



FAIRFAX COUNTY

APPLICATION FILED: November 21, 2001
APPLICATION AMENDED: April 9, 2002
PLANNING COMMISSION: May 23, 2002
BOARD OF SUPERVISORS: June 3, 2002
3:30 @ P.M.

V I R G I N I A

May 8, 2002

STAFF REPORT

APPLICATION RZ/FDP 2001-MA-049

MASON DISTRICT

APPLICANT: Seville Homes, LLC

PRESENT ZONING: R-2 (2.20 acres), C-2 (0.48 acres),
HC, SC

REQUESTED ZONING: PDH-5, HC, SC

PARCEL(S): 71-2 ((2)) 27-29
71-2 ((4)) 4-6

ACREAGE: 2.68 acres

DENSITY: 4.47 du/ac

OPEN SPACE: 35%

PLAN MAP: Residential, 4-6 du/ac at the alternative density

PROPOSAL: Request to rezone 2.68 acres to the PDH-5 District for the development of twelve (12) single family detached dwelling units with 35% open space. The applicant also requests Final Development Plan approval.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2001-MA-049 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2001-MA-049 subject to the final development plan conditions contained in Appendix 2 and the Boards approval of RZ 2001-MA-049.

Staff recommends approval of a modification of the frontage improvements for Alpine Drive, in accordance with the CDP/FDP.

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

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

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



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

REZONING APPLICATION /

FINAL DEVELOPMENT PLAN

RZ 2001-MA-049

FDP 2001-MA-049

FILED 11/21/01 AMENDED 4/9/02
SEVILLE HOMES L L C
TO REZONE: 2.68 ACRES OF LAND; DISTRICT - MASON
PROPOSED: RESIDENTIAL DEVELOPMENT

LOCATED: IN THE N.E. AND S.E. QUADRANTS OF THE
INTERSECTION OF EVERGREEN LA. & ALPINE DR.

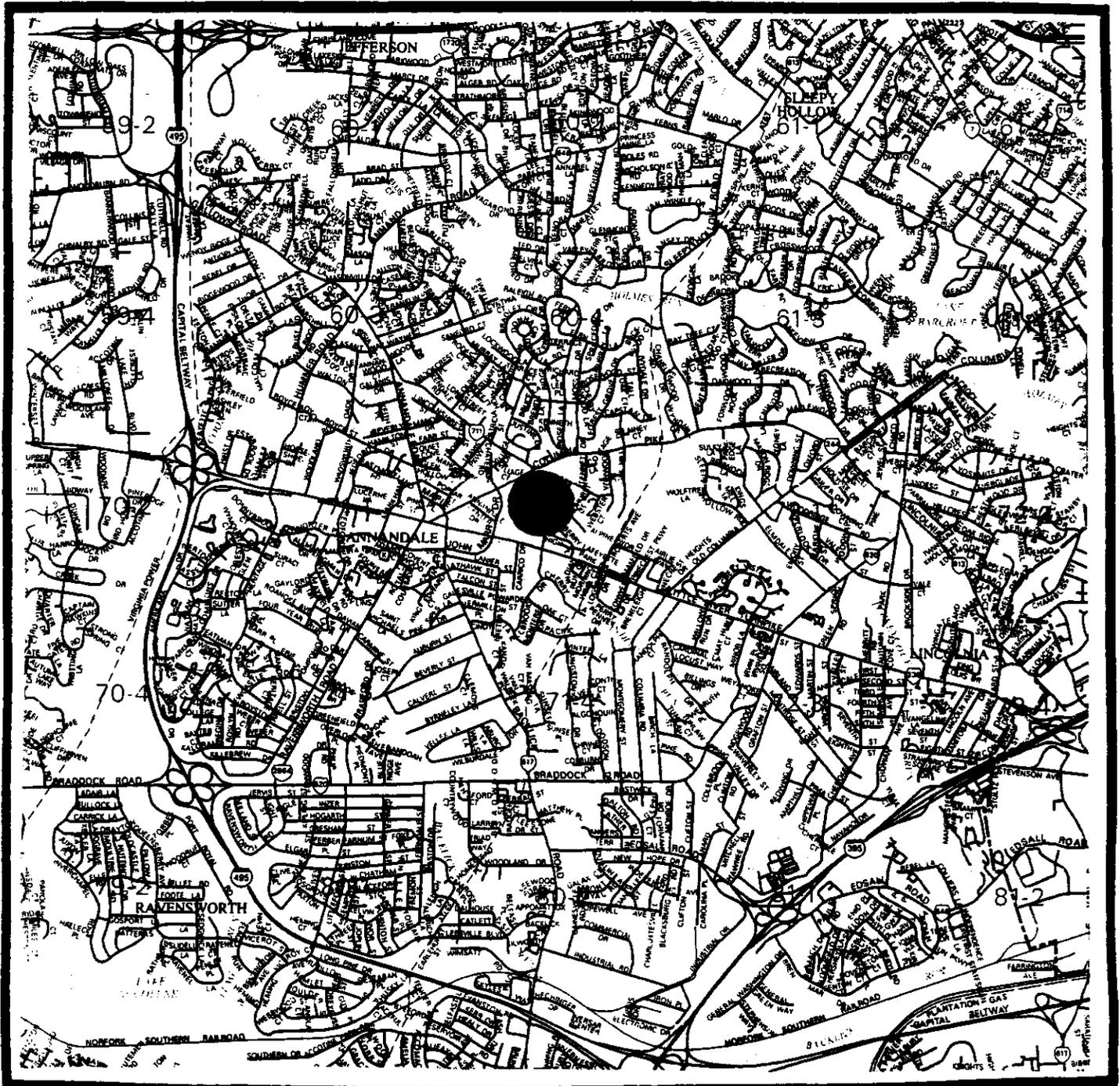
ZONING: C-2 R-2
TO: PDH-5
OVERLAY DISTRICT(S): HC SC

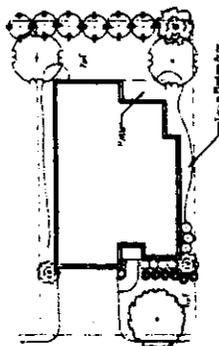
MAP REF 071-2- /02/ /0027- .0028- .0029-
071-2- /04/ /0004- .0005- .0006-

FILED 11/21/01 AMENDED 4/9/02
SEVILLE HOMES L L C
FINAL DEVELOPMENT PLAN
PROPOSED: RESIDENTIAL DEVELOPMENT
APPROX. 2.68 ACRES OF LAND; DISTRICT - MASON
LOCATED: IN THE N.E. AND S.E. QUADRANTS OF THE
INTERSECTION OF EVERGREEN LA. & ALPINE

ZONING: PDH-5
OVERLAY DISTRICT(S): HC SC

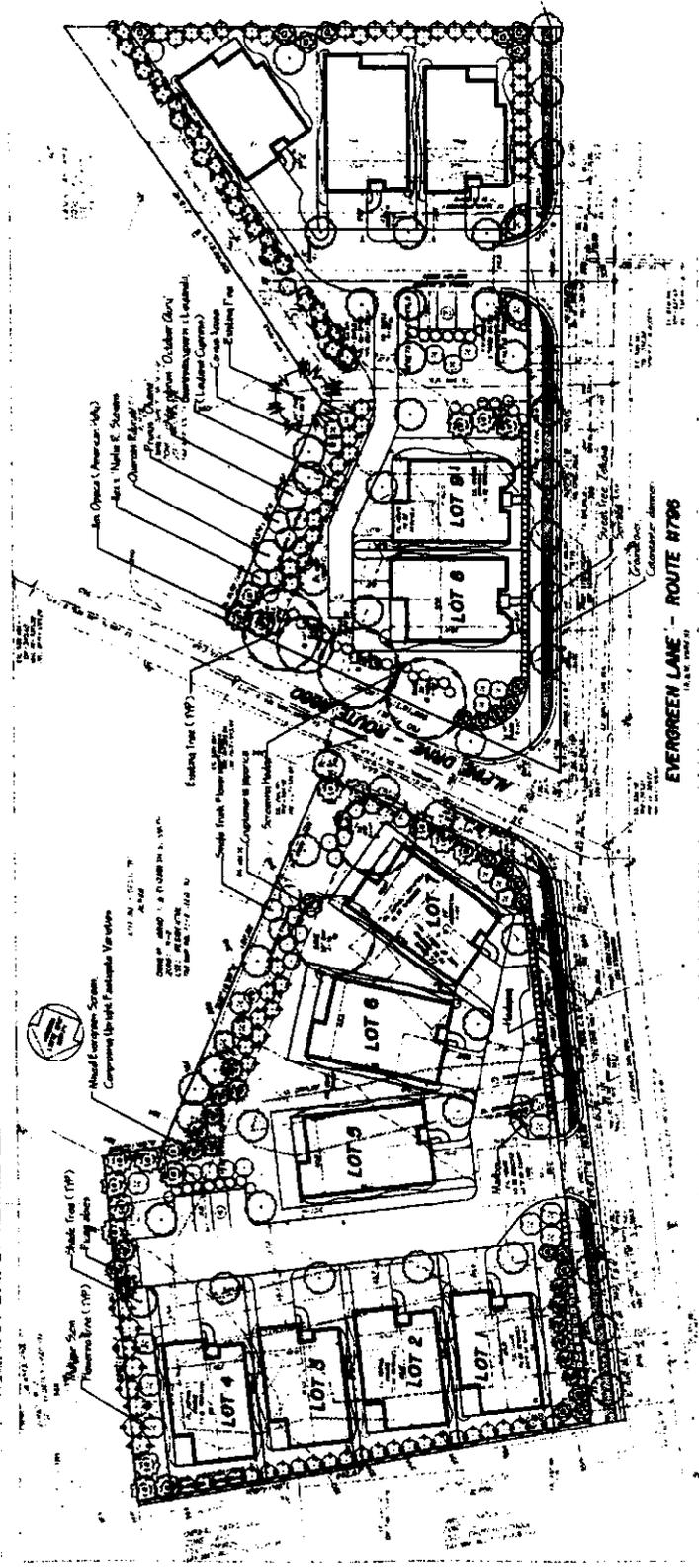
MAP REF 071-2- /02/ /0027- .0028- .0029-
071-2- /04/ /0004- .0005- .0006-





- Key:
- Cryptomeria japonica (Japanese Cedar)
 - Ilex Opaca (American Holly)
 - Hybrid Holly, Ilex 'Nellee R. Stones' or Ilex x Fothergillii #2
 - Cupressocyparis Leylandii (Leyland Cypress)
 - Large Hornwood Deciduous Tree (Red Maple or Red Oak)
 - Multi-trunked Flowering Deciduous Tree, Cornus kousa, Lagerströmia (Chinese Dogwood, Grape Myrtle, etc.)
 - Single Trunked Deciduous Flowering Tree, Prunus species, Cornus rubra, etc.
 - Yoshino Cherry, Okame Cherry, Hybrid Dogwood, etc.

