet on the south side) to allow existing mature vegetation to serve as a buffer. In addition, the applicant proposes additional plantings along the southern side of the lot adjacent to the proposed new homes. Such plantings have not been provided on the north side because of the intent for future development to access the internal road in that location.

Staff supports the requested modifications and waiver in favor of that shown on the GDPs.

***Waiver of the Minimum District Size: RZ 2001-SU-034***

The applicant requests a waiver of the minimum district size (4 acres required) to allow a 1.93 acre parcel to be rezoned to the R-5 District. In this case, staff feels the request is appropriate because the development is coordinated with RZ 2001-SU-035 to the south, and a schematic has been included to show how the intervening, unconsolidated Parcel 16 could be developed as an R-5 District that seamlessly interfaces with the two proposals. The entire area (both rezonings and the unconsolidated parcel) consists of approximately 18.77 acres.

**Summary of Zoning Ordinance Provisions**

All applicable Zoning Ordinance Provisions have been satisfied.

**CONCLUSIONS AND RECOMMENDATIONS**

**Staff Conclusions**

In staff's evaluation, the proposals meet the conditions for consideration at the Overlay Level of development in the Fairfax Center area, and all applicable Zoning Ordinance standards. The proposed development provides an alternative to traditional attached townhouse developments, includes useable open space, and contributes to the provision of affordable housing in Fairfax County via units (in RZ 2001-SU-035) and a contribution the Housing Trust Fund (in RZ 2001-SU-034). In addition, the proposal meets the Comprehensive Plan

requirements to buffer the unconsolidated lot today, while allowing it to be developed as an integral part of the proposed development in the future. Staff therefore finds that the applications are in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance standards.

**Staff Recommendations**

Staff recommends approval of RZ 2001-SU-034, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a waiver of the minimum district size for RZ 2001-SU-034.

Staff recommends approval of the modification of transitional screening and waiver of the barrier on all sides of RZ 2001-SU-034, in favor of that shown on the GDP.

Staff recommends approval of RZ 2001-SU-035, subject to the execution of proffers consistent with those contained in Appendix 2.

Staff recommends approval of the modification of transitional screening and waiver of the barrier on all sides of RZ 2001-SU-035, in favor of that shown on the GDP.

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

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

**APPENDICES**

1. Draft Proffers, RZ 2001-SU-034
2. Draft Proffers, RZ 2001-SU-035
3. Affidavits
4. Statement of Justification
5. Plan Citations and Land Use Analysis
6. Transportation Analyses
7. Environmental Analyses
8. Urban Forestry Analyses
9. Sanitary Sewer Analyses

**APPENDICES (Cont.)**

10. Water Service Analyses
11. Fire and Rescue Analyses
12. Schools Analyses
13. Utilities Planning and Design Analyses (DPWES)
14. Park Authority Analyses
15. Fairfax Center Area Checklist
16. Glossary of Terms



**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 034**  
**Draft Proffers**  
**November 19, 2001 (Revised)**

Pursuant to the provisions of Va. Code Section 15.2-2303 (a) et seq., the Owner and Applicant, for themselves and its successors and assigns hereby makes the following proffers subject to the approval of this Application by the Board of Supervisors of Fairfax County, Virginia:

**Development Plan**

1. Generalized Development Plan - The subject property Tax Map. No. 45-2 ((2)) Lot 17 shall be developed in substantial conformance with the Generalized Development Plan (GDP) (subject to the addition of optional decks and bump-out additions shown by typical design which shall be in compliance with zoning ordinance regulations) prepared by Dewberry & Davis, LLC, dated May 4, 2001, (and revised October 23, 2001) depicting 9 single family attached market rate dwelling units in the R-5 zoning district at a density of 4.66 dwelling units per acre.

2. Energy Saver Homes - All homes constructed on the property shall be constructed to the standards of the Dominion Virginia Power Energy Saver Program for energy efficient homes, or such comparable program for homes with natural gas-powered HVAC systems if the property is supplied with gas.

3. Architectural Renderings - The architectural renderings submitted with the GDP for RZ 2001-SU-035 are also intended to be examples only of the style, size and scale of units to be constructed on the property. Applicant shall construct dwelling units on the property which are substantially identical in style, size and scale as the units depicted in the architectural renderings, reserving the right to select exterior finish materials (siding, roof, doors and other fenestration),

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 034**  
**Draft Proffers**  
**November 19, 2001 (Revised)**  
**Page 2**

and the right to adopt a color scheme for units constructed on the property.

4. Homeowners Association/Open Space - The open space areas shown on the GDP shall be conveyed to the Homeowners Association established for the property. The Homeowners Association established for the property shall be responsible for maintaining all open space areas. The Homeowners Association shall also include as members the owners of the homes constructed on Tax Map. Nos. 45-2 ((2)) Lot 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 (RZ 2001 SU 035), and shall be expandable to include any homes later constructed on Tax Map No. 45-2 ((2)) Lot 16.

5. Interparcel Access - At the time of site plan approval, Applicant shall grant such easements to the Board of Supervisors of Fairfax County as necessary for interparcel access between lots 16 and 17 to facilitate the future development of lot 16.

#### **Transportation**

6. Rugby Road Dedication - At the time of site plan approval, the Applicant shall dedicate right of way on Rugby Road in fee simple to the Board of Supervisors 45 feet from the center line of Rugby Road and construct full frontage improvements, setting the face of curb 35 feet from the center line of Rugby Road subject to such transitions as may be required to tie into existing improvements on adjoining properties. The aforesaid dedication shall be made at the time of site plan approval or upon the demand of Fairfax County and/or VDOT, whichever occurs first.

7. Fairfax Center Area Road Fund - The Applicant shall contribute to the Fairfax Center

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 034**  
**Draft Proffers**  
**November 19, 2001 (Revised)**  
**Page 3**

Area Road Fund for 2 lots located in the Fairfax Center Area in accordance with the "Procedural Guidelines" adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses, as determined by the Fairfax County Department of Transportation and DPWES.

#### **Housing Contribution**

8. At the time of site plan approval, Applicant shall contribute a sum equaling 1.0% of the aggregate sales price of the units to Fairfax County Housing and Redevelopment Authority for a contribution to the Housing Trust Fund to meet the County's low and moderate income affordable housing need.

#### **Park Authority Contribution**

9. At the time of site plan approval, Applicant shall contribute \$5,300.00 to the Fairfax County Park Authority for its use in establishing and maintaining parks and recreational facilities in Fairfax County. The contribution amount shall be adjusted by increases to the Construction Cost Index from the *Engineering News Record* from the date of Board of Supervisors' approval of this rezoning application, to the date of site plan approval.

#### **Noise Abatement**

10. A. Interior Noise: In order to achieve a maximum interior noise level of approximately 45 dBA Ldn, all units located within 285 feet from the center line of Fairfax County Parkway, and all units located within 150 from the center line of Rugby Road, shall have the following acoustical attributes:

**Madison Homes, Inc.  
Rugby Road  
RZ 2001 SU 034  
Draft Proffers  
November 19, 2001 (Revised)  
Page 4**

- i. Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
- ii. Doors and windows shall have a laboratory STC rating of at least 28. If glazing constitutes more than 20% of any facade, it should have the same laboratory STC rating as walls.
- iii. Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

**B. Exterior Noise** In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation structures such as acoustical fencing, walls, earthen berms or combinations thereof, shall be provided for those outdoor recreation areas including rear yards, that are unshielded by topography or built structures. If acoustical fencing or walls are used, they should be architecturally solid from ground up with no gaps or openings. The structure employed must be of sufficient height to adequately shield the impacted area from the source of the noise.

#### **Existing Wells and Septic Tanks**

11. The Applicant shall close all wells and septic tanks on the property in accordance with guidelines and standards adopted by the Health Department.

#### **Fuel Tanks**

12. The Applicant shall remove and properly dispose of any above-ground or buried fuel tanks on the property in accordance with standards of the Virginia Department of Environmental Quality.

**Madison Homes, Inc.  
Rugby Road  
RZ 2001 SU 034  
Draft Proffers  
November 19, 2001 (Revised)  
Page 5**

**Blasting**

13. If blasting is required, and before any blasting occurs on the Application Property, the Applicant or its successors will insure that blasting is done per Fairfax County Fire Marshal requirements and all safety recommendations of the Fire Marshal, including, without limitation, the use of blasting mats, shall be implemented. In addition, the Applicant or its successors shall:

A. Retain a professional consultant to perform a pre-blast inspection of each house or residential building, to the extent that any of these structures are located within two hundred fifty (250) feet of the blast site.

B. Require his consultant to request access to house, buildings, or swimming pools that are located within said 250 foot range if permitted by owner, to determine the pre-blast conditions of these structures. The Applicant's consultants will be required to give adequate notice of the scheduling of the pre-blast survey. The Applicant shall provide the residents entitled to pre-blast inspections, of the name, address and phone number of the blasting contractor's insurance carrier.

C. Require his consultant to place seismographic instruments prior to blasting to monitor the shock waves. The Applicant shall provide seismographic monitoring records to County agencies upon their request.

D. Notify residences within 250 feet of the blast site, ten (10) days prior to blasting.

E. Upon receipt of a claim of actual damage resulting from said blasting, the Applicant shall cause his consultant to respond within five (5) days of meeting at the site of the alleged

**Madison Homes, Inc.  
Rugby Road  
RZ 2001 SU 034  
Draft Proffers  
November 19, 2001 (Revised)  
Page 6**

damage to confer with the property owner.

F. The Applicant will require blasting subcontractors to maintain necessary liability insurance to cover the costs of repairing any damages to structures which are directly attributable to the blasting activity and shall take necessary action to resolve any valid claims in an expeditious manner.

#### **Exterior Lighting**

14. All exterior lighting of sidewalk or parking areas shall be in the accordance with the following standards:

Combined height of the light standards and fixtures shall not exceed twelve (12) feet; the lights shall be directed downward onto the site and shall have full cut-off fixtures; shields shall be installed, if necessary, to prevent the light from projecting beyond the site; Applicant shall demonstrate that the provisions of Part 9 of Article 14 of the Zoning Ordinance are met for uses in residential areas.

#### **Landscaping**

15. As part of the final site plan, Applicant shall include supplemental landscaping as shown on the Generalized Development Plan.

#### **Tree Preservation**

16. For the purposes of the preservation of trees shown on the GDP, the Applicant shall retain a certified landscape architect to consult on the preparation of a tree preservation plan. The tree preservation plan shall be submitted as part of the final site plan which shall be

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 034**  
**Draft Proffers**  
**November 19, 2001 (Revised)**  
**Page 7**

reviewed and approved by the Urban Forestry Division. This plan shall provide for the preservation of trees or stands of trees shown on the GDP which can be preserved without precluding the development of a typical home on each of the lots as shown on the GDP. The Urban Forestry Division and/or DPWES may require modifications to the tree preservation plan to the extent said modifications do not alter the number of dwelling units as shown on the GDP, reduce the size of the units or require the installation of retaining walls greater than two feet in height.

Subject to the approval of the Urban Forestry Division and/or DPWES, the Applicant shall perform the following measures relating to tree preservation on the property:

- Perform a pre-construction evaluation of the existing vegetation to determine the condition of the trees designated to be saved. The Applicant shall have the limits of clearing flagged prior to construction. Prior to construction the Applicant shall walk the limits of clearing with a certified arborist, an Urban Forestry Division representative and the landscape architect to determine where minor adjustments to the line may be made to ensure the preservation of trees in the tree save area.
- The trees designated to be saved shall be marked on the ground at the drip line with 36" high orange fencing or equivalent demarcation prior to clearing and grading and at all times during construction. Signage affirming restricted access shall be provided on the temporary fence highly visible to construction personnel. The landscape architect contracted by the Applicant shall monitor the construction of the proposed development to ensure consistency with

**Madison Homes, Inc.  
Rugby Road  
RZ 2001 SU 034  
Draft Proffers  
November 19, 2001 (Revised)  
Page 8**

the landscape/tree preservation plan.

- The Applicant shall conform to the limits of clearing and grading as shown on the GDP subject to the installation of necessary utilities. If it is necessary to locate the utility lines inside the limits of clearing and grading, those lines shall be located and installed in the least disruptive manner possible, considering cost and engineering. A replanting plan shall be developed and implemented for any areas inside the limits of clearing and grading that must be disturbed.

- In addition, where it is determined feasible, adjustments to the proposed grading and location of the proposed units on the application property may be modified at the time of final engineering to enhance specific tree preservation as determined by the Urban Forestry Division.

#### **Storm Water Management**

17. On-site storm water management facilities shall be provided in the areas shown on the GDP in accordance with the Public Facilities Manual standards and in conformance with the adopted Chesapeake Bay ordinance if required by DPWES. Landscaping of the storm water management areas, utilizing native vegetation, shall be provided to the fullest extent possible per County guidelines as approved by DPWES.

#### **Disclosure to Purchasers**

18. Homeowners Association- A Homeowners Association ("HOA") shall be established to own and maintain the private streets and the rain gardens shown on the GDP. Maintenance of the rain gardens shall be accomplished consistent with the standards set forth in Attachment A. Prospective purchasers shall be advised of the HOA membership requirement and associated

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 034**  
**Draft Proffers**  
**November 19, 2001 (Revised)**  
**Page 9**

obligations and responsibilities prior to entering into a contract for sale, and the HOA documents shall include a provision that clearly sets out such obligations and responsibilities, as well as the specific maintenance requirements for the rain gardens set forth in **Exhibit A**, or other equivalent document as may be approved by DPWES.

19. Garage Restrictions - The interior garage spaces shall serve as permanent on site parking spaces and shall not be converted into habitable space. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney at the time of recordation of the Deed of Subdivision, which covenant shall run to the benefit of, and be enforceable by, the HOA and the Board of Supervisors. Applicant shall disclose to its purchasers in its sales literature that garage spaces shall not be converted into habitable space. In addition, Applicant shall include this restriction in the site plan documents recorded with the site plan plat for the development.

20. Common Parking Restrictions - The common parking areas shown on the GDP shall be utilized for automobile parking for residents and their bona fide guests only, and shall not be utilized for parking or storage of recreational vehicles, boats, motorcycles, trailers or commercial vehicles. Applicant shall include this restriction in the subdivision documents recorded with the subdivision plat for the development.

21. Exterior Building Facades, Restrictions - The exterior building facades of the units shall be specified in an architectural elevation rendering with a schedule of exterior colors.

**Madison Homes, Inc.  
Rugby Road  
RZ 2001 SU 034  
Draft Proffers  
November 19, 2001 (Revised)  
Page 10**

Applicant shall disclose to its purchasers in its sales literature that the exterior building facades and exterior colors shall not be altered or changed without the express permission of the Homeowner's Association established for the property, and as part of a comprehensive change of exterior color schemes for homes constructed in the development.

22. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off site during marketing of the homes on the Application. The Applicant shall not post or cause others to post temporary ("popsicle") signs to market the homes on the property.

**Madison Homes, Inc.  
Rugby Road  
RZ 2001 SU 034**

**MADISON HOMES, INC.**

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

\_\_\_\_\_  
**Dolores D. Stofan  
Record Owner Lot 17**

# EXHIBIT A

## Specifications for Maintenance of Rain Gardens

Description	Method	Frequency	Time of the year
<b>SOIL</b>			
Inspect and Repair Erosion	Visual	Monthly	Monthly
<b>ORGANIC LAYER</b>			
Remulch any void areas	By hand	Whenever needed	Whenever needed
Remove previous mulch layer before applying new layer (optional)	By hand	Once every two to three years	Spring
Any additional mulch added (optional)	By hand	Once a year	Spring
<b>PLANTS</b>			
Removal and replacement of all dead and diseased vegetation considered beyond treatment	See planting specifications	Twice a year	3/15 to 4/30 and 10/1 to 11/30
Treat all diseased trees and shrubs	Mechanical or by hand	N/A	Varies, depends on insect or disease infestation
Watering of plant material shall take place at the end of each day for fourteen consecutive days after planting has been completed	By hand	Immediately after completion of project	N/A
Replace stakes after one year.	By hand	Once a year	Only remove stakes in the spring
Replace any deficient stakes or wires	By hand	N/A	Whenever needed
Check for accumulated sediments	Visual	Monthly	Monthly

**Madison Homes, Inc.  
Rugby Road  
RZ 2001 SU 035  
Draft Proffers  
November 19, 2001**

Pursuant to the provisions of Va. Code Section 15.2-2303 (a) et seq., the Owner and Applicant, for themselves and its successors and assigns hereby makes the following proffers subject to the approval of this Application by the Board of Supervisors of Fairfax County, Virginia:

**Development Plan**

1. Generalized Development Plan - The subject property Tax Map. No. 45-2 ((2)) Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 shall be developed in substantial conformance with the Generalized Development Plan (GDP) (subject to the addition of optional decks and bump-out additions shown by typical design, which shall be in compliance with Zoning Ordinance regulations) prepared by Dewberry & Davis, LLC, dated May 4, 2001, (and revised October 23, 2001) depicting 74 attached market rate single family attached dwelling units and 11 Affordable Dwelling Units (ADU's) in the R-5 zoning district at a density of 5.71 dwelling units per acre.
2. Affordable Dwelling Units - All ADU's shall be constructed with exterior materials of equal quality and appearance with the materials of the market rate dwelling units.
3. Architectural Renderings - The architectural renderings submitted with the GDP are intended to be examples only of the style, size and scale of units to be constructed on the property. Applicant shall construct dwelling units on the property which are substantially identical in style, size and scale as the units depicted in the architectural renderings, reserving the right to select exterior finish materials (siding, roof, doors and other fenestration), and the right to adopt a color scheme for units constructed on the property.

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**  
**Draft Proffers**  
**November 19, 2001**  
**Page 2**

4. Energy Saver Homes - All homes constructed on the property shall be constructed to the standards of the Dominion Virginia Power Energy Saver Program for energy efficient homes, or such comparable program for homes with natural gas-powered HVAC systems if the property is supplied with gas.

