



# FAIRFAX COUNTY

APPLICATION FILED: November 7, 2001  
PLANNING COMMISSION: July 11, 2001  
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

June 27, 2001

## STAFF REPORT

APPLICATION RZ 2001-LE-048

### LEE DISTRICT

**APPLICANT:** Centex Homes

**PRESENT ZONING:** R-1

**REQUESTED ZONING:** PDH-3

**PARCEL(S):** 100-1 ((1)) 22, 100-1 ((6)) 1 and 100-1 ((8)) 1

**ACREAGE:** 9.31 acres

**DU/AC:** 2.36 du/ac

**OPEN SPACE:** 42%

**PLAN MAP:** Residential 2-3 du/ac

**PROPOSAL:** To rezone to the PDH-3 District to permit 22 single family detached lots at a density of 2.36 du/ac

**WAIVERS/MODIFICATIONS:** Modification of the trail requirement along Telegraph Road and waiver of the limitation on fence height

### STAFF RECOMMENDATION:

Staff recommends denial of RZ 2001-LE-048. However, if it is the intent of the Board of Supervisors to approve RZ 2001-LE-048, staff recommends that such approval be subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends denial of FDP 2001-LE-048, however if it is the intent of the Planning Commission to approve FDP 2001-LE-048, staff recommends that such approval be subject to the development conditions set forth in Appendix 2.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, 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 information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



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

# REZONING APPLICATION

# FINAL DEVELOPMENT PLAN

## RZ 2001-LE-048

## FDP 2001-LE-048

FILED 11/07/01  
CENTEX HOMES

TO REZONE: 9.31 ACRES OF LAND; DISTRICT - LEE

PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE PDH-3 DISTRICT

LOCATED: NORTH SIDE OF TELEGRAPH ROAD APPROXIMATELY 200 FEET WEST OF OLD TELEGRAPH ROAD

ZONING: R-1

TO: PDH-3

OVERLAY DISTRICT(S):

MAP REF	100-1- /01/ /0022-
	100-1- /06/ /0001-
	100-1- /08/ /0001-

FILED 10/31/01

CENTEX HOMES

FINAL DEVELOPMENT PLAN

PROPOSED: RESIDENTIAL DEVELOPMENT

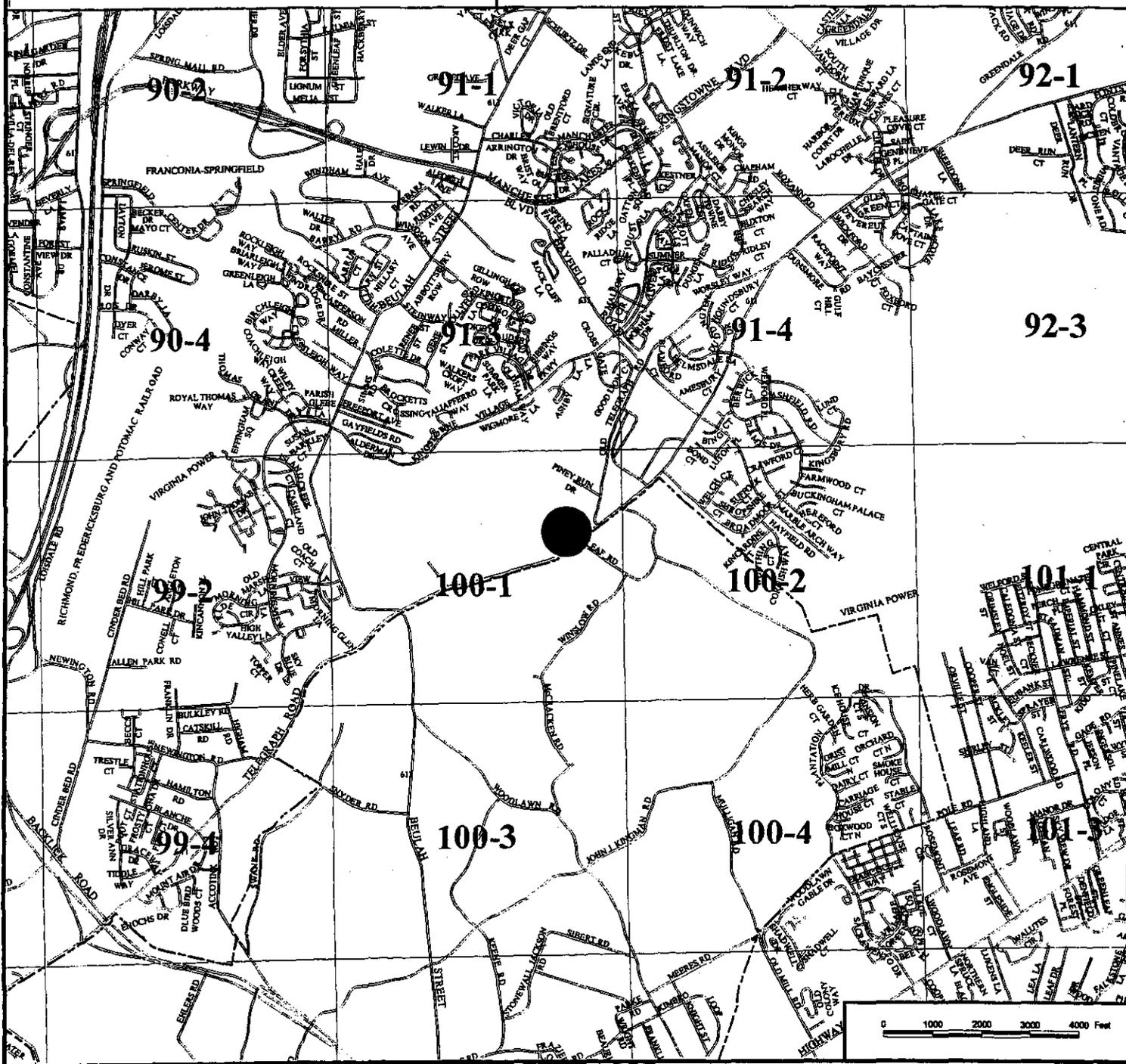
APPROX. 9.31 ACRES OF LAND; DISTRICT - LEE

LOCATED: NORTH SIDE OF TELEGRAPH ROAD APPROXIMATELY 200 FEET WEST OF OLD TELEGRAPH ROAD

ZONING: PDH-3

OVERLAY DISTRICT(S):

MAP REF	100-1- /01/ /0022-
	100-1- /06/ /0001-
	100-1- /08/ /0001-

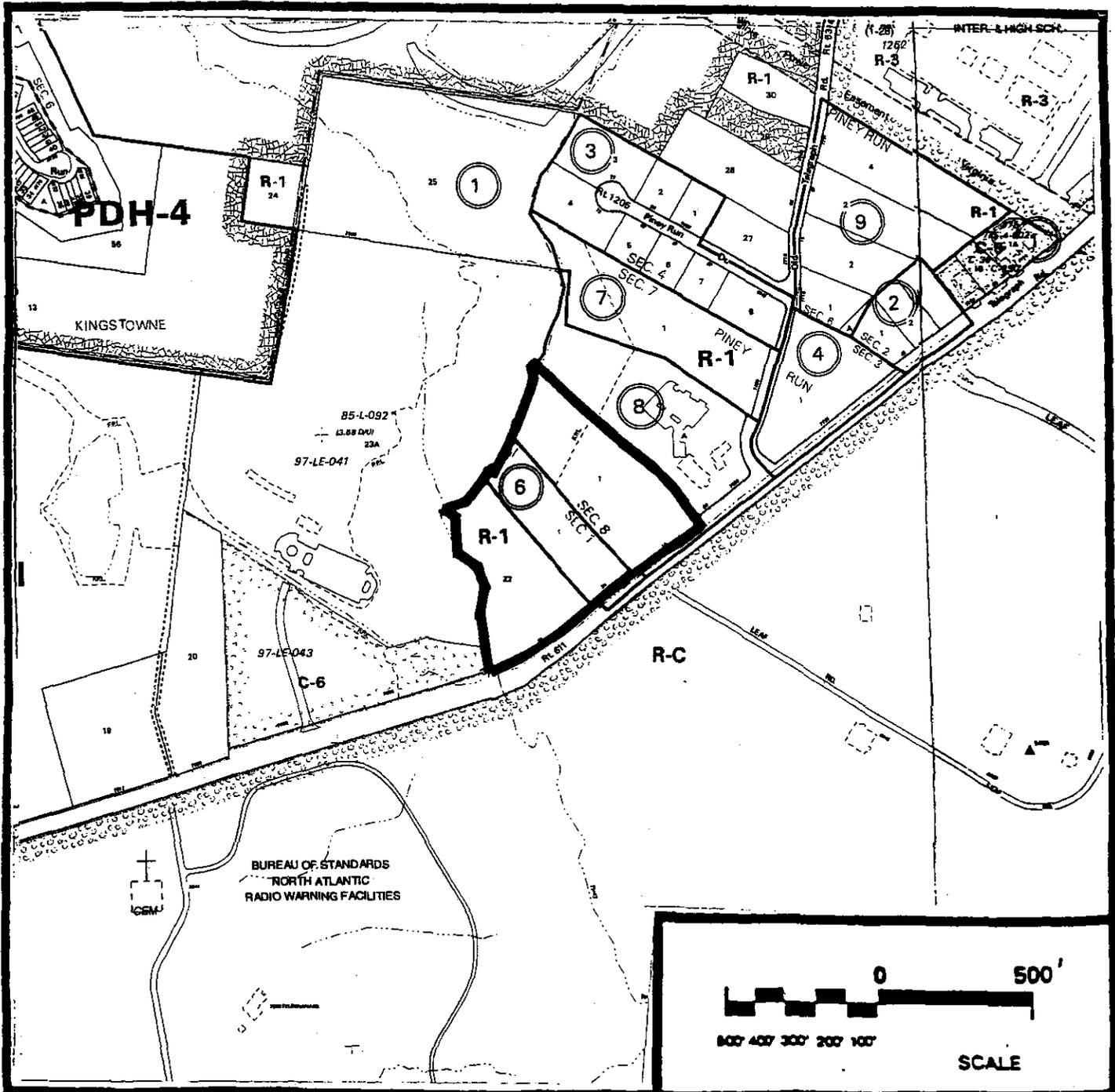


**REZONING APPLICATION /  
RZ 2001-LE-048**

**FINAL DEVELOPMENT PLAN  
FDP 2001-LE-048**

FILED 11/07/01  
CENTEX HOMES  
TO REZONE: 9.31 ACRES OF LAND; DISTRICT - LEE  
PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE PDH-3 DISTRICT  
LOCATED: NORTH SIDE OF TELEGRAPH ROAD APPROXIMATELY 200 FEET WEST OF OLD TELEGRAPH ROAD  
ZONING: R-1  
TO: PDH-3  
OVERLAY DISTRICT(S):  
MAP REF 100-1- /01/ /0022-  
100-1- /06/ /0001-  
100-1- /08/ /0001-

FILED 10/31/01  
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OVERLAY DISTRICT(S):  
MAP REF 100-1- /01/ /0022-  
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100-1- /08/ /0001-









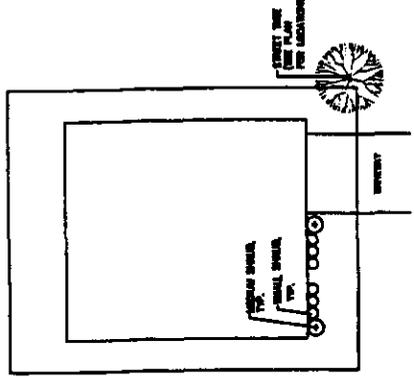
PINEY GLEN

DETAILS PLAN

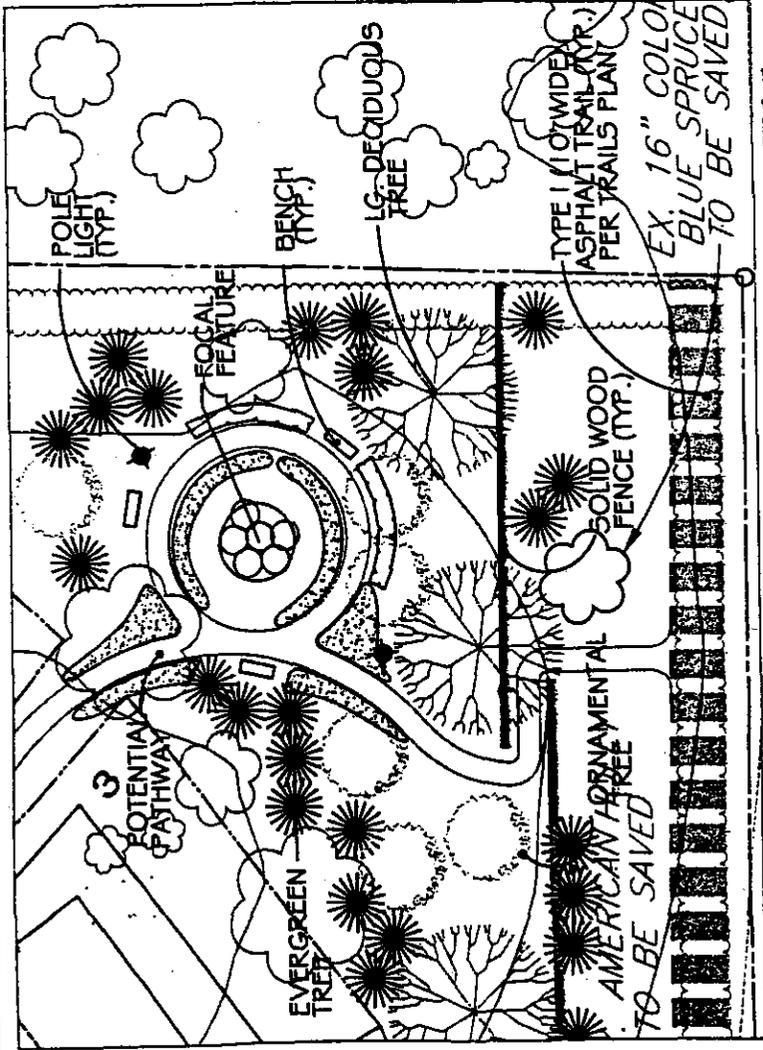
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PROJECT: PINEY GLEN	NO. 100
DATE: 08/15/2000	BY: JLM
PROJECT: PINEY GLEN	NO. 100
DATE: 08/15/2000	BY: JLM
PROJECT: PINEY GLEN	NO. 100

RECOMMENDED PLANT LIST

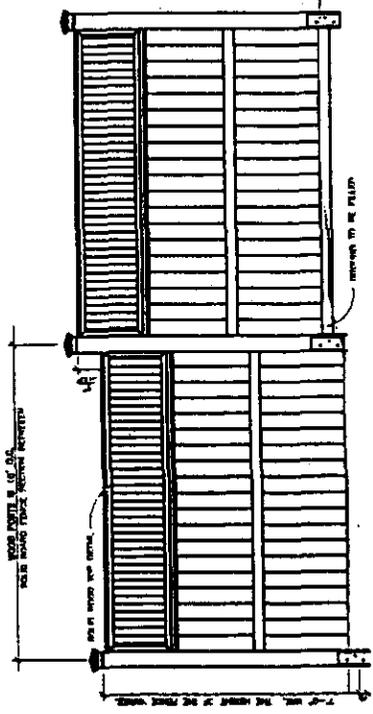
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Amelanchier	White Flowering	Good for screening
Arbutus	Strawberry	Good for screening
Camellia	White	Good for screening
Cherry	Black	Good for screening
Hydrangea	White	Good for screening
Japanese Quince	White	Good for screening
Mountain Ash	White	Good for screening
Red Bud	White	Good for screening
Spirea	White	Good for screening
Witch Hazel	White	Good for screening
Yucca	White	Good for screening



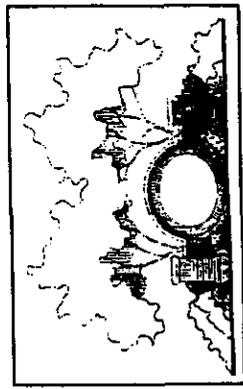
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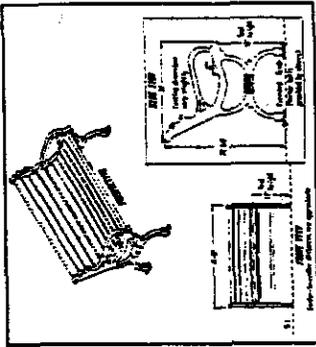
DETAIL PLAN



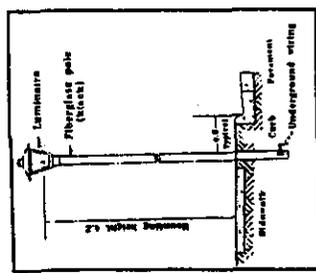
SOLID WOOD FENCE WITH BERM



ENTRANCE FEATURE



BENCH DETAIL



STREET LIGHT DETAIL

THE PLAN AND IMAGES ON THIS SHEET ARE TO CERTIFY THE QUALITY OF THE PROPOSED DEVELOPMENT AND ARE KNOWN FOR ILLUSTRATIVE PURPOSES ONLY. THE DEVELOPER RESERVES THE RIGHT TO CHANGE THE DESIGN, QUANTITIES, AND/OR LOCATION DUE TO FINAL ENGINEERING REQUIREMENTS.



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

**DESCRIPTION OF THE APPLICATION**

- Applicant:** Centex Homes.
- Location/Address:** Located on the north side of Telegraph Road, approximately 200 feet southwest of the intersection of Telegraph Road and Old Telegraph Road.
- Request:** To rezone 9.31 acres from the R-1 District to the PDH-3 District to permit development of a 22 lot subdivision at a density of 2.36 du/ac. Two of the existing homes located on the property are proposed to remain at this time and are included as 2 of the proposed 22 lots.
- The applicant's draft proffers, proposed development conditions, Affidavit and Statement of Justification are contained in Appendices 1-4, respectively.

**Waivers and Modifications:**

- ◆ Modification of the trail/sidewalk requirement along Telegraph Road to permit escrow of funds in lieu of construction for portion of trail which crosses the RPA.
- ◆ Waiver of the limitation on fence height per Par. 8 of Sect. 16-401 to permit the proposed wall along Telegraph Road to be up to seven (7) feet in height.

**LOCATION AND CHARACTER**

- Site Description:** The 9.31 acre site is a consolidation of three lots, each developed with a single family detached dwelling. The dwellings located on Tax Map 100-1 ((1)) 22 and 100-1 ((6)) 1 are proposed to remain at this time, with an option to replace with new dwellings in the future. Approximately 42.3% of the site is encumbered by floodplain and marine clay soils. An Environmental Quality Corridor

(EQC) and Resource Protection Area (RPA) associated with Piney Run, a stream associated with Dogue Creek traverses the site from northwest to southwest. This area consists of a mature deciduous forest stand consisting of red oak, tulip poplar and dogwood. Mature existing landscaping associated with the house sites including American Holly, English Boxwood, a Norway Spruce and a Colorado Blue Spruce.

**Surrounding Area Description:**

Direction	Use	Zoning	Plan
North	Church (Faith Fellowship Assembly)	R-1	Residential 2-3 du/ac
	Single Family Detached	R-1	Residential 1-2 du/ac
Northeast (across Old Telegraph Road)	Single Family Detached <sup>1</sup>	R-1	Residential 2-3 du/ac
South and West	Open Space and Hilltop Golf Facility <sup>1</sup>	R-1 and C-6	Residential 3-4 du/ac
East	Fort Belvoir	R-C	Public Facilities

<sup>1</sup> The properties located at Tax Map 100-1 ((4)) 1, Tax Map 100-1 ((9)) A, 1 and 2 and Tax Map 100-1 ((2)) 1, 2 and 3 are the subject of a pending rezoning application RZ 2001-LE-024 to rezone 6.14 acres to the PDH-3 District to permit single family detached units at a density of 2.93 du/ac.