Conceptual Unit Landscape
 Plan View
 Scale: 20'-1"



Conceptual Landscape Plan
 Plan View
 Scale: 30'-1"



LANDSCAPE PLAN
 LOTS 1 THRU 6 - SECTION D
 LOTS 7 THRU 9 - SECTION B
 ALPINE
 PROJECT: ALPINE ESTATES, FARMER CREDIT, IRRIGATION
 RAYTON, DUDLEY, ASSOCIATES, INC.
 CONSULTING ARCHITECTS - LANDSCAPE
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202 TEL: (303) 733-1100 FAX: (303) 733-1100

DATE: 11-15-88
 DRAWN BY: J. DUDLEY
 CHECKED BY: J. DUDLEY

SHEET
 2 OF 2
 11-1588-12

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

DESCRIPTION OF THE APPLICATION

The applicant, Seville Homes, LLC, requests to rezone six (6) parcels (Tax Maps 71-2 ((2)) 27-29, 71-2 ((4)) 4-6) from the R-2 (Residential, two dwelling units per acre, C-2 (Limited Office), HC (Highway Corridor Overlay) and SC (Sign Control Overlay) Districts to the PDH-5 (Planned Development Housing – five dwelling units per acre), HC and SC Districts for the development of twelve (12) single family detached (SFD) dwelling units at a density of 4.47 dwelling units per acre (du/ac) and 35% open space. In addition, the applicant requests Final Development Plan approval. A copy of the draft proffers, proposed final development plan conditions, applicant's affidavit and statement of justification are contained in Appendices 1-4, respectively.

Modifications/Waivers

Modification of the frontage improvement requirements for Alpine Drive, in accordance with the Conceptual/Final Development Plan (CDP/FDP).

LOCATION AND CHARACTER

Site Description:

The 2.68 acre site is located east of Evergreen Lane and north and south of Alpine Drive. The three (3) parcels (Tax Map 71-2 ((2)) 27-29) located north of Alpine Drive are zoned R-2. Tax Map 71-2 ((2)) 28 and 29 are developed with two (2) single family detached dwelling units and Tax Map 71-2 ((2)) 27 is developed with a medical office. The parcel south of Alpine Drive at the intersection with Evergreen Lane (Tax Map 71-2 ((4)) 4) is zoned C-2 and developed with a single family detached dwelling unit. The remaining two (2) parcels south of Alpine Drive are zoned R-2 (Tax Maps 71-2 ((4)) 5 and 6) and are developed with a single family detached dwelling unit. Several large trees are located throughout the site, specifically along Alpine Drive.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	United Methodist Church and Private School	C-2, R-2	Residential, 2-3 du/ac (4-6 du/ac at the alternative density)
South	Evergreen Heights (SFA)	R-8	Residential, 8-12 du/ac
East	Elderly Housing, Single Family Detached	R-2	Residential, 2-3 du/ac
West	Office, Commercial	C-3	Office

BACKGROUND

On May 7, 1984, the Board of Supervisors approved SE 84-M-012 to permit a medical office in the R-2 District on Tax Map 71-2 ((2)) 27. The office will be removed as part of the development.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

- Plan Area:** Area I
- Planning District:** Annandale Planning District
- Planning Sector:** Columbia Community Planning Sector (A2)
- Plan Map:** Residential, 4-6 du/ac at the alternative density
- Plan Text:**

On Pages 63 and 64 of the 2000 edition of the Comprehensive Plan, Area I, Annandale Planning District, Columbia Community Planning Sector, Land Use Recommendations, the Plan states:

"The Columbia Community Planning Sector east of Land Unit E of the Annandale CBC, that is, east of the center line of Evergreen Lane, contains stable residential neighborhoods. These neighborhoods should be protected and enhanced in accordance with Objectives 8 and 14 of the Policy Plan; infill development should be of compatible use, type and intensity. The Plan envisions neither the conversion of any residential property to commercial uses, nor the redevelopment of any residential areas at higher density.

1. Lots on the east side of Evergreen Lane north of Greenberry Lane - Parcels 71-2 ((2)) 23-29 and 71-2 ((4)) 4, 5, 6 - are planned for single-family residential development at 2-3 dwelling units per acre. These lots provide the transition between the stable residential neighborhoods that abut them to the east and the commercial activity on the west side of Evergreen Lane. Commercial development on these lots should not be permitted. However, professional office uses may be permitted in the existing single-family detached residential structures, provided that the structures and their lots retain their single-family residential appearance. As an alternative, this area may develop as residential use at 4-6 du/ac if the following conditions are met:
 - Development should consist of single family detached or zero lot line/patio home units, with height limited to two stories (excluding the basement level);
 - Minimum consolidation of three contiguous parcels;
 - Provision of a minimum 25 foot buffer area adjacent to the single family detached housing to the east;
 - Provision of consolidated access to Evergreen Lane; and
 - Provision of streetscape along Evergreen Lane similar to that planned for the adjacent Annandale CBC as well as the provision of a treed or landscaped "gateway" to Alpine Drive which includes preserving existing mature trees."

ANALYSIS

Conceptual/Final Development Plan (Copy at front of staff report)

Title of CDP/FDP: "Alpine"

Prepared By: Runyon, Dudley, Associates, Inc.

Original and Revision Dates: August 9, 2001, as revised through April 12, 2002

The combined conceptual/final development plan consists of two sheets. Sheet 1 contains the general notes, existing vegetative map and the conceptual/final development plan and Sheet 2 contains the landscape plan.

- The 2.68 acre site is located east of Evergreen Lane and north and south of Alpine Drive. North of Alpine Drive, seven (7) single family detached lots are proposed with a consolidated access onto Evergreen Lane.

Lots 1-4 are located along the northern boundary of the site, will front the internal private street, and are located thirteen (13) feet from the northern boundary; a six (6) foot tall board on board fence is proposed along the northern boundary. Lots 5-7 face Evergreen Lane with access from the internal private street. A twenty-five (25) foot wide landscape strip is provided along the eastern boundary as detailed on Sheet 2 of the CDP/FDP. South of Alpine Drive, five (5) lots are proposed with a consolidated entrance onto Evergreen Lane. Lots 8 and 9 are located at the intersection of Alpine Drive and Evergreen Lane and will be rear-loaded with the front of the units facing Evergreen Lane. Lots 10-12 will face the interior private street and are located ten (10) to twenty (20) feet from the southern boundary; a six (6) foot tall board on board fence is proposed along the southern boundary. A twenty-five (25) foot wide landscape strip is provided along the eastern boundary as detailed on Sheet 2 of the CDP/FDP. Several large maple and oak trees are proposed to be saved along the south side of Alpine Drive.

- Right of way is being dedicated forty-one (41) feet from centerline for Evergreen Lane. The dedication area includes a five (5) foot wide landscape strip along the curb and a six (6) foot sidewalk as detailed on Sheet 2. Curb and gutter is provided along the western portion of Alpine Drive and transitions to the existing road sections to the east.
- Parking is provided in the two car garages, private driveways and the seven (7) additional spaces located on the site. The applicant requests a waiver of the stormwater management pond; however, if the pond is not waived, stormwater management would be provided south of Alpine Drive near the entrance to the site. An existing sanitary sewer easement is located south of Lot 9 and along the southeastern portion of the site. The sanitary sewer easement is proposed to be relocated beneath the private street.
- Sheet 2 details the typical landscape for the individual lots and the landscaping for the perimeter of the site. The landscaping plan includes a twenty-five (25) foot wide buffer to the detached lots to the east and the preservation of four (4) large trees south of Alpine Drive.

Transportation Analysis (Appendix 6)

There are no outstanding transportation issues associated with this request.

Issue: Dedication/Road Improvements

The existing conditions for Evergreen Lane warrant road improvements for a four lane divided roadway with right and left turn lanes. The commercial areas west of Evergreen Lane have dedicated right of way forty-five (45) feet from centerline with pavement thirty-five (35) from centerline to the face of curb, which is the standard for a four-lane divided section. The residential areas south of the site have dedicated right of way forty-five (45) feet from centerline for the necessary road improvements. The applicant was requested to dedicate adequate right of way and construct a half section of Evergreen Lane as a four lane undivided section with a center turn lane. The improvement of Evergreen Lane across the applicant's frontage will leave only a small portion of the roadway remaining to be widened to provide the necessary width for the entire street. The applicant was requested to provide adequate transition to the existing pavement on Evergreen Lane and align the entrances with the commercial entrances. The applicant is requesting modification of the frontage improvements for Alpine Drive in order to provide curb and gutter only at the intersection of Evergreen Lane and transition to the existing road section that does not provide curb and gutter. This issue is further addressed under the zoning ordinance modification section.

Resolution:

The applicant has proposed to dedicate right of way forty-one (41) feet from centerline, including twelve (12) feet for landscaping and sidewalks. Staff originally requested dedication of forty-five (45) feet from centerline for a four lane divided section; however, staff can accept a flush median to be used as a center lane and the proposed right of way dedication provides the minimum area necessary to provide the needed road improvements for Evergreen Lane. The applicant proposed to construct a half section improvement of Evergreen Lane as a four lane undivided section with a center turn lane. The applicant proposed to transition the proposed pavement and sidewalks to the existing sidewalks and curb south of the site and along Alpine Drive and aligned the northern entrance with the commercial entrance across Evergreen Lane. In staff's opinion, this issue has been adequately addressed.

Sanitary Sewer Analysis (Appendix 7)

The property is located in the Cameron Run (13) Watershed and would be sewer into the Alexandria Sanitation Authority Treatment Plant. Based upon current and committed flow, there is excess capacity and there are no sanitary sewer issues associated with this request.

Water Service Analysis (Appendix 8)

The property is located within the franchise area of the Fairfax County Water Authority and there is adequate domestic service available from existing ten (10) and six (6) inch mains located at the property. There are no water service issues associated with this request.

Fire and Rescue Analysis (Appendix 9)

The property is serviced by the Annandale Fire and Rescue Department Station number 8 and currently meets fire protection guidelines. There are no fire and rescue issues associated with this request.

Schools Analysis (Appendix 10)

The Fairfax County Public Schools Facilities Planning Branch analysis projects that the proposed rezoning will increase enrollment for Columbia Elementary by three (3) additional students, one (1) additional student for Holmes Middle and one (1) additional student for Annandale High Schools. Enrollment at Holmes Middle and Annandale High Schools are currently projected to be near or above capacity and Columbia Elementary is currently projected to be below capacity.

Stormwater Management Analysis (Appendix 11)

There are no downstream complaints on file and there are no stormwater management issues associated with this request.

Park Authority Analysis (Appendix 12)

There are no outstanding Park Authority issues associated with this request.

Issue: Recreation Facilities/Contribution

There are no recreation facilities proposed by the applicant with the development and the new residents will need access to outdoor recreation facilities. The applicant was requested to contribute \$955 per dwelling unit in accordance with the Ordinance for the provision of recreation facilities in a nearby park.

Resolution:

The applicant proffered to provide the contribution to the Park Authority in accordance with the Ordinance and in staff's opinion, this issue has been adequately addressed.

Land Use/Environmental Analysis (Appendix 5)

The proposed development is in accordance with the Comprehensive Plan in terms of use and the alternative density and there are no outstanding land use or environmental issues associated with this request.

