



FAIRFAX COUNTY

APPLICATION FILED: November 26, 2001
PLANNING COMMISSION: May 16, 2002
BOARD OF SUPERVISORS: Not Yet Scheduled

V I R G I N I A

May 1, 2002

STAFF REPORT

RZ/FDP 2001-PR-050

PROVIDENCE DISTRICT

APPLICANT: Stanley-Martin Homebuilding, LLC

PRESENT ZONING: R-1 and HC

REQUESTED ZONING: PDH-12 and HC

PARCEL(S): 48-4 ((1)) 15 and 16

ACREAGE: 4.46 acres

FAR/DENSITY: 9.64 dwelling units per acre (du/ac)

OPEN SPACE: 31%

PLAN MAP: Residential, 8-12 du/ac

PROPOSAL: Rezone the subject site from R-1 and HC to PDH-12 and HC for the development of 43 single-family attached dwellings

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2001-PR-050 and the Conceptual Development Plan subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report.

Staff also recommends that FDP 2001-PR-050 be approved subject to the proposed development condition contained in Appendix 2 and the Board's approval of RZ 2001-PR-050 and the Conceptual Development Plan.

Staff recommends that the transitional screening and barrier requirements along the northern property line be modified to the 10-foot wide strip of landscaping and the barrier depicted on the CDP/FDP.

Staff recommends that the limitation on fence height be waived pursuant to Par. 8 of Sect. 16-401 to permit the proposed wall along Lee Highway to be up to eight (8) feet in height.

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.



REZONING APPLICATION /

FINAL DEVELOPMENT PLAN

RZ 2001-PR-050

FDP 2001-PR-050

FILED 11/26/01

STANLEY-MARTIN HOMEBUILDING L.L.C.