5. Homeowner Association/Open Space - The open space areas shown on the GDP shall be conveyed to the Homeowners Association established for the property. The Homeowners Association established for the property shall be responsible for maintaining all open space areas. The Homeowners Association shall also include as members the owners of the homes constructed on Tax Map No. 45-2 ((2)) Lot 17 (RZ 2001 SU 034), and shall be expandable to include any homes later constructed on Tax Map No. 45-2 ((2)) Lot 16.

6. Interparcel Access - At the time of site plan approval, Applicant shall grant such easements to the Board of Supervisors of Fairfax County as necessary for interparcel access between lots 15 and 16 to facilitate the future development of lot 16.

#### **Transportation**

7. Rugby Road Dedication - At the time of site plan approval, the Applicant shall dedicate right-of-way on Rugby Road 45 feet from the center line of Rugby Road in fee simple to the Board of Supervisors and construct full frontage improvements, setting the face of curb 35 feet from the center line of Rugby Road, subject to such transitions as may be required to tie into existing improvements on adjoining properties. Applicant shall construct a left turn lane and a right turn lane into the property and intersection dividers as shown on **Exhibit A**, attached

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**  
**Draft Proffers**  
**November 19, 2001**  
**Page 3**

hereto. The aforesaid dedication shall be made at the time of site plan approval or upon the demand of Fairfax County and/or VDOT, whichever occurs first.

8. Route 50 Dedication - The Applicant shall dedicate 12 additional feet of right of way for an additional travel lane on Route 50 to the Board of Supervisors in fee simple. The aforesaid dedication shall be made at the time of site plan approval or upon the demand of Fairfax County and/or VDOT, whichever occurs first.

9. Fairfax Center Area Road Fund Contribution - The Applicant shall contribute to the Fairfax Center Area Road Fund for 27 lots located in the Fairfax Center Area in accordance with the "Procedural Guidelines" adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses, as determined by the Fairfax County Department of Transportation and DPWES.

#### **Park Authority Contribution**

10. At the time of site plan approval, Applicant shall contribute \$28,900.00 to the Fairfax County Park Authority for its use in establishing and maintaining parks and recreational facilities in Fairfax County. The contribution amount shall be adjusted by increases to the Construction Cost Index from the *Engineering News Record* from the date of Board of Supervisors' approval of this rezoning application, to the date of site plan approval.

#### **Noise Abatement**

11. A. Interior Noise: In order to achieve a maximum interior noise level of approximately 45 dBA Ldn, all units located within 420 feet from the center line of Route 50,

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**  
**Draft Proffers**  
**November 19, 2001**  
**Page 4**

and all units located within 150 from the center line of Rugby Road, shall have the following acoustical attributes:

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

ii. Doors and windows shall have a laboratory STC rating of at least 28. If glazing constitutes more than 20% of any facade it should have the same laboratory STC rating as walls.

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

**B. Interior Noise (DNL 75 dBA):** In order to reduce interior noise to a level of approximately 45 dBA, Ldn for units within 90 feet from the centerline of Route 50, the following measures shall be employed:

i. Exterior wall should have a laboratory sound transmission class (STC) rating of at least 45.

ii. Doors and windows should have a laboratory STC rating of at least 37 unless windows constitute more than 20% of any facade exposed to noise levels of 65 dBA, Ldn or above. If windows constitute more than 20% of the exposed facade, then the windows should have an STC rating of at least 45.

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

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**  
**Draft Proffers**  
**November 19, 2001**  
**Page 5**

C. Exterior Noise: In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation structures such as acoustical fencing, walls, earthen berms or combinations thereof, shall be provided for those outdoor recreation areas including rear yards, that are unshielded by topography or built structures. If acoustical fencing or walls are used, they should be architecturally solid from ground up with no gaps or openings. The structure employed must be of sufficient height to adequately shield the impacted area from the source of the noise.

#### **Existing Wells and Septic Tanks**

12. The Applicant shall close all wells and septic tanks on the property in accordance with guidelines and standards adopted by the Health Department.

#### **Fuel Tanks**

13. The Applicant shall remove and properly dispose of any above-ground or buried fuel tanks on the property in accordance with standards of the Virginia Department of Environmental Quality.

#### **Blasting**

14. If blasting is required, and before any blasting occurs on the Application Property, the Applicant or its successors will insure that blasting is done per Fairfax County Fire Marshal requirements and all safety recommendations of the Fire Marshal, including, without limitation, the use of blasting mats, shall be implemented. In addition, the Applicant or its successors shall:

A. Retain a professional consultant to perform a pre-blast inspection of each house or

**Madison Homes, Inc.  
Rugby Road  
RZ 2001 SU 035  
Draft Proffers  
November 19, 2001  
Page 6**

residential building, to the extent that any of these structures are located within two hundred fifty (250) feet of the blast site.

B. Require his consultant to request access to house, buildings, or swimming pools that are located within said 250 foot range if permitted by owner, to determine the pre-blast conditions of these structures. The Applicant's consultants will be required to give adequate notice of the scheduling of the pre-blast survey. The Applicant shall provide the residents entitled to pre-blast inspections, of the name, address and phone number of the blasting contractor's insurance carrier.

C. Require his consultant to place seismographic instruments prior to blasting to monitor the shock waves. The Applicant shall provide seismographic monitoring records to County agencies upon their request.

D. Notify residences within 250 feet of the blast site, ten (10) days prior to blasting.

E. Upon receipt of a claim of actual damage resulting from said blasting, the Applicant shall cause his consultant to respond within five (5) days of meeting at the site of the alleged damage to confer with the property owner.

F. The Applicant will require blasting subcontractors to maintain necessary liability insurance to cover the costs of repairing any damages to structures which are directly attributable to the blasting activity and shall take necessary action to resolve any valid claims in an expeditious manner.

**Madison Homes, Inc.  
Rugby Road  
RZ 2001 SU 035  
Draft Proffers  
November 19, 2001  
Page 7**

### **Exterior Lighting**

15. All exterior lighting of sidewalk or parking areas shall be in the accordance with the following standards:

Combined height of the light standards and fixtures shall not exceed twelve (12) feet; the lights shall be directed downward onto the site and shall have full cut-off fixtures; shields shall be installed, if necessary, to prevent the light from projecting beyond the site; Applicant shall demonstrate that the provisions of Part 9 of Article 14 of the Zoning Ordinance are met for uses in residential areas.

### **Landscaping**

16. As a part of the final site plan, Applicant shall include supplemental landscaping as shown on the Generalized Development Plan.

### **Tree Preservation**

17. For the purposes of the preservation of trees shown on the GDP, the Applicant shall retain a certified landscape architect to consult on the preparation of a tree preservation plan. The tree preservation plan shall be submitted as part of the final site plan which shall be reviewed and approved by the Urban Forestry Division. This plan shall provide for the preservation of trees or stands of trees shown on the GDP which can be preserved without precluding the development of a typical home on each of the lots as shown on the GDP. The Urban Forestry Division and/or DPWES may require modifications to the tree preservation plan to the extent said modifications do not alter the number of dwelling units as shown on the GDP,

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**  
**Draft Proffers**  
**November 19, 2001**  
**Page 8**

reduce the size of the units or require the installation of retaining walls greater than two feet in height.

Subject to the approval of the Urban Forestry Division and/or DPWES, the Applicant shall perform the following measures relating to tree preservation on the property:

- Perform a pre-construction evaluation of the existing vegetation to determine the condition of the trees designated to be saved. The Applicant shall have the limits of clearing flagged prior to construction. Prior to construction the Applicant shall walk the limits of clearing with a certified arborist, an Urban Forestry Branch representative and the landscape architect to determine where minor adjustments to the line may be made to ensure the preservation of trees in the tree save area.
- The trees designated to be saved shall be marked on the ground at the dripline with 36" high orange fencing or equivalent demarcation prior to clearing and grading and at all times during construction. Signage affirming restricted access shall be provided on the temporary fence highly visible to construction personnel. The landscape architect contracted by the Applicant shall monitor the construction of the proposed development to ensure consistency with the landscape/tree preservation plan.
- The Applicant shall conform to the limits of clearing and grading as shown on the GDP subject to the installation of necessary utilities. If it is necessary to locate the utility lines inside the limits of clearing and grading, those lines shall be located and installed in the least disruptive manner possible, considering cost and engineering. A replanting plan shall be developed and

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**  
**Draft Proffers**  
**November 19, 2001**  
**Page 9**

implemented for any areas inside the limits of clearing and grading that must be disturbed.

- In addition, where it is determined feasible, adjustments to the proposed grading and location of the proposed units on the application property may be modified at the time of final engineering to enhance specific tree preservation as determined by the Urban Forestry Division.

#### **Storm Water Management**

18. On-site storm water management facilities shall be provided in the areas shown on the GDP in accordance with the Public Facilities Manual standards and in conformance with the adopted Chesapeake Bay ordinance if required by DPWES. Landscaping of the storm water management areas, utilizing native vegetation, shall be provided to the fullest extent possible per County guidelines as approved by DPWES.

#### **Disclosure to Purchasers**

19. Homeowners Association- A Homeowners Association ("HOA") shall be established to own and maintain the private streets and the rain gardens shown on the GDP. Maintenance of the rain gardens shall be accomplished consistent with the standards set forth in Attachment A. Prospective purchasers shall be advised of the HOA membership requirement and associated obligations and responsibilities prior to entering into a contract for sale, and the HOA documents shall include a provision that clearly sets out such obligations and responsibilities, as well as the specific maintenance requirements for the rain gardens set forth in **Exhibit B**, or other equivalent document as may be approved by DPWES.

20. Garages Restrictions - The interior garage spaces shall serve as permanent on site

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**  
**Draft Proffers**  
**November 19, 2001**  
**Page 10**

parking spaces and shall not be converted into habitable space. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney at the time recordation of the Deed of Subdivision, which covenant shall run to the benefit of, and be enforceable by, the HOA and the Board of Supervisors. Applicant shall disclose to its purchasers in its sales literature that garage spaces shall not be converted into habitable space. .

21. Common Parking Restrictions - The common parking areas shown on the GDP shall be utilized for automobile parking for residents and their bona fide guests only, and shall not be utilized for parking or storage of recreational vehicles, boats, motorcycles, trailers or commercial vehicles. Applicant shall include this restriction in the subdivision documents recorded with the site plan plat for the development.

22. Exterior Building Facades, Restrictions - The exterior building facades of the units shall be specified in an architectural elevation rendering with a schedule of exterior colors. Applicant shall disclose to its purchasers in its sales literature that the exterior building facades and exterior colors shall not be altered or changed without the express permission of the Homeowner's Association established for the property, and as part of a comprehensive change of exterior color schemes for homes constructed in the development.

23. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off site

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**  
**Draft Proffers**  
**November 19, 2001**  
**Page 11**

during marketing of the homes on the Application. The Applicant shall not post or cause others to post temporary ("popsicle") signs to market the homes on the property.

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**

**MADISON HOMES, INC.**

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

\_\_\_\_\_  
Catherine J. Ward, Trustee for  
Continental ECI Employee Trust  
Record owners, Lots 5, 6

\_\_\_\_\_  
Mohamed K. Mardini, Member  
Mardini Associates  
Record owner, Lots 7, 8, 9

MHI-Rugby Road, LLC, owner lot 10  
By: Madison Homes, Inc., Managing Member

By: \_\_\_\_\_  
Russell S. Rosenberger, Jr., President

\_\_\_\_\_  
Vivian V. Jenkins  
Bertie M. Jenkins  
Marjorie Marcus, Trustee  
Record owners Lot 11

\_\_\_\_\_  
Curtis L. Funkhouser, Trustee  
Beverly K. Funkhouse, Trustee  
Funkhouser Family Trust  
Record owner, Lot 12

**Madison Homes, Inc.**  
**Rugby Road**  
**RZ 2001 SU 035**

---

**Glenn E. McMinn**

---

**Dreme J. McMinn**  
**Record owners Lot 13**

---

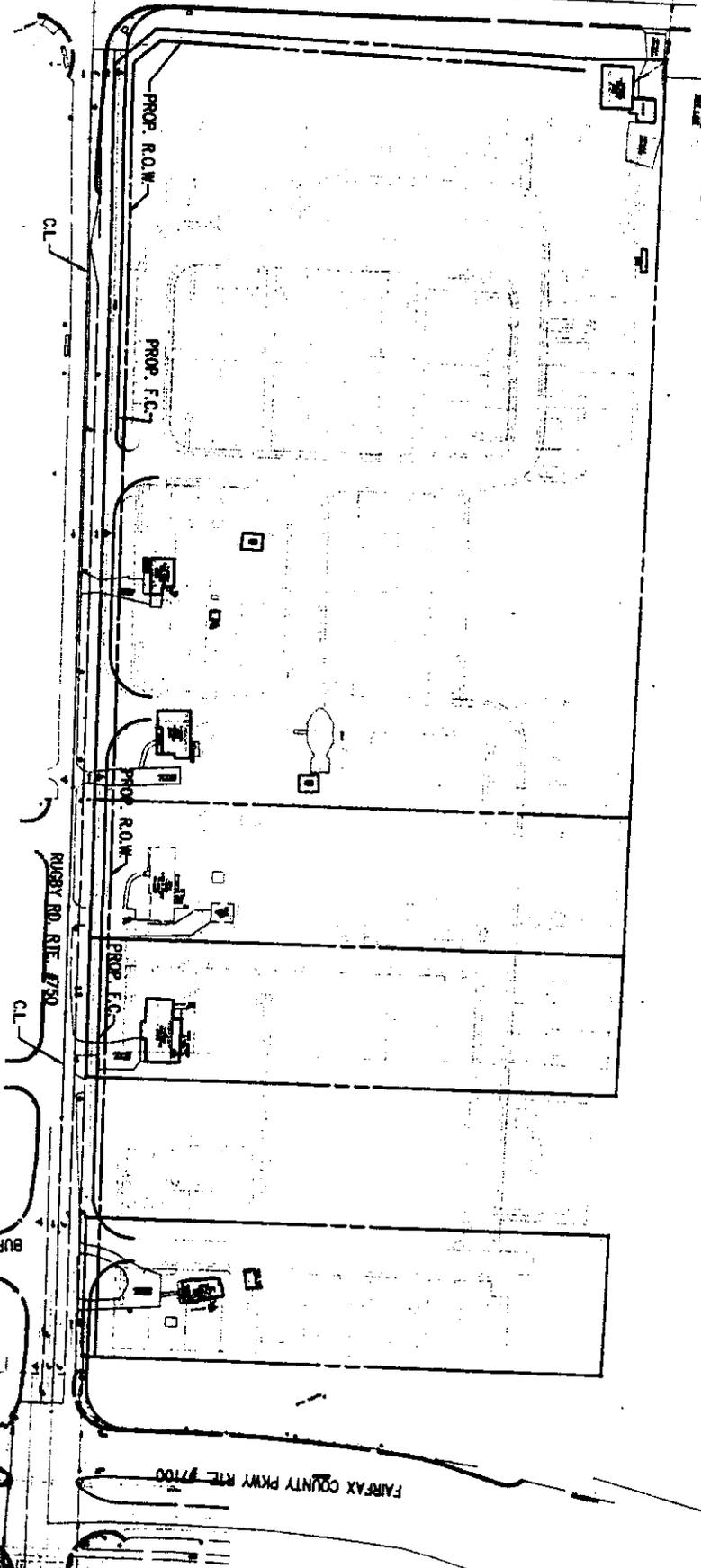
**Irene Carol Mumaw, Managing Member**  
**Mumaw Properties, LLC**  
**Record owner Lot 14**

---

**Rickford J. Weeks**  
**Record owner Lot 15**

LEE JACKSON MEMORIAL HWY. RTE. #50

SCALE: 1" = 120'



BURNING BUSH DR. RTE. 7200

RUGBY RD. RTE. 4750

FAIRFAX COUNTY PKWY RTE. #7100

MADISON - RUGBY ROAD

EXHIBIT "A"  
11/19/01

**Dowberry & Davis LLC**  
A Dowberry Company

5400 Arlington Boulevard  
Falls Church, VA 22041-4000  
(703) 532-6200 Fax (703) 532-6211

Project No. \_\_\_\_\_  
Drawing No. \_\_\_\_\_  
Revision No. \_\_\_\_\_

# EXHIBIT B

## Specifications for Maintenance of Rain Gardens

Description	Method	Frequency	Time of the year
<b>SOIL</b>			
Inspect and Repair Erosion	Visual	Monthly	Monthly
<b>ORGANIC LAYER</b>			
Remulch any void areas	By hand	Whenever needed	Whenever needed
Remove previous mulch layer before applying new layer (optional)	By hand	Once every two to three years	Spring
Any additional mulch added (optional)	By hand	Once a year	Spring
<b>PLANTS</b>			
Removal and replacement of all dead and diseased vegetation considered beyond treatment	See planting specifications	Twice a year	3/15 to 4/30 and 10/1 to 11/30
Treat all diseased trees and shrubs	Mechanical or by hand	N/A	Varies, depends on insect or disease infestation
Watering of plant material shall take place at the end of each day for fourteen consecutive days after planting has been completed	By hand	Immediately after completion of project	N/A
Replace stakes after one year.	By hand	Once a year	Only remove stakes in the spring
Replace any deficient stakes or wires	By hand	N/A	Whenever needed
Check for accumulated sediments	Visual	Monthly	Monthly

## REZONING AFFIDAVIT

DATE: JULY 3, 2001  
 (enter date affidavit is notarized)

I, STEPHEN K. FOX, do hereby state that I am an  
 (enter name of applicant or authorized agent)

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

2001-1006

in Application No(s): RZ 2001 SU 034  
 (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 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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Madison Homes, Inc.	6723 Whittier Ave. #104 McLean, VA 22101	<b>Applicant/Contract Purchaser/Agent</b>
Russell S. Rosenberger, Jr.	Madison Homes, Inc. 6723 Whittier Ave. #104 McLean, VA 22101	<b>Agent</b>
Stephen K. Fox, P.C.	10511 Judicial Dr. #112 Fairfax, VA 22030	<b>Attorney/Agent</b>
Stephen K. Fox	10511 Judicial Dr. #112 Fairfax, VA 22030	<b>Attorney/Agent</b>

(check if applicable) [X] There are more relationships to be listed and Par. (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).