Issue: Alternative Density

The parcels are planned for 2-3 dwelling units per acre with an alternative density option of 4-6 dwelling units per acre. The alternative density may be achieved if the development consists of single family detached, zero lot line or patio type homes, a maximum of two floors in height; consolidates a minimum of three (3) lots; provides a twenty-five (25) foot wide buffer to the east; consolidates access to Evergreen Lane; provides streetscape along Evergreen Lane in accordance with the Annandale CBC guidelines; and a landscape gateway along Alpine Drive. The applicant was requested to provide a landscape plan to demonstrate compliance with the Annandale CBC guidelines for the streetscape along Evergreen Lane. The twenty-five (25) foot wide buffer to the east should be densely landscaped to buffer the existing and proposed units. In addition, trees should be preserved and additional landscaping provided along Alpine Drive to provide a "gateway" to the existing residential neighborhood to the east.

Resolution:

The applicant consolidated six (6) lots and provided consolidated access points to Evergreen Lane. The proposed single family detached units have a maximum height of two floors. The applicant submitted a landscape plan that depicted a heavily landscaped buffer to the east; the preservation of several significant trees along Alpine Drive and additional landscaping to create the "gateway" to Alpine Drive. In addition, the proposed streetscape along Evergreen Lane is in accordance with the Annandale CBC. In staff's opinion, the applicant has addressed the conditions for the alternative density.

Issue: Compatibility

The applicant relocated several lots at staff's request so the houses face onto Evergreen Lane. In addition, the applicant removed two lots to provide additional open space and decreased the density to ensure compatibility to the existing residential neighborhood to the east. The provision of the twenty-five (25) foot wide landscape strip will further buffer the residential neighborhood from the proposed units and the commercial uses west of Evergreen Lane. The

applicant was requested to provide additional information on the design of the units to ensure their compatibility with the adjacent residential neighborhood. Staff notes that the application will rezone five (5) residential lots and a commercial lot to the PDH-5 District for the development of twelve (12) dwelling units. The rezoning of the C-2 District to the PDH-5 District will prevent a by-right commercial development from occurring on the site.

Resolution:

The applicant has proffered to provide brick on the front of the houses and on the side of the units that are adjacent to Alpine Drive and Evergreen Lane. In addition, the applicant has proffered to limit the height of the houses to two floors and thirty (30) feet in height. Staff would prefer additional setbacks between the units and the developments to the north and south of the site; however, in staff's opinion, this issue has been adequately addressed.

Issue: Tree Preservation

Objective 10 in the Environment section of the Policy Plan encourages developments to protect the maximum amount of tree cover on developing sites consistent with planned land use. The applicant was requested to preserve the existing trees along Alpine Drive to provide a landscape gateway in accordance with the Policy Plan and alternative density conditions.

Resolution:

The development plan and proffers were revised and several large trees are being preserved adjacent to Alpine Drive. Due to the proximity of the detached units staff is concerned about the long term health of the trees being preserved. In staff's opinion, this issue has been adequately addressed.

Residential Development Criteria

The Comprehensive Plan recommends an alternative density of 4-6 du/ac for the area east of Evergreen Lane that is proposed to be rezoned the PDH-5 District. At a proposed density of 4.47 du/ac, the application is above the low end of the alternative density range recommended in the Plan. As such, the proposal should satisfy a minimum of one half (1/2) of the applicable Residential Development Criteria specified in the 2000 edition of the Policy Plan. Staff's evaluation of these criteria is as follows:

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. **(HALF CREDIT)**

In order to complement the existing neighborhood, the development provided a twenty-five (25) foot wide landscaped buffer to the single family detached units to the east and limited the height of the buildings to two stories and thirty (30) feet. The applicant did not submit elevations for the proposed units; however, the applicant has proffered to provide brick fronts on all the units and brick sides on the units that are adjacent to Alpine Drive and Evergreen Lane. The applicant has proffered to provide construction techniques to achieve energy conservation. The development provides for the preservation of several significant trees along Alpine Drive to provide a landscaped gateway. However, due to the proximity of the proposed dwelling units staff is concerned about the long term health of the trees being preserved. The development provides consolidated access points to Evergreen Lane. The Evergreen Lane landscaping and sidewalk meet the Annandale CBC Streetscape guidelines. The development provides minimal setbacks and buffer to the north and south of the site. Staff would prefer additional setbacks along the northern and southern boundaries. In staff's opinion, half credit is warranted.

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.
(NOT APPLICABLE)

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)**
6. Provide usable and accessible open space areas and other passive recreational facilities in excess of County ordinance requirements than those defined in the County's Environmental Quality Corridor policy. **(NO CREDIT)**

The applicant provided the minimum amount of open space as required by the Ordinance. The open space is primarily located in the landscape buffer adjacent to the single family houses to the east and adjacent to Alpine Drive as required in the Plan for the alternative density. In staff's opinion, no credit is warranted since the provided open space does not exceed the requirements of the Ordinance and provides for minimal usable space for active or passive recreation.

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.
(HALF CREDIT)

The development provides for the preservation of several significant trees located along Alpine Drive; however, the site will be primarily cleared and graded and additional tree preservation may be possible. Due to the proximity of the detached units staff is concerned about the long term health of the trees being preserved. In staff's opinion, half credit is warranted.

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)**

Since the application is for twelve (12) dwellings, it is not subject to the Affordable Dwelling Unit Ordinance. However, Appendix 9 of the Land Use Element of the Board of Supervisors' adopted Policy Plan contains Criteria for Assignment of Appropriate Development Density/Intensity that are used in the rezoning process to determine appropriate residential density in excess of the low end of the density range recommended in the Comprehensive Plan. The Plan specifies that applicants should not achieve a density above 60% of the base limit of the Plan absent a contribution of land or units for affordable housing. Alternatively, this can be achieved by providing a contribution to the Housing Trust Fund. An appropriate contribution, as adopted by the Board, would be in an amount equivalent to one half of one percent (0.5%) of the sales price of each of the proposed units. The proposed density of 4.47 du/ac does not exceed 60% of the base limit of the Plan; therefore, a contribution equal to one half of one percent (0.5%) of the projected sales price of the proposed units, at a minimum, is appropriate. The applicant has proffered to provide a one half of one percent (0.5%) contribution to the Housing Trust Fund; therefore, full credit has been 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)**

To achieve the alternative density the Plan states that a minimum of three (3) lots must be consolidated. The applicant consolidated six (6) of the ten (10) lots indicated in the Plan. The four (4) lots indicated in the Plan that are not part of the consolidation are located north of the site and contain a church/private school, access to the Annandale Methodist Church and offices and are unlikely to consolidate with this development. In staff's opinion, the applicant provides a logical consolidation in accordance with the Plan; therefore, full credit has been given for this criterion.

SUMMARY: In order to receive favorable consideration for development at the low end of the plan range, fulfillment of at least one-half (50%) of the relevant development criteria is recommended. The applicant has satisfied three (3) of

the five (5) applicable criteria (60%). Staff believes that the proposed development satisfies the applicable criteria to merit favorable consideration of the requested density.

ZONING ORDINANCE PROVISIONS (Appendix 13)

The requested rezoning of the 2.68 acre site to the PDH-5 District must comply with the applicable regulations of the Zoning Ordinance found in Article 6, Planned Development District Regulations and Article 16, Development Plans, among others.

Article 6

Sect. 6-101. Purpose and Intent: This section states that the PDH District was established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote a balanced development of mixed housing types and encourage the provision of affordable dwelling units. The proposed development of twelve (12) single-family detached units proposes a minimum of 35% open space. However, most of the open space is located in perimeter open space and provides minimal benefits for active or passive recreation. The site has significant restrictions related to the shape of the lot and the access requirements of the Plan. The site is bifurcated by Alpine Drive; however, in accordance with the Plan access is only to be provided from Evergreen Lane. While the application does not provide a mix of housing types, the development is consistent with the adjacent developments. In addition, the applicant has proffered to contribute to the Housing Trust Fund for the development of affordable housing. Therefore, staff believes the purpose and intent of a PDH District has been satisfied.

Part 1 of Sect. 6-107. Minimum District Size: This section states that a minimum of two (2) acres is required for approval of the PDH District. The applicant proposes to rezone 2.68 acres, which exceeds the minimum district size of two acres. This standard has been met.

Sect. 6-109. Maximum Density: The maximum density for the PDH-5 District is five (5) dwelling units per acre (du/ac). The applicant is proposing a density of 4.47 du/ac, which is under the maximum density. This standard has been met.

Part of Sect. 6-110. Open Space: A minimum of 35% open space is required for the PDH-5 District. The development provides 35% of the site in open space. This standard has been met.

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

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

General Standard 1 requires substantial conformance with the Comprehensive Plan. The development proposes a density of 4.47 du/ac which is within the Plan recommendation for residential use at four (4) to six (6) dwelling units per acre at the alternative density and justifies the requisite Residential Development Criteria. As stated in the Land Use Analysis the development is in conformance with the use and density of the Comprehensive Plan and in staff's opinion, this standard has been met.

General Standard 2 requires that the design of the proposed planned development result in a more efficient use of the land and in a higher quality site design than could be achieved in a conventional district. The development provides for a landscape buffer to the existing detached houses to the east and consolidates access to Evergreen Lane, which would not be required in a conventional district. In staff's opinion, this standard has been met.

General Standard 3 requires that the design of the proposed development protect and preserve the natural features on the site. The development provides for the preservation of several significant trees along Alpine Drive. However, due to the proximity of the detached units, staff is concerned about the long term health of the trees being preserved. In staff's opinion this standard has been met.

General Standard 4 requires that the proposed development prevent substantial injury to the use and value of the existing surrounding development. The development will remove existing commercial zoning and provide a twenty-five (25) foot transitional screening yard to the detached houses to the east. The applicant has proffered to limit the houses to two stories. The development provides a transition from the commercial properties west of Evergreen Lane to the residential neighborhoods to the east. In staff's opinion, this standard has been met.

General Standard 5 requires that the planned development be located in an area where transportation, police, fire protection and other public facilities are available and adequate for the proposed use. There are no outstanding fire and rescue, sanitary sewer, water, stormwater management and park issues related to this request. In staff's opinion, this standard has been met.

General Standard 6 requires that the planned development coordinate linkages among internal facilities and services as well as connections to major external facilities. The development consolidates the access points onto Evergreen Lane as recommended by the Plan and provides the necessary right of way and road improvements for the widening of Evergreen Lane to accommodate existing traffic. In staff's opinion, this standard has been met.

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

Sect. 16-102 Design Standards:

Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development, the bulk regulations and landscaping and screening provisions should generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. The table below compares the proposed development to the requirement of the R-5 District.