TO REZONE: 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE

PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE PDM-12

DISTRICT

LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY

600 FEET EAST OF ITS INTERSECTION WITH

NUTLEY STREET

ZONING: R-1

TO: PDM-12

OVERLAY DISTRICT(S): MC

MAP REF 048-4- /01/ /0015- .0016-

FILED 11/26/01

STANLEY MARTIN HOMEBUILDING LLC

FINAL DEVELOPMENT PLAN

PROPOSED: RESIDENTIAL DEVELOPMENT

APPROX. 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE

LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY

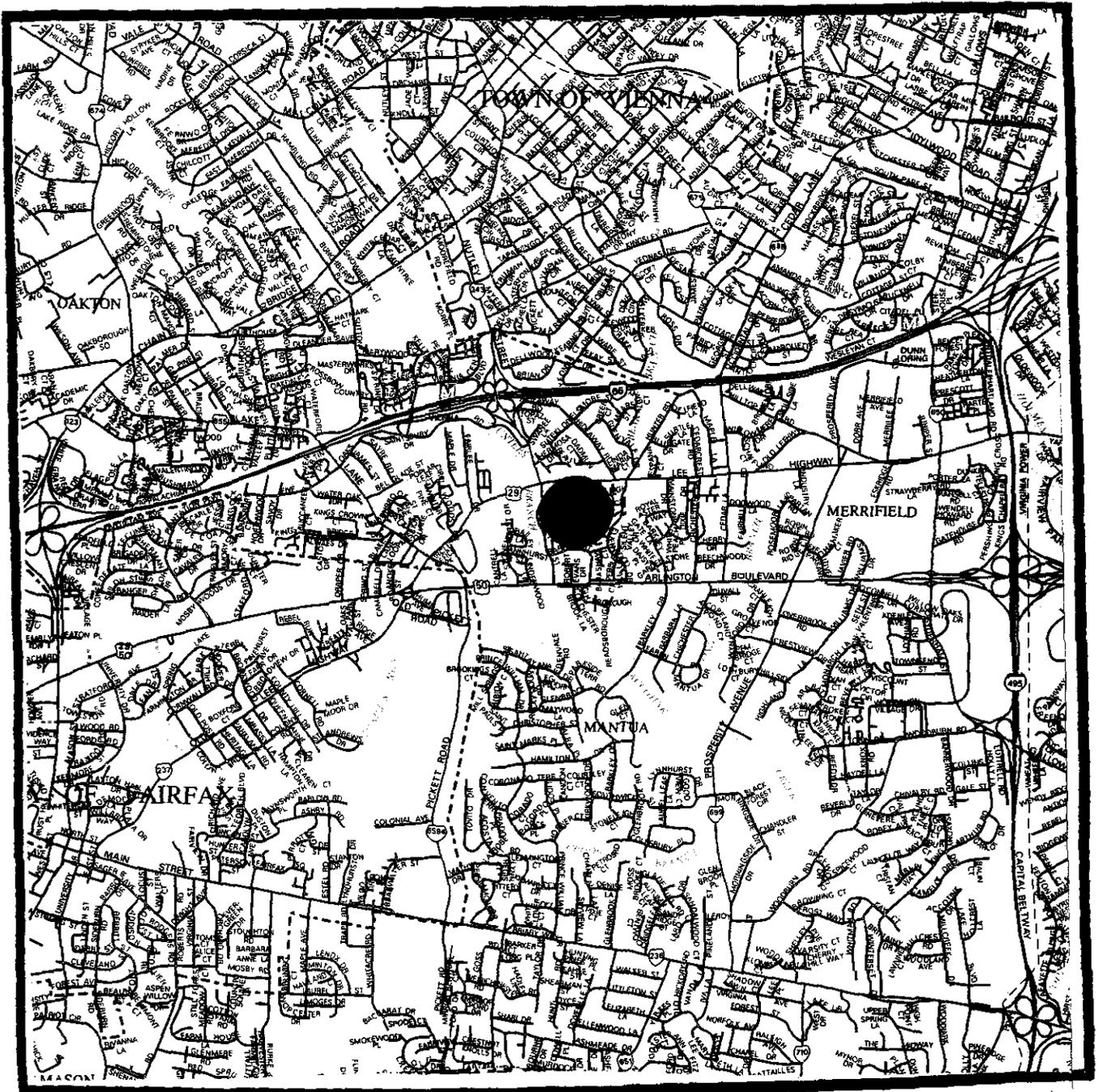
600 FEET EAST OF ITS INTERSECTION WITH

NUTLEY STREET

ZONING: PDM-12

OVERLAY DISTRICT(S): MC

MAP REF 048-4- /01/ /0015- .0016-



REZONING APPLICATION /

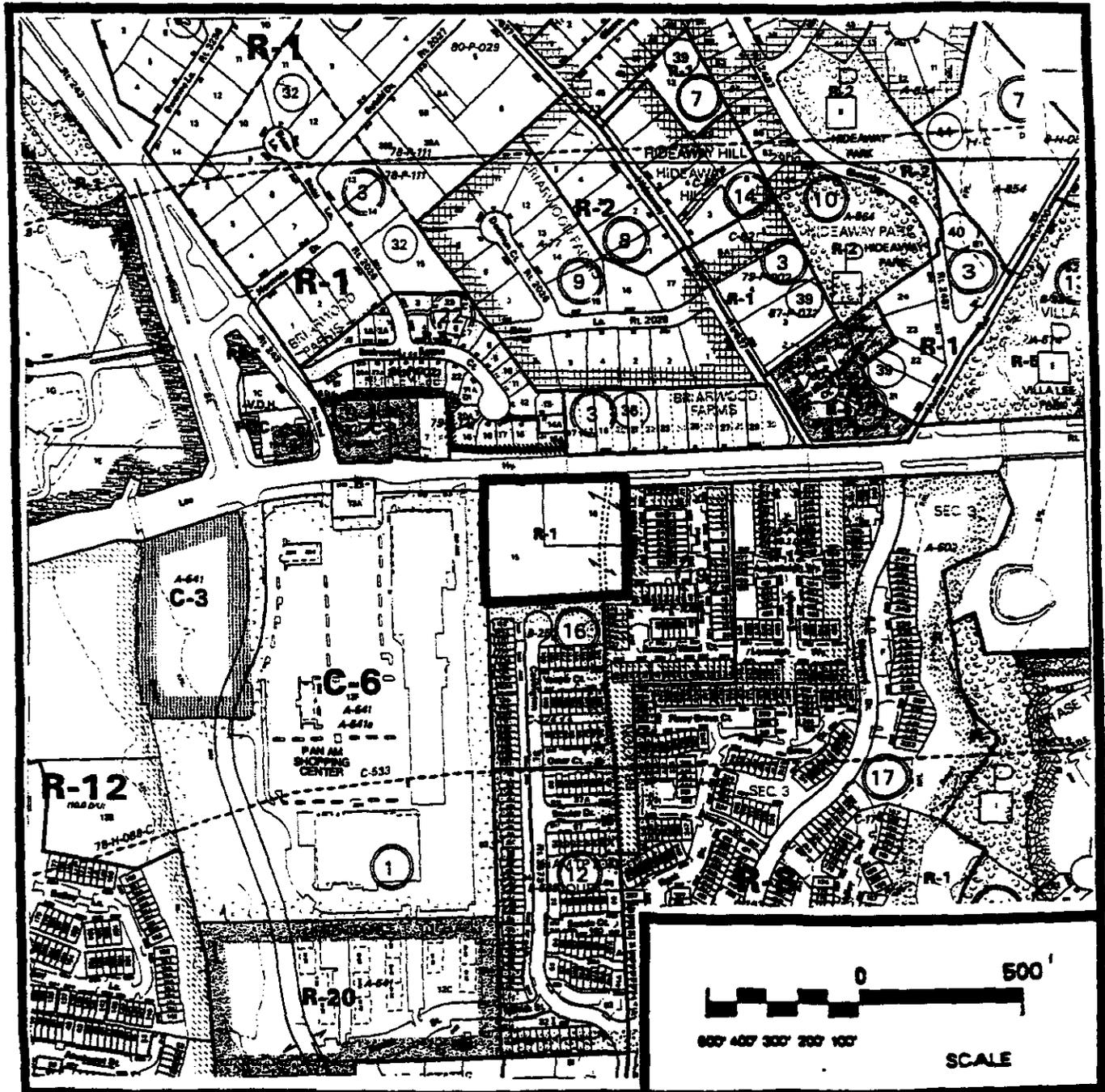
FINAL DEVELOPMENT PLAN

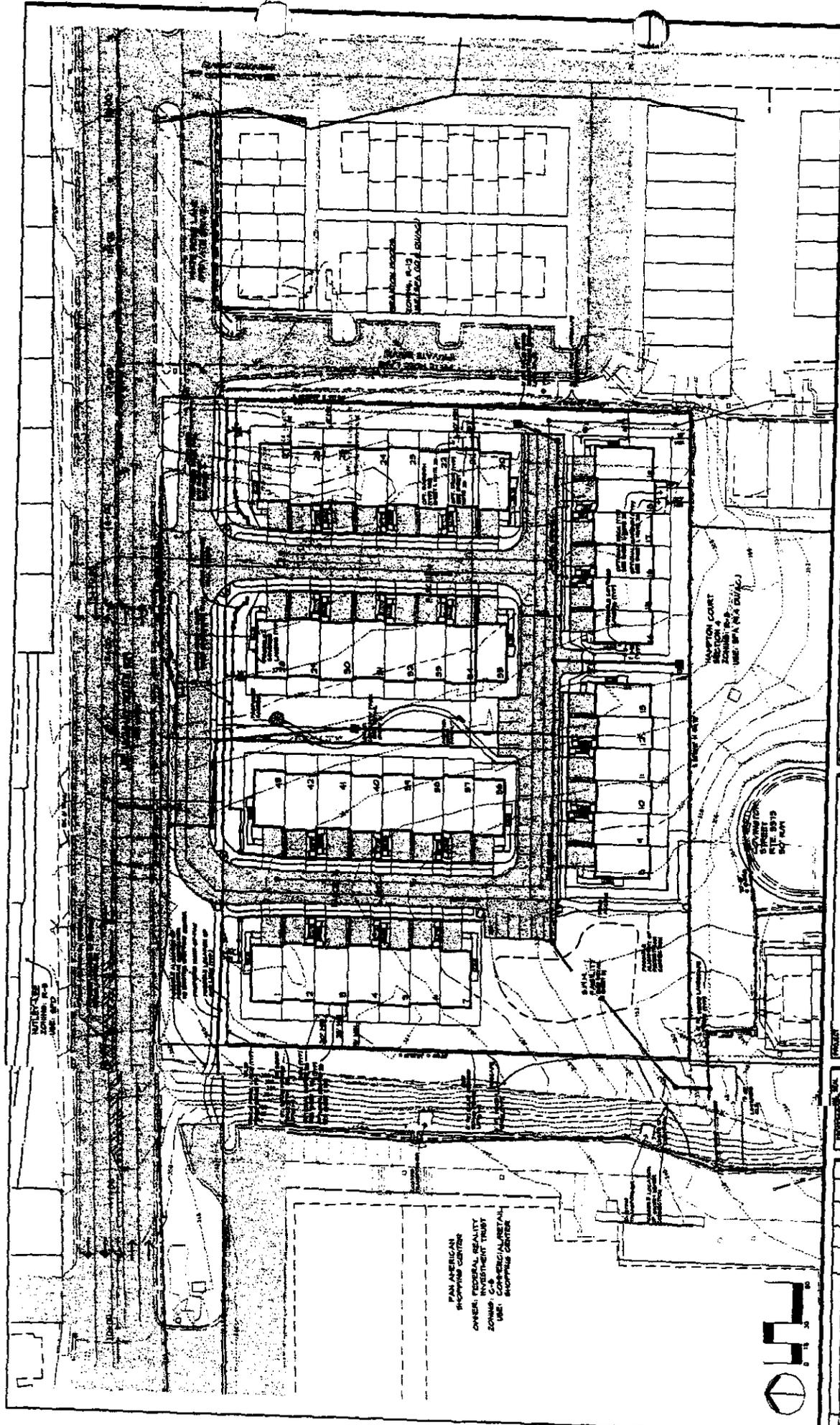
RZ 2001-PR-050

FDP 2001-PR-050

FILED 11/26/01
STANLEY-MARTIN HOMEBUILDING L.L.C.
TO REZONE: 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE
PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE PDM-12 DISTRICT
LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY 600 FEET EAST OF ITS INTERSECTION WITH NUTLEY STREET
ZONING: R-1
TO: PDM-12
OVERLAY DISTRICT(S): MC
MAP REF 048-4- /01/ /0015- .0016-

FILED 11/26/01
STANLEY MARTIN HOMEBUILDING LLC