NOTE: This form is also for Final Development Plans not submitted in conjunction with Conceptual Development Plans.

DATE: July 3, 2001  
 (enter date affidavit is notarized)

2001-1000

for Application No(s): RZ 2001 SU 034  
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> in Par. 1(a))
Dewberry & Davis, LLC	8401 Arlington Blvd. Fairfax, VA 22031	<b>Engineers/Planners/Agents for Applicant/Contract Purchaser</b>
Philip G. Yates	Dewberry & Davis, LLC 8401 Arlington Blvd. Fairfax, VA 22031	<b>Planner/Agent</b>
Lawrence McDermott	Dewberry & Davis, LLC 8401 Arlington Blvd. Fairfax, VA 22031	<b>Planner/Agent</b>
Jiri F. Kovats, P.E.	Dewberry & Davis, LLC 8401 Arlington Blvd. Fairfax, VA 22031	<b>Engineer/Agent</b>
Robert S. Schwenger, LS	Dewberry & Davis, LLC 8401 Arlington Blvd. Fairfax, VA 22031	<b>Surveyor/Agent</b>
Dolores D. Stofan	3824 Rugby Road Fairfax, VA 22033	<b>Record owner Lot 17</b>

(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: July 3, 2001
(enter date affidavit is notarized)

2001-1002

for Application No(s): RZ 2001 SU 034
(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 herein.)

CORPORATION INFORMATION

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

Madison Homes, Inc., 6723 Whittier Avenue, #104, McLean, VA 22010

DESCRIPTION OF CORPORATION: (check one statement)

- [X] 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 & last name)

Karen L. Schneiderman
Ellen D. Rosenberger
Russell S. Rosenberger, Jr.

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

Russell S. Rosenberger, President/Director
Douglas Schneiderman, Vice President
Kimberly Nelson, Secretary
Joseph Ricketts, Treasurer

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

\*\* All listings which include partnerships or corporations 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 the stock. 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.

DATE: July 3, 2001  
(enter date affidavit is notarized)

for Application No(s): RZ 2001 SU 034  
(enter County-assigned application number(s))

2001-1006

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Stephen K. Fox, P.C., 10511 Judicial Dr., Suite 112, Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)  
[ X ] 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 & last name)  
Stephen K. Fox, Sole Shareholder

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

Stephen K. Fox, President/Director

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Dewberry & Davis, LLC, A Virginia Limited Liability Company,  
8401 Arlington Blvd., Fairfax, VA 22031

DESCRIPTION OF CORPORATION: (check one statement)  
[ X ] 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 & 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 & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) [X] 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: July 3, 2001  
(enter date affidavit is notarized)

2001-1002

for Application No(s): RZ 2001 SU 034  
(enter County-assigned application number(s))

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

The Dewberry Companies, LC, 8401 Arlington Blvd., Fairfax, VA 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 & last name)

Sidney O. Dewberry, Member Karen S. Grand Pre, Member Thomas L. Dewberry,  
Barry K. Dewberry, Member Michael S. Dewberry, Member Member

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

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

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & 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: July 3, 2001  
(enter date affidavit is notarized)

2001-1006

for Application No(s): RZ 2001 SU 034  
(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 & zip code)

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

NAMES AND TITLES OF THE PARTNERS (enter first name, middle initial, last name & 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 or corporations 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 the stock. 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: July 3, 2001
(enter date affidavit is notarized)

2001-1006

for Application No(s): RZ 2001 SU 034
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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, enter "NONE" on line below.)

Dewberry & Davis LLC donated in excess of \$200 to Connolly for Supervisor

(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 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:

Stephen K. Fox, Agent

(check one) [ ] Applicant [X] Applicant's Authorized Agent

Stephen K. Fox, Attorney/Agent
(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 3rd day of July, 2001, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]
Notary Public

My commission expires: July 31, 2002

**REZONING AFFIDAVIT**

DATE: JULY 3, 2001  
(enter date affidavit is notarized)

I, STEPHEN K. FOX, do hereby state that I am an  
(enter name of applicant or authorized agent)

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

2001-99a

in Application No(s): RZ 2001 SU035  
(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 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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Madison Homes, Inc.	6723 Whittier Ave. #104 McLean, VA 22101	<b>Applicant/Contract Purchaser/Agent</b>
Russell S. Rosenberger, Jr.	Madison Homes, Inc. 6723 Whittier Ave. #104 McLean, VA 22101	<b>Agent</b>
Stephen K. Fox, P.C.	10511 Judicial Dr. #112 Fairfax, VA 22030	<b>Attorney/Agent</b>
Stephen K. Fox	10511 Judicial Dr. #112 Fairfax, VA 22030	<b>Attorney/Agent</b>

(check if applicable) [X] There are more relationships to be listed and Par. (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).

NOTE: This form is also for Final Development Plans not submitted in conjunction with Conceptual Development Plans.

DATE: July 3, 2001  
 (enter date affidavit is notarized)

2001-99a

for Application No(s): RZ 2001 SU 035  
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP (S) (enter applicable relationships listed in BOLD in Par. 1(a))
Dewberry & Davis, LLC	8401 Arlington Blvd. Fairfax, VA 22031	Engineers/Planners/Agents for Applicant/Contract Purchaser
Philip G. Yates	Dewberry & Davis, LLC 8401 Arlington Blvd. Fairfax, VA 22031	Planner/Agent
Lawrence McDermott	Dewberry & Davis, LLC 8401 Arlington Blvd. Fairfax, VA 22031	Planner/Agent
Jiri F. Kovats, P.E.	Dewberry & Davis, LLC 8401 Arlington Blvd. Fairfax, VA 22031	Engineer/Agent
Robert S. Schwenger, LS	Dewberry & Davis, LLC 8401 Arlington Blvd. Fairfax, VA 22031	Surveyor/Agent
Catherine J. Ward, Bert O'Dell William R. McAteer, Edwin Smith Luis Govantes, Trustees	Trustees for the Continental ECI Employee Trust 321 Tevis Street Winchester, VA 22601 For the benefit of Catherine J. Ward Bert O'Dell, William R. McAteer, Edwin Smith and Luis Govantes	Record owners, lots 5, 6
Mohamed K. Mardini Nuha N. Mardini Ali H. Gendi Wedad N. Gendi Abdullah T. Bakhsh trading as Mardini Associates a Virginia General Partnership	10609 Stapelford Hall Dr. Potomac, MD 20854	Record owner, lot 7

(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.

DATE: July 3, 2001  
 (enter date affidavit is notarized)

2001-99a

for Application No(s): RZ 2001 SU 035  
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
Mohamed K. Mardini Nuha N. Mardini Ali H. Gendi Wedad N. Gendi also trading as Mardini Associates a Virginia General Partnership	10609 Stapleford Hall Dr. Potomac, MD 20854	Record owner, lot 8
Mohamed K. Mardini Nuha N. Mardini Ali H. Gendi Wedad N. Gendi Abdullah T. Bakhsh also trading as Mardini Associates a Virginia General Partnership	10609 Stepleford Hall Dr. Potomac, MD 20854	Record owner, lot 9
Chris Simopoulos Joan Simopoulos	302 Riley Street Falls Church, VA 22046	Record owners, lot 10
Vivian V. Jenkins Bertie M. Jenkins	c/o Marjorie Marcus 1500 N. Johnson St. Arlington, VA 22201	Record owners, lot 11
Curtis L. Funkhouser, Beverly K. Funkhouser Trustees	Trustees for the Funkhouser Family Trust 4436 Brookside Dr. Alexandria, VA 22312 For the benefit of Curtis L. Funkhouser and Beverly K. Funkhouser	Record owners, lot 12
Glenn E. McMinn Drema J. McMinn	3918 Rugby Road Fairfax, VA 22033	Record owners, lot 13

(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: July 3, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001 SU 035
(enter County-assigned application number(s))

2001-99a

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 herein.)

CORPORATION INFORMATION

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

Madison Homes, Inc., 6723 Whittier Avenue, #104, McLean, VA 22010

DESCRIPTION OF CORPORATION: (check one statement)

- [X] 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 & last name)

Karen L. Schneiderman
Ellen D. Rosenberger
Russell S. Rosenberger, Jr.

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

Russell S. Rosenberger, President/Director
Douglas Schneiderman, Vice President
Kimberly Nelson, Secretary
Joseph Ricketts, Treasurer

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

\*\* All listings which include partnerships or corporations 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 the stock. 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.

DATE: July 3, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001 SU 035
(enter County-assigned application number(s))

2001-99a

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Stephen K. Fox, P.C., 10511 Judicial Dr., Suite 112, Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)
[X] 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 & last name)
Stephen K. Fox, Sole Shareholder

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

Stephen K. Fox, President/Director

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Dewberry & Davis, LLC, A Virginia Limited Liability Company,
8401 Arlington Blvd., Fairfax, VA 22031

DESCRIPTION OF CORPORATION: (check one statement)
[X] 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 & 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 & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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

DATE: July 3, 2001  
(enter date affidavit is notarized)

2001-99a

for Application No(s): RZ 2001 SU 035  
(enter County-assigned application number(s))

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

The Dewberry Companies, LC, 8401 Arlington Blvd., Fairfax, VA 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 & last name)

Sidney O. Dewberry, Member Karen S. Grand Pre, Member Thomas L. Dewberry,  
Barry K. Dewberry, Member Michael S. Dewberry, Member Member

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

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

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & 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: July 3, 2001  
(enter date affidavit is notarized)

for Application No(s): RZ 2001 SU 035  
(enter County-assigned application number(s))

2001-99a

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 & zip code)  
Mardini Associates, a Virginia General Partnership, 7101 Wisconsin Ave.,  
Suite 105, Bethesda, MD 20814

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

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

- Dr. Mohamed K. Mardini, General Partner
- Mrs. Nuha N. Mardini, General Partner
- Mr. Ali H. Gendi, General Partner
- Mrs. Wedad Gendi, General Partner
- Mr. Abdullah P. Baksh, General 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 or corporations 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 the stock. 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.

DATE: July 3, 2001  
(enter date affidavit is notarized)

for Application No(s): RZ 2001 SU 035  
(enter County-assigned application number(s))

2001-99a

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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, enter "NONE" on line below.)

Dewberry & Davis LLC donated in excess of \$200 to Connolly for Supervisor

(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 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:

*Stephen K. Fox, Agent*

(check one) [ ] Applicant [X] Applicant's Authorized Agent

Stephen K. Fox, Attorney/Agent

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

Subscribed and sworn to before me this 3rd day of July, 2001, in the State/Comm. of Virginia, County/City of Fairfax.

*Catherine C. Dwyer*  
Notary Public

My commission expires: July 31, 2002

STEPHEN K. FOX  
 A PROFESSIONAL CORPORATION  
 ATTORNEY AT LAW  
 10511 JUDICIAL DRIVE  
 SUITE 112  
 FAIRFAX, VIRGINIA 22030

(703) 273-7220  
 sfox@patriot.net

May 7, 2001

RECEIVED  
 DEPARTMENT OF PLANNING AND ZONING  
 FAX (703) 273-7225

MAY 7 2001

ZONING EVALUATION DIVISION

Jane W. Gwinn  
 Zoning Administrator  
 County of Fairfax  
 12055 Government Center Parkway  
 Fairfax, Virginia 22035

**Re: Statement of Justification; Madison Homes, Inc.; Application to Rezone  
 Fairfax Tax Map 045-2 ((2)), lot 17; (1.9327 acres) R-1 to R-5**

Dear Ms. Gwinn:

This application to amend the zoning map is submitted on behalf of Madison Homes, Inc. to rezone Tax Map No. 045-2 ((2)), lot 17 consisting of 1.9327 acres from the R-1 district to the R-5 district as more specifically set forth herein and in the supporting documents which accompany this application.

The property which is the subject of this application consists of one (1) previously platted lot located west of Rugby Road between Route 50 and the Fairfax County Parkway. In general, the property is bounded on the north by Fairfax County Parkway, on the south by Lee Jackson Memorial Highway (U.S. Route 50), on the west by Rose Development, LLC, and by Rugby Road to the east.

Madison Homes has been successful, with two (2) exceptions, in consolidating the parcels available for re-development located on the west side of Rugby Road. This application, and the companion application submitted herewith for Tax Map parcels 5-13, seeks to rezone the referenced parcel to the R-5 district for development of single family detached residences at a density of 4.66 dwelling units per acre. Madison Homes has significant background and experience in this neighborhood, having rezoned, engineered and planned the residences on a similarly sized consolidated parcel to the north of the Parkway and west of Rugby Road (see Tax Map 45-2 ((15), Lots 1-43). It is the applicant's intent to bring to the community an identical quality of development and building as created heretofore, showing sensitivity to the environment and the neighboring communities.

This application proposes substantial commitments to open space preservation, tree preservation and management of storm water for both quality and quantity parameters. The application meets or exceeds Zoning Ordinance requirements except where noted on the Generalized Development Plan (GDP), and in such cases, the applicant has requested a waiver of the prevailing standard, justifying the waiver request by a showing that it can meet the

overriding intent of the Zoning Ordinance.

## RELATIONSHIP TO THE COMPREHENSIVE PLAN

### The Current Plan Language

The current text of the Comprehensive Plan recommends

“6. The Murray Farms subdivision south of the Fairfax County Parkway is plan for residential use at a density of 1-2 dwelling units per acre. As an option, development may be appropriate for 4-5 dwelling units per acre if all of the land, except for the church property, and any property approved for institutional use is consolidated and development results in a density compatible with the Fair Woods subdivision immediately to the east.” (Area III volume, page 501, Fairfax County Comprehensive Plan).

It is believed that, while perhaps valid when adopted, the existing Comprehensive Plan recommendations evolved into an overly restrictive requirement. Read literally, it required the development community to consolidate the vacant or re-developable parcels on the east and west sides of Rugby Road, a nearly impossible condition in and of itself. The acquisition of several parcels on the east side of Rugby Road for institutional uses made this task even more impossible to achieve.

### The Proposed Out-of Turn Comprehensive Plan Amendment

In view of the neighborhood changes noted above, the property owners and the applicant requested the Sully District Supervisor to move the Board of Supervisors to amend the Comprehensive Plan to more realistically encourage re-development of the neighborhood. Amendment No. S00 111 UP3 is scheduled for hearing before the Planning Commission and the Board of Supervisors. The requested amendment, if adopted, has two purposes, *i.e.*, to separate the east and west sides of Rugby Road for consolidation purposes and to permit density at the enhanced density level provided that (a) substantial consolidation of parcels is achieved, and (b) the applicant demonstrates that parcels that are not consolidated into the application may be developed at a later date at a like density so as to appear as a unified neighborhood. The Staff recommendation is attached hereto as Exhibit 1 (See; page 4 of 5).

## CONCLUSION

The application submitted herewith, and the companion application, achieves the objectives of the Comprehensive Plan amendment in that the applicant has assembled 11 of 13 parcels in private ownership. Additionally, the applicant has sought to join parcel 18 (owned by the Board of Supervisors and arguably excess/surplus property) into the application. The applicant has demonstrated that the remaining parcels, 14 and 16, which have not joined into the application may be integrated at a future date into the proposed development in a manner which

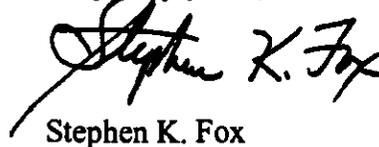
May 7, 2001

Page 3

achieves like densities in an integrated development by providing interparcel connections.

The utilities and other public services necessary for the development of the proposed neighborhood are already in place or will be in place to serve the proposed development. We include herewith the application fee in the amount of \$5,160.00 and the required submission items. After review of the enclosed materials by Zoning Staff, we would appreciate your scheduling the required public hearings before the Planning Commission and the Board of Supervisors pertaining to this and its companion applications.

Very truly yours,

A handwritten signature in black ink that reads "Stephen K. Fox". The signature is written in a cursive style with a large, sweeping initial 'S'.