Standard	Required (R-5)	Requested
Maximum Height	35 feet	30 feet
Front Yard	20 feet	7 feet
Side Yard	8 feet	10.9 feet
Rear Yard	25 feet	10.9 feet

Lots 1-4 front on the internal street and the side of Lot 1 is located twenty-two (22) feet from the Evergreen Lane front yard line. The rear yards of Lots 1-4 are located thirteen (13) feet from the side yard for the church located to the north. The side yard of Lot 4 is located nineteen (19) feet from the side yard for the elderly housing development to the east. Lots 5 and 6 face Evergreen Lane and are located more than forty (40) feet from the Evergreen Lane right-of-way. The rear of Lots 5 and 6 is over fifty (50) feet from the side yards for the detached lots to the east. Lot 7 is located at the intersection of Evergreen Lane and Alpine Drive and faces Evergreen Lane. The front of the house is located no closer than fourteen (14) feet from Evergreen Lane right-of-way and the side is located over fifteen (15) feet from Alpine Drive. The Evergreen Lane right-of-way includes a landscaping strip and sidewalk that are twelve (12) feet in width. The rear of Lot 7 is located over thirty-six (36) feet from the side yard for the detached lots to the east. Lots 8 and 9 are located over seven (7) feet from Evergreen Lane right-of-way, which includes a landscaping strip and sidewalk that are twelve (12) feet in width. Lot 8 is located over twenty-seven (27) feet from the right-of-way for Alpine Drive and the rear of the houses are located over

fifty (50) feet from the side yards for the detached units to the east. Lots 10-12 front the internal streets and the rear of the units are located over ten (10) feet away from the rear of the single family attached units to the south. The side of Lot 10 faces Evergreen Lane and is located over ten (10) feet from the right-of-way which includes a landscaping strip and sidewalk that are twelve (12) feet in width. The side of Lot 12 is located over twenty-nine (29) feet from the side yards for the detached lots located to the east. In several cases the proposed lots have setbacks that are less than what is suggested by the R-5 District; however, the P District is permitted the flexibility in providing yards. While staff would prefer additional setbacks along the southern and northern boundaries of the site, in staff's opinion, the proposed setbacks are appropriate in relation to the surrounding development and due to the significant constraints of this site in terms of shape and access restrictions, and this standard has been satisfied.

Design Standard 2 states the development must provide adequate open space, parking and loading spaces as set forth in the Ordinance. The development provides the required open space and exceeds the parking requirements of the Ordinance. In staff's opinion, this standard has been satisfied.

Design Standard 3 states the streets and driveways shall be designed to conform to the Ordinance, and that a network of trails and sidewalks shall provide access to recreational amenities and open space. The development provides streets, trails and sidewalks in accordance with the Ordinance and in staff's opinion, this standard has been satisfied.

Waiver/Modifications

Modification of the Frontage Improvements for Alpine Drive

The applicant requests a modification of the frontage improvements for Alpine Drive, in accordance with the CDP/FDP. In accordance with the Ordinance, Alpine Drive should be widened, with the provision of curb and gutter and a sidewalk across the entire frontage of the site. The applicant proposes to provide curb and gutter only along the western portion of Alpine Drive connecting to the improvements on Evergreen Lane. Alpine Drive, is then proposed to transition to the existing pavement section with no curb or gutters or sidewalks. The development does not access Alpine Drive and the existing road does not have sidewalks or curb and gutters along the frontage. The modification of the requirement would be in keeping with the existing design. In addition, the long term health of the trees to be preserved along Alpine Drive will benefit by not improving the entire frontage of Alpine Drive. Staff has no objection to the modification of the frontage improvement requirements for Alpine Drive.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in conformance with the Comprehensive Plan for the alternative density and in conformance with the applicable Zoning Ordinance provisions with the execution of proffers consistent with those contained in Appendix 1.

Staff Recommendations

Staff recommends approval of RZ 2001-MA-049 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2001-MA-049 subject to the final development plan conditions contained in Appendix 2 and to the Board's approval of RZ 2001-MA-049.

Staff recommends approval of a modification of the frontage improvements for Alpine Drive in accordance with the CDP/FDP.

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

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

APPENDICES

1. Draft Proffers
2. Proposed Final Development Plan Conditions
3. Affidavit
4. Statement of Justification
5. Plan Citations and Land Use/Environmental Analysis
6. Transportation Analysis
7. Sanitary Sewer Analysis
8. Water Service Analysis
9. Fire and Rescue Analysis
10. Schools Analysis
11. Stormwater Management Analysis

APPENDICES (Cont.)

12. Park Authority Analysis
13. Applicable Zoning Ordinance Provisions
14. Glossary of Terms



PROPOSED FINAL DEVELOPMENT CONDITIONS

FDP 2001-MA-049

May 22, 2002

If it is the intent of the Planning Commission to approve FDP 2001-MA-049 for a single family detached development located at Tax Maps 71-2 ((2)) 27, 28, 29 and 71-2 ((4)) 4, 5 and 6 staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the Final Development Plan consisting of two sheets entitled "Alpine" prepared by Runyon, Dudley, Associates dated August 9, 2001, as revised through May 15, 2002.
2. If provided, subdivision signs shall be subject to Article 12 of the Zoning Ordinance. If lighted, the sign shall be front-lit only, with the lights directed downward or directly onto the sign to minimize glare.
3. The final sidewalk location along Evergreen Lane shall be subject to VDOT approval. The final location of landscaping may be modified in accordance with the final location of the sidewalk; however, the landscaping shall be in substantial conformance with the quality and quantity as depicted on Sheet 2 of the CDP/FDP. In addition to the landscaping depicted on Sheet 2 of the CDP/FDP a hedge shall be installed along the Evergreen Lane frontage for Lots 8 and 9 to define the right-of-way dedication area. The hedge shall be consistent with the proposed hedge located along the right-of-way dedication area for Lots 5-7 north of Alpine Drive along the Evergreen Lane.
4. The Evergreen Lane frontage shall be posted as "No Parking", subject to VDOT approval.

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



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

PHILIP A. SHUCET
COMMISSIONER

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

THOMAS F. FARLEY
DISTRICT ADMINISTRATOR

May 17, 2002

Ms. Barbara A. Byron
Director of Planning and Zoning
Office of Comprehensive Planning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: RZ 2001-MA-049 & FDP 2001-MA-049 Alpine
Tax Map # 51-2((02))0027 to 0029 & ((04))0004 to 0006
Fairfax County

Dear Ms. Byron:

I have reviewed the above plan submitted on May 14, 2002, and received on the same date. The following comments are offered in addition to those previously provided:

1. The 52' typical section is acceptable if the County determines the additional pavement is not necessary at this time. A sketch should be provided for review indicating the lane configuration and should also indicate no parking will be permitted along the Evergreen Road frontage. Also, an escrow for the possible future construction should be provided.
2. It appears the radius on Alpine Drive was shifted on the CADD drawing, without extending the curb line to the parallel point with the opposite side of the street near the profile high point.
3. The sidewalk should be placed in the ultimate location. The new CG-12 standard will require four CG-12 ramps at the Alpine Drive intersection.

If you have any questions, please call me at (703)383-2424.

Sincerely,

Kevin Nelson
Transportation Engineer

cc: Ms. Angela Rodehaver
fairfaxrezoningRZ2001-MA-049rz6Alpine5-17-0288

PROFFERS**RZ 2001-MA-049****May 21, 2002**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned, as the applicant in the above-referenced Rezoning Application and the owners of the Property, (hereinafter referred to as Applicant) which is the subject matter thereof, being approximately 2.685 acres identified as Tax Map 71-2((2))27,28, 29; and 71-2((4))4,5,6 (hereinafter referred to as the Property), hereby proffer for themselves and their successors and assigns that the development of the Property will be subject to the following terms and conditions provided that the Board of Supervisors (BOS) approves the rezoning application from the C-2, R-2, HC and SC District to the PDH-5, HC and SC Districts.

1. **Substantial Conformity.** The Property shall be developed in substantial conformance with the Conceptual/Final Development Plan (CDP/FDP), dated February 12, 2002, revised through May 15, 2002, CDP/FDP prepared by *Runyon, Dudley, Associates, Inc.*
2. **Landscaping and Design Amenities.** Landscaping shall be consistent with the quality, quantity and the locations shown on Sheet 2 of the CDP/FDP. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans submitted at the time of first submission of the subdivision plan for review and approval by the Urban Forester. Such landscape plans shall provide tree coverage and species diversity consistent with the Public Facilities Manual criteria, as determined by the Urban Forester. A sidewalk and street lights will be provided in accordance with the Annandale CBD guidelines along Evergreen Lane and in substantial conformance with Sheet 2 of the CDP/FDP, as determined by DPWES.
3. **Building Design and Building Materials.** The proposed dwellings shall be compatible and similar in design, square footage and materials to each other. The dwellings will be two-story single family detached residences and the exterior of the structures will be brick on the fronts of all units and at a minimum, brick on the sides of the units facing Evergreen Lane and Alpine Drive, which include Lots 1, 7, and 8. Lots 5-7 shall front on Evergreen Lane and access shall be provided from the internal private streets. Lots 8 and 9 shall be rear loaded units with access provided from the internal private streets and front Evergreen Lane. Lots 1 and 10 which have side elevations adjacent to Evergreen Lane shall include architectural features such as, but not limited to, shutters or other ornamental or

architectural features on that elevation which is visible from Evergreen Lane.

4. **Stormwater Management.** Unless waived or modified by DPWES, the Applicant shall provide a storm water management facility in accordance with the Public Facilities Manual regulations. In the event that the stormwater management facility is not waived, said facility shall be provided as generally shown on the CDP/FDP. Any on-site storm water management facilities shall be landscaped to the maximum extent feasible, in coordination with the Urban Forestry Division, pursuant to the policy adopted by the Board of Supervisors, using native species. The Homeowners Association shall be responsible for trimming grassy areas in and around the storm water management pond on a regular basis, subject to approval by the Department of Public Works & Environmental Services (DPWES). In the event that the requirement for an on-site stormwater management facility is waived, the area shown as a stormwater management facility will become part of the open space for the subdivision as shown on the CDP/FDP.
5. **Maximum Density.** The maximum density for the subdivision shall be 4.47 dwelling units per acre, or 12 lots.
6. **Height Limitation.** The proposed dwellings will be a maximum height of thirty (30) feet, with no more than two levels above ground and in-ground basements.
7. **Minor Modification.** Pursuant to Para. 4 of Sect. 16-403 of the Zoning Ordinance, minor modifications from the approved CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the CDP/FDP provided such changes are in substantial conformance with the CDP/FDP and proffers, and do not increase the total number of units and access points or decrease the minimum amount of open space and buffer area.
8. **Garages.** The Applicant shall place a covenant on each garage unit that prohibits the use of the garage for any purpose which precludes motor vehicle storage. This covenant shall be recorded among the land records of Fairfax County prior to the sale of lots and shall run to the benefit of the HOA and to the Board. Prior to recordation, the covenant shall be approved by the Fairfax County Attorney's office. The HOA documents shall expressly state this use restriction.
9. **Open Space.** At the time of recordation of the subdivision plan for each section, the Applicant shall convey all open space parcels and all open space areas outside private lot lines including the 25' buffer area to the Homeowners Association for

ownership and maintenance. The HOA documents shall expressly state that the HOA shall be responsible for the maintenance of the open space serving the development.

10. Ingress/Egress. Ingress/egress for the subdivision shall be via Evergreen Lane, Route #796.

11. Tree Preservation: The Applicant shall prepare a tree preservation plan to be submitted as part of the first subdivision plan submittal. The tree preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape professional. The tree preservation plan reviewed and subject to the approval of the Urban Forestry Division. The purpose of the Plan is primarily to preserve the four (4) large trees to the right of Alpine Drive if at all possible. These trees are identified on the CDP/FDP as 20' maple - R=25', 20" oak - R=25', 16" oak, R-20' and 20" multi-maple, R-20'. In addition, two trees on the left side of Alpine will be saved if at all possible: a 30" oak R-35' and a 36" Oak, R-40'. To help ensure the survival of these trees, the trees will be pruned, fertilized and mulched according to the American National Standards Institute (ANSI) A300-1995 pruning standards. The Urban Forestry Division will be notified when the work is to be performed. If any other trees within the subdivision can be saved, in the opinion of the Project Arborist in consultation with the Urban Forester, those trees shall be included on the Plan. If any of these trees are damaged during construction, such tree(s) shall be replaced by the Applicant with a healthy tree of the same species of the size which gives a tree of that species the best chance of survival according to the Project Arborist and Urban Forester. The condition analysis shall be prepared using methods outlined in the latest edition of The Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be incorporated into the tree preservation plan. Activities include, but are not limited to, crown pruning, root pruning, mulching, and fertilization.