FINAL DEVELOPMENT PLAN
PROPOSED: RESIDENTIAL DEVELOPMENT
APPROX. 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE
LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY 600 FEET EAST OF ITS INTERSECTION WITH NUTLEY STREET
ZONING: PDM-12
OVERLAY DISTRICT(S): MC
MAP REF 048-4- /01/ /0015- .0016-





OWNER	PHRA	DATE	APRIL 2002
PROJECT	PHRA	SCALE	1" = 50'
DESIGNER	DHS	SHEET	2 OF 6
PROJECT		TITLE	PHRA

PHRA
 Planning & Architecture
 1000 North 1st Street
 Suite 100
 Norfolk, VA 23510
 (757) 622-1111

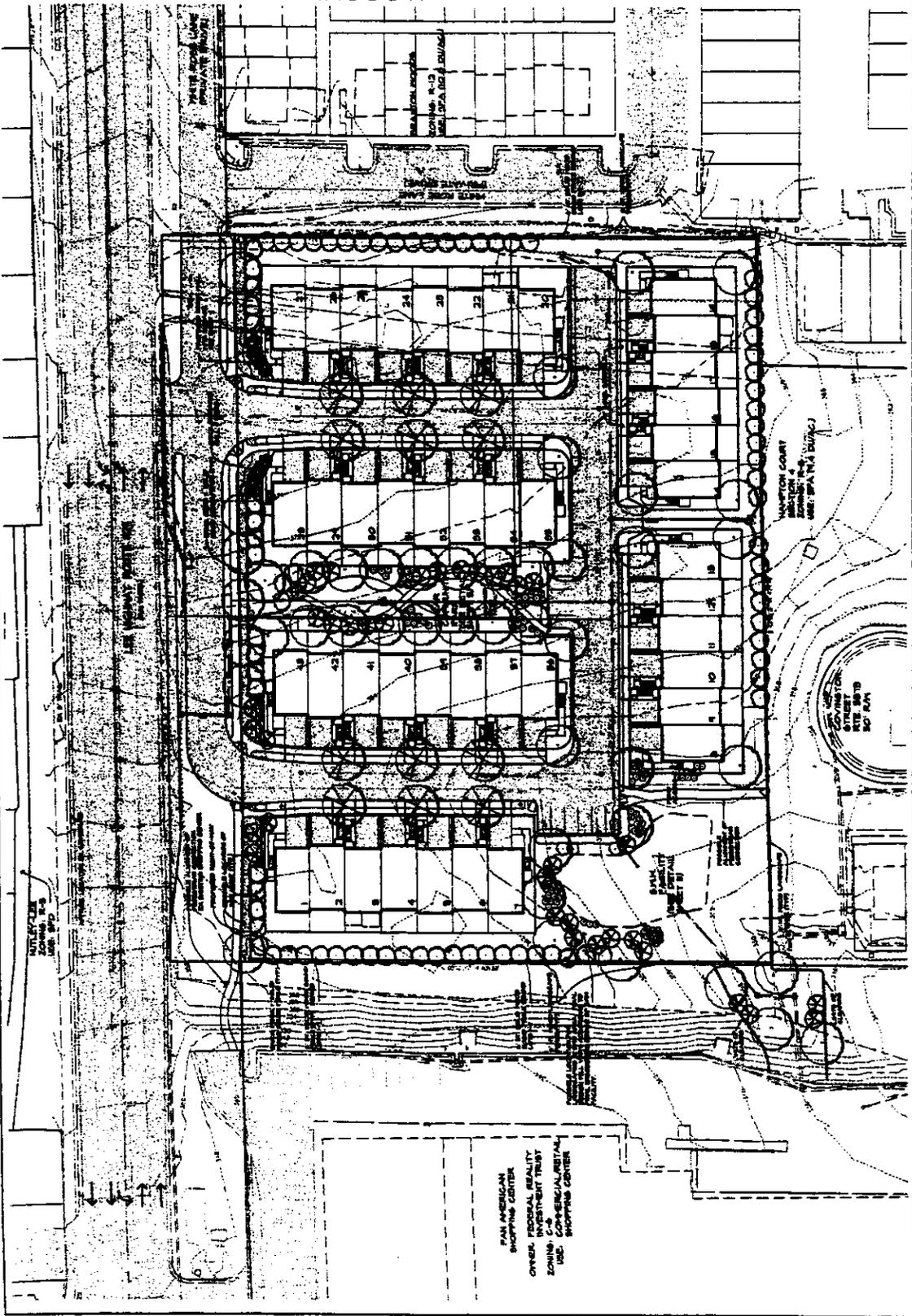
CONCEPTUAL/FINAL DEVELOPMENT PLAN

CAREY PROPERTY
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

NO.	REVISION	DATE	DESCRIPTION
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99	REVISION	03/25/04	PHRA
100	REVISION	04/01/04	PHRA

PAN AMERICAN SHOPPING CENTER
 OWNER: FEDERAL REALTY ZONING & DEVELOPMENT TRUST
 UNIT: COMMERCIAL/RETAIL SHOPPING CENTER





LEGEND

LANDSCAPE PLANTING IS VERTICAL

SHADE TREE (2' DIA. CAL.)

INTERMEDIATE TREE (8' DIA. HT.)

ORNAMENTAL TREE (4' DIA.)

AREA OF GRAVE

PERMANENT COVER

WOOD DECK

WATER

LANDSCAPE NOTE

Unless otherwise specified, plant material should consist of a variety of native tree species of various sizes. Native species may include Yellow Oak, White Oak, Red Oak, Flamingo, Dogwood and Service Berry.