Stephen K. Fox

**Enclosures**

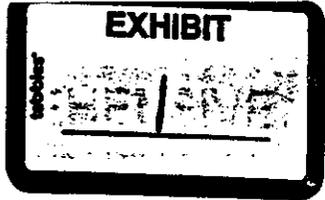
cc: Hon. Michael Frey, Supervisor  
Mr. Ronald Koch, Planning Commissioner  
Russell S. Rosenberger, Jr.  
Lawrence McDermott



# PROPOSED COMPREHENSIVE PLAN AMENDMENT

2000

ITEM: S00-III-UP3  
April 5, 2001



**GENERAL LOCATION:** East and west of the intersection of Rugby Road and Lee-Jackson Highway (Route 50)

**MAGISTERIAL DISTRICT:** Sully

**PLANNING AREA:** III

**PLANNING DISTRICTS:** Upper Potomac, Fairfax Center Area

**SUB-DISTRICT DESIGNATIONS:** UP8, Lee-Jackson Community Planning Sector; Fairfax Center Area Land Unit A, Sub-Unit A1

**PARCEL LOCATION:** 45-2 ((2)) 2-18, 30, 31, 32A

**PLANNING COMMISSION PUBLIC HEARING:** Thursday, April 19, 2001 @ 8:15 P.M.

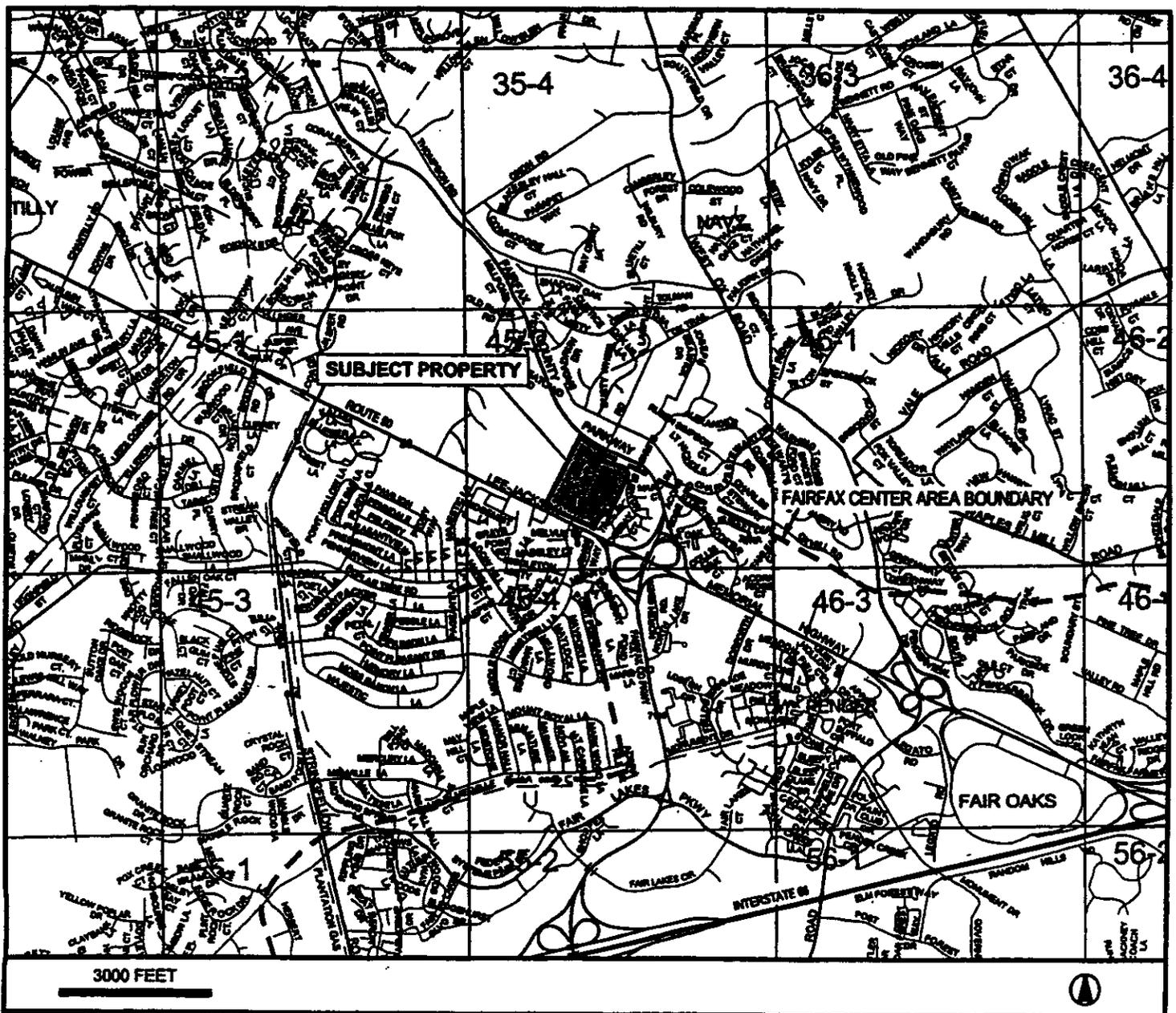
**BOARD OF SUPERVISORS PUBLIC HEARING:** Monday, May 7, 2001 @ 4:00 P.M.

**PLANNING STAFF DOES RECOMMEND THIS ITEM FOR PLAN AMENDMENT**

For additional information about this amendment call (703) 324-1210.



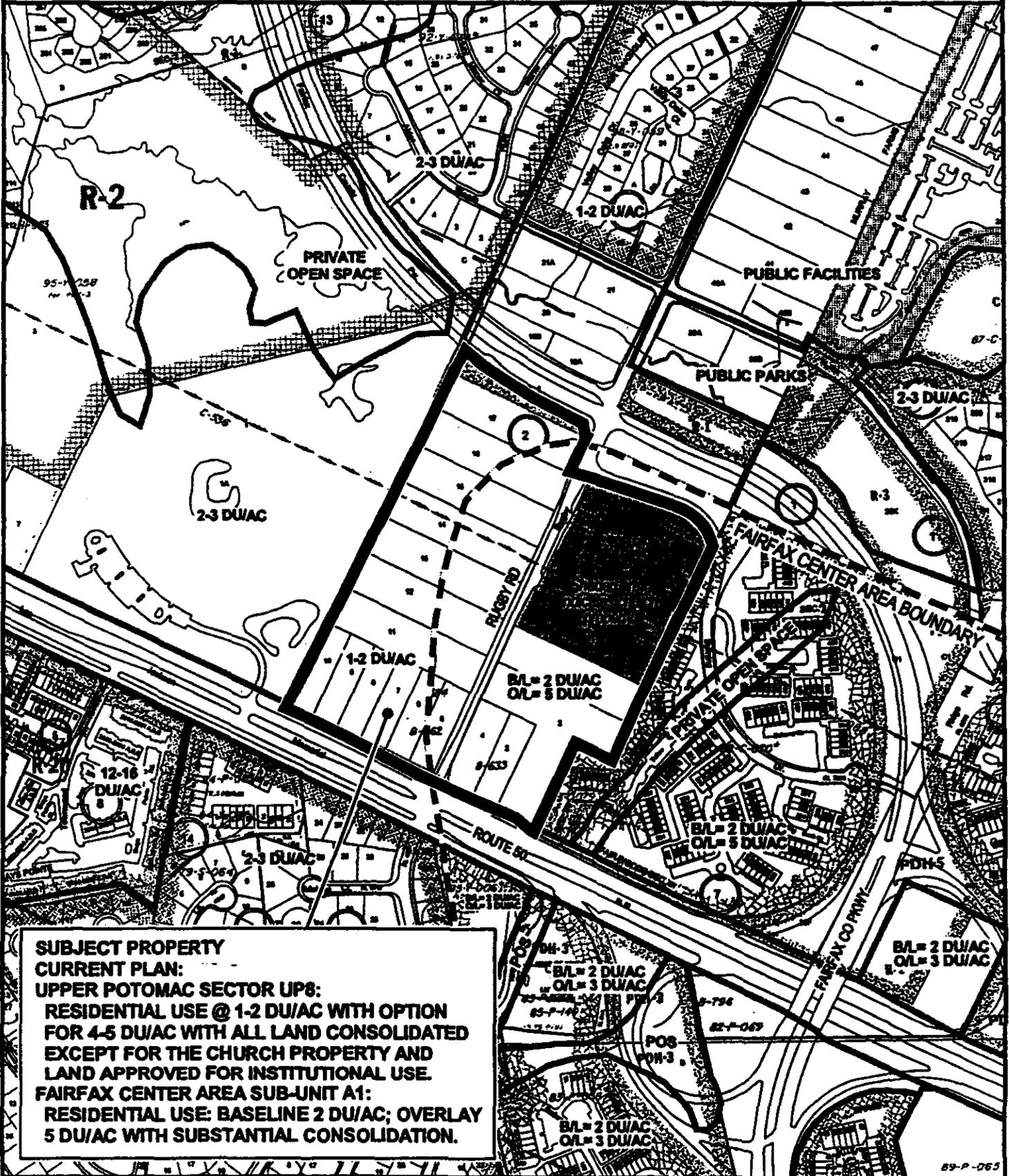
Reasonable accommodation is available upon 7 days advance notice. For additional information about accommodation call (703) 324-1334.



**CURRENT PLAN**

**DETAILED PARCEL LOCATION MAP FOR SUBJECT PROPERTIES AND  
ADOPTED PLAN MAP RECOMMENDATIONS FOR ADJACENT AREAS.**

ITEM: S00-III-UP3  
April 5, 2001



**SUBJECT PROPERTY  
CURRENT PLAN:  
UPPER POTOMAC SECTOR UP8:  
RESIDENTIAL USE @ 1-2 DU/AC WITH OPTION  
FOR 4-5 DU/AC WITH ALL LAND CONSOLIDATED  
EXCEPT FOR THE CHURCH PROPERTY AND  
LAND APPROVED FOR INSTITUTIONAL USE.  
FAIRFAX CENTER AREA SUB-UNIT A1:  
RESIDENTIAL USE: BASELINE 2 DU/AC; OVERLAY  
5 DU/AC WITH SUBSTANTIAL CONSOLIDATION.**

500 FEET

PREPARED BY THE DEPARTMENT OF PLANNING & ZONING  
USING FAIRFAX COUNTY GIS

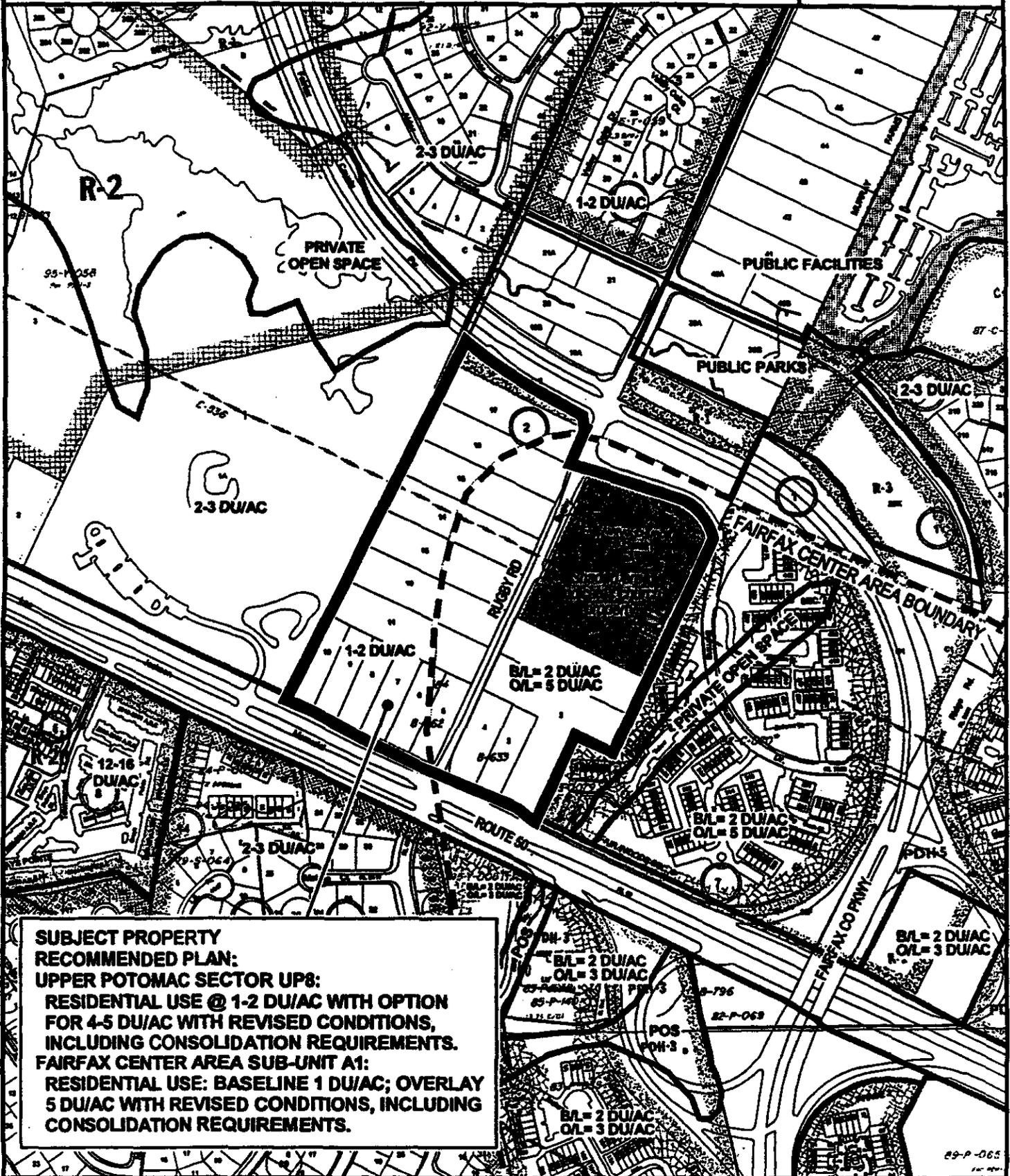


89-P-065

11 0710 00000

**RECOMMENDED PLAN**  
DETAILED PARCEL LOCATION MAP FOR SUBJECT PROPERTIES AND  
ADOPTED PLAN MAP RECOMMENDATIONS FOR ADJACENT AREAS.

ITEM: S00-III-UP3  
April 5, 2001



**SUBJECT PROPERTY**  
**RECOMMENDED PLAN:**  
**UPPER POTOMAC SECTOR UP8:**  
**RESIDENTIAL USE @ 1-2 DU/AC WITH OPTION**  
**FOR 4-5 DU/AC WITH REVISED CONDITIONS,**  
**INCLUDING CONSOLIDATION REQUIREMENTS.**  
**FAIRFAX CENTER AREA SUB-UNIT A1:**  
**RESIDENTIAL USE: BASELINE 1 DU/AC; OVERLAY**  
**5 DU/AC WITH REVISED CONDITIONS, INCLUDING**  
**CONSOLIDATION REQUIREMENTS.**

500 FEET

PREPARED BY THE DEPARTMENT OF PLANNING & ZONING  
USING FAIRFAX COUNTY GIS



## **STAFF REPORT FOR OUT-OF-TURN PLAN AMENDMENT S00-III-UP3**

### **BACKGROUND**

On December 4, 2000, the Board of Supervisors authorized an Out-of-Turn Plan amendment for the Murray Farms Subdivision on both sides of Rugby Road, north of Route 50/Lee-Jackson Memorial Highway and south of the Fairfax County Parkway. Currently the Comprehensive Plan recommends residential use at 1-2 dwelling units per acre (du/ac), with an option for residential use at 4-5 du/ac with consolidation of all the property on both sides of Rugby Road, excluding any property approved for institutional use.

Efforts have been under way for several years to consolidate the property in Murray Farms and redevelop it according to the option in the Comprehensive Plan. The Board's motion for this Out-of-Turn Plan amendment directs staff to evaluate the Plan's consolidation requirements, including consideration that the east and west sides of Rugby Road be allowed to develop in separate consolidations.

### **CHARACTER OF THE AREA**

The subject property is located in Tax Map 45-2((2)) and consists of 18 parcels, excluding the church property. All the parcels fronting on Route 50 on the west side of Rugby Road are vacant with the exception of Parcel 10 that includes a small vacant house. These parcels are about one acre in size. The remainder of the parcels on the west side of Rugby Road is developed with single-family detached homes. On the east side of Rugby Road, the Fairfax Church of Christ, occupying the north east corner of the subdivision, acquired Parcel 31 in 1999 for church use. La Petite Academy Inc. owns Parcels 3 and 4 (approximately 2 acres total) on the eastern corner of the intersection of Rugby Road and Route 50. In 1987, a Special Exception was originally approved for a childcare center on these parcels owned by La Petite Academy. The Special Exception approval for a childcare center has expired and a new application would have to be filed and approved to re-establish this use at this location. The remaining vacant Parcels 30 and 2 are about two acres and three acres in size, respectively.

- To the north is the Fairfax County Parkway that separates the subject area from the remainder of Murray Farms to the north. A new subdivision has recently been built with R-3 zoning on the west side of Rugby Road, utilizing a Plan option for residential use at 2-3 du/ac with consolidation. Northeast of the intersection of Alder Woods Drive and Rugby Road is the Fair Oaks/Inova Hospital medical complex. Medical office buildings are planned on the east side of Rugby Road, as well as a senior care residential facility and a child care center.
- To the east is the Fair Woods residential subdivision that is planned and developed with townhouses at 5 dwelling units per acre (zoned PDH-5). This subdivision's only point of access is Burning Bush Drive that intersects with Rugby Road immediately south its intersection with the Parkway.
- To the west is a golf course and driving range. Part of this area has been rezoned for development under the Plan for residential use at 2-3 du/ac (RZ 95-Y-058).

- To the south, across Route 50 are neighborhoods predominantly planned and developed for residential use at 2-3 du/ac and a church. To the west are two higher-density residential developments, one zoned R-8 and the other R-20.

### **COMPREHENSIVE PLAN CITATIONS:**

The subject property is split between the Fairfax Center Area to the east and the Upper Potomac Planning District to the west, as follows. See the "Current Plan" map in the beginning of this staff report for the delineation of the UP8 and A1 areas.

On page 501 of the Area III volume of the Comprehensive Plan, as amended through June 26, 1995, in the Upper Potomac Planning District, UP 8 Lee-Jackson Community Planning Sector, "Land Use," the Plan states:

"6. The Murray Farms subdivision south of the Fairfax County parkway is planned for residential use at 1-2 dwelling units per acre. As an option, development may be appropriate at 4-5 dwelling units per acre if all the land except the church property, and any property approved for institutional use is consolidated and development results in a density compatible with the Fair Woods subdivision immediately to the east."

On page 263 of the Area III volume of the Comprehensive Plan, as amended through June 26, 1995, in the Fairfax Center Area, Land Unit A, Sub-unit A1, the Plan states:

#### **"Sub-unit A1**

This sub-unit contains the portion of the Murray Farms subdivision located south of the Fairfax County Parkway and is planned for residential use at 5 dwelling units per acre at the overlay level. Development of this land unit should be compatible with the stable Fairwoods [sic.] subdivision immediately to the east. Substantial parcel consolidation is a primary condition for developing the Murray Farms area at the overlay level."