**BACKGROUND**

There have been no previous zoning actions on the subject property.

On February 26, 2001, the Board of Supervisors authorized initiation of a special study to consider land use and transportation recommendations for vacant and underutilized properties in the Telegraph Road corridor from Beulah Street to the Beltway (I-495/I-95). The study focused on environmental conditions and transportation access constraints associated

with Telegraph Road that might affect land use and transportation recommendations for the various projects. The application property is located in Land Unit 17B of the Telegraph Road study. The Staff Report recommended that the Plan Map for Land Unit 17B which includes the application properties be amended from residential at 3-4 du/ac to residential at 2-3 du/ac. Specific Plan text was also recommended noting that the area has numerous environmental constraints and that development should occur at the low end of the Plan range.

On June 3, 2002 the Board of Supervisors adopted the Telegraph Road study recommendations for Land Unit 17B as noted below.

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

The property is located in the Lehigh Community Planning Sector (RH4) of the Rose Hill Planning District in Area IV. The specific Plan text (as adopted by the Board on June 3, 2002) states:

- “52. Parcels 100-1 ((1)) 22, ((6)) 1, ((7)) 1, ((8)) 1 and A are planned for residential use at 2-3 dwelling units/acre. The area has numerous environmental constraints, including some slippage-prone marine clay soils and some areas in the Chesapeake Bay Resource Protection Area. Development in this area should occur at the low end of the Plan range, unless significant consolidation and environmental mitigation is provided, as well as unified access to Telegraph or Old Telegraph Roads”

### **ANALYSIS**

#### **Conceptual and Final Development Plan (CDP/FDP) (Copy at front of Staff Report)**

**Title:** “Piney Glen”  
**Prepared By:** BC Consultants  
**Date:** July 2001, revised through June 25, 2002

The CDP/FDP consists of four sheets. Sheet 1 presents the site layout with proposed landscaping, includes site tabulations and depicts road dedication and improvements along Telegraph Road. Sheet 2 contains General Notes, Conceptual/Final Development Plan Comments, an alternate layout for Lots 16-20 based on a revised Stormwater Management Facility, a typical lot detail with minimum setbacks of 20 feet for the front yard, 6 feet for the side yards and a minimum setback of 17 feet for the rear yards. A note on the typical states

that 25 foot rear yards will be provided for Lots 5-8. A typical section depicting the location of the proposed sound wall in relationship to Telegraph Road and the rear of the proposed units is also provided. Sheet 3 contains a detail of the pocket park along Telegraph Road, an architectural elevation of the proposed noise fence, typical streetlights and benches, an entrance feature illustrative and typical lot landscaping with a recommended plant list. Sheet 4 contains proposed architectural elevations of the proposed dwellings to be constructed.

The CDP/FDP presents a site layout of 22 single family detached lots at a density of 2.36 du/ac. Based on Sect. 2-308 of the Zoning Ordinance, since more than 30% of the site (42.3%) is comprised of floodplain and marine clay soils, only 50% of the permitted maximum density may be calculated for that portion of the site which exceeds 30%. Therefore, pursuant to Sect. 2-308 the maximum number of units permitted on the site is 26. The average lot size proposed is 6,375 sq. ft. The existing houses located on Tax Map 100-1 ((1)) 22 and 100-1 ((6)) 1 will be retained on proposed Lots 21 and 22 with access reoriented to the internal subdivision street. A note on the CDP/FDP reserves the right to replace these homes with new homes and providing the minimum setbacks shown on Sheet 2. Access to the site will be provided via a public street entrance off of Telegraph Road with an Y shaped internal street which will terminate in two cul-de-sacs. The proposed Lots are numbered 1-22 in a counter clockwise direction. There will be no individual driveway access to Telegraph Road.

An open space buffer, ranging in width from a minimum of 9 feet to a maximum of 155 feet as measured from the edge of the proposed right of way dedication, is located along the Telegraph Road frontage north of the proposed entrance. This buffer area will consist of a noise attenuation fence with landscaping comprised of deciduous and evergreen trees located on either side of the fence which extends from the entrance road to the pedestrian path between Lots 3 and 4. A focal feature as detailed on Sheet 3 which functions as a pocket park with benches, sidewalk and landscaping is located in the northeast corner of the site and provides a pedestrian connection from the future trail to be constructed along Telegraph Road and the internal subdivision streets. This pedestrian connection will be provided between proposed Lots 3 and 4. A similar buffer is provided along Telegraph Road, south of the proposed entrance road. This buffer area ranges in width from 13 feet adjacent to the entrance to approximately 60 feet where the RPA area begins. Landscaping will be provided on either side of the proposed noise attenuation fence which is designed to shield the rear yards of Lots 20-22. Other than the section shown on Sheet 2 of the CDP/FDP, no details are provided with regard to the style, height and composition of the noise attenuation fence. The RPA extends north to south along the western edge of the site and ranges in width from 100 to 200 feet. The total amount of open space provided on site including the RPA, the buffer along Telegraph Road and the Stormwater Management Pond is 3.91 acres or 42% of the site.

A stormwater management facility is located at the terminus of the southern cul-de-sac between Lots 11, 12, 15 and 16. According to a Note on the Plan, the applicant will be seeking approval of a waiver of the stormwater management requirements and modification of the BMP requirements in order to reduce the size of the proposed Stormwater Management Facility. A revised layout for Lots 16 –20 is shown on Sheet 2 if the waivers and modifications are granted to permit a smaller facility.

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

Telegraph Road Improvements: The Fairfax County Transportation Plan as amended through October 1995, shows that Telegraph Road is proposed to be widened to four lanes; no median break is planned at the proposed site entrance per VDOT project 0611-029-303. The applicant met with VDOT and Fairfax County Department of Transportation (DOT) to discuss the possibility of a median break at this location. Based on the DOT Transportation Memorandum dated June 7, 2002, VDOT would support a median break subject to the following improvements:

- Dedication of right-of-way consistent with VDOT project 0611-029-303, or similarly, provide dedication consistent with that shown on a previous version of the CDP/FDP with the addition of right-of way dedication in the area of the RPA/EQC.
- Construction of frontage improvements as shown on the January 24, 2002, version of the CDP/FDP, with modifications to permit a 4 foot bike lane and 10 foot multipurpose trail. In addition a northbound left turn lane should be provided to serve the site.

It should be noted that the previous version of the CDP/FDP dated January 24, 2002, showed 60 feet of dedication from the proposed new centerline, north of the proposed entrance and 50 feet of dedication south of the proposed entrance. Improvements shown included a right turn lane into the site and two through lanes southbound. No left turn lane northbound was shown. The current CDP/FDP shows 75 feet of dedication from the proposed centerline north of the site entrance and 60 feet of dedication immediately south of the proposed entrance with approximately 25 feet of dedication across the RPA and EQC. An additional 25 feet of right-of-way across the RPA/EQC is proposed to be reserved for future dedication for a period of 15 years. Frontage improvements currently include a combined through and right turn lane southbound and a left turn lane into the site entrance.northbound.

The applicant has not committed to construct the requested improvements to justify approval of a future median break in this location. As such, the access to the site would eventually be right-in/right-out only. The DOT, in its Transportation

Impact Addendum dated June 13, 2002, states that it would only support a right-in/right-out access if the site were developed at the base density range of 2.0 du/ac, dedication is provided as previously requested, including dedication and not reservation of right of way across the EQC/RPA, and a right-turn lane is provided on Telegraph Road.

The applicant has not addressed these conditions, therefore staff cannot support this application as currently submitted.

Access to Telegraph Road: Two of the existing homes on the site will be retained on proposed Lots 21 and 22. These homes currently have direct access to Telegraph Road. With the development of the site, all access should be provided to the internal subdivision street. While a driveway to the internal subdivision street is shown for Lot 22, no driveway access is depicted for Lot 21. Further, the proffers are silent on this issue. The applicant has committed that the existing driveways on Telegraph Road shall be eliminated and that driveway access for all units will be provided to the internal subdivision street. The applicant has not clarified when the driveways will be relocated.

#### **Environmental Analysis (Appendix 7)**

The following environmental issues have been identified:

Resource Protection Area: Piney Run, a stream associated with Dogue Creek traverses the western boundary of the site from north to south. This stream is a Resource Protection Area (RPA) as defined by the County's Chesapeake Bay Preservation Ordinance, Chapter 118 of the County Code. However, the RPA as delineated on the CDP/FDP encumbers a significantly smaller area than that depicted on the County's Official Chesapeake Bay Preservation Area Map. The County's RPA delineation significantly impacts Lots 9-12, the stormwater management facility and Lots 16-20. The applicant was advised when the application was initially filed to seek approval of an RPA re-delineation from DPWES to verify that the proposed RPA as depicted on the CDP/FDP was accurate. The applicant instead has submitted a draft proffer stating that the applicant will submit a RPA delineation study for approval prior to the first submission of the subdivision plan. If any lots are located within the approved RPA, the applicant commits to modify the CDP/FDP to remove all lots from the approved RPA which may necessitate the filing of a Proffered Condition Amendment. Given that so many of the proposed lots would be potentially impacted if the applicant's RPA delineation were not approved, staff continued to request that the delineation study be submitted and approved prior to the publication of the Staff Report.

The RPA delineation study was submitted to DPWES for review on June 5, 2002. Preliminary conversations with staff from the Stormwater Planning Division

indicate that the applicant's RPA delineation as depicted on the CDP/FDP will likely be approved. Therefore, provided that the proposed proffer is modified to commit to strict adherence to the limits of clearing and grading and to preclude any intrusion into the RPA for lots and stormwater management facilities, the RPA delineation as shown could be acceptable. However, a version of the CDP/FDP dated June 10, 2002 also depicted clearing within the RPA for a sanitary sewer line that had not been previously shown. A thirty foot wide swath was proposed to be cleared within the RPA extending southward from between Lots 19 and 20 and then turning eastward toward Telegraph Road at a slightly greater than 90° angle. It would be desirable for the applicant to explore alternative locations for the sewer line extension to minimize the impact to the RPA. This is especially critical since the RPA is the only source of tree preservation on the site.

The most recent version of the CDP/FDP, now dated June 25, 2002, relocates the sewer line along the edge of the RPA extending eastward behind Lot 20 to Telegraph Road and then extending southward parallel to Telegraph Road in an area of the RPA to be reserved for future right of way dedication. This alignment is less intrusive and less damaging to the RPA. It would still be desirable for the applicant to identify a location for this connection outside the RPA. At a minimum the applicant should commit to minimize the impact to the RPA and replant where appropriate.

The proffers also do not commit to restoration of the RPA area west of the proposed stormwater management facility which has previously been cleared and where there is currently construction debris, an abandoned school bus and trailer. Staff has drafted a proposed development condition to address this issue.

**Water Quality Best Management Practices:** The CDP/FDP depicts a Stormwater Management (SWM) facility within Parcel D located west of the proposed southernmost cul-de-sac and immediately adjacent to the RPA. A note on the CDP/FDP indicates that a waiver of stormwater management and modification of BMPs will be sought in an effort to eliminate or substantially reduce the size of the facility and utilize innovative BMPs. An alternative layout for Lots 16-20 is depicted in the event that the waivers/modifications are approved. However, as noted in the RPA analysis above, the proffers should be strengthened to ensure no encroachment into the RPA. Further, the location of the proposed outfall has not been identified which may require further clearing into the RPA. Any potential outfall impacting the RPA should be delineated.

**Highway Noise:** A preliminary highway noise analysis was performed by staff for Telegraph Road which indicates that the 65 dBA Ldn contour is located 300 feet from the future centerline of Telegraph Road. A noise analysis performed by Polysonics, dated June 6, 2002, and received on June 10, 2002, indicates that the unmitigated 65 and 70 dBA Ldn traffic noise contours for Year 2020 are

located approximately 130 feet and 190 feet from centerline of Telegraph Road. The study also notes that at the nearest residential property line the unmitigated noise level was 72 dBA Ldn. The analysis further indicates that a noise control barrier, seven feet above the proposed grade will mitigate traffic noise impact to outdoor areas to levels below 65 dBA Ldn. According to the applicant's noise analysis, the rear yards of Lots 1-3, 20-22 and the focal feature are within the 65 dBA Ldn contour. Staff has not had sufficient time to fully evaluate the submitted noise analysis. However, that applicant has proffered to reduce interior noise to 45 dBA Ldn or less for homes located within 300 feet of the centerline of Telegraph Road by committing to construct homes with building materials that are sufficient to provide this level of acoustical mitigation. Staff believes that the interior noise mitigation has been adequately addressed.

With regard to exterior noise mitigation, the homes located on Lots 1-3 and 20-22 will be impacted by exterior noise exceeding 65 dBA Ldn. The revised CDP/FDP depicts a combination wood fence and berm within the open space strip located between the right of way for Telegraph Road and the rear of Lots 1-3 and Lots 20-22. A cross section of the barrier showing the fence located on a berm with the height and location to vary, but not to exceed a maximum 3:1 slope and a 7 foot tall solid wood fence, has been provided. A detail on Sheet 3 depicts a seven foot solid wood fence with a solid wood top detail. Staff recommends incorporating some type of masonry material, such as brick piers and perhaps utilizing some other type of composite material in lieu of wood, to minimize the required maintenance and enhance its appearance. It should also be noted that the pocket park, otherwise identified as the focal feature, and which is the only usable open space provided on site, will be impacted by noise levels in excess of 65 dBA Ldn. The Comprehensive Plan recommends that noise levels in all outdoor activity areas not exceed 65 dBA Ldn. On the revised version of the CDP/FDP, an additional freestanding section of noise wall overlapping the section of fence shielding the rear yards has been provided. The trail extending from Telegraph Road through the pocket park meanders through this overlapped section. Therefore this issue has been addressed.

**Soil Constraints:** A large segment of the site is impacted by Marine Clay soil which is known for its shrink swell characteristics which poses serious constraints for development. According to the applicant the marine clay soils will be removed and replaced with better soil material. The applicant also indicated that no retaining walls are proposed. The applicant has not committed to submit a geotechnical analysis to DPWES for review and approval as part of the subdivision review. Given the expanse of marine clays and other hydric soils, the applicant will be required to submit this analysis to DPWES for review and approval and will be required to construct in accordance with the approved recommendations. Staff has also proposed a development condition that limits the height of any proposed retaining walls to a maximum four feet. Staff believes

that any retaining walls in excess of this height may have a significant impact on the design and layout of the subdivision and should be reviewed and evaluated as part of the rezoning. Therefore, staff has drafted a development condition requiring that if retaining walls greater than four feet in height are required, an amendment to the FDP shall be submitted to the Planning Commission for approval.

**Tree Preservation:** The site contains three existing homes with mature existing landscaping that includes American holly, English boxwood, Norway Spruce, and Colorado blue spruce. The RPA area along the western property line contains a mature deciduous forest stand of red oak, white oak, tulip poplar and dogwood. The RPA is the only area of tree preservation proposed on the site. The proposed clearing limits for the development are generally coterminous with the RPA line. Therefore it is critical to ensure that the limits of clearing are clearly marked and protected by tree protection fencing (4 foot high, 14 gauge-welded wire, attached to six-foot steel posts driven 18" into the ground). The applicant has committed to these protection measures as well as other protection measures recommended by the Urban Forester. However, the current proffer language does not commit to strictly adhering to the limits of clearing and grading as shown on the CDP/FDP, but instead allows encroachment for the installation of trails, utility lines and stormwater management facilities as approved by DPWES. Currently the only encroachment into the RPA that is shown on the CDP/FDP is for an extension of the sanitary sewer which has been realigned to minimize the disturbance to the RPA. Given that this is the only tree preservation area on site, it is critical to minimize disturbance of this area. Staff recommends that the applicant make every effort to strengthen the proffer commitment to prohibit any encroachment into the RPA.

In addition to the RPA area, the Urban Forester identified several landscape trees and shrubs associated with the house sites, including English Boxwoods, a 20 inch diameter Norway spruce that is located at the edge of the proposed entrance road, as well as a 20" Colorado Blue Spruce located in the open space area near the trail within the focal feature. Several trees within the buffer strip along Telegraph Road are noted to be preserved, but the proffers do not make any reference to the preservation of these trees. A proffer has been added which commits to preparing a transplanting plan for the Boxwoods, but do not specify where on site the boxwoods will be transplanted. If it is the intent of the applicant to preserve the trees depicted along Telegraph Road, the proffer commitments should reflect the measures to be taken to ensure preservation. This remains an outstanding issue.

#### **Public Facilities Analysis (Appendices 8-13)**

**Sanitary Sewer Analysis:** The application property is located in the Dogue Creek (L) Watershed and would be sewered into the Norman M. Cole Treatment Plant.

An existing 8-inch line located in an easement approximately 100 feet from the property line is adequate for the proposed use at this time. (See Appendix 8)

Water Service Analysis: Adequate water service is available at the site from existing 30-inch diameter main located at the property. (See Appendix 9)

Fire and Rescue Analysis: The application property is currently served by Fire and Rescue Department Station #37, Kingstowne and currently meets fire protection guidelines. (See Appendix 10)

Utilities Planning and Design Analysis: No issues identified. (See Appendix 11)

Schools Analysis: (See Appendix 12)

The schools analysis indicates that the proposed development would produce nine (9) elementary school students, which is five (5) more students than the current zoning would produce. The analysis also indicated that the proposed development would produce (2) intermediate school students which is one more than the current zoning. Finally, the proposed development would produce four (4) high school students which is three (3) more students than the current zoning would produce. Hayfield Elementary School is projected to be below capacity while Hayfield Middle and Hayfield High Schools are all expected to exceed capacity through the 2005 – 2006 school year. It should be noted that this analysis does not take into account the potential impact of other pending proposals that could affect the same schools.

Park Authority Analysis: (See Appendix 13)

The Park Authority has determined that the proposed development will add approximately 66 residents to the current population of Lee District. No active recreational amenities are being provided with this application. The FCPA has determined that residents of the proposed development will demand several outdoor facilities such as playground, tot lot, basketball, tennis, volleyball, picnic facilities and use of athletic fields. The Park Authority is requesting a contribution equal to the \$955.00/unit expenditure required for P Districts. The applicant has proffered to contribute \$955/unit to the Park Authority, less credit given for the trail and benches provided within the focal feature. (See Appendix 12)

Land Use Analysis (Appendix 5)

The Comprehensive Plan was recently amended for this site as part of the Telegraph Road Corridor study. The property is now planned for residential development at a density of 2-3 du/ac, rather than the previous designation of 3-4 du/ac. Plan text was also added which states:

"Parcels 100-1 ((1)) 22, ((6)) 1, ((7)) 1, ((8)) 1 and A are planned for residential use at 2-3 dwelling units/acre. The area has numerous environmental constraints, including some slippage-prone marine clay soils and some areas in the Chesapeake Bay Resource Protection Area. Development in this area should occur at the low end of the Plan range, unless significant consolidation and environmental mitigation is provided, as well as unified access to Telegraph or Old Telegraph Roads"

The applicant has consolidated a majority of the land within Land Unit 18 of the Telegraph Road Corridor study. Tax Map 100-1 ((8)) A, which is immediately north of the application property is developed with Faith Fellowship Church and comprises 4.6 acres; Tax Map 100-1 ((7)) 1, located north of the church, is 3.9 acres and is developed with an existing single family detached dwelling. Both of these lots have access onto Old Telegraph Road. Staff believes that the proposal provides for adequate consolidation. However, the environmental constraints of the site, RPA and Marine Clay Soils, limit the developability of the site. Staff believes that the layout of the proposed subdivision as currently depicted is not the type of high quality development envisioned for a P-District. An analysis of the P District standards is outlined in a later section of this report.