TREE COVERAGE CALCULATION

Total Site Area 4.16 acres

Proposed Right-of-Way Deduction 0.34 acres

Net Site Area 3.82 acres

Proposed Zoning PDM-12

Tree Coverage Required 19.3% (N.2504)

Tree Coverage Provided 19.3% (29,300sqft)

NOTE: THIS PLAN IS FOR LANDSCAPE PURPOSES ONLY AND IS SUBJECT TO FURTHER MODIFICATION AT FINAL SITE PLAN.



DATE	DESCRIPTION	BY	APP. NO.
APRIL 2002			
1" = 30'			
9 OF 6			

PHRA

Professional Horticultural & Landscape Architects

1000 N. 1st St., Suite 200, Raleigh, NC 27601

919.833.1111

CDP/FDP

LANDSCAPE PLAN

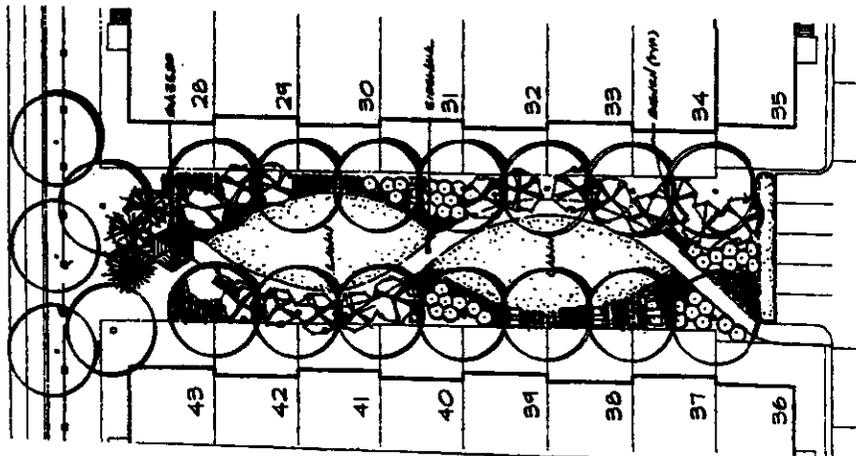
CAREY PROPERTY

PROVIDENCE DISTRICT

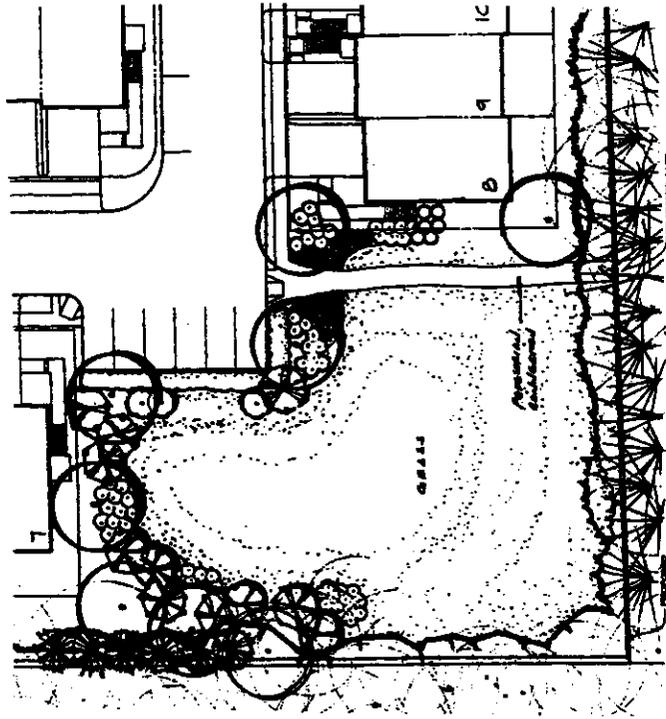
FAIRFAX COUNTY, VIRGINIA



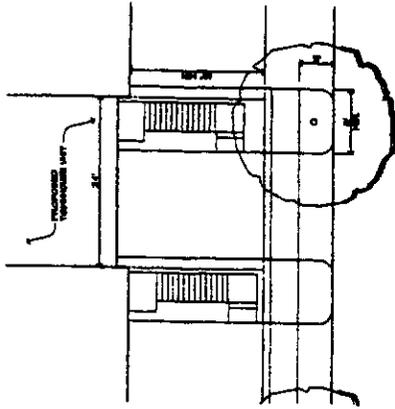
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7	04/10/02	PHRA	REVISED
8	04/10/02	PHRA	REVISED
9	04/10/02	PHRA	REVISED
10	04/10/02	PHRA	REVISED



PARK LANDSCAPE DETAIL
SCALE: 1/8"=1'-0"

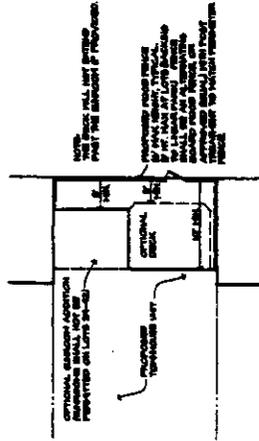


POND LANDSCAPE DETAIL
SCALE: 1/8"=1'-0"



TYPICAL FRONT YARD DETAIL
SCALE: 1/8"=1'-0"

NOTE: THIS PLAN SET IS NOT TO BE USED FOR ANY OTHER PROJECTS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.



TYPICAL REAR YARD FENCING PLAN DETAIL
SCALE: 1/8"=1'-0"

NOTE: THIS INFORMATION REPRESENTS THE GENERAL CHARACTER AND THEME OF THE PROPOSED DEVELOPMENT AND LANDSCAPE FEATURES. THE DESIGN IS SUBJECT TO MINOR MODIFICATION WITH FINAL ENGINEERING, ARCHITECTURE, AND LANDSCAPE DESIGN.