All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing, consisting of four foot high, 14 gauge welded wire attached to a 6 foot steel posts driven 18 inches into the ground and placed no farther than 10 feet apart, shall be placed at the limits of clearing and grading as shown on the erosion and sedimentary control sheets in all areas. The tree protection fencing shall be made clearly visible to all construction personnel. The tree protection fencing shall be installed prior to the performance of any clearing and grading activities on the site, including the demolition of any existing structures. All tree preservation activities, including installation of tree

protection fencing, shall be performed under the supervision of the Project Arborist. Three (3) days prior to the commencement of any clearing, grading, or demolition activities on the site, the Project or to the commencement of any clearing, grading, or demolition activities on the site, the Project Arborist shall verify in writing that the tree protection fencing has been properly installed and the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been clearly installed.

The demolition of existing features and structures shall be conducted in such a manner as to minimize the impact on individual trees to be preserved, as determined by the Urban Forester. Methods to preserve existing trees may include but not be limited to the following: use of super silt fence, welded wire tree protection, root pruning, fertilizer, mulching, and others.

Before or during the pre-construction meeting, the Applicant/Project Arborist and the Urban Forester shall walk the limits of clearing and grading around the trees to be saved to determine if adjustments to the clearing limits can be made to increase the survivability of the trees. If for any reason, during the inspection of the trees, the Project Arborist in conjunction with the Urban Forester determine that a tree or trees are not likely to survive, the Applicant shall remove such trees as part of the clearing operation and the trees shall be replaced in accordance with the above.

The Homeowners Association covenants shall require that no structures or fences shall be erected in HOA open space or tree save areas, and that trees in HOA open space areas and tree save areas will not be disturbed except for (i) the removal of diseased, dead, dying, or hazardous trees or parts thereof; and/or (ii) selective maintenance to remove noxious and poisonous weeds.

12. Construction Access and Parking. Access to the Property by construction vehicles and workers shall be from Evergreen Lane. The Applicant shall include a provision in its agreement with contractors and specialty trades working on the Property that such contractors shall not to use any street in the adjacent residential subdivision as construction access to the Property. In addition, the Applicant will provide on-site parking for construction workers and their vehicles.
13. Demolition of Existing House. The existing houses on the property shall be removed prior to the issuance of any Residential Use Permit for any new home on the Property.

14. **Right of Way Dedication.** Right-of-way along the Evergreen Lane frontage of the site as shown on the CDP/FDP, shall be dedicated and conveyed in fee simple to the Board of Supervisors upon demand by the Virginia Department of Transportation (VDOT) or Fairfax County whichever occurs first. Such dedication shall occur at the time of subdivision plan approval. Road improvements will include construction of curb, gutter, and sidewalk. Off-site road improvements of curb, gutter, and sidewalk between the southernmost property line and the intersection of Evergreen and Greenberry Lane in order to provide a smooth transition between developments, as determined by VDOT.

Along Alpine Drive, the curb and gutter will be constructed in accordance with that shown on the CDP/FDP, if standards are modified or waived by the Board of Supervisors or DPWES.

15. **Private Streets.** All private streets will be constructed with materials and depth of pavement standards consistent with public street standards in accordance with the Public Facilities Manual, as determined by DPWES. The entrances from Evergreen Lane shall be provided in accordance with VDOT standards. The Homeowners Association (HOA) shall be responsible for the maintenance of all private streets. The HOA documents shall expressly state that the HOA shall be responsible for the maintenance of the private streets serving the development.
16. **Recreation Facilities:** Prior to subdivision plan approval, a contribution of \$955.00 per unit shall be made to the Fairfax County Park Authority for the purpose of contributing to the recreational facilities off-site in a near-by park or acquisition of park land in the Mason District.
17. **Hours of Operation for Construction of Subdivision.** No outdoor work shall be conducted on the Property before 7:00 a.m. or after 7:00 p.m. weekdays, from 8:00 a.m. to 6:00 p.m. on Saturday, and from 10:00 a.m. to 6:00 p.m. on Sundays.
18. **Signs:** No temporary signs (included "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia, shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in the initial sale of homes on the Property.
19. **Noise:** In order to mitigate noise for the lots along Evergreen Lane, the Applicant shall construct the dwelling units on Lots 1, 5-10 with the following acoustical measures:

1. Construction materials and techniques known to have physical properties or characteristics suitable to achieve an laboratory and transmission class (STC) of at least 39 for interior walls.
 2. Doors (excluding garage doors) and glazing shall have a laboratory STC rating of at least 28. If glazing (excluding garage doors) constitute more than twenty percent (20%) of any facade, then the windows shall have the same STC rating as that facade.
 3. Measures to seal and caulk between surfaces should follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
 4. As an alternative to the above, the Applicant may elect to have a refined acoustical analysis performed, subject to the approval of the DPWES to determine the appropriate noise attenuation measures necessary to meet established County standards and/or to determine which buildings may have sufficient shielding to permit reduction in the mitigation measures described above. The Applicant shall implement said mitigation measures subject to whatever reductions are permitted pursuant to this paragraph.
20. The Applicant shall, at the time of final subdivision plan approval, contribute one-half (½ %) percent of the estimated sales price of each new dwelling to Fairfax County for the County's Housing Trust fund for the provision of affordable housing. The projected sales price shall be determined by the applicant in consultation with the staff of the Fairfax County Department of Housing and Community Development and Dept. of Environmental Management & Environmental Services. The timing and amount of such contribution may be modified at the Applicant's sole discretion based on the adoption of a future amendment to the formula adopted by the Board of Supervisors.
21. 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 DPWES, for either gas or electric energy systems .

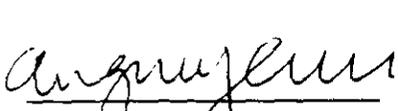
TITLE OWNERS SIGNATURES FOLLOW ON NEXT PAGE:

Environmental Services. The timing and amount of such contribution may be modified at the Applicant's sole discretion based on the adoption of a future amendment to the formula adopted by the Board of Supervisors.

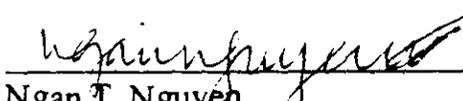
21. Energy Efficiency: All homes constructed on the property shall meet the thermal Standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES, for either gas or electric energy systems.

TITLE OWNERS SIGNATURES FOLLOW ON NEXT PAGE:

TITLE OWNERS:


Quan O. Nguyen

Title Owner of lots located on tax map 71-2((2))Lot 27 and 71-2((4))Lots 5, 6.

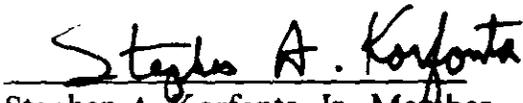

Ngan T. Nguyen

Title Owner of lots located on tax map 71-2((2))Lot 27 and 71-2((4))Lots 5, 6.


Freda P. DeHart Living Trust

by Freda P. DeHart, Trustee for *Freda P. DeHart Living Trust*

Title Owner of lots located on tax map 71-2((2))Lots 28, 29.


Stephen A. Korfonta, Jr., Member
Seville Homes LLC

Contract Purchaser of Lots located on tax map 71-2((2))27, 28, and 29 and 71-2((4))5 and 6, and Title Owner of lot located on tax map 71-2((4))Lot 4



PROFFERS

RZ 2001-MA-049

May 6, 2002

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned, as the applicant in the above-referenced Rezoning Application and the owners of the Property, (hereinafter referred to as Applicant) which is the subject matter thereof, being approximately 2.685 acres identified as Tax Map 71-2((2))27,28, 29; and 71-2((4))4,5,6 (hereinafter referred to as the Property), hereby proffer for themselves and their successors and assigns that the development of the Property will be subject to the following terms and conditions provided that the Board of Supervisors (BOS) approves the rezoning application from the C-2, R-2, HC and SC District to the PDH-5, HC and SC Districts.

1. Substantial Conformity. The Property shall be developed in substantial conformance with the Conceptual/Final Development Plan (CDP/FDP) dated February 12, 2002, revised through April 12, 2002, CDP/FDP prepared by *Runyon, Dudley, Associates, Inc.*
2. Landscaping and Design Amenities. Landscaping shall be consistent with the quality, quantity and the locations shown on Sheet 2 of the CDP/FDP. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans submitted at the time of first submission of the subdivision plan for review and approval by the Urban Forester. Such landscape plans shall provide tree coverage and species diversity consistent with the Public Facilities Manual criteria, as determined by the Urban Forester. A sidewalk and street lights will be provided in accordance with the Annandale CBD guidelines along Evergreen Lane and in substantial conformance with Sheet 2 of the CDP/FDP, as determined by DPWES.
3. Building Design and Building Materials. The proposed dwellings shall be compatible and similar in design, square footage and materials to each other. The dwellings will be two-story single family detached residences and the exterior of the structures will be brick on the fronts of all units and at a minimum, brick on the sides of the units facing Evergreen Lane and Alpine Drive, which include Lots 1, 7, and 8. Lots 5-7 shall front on Evergreen Lane and access shall be provided from the internal private streets. Lots 8 and 9 shall be rear loaded units with access provided from the internal private streets and front Evergreen Lane. Lots 1 and 10 which have side elevations adjacent to Evergreen Lane shall include architectural features such as, but not limited to, shutters or other ornamental or architectural features on that elevation which is visible from Evergreen Lane.