The applicant is proposing a 22 lot subdivision of single family detached units at a density of 2.36 du/ac which is above the base density range of 2-3 du/ac. The development appears overcrowded and the typical minimum setbacks provided for the majority of lots will include a 20 foot front yards, 6 foot side yards and 17 foot deep rear yards, which will make it difficult for homeowners to add decks and other additions in the future. Proposed Lots 5-8 which about the church property to the north will have minimum rear yard setbacks of 25 feet. The applicant has indicated in the Statement of Justification that cluster development has been employed to preserve the EQC and RPA. Staff believes that while clustering of development is appropriate in this instance, it appears that the applicant has utilized the P District in this instance to obtain the highest yield possible given the environmental constraints which has produced a subdivision where a number of the lot orientations, coupled with the minimal rear and side yard setbacks create a less than desirable design. Of particular concern are Lots 12-15, 16-20 and Lot 1. Lots 13-15 are oriented so that the rear yards of all three of these lots abut the side and rear yard of Lot 12. Lots 16-20 which are located along the southern boundary adjacent to the RPA, while benefiting from the adjacent open space appear squeezed around the cul-de-sac, especially Lot 20. The proposed sanitary sewer easement which extends into the RPA, also will be located within the front and side yards of Lots 19 and 20. It would be desirable if this easement could be relocated entirely or at a minimum be located within an open space easement. Staff is also concerned with the orientation of Lot 1 which is at the corner of the entrance road and Telegraph Road. While one of the larger lots at 7,283 square feet, the building envelope shown provides only a minimum distance of six feet (assuming the house is oriented to the entrance road with a

side yard abutting Telegraph Road) from the property line, with an additional nine feet of open space provided before reaching the proposed future right-of-way of Telegraph Road. It should be noted that if this application had been filed as a R-3 cluster subdivision, with minimum lot sizes of 8,500 square feet and minimum yards of 20 feet (front), 8 feet, but a total minimum of 20 feet (side) and 25 feet (rear), a maximum of sixteen single family detached lots could be provided on the site. The Comprehensive Plan recommendations of the site specifically state that development should occur at the low end of the Plan range, unless environmental mitigation is provided. Staff believes that the environmental constraints of the site, coupled with the transportation issues previously discussed concerning improvements to Telegraph Road, which will ultimately be improved to a four lane divided roadway without a median break, warrants a density closer to the base density of 2.0 du/ac.

#### Residential Density Criteria

Residential density is evaluated based on the residential density criteria set forth in Appendix 9 of the Land Use Section of the Policy Plan. The proposed density of 2.36 du/ac is above the base density range of 2-3 du/ac. In order to receive favorable consideration of the proposed development above the base density range, the application should satisfy at least one-half of the applicable density criteria as set forth below.

1. Provide a development plan, enforceable by the County, in which the natural, man-made and cultural features result in a high quality site design that achieves, at a minimum, the following objectives: it complements the existing and planned neighborhood scale, character and materials as demonstrated in architectural renderings and elevations (if requested); it establishes logical and functional relationships on- and off-site; it provides appropriate buffers and transitional areas; it provides appropriate berms, buffers, barriers, and construction and other techniques for noise attenuation to mitigate impacts of aircraft, railroad, highway and other obtrusive noise; it incorporates site design and/or construction techniques to achieve energy conservation; it protects and enhances the natural features of the site; it includes appropriate landscaping and provides for safe, efficient and coordinated pedestrian, vehicular and bicycle circulation. (NO CREDIT)

As discussed above, staff does not believe that the layout as currently proposed represents a high quality site design. Staff believes that the layouts of some of the lots are less than desirable. As noted in the land use analysis, the orientation of Lots 13 through 15 all toward the side and rear yard of Lot 12 is not desirable. Additionally, Lots 16 to 20 are tightly configured and Lot 1 is bounded by roadway on three sides. Further, adjacent to Lot 1 the open space strip is only 9 feet wide and it is doubtful as to whether there will be enough room for landscaping, a possible berm and the noise wall.

2. Provide public facilities (other than parks) such as schools, fire stations, and libraries, beyond those necessary to serve the proposed development, to alleviate the impact of the proposed development on the community.  
(NOT APPLICABLE)
3. Provide for the phasing of development to coincide with planned and programmed provision of public facility construction to reduce impacts of proposed development on the community. (NOT APPLICABLE)
4. Contribute to the development of specific transportation improvements that offset adverse impacts resulting from the development of the site.  
Contributions must be beyond ordinance requirements in order to receive credit under this criterion. (NO CREDIT)

Telegraph Road is proposed to be widened to four lanes along the property's frontage with no median break proposed at the proposed site entrance. VDOT and DOT staff has advised the applicant that a median break would be supported in this location if dedication and full frontage improvements in accordance with VDOT Project #0611-029-303 are provided. The applicant has committed to dedication of requested right-of-way, with a reservation of right-of-way in the area of the RPA. The applicant has also committed to construct interim improvements to include curb and gutter and trail and a left turn lane along a portion of the frontage. However, without a commitment to full frontage improvements to include right and left turn lanes, VDOT and DOT will not support a median break in this location. As such, access will be restricted to right-in/right-out only and staff would only support this type of access if the proposal were at the base density of 2.0 du/ac. Therefore, no credit is given for this criterion.

5. Dedicate parkland suitable for active recreation and/or provide developed recreation areas and/or facilities in an amount and type determined by application of adopted Park facility standards and which accomplish a public purpose. (NOT APPLICABLE)

The proposal is a request to rezone to a PDH District which requires a contribution of \$955/unit pursuant to the Zoning Ordinance. Therefore this criterion is not applicable.

6. Provide usable and accessible open space areas and other passive recreational facilities in excess of County ordinance requirements and those defined in the County's Environmental Quality Corridor policy.  
(HALF CREDIT)

The applicant has provided over 42% open space on site, the vast majority of which is RPA/EQC. The RPA is proposed to remain undisturbed and no trails have been provided. The only real usable open space is a small pocket park

located at the northeast corner of the site which provides for benches and pedestrian connection from the proposed trail along Telegraph Road to the internal subdivision sidewalk system. The revised CDP/FDP shows the noise wall extending to protect this area while still maintaining the pedestrian connection. Therefore half credit is given for this criterion.

7. Enhance, preserve or restore natural environmental resources on-site, (through, for example, EQC preservation, wetlands preservation and protection, limits of clearing and grading and tree preservation) and/or reduce adverse off-site environmental impacts (through, for example, regional Stormwater management). Contributions to preservation of and enhancement to environmental resources must be in excess of ordinance requirements.  
(NO CREDIT)

As previously noted, the applicant has committed to preserve the RPA/EQC area in accordance with the Chesapeake Bay Preservation Ordinance. There are opportunities to restore areas of the RPA that have previously been disturbed, however no commitment to restoration of these areas has been provided. The only tree save provided on site is located within the RPA/EQC area. However, there are specific trees identified along the Telegraph Road frontage of the site associated with the existing home sites that could be preserved, but no commitment has been provided. Staff believes that there have been no commitments in excess of Ordinance requirements, therefore no credit is given for this criterion.

8. Contribute to the County's low and moderate income housing goals. This shall be accomplished by providing either 12.5% of the total number of units to the Fairfax County Redevelopment Housing Authority, land adequate for an equal number of units or a contribution to the Fairfax County Housing Trust Fund in accordance with a formula established by the Board of Supervisors in consultation with the Fairfax County Redevelopment and Housing Authority.  
(FULL CREDIT)

For applications which are above the base density range, a contribution to the housing trust fund of 0.5% of the purchase price of each home is recommended. The applicant has committed to provide this contribution. Therefore full credit is given for this criterion.

9. Preserve, protect and/or restore structural, historic or scenic resources which are of architectural and/or cultural significance to the County's heritage.  
(NOT APPLICABLE)
10. Integrate land assembly and/or development plans to achieve Plan objectives. (FULL CREDIT)

The applicant has consolidated over half of the land included in the Land Unit with the unconsolidated properties located to the north with access provided to Old Telegraph Road and separated from the application property by a church and RPA. Therefore, full credit has been given for this criterion.

As a guide, fulfillment of at least one-half of the applicable development criteria should be achieved in order for the application to receive favorable consideration above the base the density range. Staff has determined that six (6) of the criteria are applicable in this case. The application has only satisfied 2.5 out of the 6 applicable criteria and in staff's estimation, does not warrant favorable consideration of the requested density.

**ZONING ORDINANCE PROVISIONS**

Presented below are the bulk standards and open space requirements provided for the proposed PDH-3 development as compared to the most comparable zoning district which is the R-3 cluster district.

<b>BULK REGULATIONS (PDH-3))</b>			
<b>Standard</b>	<b>Required (PDH-3)</b>	<b>Required (R-3 Cluster)</b>	<b>Provided</b>
Minimum District Size	2 acres	7 acres	9.31 acres
Minimum Lot size	No requirement	8,500 square feet	5,096 square feet
Lot Width Corner lot	No requirement	80 feet	80 Ft
Max. Bldg Height	No requirement	35 feet	Not Shown
Minimum Yard Req. Front Side Rear	No requirement	20 feet 8 feet, but a total minimum of 20 feet 25 feet	20 Ft 6 feet* 17 feet with 25 feet provided for Lots 5-8.*
Open Space	20%	15%	42%

Transitional Screening and Barrier Requirements

None Required

Modification of the trail requirement along Telegraph Road

The County Wide Trails Plan which is part of the Comprehensive Plan depicts a bicycle trail along the west side of Telegraph Road adjacent to the application property. The Telegraph Road widening project depicts a 10-foot wide multipurpose trail. The applicant has committed to construct this trail as part of the proposed frontage improvements along a portion of the site's frontage. The applicant is proposing to escrow funds for the future construction of the trail across the EQC as the applicant has not committed to complete the frontage improvements along the RPA portion of the site. Given that there are still outstanding transportation issues which may affect construction of the trail, staff cannot make a recommendation on this waiver at this time.

Waiver of the Maximum Permitted Fence Height

The applicant is seeking a waiver of the limitation on fence height per Par. 8 of Sect. 16-401 to permit the proposed wall along Telegraph Road to be up to seven (7) feet in height. The height of this wall will provide exterior noise mitigation for the pocket park and the rear yards of Lots 20-22 and Lots 1-3. Since the height of this wall is needed for noise mitigation, staff supports the requested waiver to permit the wall to be as high as seven (7) feet.

**OTHER ZONING ORDINANCE REQUIREMENTS:**Planned Development Requirements**Article 6**

According to the Zoning Ordinance, PDH Districts are intended to encourage innovative and creative design and are to be designed, in part, to *"ensure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development; to promote balanced developments of mixed housing types; and to encourage the provision of dwellings within the means of families of low and moderate income..."* PDH districts also provide the opportunity to develop a site with more open space than would be required in a conventional zoning district.

PDH Districts provide the opportunity to develop a site with more open space than would be required in a conventional zoning district. This site provides 42% open space, which meets the 20% requirement for the PDH-3 District set forth in

Sect. 6-110 (although the majority of open space is provided within the RPA). Staff believes the site design is not the high quality envisioned for the P-District. Staff believes that the P-District is being utilized to obtain the highest yield possible given the environmental constraints of the site.

The proposed 9.31 acre development satisfies the minimum district size of two (2) acres for the PDH District (Sect. 6-107). The proposed density of 2.93 dwelling units per acre falls within the maximum density of three (3) du/ac for the PDH-3 District (Sect. 6-109) which has been adjusted to 2.79 du/ac pursuant to the density penalty contained in Sect. 2-308 of the Zoning Ordinance.

In addition, according to Par. 3 of Sect. 6-110, the applicant is required to provide either developed recreational facilities or a cash contribution for provision of off-site facilities. The applicant has proffered to contribute the difference between the value of the on-site recreational improvements (the benches and trail within the linear park) and the \$955 per unit to the Fairfax County Park Authority for use on recreational facilities in a Fairfax County Park in the general vicinity of the subject site.

#### **16-101 Planned Development General Standards**

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

1. *The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.*

As stated earlier in this report, the proposed development proposes a density and unit type that is within the density range recommended by the Plan which is 2-3 du/ac. This area is characterized to the north by older large lot residential development with a church located on the property immediately to the north. The 6 acre property on the north side of Old Telegraph Road is being proposed for residential redevelopment at 2.93 du/ac. It should be noted that while the unit type and proposed density are within the recommended Comprehensive Plan range, due to the environmental constraints on the site, the lot sizes and proposed layout are more typical of development at a 4-5 du/ac density range. As such, staff does not believe that the proposed lot sizes and layout are characteristic of a 2-3 du/ac density, particularly given that the Comprehensive Plan recommends development at the low end of the 2-3 du/ac range if the

environmental constraints are not adequately addressed. Therefore this standard has not been satisfied.

2. *The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.*

The stated purpose and intent of the planned development district is to "encourage innovative and creative design and to facilitate use of the most advantageous construction techniques in the development of land for residential and other selected secondary uses. The district's regulations are designed to insure ample provision and efficient use of open space, and to promote high standards in the layout, design and construction of residential development", among others.

The applicant has indicated in the Statement of Justification that the P District is being used here to provide a cluster development in order to preserve the RPA/EQC areas in open space which is an Ordinance requirement. However, as previously noted in the Land Use Analysis, the proposed layout is not innovative or creative, but rather attempts to maintain as much density on the site as possible. This has resulted in a less than desirable lot orientation for lots 12-15, Lot 1 and Lots 16-20. This design has also provided limited usable open space which is also impacted by noise in excess of that recommended in the Comprehensive Plan. Staff believes it would be preferable for the property to be developed under the R-3 cluster provisions. The R-3 cluster provisions require minimum lot sizes of 8,500 square feet with 25 foot rear yards and 8-foot side yards. An R-3 cluster layout would substantially reduce the crowded appearance of the site and would be more representative of a development at 2-3 du/ac. Therefore, this standard has not been satisfied

3. *The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.*

The RPA is the most prominent natural feature present on the site which has been preserved as undisturbed open space. However, the proffers do not commit to strictly adhere to the limits of clearing as shown and permit a broad range of utility encroachments into the RPA. The only utility encroachment currently depicted is a sanitary sewer easement which has been reduced in width and which has been realigned to run parallel to the RPA at the rear of Lots 19 and 20 and then run parallel to Telegraph Road in an area reserved for future right of way dedication. Further, it would be desirable for the applicant to commit to restore those areas of the RPA

previously cleared. No commitment to restore these areas has been provided. The applicant has indicated that if waivers of BMP and stormwater management is approved, the SWM facility will be designed as an innovative BMP and the lots surrounding the facility will be increased in size. Staff believes this standard has been satisfied.

4. *The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.*

Under the applicant's proposal, the proposed development would be isolated unto itself. There would be no connection to the adjacent, unconsolidated parcels (Parcels ((8)) A and ((7)) 1) which are developed with a church and older single family detached dwelling. Both these properties have access to Old Telegraph Road. Staff does not believe that the proposal will hinder the development of the surrounding properties.

5. *The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.*

As noted in the Transportation Analysis, staff does not support the requested density in large part due to the applicant's failure to address transportation issues. The applicant has requested that a median break be provided at the site entrance. Currently the VDOT plans for widening Telegraph Road do not provide for a median break at this location. VDOT has indicated support for a median break, if the applicant commits to dedication of right-of-way and construction of frontage improvements in accordance with the VDOT project design. Without this commitment, the proposed development will be limited to right in/right out access only. As such, the proposed density should be at the base level to minimize the potential for U-Turn movements. Therefore, this standard has not been satisfied.

6. *The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.*

As stated earlier in this report, the applicant is providing a trail along a portion of its Telegraph frontage as well as a sidewalk connection from the trail through the pocket park to the internal subdivision sidewalks. However, there will be no connection to the adjacent properties to the

north and south (the church and the Hilltop Golf Facility) as the trail along Telegraph Road is not proposed to be extended southward across the EQC or northward until the Telegraph Road widening project is completed

### **16-102 Planned Development Design Standards**

Whereas it is the intent of the P-District to allow flexibility in the design of all planned developments, design standards were established to review such rezoning applications. The following design standards apply:

- 1. In order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.*

The planned development provides 25 foot rear yard setbacks for Lots 5-8 where the rear lot lines are coterminous with the peripheral lot lines of the development. Along Telegraph Road the minimum setback from the building restriction line to the peripheral property line will be 15 feet for Lot 1 and approximately 30 feet or more for the remaining lots along Telegraph Road. For those properties abutting the RPA which is approximately 150 feet to 200 feet wide, a minimum setback of 17 feet will be provided. A cluster subdivision would require a minimum building setback of 25 feet and a side yard setback of 8 feet, but a minimum of 20 feet from all side lot lines. Staff believes this standard has been satisfied, except for Lot 1. This lot should be increased in size to provide a greater building setback from Telegraph Road.

- 2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.*

The applicant meets the PDH-3 open space requirement of 20% and the off-street parking requirements.

- 3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.*

All streets within the proposed development are public streets and adequate pedestrian access has been provided both from Telegraph Road and along the interior street system of the subdivision.

## **CONCLUSION AND RECOMMENDATIONS**

### **Conclusions**

The applicant is requesting approval to rezone 9.31 acres from the R-1 District to the PDH-3 District to permit a development of 22 single family detached lots at a density of 2.36 du/ac. The recommended density under the Comprehensive Plan is 2-3 du/ac with development at the low end of the range recommended unless substantial consolidation is provided and environmental impacts mitigated. While staff believes that adequate consolidation has been provided and the RPA accurately delineated and preserved, the resulting cluster subdivision design is crowded and provides less than desirable lot orientations in several areas as previously discussed. While substantial open space has been provided with the preservation of the EQC, the only usable open space is provided in a small pocket park located in the northeast corner of the site adjacent to Telegraph Road. Staff believes the proffers also should be strengthened with regard to the limits of clearing and grading and tree preservation. As presently worded the applicant in essence has carte blanche to encroach into the limits of clearing and grading for utilities, trails, and stormwater management facilities if deemed necessary by DPWES. A sanitary sewer easement is already depicted encroaching into the RPA, although in a better alignment than previously shown. There is no commitment to preserve trees other than those located within the RPA. The Urban Forester has identified several trees associated with the house sites that could be preserved.

It is staff's judgement that the large number of outstanding issues is indicative of a design that is being squeezed onto an environmentally constrained site to maximize the density potential. In this instance, a more traditional cluster design more closely aligning with the conventional R-3 cluster lot sizes and yard setbacks would produce the type of high quality design envisioned for P-Districts. This reduction in density is further supported by the unresolved transportation issues relating to the lack of a median break in this location. Without committing to the improvements recommended by VDOT to justify a median break, the site will be ultimately limited to right-in/right-out only. As such, DOT staff recommended that the density be limited to the base density range of 2.0 du/ac.

### **Recommendations**

Staff recommends denial of RZ 2001-LE-048 as submitted. However, if it is the intent of the Board of Supervisors to approve RZ 2001-LE-048 and the

Conceptual Development Plan, staff recommends that the approval be subject to the execution of proffers consistent with those set forth in Appendix 1.

Staff recommends denial of FDP 2001-LE-048. However, if it is the intent of the Planning Commission to approve FDP 2001-LE-048, staff recommends that the approval be subject to the Development Conditions set forth in Appendix 2.

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

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

## **APPENDICES**

1. Draft Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Comprehensive Plan Citations and Land Use Analysis
6. Transportation Analysis
7. Environmental Analysis
8. Sanitary Sewer Analysis
9. Water Service Analysis
10. Fire and Rescue Analysis
11. Utilities, Planning and Design Analysis (DPW)
12. Schools Analysis
13. Park Authority Analysis
14. Glossary of Terms

## PROFFERS

RZ 2001-LE-048  
CENTEX HOMES

June 25, 2002

Pursuant to Section 15-2.2303A of the 1950 Code of Virginia, as amended, the undersigned applicant and owners, for themselves and their successors or assigns (hereinafter referred to as "Applicant"), hereby proffer the following conditions provided the Subject Property is rezoned as proffered herein.