The Fairfax Center Area Land Unit Summary Chart for Land Unit A, found on page 266 of the Area III volume, shows the following residential densities for Sub-unit A1:

- Baseline: 2 du/ac
- Intermediate: 3.5 du/ac
- Overlay: 5 du/ac

The Comprehensive Plan Map shows residential use at 1-2 dwelling units per acre for UP8 and the Fairfax Center Area designation where applicable.

### **PLAN HISTORY**

In 1990, the Comprehensive Plan map and text recommended the subject area for residential use at 1-2 du/ac. During the 1991 Fairfax Planning Horizons process, suggestions were considered to: 1) retain the recommendation for low density residential use; or 2) to re-plan the area for a mixture of retail, mixed use, and high-density residential uses. The latter suggestion was not adopted, but the Centreville Task Force and the Planning Commission supported adding an

option for 4-5 du/ac with the following caveat: “. . . if all the land, except the church property, is consolidated . . .” This change also resulted in a modification of the Plan text for the Fairfax Center Area portion of the subject area to allow 5 du/ac at the overlay, as long as: “. . . Substantial parcel consolidation is a primary condition for developing the Murray Farms area at the overlay level.” As a result of the 1994 Area Plans Review, the UP8 text was modified to exempt any land approved for institutional use from the consolidation requirements. This was intended to recognize that the church and the La Petite Academy properties were unlikely to be consolidated for redevelopment.

## **ANALYSIS**

As the “Current Plan” map in this report shows, part of the subject area west of Rugby Road is in UP8 and part is in the Fairfax Center Area (A1). Nine out of the thirteen parcels, representing about 82 per cent of the land area west of the road, are in both UP8 and A1. Most, but not all, of the east side of the road is in A1.

The central issue of this Out-of-Turn Plan amendment is the conditions, including the consolidation requirements to achieve the optional level of development, 4-5 du/ac in UP8 and 5 du/ac at the overlay in the Fairfax Center Area. The UP8 text calls for consolidating all the land except the church and any property approved for institutional use, i.e., the La Petite property when it had an valid Special Exception approval. Because the Special Exception approval has expired, this property is no longer exempt from the consolidation language. The Fairfax Center Area text requires “substantial parcel consolidation.” Both sections of the Plan recommend that any development at the optional/overlay level be compatible with the Fair Woods subdivision immediately to the east.

The character of Murray Farms has changed significantly in the past decade. Originally the Murray Farms community existed as a single-family neighborhood on large lots flanking both sides of Rugby Road between Route 50 and Ox Trail. Recently, the Fairfax County Parkway divided the community into separate areas to the north and south. In addition, the increased presence of institutional uses has changed the character of Murray Farms. North of the Parkway is the Fair Oaks Hospital complex. South of the Parkway, the church has expanded and La Petite Academy, a national childcare company, owns two parcels on the corner of Rugby Road and Route 50 (although their Special Exception approval for a childcare facility has expired and this development has not occurred).

The current Comprehensive Plan text for the subject property reflects assumptions about Murray Farms that may no longer be viable. Originally the land areas on each side of the road were roughly comparable. This would have provided the flexibility to redevelop the area in a fashion that would resemble a single community. The ability to consolidate an area on the east side that is similar in size to the west has been limited by the increased amount of institutional use. As a result, the requirement for full consolidation of both sides of the road is perhaps no longer as important as it once was.

Given the change in circumstances for Murray Farms, allowing the two sides of the road to be consolidated separately appears to be the best approach. The eastern side and western sides

could reasonably be expected to develop independent of each other in a harmonious and attractive manner.

## RECOMMENDATION

Staff recommends that the Comprehensive Plan be amended as follows:

**MODIFY:** Page 501 of the Area III volume of the Comprehensive Plan, as amended through June 26, 1995, and subsequently amended, in the Upper Potomac Planning District, UP8 Lee-Jackson Community Planning Sector, "Land Use," as follows:

~~"6. The Murray Farms subdivision south of the Fairfax County parkway is planned for residential use at 1-2 dwelling units per acre. As an option, development may be appropriate at 4-5 dwelling units per acre. if all the land except the church property, and any property approved for institutional use is consolidated and development results in a density compatible with the Fair Woods subdivision immediately to the east."~~

Redevelopment of this area should strive to create a sense of community and coordinated and attractive residential development on both sides of Rugby Road. This optional density may be considered under the following conditions:

- East of Rugby Road, full land consolidation is required, excluding church property or land approved for institutional use. In addition, the following conditions should be met:
  - a) Development should be compatible with the Fair Woods subdivision to the east;
  - b) Development should occur in a manner that permits future development of unconsolidated parcels in conformance with the Comprehensive Plan.
  - c) Access and circulation should be coordinated in order to limit the number of access points to Rugby Road to the greatest extent possible; and
  - d) Adverse impacts from adjacent institutional uses should be mitigated, incorporating such techniques as screening and buffering.
  
- West of Rugby Road, an initial land consolidation of a minimum of 12 acres is required. This initial land consolidation may be satisfied by one or more rezoning applications that are coordinated, fully integrated in terms of design, and concurrently pursued with the County. In addition, the following conditions should be met:
  - a) New development should mitigate impacts on any existing residential uses on unconsolidated parcels using techniques such as screening and buffering; and
  - b) Development should occur in a manner that permits future development of unconsolidated parcels to be unified with the initial consolidation. Unconsolidated parcels may be considered for 4-5 dwelling units per acre if they are designed to be fully integrated with existing (or approved) adjacent development.
  - c) Traffic circulation should be coordinated to the greatest extent possible, in an attempt to minimize the number of access points on Rugby Road.

MODIFY: Page 263 of the Area III volume of the Comprehensive Plan, as amended through June 26, 1995, in the Fairfax Center Area, Land Unit A, Sub-unit A1, the Plan states:

**"Sub-unit A1**

This sub-unit contains the portion of the Murray Farms subdivision located south of the Fairfax County Parkway and is planned for residential use at 5 dwelling units per acre at the overlay level. ~~Development of this land unit should be compatible with the stable Fairwoods subdivision immediately to the east. Substantial parcel consolidation is a primary condition for developing the Murray Farms area at the overlay level. The same conditions for development that apply for the portion of Murray Farms in UP8 Lee-Jackson Community Planning Sector (Upper Potomac Planning District) should apply to Sub-unit A1.~~

MODIFY: Page 266 of the Area III volume of the Comprehensive Plan, as amended through June 26, 1995, in the Fairfax Center Area, Land Unit A, Sub-unit A-1, the Land Unit Summary Chart for Land Unit A, modify the Overlay level, as follows:

LAND UNIT SUMMARY CHART - LAND UNIT A (continued)			
<b>Overlay Level</b>			
A1	RES		5*
A2	RES/MIX		5
A3, A4	RES		3
A5	OFF	.15	
A6	OFF	.25	
A7	PUBLIC FACILITIES		
* See Area III, Upper Potomac Planning District, UP8 Lee-Jackson Community Planning Sector, for conditions for development at the overlay level.			
Note: These sub-units are within the Water Supply Protection Overlay District.			

The Comprehensive Plan Map will not change.

STEPHEN K. FOX  
A PROFESSIONAL CORPORATION  
ATTORNEY AT LAW  
10511 JUDICIAL DRIVE  
SUITE 112  
FAIRFAX, VIRGINIA 22030

(703) 273-7220  
sfox@patriot.net

July 27, 2001

RECEIVED  
DEPARTMENT OF PLANNING AND ZONING  
FAX (703) 273-7220

JUL 27 2001

ZONING EVALUATION DIVISION

Jane W. Gwinn  
Zoning Administrator  
County of Fairfax  
12055 Government Center Parkway  
Fairfax, Virginia 22035

**Re: AMENDED Statement of Justification; Madison Homes, Inc.; Application to Rezone Fairfax Tax Map 045-2 ((2)), lots 5 to 15; (14.88 acres) R-1 to R-5**

Dear Ms. Gwinn:

This amended Statement of Justification is revised to reflect the addition of two (2) parcels to the rezoning application, Lot 14 (1.99 acres) and Lot 15 (1.97 acres). This application is to amend the zoning map is submitted on behalf of Madison Homes, Inc. to rezone Tax Map No. 045-2 ((2)), lots 5 to 15 consisting of an aggregate of 14.88 acres from the R-1 district to the R-5 district as more specifically set forth herein and in the supporting documents which accompany this application.

The property which is the subject of this application consists of eleven (11) previously platted lots located west of Rugby Road between Route 50 and the Fairfax County Parkway. In general, the properties are bounded on the north by Fairfax County Parkway, on the south by Lee Jackson Memorial Highway (U.S. Route 50), on the west by Rose Development, LLC, and by Rugby Road to the east.

Madison Homes has been successful, with one (1) exception, in consolidating the parcels available for re-development located on the west side of Rugby Road. This application, and the companion application previously submitted for Tax Map parcel 17, seeks to rezone the referenced parcels to the R-5 district for development of single family detached residences at a density of 5.84 dwelling units per acre. The application now proposes 76 market rate dwelling units and 11 Affordable Dwelling Units (ADU's). The ADU's have been designed to have an outward appearance similar to the market rate units. Since it is anticipated that the ADU's will be occupied by families with children (or of child bearing age). It is further expected that a substantial percentage of the market rate units may be occupied by mature couples without school-aged children. Therefore, the GDP proposes to place the ADU units in close proximity to one another to afford the occupants of the ADU's a sense of community.

Madison Homes has significant background and experience in this neighborhood, having rezoned, engineered and planned the residences on a similarly sized consolidated parcel to the

north of the Parkway and west of Rugby Road (see Tax Map 45-2 ((15), Lots 1-43). It is the applicant's intent to bring to the community an identical quality of development and building as created heretofore, showing sensitivity to the environment and the neighboring communities.

This application proposes substantial commitments to open space preservation, tree preservation and management of storm water for both quality and quantity parameters. The application meets or exceeds Zoning Ordinance requirements except where noted on the Generalized Development Plan (GDP), and in such cases, the applicant has requested a waiver of the prevailing standard, justifying the waiver request by a showing that it can meet the overriding intent of the Zoning Ordinance.

### RELATIONSHIP TO THE COMPREHENSIVE PLAN

#### The Current Plan Language

The current text of the Comprehensive Plan recommends

"6. The Murray Farms subdivision south of the Fairfax County Parkway is plan for residential use at a density of 1-2 dwelling units per acre. As an option, development may be appropriate for 4-5 dwelling units per acre if all of the land, except for the church property, and any property approved for institutional use is consolidated and development results in a density compatible with the Fair Woods subdivision immediately to the east." (Area III volume, page 501, Fairfax County Comprehensive Plan).

It is believed that, while perhaps appropriate when adopted, the existing Comprehensive Plan recommendations evolved into an overly restrictive requirement. Read literally, it required the development community to consolidate the vacant or re-developable parcels on the east and west sides of Rugby Road, a nearly impossible condition in and of itself. The acquisition of several parcels on the east side of Rugby Road for institutional uses made this task even more impossible to achieve.

#### The Proposed Out-of Turn Comprehensive Plan Amendment

In view of the neighborhood changes noted above, the property owners and the applicant requested the Sully District Supervisor to move the Board of Supervisors to amend the Comprehensive Plan to more realistically encourage re-development of the neighborhood. Amendment No. S00 111 UP3 is scheduled for hearing before the Planning Commission and the Board of Supervisors. The requested amendment, if adopted, has two purposes, i.e., to separate the east and west sides of Rugby Road for consolidation purposes and to permit density at the enhanced density level provided that (a) substantial consolidation of parcels is achieved, and (b) the applicant demonstrates that parcels that are not consolidated into the application may be developed at a later date at a like density so as to appear as a unified neighborhood. The Staff recommendation is attached hereto as Exhibit 1 (See; page 4 of 5).

July 27, 2001

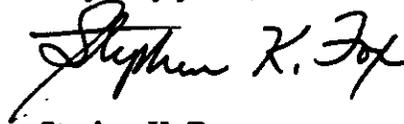
Page 3

CONCLUSION

The application submitted herewith achieves the objectives of the Comprehensive Plan amendment in that the applicant has assembled 12 of 13 parcels in private ownership. Additionally, the applicant has sought to join parcel 18 (owned by the Board of Supervisors and arguably excess/surplus property) into the application. The applicant has demonstrated that the remaining parcel, Lot 16, which has not joined into the application may be integrated at a future date into the proposed development in a manner which achieves like densities in an integrated development by providing interparcel connections.

The utilities and other public services necessary for the development of the proposed neighborhood are already in place or will be in place to serve the proposed development. We include herewith the amendment application fee in the amount of \$1,245.00 (\$845, plus \$105 x 4 acres) and the required submission items. After review of the enclosed materials by Zoning Staff, we would appreciate your scheduling the required public hearings before the Planning Commission and the Board of Supervisors pertaining to this and its companion applications.

Very truly yours,



Stephen K. Fox

Enclosures

cc: Hon. Michael Frey, Supervisor  
Mr. Ronald Koch, Planning Commissioner  
Russell S. Rosenberger, Jr.  
Lawrence McDermott

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

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

**SUBJECT:** Land Use Analysis: RZ 2001-SU-034 and 035, Madison Homes, Inc.

**DATE:** 12 October 2001

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the rezoning applications and Generalized Development Plans (GDP) dated May 4, 2001 as revised through July 26, 2001. The extent to which the proposed use, intensity and the development plan are consistent with the land use guidance and environmental recommendations of the Comprehensive Plan is noted.

**NOTE:** The subject properties are impacted by Out-of-Turn Plan Amendment S00-III-UP3, which was heard and approved by the Board of Supervisors on August 6, 2001. This report reflects the Board's adoption of the recently amended Plan text.

**DESCRIPTION OF THE APPLICATION**

The two related rezoning applications encompass the majority of lots in an existing subdivision known as Murray Farms, situated along the west side of Rugby Road. The rezoning applications represent an assemblage of several contiguous lots for redevelopment; however, the application properties are not contiguous, but are separated by a single lot that has not been consolidated into either rezoning application. The table below describes the rezoning applications:

<i>Application</i>	<i>Land Area</i>	<i>Existing Zoning</i>	<i>Proposed Zoning</i>	<i>Proposed Density/Units</i>
RZ 01-SU-034	1.93 ac	R-1	R-5	4.66 du/ac 9 units
RZ 01-SU-035	14.88 ac	R-1	R-5	5.84 du/ac 87 units*

\* Includes 11 Affordable Dwelling Units - 20% density bonus applied)

The applicant proposes development of single family attached homes in clusters of 4 units with affordable dwelling units located adjacent to Rt. 50. A stormwater management pond and rain garden are depicted adjacent to the western boundary of the development.

## **CHARACTER OF THE SURROUNDING AREA**

The application properties are located on the west side of Rugby Road, at the intersection of Rugby Road and Route 50, approximately 500 feet west of the Fairfax County Parkway. The existing lots fronting on Rt. 50 are vacant with the exception of Parcel 10, which contains a small, vacant house. The remainder of the lots along the west side of Rugby Road are developed with single family detached homes. The Fairfax Church of Christ is situated to the east, across Rugby Road. The Fairfax County Parkway abuts the application property to the north; to the south, across Rt. 50 are single family detached and attached developments. A golf course and driving range abut the application properties to the west. The unconsolidated parcel, Lot 16, is developed with a relatively new, single family detached home.

## **COMPREHENSIVE PLAN CITATIONS**

**Plan Area: III Planning Sector: Lee-Jackson Community Planning Sector (UP8)  
Upper Potomac Planning District  
Fairfax Center Area Land Unit A, Sub-unit A-1**

On August 6, 2001, the Board of Supervisors approved the following modification as an amendment to the Comprehensive Plan text:

**On Page 120 of 128 of the Area III volume of the 2000 Comprehensive Plan,**

“6. The Murray Farms subdivision south of the Fairfax County parkway is planned for residential use at 1-2 dwelling units per acre. As an option, development may be appropriate at 4-5 dwelling units per acre. Redevelopment of this area should strive to create a sense of community and coordinated and attractive residential development on both sides of Rugby Road. This optional density may be considered under the following conditions:

- West of Rugby Road, an initial land consolidation of a minimum of 12 acres is required. This initial land consolidation may be satisfied by one or more rezoning applications that are coordinated, fully integrated in terms of design, and concurrently pursued with the County. In addition, the following conditions should be met:
  - a) New development should mitigate impacts on any existing residential uses on unconsolidated parcels using techniques such as screening and buffering; and
  - b) Development should occur in a manner that permits future development of unconsolidated parcels to be unified with the initial consolidation.Unconsolidated parcels may be considered for 4-5 dwelling units per acre if they are designed to be fully integrated with existing (or approved) adjacent development.

c) Traffic circulation should be coordinated to the greatest extent possible, in an attempt to minimize the number of access points on Rugby Road."

**And on Pages 48 and 49 of 122 of the Area III volume of the 2000 Comprehensive Plan, in the Fairfax Center Area, Land Unit A, Sub-unit A1, the Plan states:**

**"Sub-unit A1**

This sub-unit contains the portion of the Murray Farms subdivision located south of the Fairfax County Parkway and is planned for residential use at 5 dwelling units per acre at the overlay level. The same conditions for development that apply for the portion of Murray Farms in UP8 Lee-Jackson Community Planning Sector (Upper Potomac Planning District) should apply to Sub-unit A1."

**LAND UNIT SUMMARY CHART - LAND UNIT A**

**Overlay Level**

A1

RES

5 \*

\* See Area III, Upper Potomac Planning District, UP8 Lee-Jackson Community Planning Sector, for conditions for development at the overlay level.

Note: These sub-units are within the Water Supply Protection Overlay District.