4. Stormwater Management. Unless waived or modified by DPWES, the Applicant shall provide a storm water management facility in accordance with the Public Facilities Manual regulations. In the event that the stormwater management facility is not waived, said facility shall be provided as generally shown on the CDP/FDP. Any on-site storm water management facilities shall be landscaped to the maximum extent feasible, in coordination with the Urban Forestry Division, pursuant to the policy adopted by the Board of Supervisors, using native species. The Homeowners Association shall be responsible for trimming grassy areas in and around the storm water management pond on a regular basis, subject to approval by the Department of Public Works & Environmental Services (DPWES). In the event that the requirement for an on-site stormwater management facility is waived, the area shown as a stormwater management facility will become part of the open space for the subdivision as shown on the CDP/FDP.
5. Maximum Density. The maximum density for the subdivision shall be 4.47 dwelling units per acre, or 12 lots.
6. Height Limitation. The proposed dwellings will be a maximum height of thirty (30) feet, with no more than two levels above ground and in-ground basements.
7. Minor Modification. Pursuant to Para. 4 of Sect. 16-403 of the Zoning Ordinance, minor modifications from the approved CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the CDP/FDP provided such changes are in substantial conformance with the CDP/FDP and proffers, and do not increase the total number of units and access points or decrease the minimum amount of open space and buffer area.
8. Garages. The Applicant shall place a covenant on each garage unit that prohibits the use of the garage for any purpose which precludes motor vehicle storage. This covenant shall be recorded among the land records of Fairfax County prior to the sale of lots and shall run to the benefit of the HOA and to the Board. Prior to recordation, the covenant shall be approved by the Fairfax County Attorney's office. The HOA documents shall expressly state this use restriction.
9. Open Space. At the time of recordation of the subdivision plan for each section, the Applicant shall convey all open space parcels and all open space areas outside private lot lines including the 25' buffer area to the Homeowners Association for ownership and maintenance. The HOA documents shall expressly state that the HOA shall be responsible for the maintenance of the open space serving the development.
10. Ingress/Egress. Ingress/egress for the subdivision shall be via Evergreen Lane, Route #796.
11. Tree Preservation: The Applicant shall prepare a tree preservation plan to be

submitted as part of the first subdivision plan submittal. The tree preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape professional. The tree preservation plan reviewed and subject to the approval of the Urban Forestry Division. The purpose of the Plan is primarily to preserve the four (4) large trees to the right of Alpine Drive if at all possible. These trees are identified on the CDP/FDP as 20' maple - R=25', 20" oak - R=25', 16" oak, R=20' and 20" multi-maple, R=20'. In addition, two trees on the left side of Alpine will be saved if at all possible: a 30" oak R=35' and a 36" Oak, R=40'. To help ensure the survival of these trees, the trees will be pruned, fertilized and mulched according to the American National Standards Institute (ANSI) A300-1995 pruning standards. The Urban Forestry Division will be notified when the work is to be performed. If any other trees within the subdivision can be saved, in the opinion of the Project Arborist in consultation with the Urban Forester, those trees shall be included on the Plan. If any of these trees are damaged during construction, such tree(s) shall be replaced by the Applicant with a healthy tree of the same species of the size which gives a tree of that species the best chance of survival according to the Project Arborist and Urban Forester. The condition analysis shall be prepared using methods outlined in the latest edition of The Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be incorporated into the tree preservation plan. Activities include, but are not limited to, crown pruning, root pruning, mulching, and fertilization.

All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing, consisting of four foot high, 14 gauge welded wire attached to a 6 foot steel posts driven 18 inches into the ground and placed no farther than 10 feet apart, shall be placed at the limits of clearing and grading as shown on the erosion and sedimentary control sheets in all areas. The tree protection fencing shall be made clearly visible to all construction personnel. The tree protection fencing shall be installed prior to the performance of any clearing and grading activities on the site, including the demolition of any existing structures. All tree preservation activities, including installation of tree protection fencing, shall be performed under the supervision of the Project Arborist. Three (3) days prior to the commencement of any clearing, grading, or demolition activities on the site, the Project or to the commencement of any clearing, grading, or demolition activities on the site, the Project Arborist shall verify in writing that the tree protection fencing has been properly installed and the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been clearly installed.

The demolition of existing features and structures shall be conducted in such a manner as to minimize the impact on individual trees to be preserved, as determined by the Urban Forester. Methods to preserve existing trees may include but not be limited to the following: use of super silt fence, welded wire tree protection, root pruning, fertilizer, mulching, and others.

Before or during the pre-construction meeting, the Applicant/Project Arborist and the Urban Forester shall walk the limits of clearing and grading around the trees to be saved to determine if adjustments to the clearing limits can be made to increase the survivability of the trees. If for any reason, during the inspection of the trees, the Project Arborist in conjunction with the Urban Forester determine that a tree or trees are not likely to survive, the Applicant shall remove such trees as part of the clearing operation and the trees shall be replaced in accordance with the above.

The Homeowners Association covenants shall require that no structures or fences shall be erected in HOA open space or tree save areas, and that trees in HOA open space areas and tree save areas will not be disturbed except for (i) the removal of diseased, dead, dying, or hazardous trees or parts thereof; and/or (ii) selective maintenance to remove noxious and poisonous weeds.

12. Construction Access and Parking. Access to the Property by construction vehicles and workers shall be from Evergreen Lane. The Applicant shall include a provision in its agreement with contractors and specialty trades working on the Property that such contractors shall not to use any street in the adjacent residential subdivision as construction access to the Property. In addition, the Applicant will provide on-site parking for construction workers and their vehicles.
13. Demolition of Existing House. The existing houses on the property shall be removed prior to the issuance of any Residential Use Permit for any new home on the Property.
14. Right of Way Dedication. Right-of-way along the Evergreen Lane frontage of the site as shown on the CDP/FDP, shall be dedicated and conveyed in fee simple to the Board of Supervisors upon demand by the Virginia Department of Transportation (VDOT) or Fairfax County whichever occurs first. Such dedication shall occur at the time of subdivision plan approval. In the event that prior to subdivision plan approval, the Department of Transportation (DOT) in consultation with Virginia Department of Transportation (VDOT), determines that the minimum road improvements needed for the expansion of Evergreen Lane to provide half section improvements for a four lane undivided road and center turn lane is less than 29' from face of curb, the applicant shall provide the road improvements in accordance with DOT and VDOT recommendations and continue to dedicate right-of-way forty-one (41) feet from centerline. The subdivision plan shall be submitted to the Zoning Administrator for review and approval in consultation with the Mason District Planning Commissioner, if road improvements are reduced. Road improvements will include construction of curb, gutter, and sidewalk. Unless otherwise modified, face of curb will be placed 29 feet from center-line and taper to 25 feet to the existing curb and gutter on the southern portion of the property. The sidewalk, curb, and gutter will tie in with the existing sidewalk, curb and gutter to

provide an appropriate transition between developments, as determined by VDOT.

Along Alpine Drive, the curb and gutter will be constructed in accordance with that shown on the CDP/FDP, if standards are modified or waived by the Board of Supervisors or DPWES.

15. Private Streets. All private streets will be constructed with materials and depth of pavement standards consistent with public street standards in accordance with the Public Facilities Manual, as determined by DPWES. The entrances from Evergreen Lane shall be provided in accordance with VDOT standards. The Homeowners Association (HOA) shall be responsible for the maintenance of all private streets. The HOA documents shall expressly state that the HOA shall be responsible for the maintenance of the private streets serving the development.
16. Recreation Facilities: Prior to subdivision plan approval, a contribution of \$955.00 per unit shall be made to the Fairfax County Park Authority for the purpose of contributing to the recreational facilities off-site in a near-by park or acquisition of park land in the Mason District.
17. Hours of Operation for Construction of Subdivision. No outdoor work shall be conducted on the Property before 7:00 a.m. or after 7:00 p.m. weekdays, from 8:00 a.m. to 6:00 p.m. on Saturday, and from 10:00 a.m. to 6:00 p.m. on Sundays.
18. Signs: No temporary signs (included "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia, shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in the initial sale of homes on the Property.
19. Noise: In order to mitigate noise for the lots along Evergreen Lane, the Applicant shall construct the dwelling units on Lots 1, 5-10 with the following acoustical measures:
 1. Construction materials and techniques known to have physical properties or characteristics suitable to achieve an laboratory and transmission class (STC) of at least 39 for interior walls.
 2. Doors (excluding garage doors) and glazing shall have a laboratory STC rating of at least 28. If glazing (excluding garage doors) constitute more than twenty percent (20%) of any facade, then the windows shall have the same STC rating as that facade.
 3. Measures to seal and caulk between surfaces should follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
 4. As an alternative to the above, the Applicant may elect to have a refined

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

20. The Applicant shall, at the time of final subdivision plan approval, contribute one-half (½ %) percent of the estimated sales price of each new dwelling to Fairfax County for the County's Housing Trust fund for the provision of affordable housing. The projected sales price shall be determined by the applicant in consultation with the staff of the Fairfax County Department of Housing and Community Development and Dept. of Environmental Management & Environmental Services. The timing and amount of such contribution may be modified at the Applicant's sole discretion based on the adoption of a future amendment to the formula adopted by the Board of Supervisors.
21. 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 DPWES, for either gas or electric energy systems .

TITLE OWNERS SIGNATURES FOLLOW ON NEXT PAGE:

TITLE OWNERS:

Quan O. Nguyen

Title Owner of lots located on tax map 71-2((2))Lot 27 and 71-2((4))Lots 5, 6.

Ngan T. Nguyen

Title Owner of lots located on tax map 71-2((2))Lot 27 and 71-2((4))Lots 5, 6.

Freda P. DeHart Living Trust

by Freda P. DeHart, Trustee for *Freda P. DeHart Living Trust*

Title Owner of lots located on tax map 71-2((2))Lots 28, 29.

**Stephen A. Korfonta, Jr., Member
Seville Homes LLC**

**Contract Purchaser of Lots located on tax map 71-2((2))27, 28, and 29 and 71-2((4))5 and
6, and Title Owner of lot located on tax map 71-2((4))Lots 4**



PROPOSED FINAL DEVELOPMENT CONDITIONS

FDP 2001-MA-049

May 8, 2002

If it is the intent of the Planning Commission to approve FDP 2001-MA-049 for a single family detached development located at Tax Maps 71-2 ((2)) 27, 28, 29 and 71-2 ((4)) 4, 5 and 6 staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the Final Development Plan consisting of two sheets entitled "Alpine" prepared by Runyon, Dudley, Associates dated August 9, 2001, as revised through April 12, 2002.
2. If provided, subdivision signs shall be subject to Article 12 of the Zoning Ordinance. If lighted, the sign shall be front-lit only with the lights directed downward or directly onto the sign to minimize glare.

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



REZONING AFFIDAVIT

DATE: April 30, 2002
(enter date affidavit is notarized)

2001-177a

for Application No. (s): RZ/FDP 2001-MA 049
(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)

Runyon, Dudley Associates, Inc.
10650 Main St., Ste. 301, Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Reid M. Dudley

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

(check if applicable) [x] There is more corporation information and Par. 1(b) is continued 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: April 30, 2002
(enter date affidavit is notarized)

2001-177a

for Application No. (s): RZ/FDP 2001-MA 049
(enter County-assigned application number (s))

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

Jane Kelsey & Associates, Inc.
4041 Autumn Ct., 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 SHAREHOLDER: (enter first name, middle initial, and last name)

Jane Kelsey

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

Jane Kelsey, President

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

Seville Homes, LLC
8300 Boone BLvd., Ste. 870, Vienna, VA 22182

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 ^{Members} SHAREHOLDERS: (enter first name, middle initial, and last name)

Stephen A. Korfonta, Jr.

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: April 30, 2002
(enter date affidavit is notarized)

2001-177a

for Application No. (s): RZ/FDP 2001-MA 049
(enter County-assigned application number (s))

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

Freda P. DeHart Living Trust
3716 Krysia Ct., Annandale, VA 22003

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)

Freda P. DeHart, Trustee for the Freda P. DeHart Living Trust for the
Benefit of Daniel Douglas DeHart

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: April 30, 2002
(enter date affidavit is notarized)

2001-177a

for Application No. (s): RZ/FDP 2001-MA-049
(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: April 30, 2002
(enter date affidavit is notarized)

2001-177a

for Application No. (s): RZ/FDP 2001-MA-049
(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)

[] Applicant

[x] Applicant's Authorized Agent

Lori Greenlief

Lori Greenlief

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

Subscribed and sworn to before me this 30 day of April, 2002, in the State/Comm. of Virginia, County/City of Fairfax.

Catherine Palmateer
Notary Public

My commission expires: March 31, 2004

Jane Kelsey & Associates, Inc.