1. **Conceptual/Final Development Plan.** Development of the property shall be in substantial conformance with the plan entitled "Piney Glen" ("CDP/FDP"), consisting of three (3) sheets prepared by The BC Consultants, Inc., revised as of June 25, 2002. The CDP portion of the CDP/FDP shall constitute the entire plan relative to the points of access, the total number of units, type of units and general location of common open space areas. The existing structures on Lots 21 and 22 may remain. However, the Applicant reserves the right to replace these structures and to build new structures on these lots by providing the minimum yards as depicted in Sheet 2 of 3 of the CDP/FDP. In any event, the existing driveways on Telegraph Road shall be eliminated and driveway access for all units will be provided to the internal streets. The Applicant shall have the option to request Final Development Plan Amendments ("FDPAs") from the Planning Commission for portions of the plan in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance.
2. **Minor Modifications.** Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications to the FDP may be permitted where it is determined by the Zoning Administrator that such are in substantial conformance with the approved FDP. The Applicant shall have the right to make minor adjustments to the building footprints and parking configuration, provided such changes are in substantial conformance with the FDP and do not increase the number of units or decrease the amount of open space, peripheral setbacks, access or parking spaces, without requiring approval of an amended FDP.
3. **Energy Efficiency.** All homes constructed on the property shall meet the thermal standards of the Cabo Model Energy Program for energy efficient homes, or its equivalent, as determined by the Department of Public Works and Environmental Services ("DPWES") for either electric or gas energy homes, as applicable.
4. **Tree Preservation Plan.** The Applicant shall provide a tree preservation plan prepared by a certified arborist, in coordination with the submitting engineer. The tree preservation plan shall be submitted as part of the first and all subsequent submissions of the subdivision plans, for review and approval by the Urban

Forestry Division. The tree preservation plan shall consist of a tree inventory which includes the location, species, size, crown spread and condition rating percent of all trees twelve (12) inches in diameter or greater, twenty (20) feet to either side of the limits of clearing and grading along the perimeter of the RPA. The condition analysis shall be prepared using methods outlined in the eighth edition of *The Guide for Plant Appraisal*. Specific tree preservation activities designed to maximize the survivability of trees chosen for preservation shall be incorporated into the tree preservation plan. Tree preservation activities may include, but are not limited to, crown pruning, root pruning, mulching and fertilization, as may be recommended by the certified arborist and approved by the Urban Forester.

5. **Limits of Clearing and Grading.** The Applicant shall conform to the limits of clearing and grading shown on the CDP/FDP, subject to modifications for the necessary installation of trails, utility lines and stormwater management facilities as approved by DPWES. The sewer line shall be located within the RPA in the least disrupted manner possible as determined by DPWES and subject to County Urban Forester review. If any other trails, utility lines, or stormwater management facilities are required to be located within the area protected by the limits of clearing and grading, they also shall be located and installed in the least disruptive manner feasible, as determined by DPWES, and subject to Urban Forester approval. The demolition and removal of existing features and structures shall be conducted in a manner that also minimizes the impact on individual trees and groups of trees to be preserved as approved by DPWES and subject to County Urban Forester review. A replanting plan shall be developed and implemented, subject to approval by the Urban Forestry Division, for any areas outside the limits of clearing and grading that must be disturbed.
  - a. The Applicant shall retain the services of a certified arborist, 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 Applicant'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. The Lee District Supervisor's office shall be given advance written notice of the date and time for the meeting to walk 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. Any tree that is designated for removal, at the edge of the limits of clearing and grading or within a tree preservation area, shall be removed using a chain saw to avoid damage to surrounding trees. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees.

- b. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing consisting of four (4) foot high, 14-gauge welded wire attached to six (6) foot steel posts, driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart, shall be erected at the limits of clearing and grading as shown on the Phase I and II erosion and sediment control sheets in all areas. The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any clearing and grading activities on the site, including the demolition of any existing structures. The installation of tree protection fencing shall be performed under the supervision of a certified arborist. Prior to the commencement of any clearing, grading or demolition activities, the Applicant's certified arborist shall verify in writing that the tree protection fencing has been properly installed.
- c. The Applicant shall provide a transplanting plan for boxwood trees on-site that are worthy of transplantation. The transplanting plan shall be submitted as part of the first and all subsequent submissions of the subdivision plan for review and approval by the Urban Forestry Division. The plan shall be prepared by a professional with experience in the preparation of tree transplanting plans, such as a certified arborist or landscape architect. Depending upon site constraints, the plan shall address one or all of the following items:
- the species and sizes to be transplanted;
  - the existing locations of the trees;
  - the proposed final locations of the trees;
  - the proposed time of year when the trees will be moved;
  - the transplant methods to be used, including tree space size if applicable;
  - details regarding after-transplant care, including mulching and watering, and, if necessary, support measures such as cabling, guying or staking.
6. **Conservation Easement.** At the time of recordation of the record plat for the subdivision, the Applicant shall create and record a conservation easement in the areas shown on the CDP/FDP to preserve existing vegetation. Said easement shall run to the benefit of the Northern Virginia Conservation Trust or the Board of Supervisors of Fairfax County ("Board"). If neither entity accepts this easement, the easement shall run to the benefit of the homeowners' association established for the common area. The form of the easement shall be subject to the review and approval of the County Attorney.
7. **Recreational Facilities.** At the time of subdivision plan approval, pursuant to Section 6-110 of the Zoning Ordinance, the Applicant shall contribute the sum of \$955 per approved dwelling unit for the total number of dwelling units on the

record plat, to the Fairfax County Park Authority ("Park Authority") for use on recreational facilities in the general vicinity of the Subject Property, subject, however, to a credit for expenditures on-site for benches, sidewalks and trails (excluding sidewalks required by the Public Facilities Manual or trails required by the Comprehensive Plan).

8. **Road Dedication/Construction.** At the time of recordation of the record plat for the subdivision, or upon demand by Fairfax County, whichever occurs first, right-of-way along the Telegraph Road frontage of the site, necessary for public street purposes and as shown on the CDP/FDP, shall be dedicated and conveyed to the Board in fee simple. The Applicant shall also construct road widening with curb gutter and a Type I asphalt trail along the Telegraph Road frontage of the Subject Property as shown on the CDP/FDP. At the time of subdivision plat approval, the Applicant shall place funds in escrow with Fairfax County for the extension of the trail through the RPA. The amount of such funds shall be determined using County bonding estimates.
9. **Future Road Alignment.** The Applicant shall reserve an area of the site as depicted on the CDP/FDP for future right-of-way for the widening of Telegraph Road. Upon demand by the Board, the Applicant shall convey said right-of-way area in fee simple to the Board, as generally shown on the CDP/FDP. At the same time, the Applicant shall also convey ancillary easements to the Board adjacent to said right-of-way. However, if said road widening is not funded for construction within fifteen (15) years from the date of these proffers or if said road widening is deleted from the County's Comprehensive Plan, whichever event first occurs, the Applicant's obligations under this proffer shall terminate and cease and the Applicant will be entitled to use said right-of-way in any manner permitted by law.
10. **Density Credit.** All density and intensity of use attributable to land areas dedicated and conveyed to the Board pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and density hereby reserved to be applied to the residue of the Subject Property.
11. **Homeowners' Association.** The Applicant shall establish a Homeowners' Association ("HOA") for the proposed development to own, manage and maintain the open space areas and all other community-owned land and improvements, including the noise walls constructed pursuant to Paragraph 13 below, and the rain garden, if provided pursuant to Proffer No. 12 below. The HOA documents shall disclose these maintenance responsibilities. These documents shall also disclose the possible replacement of the existing homes on Lots 20 and 21 as referenced in Proffer No. 1 hereinabove.
12. **Stormwater Management Pond**
  - a. Stormwater management shall be provided in accordance with the requirements of the Public Facilities Manual, as determined by DPWES.

Any required stormwater management facility shall be landscaped to the maximum extent possible in accordance with the planting policies of the County.

- b. At the time of subdivision plan review and approval, the Applicant shall diligently pursue the approval of the necessary waivers or engineering approvals to allow the applicable stormwater management requirements to be potentially met without the use of a structural detention pond, or with a structural pond of smaller size than that identified on Sheet 1 of the CDP/FDP. To further this objective, the Applicant reserves the right to employ "rain gardens" or similar alternative measures. In the event a rain garden is employed, it shall be maintained by the HOA in accordance with Attachment A and such maintenance responsibilities shall be disclosed in the HOA documents. Should DPWES fail to approve the necessary permits and/or waivers, the Applicant reserves the right to provide a structural dry pond in substantial conformance with that shown on Sheet 1 of the CDP/FDP. In order to restore a natural appearance to the proposed stormwater management facility, a landscape plan shall be submitted as part of the first submission of the subdivision plan. The plan shall show the restrictive planting easement for the facility and extensive landscaping in all areas outside of that restrictive planting easement, to the maximum extent feasible in accordance with the planting policies of Fairfax County.
  - c. The location and configuration of the stormwater management facility shown on Sheet 1 of the CDP/FDP is conceptual and subject to change based on final engineering, so long as such changes do not encroach into designated tree save areas. In the event that the final design and engineering indicates that the applicable water quality/quantity requirements can be met without the use of a structural dry pond or if the required stormwater management pond requires less land area than that shown on the CDP/FDP, those areas not required in connection with the stormwater pond or its associated grading shall be examined jointly by the Applicant and the County Urban Forester for feasibility as additional tree preservation areas. If found to be viable for tree preservation purposes, these areas shall be protected in accordance with the requirements of these proffers.
13. **Landscaping.** Landscaping for the site shall be in substantial conformance with the landscaping shown on the Details Plan (Sheet 3 of the CDP/FDP), subject to minor adjustments approved by DPWES.
14. **Noise Attenuation.** With reference to Telegraph Road (Route 611), the Applicant shall provide the following noise attenuation measures:
  - a. In order to achieve a maximum interior noise level of 45 dBA Ldn, the Applicant proffers that all residential units located between 140 feet and 300 feet from the centerline of Telegraph Road (Route 611), impacted by

highway noise having levels between 65 and 70 dBA Ldn, shall have the following acoustical attributes:

- (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 39.
- (2) Doors and glazing shall have a laboratory STC of at least 28. If glazing constitute more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
- (3) Adequate measures to seal and caulk between surfaces shall be provided.

b. In order to achieve a maximum interior noise level of 45 dBA Ldn, the Applicant proffers that all residential units located within 140 feet from the centerline of Telegraph Road (Route 611), impacted by highway noise having levels between 70 and 75 dBA Ldn, shall have the following acoustical attributes:

- (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 45.
- (2) Doors and glazing shall have a laboratory STC of at least 37. If glazing constitute more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
- (3) Adequate measures to seal and caulk between surfaces shall be provided.

c. In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation measures such as acoustical (architecturally solid, no gaps) fencing, walls, earthen berms, or combinations thereof, shall be provided for patio areas, unshielded by topography or built structures, as determined by DPWES.

d. As an alternative to "a," "b," or "c" above, the Applicant may elect to have a refined acoustical analysis performed, subject to the approval of DPWES, to verify or amend the noise levels and impact areas set forth above and/or to determine which units/buildings may have sufficient shielding to permit a reduction in the mitigation measures prescribed above.

15. **Resource Protection Area.** A Resource Protection Area ("RPA") delineation study shall be submitted to DPWES prior to the first subdivision plan submission for the Subject Property. In the event that the RPA line approved by DPWES pursuant to that study shows that lots shown on the CDP/FDP would be located

within the RPA, the CDP/FDP shall be modified to remove all lots from the RPA; said modifications shall be subject to the provisions of Paragraph 4 of Section 16-403 of the Zoning Ordinance as set forth in Proffer No. 2 above.

16. **Affordable Housing Contribution.** At the time of subdivision plan approval, the Applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to one half of one percent (.5%) of the projected sales price of the new homes to be built on-site, as determined by the Department of Housing and Community Development and DPWES in consultation with the Applicant to assist the County in its goal to provide affordable dwelling elsewhere in the County.
17. **School Contribution.** Prior to subdivision plan approval, the Applicant shall provide documentation to DPWES that the Applicant has donated the sum of \$750 per dwelling unit, for each new dwelling unit approved on the final subdivision plan, to Hayfield Elementary School prior to the issuance of the first building permit. These funds are to be applied towards the purchase of computer stations in support of Hayfield's technology program. At the time the funds are received, other technological equipment may be substituted, at the discretion of the principal, for the actual purchases that will be made and installed through the Fairfax County Public School System.
18. **Geotechnical Analysis.** The Applicant shall provide a geotechnical analysis if required by DPWES.
19. **Counterparts.** These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

*[SIGNATURES ON THE FOLLOWING PAGE]*

Attachment

**APPLICANT/CONTRACT PURCHASER OF TAX  
MAP 100-1 ((1)) PARCEL 22; TAX MAP 100-1 ((6))  
PARCEL 1; AND TAX MAP 100-1 ((8)) PARCEL 1**

**CENTEX HOMES, a Nevada General Partnership**

By: Centex Real Estate Corporation  
Managing General Partner

By: \_\_\_\_\_  
Robert K. Davis, Division President

**OWNER OF TAX MAP 100-1 ((1)) PARCEL 22**

\_\_\_\_\_  
Jack D. Smith

**OWNER OF TAX MAP 100-1 ((6)) PARCEL 1**

\_\_\_\_\_  
Jack D. Smith, Jr.

**OWNERS OF TAX MAP 100-1 ((8)) PARCEL 1**

\_\_\_\_\_  
Harmon R. Martin

\_\_\_\_\_  
Phyllis B. Martin

## ATTACHMENT 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



**PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS**

**FDP 2002-LE-048**

**June 27, 2002**

If it is the intent of the Planning Commission to approve FDP 2002-LE-048 for residential development on Tax Map 100-1((1)) 22, 100-1 ((6)) 1, 100-1 ((8)) 1, then staff recommends that the approval be subject to the following development conditions

1. The development of the site shall be in substantial conformance with the CDP/FDP entitled Piney Glen and prepared by BC Consultants, dated July 2001 as revised through June 25, 2002.
2. Any retaining walls required on the site shall be limited to four feet in height. Retaining walls with heights greater than 4 feet shall require the approval of an amendment to the FDP by the Planning Commission.
3. The applicant shall remove the existing construction debris, school bus, and trailer located inside the RPA in a manner that minimizes damage to the RPA and the trees adjacent to the area as determined by the Urban Forestry Division.
4. A reforestation plan for previously cleared portions of the RPA, including the area noted in Condition #3 above, shall be submitted for review and approval by the Urban Forestry Division at the time of the first submission of the subdivision plan. The plan should provide for the planting of seedlings of native bottomland forest tree and shrub species, consistent with seedling planting specifications of the PFM.
5. All initial purchasers shall be notified in writing that the future widening of Telegraph Road in accordance with VDOT project # 0611-029-303 does not provide for a median break at the subdivision entrance and that turning movements into the site may be limited in the future to right in/right out only. This disclosure shall also be included in the Homeowners Association documents.



## REZONING AFFIDAVIT

DATE: June 3, 2002  
 (enter date affidavit is notarized)

I, Robert A. Lawrence, Esq., Agent, do hereby state that I am an  
 (enter name of applicant or authorized agent)

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

2001-1690

in Application No.(s): RZ/FDP 2001-LE-048  
 (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:

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

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Centex Homes Agents: Stephen L. Fritz Mary Jo Howell - Former Agent C. Ted Diss	14121 Parke Long Court, #201 Chantilly, VA 20151	<b>Applicant/Contract Purchaser of Tax Map 100-1 ((1)) Parcel 22; Tax Map 100-1 ((6)) Parcel 1; and Tax Map 100-1 ((8)) Parcel 1</b>
Jack D. Smith	20043 Gleedsville Road Leesburg, VA 20175	<b>Owner of Tax Map 100-1 ((1)) Parcel 22</b>
Jack D. Smith, Jr.	7824 Telegraph Road Alexandria, VA 22315	<b>Owner of Tax Map 100-1 ((6)) Parcel 1</b>

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

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

Rezoning Attachment to Par. 1(a)

DATE: June 3, 2002  
 (enter date affidavit is notarized)

2001-1696

for Application No. (s): RZ/FDP 2D01-LE-048  
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Harmon R. Martin and Phyllis B. Martin	7816 Telegraph Road Alexandria, VA 22315	<b>Owners of Tax Map 100-1 ((8)) Parcel 1</b>
The BC Consultants, Inc. Agents: Peter L. Rinek Jonathan Bondi Dennis Dixon	12600 Fair Lakes Circle, #100 Fairfax, VA 22033	<b>Engineers/Agents</b>
Engineering Consulting Services, Ltd. Agents: Brooke McKinney Chuck Reynolds John Magisto	14026 Thunderbolt Place, #100 Chantilly, VA 20151	<b>Soils Consultants/Agents</b>
Site Development Services, Inc. Agent: John R. Jordan	5910 Old Sawmill Road Fairfax, VA 22030	<b>Development Consultants/Agents</b>
Zimar & Associates Inc. Agent: Donald E. Zimar Edward F. Kowalski	10105-C Residency Road Manassas, VA 20110	<b>Arborists/Agents</b>
M.J. Wells & Associates, L.L.C. Agents: Martin J. Wells Terence J. Miller Robin Antonucci	1420 Spring Hill Road, #600 McLean, VA 22102	<b>Traffic Consultants/Agents</b>
Wetland Studies & Solutions, Inc. Agents: Michael S. Rolband Mark Headly	14088-M Sullyfield Circle Chantilly, VA 20151	<b>Environmental Consultants/Agents</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 Attachment to Par. 1(a)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-169e

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Reed Smith LLP (formerly dba Reed Smith Hazel & Thomas LLP) <b>Agents: Robert A. Lawrence</b> <b>Grayson P. Hanes</b> <b>J. Howard Middleton, Jr.</b> <b>Benjamin F. Tompkins</b> <b>Jo Anne S. Bitner</b> <b>Timothy L. Gorzycki</b>	<b>3110 Fairview Park Drive, #1400</b> <b>Falls Church, VA 22042</b>	<b>Attorneys/Agents</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: June 3, 2002  
(enter date affidavit is notarized)

2001-1696

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)  
**CENTEX REAL ESTATE CORPORATION**  
P.O. Box 199000  
Dallas, TX 75219-9000

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Centex International, Inc.<sup>4</sup>

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

Timothy R. Eller, Chairman of the Board/CEO/Director  
 Laurence E. Hirsch, Director  
 David W. Quinn, Vice Chairman of the Board/Director  
 Andrew J. Hannigan, President and Chief Operating Officer  
 E. Scott Batchelor, Executive Vice President  
 Thomas M. Boyce, Executive Vice President  
 Robert D. Hillmann, Executive Vice President  
 Steven R. Muller, Executive Vice President

Blair G. Kuhnen, Vice President-Internet Marketing  
 David E. Logsdon, Vice President  
 Joseph Luciani, Vice President-Land Development  
 M. Randall Luther, VP-Construction Technology  
 Stephan O. Nellis, Vice President - Recruiting  
 Michael S. Schroetke, VP-Business & Process Develop.  
 Kevin C. Scott, VP-Architecture & Design  
 Raymond G. Smerge, Vice President & Secretary

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

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

## Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1694

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

**CENTEX REAL ESTATE CORPORATION (cont'd list of officers/directors)**  
P.O. Box 199000  
Dallas, TX 75219-9000DESCRIPTION OF CORPORATION: (check one statement)