**PLAN MAP:** Residential 1-2 du/ac

**ANALYSIS**

Both of the proposed rezoning applications are in conformance with the use and intensity recommendations of the Comprehensive Plan. Both applications have resulted in the consolidation of all but one property, Parcel 16, which is located between the rezoning application properties. The proposed designs of the two pending rezoning applications are coordinated in a manner so that segments of a proposed street are designed to eventually link through the unconsolidated parcel at some future time. However, the development proposals raise the following concerns:

**Issue: Buffering and Screening** The recently amended Plan text recommends that new development should mitigate impacts on any existing residential uses on unconsolidated parcels using techniques such as screening and buffering. The GDPs for the rezoning applications provide for a single row of deciduous trees along the south side of the unconsolidated parcel and for a driveway access for units along the north side with no screening depicted. Development at the optional and overlay levels of 4-5 du/ac is predicated on the provision of appropriate levels of screening to mitigate impacts on the unconsolidated parcel. The screening and buffering

provided by the concurrent rezoning applications should be improved.

**Issue: Minimizing Access Points** The recently amended Plan text also recommends minimizing access points along Rugby Road. The development plan depicts 3 access points to the south and one to the north of the unconsolidated parcel. In keeping with the Plan guidance, the northernmost access should be closed at such time as full consolidation and redevelopment of Parcel 16 is achieved. One access point to the south should be also be deleted.

**Issue: Design Quality** Since a portion of the development is within the Fairfax Center area, additional design information related to building elevations, lighting, focal landscaping features and site amenities should be provided to reflect the high quality design standards anticipated for Fairfax Center development.

BGD: DMJ

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

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

**FILE:** 3-4 (RZ 2001-SU-034 & RZ 2001-SU-035)

**SUBJECT:** Transportation Impact Addendum

**REFERENCE:** RZ 2001-SU-034 & RZ 2001-SU-035: Madison Homes, Rugby Road I &  
Rugby Road II  
Traffic Zone: 1679  
Land Identification Map: 45-2 ((2)) 5-15, 17

**DATE:** November 20, 2001

Transmitted herewith are the comments of the Department of Transportation with respect to the referenced application. These comments are based on the functional plan for Rugby Road received November 19, 2001 and proffers dated November 19, 2001.

This review indicates that:

- All transportation issues identified in this department's prior report have been adequately addressed.
- None of the transportation issues identified in this department's report of \_\_\_\_\_ have been adequately addressed.
- The issue(s) that remain outstanding may be identified from the summary of this department's report of \_\_\_\_\_ under item(s) \_\_\_\_\_.
- Supporting information/documentation (Traffic Impact Study/Draft Proffers/Revised Plan or Plat) was not furnished sufficiently in advance to allow for review by this Department.

AKR:lj

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

**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-SU -034)

**SUBJECT:** Transportation Impact

**REFERENCE:** RZ 2001-SU-034, Madison Homes, Rugby Road II  
Traffic Zone: 1679  
Land Identification Map: 45-2 ((2)) 17

**DATE:** September 27, 2001

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plans made available to this office dated May 4, 2001, and revised through September 19, 2001.

- The Comprehensive Plan shows this section of Rugby Road as a planned four-lane divided facility and, therefore, the applicant should dedicate 45 feet of right-of-way from the centerline of Rugby Road and should construct one-half of a four-lane divided roadway with curb and gutter. If no frontage improvements are provided, the applicant should dedicate 56 feet of right-of-way from the centerline of Rugby Road plus ancillary easements.
- The applicant should show on their development plan the improvements provided on Rugby Road by Fair Oaks Hospital to the north of the Fairfax County Parkway. This will be used to determine what the applicant needs to provide south of the Parkway on Rugby Road.
- Interparcel access to the south (parcel 16) should be provided for ultimate access to Rugby I.
- Part of this site is in the Fairfax Center Area and subject to contribution to the Fairfax Center Area Road Fund.

- Driveways should be a minimum of 18 feet in length.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES



**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-SU-035)

**SUBJECT:** Transportation Impact

**REFERENCE:** RZ 2001-SU-035, Madison Homes, Rugby Road I  
Traffic Zone: 1679  
Land Identification Map: 45-2 ((2)) 5-15

**DATE:** September 27, 2001

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plans made available to this office dated May 4, 2001, and revised through September 19, 2001.

- The Comprehensive Plan shows this section of Rugby Road as a planned four-lane divided facility and, therefore, the applicant should dedicate 45 feet of right-of-way from the centerline of Rugby Road and should construct one-half of a four-lane divided roadway with curb and gutter. If no frontage improvements are provided, the applicant should dedicate 56 feet of right-of-way from the centerline of Rugby Road plus ancillary easements.
- There are too many entrances on Rugby Road. There should be no more than two entrances. The main entrance should align with the church entrance on the other side of the road.
- Right and left turn lanes should be provided at the entrance as interim improvements on the undivided Rugby Road.
- An additional 12 feet of right-of-way should be provided on Route 50 for a distance of 400 feet from the western property line.

- Interparcel access to the north (parcel 16) should be provided for ultimate access to Rugby II.
- Part of this site is in the Fairfax Center Area and is subject to contribution to the Fairfax Center Area Road Fund.
- Driveways should be a minimum of 18 feet in length.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES

## COUNTY OF FAIRFAX, VIRGINIA

## MEMORANDUM

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

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

SUBJECT: ENVIRONMENTAL ASSESSMENT: RZ-2001-SU-034,  
Madison Homes

DATE: 17 October 2001

**BACKGROUND:**

This report, prepared by Irish Grandfield, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the Development Plan dated May 4, 2001. The report also identifies possible solutions to remedy environmental impacts. Alternative solutions may be acceptable provided that they achieve the desired degree of mitigation and are compatible with Plan policies.

**COMPREHENSIVE PLAN CITATIONS:**

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

1. **Transportation Generated Noise** (Objective 4, pp. 95-96, The Policy Plan)

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

Policy a. Regulate new development to ensure that people are protected from unhealthful levels of transportation noise. . .

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

residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA. . . .”

2. **Water Quality** (Objective 2, pp. 91-92, The Policy Plan)

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

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

3. **Tree Preservation** (Objective 10, p. 101, The Policy Plan)

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

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

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

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

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

5. **Problem Soil Areas** (Objective 6, pp. 96-97, The Policy Plan)

**“Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.**

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

6. **Light Pollution** (Objective 5, p. 96 The Policy Plan)

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

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

### **ENVIRONMENTAL ANALYSIS:**

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

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

**Issue:** Staff performed a preliminary highway noise analysis for this site based on projected traffic levels for Fairfax County Parkway and Rugby Road. This analysis produced the following noise contour projections (note: DNL dBA is equivalent to dBA  $L_{dn}$ ) based on soft-site (vegetated) conditions:

##### FAIRFAX COUNTY PARKWAY:

DNL 65 dBA 285 feet from centerline  
DNL 70 dBA (not an issue on this site)  
DNL 75 dBA (not an issue on this site)

##### RUGBY ROAD:

DNL 65 dBA 150 feet from centerline  
DNL 70 dBA 70 feet from centerline  
DNL 75 dBA (not an issue on this site)

Many of the lots will be exposed to noise levels above DNL 65 dBA but below DNL 70 dBA. The applicant should consider constructing a solid noise barrier (landscaped berm, solid fence, or combination berm/fence) between the noise source and affected lots to mitigate outdoor noise. The structure must be architecturally solid from the ground up with no gaps or openings and of sufficient height to adequately shield the impacted area from the source of the noise (at least 6 feet high).

**Suggested Solution:** In order to reduce interior noise to a level of approximately DNL 45 dBA, units within the DNL 65 – 70 dBA highway noise impact zone should employ the following acoustical treatment measures:

- Exterior walls should have a laboratory sound transmission class (STC) rating of at least 39.
- Doors and windows should 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 windows constitute more than 20% of an exposed façade, then the windows should have a STC rating of at least 39.

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

## 2. Water Quality

**Issue:** On a recent site visit, staff noted indications that there may be one or more home heating oil fuel tanks on site. In addition, there may be individual water wells. Improperly abandoned fuel tanks can contaminate surface and ground water. Improperly abandoned wells can serve as a conduit to introduce contamination into the groundwater.

**Suggested Solution:** All fuel storage tanks should be properly removed and abandoned. Any existing wells onsite should be capped and abandoned in accordance with Health Department regulations.

## 3. Tree Preservation

**Issue:** The Policy Plan calls for protecting and restoring some tree cover during development. The site currently has several areas of mature trees. The Development Plan does not show any area of tree preservation.

**Suggested Solution:** If the Forester concurs, preserve trees along the property line (the limits of clearing and grading should be relocated to 10 feet inside of property line where trees are present). Several additional trees should also be preserved including an oak near the front of the property and some trees in the northwest portion of the site.

The applicant should transplant usable understory trees from forested areas to be distributed into landscaped areas onsite.

## 4. Trails

**Issue:** The Countywide Trails Plan shows a proposed pedestrian trail planned along Rugby Road. The Development Plan shows a conceptual location for the trail.

**Suggested Solution:** The Director of DPWES will determine the appropriate trail location and design at the time of site development.

5. **Problem Soil Areas**

**Issue:** The bedrock underlying this property is shallow. Blasting may be required to install underground utilities, building foundations and/or basements during development of this site. Nearby houses and wells could be impacted by the blasting.

**Suggested Solution:** The applicant should commit to correct any problems related to impacts on nearby properties from blasting on the site. Staff recommends that the applicant commit to the following for wells and foundations within 500 feet of the blasting:

1. Check the flow rate of any wells immediately before and immediately following blasting.
2. Conduct a pre-blasting assessment of bacterial contamination followed by a post-blasting bacterial assessment two months after the blasting.
3. Check pre- and post-blasting condition of foundations and walls of homes.
4. If changes in well water quantity or quality are noted, the applicant should immediately remediate the problems.

At the time of site development, the applicant should submit geotechnical studies to address potential soil problems.

6. **Light Pollution**

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

**Suggested Solution:** All lighting provided on the property should be focused directly on parking/driving areas and sidewalks. No lighting should project beyond the property line. Total illumination levels should also be controlled.

COUNTY OF FAIRFAX, VIRGINIA

MEMORANDUM

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

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

SUBJECT: ENVIRONMENTAL ASSESSMENT: RZ-2001-SU-035,  
Madison Homes

DATE: 17 October 2001

**BACKGROUND:**

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

**COMPREHENSIVE PLAN CITATIONS:**

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

1. **Transportation Generated Noise** (Objective 4, pp. 95-96, The Policy Plan)

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

Policy a. Regulate new development to ensure that people are protected from unhealthful levels of transportation noise. . .

New development should not expose people in their homes, or other noise sensitive environments to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by

highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA. . . .”

2. **Water Quality** (Objective 2, pp. 91-92, The Policy Plan)

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

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

3. **Tree Preservation** (Objective 10, p. 101, The Policy Plan)

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

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

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

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

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

5. **Problem Soil Areas** (Objective 6, pp. 96-97, The Policy Plan)

**“Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.**

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

6. **Light Pollution** (Objective 5, p. 96 The Policy Plan)

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

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

### ENVIRONMENTAL ANALYSIS:

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

#### 1. Transportation Generated Noise

*Issue:* Staff performed a preliminary highway noise analysis for this site based on projected traffic levels for Route 50 and Rugby Road. This analysis produced the following noise contour projections (note: DNL dBA is equivalent to dBA L<sub>dn</sub>) based on soft-site (vegetated) conditions:

##### ROUTE 50:

DNL 65 dBA 420 feet from centerline  
DNL 70 dBA 195 feet from centerline  
DNL 75 dBA 90 feet from centerline

##### RUGBY ROAD:

DNL 65 dBA 150 feet from centerline  
DNL 70 dBA 70 feet from centerline  
DNL 75 dBA (not an issue on this site)

Many of the lots will be exposed to noise levels above DNL 65 dBA. The applicant should consider constructing a solid noise barrier (landscaped berm, solid fence, or combination berm/fence) between Route 50 and affected lots to mitigate outdoor noise. A fence will also be needed to protect backyard areas of homes near Rugby Road. The structure must be architecturally solid from the ground up with no gaps or openings and of sufficient height to adequately shield the impacted area from the source of the noise (at least 6 feet high).

*Suggested Solution:* The Applicant should provide a noise analysis based on final site grades and future traffic volumes. The noise analysis shall utilize standard measures and 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.

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 shall employ the following acoustical treatment measures:

1. Exterior walls should have a laboratory sound transmission class (STC) rating of at least 45.
2. Doors and windows should 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 windows constitute more than 20% of an exposed façade, then the windows should have an STC rating of at least 45.
3. All surfaces should be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.

In order to reduce interior noise to a level of approximately DNL 45 dBA, units within the DNL 65 – 70 dBA highway noise impact zone shall employ the following acoustical treatment measures:

1. Exterior walls should have a laboratory sound transmission class (STC) rating of at least 39.
2. Doors and windows should 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 windows constitute more than 20% of an exposed façade, then the windows should have a STC rating of at least 39.
3. All surfaces should be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.

## 2. Water Quality

**Issue:** On a recent site visit, staff noted indications that there may be one or more home heating oil fuel tanks on site. In addition, there may be individual water wells. Improperly abandoned fuel tanks can contaminate surface and ground water. Improperly abandoned wells can serve as a conduit to introduce contamination into the groundwater.

**Suggested Solution:** All fuel storage tanks should be properly removed and abandoned. Any existing wells onsite should be capped and abandoned in accordance with Health Department regulations.

### 3. Tree Preservation

**Issue:** The Policy Plan calls for protecting and restoring some tree cover during development. The site currently has several areas of mature trees. The Development Plan does not show any area of tree preservation.

**Suggested Solution:** If the Forester concurs, preserve trees along the property line (the limits of clearing and grading should be relocated to 10 feet inside of property line where trees are present). Several additional trees should also be preserved including a large Pin Oak near the SWM pond.

The applicant should transplant usable understory trees from forested areas to be distributed into landscaped areas onsite.

### 4. Trails

**Issue:** The Countywide Trails Plan shows a proposed biking trail along the north side of Route 50 and a pedestrian trail planned along Rugby Road. The Development Plan is showing a conceptual location for the two trails.

**Suggested Solution:** The Director of DPWES will determine the appropriate trail location and design at the time of site development.

### 5. Problem Soil Areas

**Issue:** The bedrock underlying this property is shallow. Blasting may be required to install underground utilities, building foundations and/or basements during development of this site. Nearby houses and wells could be impacted by the blasting.

**Suggested Solution:** The applicant should commit to correct any problems related to impacts on nearby properties from blasting on the site. Staff recommends that the applicant commit to the following for wells and foundations within 500 feet of the blasting:

1. Check the flow rate of any wells immediately before and immediately following blasting.
2. Conduct a pre-blasting assessment of bacterial contamination followed by a post-blasting bacterial assessment two months after the blasting.
3. Check pre- and post-blasting condition of foundations and walls of homes.
4. If changes in well water quantity or quality are noted, the applicant should immediately remediate the problems.

At the time of site development, the applicant should submit geotechnical studies to address potential soil problems.

6. **Light Pollution**

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

***Suggested Solution:*** All lighting provided on the property should be focused directly on parking/driving areas and sidewalks. No lighting should project beyond the property line. Total illumination levels should also be controlled.

BGD:JPG

AUG 16 2001

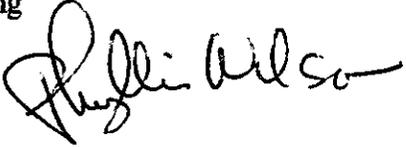
## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

ZONING EVALUATION DIVISION  
ZONING EVALUATION DIVISION

**TO:** Tracy Swagler, Staff Coordinator  
Department of Planning and Zoning

**DATE:** August 6, 2001

**FROM:** Phyllis Wilson, Urban Forester II  
Urban Forestry Branch, OSDS 

**SUBJECT:** RZ 2001-SU-034, Madison - Rugby Road II

**RE:** Request for comments/recommendations regarding potential tree preservation for this site

This review is based upon a site visit conducted on August 3, 2001, and the Generalized Development plan and the Existing Vegetation Map stamped "Received, Department of Planning and Zoning, July 25, 2001."

**Site Description:** Approximately 50 percent of the 1.93 acre site is developed with a single family dwelling and accessory outbuildings and lawn area. A natural wooded and vegetative buffer approximately 15-35 feet in width currently exists between the developed portion of the property and the adjacent uses to the north and south. The remainder of the site, the undeveloped western end of the parcel, is largely forested. A single family detached dwelling is located on the adjoining parcel to the south. A vacant right-of-way parcel and Fairfax County Parkway is located to the north. To the east, across Rugby Road, is the Fairfax Church of Christ and undeveloped property associated with the Fairfax County Parkway. The site's topography is relatively flat, with some fall generally to the western rear of the parcel. There are no floodplain or Resource Protection Areas on this site.

In terms of tree cover, the undeveloped portion of the site is primarily a mature oak upland forest, with small pockets of understory eastern red cedar and declining Virginia pines. The developed lawn areas of the site and the buffer area to the south contains mature 12-24-inch diameter oaks, with an understory of black gum, hickory and one large American holly. The existing forested buffer area to the north primarily contains declining Virginia Pines and red maples, up to 12 inches in diameter.

1. **Comment:** Numerous healthy, mature oaks and other understory trees are located along the northern boundary of Lot #16, on the application site. The GDP proposes that all these trees be removed to facilitate construction of an access road to serve the townhouse development. Lot #16 to the south is not included for rezoning with this application, although the lot is included in an area planned for the same higher residential density. Lot #16 is currently developed with a single family detached dwelling. A waiver of the transitional screening requirement along the property boundary will be required in order to develop as proposed.

**Recommendation:** Revise the GDP by relocating the proposed townhouse units and/or access

road as far to the north side of the property as possible, in order to preserve more of the natural existing buffer along the southern property boundary. The access road may also be designed in a meandering fashion to avoid root zones of individual trees worthy of preservation. Adjust the limits of clearing along the northern property boundary to save additional trees. Adjust locations of the affected individual townhouse units to the north as required. These revisions would preserve existing trees as a valuable buffer for the house on Lot #16, and provide shade and design interest amenities for the developed site.