NO.	REVISION	DATE	BY	CHKD.	APP'D.
1	ADDED DETAILS	03/20/23	JK		
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3					
4					
5					

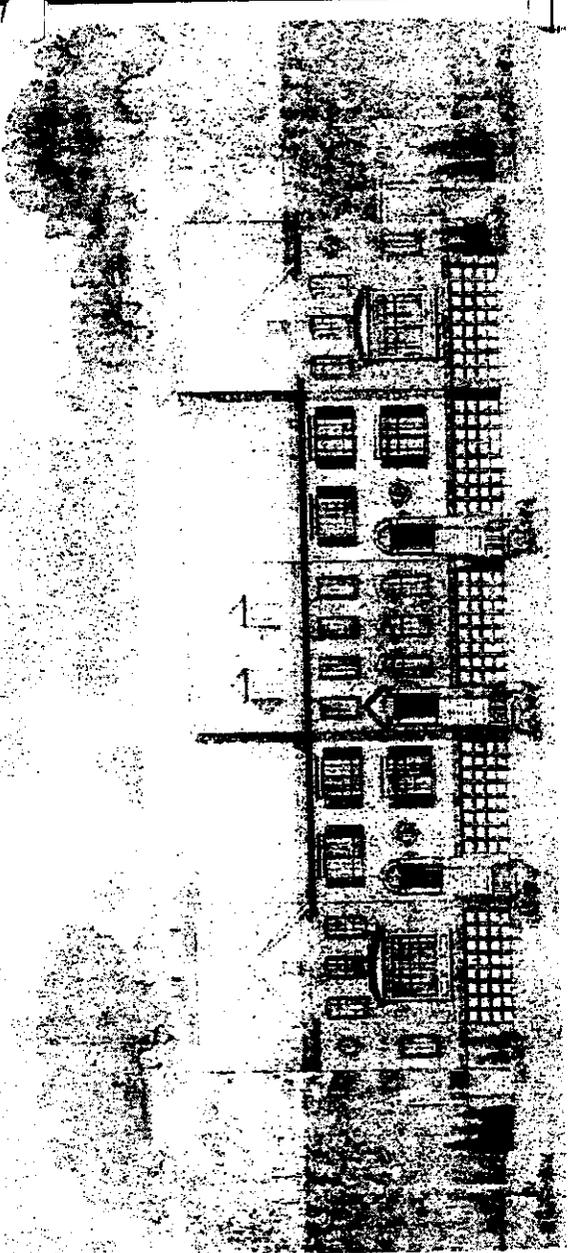


CAREY PROPERTY
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

LANDSCAPE AND TYPICAL LOT DETAILS

PHRA
Professional Engineer
State of Virginia
License No. 58332
03/20/23

PROJECT: CAREY PROPERTY
DATE: APRIL 2022
SHEET: 5 OF 6
SCALE: AS NOTED



FRONT ELEVATION



SIDE ELEVATION FACING ROUTE 29

NOTE: The typical building elevations shown on this plan were prepared by Susan Yonke Associates, Inc. The elevations represented in these drawings are an artist's conception, and are subject to change due to final architectural design.

DATE	DESCRIPTION
APRIL 2003	PRELIMINARY
APRIL 2003	REVISED

PHRA
 PROFESSIONAL HISTORIC RECONSTRUCTION ARCHITECTS
 1000 N. 1st Street, Suite 100
 Raleigh, NC 27601
 919.833.1111
 www.phra.com

ARCHITECTURAL ELEVATIONS

CAREY PROPERTY
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



NO.	DESCRIPTION	DATE	BY	FOR
1	PRELIMINARY			
2	REVISED			
3	REVISED			
4	REVISED			
5	REVISED			

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

DESCRIPTION OF THE APPLICATION

Proposal:	The applicant seeks to rezone the subject 4.46 acre site from the R-1 and H-C Districts to the PDH-12 and H-C Districts for the development of 43 single-family attached dwellings at a density of 9.64 dwelling units per acre (du/ac).
Location:	The site is located to the south of Lee Highway, approximately 600 feet east of its intersection with Nutley Street, in the Providence District.
Acreage:	4.46 acres
Proposed Density:	9.64 du/ac
Proposed Open Space:	31%

Proposed Waivers and Modifications:

- Modification of the transitional screening and barrier requirements along the northern property line to the 10-foot wide strip of landscaping and the barrier depicted on the CDP/FDP
- Waiver of the limitation on fence height to permit sections of the proposed wall along Lee Highway to be up to eight (8) feet high as depicted on the CDP/FDP

LOCATION AND CHARACTER

The 4.46 acre application site is a consolidation of two (2) parcels of land that are located on the south side of Lee Highway, approximately 600 feet east of its intersection with Nutley Street. The site, which is currently zoned R-1 and HC, contains a single-family detached home and two outbuildings (garage and tool shed), located in the northeastern portion of the site.

There is a 20-inch holly at the northwest corner of the site in fair condition along with several small red oaks and other hollies. The western property boundary of the site consists primarily of Virginia pine, tulip poplar, locust and cherry trees. The southern portion of the site is an early successional upland forest consisting primarily of locust, red maple, Virginia pine and cherry. Finally, the eastern portion of the property contains locust and catalpa trees. The site slopes gently from the northeastern corner of the site to the southwestern corner. The site drops steeply down along the northern and western property lines. A retaining wall is located along the northern property line.

The Braxton Woods single-family attached development is located to the east of the subject site. It is zoned R-12 and was developed at a density of 10.8 dwelling units per acre (du/ac). The Hampton Commons single-family attached development is located to the south of the subject site. It is also zoned R-12 and was developed at density of 9.4 du/ac. The Pan Am Shopping Center, which is zoned C-6, is located to the west of the subject site. Finally, single-family detached dwellings (zoned R-1 and R-5) are located to the north of the subject site (across Lee Highway).

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single-family detached dwellings (Nutley Lee Highway Property and Briarwood)	R-1; R-5	Residential, 4-5 du/ac
South	Residential, single-family attached (Hampton Commons)	R-12	Residential, 8-12 du/ac
East	Residential, single-family attached (Braxton Woods)	R-12	Residential, 8-12 du/ac
West	Retail (Pan Am Shopping Center)	C-6	Retail and other

BACKGROUND

Site History

There have been no previous variance, special permit, special exception, or rezoning requests on this property.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

Plan Area: Vienna Planning District, Area II
Planning Sector: Lee Community Planning Sector
Plan Map: Residential, 8-12 dwelling units per acre
Plan Text:

On page 25 in the Area II text, the Vienna Planning District, the Lee Community Planning Sector (V-1), LAND USE RECOMMENDATIONS, the 2000 Comprehensive Plan states:

Infill development in this planning sector should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objective...14.

On page 35 in the LAND USE section of the Policy Plan in the LAND USE COMPATIBILITY section, the Plan states:

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

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

ANALYSIS

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

Title of CDP/FDP: Carey Property
Prepared By: Patton, Harris, Rust and Associates
Original and Revision Dates: September 2001, as revised through April 29, 2002

Description of CDP/FDP

CDP/FDP Carey Property	
Sheet #	Description of Sheet
1 of 6	Cover Sheet; Vicinity Map; Soils Map; Site Tabulations; General Notes; Waivers
2 of 6	Overall Site Layout (Conceptual/Final Development Plan)
3 of 6	Landscape Plan
4 of 6	Entrance Feature; Typical Streetscape; Typical Street Light Detail; Typical Wood Bench Detail
5 of 6	Linear Park Landscaping Detail; Stormwater Management Pond Landscaping Detail; Typical Rear Yard Fencing Detail
6 of 6	Front Elevation; Side Elevation for Units Facing Lee Highway

The following features are depicted on the combined CDP/FDP:

Site Layout: Forty-three (43) single-family attached dwellings are proposed at a density of 9.64 dwelling units per acre (du/ac). These units would have a lot width of 24 feet with an 18-foot deep front yard (with an eighteen-foot long driveway). Side yards for the end units would be six (6) feet wide. The rear yards for the units will have a 10-foot deep backyard, however, should a sunroom be constructed, then the width of the rear yard would be reduced to five (5) feet. However, in no event would any of the proposed units be located closer than 20 feet from the southern, eastern, and western property lines.