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

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

Centex International, Inc.<sup>4</sup>

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

Joel C. Sowers, Jr., Executive Vice President  
 James J. Kopel, Jr., Executive Vice President  
 J.L. Smith, Executive Vice President  
 John D. Carpenter, Senior Vice President  
 J. Andrew Kerner, Senior Vice President/CFO  
 Roland F. Osgood, Senior VP/President (CA-South Coast Div.)  
 David J. Sasina, Senior Vice President  
 William F. Shean, Senior Vice President  
 Phillip W. Warnick, Sr. VP/President (TX-DFW Regional Div.)  
 Jonathan R. Wheeler, Senior VP-Organization Development  
 Brian J. Woram, Senior VP/GC/Assistant Secretary  
 Walter P. Whitcomb, Vice President-Acquisitions  
 John B. Bertero, III, VP/Regional GC/Assistant Secretary  
 Melvin M. Chadwick, VP-Finance/Treasurer/Asst. Secretary  
 Rodger Coupe, Jr., Vice President-Land  
 Neil J. Devroy, Vice President-Communications  
 Paul J. Dodge, Vice President-Purchasing  
 Jon E. Fogg, Vice President-Management Development  
 Joanne E. Freeman, Vice President-Human Resources  
 Richard C. Harvey, Vice President  
 M. Brett Hill, Vice President and Operations Controller  
 F. Timothy Hoyt, Jr., VP/Regional GC/Assistant Secretary  
 Charles E. Irsch, Vice President-Information Systems  
 Larry R. Fowler, Assistant Secretary  
 Michael J. Fraley, Jr., Assistant Secretary  
 Scott D. Fritz, Assistant Secretary  
 William A. Hartis, Jr., Assistant Secretary  
 Warren Heath, Assistant Secretary  
 Cindy M. Hinson, Assistant Secretary  
 Julie Hodges, Assistant Secretary  
 Kathleen B. McCamey, Assistant Secretary  
 Sandi Morrison, Assistant Secretary  
 Cassy L. Murillo, Assistant Secretary  
 Nori H. Neuner, Assistant Secretary  
 Joseph S. Powell, Assistant Secretary  
 Frances Quinn, Assistant Secretary  
 Jane Rushing, Assistant Secretary  
 Lynda L. Sargent, Assistant Secretary  
 Ivy M. Seltman, Assistant Secretary

Douglas A. Stempowski, VP-Sales & Marketing  
 David E. Stumbos, VP/Assistant GC/Assistant Secretary  
 James B. Watkins, VP/Regional GC/Assistant Secretary  
 Donald R. Westfall, VP/Regional GC/Assistant Secretary  
 Jefferson E. Howeth, Assistant GC/Assistant Secretary  
 Deborah L. Godley, Assistant Vice President  
 Jeff A. Mason, Assistant Vice President  
 Vicki A. Roberts, Assistant Treasurer  
 Lon G. Bryant, Regional GC/Assistant Secretary  
 David A. Freilicher, Regional GC/Assistant Secretary  
 D. Mark McIntyre, Regional GC/Assistant Secretary  
 Edward G. Milgrim, Regional GC/Assistant Secretary  
 Donald J. Sajor, Regional GC/Assistant Secretary  
 Randall J. DeHayes, Reg. Deputy GC/Assistant Secretary  
 Philip D. Kopp, Regional Deputy GC/Assistant Secretary  
 Andrew V. Showen, Regional Deputy GC/Asst. Secretary  
 Rebecca L. Arredondo, Assistant Secretary  
 Karren P. Bates, Assistant Secretary  
 Jim Brown, Assistant Secretary  
 David S. Cady, Assistant Secretary  
 Karen M. Clary, Assistant Secretary  
 Sarah Coleman, Assistant Secretary  
 Nancy England, Assistant Secretary  
 David C. Hatch, Manager (CA-C. Valley Division)  
 Roger R. Foster, Controller (CA-C. Valley Div./Asst. Secy.)  
 David L. Hahn, President (CA-Inland Empire Division)  
 Leo L. McKinley, Controller (CA-Inland Empire Division)/  
 Assistant Secretary  
 R. John Ochsner, President (CA-LA/Ventura Division)  
 David L. Pitts, VP-Forward Planning (CA-LA/Ventura Div.)  
 Kurt W. Altargott, Controller (CA-LA/Ventura Division)/  
 Assistant Secretary  
 David L. Barclay, President (CA-No. California Division)  
 Philip G. Rafton, VP-Community Development (CA- No.  
 California Division)  
 Barry E. Crosby, VP-Land (CA-No. California Division)  
 Will Leighton, VP-Land Acquisition (CA-No. Calif. Div.)  
 Laurel A. Rochester, CFO/Controller (CA-No. Calif. Div.)/  
 Assistant Secretary

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

## Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1694

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

**CENTEX REAL ESTATE CORPORATION (cont'd list of officers/directors)**  
P.O. Box 199000  
Dallas, TX 75219-9000DESCRIPTION OF CORPORATION: (check one statement)

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

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

Centex International, Inc.<sup>4</sup>

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

Jerry N. Smith, Assistant Secretary  
 Cheryl A. Stilwell, Assistant Secretary  
 Theresa Wilcox, Assistant Secretary  
 Edward F. Hackett, CFO/Controller (Midwest Reg./Asst. Secretary  
 Todd V. Erickson, VP-Finance (South Central Region)  
 Leona L. Hammond, CFO/Controller (SE Region)/Asst. Secretary  
 Greg Clyne, VP-Construction (West Coast Region)  
 Larry B. Ludwig, VP-Land Acquisition (West Coast Region)  
 Avery C. Kintner, CFO/Controller (W. Coast Region)/Asst. Secretary  
 Michael D. Traylor, President (AZ-Phoenix Division)  
 James P. Retzer, Controller (AZ-Phoenix Div.)/Asst. Secretary  
 Timothy R. Jasinski, Manager (AZ-Phoenix Fox & Jacobs Div.)  
 Travis L. Fuentez, Manager (CA-Central Coast Division)  
 Michael H. Murphy, Controller (CA-C. Coast Div.)/Asst. Secretary  
 Timothy S. Ruotolo, Controller (CO-Col. Mt. Res. Div.)/Asst. Secy.  
 Mark L. Krivak, President (CO-Denver Division)  
 Jeffrey P. Carlson, Controller (Co-Denver Div.)/Asst. Secretary  
 Robert K. Davis, President (DC Metro Division)  
 Joseph H. Ricketts, III, Controller (DC Metro Div.)/Asst. Secretary  
 Howard Katz, Manager (DC Metro [MD/DC Suburbs Satellite] Div.)  
 Timothy J. Ruemler, President (FL-Naples/Ft. Meyers Division)  
 Michael S. McLeod, Contr. (FL-Naples/Ft. Meyers Div.)/Asst. Secy.  
 Robert S. Porter, President (FL-North Florida Division)  
 Angela D. Gould, Controller (FL-N. Florida Div.)/Asst. Secretary  
 Patrick J. Knight, President (FL-Orlando Division)  
 Karoline E. Matthal, Controller (FL-Orlando Div.)/Asst. Secretary  
 W. Trent Bass, President (FL-SE Florida Division)  
 Candice M. Paulsen, Controller (FL-SE Florida Div.)/Asst. Secretary  
 Michael J. Belmont, President (FL-West Florida Division)  
 Elizabeth A. Bradburn, Controller (FL-W. Fla. Div.)/Asst. Secretary  
 Tom A. Houser, President (GA-Atlanta Division)  
 Christina L. Campbell, Controller (GA-Atlanta Div.)/Asst. Secretary  
 Darryl L. Colwell, President (GA-Atlanta South Division)  
 Sara H. Hendrickson, Controller (GA-Atlanta S. Div.)/Asst. Secretary  
 Bruce N. Sloan, President (HI-Hawaii Resort Division)  
 Daniel L. Star, President (IL-Illinois Division)  
 Kris L. Anderson, Controller (IL-Illinois Div.)/Assistant Secretary  
 Timothy K. McMahon, President (IN-Indianapolis Division)  
 Tomas A. Fernandez, Controller (IN-Indianapolis Div.)/Asst. Secy.

Jack E. Hood, President (CA-Sacramento Division)  
 Douglas A. Pautsch, Jr., Controller (CA-Sacramento Div.)/  
 Assistant Secretary  
 Douglas R. Jaeger, President (CA-San Diego Division)  
 Paul Bettison, VP-Construction (CA-San Diego Div.)  
 Robert Trapp, VP-Land Development (CA-San Diego Div.)  
 John M. Massey, Controller (CA-San Diego Div.)/Asst. Secy.  
 Richard Douglass, VP-Land Development (CA-South  
 Coast Division)  
 Jim Guccione, VP-Operations (CA-South Coast Division)  
 Arthur N. Lehnert, VP (CA-South Coast Division)  
 Marilyn A. Putman, VP (CA-South Coast Division)  
 Martin Juliusen, Controller (CA-S. Coast Div.)/Asst. Secy.  
 Stephen H. Mudge, President (CO-Colorado Mt. Resorts Div.)  
 Jennifer W. Livecchi, Controller (NC-Charlotte Div.)/Asst.  
 Secretary  
 Web S. Walker, Manager (NC-Charlotte [Triad Satellite] Div.)  
 Christopher R. Eng, Controller (NC-Charlotte [Triad Satellite]  
 Division)/Assistant Secretary  
 W. Hampton Pitts, President (NC-Raleigh/Durham Division)  
 Michael S. Reynolds, Controller (NC-Raleigh/Durham Div.)/  
 Assistant Secretary  
 Virgil L. Polk, President (NM-New Mexico Division)  
 Richard T. Bressan, Controller (NM-New Mexico Division)/  
 Assistant Secretary  
 Bradley F. Burns, President (NV-Las Vegas Division)  
 Scott Lee, Controller (NV-Las Vegas Div.)/Asst. Secretary  
 Stephen H. Mudge, President (NV-LLV Resort Division)  
 Kevin A. Corbett, Controller (NV-LLV Resort Div.)/Asst. Secy.  
 John D. Michell, President (NV-Reno Division)  
 Mark A. May, Controller (NV-Reno Div.)/Asst. Secretary  
 Joseph H. Mathias, President (OH-Columbus Division)  
 Trella L. Scholi, Controller (OH-Columbus Div.)/Asst. Secy.  
 Steven L. Puls, President (OR-Portland Division)  
 Chris A. Purves, Controller (OR-Portland Div.)/Asst. Secy.  
 James E. Thrower, President (SC-Charleston Division)  
 Marv P. McDaris, Controller (SC-Charleston Div.)/Asst. Secy.  
 Craig A. Lovette, Manager (SC-Charleston [Hilton Head  
 Satellite] Division)

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

## Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1696

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

CENTEX REAL ESTATE CORPORATION (cont'd list of officers/directors)  
P.O. Box 199000  
Dallas, TX 75219-9000DESCRIPTION OF CORPORATION: (check one statement)

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

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

Centex International, Inc.<sup>4</sup>

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

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

William T. Stapleton, President (MI-Detroit Division)  
 Scott J. Richter, President (MN-Minnesota Division)  
 Mary Jane Weber, Controller (MN-Minn. Div.)/Assistant Secretary  
 Jode L. Kirk, President (MN-Wayne Homes-Minn. Division)  
 Mikell A. McElroy, President (NC-Charlotte Division)  
 Michael T. Murphy, Controller (SC-Myrtle Beach Div.)/Asst. Secy.  
 Greg L. LePera, President (SER OYL Division)  
 Jennifer L. Bornhoff, Controller (SER OYL Div.)/Asst. Secretary  
 Phillip D. Miles, Mgr. (SER OYL [Emerald Coast-FL Satellite] Div.)  
 Kathleen D. Breland, Pres. (SER OYL [Gold Coast-FL Sat.] Div.)  
 Tom G. Peterson, President (SER OYL [N. Ga.-Ga. Satellite] Div.)  
 Roger O. Gannon, Manager (SER OYL [P. Coast-FL Satellite] Div.)  
 David C. Bishop, Mgr. (SER OYL [S. Gulf Coast-FL Satellite] Div.)  
 John P. Lenihan, President (SER Resorts Division)  
 Christina D. Alvarez, Controller (SER Resorts Div.)/Asst. Secretary  
 Jerome C. Perrillo, President (TN-Nashville Division)  
 Kenneth A. Thompson, Controller (TN-Nash. Div.)/Asst. Secretary  
 Thomas E. Lynch, President (TX-C. Texas Division)  
 Thomas Harper, Manager (TX-C. Texas [Killeen Satellite] Div.)  
 Donald R. Hayter, Controller (TX-C. Texas Div.)/Asst. Secretary  
 Benton Karnes, President (TX-DFW Centex Homes Division)  
 Douglas W. Smith, VP-Constr. Serv. (TX-DFW Centex Homes Div.)  
 Christopher H. Mullins, Controller (TX-DFW Centex Homes Div.)/  
 Assistant Secretary  
 James F. Dunkerley, VP-Operations (TX-Dallas CityHomes Div.)  
 Alan P. McDonald, President (TX-DFW CityHomes Division)  
 Jessica Cande Smillie, Controller (TX-DFW CityHomes Div.)/  
 Assistant Secretary  
 W. Lee Thompson, President (TX-DFW Fox & Jacobs Division)  
 Kyle L. Sellers, Controller (TX-DFW Fox & Jacobs Div.)/Asst. Secy.  
 Robert J. Romo, VP-Land Acq./Dev. (TX-DFW Regional Div.)  
 Richard C. Shaver, President (TX-Houston Division)  
 Benedict I. Phillips, Controller (TX-Houston Div.)/Asst. Secretary  
 J. Damon Lyles, President (TX-San Antonio Division)  
 Patrick M. Bibb, Controller (TX-S. Antonio Div.)/Asst. Secretary  
 Robert J. Fogerty, President (UT-Salt Lake City Division)  
 Stacy E. Liedle, Controller (UT-Salt Lake City Div.)/Asst. Secretary

William M. Satterfield, President (SC-Columbia Division)  
 Kookie L. McGuire, Controller (SC-Columbia Div.)/Asst. Secy.  
 Brian C. Paul, President (SC-Greenville Division)  
 Scott C. Lamirande, Controller (SC-Greenville Div.)/Asst. Secy.  
 Michael P. Wyatt, President (SC-Myrtle Beach Division)  
 D. Keith Wood, President (VA-S. Va. Division)  
 Patrick J. McCarthy, Controller (VA-S. Va. Div.)/Asst. Secy.  
 David J. Murray, Manager (VA-S. VA. [Hampton Roads  
 Satellite] Division)/Assistant Secretary  
 Lucian T. Smith, III, President (WA-Seattle Division)  
 Phillip I. Johnson, Controller (WA-Seattle Div.)/Asst. Secy.  
 Ronald C. Spahman, Mgr. (WA-Wayne Homes NW Div.)  
 Lloyd P. Bouvier, Controller (WA-Wayne Homes NW Div.)/  
 Assistant Secretary  
 Stephen M. Weinberg, Chmn./CEO (CREC Properties Div.)  
 Richard C. Decker, President (CREC Properties Division)  
 Todd D. Newman, Senior VP (CREC Properties Division)  
 Daniel B. Anderson, VP (CREC Properties Division)  
 Scott A. Johnson, VP (CREC Properties Division)  
 Robert A. Sebesta, VP (CREC Properties Division)  
 Terry N. Whitman, VP (CREC Properties Division)  
 Michael D. Wadsworth, VP-Finance (CREC Properties Div.)  
 Joel S. Reed, VP/GC/Asst. Secretary (CREC Properties Div.)  
 John W. Vines, Controller/Treasurer/Asst. Secretary  
 (CREC Properties Division)  
 Jay M. Thompson, Assoc. GC/Asst. Secretary (CREC  
 Properties Division)  
 Raymond G. Smerge, Secretary (CREC Properties Division)  
 Natalie A. Webb, Asst. Secretary (CREC Properties Div.)  
 John C. Mikkelsen, President (CTX Builders Supply Div.)  
 Michael Stucky, VP-Operations (CTX Builders Supply Div.)  
 Susan L. Woodruff, Contr. (CTX Bldrs. Supply Div.)/Asst. Secy.  
 Christopher Borrego, Manager (CTX Bldrs. Supply [Charlotte,  
 NC] Division)  
 Ron Thornton, Manager (CTX Bldrs. Supply [Timbercreek Forest  
 Products] Division)  
 Todd Scholtens, Manager (CTX Bldrs. Supply [Buda, TX] Div.)

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

## Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-169-u

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

<sup>2</sup>AAA HOLDINGS, INC.  
P.O. Box 199000  
Dallas, TX 75219-9000DESCRIPTION OF CORPORATION: (check one statement)

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

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

Centex Real Estate Corporation<sup>1</sup>

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

Richard C. Decker, Director	David W. Quinn, Chairman/Director	Timothy R. Eller, President/Director
Robert D. Hillmann, Executive VP	Brian J. Woram, Sr. VP/GC/Asst. Secy.	Andrew J. Hannigan, COO
J. Andrew Kerner, Senior VP/CFO	Stephen M. Weinberg, Senior VP	Melvin M. Chadwick, VP-Fin/Treas./Asst. Secy.
Richard C. Harvey, Vice President	James B. Watkins, VP/Reg GC/Asst. Secy.	Raymond G. Smerge, Secretary
Jeff A. Mason, Asst. Vice President	Joel S. Reed, GC/Asst. Secretary	Kathleen M. Linek, Asst. Secretary
Nori Neuner, Asst. Secretary		

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

<sup>3</sup>PANORAMIC LAND, INC.  
P.O. Box 199000  
Dallas, TX 75219-9000DESCRIPTION OF CORPORATION: (check one statement)

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

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

Centex Real Estate Corporation<sup>1</sup>

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

David W. Quinn, Chairman/Director	Timothy R. Eller, President/Director	Stephen M. Weinberg, Sr. VP/Director
Andrew J. Hannigan, COO	J. Andrew Kerner, Senior VP/CFO	Robert D. Hillmann, Executive VP
Brian J. Woram, Sr. VP/GC/Asst. Secy.	Richard C. Harvey, Vice President	Melvin M. Chadwick, VP-Fin/Treas./Asst. Secy.
James B. Watkins, VP/Reg GC/Asst. Secy.	Raymond G. Smerge, Secretary	Jeff A. Mason, Asst. Vice President
Joel S. Reed, GC/Asst. Secretary	Kathleen M. Linek, Asst. Secretary	Nori Neuner, Asst. Secretary

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

## Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1696

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

CENTEX INTERNATIONAL, INC.  
P.O. Box 199000  
Dallas, TX 75219-9000DESCRIPTION OF CORPORATION: (check one statement)

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

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

Centex Corporation<sup>5</sup>

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

Laurence E. Hirsch, Chairman of the Board/CEO/Director  
David W. Quinn, Vice Chairman of the Board/Director  
Andrew J. Hannigan, President and Chief Operating Officer  
E. Scott Batchelor, Executive Vice President  
Thomas M. Boyce, Executive Vice President  
Robert D. Hillmann, Executive Vice President  
James J. Kopel, Jr., Executive Vice President  
Steven R. Muller, Executive Vice President  
Raymond G. Smerge, Exec. VP/Chief Legal Officer/GC/Secretary  
J.L. Smith, Executive Vice President  
Joel C. Sowers, Jr., Executive Vice President  
John D. Carpenter, Senior Vice President  
Brian J. Woram, Senior VP/GC/Assistant Secretary  
J. Andrew Kerner, Senior Vice President/CFO  
David J. Sasina, Senior Vice President  
William F. Shean, Senior Vice President  
Roland F. Osgood, Senior VP/President (CA-South Coast Div.)  
Philip W. Warrick, Senior VP/President (TX-DFW Regional Div.)  
Randall J. DeHayes, Regional Deputy GC/Assistant Secretary  
Philip D. Kopp, Regional Deputy GC/Assistant Secretary  
Andrew V. Showen, Regional Deputy GC/Assistant Secretary  
John B. Bertero, III, VP/Regional GC/Assistant Secretary  
Mark A. Bilinn, Vice President-Controller & Financial Strategy  
Shelia Gallagher, Vice President-Corporate Communications  
Richard C. Harvey, Vice President-Taxes  
F. Timothy Hoyt, Jr., Vice President/Regional GC/Asst. Secretary  
David E. Stumbos, Vice President/Regional GC/Asst. Secretary  
James B. Watkins, Vice President/Regional GC/Asst. Secretary  
Donald R. Westfall, Vice President/Regional GC/Asst. Secretary  
Vicki A. Roberts, Treasurer  
Deborah L. Godley, Assistant Vice President