**President
Jane Kelsey**

**Land Use Consultants
4041 Autumn Court
Fairfax, VA 22030-5168
703-385-4687 (Phone)
703-385-8760 (FAX)
jckelse@aol.com**

**Associate
Lori Greenlief**

**Vice-President
Don Lucas**

August 17, 2001

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

100-1-7 2001

Ms. Barbara A. Byron, Director
Zoning Evaluation Division
Fairfax County Dept. of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035-5505

ZONING EVALUATION DIVISION
FAIRFAX COUNTY DEPARTMENT OF PLANNING AND ZONING

**RE: Proposed Rezoning, Applicant: Seville Homes LLC
Tax Map 76-2((2))27, 28, 29 and 71-2((4))4, 5, 6**

Dear Ms. Byron:

Please accept the following statement of justification for the rezoning of approximately 2.685 acres of land from the R-2 and C-2 Districts to the PDH-8 District.

59K (4-8-02)

The Applicant is the contract purchase of the above acreage located in the Mason District, identified among the Fairfax County tax map records as 76-2((2))27, 28, 29 and 71-2((4))4, 5, 6 (the "subject property"). The subject property is located on the east side of Evergreen Lane and is bordered on the south by Evergreen Heights, a townhouse community zoned R-8, on the east by Alpine, a single family detached subdivision, on the north by property zoned C-2 and developed with an office building, and on the west by land zoned C-3 and developed with office condominiums.

The subject property is located within the Columbia Community Planning Sector of Area I of the Comprehensive Plan. It is across the street from the Annandale Central Business Center (CBC). The applicant is proposing a rezoning of the subject property to the PDH-8 District with an overall proffered density not to exceed 5.3 dwelling units per acre (du/ac).

COMPREHENSIVE PLAN

As stated in the Plan language for this planning sector, the Columbia Community Planning Sector is characterized primarily by single-family residential uses. The

exception to this are the commercial uses located on the west side of Evergreen Lane within the Annandale CBC. The protection and enhancement of the stable residential neighborhoods, such as Alpine, located on the east side of Evergreen Lane is an objective of the Policy Plan in general and of this Planning Sector. This can be accomplished through sensitive and appropriate transitional uses as proposed by the Applicant. The subject property is specifically referenced in the Plan as a transition property and the language states that as an alternative to 2-3 du/ac, the area may develop as a residential use at 4-6 du/ac provided five conditions are met.

As stated in the conditions, development on the lots should consist of consolidation of at least three parcels with development consisting of single family detached or zero lot line/patio homes limited in height to two stories. The Applicant has consolidated six parcels and through the use of a P District is able to sensitively design a development consisting of 14 single family detached, zero lot line patio homes. The proposed development, at a proffered density of 5.3 du/ac, will be an appropriate transition between the office condominiums and town homes to the north, west, and south and the single family detached dwellings of Alpine subdivision to the east.

The Plan also recommends a 25 foot buffer area adjacent to the single family detached housing to the east. A landscaped buffer area as well as a 6 foot high architectural board on board fence is provided along the entire length of the lots abutting the Alpine subdivision with the exception of two small areas where driveway width requirements and geometrics dictate the need for the buffer area to be reduced in width. This is due in part to the convex shape of the lots to the south of Alpine Drive.

Further, the Plan recommends consolidated access to Evergreen lane. The proposed development consolidates access for the eight homes on the north side of Alpine Drive to a single access point onto Evergreen Lane and the six homes on the south side of Alpine Drive to a single access.

The Plan recommends that even though the property is not located within the Annandale CBC, a Streetscape similar to that planned for the CBC should be provided as well as a treed or landscaped "gateway" to Alpine Drive which includes preserving existing mature trees. As shown on the Conceptual/Final Development Plan (CDP/FDP), Streetscape features similar to that of the CBC are proposed along Evergreen Lane. The fact that this proposal involves consolidation of parcels on either side of Alpine Drive provides the unique opportunity to coordinate a "gateway" to the Alpine subdivision which would not be possible if the properties on either side of Alpine Drive developed separately. Existing

mature vegetation along Alpine Drive will be preserved as shown on the CDP/FDP.

The proposed development meets the Residential Development Criteria as specified in the Plan.

1. The proposed development complements the existing scale, character and materials of the area. The layout provides an appropriate transition between the commercial development across Evergreen Lane and Alpine subdivision to the east. Landscaping and a barrier area, as well as acceptable construction methods for the homes, provide for noise attenuation along Evergreen Lane. Typical Fairfax County energy saving devices will be incorporated into the construction. Existing mature vegetation is preserved as shown on the CDP/FDP. Proposed landscaping and pedestrian access will conform to the Annandale CBC standards.
2. The provision of public facilities other than parks is not applicable.
3. Phasing of the development is not applicable.
4. Transportation contributions for the area are achieved by dedicating and providing improvements along the property's entire frontage along Evergreen Lane to match the existing previous dedication in both directions in accordance with Streetscape standards.
5. The proposed development provides a unified plan for these six lots. Since the plan is split by Alpine Drive, the provision of on-site recreational facilities would be difficult and cumbersome. As such, the applicant proposes to provide a cash contribution to the Park Authority for development of off-site facilities.
6. The Applicant is providing 36.17 percent open space after dedication which is in excess of the County Ordinance requirements.
7. Through the use of the P District, the applicant is able to preserve existing mature vegetation on site as a natural environmental resource as well as meeting the Plan's specific recommendations of tree preservation.
8. Contribution to Low and Mod Income goals of the Plan will be met in accordance with the appropriate guidelines.

9. There are no scenic or historic resources of architectural or cultural significance on this site.
10. The proposed development provides for full possible consolidation on the south side of Alpine Drive and consolidation of three parcels on the north side of Alpine Drive thus meeting the general Plan objective and the sector specific objectives for this area.

ZONING ORDINANCE

The proposed development meets the planned development requirements contained in Article 6 of the Zoning Ordinance. The Applicant is proposing high quality residential development accomplished within a density which provides an excellent transition from commercial to single family detached residential development. The site layout will provide landscape buffering to the Alpine subdivision to a much larger extent than the existing townhouse developments, zoned R-8 to the South. The minimum district size of 2 acres is satisfied and the density falls well below the maximum density of 8 dwelling units per acre for the PDH-8 District. The proposed development provides 36.17 percent open space, after dedication, exceeding the minimum requirement for the PDH-8 District of 25 percent.

The proposed development also meets the Planning Development General Standards specified in Article 6. The proposal substantially conforms to the Comprehensive Plan language for this property. Further, the design of the site results in a development which achieves the stated purpose of the P District designation in that an innovative and creative site layout is achieved through zero lot line development and high standards of construction and design will be utilized. Adequate buffers and preservation of mature existing vegetation will result in no adverse impact to the adjoining properties. Public facilities are available for the use. A 6 foot concrete walkway is proposed to be provided along the site's frontage consistent with the Annandale CBC Plan.

The Plan recognizes these lots as appropriate for residential development designed as a transition from the commercial development on the west side of Evergreen lane (Annandale CBC) and the stable single family residential neighborhood to the east of the property (Alpine). Through the use of the P District, the Applicant has been able to consolidate more than the recommended number of lots and create a sensitive and well-designed development.

Should you have any questions regarding this submission or require additional

Rezoning Application
Seville Homes, LLC

Attachment to Statement of Justification

11. There are no known hazardous or toxic substances on the subject property as set forth in this Item.
12. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought by the applicant, such has been noted.

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

AUG 17 2001

ZONING EVALUATION DIVISION
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 and Environmental Analysis for:
RZ/FDP 2001-MA-049, Seville Homes, L.L.C.

DATE: 25 April 2002

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the application and development plan dated February 12, 2002 and as amended on April 16, 2002. This application requests a rezoning from C-2 and R-2 to PDH-8. Approval of this application would result in twelve homes at a density of 4.47 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 vacant, planned for residential use at 2-3 dwelling units per acre with an option for residential use at 4-6 dwelling units per acre subject to conditions and zoned C-2 and R-2. A church and school are located to the north, on land planned for residential use at 2-3 dwelling units per acre and zoned C-2 and R-2. Housing for seniors and single family detached homes are located to the east, on land planned for residential use at 2-3 dwelling units per acre and zoned R-2. A townhouse development is located to the south, planned for residential use at 8-12 dwelling units per acre and zoned R-8. Commercial development is located to the west, planned for office use and zoned C-3.

COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:

The 2.48-acre property is located in the Columbia Community Planning Sector (A2) of the Annandale Planning District in Area I. The Comprehensive Plan provides the following guidance on the land use and the density for the property:

Text:

On page 64 of the Annandale Planning District in the 2000 edition of the Area I Plan, under the heading, "Recommendations, Land Use," the Plan states:

- “1. Lots on the east side of Evergreen Lane north of Greenberry Lane -- Parcels 71-2((2))23-29 and 71-2((4))4, 5, 6 -- are planned for single-family residential development at 2-3 dwelling units per acre. These lots provide the transition between the stable residential neighborhoods that abut them to the east and the commercial activity on the west side of Evergreen Lane. Commercial development on these lots should not be permitted. However, professional office uses may be permitted in the existing single-family detached residential structures, provided that the structures and their lots retain their single-family residential appearance. As an alternative, this area may develop as residential use at 4-6 du/ac if the following conditions are met:
- Development should consist of single family detached or zero lot line/patio home units, with height limited to two stories (excluding the basement level);
 - Minimum consolidation of three contiguous parcels;
 - Provision of a minimum 25 foot buffer area adjacent to the single family detached housing to the east;
 - Provision of consolidated access to Evergreen Lane; and
 - Provision of streetscape along Evergreen Lane similar to that planned for the adjacent Annandale CBC as well as the provision of a treed or landscaped “gateway” to Alpine Drive which includes preserving existing mature trees.”

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 4.47 dwelling units per acre which is in conformance with the use and density recommendations of the Comprehensive Plan. The development plan shows single family detached homes with a height limit of two stories. The applicant has consolidated six parcels. Except for a small area, the development plan shows a 25-foot buffer adjacent to the existing single family detached housing to the east. Consolidated access to Evergreen Lane is provided. The applicant should show the provision of streetscaping on the development plan. The development plan and proffers also address tree preservation. Therefore, the application has substantially met the conditions suggested for the higher density residential option. There are no significant environmental impacts anticipated.

BGD: ALC

FAIRFAX COUNTY VIRGINIA

MEMORANDUM

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

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

FILE: 3-4 (RZ 2001-MA-049)

SUBJECT: Transportation Impact, Addendum

REFERENCE: RZ/FDP 2001-MA-049, Alpine (Seville Homes, LLC)
Traffic Zone: 1407
Land Identification Map: 71-2 ((2)) 27-29, 71-2 ((4)) 4-6

DATE: April 26, 2002

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plat dated April 12, 2002.

Concern has been raised about the frontage improvements required on Evergreen Lane. Staff supports these improvements for several reasons:

- Evergreen Lane has an average daily traffic (ADT) of over 10,500 vehicles per day. According to the Public Facilities Manual an ADT of over 5500 vehicles warrants a multilane divided roadway, which would include a raised median and left and right turn lanes.
- Evergreen Lane is improved on the west side of the street with the face of curb at 35 feet from centerline which is the current standard for a four-lane divided roadway.
- Evergreen Lane to the south of the site is improved with the face of curb at 34 feet from the centerline in a 45 foot right-of-way.
- Improving Evergreen Lane across the applicant's site frontage to match the existing improvements to the south and west would leave only a small portion of the roadway remaining to be widened to provide the necessary width for the entire street.