The proposed front-loaded garage units would be oriented perpendicular to Lee Highway, with one row of units parallel to the southern property line. A linear park (oriented perpendicular to Lee Highway) would be located in the center of the site between Units 28 through 35 and 36 through 43.

Architectural elevations of the proposed units is presented on Sheet 6. The applicant has proffered that the front exterior facades and the side exterior facades of Units 1, 27, 28 and 43 (which face Lee Highway) will be constructed of brick. All other front or side facades shall be constructed of brick or cementitious siding (e.g., HardiPlank by James Hardie Building Products) or a combination of these materials.

Vehicular Access: The subject site is accessed via Lee Highway. No units would have direct access to Lee Highway. Instead, all units would be located off of a network of private streets. The proposed internal private streets would be laid out in a grid pattern, with streets either running north to south or east to west. These proposed internal streets would not connect to the residential developments to the east or south of the subject site.

While the site currently has access to both the east and westbound lanes of Lee Highway, it is anticipated that with the widening of Lee Highway, there will be no median break for this site. In order to remedy this problem, the applicant proposes a service drive along the Lee Highway frontage. This service drive would connect to the existing service drive along Lee Highway and provide the proposed units with access to the Lee Highway/Ellenwood Drive intersection. This service drive would not connect to the Pan Am Shopping Center, which is to the west of the subject site.

Pedestrian Access: Four (4) foot-wide sidewalks will be provided on both sides of the internal private streets. The applicant proposes a five (5) foot wide sidewalk along the Lee Highway frontage. The applicant is proposing to construct an off-site portion of this sidewalk to connect to the Pan Am Shopping Center. Finally, in order to link the proposed development with the existing neighborhood, a trail connection will be provided to the southern property line. Because the Hampton Commons neighborhood has not yet granted an easement for the trail to continue on their property, a gate will be provided where the trail terminates at the southern property line. A latch and lock fixture shall be attached to the Hampton Commons' side of the gate. The keys to the lock shall be retained by the Hampton Commons Homeowners' Association, who shall determine in its sole discretion whether the gate should be locked or unlocked.

Parking: A total of 108 parking spaces will be provided within garages and driveways. Ten of these spaces will be head-in within off-street parking bays. Some on-street parking will be provided. Per the Department of Transportation, no parking will be provided along the service drive.

Open Space and Landscaping: Thirty-one percent (31%) of the site is designated as open space, which meets the open space requirement for the PDH-12 District. The

majority of the open space consists of a stormwater management facility in the southwestern corner of the site and a 40' wide linear park in the center of the site.

No tree save is proposed. However, the applicant has proffered to transplant some of the existing holly trees to some of the surrounding neighborhoods (within a five-mile radius of the site). The exact location for the relocated trees has yet to be determined.

Details of the proposed streetscape along the site's Lee Highway frontage and within the internal streets are provided on Sheet 4 of the CDP/FDP. The proposed Lee Highway streetscape will consist of a five (5) foot wide sidewalk and a ten (10) foot wide planting strip. A solid wood fence with brick piers up to eight (8) feet in height will be located between the proposed units and a seven (7) foot wide planting strip. The applicant is seeking a waiver of the height for this fence as the eight (8) feet of height is needed to mitigate noise from Lee Highway.

Details of the proposed streetscape along the internal streets are also depicted on Sheet 4. This streetscape would consist of a five (5) foot wide planting strip planted with London Plane trees, a four (4) foot wide sidewalk and a 0.5 foot wide browsing strip. In addition to the streetscape, the applicant proposes to plant a single row of evergreen trees along the eastern and western property line. The proposed deciduous trees (including the London Plane trees) will be 2.5 inches in caliper at the time of planting and that all new evergreen trees will be six (6) feet to eight (8) feet in height.

The applicant proposes to construct a six-foot high, wooden fence along the eastern, western and southern property lines. In order to mitigate noise generated by Lee Highway and the loading area of the Pan Am Shopping Center, the fence along the western property line will be solid wood sound fence. A detail of this fence is provided on Sheet 4.

Stormwater Management: The stormwater management/best management practices (SWM/BMP) facility is located in the southwestern corner of the site. The applicant has proffered to landscape this facility in accordance with the detail shown on Sheet 5.

Transportation Analysis (Appendix 6)

Issue: Frontage Improvements along Lee Highway

The Comprehensive Plan recommends that dedication of right-of-way (ROW) 75 feet from centerline and ancillary easements along the site's Lee Highway frontage be provided. In addition, frontage improvements to include construction of one-half of a six-lane divided facility should be provided.

Resolution:

The applicant has proffered to dedicate right-of-way along the Lee Highway frontage for the future Lee Highway widening. The applicant has also proffered to construct these improvements, including a service drive, with curb, gutter and sidewalk along the Lee Highway frontage of the subject site as shown on the CDP/FDP. In order to ensure that the proposed frontage improvements tie into the final grades proposed by

VDOT for the Lee Highway widening, staff recommends a development condition which would require the applicant to coordinate grading with VDOT in order to ensure that the proposed frontage improvements tie into the grades for the future Lee Highway widening.

With this proffer commitment and the implementation of the proposed development condition, this issue is now resolved.

Issue: Lee Highway/Ellenwood Drive Intersection

With the proposed widening of Lee Highway, the subject site will have no median break for left turns. In order to provide the proposed development with access to the westbound lanes of Lee Highway, a service drive, which should be constructed, links the subject site to the existing service drive to the east. This service drive will provide the site with access to the intersection of Lee Highway and Ellenwood Drive and the westbound lanes of Lee Highway.

Resolution:

The applicant has proffered to construct the service drive and has also proffered to prepare and submit a Virginia Department of Transportation (VDOT) Warrant Study to VDOT based upon projected traffic and designed to determine the feasibility of installing a traffic signal and a pedestrian signal at the intersection of Lee Highway and Ellenwood Drive. In addition, prior to site plan approval, the applicant has also committed to contribute \$21,500 for the design and/or installation of a traffic signal at this intersection. With these proffer commitments, this issue is resolved.

Environmental Analysis (Appendix 7)

Issue: Water Quality Best Management Practices

The CDP/FDP depicts a large stormwater/best management practices (SWM/BMP) facility in the southwestern corner of the property. Staff recommended that the applicant work with the Department of Public Works and Environmental Services (DPWES) to explore opportunities to implement innovative best management practices in order to complement a proposed stormwater pond. In this way, the size of the proposed pond could be reduced in order to allow for the preservation of more open space and a more aesthetically pleasing site.