Jeff A. Mason, Assistant Vice President  
Michael J. Forde, Assistant GC/Assistant Secretary  
Jefferson E. Howeth, Assistant GC/Assistant Secretary  
Drew F. Nachowiak, Assistant GC/Assistant Secretary  
David A. Raynes, Regional GC/Assistant Secretary  
Lon G. Bryant, Regional GC/Assistant Secretary  
David A. Freilicher, Regional GC/Assistant Secretary  
D. Mark McIntyre, Regional GC/Assistant Secretary  
Edward G. Milgrim, Regional GC/Assistant Secretary  
Donald J. Sajor, Regional GC/Assistant Secretary  
Kathleen B. McCarney, Assistant Secretary  
Todd V. Erickson, Vice President-Finance (S. Central Region)  
Leona L. Hammond, Assistant Secretary (SE Region)  
Larry B. Ludwig, VP-Land Acquisition (West Coast Region)  
Avery C. Kintner, Assistant Secretary (West Coast Region)  
Michael D. Traylor, President (AZ-Phoenix Division)  
James P. Retzer, Asst. Secretary (AZ-Phoenix Fox & Jacobs Division)  
Travis L. Fuentez, Manager (CA-Central Coast Division)  
Michael H. Murphy, Assistant Secretary (CA-C. Coast Div.)  
David C. Hatch, Manager (CA-Central Valley Division)  
Roger R. Foster, Assistant Secretary (CA-Central Valley Div.)  
David L. Hahn, President (CA-Inland Empire Division)  
Leo L. McKinley, Assistant Secretary (CA-Inland Empire Div.)  
R. John Ochsner, President (CA-LA/Ventura Division)  
Kurt W. Altergott, Assistant Secretary (CA-LA/Ventura Div.)  
David L. Barclay, President (CA-No. California Division)  
Will Leighton, VP-Land Acquisition (CA-No. Calif. Div.)  
Laurel A. Rochester, Assistant Secretary (CA-No. Calif. Div.)  
Jack E. Hood, President (CA-Sacramento Division)  
Douglas R. Jaeger, President (CA-San Diego Division)

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

## Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)2001-1696for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

<sup>4</sup>CENTEX INTERNATIONAL, INC. (cont'd list of officers/directors)  
P.O. Box 199000  
Dallas, TX 75219-9000

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Centex Corporation<sup>5</sup>


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

Robert Trapp, VP-Land Development (CA-San Diego Division)  
 John M. Massey, Asst. Secretary (CA-San Diego Division)  
 Richard Douglass, VP-Land Development (CA-S. Coast Division)  
 Martin Juliusen, Asst. Secretary (CA-South Coast Division)  
 Mark L. Krivel, President (CO-Denver Division)  
 Jeffrey P. Carlson, Asst. Secretary (CO-Denver Division)  
 Robert K. Davis, President (DC Metro Division)  
 Joseph H. Ricketts, III, Asst. Secretary (DC Metro Division)  
 Tom A. Houser, President (GA-Atlanta Division)  
 Christina L. Campbell, Controller (GA-Atlanta Div.)/Asst. Secretary  
 Darryl L. Colwell, President (GA-Atlanta South Division)  
 Sara H. Hendrickson, Asst. Secretary (GA-Atlanta South Division)  
 Timothy K. McMahon, President (IN-Indianapolis Division)  
 Tomas A. Fernandez, Asst. Secretary (IN-Indianapolis Division)  
 Scott J. Richter, President (MN-Minnesota Division)  
 Jode L. Kirk, President (MN-Wayne Homes-Minnesota Division)  
 Mary Jane Weber, Asst. Secretary (MN-Minnesota Division)  
 Mikell A. McElroy, President (NC-Charlotte Division)  
 Jennifer W. Ljvecchi, Asst. Secretary (NC-Charlotte Division)  
 W. Hampton Pitts, President (NC-Raleigh/Durham Division)  
 Michael S. Reynolds, Asst. Secretary (NC-Raleigh/Durham Division)  
 Virgil L. Polk, President (NM-New Mexico Division)  
 Richard T. Bressan, Asst. Secretary (NM-New Mexico Division)  
 John D. Mitchell, President (NV-Reno Division)  
 Mark A. May, Asst. Secretary (NV-Reno Division)  
 Joseph H. Mathias, President (OH-Columbus Division)  
 Trella L. Scholl, Asst. Secretary (OH-Columbus Division)  
 Steven L. Puls, President (OR-Portland Division)  
 Chris A. Purves, Asst. Secretary (OR-Portland Division)

James E. Thrower, President (SC-Charleston Division)  
 Marv P. McDaris, President (SC-Columbia Division)  
 William M. Satterfield, President (SC-Columbia Division)  
 Kookie L. McGuire, Asst. Secretary (SC-Columbia Division)  
 Brian C. Paul, President (SC-Greenville Division)  
 Scott C. Lamirande, Asst. Secretary (SC-Greenville Division)  
 Michael P. Wyatt, President (SC-Myrtle Beach Div.)  
 Michael T. Murphy, Asst. Secretary (SC-Myrtle Beach Div.)  
 Gregory L. LePera, President (SER OYL Division)  
 John P. Lenihan, President (SER Resorts Division)  
 Christina D. Alvarez, Asst. Secretary (SER Resorts Division)  
 Jerome C. Perrillo, President (TN-Nashville Div.)  
 Kenneth A. Thompson, Asst. Secretary (TN-Nashville Div.)  
 Thomas E. Lynch, President (TX-Central Texas Div.)  
 Donald R. Hayter, Asst. Secretary (TX-Central Texas Div.)  
 Benton Karnes, President (TX-DFW Centex Homes Div.)  
 Christopher H. Mullins, Asst. Secy. (TX-DFW Centex Homes)  
 Robert J. Romo, VP-Land Acquisition & Development (TX-DFW Region)  
 W. Lee Thompson, President (TX-DFW Fox & Jacobs Div.)  
 Kyle L. Sellers, Asst. Secretary (TX-DFW Fox & Jacobs Div.)  
 Richard C. Shaver, President (TX-Houston Division)  
 Benedict I. Phillips, Asst. Secretary (TX-Houston Division)  
 J. Damon Lyles, President (TX-San Antonio Division)  
 Patrick M. Bibb, Asst. Secretary (TX-San Antonio Division)  
 D. Keith Wood, President (VA-So. Va. Division)  
 Patrick J. McCarthy, Asst. Secretary (VA-So. Va. Division)  
 Lucian T. Smith, III, President (WA-Seattle Division)  
 Phillip L. Johnson, Asst. Secretary (WA-Seattle Division)

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

## Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)2001-1694for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

**CENTEX CORPORATION**  
P.O. Box 199000  
Dallas, TX 75219-9000DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Laurence E. Hirsch, Chmn. of the Board/CEO/President/COO/Dir.  
David W. Quinn, Vice Chairman of the Board/Director  
Leldon E. Echols, Executive Vice President/CFO  
Timothy R. Eller, Executive Vice President  
Raymond G. Smerge, Exec. VP/Chief Legal Officer/GC/Secretary  
Michael S. Albright, Senior Vice President-Administration  
Lawrence Angelilli, Senior Vice President-Finance  
Robert S. Stewart, Senior VP-Strategic Planning & Marketing  
Mark A. Blinn, VP-Controller & Financial Strategy  
William C. Boor, VP-Corporate Development  
Sheila Gallagher, VP-Corporate Communications  
Richard C. Harvey, Vice President-Taxes  
Vicki A. Roberts, Vice President and Treasurer  
Michael J. Forde, Associate GC/Assistant Secretary

Paul M. Johnston, Associate GC/Assistant Secretary  
Drew F. Nachowiak, Associate GC/Assistant Secretary  
Joel S. Reed, Associate GC/Assistant Secretary  
Jeff A. Mason, Assistant Vice President  
Kathleen B. McCarney, Assistant Secretary  
Barbara T. Alexander, Director  
Dan W. Cook, III, Director  
Juan L. Elek, Director  
Clint W. Murchison, III, Director  
Charles H. Pistor, Director  
Frederic M. Poses, Director  
Thomas M. Schoewe, Director  
Paul R. Seegers, Director  
Paul T. Stoffel, Director

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

**THE BC CONSULTANTS, INC.**  
12600 Fair Lakes Circle, #100  
Fairfax, VA 22033DESCRIPTION OF CORPORATION: (check one statement)

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

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

James H. Scanlon  
Daniel Collier

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

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

Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1694

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
**ENGINEERING CONSULTING SERVICES, LTD.**  
14026 Thunderbolt Place, #100  
Chantilly, VA 20151

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

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

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

Henry L. Lucas  
James W. Eckert

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

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
**SITE DEVELOPMENT SERVICES, INC.**  
5910 Old Sawmill Road  
Fairfax, VA 22030

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

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

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

John R. Jordan - Sole Shareholder

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

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

Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1694

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

**ZIMAR & ASSOCIATES, INC.**  
10105-C Residency Road  
Manassas, VA 20110

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

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

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

Donald E. Zimar - Sole Shareholder

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

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

**WETLAND STUDIES & SOLUTIONS, INC.**  
14088-M Sullyfield Circle  
Chantilly, VA 20151

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

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

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

Michael S. Rolband - Sole Shareholder

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

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

Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1694

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
**M.J. WELLS & ASSOCIATES, L.L.C.**  
1420 Spring Hill Road, #600  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)  
 There are 10 or less shareholders, and all of the shareholders are listed below.  
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.  
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**MEMBERS:**

**NAMES OF THE ~~SHAREHOLDERS~~** (enter first name, middle initial, and last name)  
**M. J. Wells & Associates, Inc.<sup>6</sup>**  
**Terence J. Miller & Associates, Inc.<sup>7</sup>**

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

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
**<sup>6</sup>M.J. WELLS & ASSOCIATES, INC.**  
1420 Spring Hill Road, #600  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)  
 There are 10 or less shareholders, and all of the shareholders are listed below.  
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.  
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
**Martin J. Wells - Sole Shareholder**

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

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

Rezoning Attachment to Par. 1(b)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1694

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

**TERENCE J. MILLER & ASSOCIATES, INC.**  
1420 Spring Hill Road, #600  
McLean, VA 22102

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

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

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

Terence J. Miller - Sole Shareholder

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

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

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

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

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

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

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

REZONING AFFIDAVIT

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1696

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

CENTEX HOMES, a Nevada General Partnership  
14121 Parke Long Court, #201  
Chantilly, VA 20151

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

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

MANAGING GENERAL PARTNER  
Centex Real Estate Corporation<sup>1</sup>

GENERAL PARTNERS

AAA Holdings, Inc.<sup>2</sup>  
Panoramic Land, Inc.<sup>3</sup>

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

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

## Rezoning Attachment to Par. 1(c)

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1690

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

REED SMITH LLP (formerly dba REED SMITH HAZEL & THOMAS LLP)  
3110 Fairview Park Drive, #1400  
Falls Church, VA 22042(check if applicable)  The above-listed partnership has no limited partners.NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,  
General Partner, Limited Partner, or General and Limited Partner)GENERAL PARTNERS:

Aaronson, Joel P.	Clark, II, Peter S.	Flatley, Lawrence E.	Hoeg, III, A. Everett
Abbott, Kevin C.	Cobetto, Jack B.	Folk, Thomas R.	Hoffman, Robert B.
Alfandary, Peter R.	Colen, Frederick H.	Fontana, Mark A.	Hofstetter, Jonathan M.
Allen, Thomas L.	Coltman, Larry	Foster, Timothy G.	Honigberg, Carol C.
Auten, David C.	Condo, Kathy K.	Fox, Thomas C.	Horvitz, Selwyn A.
Bagliebter, William M.	Connors, Eugene K.	Frank, Ronald W.	Howell, Ben Burke
Banzhaf, Michael A.	Convery, III, J. Ferd	Fritton, Karl A.	Innamorato, Don A.
Barry, Kevin A.	Cottingham, Robert B.	Gallagher, Jr., Daniel P.	Jones, Craig W.
Basinski, Anthony J.	Cramer, John McN.	Gallatin, James P.	Jordan, Gregory B.
Begley, Sara A.	Cranston, Michael	Gentile, Jr., Pasquale D.	Katz, Carol S.
Bentz, James W.	D'Agostino, L. James	Glanton, Richard H.	Kauffman, Robert A.
Bernstein, Leonard A.	Dare, R. Mark	Goldrosen, Donald N.	Kearney, James K.
Bevan, III, William	Davis, Peter R.	Goldschmidt, Jr., John W.	Keamey, Kerry A.
Binis, Barbara R.	Demase, Lawrence A.	Golub, Daniel H.	Kiel, Gerald H.
Birnbaum, Lloyd C.	DeNinno, David L.	Grady, Kelly A.	Kiernan, Peter J.
Boehner, Russell J.	Dermody, Debra H.	Gross, Dodi Walker	King, Robert A.
Bolden, A. Scott	Dicello, Francis P.	Gryko, Wit J.	Klein, Murray J.
Bonessa, Dennis R.	DiFlore, Gerard S.	Guadagnino, Frank T.	Kneedler, H. Lane
Booker, Daniel I.	Dilling, Robert M.	Hackett, Mary J.	Kolaski, Kenneth M.
Bookman, Mark	DiNome, John A.	Haggerty, James R.	Kosch, James A.
Borrowdale, Peter E.	Duman, Thomas J.	Hanes, Grayson P.	Kozlov, Herbert
Brown, George	Dumville, S. Miles	Harmon, John C.	Krebs-Markrich, Julia
Browne, Michael L.	Duronio, Carolyn D.	Hartman, Ronald G.	Kury, Franklin L.
Burroughs, Jr., Benton	Erickson, John R.	Hatheway, Jr., Gordon W.	Lacy, D. Patrick
Cameron, Douglas E.	Esser, Carl E.	Hayes, Davis S.	Lasher, Lori L.
Carder, Elizabeth B.	Evans, David C.	Heard, David J.	Lawrence, Robert A.
Casey, Bernard J.	Fagelson, Ian B.	Heffler, Curt L.	LeBlond, John F.
Christian, Douglas Y.	Fagelson, Karen C.	Heidelberger, Louis M.	LeDonne, Eugene
Christman, Bruce L.	First, Mark L.	Hill, Robert J.	Leech, Frederick C.
Clark, George R.	Fisher, Solomon	Hitt, Leo N.	Levin, Jonathan L.

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

## Rezoning Attachment to Par. 1(c)

DATE: June 3, 2002  
(enter date affidavit is notarized)2001-1694for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number (s))

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

REED SMITH LLP (formerly dba REED SMITH HAZEL & THOMAS LLP) (cont'd list of partners)  
3110 Fairview Park Drive, #1400  
Falls Church, VA 22042(check if applicable)  The above-listed partnership has no limited partners.NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,  
General Partner, Limited Partner, or General and Limited Partner)**GENERAL PARTNERS:**

Lindley, Daniel F.	Peck, Jr., Daniel F.	Singer, Paul M.
Linge, H. Kennedy	Perfido, Ruth S.	Smith, II, John F.
Loepere, Carol C.	Picco, Steven J.	Smith, William J.
London, Alan E.	Plevy, Arthur L.	Sneirson, Marilyn
Lovett, Robert G.	Pollack, Michael B.	Snyder, Michael A.
Lowenstein, Michael E.	Post, Peter D.	Spaulding, Douglas K.
Luchini, Joseph S.	Preston, Thomas P.	Speed, Nick P.
Lynch, Michael C.	Prorok, Robert F.	Springer, Claudia Z.
Lyons, III, Stephen M.	Quinn, John E.	Stewart, II, George L.
Mahone, Glenn R.	Radley, Lawrence	Stoner, II, Edward N.
Marger, Joseph M.	Ralton, W. Scott	Stroyd, Jr., Arthur H.
Marks, Jan A.	Reed, W. Franklin	Swayze, David S.
Marston, David W.*	Reichner, Henry F.	Tabachnick, Gene A.
Marston, Jr., Walter A.	Restivo, Jr., James J.	Thalner, Jr., Karl A.
McAllister, David J.	Richter, Stephen William	Thomas, William G.
McGarrigle, Thomas J.	Rieser, Jr., Joseph A.	Tiliman, Eugene
McGough, Jr., W. Thomas	Rissetto, Christopher L.	Todd, Thomas
McGuan, Kathleen H.	Ritchey, Patrick W.	Tompkins, Benjamin F.
McKenna, J. Frank	Robinson, William M.	Trevelise, Andrew J.
McLaughlin, J. Sherman	Rosenbaum, Joseph I.	Trice, II, Harley N.
McNichol, Jr., William J.	Rosenthal, Jeffrey M.	Ummer, James W.
Mehfoud, Kathleen S.	Rudolf, Joseph C.	Unkovic, John C.
Meiodia, Mark S.	Sabourin, Jr., John J.	Vitsas, John L.
Metro, Joseph W.	Sachse, Kimberly L.	von Waldow, Arnd N.
Miller, Edward S.	Schaffer, Eric A.	Walters, Christopher K.
Miller, Robert J.	Schatz, Gordon B.	Whitman, Bradford F.
Moorhouse, Richard L.	Scheineson, Marc J.	Wickouski, M. Stephanie
Morris, Robert K.	Scott, Michael T.	Wilson, Stephanie
Munsch, Martha H.	Sedlack, Joseph M.	Winter, Nelson W.
Myers, Donald J.	Selfer, E.W.	Wood, John M.
Napolitano, Perry A.	Shmulewitz, Aaron A.	Young, Jonathan
Naugle, Louis A.	Short, Carolyn P.	Zimmerman, Scott F.
Nicholas, Robert A.	Shuriow, Nancy J.	Tocci, Gary M.
Nogay, Arie R.	Simons, Robert P.	

\*Former Partner

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

REZONING AFFIDAVIT

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1696

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number(s))

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

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

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

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

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

**NONE**

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

REZONING AFFIDAVIT

DATE: June 3, 2002  
(enter date affidavit is notarized)

2001-1694

for Application No. (s): RZ/FDP 2001-LE-048  
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above. **EXCEPT AS FOLLOWS: (NOTE: If answer is none, either "NONE" on line below.)**

NONE

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

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

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

WITNESS the following signature:

(check one)

Robert A. Lawrence  
 Applicant  Applicant's Authorized Agent

Robert A. Lawrence, Esq., Agent  
(type or print first name, middle initial, last name, and title of signee)

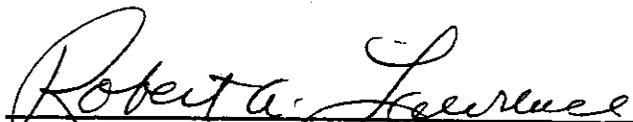
Subscribed and sworn to before me this 3rd day of June 2002, in the State/Comra. of Virginia, County/City of Fairfax

Parula L. Statham  
Notary Public

My commission expires: March 31, 2003

**STATEMENT OF JUSTIFICATION**

The Subject Property is located in Area IV within the RH4 Lehigh Community Planning Sector. The Comprehensive Plan map calls for residential development at a density of 2 to 3 dwelling units per acre. The proposed development plan depicts single family detached residential lots at a density of 2.47 dwelling units per acre, which is below the mid-range of the density proposed by the Plan. This proposal is consistent with other redeveloped, single family detached neighborhoods in the general area. The Comprehensive Plan text recommends that infill development in this area be of a compatible use, type and intensity and in accordance with the guidelines provided by the Policy Plan under Land Use Objectives 8 and 14. This application is consistent with Objective 8 in that the proposed development is in keeping with a land use pattern that protects the stability of established residential neighborhoods in the area. The application is also consistent with Objective 14 in that it will constitute compatible infill development. Moreover, cluster development has been employed to preserve the EQC and floodplain areas in open space.

  
\_\_\_\_\_  
Robert A. Lawrence, Esq., Agent

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING  
AUG 30 2001

  
\_\_\_\_\_  
Date

ZONING EVALUATION DIVISION

## 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:** Comprehensive Plan Land Use Analysis for: RZ/FDP 2001-LE-048, Revised Centex Homes

**DATE:** 20 June 2002

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the application and development plan dated May 30, 2002. This application requests a rezoning from R-1 to PDH-3 and approval of a final development plan. Approval of this application would result in a density of 2.36 dwelling units per acre. The extent to which the proposed use, density, and the development plan are consistent with the guidance of the Plan is noted.