2. **Comment:** The development proposed would result in vehicle lights sweeping across Lot #16 as vehicles departed from the western open parking lot.

**Recommendation:** If sufficient existing vegetation along the southern property boundary is not preserved to provide an effective buffer for vehicle light intrusion on to Lot #16, the boundary line should be shown on the plat to be planted with trees and other evergreen vegetation to create an effective buffer to mitigate vehicle light intrusion.

3. **Comment:** The area between the proposed rain garden and western open parking lot contains numerous existing oak trees worthy of preservation.

**Recommendation:** Revise the GDP to show individual trees in this area with 12-inch and greater diameter. Revise the plan to adjust the design, shape and location of the rain garden, parking lot and limits of clearing and grading as necessary to preserve existing trees in this location.

4. **Comment:** No plantings are shown in or near the proposed rain garden. No vegetation is shown preserved along the western property boundary to buffer the rain garden facility. Sufficient space is available in this area for preservation or additional tree planting around the perimeter of the rain garden, especially to the west.

**Recommendation:** Revise the plat to show additional trees planted in and/or near to the rain garden. Add a plan note stating that trees in this area shall consist of native species tolerant of high water conditions, such as river birch, red maple and pin oak.

5. **Comment:** A tree preservation plan is appropriate for this site and should be prepared to fully identify and protect significant existing trees.

**Recommendation:** Secure a proffer requiring the preparation of a tree preservation plan prior to first submission of the site plan. Preferred proffer text includes:

“The Applicant shall retain a certified arborist to prepare a tree preservation plan

to be reviewed by the Urban Forestry Division as part of the first plan 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 in diameter and greater, within 20 feet to either side of the proposed limits of clearing and grading for the entire site. The condition analysis shall be prepared using methods outlined in the latest edition of The Guide for Plant Appraisal. Specific tree preservation shall be provided. Activities may include, but are not limited to crown pruning, root pruning, mulching and fertilization.”

6. **Comment:** Revision of the plat to show tree preservation will necessitate some simple tree preservation activities to increase their chances of survival.

**Recommendation:** Secure a proffer from the applicant with wording in conformance with the following:

“The applicant shall retain the services of an arborist certified by the International Society of Arboriculture, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the applicant shall walk the limits of clearing and grading with an Urban Forestry Division representative and the developer’s certified arborist to determine where minor adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading. Trees that are not likely to survive construction due to their species and/or their proximity to disturbance, will also be identified at this time and the applicant shall be given the option of removing them as part of the clearing operation

7. **Comment:** Establishment of a tree save area would require that it be protected during the development process. Potential impacts from construction activity warrants installation of welded wire tree protection fence.

**Recommendation:** Secure a proffer from the applicant with wording similar to the following: “All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence in the form of 4 foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart. Tree protection fencing shall be erected at the limits of clearing and grading as shown on the phase I & II erosion and sediment control sheets for all proposed tree preservation areas.”

Madison – Rugby Road II  
RZ 2001-SU-034  
August 6, 2001  
Page 4

**Comment:** Proposed tree cover calculations are not included on the CDP.

**Recommendation:** Include on the CDP tree cover calculations for proposed preserved and/or planted trees sufficient to achieve 20 percent tree cover, as required by the Zoning Ordinance.

**Comment:** On the western end of the site, trees are shown located on top of a sidewalk and in an area that conflicts with a storm drain.

**Recommendation:** Revise locations for proposed trees on the CDP to ensure that such locations are reasonably translated on a future site plan. Tree canopies should be shown at the proper 10-year scale on the CDP.

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

PAW/  
UFBID# 02-0220

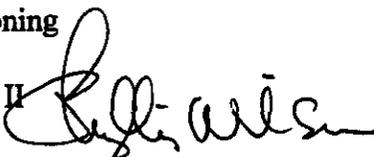
cc: Irish Granfield, Environmental Planner, DPZ  
Denise James, Land Use Planner, DPZ  
DPZ file  
RA file

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

**TO:** Tracy Swagler, Staff Coordinator  
Department of Planning and Zoning

**DATE:** September 14, 2001

**FROM:** Phyllis Wilson, Urban Forester II  
Urban Forestry Branch, OSDS 

**SUBJECT:** RZ 2001-SU-035, Madison - Rugby Road I

**RE:** Request for comments/recommendations regarding potential tree preservation for this site

This review is based upon a site visit conducted on August 30, 2001, and the Generalized Development Plan and the Existing Vegetation Map stamped "Received, Department of Planning and Zoning, July 25, 2001."

**Site Description:** Approximately 50 percent of the 14.88 acre is developed with a single family dwellings and accessory outbuildings, lawn area and a swimming pool site (Lots 13, 14 and 15). The remainder of the site, the undeveloped southern end of the parcel, contains natural vegetation and trees. To the east, across Rugby Road, is the Fairfax Church of Christ. The site's topography is relatively flat, with some fall generally to the northern and western portions of the site, where some marshy and wet conditions exist.

- 1. Comment:** In terms of tree cover, the existing vegetation map (EVM) included with the plat, dated July 24, 2001, accurately describes the vegetative cover currently existing in the site, with the following notable exceptions. Within an area noted on the EVM as "Cover Type G," a significant 28" pin oak is not listed.

**Recommendation:** This 28" pin oak tree is in excellent condition, worthy of extra effort to preserve and is shown to be located in an area of the proposed construction where preservation efforts may be a reasonable request.

- 2. Comment:** "Cover type I" located on Lot 14 includes two Colorado blue spruce trees, approximately 30' in height, that are also worthy of preservation efforts.

**Recommendation:** All reasonable efforts should be made to preserve the existing spruce trees on Lot 14. These spruce trees appear to be located an area where preservation of these trees would not require significant redesign to preserve one or both of the trees. Relocate the side walk leading from the interior central plaza to the eastern boundary to provide a tree save area that includes these two trees.

3. **Comment:** Sheet 4 of 5 labels existing trees as “possible trees to be preserved.” These trees are now shown to be removed; the entire site is shown to be cleared. Site design appears to preclude preservation of any of these trees.

**Recommendation:** Either show these trees to be removed or provide sufficient tree save areas on the plan to ensure survival of trees shown to be saved. If trees are to be preserved, state specifically in tree preservation plan notes. Adjust the limits of clearing and grading to provide protection of trees that are committed to preservation.

4. **Comment:** Tree cover calculations have not been included on the Generalized Development Plat.

**Recommendation:** Represent proposed and preserved trees drawn to scale on the GDP, and include tree cover calculation notes on the GDP so that proposed landscaping and tree preservation may be realistically assessed.

5. **Comment:** Transitional screening is required for the proposed use, but has not been addressed on the plan.

**Recommendation:** Provide full transitional screening on the plan.

6. **Comment:** Trees are depicted as planted on sidewalks and in areas which do not provide adequate planting space. Storm sewer is not shown on the plan, and tree-planting locations relative to this underground utility cannot be ascertained.

**Recommendation:** Correct drafting errors showing trees on sidewalks. Assure that adequate space is shown to provide the minimum planting area for proposed trees. Depict the proposed storm sewer layout so that proposed landscaping plan can be thoroughly assessed.

7. **Comment:** No plantings within the stormwater management pond or the rain garden is shown on the plan.

**Recommendation:** Obtain a commitment from the applicant similar to the following: “A landscape plan will be provided at the time of the first site plan submission showing landscaping in all permitted planting areas of the stormwater management pond and rain garden, consistent with the planting policies of DPWES.”

Madison – Rugby Road I  
RZ 2001-SU-034  
September 14, 2001  
Page 3

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

PAW/  
UFBID# 02-0360

cc: Irish Granfield, Environmental Planner, DPZ  
Denise James, Land Use Planner, DPZ  
DPZ file  
RA file

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator DATE: September 13, 2001  
 Zoning Evaluation Division, OCP

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*  
 System Engineering & Monitoring Division  
 Office of Waste Management, DPW

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 2001-SU-034  
 Tax Map No. 034-3- /03/ - A3

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

1. The application property is located in the Cub Run (T-2) Watershed. It would be sewerred into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in POPLAR CREEK DRIVE and APPROX. 800 FEET FROM the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information or comments: UPPER FLATLICK REIMBURSEMENT CAHARGES ARE APPLICABLE.

---



---



---



---

MEMORANDUM

TO: Staff Coordinator  
Zoning Evaluation Division, OCP

DATE: September 13, 2001

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*  
System Engineering & Monitoring Division  
Office of Waste Management, DPW

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 2001-SU-035  
Tax Map No. 034-3- /03/ - A3

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

1. The application property is located in the Cub Run (T-2) Watershed. It would be sewered into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in POPLAR CREEK DRIVE and APPROX. 800 FEET FROM the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information or comments: UPPER FLATLICK REIMBURSEMENT  
CAHARGES ARE APPLICABLE.

---



---



---



---

**FAIRFAX COUNTY WATER AUTHORITY**  
8570 Executive Park Avenue- P. O. Box 1500  
Merrifield, Virginia 22116-0815  
(703) 289-6000

July 5, 2001

**MEMORANDUM**

**TO:** Staff Coordinator (Tel. 324-1250)  
Zoning Evaluation Division-Suite 800  
12055 Government Center Parkway  
Fairfax, Virginia 22035

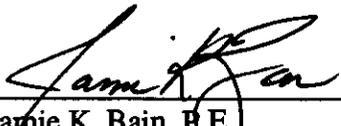
**FROM:** Planning Branch (Tel. 289-6363)  
Planning and Engineering Division

**SUBJECT:** Water Service Analysis, Rezoning Application RZ 01-SU-034

---

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

1. The application property is located within the franchise area of the Fairfax County Water Authority.
2. Adequate domestic water service is available at the site from an existing 16 inch main located at the property. See enclosed property map.
3. Depending upon the configuration of the onsite water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

  
\_\_\_\_\_  
Jamie K. Bain, P.E.  
Manager, Planning Department

Attachment



15/8

10

9

8

7

6

5

4

3

2

1

10A

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

282

283

284

285

286

287

288

289

290

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310

311

312

313

314

315

316

317

318

319

320

321

322

323

324

325

326

327

328

329

330

331

332

333

334

335

336

337

338

339

340

341

342

343

344

345

346

347

348

349

350

351

352

353

354

355

356

357

358

359

360

361

362

363

364

365

366

367

368

369

370

**FAIRFAX COUNTY WATER AUTHORITY**  
8570 Executive Park Avenue- P. O. Box 1500  
Merrifield, Virginia 22116-0815  
(703) 289-6000

July 5, 2001

**MEMORANDUM**

**TO:** Staff Coordinator (Tel. 324-1250)  
Zoning Evaluation Division-Suite 800  
12055 Government Center Parkway  
Fairfax, Virginia 22035

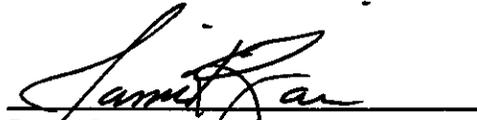
**FROM:** Planning Branch (Tel. 289-6363)  
Planning and Engineering Division

**SUBJECT:** Water Service Analysis, Rezoning Application RZ 01-SU-035

---

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

1. The application property is located within the franchise area of the Fairfax County Water Authority.
2. Adequate domestic water service is available at the site from existing 12 & 14 inch mains located at the property. See enclosed property map.
3. Depending upon the configuration of the onsite water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

  
Jamie K. Bain, P.E.  
Manager, Planning Department

Attachment



## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

July 2, 2001

**TO:** Barbara Byron, Director  
Zoning Evaluation Division  
Office of Comprehensive Planning

**FROM:** Ralph Dulaney (246-3868)  
Planning Section  
Fire and Rescue Department

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Rezoning Application RZ  
2001-SU-034

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #21, Fair Oaks.
2. After construction programmed for FY 19\_\_, this property will be serviced by the fire station planned for the \_\_\_\_\_ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
  - a. currently meets fire protection guidelines.
  - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
  - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
  - d. does not meet current fire protection guidelines without an additional facility. The application property is \_\_\_\_ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

**FAIRFAX COUNTY, VIRGINIA**

**MEMORANDUM**

**July 2, 2001**

**TO:** Barbara Byron, Director  
Zoning Evaluation Division  
Office of Comprehensive Planning

**FROM:** Ralph Dulaney (246-3868)  
Planning Section  
Fire and Rescue Department

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Rezoning Application RZ  
2001-SU-035

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #21, Fair Oaks.
2. After construction programmed for FY 19\_\_, this property will be serviced by the fire station planned for the \_\_\_\_\_ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
  - a. currently meets fire protection guidelines.
  - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
  - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
  - d. does not meet current fire protection guidelines without an additional facility. The application property is \_\_\_\_ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Date: 7/31/01

Case # RZ-01-SU-034

Map: 45-2

PU 3803

Acreage: 1.93

Rezoning

From : R-1 To: R-5

TO: County Zoning Evaluation Branch (DPZ)

FROM: FCPS Facilities Planning (246-3609)

SUBJECT: Schools Impact Analysis, Rezoning Application

The following information is submitted in response to your request for a school impact analysis of the referenced rezoning application.

1. Schools that serve this property, their current total memberships, net operating capacities, and five year projections are as follows:

School Name and Number	Grade Level	9/30/00 Capacity	9/30/00 Membership	2001-2002 Membership	Memb/Cap Difference 2001-2002	2005-2006 Membership	Memb/Cap Difference 2005-2006
Navy 3332	K-6	536	766	830	-294	854	-318
Franklin 2331	7-8	1050	868	871	179	966	84
Chantilly 2250	9-12	2275	2490	2362	-87	2738	-463

- II. The requested rezoning could increase or reduce projected student membership as shown in the following analysis:

School Level (by Grade)	Unit Type	Proposed Zoning			Unit Type	Existing Zoning			Student Increase/Decrease	Total Students
		Units	Ratio	Students		Units	Ratio	Students		
K-6	SF	2	X.4	1	SF	1	X.4	0	2	2
	RT	7	X.201	1						
7-8	SF	2	X.069	0	SF	1	X.069	0	0	0
	RT	7	X.048	0						
9-12	SF	2	X.159	0	SF	1	X.159	0	1	1
	RT	7	X.102	1						

Source: Capital Improvement Program, FY 2002-2006, Facilities Planning Services Office

Note: Five-year projections are those currently available and will be updated yearly. School attendance areas subject to yearly review.

#### Comments

Enrollment in the school listed (Franklin Middle) is currently projected to be above capacity.

Enrollment in the schools listed (Navy Elementary, Chantilly High) is currently projected to be near or above capacity.

The 3 elementary and high students generated by this proposal would require .12 additional classrooms at Navy Elementary and Chantilly High (3 divided by 25 students per classroom). Providing these additional classrooms will cost approximately \$ 42,000 based upon a per classroom construction cost of \$350,000 per classroom.

*The foregoing information does not take into account the potential impacts of other proposals pending that could affect the same schools.*

Date: 7/31/01

Case # RZ-01-SU-035

Map: 45-2

PU 3803

Acreage: 10.92

Rezoning

From : R-1 To: R-5

TO: County Zoning Evaluation Branch (DPZ)

FROM: FCPS Facilities Planning (246-3609)

SUBJECT: Schools Impact Analysis, Rezoning Application

The following information is submitted in response to your request for a school impact analysis of the referenced rezoning application.

1. Schools that serve this property, their current total memberships, net operating capacities, and five year projections are as follows:

School Name and Number	Grade Level	9/30/00 Capacity	9/30/00 Membership	2001-2002 Membership	Memb/Cap Difference 2001-2002	2005-2006 Membership	Memb/Cap Difference 2005-2006
Navy 3332	K-6	536	766	830	-294	854	-318
Franklin 2331	7-8	1050	868	871	179	966	84
Chantilly 2250	9-12	2275	2490	2362	-87	2738	-463

II. The requested rezoning could increase or reduce projected student membership as shown in the following analysis:

School Level (by Grade)	Unit Type	Proposed Zoning			Unit Type	Existing Zoning			Student Increase/Decrease	Total Students
		Units	Ratio	Students		Units	Ratio	Students		
K-6	SF	17	X.4	7	SF	10	X.4	4	9	13
	RT	32	X.201	6						
7-8	SF	17	X.069	1	SF	10	X.069	1	2	3
	RT	32	X.048	2						
9-12	SF	17	X.139	3	SF	10	X.139	2	4	6
	RT	32	X.102	3						

Source: Capital Improvement Program, FY 2002-2006, Facilities Planning Services Office

Note: Five-year projections are those currently available and will be updated yearly. School attendance areas subject to yearly review.

Comments

Enrollment in the school listed (Franklin Middle) is currently projected to be above capacity.

Enrollment in the schools listed (Navy Elementary, Chantilly High) is currently projected to be near or above capacity.

The 13 elementary and high students generated by this proposal would require .52 additional classrooms at Navy Elementary and Chantilly High (13 divided by 25 students per classroom). Providing these additional classrooms will cost approximately \$ 182,000 based upon a per classroom construction cost of \$350,000 per classroom.

*The foregoing information does not take into account the potential impacts of other proposals pending that could affect the same schools.*

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

**DATE:** October 31, 2001

**FROM:** Scott St.Clair, Director  
Stormwater Planning Division  
Department of Public Works & Environmental Services

*SRS*

**SUBJECT:** Rezoning Application Review

Name of Applicant/Application: Madison Homes, Inc.