Resolution:

The applicant continues to propose a SWM/BMP facility in the southwest corner of the site. The size of this facility has not been reduced, as the applicant believes the depicted size is what will be needed for the subject site. The applicant has proffered that clearing for the SWM facility will be minimized to the extent feasible. In order to ensure that the facility is aesthetically pleasing, the applicant has proffered a landscape plan for the facility.

Despite these commitments, staff continues to recommend that the applicant explore opportunities to implement innovative best management practices in order to reduce the size of the SWM/BMP facility and create more usable open space.

Issue: Highway Noise

This site is adjacent to Lee Highway. As a result, portions of the site are subject to high levels of noise. A highway noise analysis produced the following noise contour projections for Lee Highway (note DNL dBA is equivalent to dBA L_{dn}):

65 dBA L_{dn}	260' feet from centerline
70 dBA L_{dn}	120' feet from centerline

Based on these projections, more than half of the residential structures to be built will be affected by noise levels greater than 65 dBA.

The Policy Plan states that new development should not expose people in their homes, or other noise sensitive environments, to noise in excess of 45 dBA, or to noise in excess of 65 dBA in the outdoor recreation areas of homes. In order to achieve these standards, new residential development in areas impacted by highway noise between 65 and 75 dBA, the Policy Plan recommends that noise mitigation be provided.

Resolution:

On behalf of the applicant, Polysonics Corporation conducted a noise impact analysis of the site, which indicated that the proposed linear park and the rear yards of proposed units 1 through 5, 23 through 32 and 39 through 43 are impacted by noise levels above 65 dBA. The applicant has proffered to reduce the interior noise levels to 45 dBA or less by using construction materials which contain certain acoustical attributes. The applicant has also proffered that other methods of mitigating interior noise may be used if it can be demonstrated through an independent noise study for review and approval by the Department of Public Works and Environmental Services (DPWES), that these methods will be effective in reducing interior noise levels to 45 dBA or less.

The applicant has also proffered to reduce exterior noise levels to 65 dBA or less through the use of acoustical (architecturally solid, no gaps) wooden fences along the northern and western property lines. Details of these fences are presented on Sheet 4 of the CDP/FDP. The fence along the northern property line will be up to eight (8) feet tall, while the fence along the western property line will be six (6) feet tall. The applicant has proffered that the fence along the northern property line could be reduced in height if further studies demonstrate to the Department of Public Works and Environmental Services (DPWES) and the Department of Planning and Zoning (DPZ) that a lower height will provide the same level of noise mitigation. With these proffer commitments, this issue is resolved.

Issue: Trails

The Countywide Trails Plan shows a proposed trail along Lee Highway. The Plan calls for a five (5) foot wide sidewalk to be located on the south side of the road. The CDP/FDP depicts this sidewalk along Lee Highway. In addition, the applicant has proffered to continue this sidewalk off-site to the Pan Am Shopping Center. Therefore, this issue is resolved.

Urban Forestry Analysis (Appendix 8)**Issue: Tree Preservation**

Given the quality of trees on site, the Urban Forester did not recommend that the existing trees be preserved. However, several holly trees are scattered throughout the site, which the Urban Forester recommended be transplanted.

Since preservation of existing trees is limited, staff also recommended that the applicant provide a higher percentage of tree cover through planting than is required by the Zoning Ordinance. It should be noted that the Zoning Ordinance requires fifteen percent (15%) tree cover in the PDH-12 District.

Resolution:

Though the Policy Plan calls for protecting and restoring some tree cover during development, the CDP/FDP does not depict any proposed tree save. The applicant has proffered to transplant some of the smaller holly trees off-site. In all likelihood, these trees will be planted within the Hampton Commons open space area immediately south of the subject site though details of this agreement have not yet been finalized at the time of this report.

The applicant has not committed to provide additional tree cover over and above the Zoning Ordinance requirement of 15%. Staff continues to strongly recommend that the applicant commit to provide additional tree cover over and above the 15% requirement.

Issue: Preservation of Off-Site Trees

Given the nature of the off-site tree cover adjacent to the proposed limits of clearing and grading, the Urban Forester recommended that the applicant commit to tree preservation fencing and root pruning in order to protect the off-site trees.

Resolution:

The applicant has committed to prepare and submit a tree preservation plan for the purposes of maximizing the preservation of off-site trees located immediately south of the subject site, within Hampton Commons. The tree preservation plan, which will be submitted to the Urban Forestry Division of DPWES for review and approval as part of the first site plan submission, will include specific tree preservation activities designed to maximize the survivability of Hampton Common's trees during construction of the

subject site. These activities may include, but are not limited to, crown pruning, root pruning, mulching and fertilization. In addition all trees shown to be protected on the tree preservation plan shall be protected by tree protection fencing. With this proffer commitment, this issue is now resolved.

Public Facilities Analysis

Sanitary Sewer Analysis (Appendix 9)

The sanitary sewer analysis states that the existing sanitary sewer lines in the vicinity of the subject site have adequate capacity to provide sewer service for the proposed development. There are no sanitary sewer issues associated with this request.

Water Service Analysis (Appendix 10)

The application property is not located within the franchise area of the Fairfax County Water Authority; rather, it is located in the City of Falls Church service area.

Fire and Rescue Analysis (Appendix 11)

The application property is serviced by the Fairfax County Fire and Rescue Department Station #30, Merrifield. Preliminary analysis indicates that the application, as presented, currently meets fire protection guidelines. There are no Fire and Rescue issues associated with this request.

Schools Analysis (See Appendix 12)

The schools analysis indicates that the proposed development would produce nine (9) elementary school students, which is seven (7) more students more than the current zoning would produce. The analysis also indicated that the proposed development would produce two (2) intermediate school students, while the current zoning would produce none. Finally, the proposed development would produce four (4) high school students, which is one (1) more student than the current zoning would produce. Fairhill Elementary School and Luther Jackson Middle School are both expected to exceed capacity through the 2006 – 2007 school year; however, Falls Church High School will not. It should be noted that this analysis does not take into account the potential impact of other pending proposals that could affect the same schools.

The applicant has proffered to donate ten (10) new computer workstations at a cost not to exceed \$1,500 to Fairhill Elementary School.

Stormwater Planning Analysis (Appendix 13)

The stormwater planning analysis states that there are no downstream complaints on file pertaining to the outfall for this property. In addition, there are no ongoing drainage projects downstream of the site.