**CHARACTER OF THE SURROUNDING AREA:**

The subject property is developed with several single family detached homes, planned for 3-4 dwelling units per acre and zoned R-1. To the north and east is located a church which is planned for residential use at 3-4 dwelling units per acre and zoned R-1. To the south is located Fort Belvoir which is planned for public facilities and zoned R-C. To the north and west is located a golf range, planned for residential use at 3-4 dwelling units per acre and zoned R-1.

**COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:**

The 9.31-acre property is located in the Lehigh Community Planning Sector (RH4) of the Rose Hill Planning District in Area IV. The Comprehensive Plan provides the following guidance on the land use and the density for the property:

In Plan Amendment No. 2002-17, adopted by the Board of Supervisors on June 3, 2002, under the heading, "Recommendations, Land Use, Rest of Sector," the Plan states:

- "52. Parcels 100-1 ((1)) 22, ((6)) 1, ((7)) 1, ((8)) 1 & A are planned for residential use at 2-3 dwelling units per acre. The area has numerous environmental constraints, including some slippage-prone marine clay soils and some areas in the Chesapeake Bay Resource Protection Area. Development in this area should occur at the low end of the Plan range, unless significant consolidation and

environmental mitigation is provided, as well as unified access to Telegraph or Old Telegraph Roads.”

On page 35 of the 2000 edition of the Policy Plan, under the heading, “Land Use Compatibility,” the Plan states:

**“Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses.**

Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.”

**Map:**

The Comprehensive Plan map shows that the property is planned for residential use at 2-3 dwelling units per acre.

**Analysis:**

The application and development plan propose a single family detached residential development at 2.36 dwelling units per acre, which is in conformance with the use and density recommendations of the Comprehensive Plan. However, the Resource Protection Area (RPA) as it has been defined on the County’s official Chesapeake Bay Preservation Area Map is significantly different and more substantial than that which has been depicted on the development proposal. If the County’s RPA delineation were hypothetically overlaid on the current development proposal, portions of several lots and the stormwater management facility would encroach into the RPA. The applicant has been advised that if they dispute the accuracy of the County’s RPA delineation, then the applicant should file for an RPA map re-delineation with DPWES. This re-delineation has not been received yet as part of this application and development plan. Therefore, the applicant has not provided adequate environmental mitigation as conditioned by the Comprehensive Plan for a density above the low end of the Plan range. The applicant should reduce the density to the low end of the Plan range, 2.0 dwelling units per acre.

The proposed lot sizes (average lot size of 6,591, median lot size of 6,244 square feet) are consistent with a density range of 4-5 dwelling units per acre based on the minimum lot size for a cluster development (5,000-6,000 square feet). Lot sizes ranging from 8,500-13,000 square feet are consistent with a density of 2-3 dwelling units per acre based on the minimum lot size for a cluster development. Along with reducing the density of the site, the applicant should increase the lot sizes to be compatible with the planned land use for the surrounding area of 2-3 dwelling units per acre. Furthermore, the building

footprints indicate that the proposed structures are only 6 feet from the property line resulting in a dense arrangement of the structures on the site which is not compatible with the planned land use for the surrounding area of 2-3 dwelling units per acre.

BGD: ALC

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:** Comprehensive Plan Land Use Analysis for: RZ/FDP 2001-LE-048  
Centex Homes

**DATE:** 7 March 2002

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the application and development plan dated January 24, 2002. This application requests a rezoning from R-1 to PDH-3 and approval of a final development plan. Approval of this application would result in a density of 2.25 dwelling units per acre. The extent to which the proposed use, density, and the development plan are consistent with the guidance of the Plan is noted.

**CHARACTER OF THE SURROUNDING AREA:**

The subject property is developed with several single family detached homes, planned for 3-4 dwelling units per acre and zoned R-1. To the north and east is located a church which is planned for residential use at 3-4 dwelling units per acre and zoned R-1. To the south is located Fort Belvoir which is planned for public facilities and zoned R-C. To the north and west is located a golf range, planned for residential use at 3-4 dwelling units per acre and zoned R-1.

**COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:**

The 9.31-acre property is located in the Lehigh Community Planning Sector (RH4) of the Rose Hill Planning District in Area IV. The Comprehensive Plan map shows that the property is planned for residential use at 3-4 dwelling units per acre.

**Analysis:**

The application and development plan propose a single family detached residential development at 2.25 dwelling units per acre, which is in conformance with the use and density recommendations of the Comprehensive Plan. However, the applicant should provide the lot sizes and building footprints for the proposed development to assure that the lot sizes are adequate for development.

BGD: ALC

## MEMORANDUM

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

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

**FILE:** 3-4 (RZ 01-LE-048)

**SUBJECT:** Transportation Impact Addendum

**REFERENCE:** RZ 01-LE-048; Centex Homes  
Traffic Zone: 1488  
Land Identification Map: 100-1 ((01)) 22, 100-1 ((06)) 1, 100-1 ((08)) 1

**DATE:** June 13, 2002

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised development plan dated May 30, 2002 and proffers dated June 10, 2002.

This addendum provides the following comments to further clarify the comments stated on the previously transportation impact memo dated June 7, 2002.

- The application is a request to rezone 9.31 acres of land from the R-1 District to the PDH-3 District. The proposed rezoning consists of 22 single-family detached dwelling units. The subject site is expected to generate 22 vehicle trips per weekday peak hour and 210 vehicle trips per weekday.
- If the applicant decides not to provide the suggested frontage improvements, this department would not support a median break on Telegraph Road. As such the access to the site on Telegraph Road would then be a right-in/ right-out. This department would only support a right-in/right-out access if the site were planned at the base density range, if right-of-way is provided per the June 7, 2002 transportation impact memo and if a right-turn lane is provided on Telegraph Road.

AKR/AK:ak c:\mword\ad-rz01-LE-048

cc: Michele Brickner, Deputy Director, Design Review, DPW & ES

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

**FILE:** 3- 4 (RZ 2001-LE-048)

**SUBJECT:** Transportation Impact

**REFERENCE:** RZ 2001-LE-048, FDP 2001-LE-048; Centex Homes  
Traffic Zone: 1488  
Land Identification Map: 100-1 ((1)) 22, 100-1((6)) 1, 100-1 ((08)) 1

**DATE:** June 7, 2002

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised development plan dated May 2002 and draft proffers dated February 11, 2002.

The application is a request to rezone 9.31 acres of land from the R-1 District to the PDH-3 District. The proposed rezoning consists of 20 single-family detached dwelling units. The subject site is expected to generate 20 vehicle trips per weekday peak hour and 190 vehicle trips per weekday.

This department provides the following comments as discussed in a meeting of March 21, 2002 with VDOT, the applicant, and the applicant's land use attorney and transportation consultants. Note: VDOT would not object to the site's median break on Telegraph Road provided the following is implemented:

- The applicant should dedicate right-of-way along the site on Telegraph Road that is consistent with the VDOT project 0611-029-303, C-504 or similarly, provide dedication consistent with the Piney Glen Conceptual/Final Development Plan dated January 24, 2002, with the addition of right-of-way dedication for Telegraph Road in the area of the E.Q.C./floodplain as shown on the current Conceptual Development Plan dated May 2002.

Barbara A. Byron  
June 7, 2002  
Page two

- The applicant should construct frontage improvements along Telegraph Road similar to that shown on the Conceptual/ Final Development Plan dated January 24, 2002 with the following two additional provisions:
  - 1) The construction improvements for the southbound section of Telegraph Road should be consistent with the Typical Sections (southbound lanes), Sheet 2A of VDOT project plan number 0611-029-303, C-504. See enclosed. Note: This section includes a 4-ft. bike lane within the road section that affords the two southbound through lanes on Telegraph Road and now includes a 10-ft. multi-purpose trail instead of an eight-foot trail.
  - 2) The applicant should also provide a northbound left turn lane on Telegraph Road located at the site entrance.
- Access for existing lots 21 and 22 should be afforded to the site's proposed internal street, Jarrett Way, not Telegraph Road.

enclosure

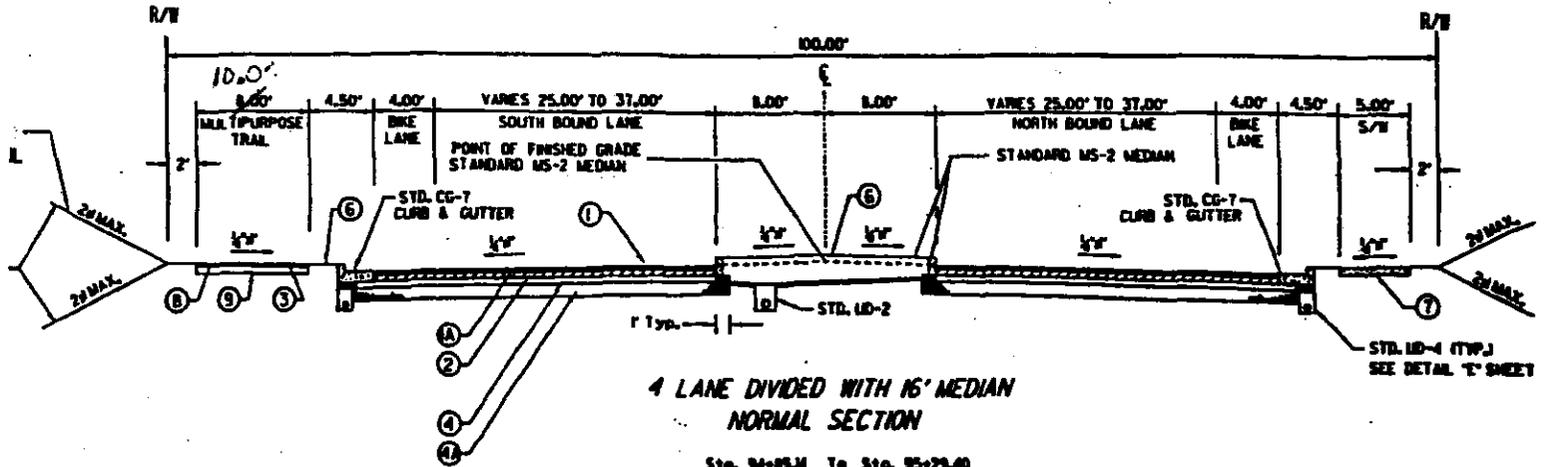
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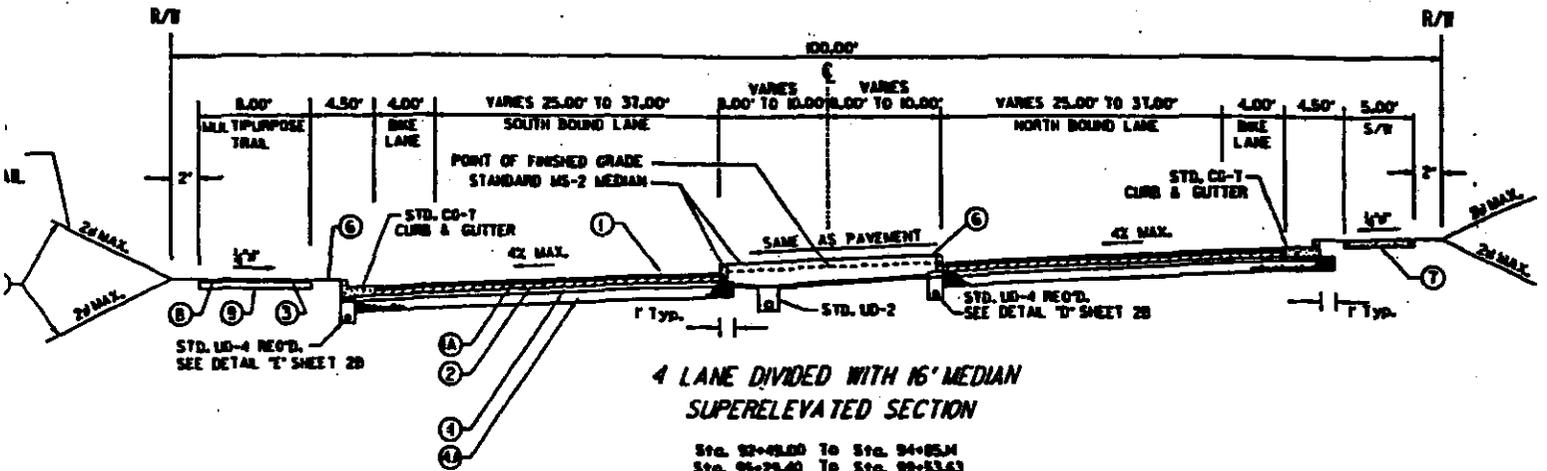
cc: Michele Brickner, Director, Office of Site Development Service, DPW & ES

# TYPICAL SECTIONS

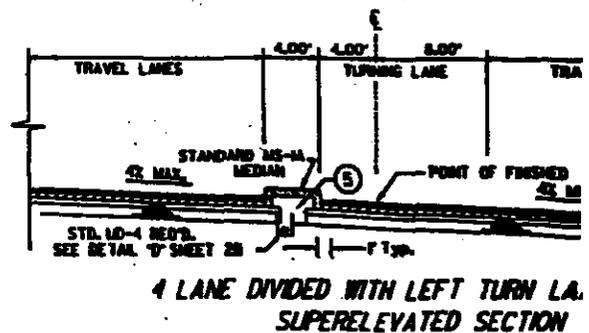
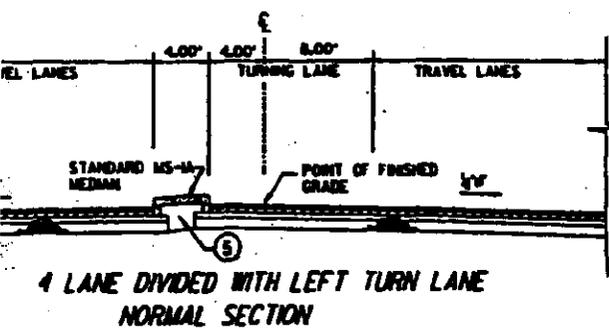
## TELEGRAPH ROAD



Sta. 94+05.4	To	Sta. 95+29.40
Sta. 99+53.63	To	Sta. 100+05.32
Sta. 105+09.4	To	Sta. 105+09.38
Sta. 110+00.06	To	Sta. 112+05.94
Sta. 117+04.57	To	Sta. 120+01.05
Sta. 125+06.57	To	Sta. 126+01.30
Sta. 130+00.0	To	Sta. 144+01.2
Sta. 151+01.02	To	Sta. 151+35.99



Sta. 92+01.00	To	Sta. 94+05.4
Sta. 95+29.40	To	Sta. 99+53.63
Sta. 100+05.32	To	Sta. 105+09.4
Sta. 105+09.38	To	Sta. 110+00.06
Sta. 112+05.94	To	Sta. 117+04.57
Sta. 120+01.05	To	Sta. 125+06.57
Sta. 126+01.30	To	Sta. 130+00.0
Sta. 144+01.2	To	Sta. 151+01.02
Sta. 151+35.99	To	Sta. 151+00.00





# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)

THOMAS F. FARLEY  
DISTRICT ADMINISTRATOR

PHILIP A. SHUCET  
COMMISSIONER

June 11, 2002

Ms. Barbara A. Byron  
Director of Planning and Zoning  
Office of Comprehensive Planning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22033

Re: RZ/FDP 2001-LE-048, Centex Homes  
Tax Map No.: 100-1 ((1)) 22, ((6)) 1, ((8)) 1

Dear Ms. Byron:

This office has reviewed the referenced rezoning application and we are providing the following comments for your consideration:

1. Right-of-way dedication across the property frontage and all other features of the plan should be consistent with VDOT's Telegraph Road Project #0611-029-303, as well as the Fairfax County Comprehensive Plan.
2. Full frontage improvements should be provided.
3. The applicant must demonstrate that the median break meets the minimum standard spacing requirements on Telegraph Road.
4. If the two existing structures are replaced, driveways should access the proposed cul-de-sac, rather than Telegraph Road.

If I may provide any additional information, please do not hesitate to contact me at (703) 383-2424.

Sincerely,

A handwritten signature in black ink, appearing to read "JHM".  
Jorg Huckabee-Mayfield  
Transportation Engineer Senior

c: Ms. Angela Rodeheaver  
Calvin Britt

## FAIRFAX COUNTY, 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 for: RZ/FDP 2001-LE-048  
Centex Homes

**DATE:** 7 March 2002

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the development plan, dated January 24, 2002. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

**COMPREHENSIVE PLAN CITATIONS:**

On pages 91 through 93 of the 2000 edition of the Policy Plan under the heading "Water Quality", the Comprehensive Plan states:

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

- Policy a. Implement a best management practices (BMP) program for Fairfax County, and ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements. . . .
- Policy k. For new development and redevelopment, apply low-impact site design techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land.
- ...
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- ...
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.

Development proposals should implement best management practices to reduce runoff pollution and other impacts...”

On page 94 the of the 2000 edition of the Policy Plan under the heading “Water Quality”, the Comprehensive Plan states:

**“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.**

Policy a. Ensure that new development and redevelopment complies with the County’s Chesapeake Bay Preservation Ordinance.”

On page 95 of the 2000 Edition of the Policy Plan under the heading “Noise”, the Comprehensive Plan states:

" . . . Federal agencies with noise mitigation planning responsibilities have worked with the health community to establish maximum acceptable levels of exposure (Guidelines for Considering Noise in Land Use Planning and Control). These guidelines expressed in terms of sound pressure levels are 65 dBA  $L_{dn}$  for outdoor activity areas; 50 dBA  $L_{dn}$  for office environments; and 45 dBA  $L_{dn}$  for residences, schools, theaters and other noise sensitive uses.

**Objective 4: 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 45 dBA  $L_{dn}$ , or to noise in excess of 65 dBA  $L_{dn}$  in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between 65 and 75 dBA  $L_{dn}$  will require mitigation..."

On pages 96 and 97 of the 2000 Policy Plan under the heading "Environmental Hazards", the Comprehensive Plan states:

**"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 a: Limit densities on slippage soils, and cluster development away from slopes and potential problem areas.

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

On page 101 of the 2000 Edition of the Policy Plan under the heading "Environmental Resources", the Comprehensive Plan states:

"The retention of environmental amenities on developed and developing sites is also important. The most visible of these amenities is the County's tree cover. It is possible to design new development in a manner that preserves some of the existing vegetation in landscape plans. It is also possible to restore lost vegetation through replanting. An aggressive urban forestry program could retain and restore meaningful amounts of the County's tree cover.

**Objective 11: 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 and restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices ...”

## **ENVIRONMENTAL ANALYSIS:**

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

### **Resource Protection Area**

The subject property is a 9.31 acre parcel situated on the northwest side of Telegraph Road. An unnamed stream associated with Dogue Creek traverses the western boundary of the site in a diagonal manner. This stream is a Resource Protection Area as defined by the County’s Chesapeake Bay Preservation Ordinance, Chapter 118 of the Code of Fairfax County. However, the Resource Protection Area (RPA) as it has been defined on the County’s official Chesapeake Bay Preservation Area Map is significantly different and more substantial than that which has been depicted on the development proposal. If the County’s RPA delineation were hypothetically overlaid on the current development proposal, portions of several lots and the stormwater management facility would encroach into the RPA. If the applicant disputes the accuracy of the County’s RPA delineation, then the applicant should file for an RPA map re-delineation with DPWES.

### **Water Quality Best Management Practices**

The applicant is encouraged to evaluate the full spectrum of available stormwater management best management practices as described in Chapter 3 of the *Virginia Stormwater Management (SWM) Handbook* in order to comply with the Comprehensive Plan directive to use “...innovative BMP’s and infiltration techniques of stormwater management where site conditions are appropriate...,” and to “...apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.”