Because of the multiple entrances on Evergreen Lane, staff supports a flush median to be used as a center turn lane. In order to lessen the impact of the widening and to address neighborhood concerns as much as possible, it is the understanding of this department that VDOT would accept a lesser section consisting of a right-of-way dedication of 41 feet from centerline instead of the usual 45 feet, and a total pavement width of only 64 feet from curb to curb as opposed to a standard 70 feet.

Therefore, staff believes the following issues have been addressed by the applicant:

- The applicant is providing improvements including curb and gutter along the entire site frontage on Evergreen Lane to be a uniform 64 feet from curb to opposing curb.
- The applicant is continuing the curb and gutter to a certain point on Alpine Drive as agreed upon with VDOT.
- The entrance to the private street for lots 1 through 7 has been aligned with the entrance on the opposite side of Evergreen Lane.

Note that the entrance from Evergreen Lane to lots 8 through 12 should be a minimum of 30 feet wide and constructed according to VDOT entrance standards.

AKR/LAH/lah

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

FAIRFAX COUNTY VIRGINIA

MEMORANDUM

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

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

FILE: 3-4 (RZ 2001-MA-049)

SUBJECT: Transportation Impact

REFERENCE: RZ/FDP 2001-MA-049, Alpine (Seville Homes, LLC)
Traffic Zone: 1407
Land Identification Map: 71-2 ((2)) 27-29, 71-2 ((4)) 4-6

DATE: January 28, 2002

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated August 9, 2001, and revised through February 1, 2002.

The subject application is a request to rezone 2.685 acres from R-2, C-2 Districts to a PDH-8 District for 13 single family detached dwelling units at a density of 4.842 dwelling units per acre. Access is via private streets from Evergreen Lane. A waiver of sidewalk and public street frontage improvements on Alpine Drive is requested.

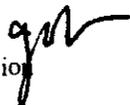
- The applicant should dedicate 45 feet from the centerline of Evergreen Lane and construct frontage improvements to match the existing curb and gutter and sidewalk constructed to the south of the site.
- The applicant should construct curb and gutter along Alpine Drive and provide a sidewalk along the north side of the street where no tree save is anticipated.
- Entrances to private streets should align with entrances on opposite side of Evergreen Lane.

AKR/LAH/lah

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

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP **DATE:** January 10, 2002

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ/FDP 2001-MA-049
Tax Map No. 071-2 ((02)) 27,28,29;((04)) 4,5,6

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

1. The application property is located in the CAMERON RUN (13) Watershed. It would be sewered into the Alexandria Sanitation Authority Treatment Plant.
2. Based upon current and committed flow, there is excess capacity available in the Alexandria Authority Treatment 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 priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An Existing 8 inch line pipe located in AN EASEMENT AND EVERGREEN LANE and APPROX. 20 FEET FROM the property is adequate for the proposed use at the present this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information of comments: _____

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

December 20, 2001

MEMORANDUM

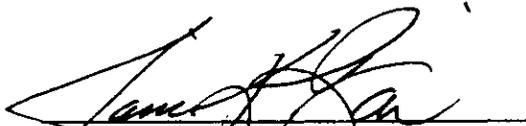
TO: Staff Coordinator (Tel. 324-1250)
Zoning Evaluation Division-Suite 800
12055 Government Center Parkway
Fairfax, Virginia 22035

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

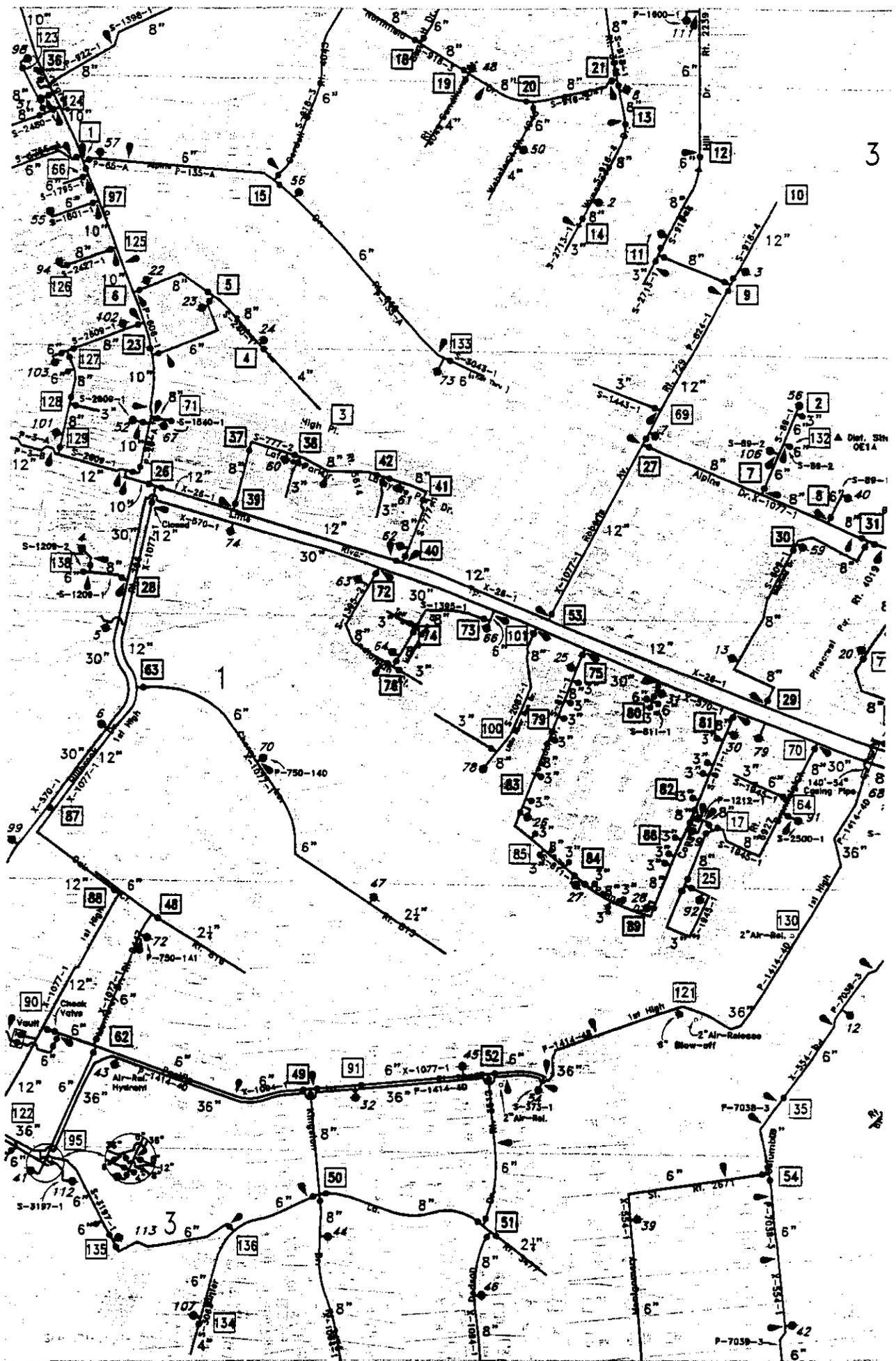
SUBJECT: Water Service Analysis, Rezoning Application RZ 01-MA-049
FDP 01-MA-049

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

1. The application property is located within the franchise area of the Fairfax County Water Authority.
2. Adequate domestic water service is available at the site from existing 10 & 6 inch mains 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, VIRGINIA

MEMORANDUM

December 3, 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-MA-049 and Final Development Plan FDP 2001-MA-049

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 #08, Annandale.
2. After construction programmed for FY 20__, this property will be serviced by the fire station planned for the _____ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Date: 2/28/02

Case # RZ-01-MA-049

Map: 71-2

PU 2287

Acreage: 2.86

Rezoning

From : R-2 To: PDH-5
C-2

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
Columbia 2455	K-6	460	382	367	93	383	77
Holmes 2111	7-8	825/1000	819	879	-54	879	121
Annandale 2140	9-12	2350	2315	2323	27	2527	-177

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	12	X.4	5	SF	4	X.4	2	3	5
7-8	SF	12	X.069	1	SF	4	X.069	0	1	1
9-12	SF	12	X.159	2	SF	4	X.159	1	1	2

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

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

Comments

Enrollment in the school listed (Columbia Elementary) is currently projected to be below capacity.

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

The 2 students generated by this proposal would require .08 additional classrooms at Holmes Middle and Annandale High(2 divided by 25 students per classroom). Providing these additional classrooms will cost approximately \$ 28,000 based upon a per classroom construction cost of \$350,000 per classroom.

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

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: 12/20/01

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

SRS

SUBJECT: Rezoning Application Review

Name of Applicant/Application: Seville Homes LLC

Application Number: RZ/FDP2001-MA-049

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

Date Received in SWPD: 12/11/01

Date Due Back to DPZ: 12/25/01

Site Information: Location - 071-2-01-00-0027, 28,29 and
071-2-04-00-0004, 5, 6
Area of Site - 2.68 acres
Rezone from - C-2 R-2 to PDH-8
Watershed/Segment - Cameron Run / Indian

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

I. Drainage:

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

II. Trails (PDD):

Yes No Any funded Trail projects affected by this application?

If yes, describe:

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

If yes, describe:

III. School Sidewalk Program (PDD):

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

If yes, describe:

Yes No Any funded sidewalk projects affected by this application?

If yes, describe:

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

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

If yes, describe:

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

If yes, describe:

V. Other Projects or Programs (PDD):

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

If yes, describe:

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

If yes, describe:

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

If yes, describe:

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

Application Name/Number: **Seville Homes LLC / RZ/FDP2001-MA-049**

******* 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): Applicant should include location of on-site storm water control facility on plan.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

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

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

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

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

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

SRS/RZ/FDP2001MA049

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



FAIRFAX COUNTY PARK AUTHORITY
.....
M E M O R A N D U M

APPENDIX 12

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

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

DATE: December 18, 2001

SUBJECT: RZ/FDP 2001-MA-049
Seville Homes, LLC.
Loc: 71-2((2)) 27-29; 71-2((4)) 4-6

BACKGROUND:

The Fairfax County Park Authority (FCPA) staff has reviewed the proposed Conceptual/Development Plan dated November 13, 2001 for the above referenced application. The Development Plan shows 14 proposed homes on approximately 2.7 acres. The proposal will add approximately 37 residents to the current population of Mason 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 that 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.”

2. Additional Neighborhood Park Facilities (The Area I Plan, Jefferson Planning District, District-Wide Recommendations, Parks and Recreation, p. 10 of 75).

“Neighborhood Park facilities should be provided in conjunction with any new residential development.”

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 14 non-ADUs proposed, the applicant shall provide \$13,370 for park facilities. Since the plan shows no recreational facilities, the pro-rata funds should be dedicated to the FCPA.

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

Standards for all Planned Developments

16-101 General Standards

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

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

16-102 Design Standards

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

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

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Abbreviations Commonly Used in Staff Reports

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