Application Number: RZ2001-SU-034

Information Provided:   Application           - Yes  
                                  Development Plan   - Yes  
                                  Other                 - Statement of Justification

Date Received in SWPD: 7/26/01

Date Due Back to DPZ: 7/27/01

Site Information:        Location               - 045-2-02-00-0017  
                                  Area of Site         - 1.93 acres  
                                  Rezone from         - R-1 to R-5  
                                  Watershed/Segment - Cub Run / Navy Park

Stormwater Planning Division (SWPD), Maintenance and Stormwater Management Division (MSMD), and Planning and Design Division (PDD) Information:

I. Drainage:

- **MSMD/PDD Drainage Complaints: There are no downstream complaints on file with PDD, relevant to this proposed development.**
- **Master Drainage Plan, proposed projects, (SWPD): No downstream deficiencies are identified in the Fairfax County Master Drainage Plan.**
- **Ongoing County Drainage Projects (SWPD): None.**
- **Other Drainage Information (SWPD): None.**

II. Trails (PDD):

Yes  No Any funded Trail projects affected by this application?

If yes, describe:

Yes  No Any Trail projects on the Countywide Trails priority list or other significant trail project issues associated with this property?

If yes, describe:

III. School Sidewalk Program (PDD):

Yes  No Any sidewalk projects pending funding approval or on the School Sidewalk Program priority list for this property?

If yes, describe:

Yes  No Any funded sidewalk projects affected by this application?

If yes, describe:

IV. Sanitary Sewer Extension and Improvement (E&I) Program (PDD):

Yes  No Any existing residential properties adjacent to or draining through this property that are without sanitary sewer facilities?

If yes, describe:

Yes  No Any ongoing E&I projects affected by this application?

If yes, describe:

V. Other Projects or Programs (PDD):

Yes  No Any Board of Road Viewers (BORV) or Fairfax County Road Maintenance Improvement Projects (FCRMIP) affected by this application?

If yes, describe:

Yes  No Any Commercial Revitalization Program (CRP) projects affected by this application?

If yes, describe:

Yes  No Any Neighborhood Improvement Program (NIP) projects affected by this application?

If yes, describe:

Other Program Information (PDD): None.

Application Name/Number: Madison Homes, Inc. / RZ2001-SU-034

**\*\*\*\*\* SWPD AND PDD, DPWES, RECOMMENDATIONS\*\*\*\*\***

Note: The SWPD and PDD recommendations are based on the SWPD and PDD involvement in the below listed programs and are not intended to constitute total County input for these general topics. It is understood that the current requirements pertaining to Federal, State and County regulations, including the County Code, Zoning Ordinance and the Public Facilities Manual will be fully complied with throughout the development process. The SWPD and PDD recommendations are to be considered additional measures over and above the minimum current regulations.

**DRAINAGE RECOMMENDATIONS (SWPD): The Stormwater Planning Division supports the proposed raingarden for this site as depicted on the Generalized Development Plan (dated May 4, 2001) to the extent that it is feasible to implement. The designated Stormwater Management area on the Generalized development Plan must be sized to accommodate a conventional detention facility in the event that the raingarden design is not acceptable.**

**TRAILS RECOMMENDATIONS (PDD): None.**

**SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.**

**SANITARY SEWER E&I RECOMMENDATIONS (PDD): None.**

    Yes   X   NOT REQUIRED      Extend sanitary sewer lines to the development boundaries on the \_\_\_\_\_ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works and Environmental Services during the normal plan review and approval process.

**Other E&I Recommendations (PDD): None.**

**OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.**

SWPD and PDD Internal sign-off by:  
Planning Support Branch (Ahmed Rayyan)      ab  
Utilities Design Branch (Walt Wozniak)      mg  
Transportation Design Branch (Larry Ichter)      nc  
Stormwater Management Branch (Fred Rose)      FR  
RS M

SRS/RZ2001SU034

cc: Gordon Lawrence, Coordinator, Office of Safety, Fairfax County Public Schools (only if sidewalk recommendation made)  
Gilbert Osei-Kwadwo, Chief, Engineering Analysis Planning Branch  
Bruce Douglas, Chief, Environment and Development Review Branch

TS

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: October 31, 2001

FROM: Scott St. Clair, Director  
Stormwater Planning Division  
Department of Public Works & Environmental Services

SRS

SUBJECT: Rezoning Application Review

Name of Applicant/Application: Madison Homes, Inc.

Application Number: RZ2001-SU-035

Information Provided: Application - Yes  
Development Plan - Yes  
Other - Statement of Justification

Date Received in SWPD: 7/26/01

Date Due Back to DPZ: 7/27/01

Site Information: Location - 045-2-02-00-0005, 6to13  
Area of Site - 10.92 acres  
Rezone from - R-1 to R-5  
Watershed/Segment - Cub Run / Navy Park

Stormwater Planning Division (SWPD), Maintenance and Stormwater Management Division (MSMD), and Planning and Design Division (PDD) Information:

I. Drainage:

- MSMD/PDD Drainage Complaints: There are no downstream complaints on file with PDD, relevant to this proposed development.
- Master Drainage Plan, proposed projects, (SWPD): No downstream deficiencies are identified in the Fairfax County Master Drainage Plan.
- Ongoing County Drainage Projects (SWPD): None.
- Other Drainage Information (SWPD): None.

II. Trails (PDD):

Yes  No Any funded Trail projects affected by this application?

If yes, describe:

Yes  No Any Trail projects on the Countywide Trails priority list or other significant trail project issues associated with this property?

If yes, describe:

III. School Sidewalk Program (PDD):

Yes  No Any sidewalk projects pending funding approval or on the School Sidewalk Program priority list for this property?

If yes, describe:

Yes  No Any funded sidewalk projects affected by this application?

If yes, describe:

IV. Sanitary Sewer Extension and Improvement (E&I) Program (PDD):

Yes  No Any existing residential properties adjacent to or draining through this property that are without sanitary sewer facilities?

If yes, describe:

Yes  No Any ongoing E&I projects affected by this application?

If yes, describe:

V. Other Projects or Programs (PDD):

Yes  No Any Board of Road Viewers (BORV) or Fairfax County Road Maintenance Improvement Projects (FCRMIP) affected by this application?

If yes, describe:

Yes  No Any Commercial Revitalization Program (CRP) projects affected by this application?

If yes, describe:

Yes  No Any Neighborhood Improvement Program (NIP) projects affected by this application?

If yes, describe:

Other Program Information (PDD): **None.**

Application Name/Number: **Madison Homes, Inc. / RZ2001-SU-035**

**\*\*\*\*\* SWPD AND PDD, DPWES, RECOMMENDATIONS\*\*\*\*\***

Note: The SWPD and PDD recommendations are based on the SWPD and PDD involvement in the below listed programs and are not intended to constitute total County input for these general topics. It is understood that the current requirements pertaining to Federal, State and County regulations, including the County Code, Zoning Ordinance and the Public Facilities Manual will be fully complied with throughout the development process. The SWPD and PDD recommendations are to be considered additional measures over and above the minimum current regulations.

**DRAINAGE RECOMMENDATIONS (SWPD): None.**

**TRAILS RECOMMENDATIONS (PDD): None.**

**SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.**

**SANITARY SEWER E&I RECOMMENDATIONS (PDD): None.**

Yes  **NOT REQUIRED** Extend sanitary sewer lines to the development boundaries on the \_\_\_\_\_ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works and Environmental Services during the normal plan review and approval process.

**Other E&I Recommendations (PDD): None.**

**OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.**

SWPD and PDD Internal sign-off by:  
Planning Support Branch (Ahmed Rayyan) ab  
Utilities Design Branch (Walt Wozniak) mg  
Transportation Design Branch (Larry Ichter) nc  
Stormwater Management Branch (Fred Rose) FR

*RS M*

**SRS/RZ2001SU035**

cc: Gordon Lawrence, Coordinator, Office of Safety, Fairfax County Public Schools (only if sidewalk recommendation made)  
Gilbert Osel-Kwadwo, Chief, Engineering Analysis Planning Branch  
Bruce Douglas, Chief, Environment and Development Review Branch


**FAIRFAX COUNTY PARK AUTHORITY**
**MEMORANDUM**

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Lynn S. Tadlock, Director  
Planning and Development Division

**DATE:** August 9, 2001

**SUBJECT:** RZ 2001-SU-034  
Madison/Rugby  
Loc: 45-2((2)) 17

The Fairfax County Park Authority (FCPA) staff has reviewed the above referenced application and provides the following comments:

The Madison/Rugby Road II development will provide 9 units that will add approximately 26 residents to the current population of Mason District. The development plan currently does not show any recreational amenities planned at the site. The residents of this development will need outdoor facilities including playground/tot lots, basketball, tennis, volleyball courts and athletic fields. The proportional cost to develop recreational facilities for the population attracted to this new development is estimated to be \$5,300.

*The Comprehensive Plan for Fairfax County, Virginia, Policy Plan, Parks and Recreation, Objective 4, Policy a, page 164, states: "Provide neighborhood park facilities on private open space in quantity and design consistent with County standards; or at the option of the County, contribute a pro-rata share to establish neighborhood park facilities in the vicinity;...."*

*The Comprehensive Plan for Fairfax County, Virginia, Policy Plan, Parks and Recreation, Objective 4, Policy b, page 164, states: "Mitigate the cumulative impacts of development which exacerbate or create deficiencies of Community Park facilities in the vicinity. The extent of facilities, land or contributions to be provided shall be in general accordance with the proportional impact on identified facility needs as determined by adopted County standards. Implement this policy through application of the Criteria for Assignment of Appropriate Development Intensity."*

Erosion along the banks of Long Branch in the area of development has been ongoing. This is evidenced in Fairfax County's 1996 Flood Control and Drainage Pro Rata Share Projects. There is a stream stabilization project, AC212, proposed along the reach of stream on the adjacent

RZ 2001-SU-034  
Madison/Rugby Road II  
August 9, 2001  
Page 2

cc: Kirk Holley, Manager, Planning and Land Management Branch  
Dorothea L. Stefen, Plan Review Team, Planning and Land Management Branch  
Allen Scully, Plan Review Team, Planning and Land Management Branch  
File Copy



**FAIRFAX COUNTY PARK AUTHORITY**

**MEMORANDUM**

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Lynn S. Tadlock, Director  
Planning and Development Division

**DATE:** August 9, 2001

**SUBJECT:** RZ 2001-SU-035  
Madison/Rugby Road I  
Loc: 45-2((2))5-13

The Fairfax County Park Authority (FCPA) staff has reviewed the above referenced application and provides the following comments:

The Madison/Rugby Road I development will provide 49 units that will add approximately 141 residents to the current population of Sully District. The development plan currently does not show any recreational amenities planned at the site. The residents of this development will need outdoor facilities including playground/tot lots, basketball, tennis, volleyball courts and athletic fields. The proportional cost to develop recreational facilities for the population attracted to this new development is estimated to be \$28,900.

*The Comprehensive Plan for Fairfax County, Virginia, Policy Plan, Parks and Recreation, Objective 4, Policy a, page 164, states: "Provide neighborhood park facilities on private open space in quantity and design consistent with County standards; or at the option of the County, contribute a pro-rata share to establish neighborhood park facilities in the vicinity;...."*

*The Comprehensive Plan for Fairfax County, Virginia, Policy Plan, Parks and Recreation, Objective 4, Policy b, page 164, states: "Mitigate the cumulative impacts of development which exacerbate or create deficiencies of Community Park facilities in the vicinity. The extent of facilities, land or contributions to be provided shall be in general accordance with the proportional impact on identified facility needs as determined by adopted County standards. Implement this policy through application of the Criteria for Assignment of Appropriate Development Intensity."*

cc: Kirk Holley, Manager, Planning and Land Management Branch  
Dorothea L. Stefen, Plan Review Team, Planning and Land Management Branch  
Allen Scully, Plan Review Team, Planning and Land Management Branch  
File Copy

FAIRFAX CENTER CHECKLIST

Case Number: RZ 2001-SU-034 & 035  
 Plan Date: 10/23/2001

Not Applicable    Applicable    Essential    Satisfied    Comments

I. AREA WIDE BASIC DEVELOPMENT ELEMENTS					
	Not Applicable	Applicable	Essential	Satisfied	Comments
<b>A. Roadways</b>					
1. Minor street dedication and construction		x	x	x	
2. Major street R.O.W. dedication		x		x	additional 12 ft on rt 50
<b>B. Transit</b>					
1. Bus loading zones with necessary signs and pavement; Bus pull-off lanes	x				
2. Non-motorized access to bus or rail transit stations	x				
3. Land dedication for transit and commuter parking lots	x				
<b>C. Non-motorized Transportation</b>					
1. Walkways for pedestrians		x	x	x	
2. Bikeways for cyclists		x	x	x	
3. Secure bicycle parking facilities	x				

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

**FAIRFAX CENTER CHECKLIST**

**Transportation Systems**

Case Number:

RZ 2001-SU-034 & 035

Plan Date:

10/23/2001

Not

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

FAIRFAX CENTER CHECKLIST

Case Number:

RZ-2001-SU-034 & 035

Plan Date:

10/23/2001

Not

Applicable    Applicable    Essential    Satisfied    Comments

I. AREA WIDE BASIC DEVELOPMENT ELEMENTS					
	Applicable	Applicable	Essential	Satisfied	Comments
A. Environmental Quality Corridors (EQC)					
1. Preservation of EQCs as public or private open space	x				
B. Stormwater Management (BMP)					
1. Stormwater detention/retention		x		x	
2. Grassy swales/vegetative filter areas		x		x	rain gardens
C. Preservation of Natural Features					
1. Preservation of quality vegetation		x		x	all trees called out by UF saved
2. Preservation of natural landforms	x				
3. Minimize site disturbance as a result of clearing or grading limits	x				
D. Other Environmental Quality Improvements					
1. Mitigation of highway-related noise impacts		x	x	x	
2. Siting roads and buildings for increased energy conservation (Including solar access)	x				

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
	Applicable	Applicable	Essential	Satisfied	Comments
A. Increased Open Space					
1. Non-stream valley habitat EQCs	x				
2. Increased on-site open space		x	x	x	
B. Protection of Ground Water Resources					
1. Protection of aquifer recharge areas	x				
C. Stormwater Management (BMP)					
1. Control of off-site flows		x		x	
2. Storage capacity in excess of design storm requirements	x				
D. Energy Conservation					
1. Provision of energy conscious site plan		x		x	

FAIRFAX CENTER CHECKLIST

Case Number:

RZ 2001-SU-034 & 035

Plan Date:

10/23/2001

Not

BIL AREA WIDE MAJOR DEVELOPMENT ELEMENTS					
	Applicable	Not Applicable	Essential	Satisfied	Comments
A. Innovative Techniques					
1. Innovative techniques in stormwater management			X		
2. Innovative techniques in air or noise pollution control and reduction	X				
3. Innovative techniques for the restoration of degraded environments	X				

**FAIRFAX CENTER CHECKLIST**

**Provision of Public Facilities**

Case Number:

RZ 2001-SU-034 & 035

Plan Date:

10/23/2001

Not

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

III. AREA-WIDE MINOR DEVELOPMENT ELEMENTS		Applicable	Essential	Satisfied	Comments
<b>A. Park Dedications</b>					
1. Dedication of parkland suitable for a neighborhood park		x			need to provide usable open space
<b>B. Public Facility Site Dedication</b>					
1. Libraries	x				
2. Community Centers	x				
3. Government offices/facilities	x				

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS		Applicable	Essential	Satisfied	Comments
<b>A. Park Dedications</b>					
1. Community Parks	x				
2. County Parks	x				
3. Historic and archeological parks	x				
<b>B. Public Indoor or Outdoor Activity Spaces</b>					
1. Health clubs	x				
2. Auditoriums/theaters	x				
3. Athletic fields/major active recreation facilities	x				

**FAIRFAX CENTER CHECKLIST**

**Land Use - Site Planning**

Case Number:  
Plan Date:

RZ 2001-SU-034 & 035  
10/23/2001

Not

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

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

**FAIRFAX CENTER CHECKLIST**

**Land Use - Site Planning**

Case Number:

RZ 2001-SU-034 & 035

Plan Date:

10/23/2001

	Not			Comments
	Applicable	Essential	Satisfied	
<b>III AREA WIDE MAJOR DEVELOPMENT ELEMENTS</b>				
A. Extraordinary Innovation				
1. Site design	x	x	x	prov. for divlpmt of Prel 16
2. Energy conservation	x		x	

# FAIRFAX CENTER CHECKLIST

Detailed Design

Case Number:

RZ 2001-SU-034 & 035

Plan Date:

10/23/2001

		Not				
		Applicable	Applicable	Essential	Satisfied	Comments
<b>I. AREA WIDE BASIC DEVELOPMENT ELEMENTS</b>						
<b>A. Site Entry Zone</b>						
1. Signs		x			x	
2. Planting		x			x	
3. Lighting		x			x	
4. Screened surface parking		x			x	
<b>B. Street Furnishings</b>						
1. Properly designed elements such as lighting, signs, trash receptacles, etc.		x			x	

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

FAIRFAX CENTER CHECKLIST

RZ 2001-SU-034 & 035  
10/23/2001

Case Number:

Plan Date:

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

**FAIRFAX CENTER CHECKLIST**

*Summary*

*Case Number:*

RZ 2001-SU-034 & 035

*Plan Date:*

10/23/2001

**I. BASIC DEVELOPMENT ELEMENTS**

- 1. Applicable Elements 18
- 2. Elements Satisfied 18
- 3. Ratio 1.00

**II. MINOR DEVELOPMENT ELEMENTS**

- 1. Applicable Elements 10
- 2. Elements Satisfied 9
- 3. Ratio 0.90

**III. MAJOR DEVELOPMENT ELEMENTS**

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

**IV. ESSENTIAL DEVELOPMENT ELEMENTS**

- 1. Applicable Elements 12
- 2. Elements Satisfied 12
- 3. Ratio 1.00

**V. MAJOR TRANSPORTATION DEVELOPMENT ELEMENTS**

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

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

yes  no

## 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Abbreviations Commonly Used in Staff Reports**

A&F	Agricultural & Forestal District	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		