### **Highway Noise**

A highway noise analysis was performed for Telegraph Road (Route 611). Assuming that truck traffic comprises at least 10 percent of the highway volume, the analysis produced the following noise contour projections (note DNL dBA is equivalent to dBA L<sub>dn</sub>):

65 dBA L <sub>dn</sub>	300' feet from centerline
70 dBA L <sub>dn</sub>	140' feet from centerline

All homes built within a hypothetical line, which is situated approximately three hundred feet west of the existing and the future centerline of Telegraph Road, will fall within the 65-70 dBA  $L_{dn}$  impact area of Telegraph Road.

In order to reduce noise in interior areas to 45 dBA  $L_{dn}$  or less, any house that will be located within three hundred feet (300') of the centerline of Telegraph Road should be constructed with building materials that are sufficient to provide this level of acoustical mitigation.

In order to reduce exterior noise levels in the rear and side yards of lots located at least partially within the projected 65-70 dBA  $L_{dn}$  impact area, one or more noise barriers should be provided. The barrier(s) should be of a height sufficient to break all lines of sight between an imaginary plane formed between a line eight feet above the centerline of the highway and a line six feet above the ground in the affected outdoor recreational areas. The barriers should be architecturally solid from ground up with no gaps or openings. A berm, architecturally solid wall, or berm-wall combination can be used as a noise barrier. If desired, the applicant may use rear yard privacy fencing for the noise barrier as long such fencing will meet the above guidelines.

The applicant may pursue other methods of mitigating highway noise, if it can be demonstrated through an independent noise study for review and approval by the Department of Public Works and Environmental Services (DPWES), that these methods will be effective in reducing exterior noise levels to 65 dBA  $L_{dn}$ , or less, and interior noise levels to 45 dBA  $L_{dn}$ , or less.

### **Soil Constraints**

The Soil Survey for Fairfax County indicates the existence of the following soil types for the subject property: Mixed Alluvial (1A+); Hyattsville (6B+); Lunt (49B&C1) and Marine Clay (118). Mixed Alluvial is considered a hydric soil. Hydric soil is one indicator, which is evaluated when determining the presence of jurisdictional wetlands. Marine Clay and the Lunt soil types are characterized by unstable slopes and Marine Clay is also known for its shrink swell capacity which poses serious constraints to development.

The applicant is encouraged to present a soil study and a geotechnical analysis to DPWES in order to determine the full extent of soil constraints prior to development.

### **Tree Preservation**

A mature deciduous forest as well as mature landscaping characterizes the subject property. The Urban Forestry Branch of DPWES has performed an extensive inventory of the trees and shrubs on the subject property. The applicant should work closely with the Urban Forestry Branch to incorporate a landscape plan, which incorporates the most valuable tree specimens on the site into the development plan.

Furthermore, it is suggested that the applicant clearly identify the entire Resource Protection Area as an open space amenity for the subdivision.

**TRAILS PLAN:**

The Trails Plan Map depicts a bicycle trail along the west side of Telegraph Road immediately adjacent to the subject property. At the time of Site Plan review, the Director, Department of Public Works and Environmental Services will determine what trail requirements apply to the subject property.

BGD: MAW

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Leslie Johnson, Branch Chief  
Zoning Evaluation Division, DPZ

DATE: June 21, 2002

FROM: Dane Kielsingard, Urban Forester II  
Urban Forestry Division, OSDS DTK

SUBJECT: Centex Homes RZ 2001-LE-048

RE: Your request received June 21, 2002

This review is based on the Conceptual/Final Development Plan (CDP/FDP) which is stamped as received in the Department of Planning and Zoning on June 10, 2002.

1. **Comment:** There is existing construction debris, a school bus, and a trailer inside the EQC in the area to the west of proposed lot 18 and the proposed SWM pond.

**Recommendation:** This area should be labeled on the CDP/FDP and a note and/or proffer provided that indicates that the debris and structures in this area will be removed by methods that minimize damage to the EQC and the existing trees adjacent to the area.

2. **Comment:** The open area of the EQC described in comment 1 is now open. After the structures and debris have been removed, the area should be restored.

**Recommendation:** A reforestation plan should be submitted for review and approval by the Urban Forestry Division at the time of the first submission of the subdivision plan. The plan should include the EQC area discussed above. The plan should provide for the planting of seedlings of native bottomland forest tree and shrub species, consistent with seedling planting specifications of the PFM.

3. **Comment:** The CDP/FDP show a proposed sanitary sewer line going into the EQC between lots 19-20.

**Recommendation:** Instead of installing the sanitary sewer line in the EQC have it constructed to go along Telegraph Road, and then tie it into the proposed sanitary manhole located near the proposed street entrance of the site.

4. **Comment:** Existing mature boxwoods are located at either side of the proposed street entrance of the site. The limits of clearing and grading show this area to be cleared. These existing landscape plants could be incorporated into the landscape design for the two open space areas, parcels A and B.

Centex Homes  
RZ 2001-LE-048  
June 21, 2002  
Page 2 of 2

**Recommendation:** Consider transplanting these boxwoods into the parcel A and B open space areas. The following is suggested proffer language: "The applicant shall provide a transplanting plan as part of the first and all subsequent submissions of the subdivision plan for review and approval by the Urban Forestry Division. The plan shall be prepared by a professional with experience in the preparation of tree transplanting plans, such as a certified arborist or landscape architect. The plan shall address transplanting of the existing boxwoods located in the vicinity of the two open space areas and the proposed entrance area of the site."

Please contact Dane T. Kielsingard at 703-324-1770 if you have any questions.

DTK/  
UFDID# 02-2295

cc: Mary Ann Welton, Environmental Planner, DPZ  
Anita Capps, Land Use Planner, DPZ  
DPZ file  
RA file

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

**TO:** Charles Burnham, Staff Coordinator  
Zoning Evaluation Division, DPZ

**DATE:** December 11, 2001

**FROM:** Dane Kielsingard, Urban Forester II D.T.K.  
Urban Forestry Division, OSDS

**SUBJECT:** Piney Glen, RZ/FDP 2001-LE-048

**RE:** Your request received November 21, 2001

This review is based on the Conceptual/Final Development Plan (CDP/FDP) which is stamped as received in the Department of Planning and Zoning on November 6, 2001, and a site visit conducted on November 29, 2001.

Site Description:

The site contains three existing houses with mature existing landscaping that includes American holly, English boxwood, Norway spruce and Colorado blue spruce. There is also a floodplain with an EQC that includes a mature deciduous forest stand consisting of red oak, white oak, tulip poplar, and dogwood. The existing vegetation on this site for the most part appears to be in good health. The existing mature, contiguous forest within and adjacent to the EQC is the highest priority for preservation on the site.

1. **Comment:** The Zoning Ordinance required existing vegetation map (EVM) has not been provided with this CDP/FDP.

**Recommendation:** Provide the required EVM.

2. **Comment:** There is existing construction debris, a school bus, and a trailer inside the EQC in the area to the west of proposed lot 18 and the proposed SWM pond.

**Recommendation:** This area should be labeled on the CDP/FDP and a note and/or proffer provided that indicates that the debris and structures in this area will be removed by methods that minimize damage to the EQC and the existing trees adjacent to the area.

3. **Comment:** Existing mature landscape spruce trees and boxwoods are located in the two open space areas on either side of the site street entrance. It is not clear if these existing plants are intended to be preserved; the limits of clearing and grading show these areas to be cleared and replanted. These existing landscape plants could be incorporated into the landscape design for these two open space areas. Some of the existing boxwoods outside of these two areas could possibly be relocated into these and other open space areas on the site.

**Recommendation:** Revise the limits of clearing and grading to show these two open space areas to be left undisturbed. Incorporate the existing boxwoods and existing spruce trees in comments #4 and 5 below into the landscape design, and label these plants to be saved. Consider on-site relocation of other boxwoods that cannot be saved.

4. **Comment:** There is a 20 inch diameter Norway spruce located in the open space next to proposed lot 23 that the applicant is reserving the right to remove. This tree would benefit the community if preserved

**Recommendation:** Survey locate, label, and show the Norway spruce to be saved.

5. **Comment:** An existing 20 inch diameter Colorado blue spruce in good is located in the proposed asphalt trail along Telegraph Road at the rear of proposed lot 2

**Recommendation:** Survey locate and label this Colorado blue spruce and attempt to adjust the location of the trail to preserve it.

6. **Comment:** Lot 7 is located in an area of existing mature forest. This lot configuration may make this lot unbuildable.

**Recommendation:** Consider eliminating proposed lot 7 to preserve additional mature forest cover contiguous with the protected RPA.

7. **Comment:** The SWM pond location and configuration will result in clearing of an extensive area of existing mature forest adjacent to the EQC.

**Recommendation:** Attempt to refine the SWM pond size requirements and redesign the pond location to minimize clearing of existing vegetation.

8. **Comment:** The SWM pond currently is shown with only minimal landscape planting.

**Recommendation:** Suggested proffer language to address this issue: "In order to restore a natural appearance to the proposed stormwater management pond, a landscape plan shall be submitted as part of the first submission of the subdivision plan showing extensive landscaping in all possible planting areas of the pond, in keeping with the planting policies of DPWES."

9. **Comment:** Existing trees to be preserved on this site will require protection and care throughout the development process.

**Recommendation:** Obtain a commitment similar to the following: "The applicant shall

Piney Glen  
RZ/FDP 2001-LE-048  
December 11, 2001  
Page 3 of 3

retain the services of a certified arborist, 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. Any tree that is designated for removal, at the edge of the limits of clearing and grading or within a tree preservation area, shall be removed using a chain saw to avoid damage to surrounding trees. If a stump must be removed this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees."

"All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing consisting of four 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, shall be erected at the limits of clearing and grading as shown on the phase I & II erosion and sediment control sheets in all areas."

"The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any clearing and grading activities on the site, including the demolition of any existing structures. The installation of tree protection fence shall be performed under the supervision of a certified arborist. Prior to the commencement of any clearing, grading, or demolition activities, the project's certified arborist shall verify in writing that the tree protection fence has been properly installed."

"The demolition of existing features and structures shall be conducted in a manner that minimizes the impact on individual trees and groups of trees to be preserved as approved by the Urban Forestry Division"

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

DTK/  
UFDID#02-0976

cc: Mary Ann Welton, Environmental Planner, DPZ  
Anita Capps, Land Use Planner, DPZ  
DPZ file  
RA file

MEMORANDUM

TO: Staff Coordinator DATE: January 18, 2002  
 Zoning Evaluation Division, OCP

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZFDP 2001-LE-048

Tax Map No. 100-1- /01/ /22; /06/ /001; /08/ /001

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 DOGUE CREEK (L) watershed. It would be sewerred into the Noman M. Cole, Jr. Pollution Control Plant.
2. Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or the Board of Supervisors has established priority reservations. 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 EASEMENT and APPROX. 100 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.

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

5. Other pertinent information or comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

December 1, 2001

**MEMORANDUM**

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

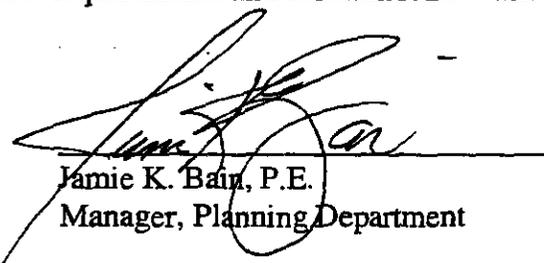
**FROM:** Planning Branch (Tel. 289-6363)  
Planning and Engineering Division

**SUBJECT:** Water Service Analysis, Rezoning Application RZ 01-LE-048  
FDP 01-LE-048

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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 30 inch main located at the property. See enclosed property map and Generalized Development Plan.
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

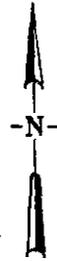
Attachment

Fairfax County Water Authority  
 Planning and Engineering Division  
 Technical Services Branch

PIPE MATERIAL LEGEND

- A.C.P.
- C.I.P.
- D.I.P.
- P.C.C.P.
- STEEL
- COPPER
- PLASTIC
- GALVANIZED
- - - PROP. CONST.

- X AS-BUILT COMPLETE
- X AS-BUILT INCOMPLETE
- X AS-BUILT NOT DRAWN



VCS-83 COORDINATE SYSTEM - 1000 FOOT GRID  
 VIRGINIA STATE PLANE, NORTH, FEET  
 NAD-83 DATUM

90-4	91-3	91-4
99-2	100-1	100-2
99-4	100-3	100-4

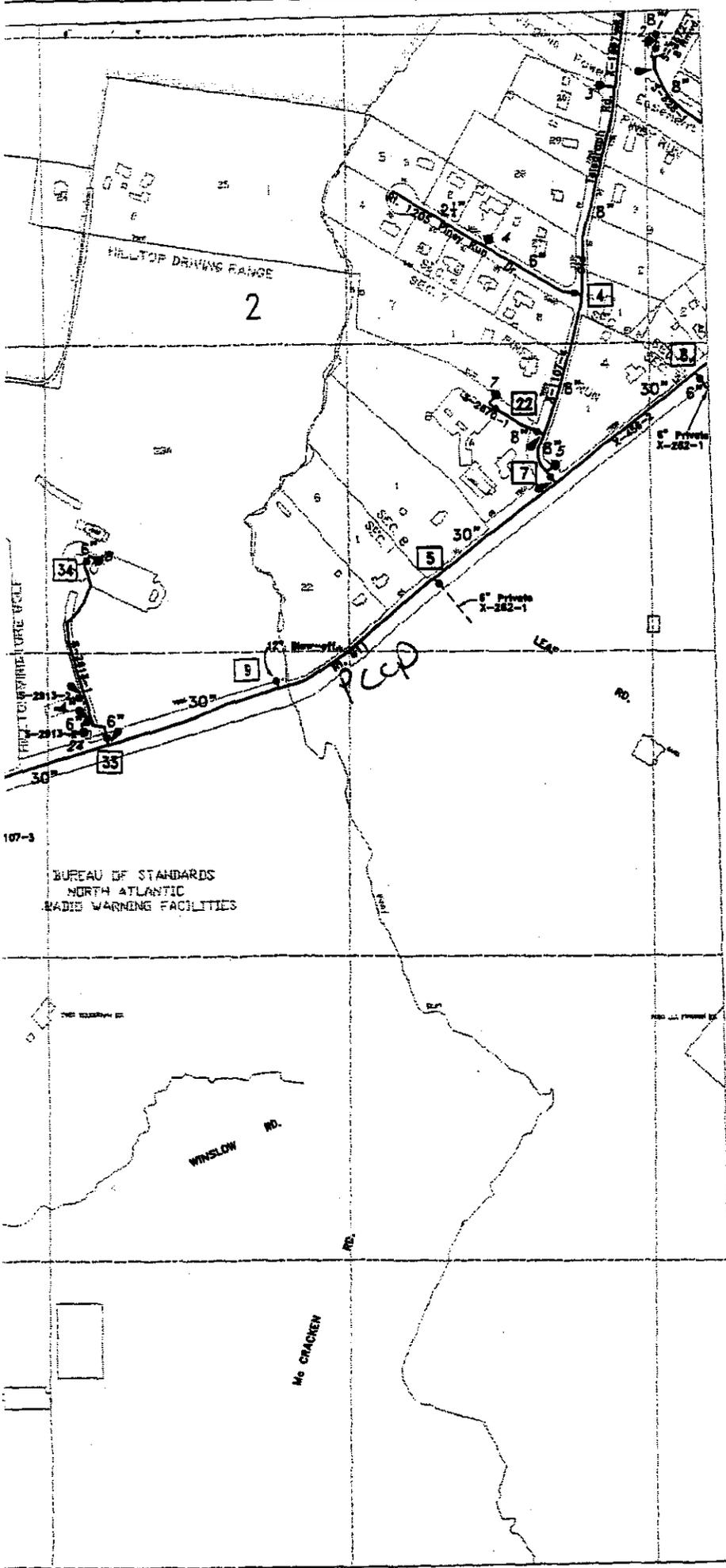
MAY 2001

FAIRFAX COUNTY  
 SECTION

100-1



USERS NOTING ERRORS OR OMISSIONS ON THIS  
 MAP, PLEASE CONTACT SYSTEM MAPPING, FCWA



## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

November 26, 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-LE-049 and Final Development Plan FDP 2001-LE-048

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 #37, Kingstowne.
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

Post-It® Fax Note		10/1
To	Leslie Johnson	From Kess
Co./Dept.	3PWS	Co.
Phone #		Phone #
Fax #	4-3924	Fax #

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

**DATE:** 6/17/02

**FROM:** Carl Bouchard, Director  
Stormwater Planning Division  
Department of Public Works & Environmental Services



**SUBJECT:** Rezoning Application Review

**Name of Applicant/Application:** Centex Homes

**Application Number:** RZ/FDP2001-LE-048

**Information Provided:**

Application	- Yes
Development Plan	- Yes
Other	- Statement of Justification

**Date Received in SWPD:** 11/19/01

**Date Due Back to DPZ:** 12/13/01

**Site Information:**

Location	- 100-1-01-00-0022, 100-1-06-00-0001 and 100-1-08-00-0001
Area of Site	- 9.31 acres
Rezone from	- R-1 to PDH-3
Watershed/Segment	- Dogue Creek

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.

RE: Rezoning Application Review RZ/FDP2001-LE-048

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.

RE: Rezoning Application Review RZ/FDP2001-LE-048

Application Name/Number: Centex Homes / RZ/FDP2001-LE-048

**\*\*\*\*\* 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) RS

**SRS/RZ/FDP2001-LE-048**

**cc: Gordon Lawrence, Coordinator, Office of Safety, Fairfax County Public Schools (only if sidewalk recommendation made)**

Date: 4/26/02

Case # RZ-01-LE-048

Map: 100-1

PU 1383

Acreage: 9.31

Rezoning To: PDH-3  
From : R-1

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.

- I. 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	9/30/01 Capacity	9/30/01 Membership	2002-2003 Membership	Memb/Cap Difference 2002-2003	2006-2007 Membership	Memb/Cap Difference 2006-2007
Hayfield 1184	K-6	716	586	610	106	625	91
Hayfield 1181	7-8	1100	1355	1418	-318	1602	-502
Hayfield 1180	9-12	2125	2193	2339	-214	2765	-640

- 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	23	X.4	9	SF	9	X.4	4	5	9
7-8	SF	23	X.069	2	SF	9	X.069	1	1	2
9-12	SF	23	X.159	4	SF	9	X.159	1	3	4

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

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 (Hayfield Elementary) is currently projected to be below capacity.

Enrollment in the schools listed (Hayfield Middle, Hayfield High) is currently projected to be near or above capacity.

The 4 students generated by this proposal would require .16 additional classrooms at Hayfield Middle, Hayfield High (4 divided by 25 students per classroom). Providing these additional classrooms will cost approximately \$56,000 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 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:** December 10, 2001

**SUBJECT:** RZ/FDP 2001-LE-048  
 Centex Homes  
 Loc: 100-1((1)) 22; 100-1((6)) 1; 100-1((8)) 1

**BACKGROUND:**

The Fairfax County Park Authority (FCPA) staff has reviewed the proposed Development Plan dated November 6, 2001 for the above referenced application. The Development Plan shows 23 proposed homes on approximately 9.31 acres. The proposal will add approximately 66 residents to the current population of Lee District.

**COMPREHENSIVE PLAN CITATIONS**
**1. Park Services and New Development (The Policy Plan, Parks and Recreation Objective 4, p. 180)**

**“Maximize both the required and voluntary dedication, development, and renovation of lands and facilities for parks and recreation to help ensure an equitable distribution of these resources commensurate with development throughout the County.**

**Policy a:** 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;...

**Policy b:** 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.”

### ANALYSIS AND RECOMMENDATIONS

The residents of this development will need access to outdoor recreational facilities. Typical recreational needs include playground/tot lots, basketball, tennis and volleyball courts and athletic fields.

Based on the Zoning Ordinance Section 16-404, the applicant shall provide \$955 per non-ADU (affordable dwelling unit) residential unit for outdoor recreational facilities to serve the development population. With 23 non-ADUs proposed, the cost to develop recreational facilities is \$21,965. Since this plan does not show any recreational facilities on the site the pro-rata funds should be dedicated to the FCPA

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

## 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.