Park Authority Analysis (Appendix 14)

A proportional cost of \$41,065 was requested for the recreational needs of the proposed community, which is equivalent to the Zoning Ordinance requirement of nine-hundred-fifty-five dollars (\$955) per dwelling unit. The applicant has proffered to contribute the difference between the value of the recreational improvements provided on-site (gazebo, benches and trails) and the \$955 per unit to the Fairfax County Park Authority for use on recreational facilities in a Fairfax County Park in the general vicinity of the subject site.

Land Use Analysis (Appendix 5)

The Comprehensive Plan recommends the subject site for residential use at 8-12 dwelling units per acre. The application seeks to rezone the subject site to the PDH-12 District with a proposed density of 9.64 dwelling units per acre, which conforms with the use and density guidance of the Comprehensive Plan.

Residential Development Criteria

The proposed density of 9.64 dwelling units per acre is within the low end of the recommended Plan density for this site; therefore, the applicant should satisfy at least 50% of the applicable Residential Development Criteria specified in the Policy Plan adopted August 6, 1990, amended April 8, 1991. Staff has determined that five (5) of the criteria apply to the proposed development. 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***

Based on the sections provided by the applicant, staff believes that the proposed design complements the existing and planned neighborhood scale. However, these sections did not address how units with a proposed optional three (3) story sunroom would impact the abutting residences to the south and east. These sunrooms may create additional bulk, which could adversely impact the abutting residences. For that reason, staff recommends a development condition which would limit the height of the sunrooms to two stories in height along the southern and western property lines. The applicant has proffered the materials and architecture of the proposed units and also

mitigation of interior and exterior noise levels. The applicant is providing trail connections to the Pan Am Shopping Center and the surrounding neighborhoods. These trail connections will also provide the current and future residents with access to the Vienna Metro Station and the bus stops along Lee Highway. The applicant will also be constructing a service drive along the frontage of the site, which will enable the future residents to access a media break once Lee Highway is widened.

However, staff does not believe that the applicant's site design provides ample open space. Staff believes that the applicant should have attempted to use innovative best management practices in order to provide more usable open space within the site. Alternatively, the applicant could build smaller units to create for more open space. Finally, though the applicant will be transplanting some of the existing trees on site, staff would prefer that those trees be used on-site. For those reasons, staff believes that only 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. Half Credit.*

The applicant has proffered to prepare and submit a VDOT warrant study to determine the feasibility of installing a traffic signal and a pedestrian signal at the intersection of Lee Highway and Ellenwood Drive. The applicant has also agreed to contribute a total of \$25,000 for design and/or installation of this traffic signal. Finally, the applicant has proffered to construct a five (5) foot wide asphalt path along Lee Highway to connect to the Pan Am Shopping Center.

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*

A proportional cost of \$41,065 was requested for the recreational needs of the proposed community, which is equivalent to the Zoning Ordinance requirement of nine-hundred-fifty-five dollars (\$955) per dwelling unit. The applicant has proffered to contribute the difference between the value of any of the on-site recreational improvements and the \$955 per unit to the Fairfax County Park Authority for use on recreational facilities in a Fairfax County Park in the general vicinity of the subject site.

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

The applicant property includes 31% open space, which meets the required amount of open space for a PDH-12 District (30%). This open space primarily consists of the SWM/BMP facility in the southwestern portion of the site (which is not usable) and a 40-foot wide linear park in the center of the site, which will provide passive recreation. Because there is very little usable open space provided and the amount provided is not significantly in excess of Ordinance requirements, staff does not believe that credit is warranted for this criterion.

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

The site does not contain any significant natural features, with the exception of some holly trees which the Urban Forester believes can be transplanted. Though the applicant has agreed to transplant these trees, they will not be using the trees within the site. Rather, these trees will be planted off-site (probably within the Hampton Commons open space area immediately south of the subject site). In addition, staff does not believe that the applicant has fully explored the use of innovative best management practices in order to reduce the size of the SWM facility. Therefore, staff believes that no 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.

The applicant has proffered to provide a contribution to the Fairfax County Housing Trust Fund one half of one percent (0.5%) of the projected sales price of the new homes to be built on-site.

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.

This application consolidates the two last remaining undeveloped parcels.
Therefore, full credit is warranted.

Summary:

The application has satisfied at least 50% of the applicable Residential Development Criteria and merits favorable consideration at the density requested.

ZONING ORDINANCE PROVISIONS (See Appendix 15)

In order to complement development on adjacent properties, Par. 1 of Sect. 16-102 (Planned Development Design Standards) requires that 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. In this case, the zoning district which most closely characterizes the proposed development is the R-12 Zoning District. However, where the PDH District requires specific requirements, these requirements are listed.

Standard	Requirement (PDH-12) or Guideline (R-12)	Provided
Bulk Standards		
District Size (PDH-12)	Minimum 2 Acres	4.46 Acres
Lot Size (PDH-12)	N/A	_____
Building Height (R-12)	Max. 35 ft.	Max. 35 ft.
Front Yard (R-12, Guideline Only)	5 feet	18 feet
Side Yard (R-12, Guideline Only)	10 feet	6 feet
Rear Yard (R-12, Guideline Only)	20 feet	20 feet

Standard	Requirement (PDH-12) or Guideline (R-12)	Provided
Open Space (PDH-12)	Min. 30% of the Gross Area	31%
Parking		
Parking Spaces	2.3 spaces per 43 units = 99 spaces required	108 spaces (one space in garage & one space in driveway + 12 off-street spaces)

Waivers and Modifications

Transitional Screening and Barrier Requirements

- **Basis:** *Par. 3 of Sect. 13-304 states that transitional screening and barrier requirements may be modified where the building, a barrier and/or the land between that building and property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.*

Transitional Screening 1 and Barrier A or B are required along the northern property line between the proposed single-family attached units and the existing single-family detached units across Lee Highway. The applicant is seeking a modification of these requirements to the 10-foot wide strip of landscaping and the barrier depicted on the CDP/FDP. Staff believes that the orientation of the proposed units and the proposed landscaping and barrier will minimize any adverse impact that the single-family attached units might have on the existing single-family detached units – particularly given that these units will be separated by Lee Highway. Therefore, staff supports the requested modification of the transitional screening and barrier requirements.

Waiver of the Limitation on Fence Height

The applicant is seeking a waiver of the limitation on fence height per Par. 8 of Sect. 16-401 to permit the proposed wall along Lee Highway to be up to eight (8) feet in height. The height of this wall will provide exterior noise mitigation for the open space areas of proposed units 1 through 5, 23 through 32 and 39 through 43. As stated in the Environmental Analysis, the height of this wall may be reduced from eight feet with additional noise measurements and analysis at site plan. The applicant has proffered that this noise report and any adjustments to the wall must be reviewed and approved by DPWES and DPZ. Nonetheless, since the height of this wall is needed for noise mitigation, staff supports the requested waiver to permit the wall to be as high as eight (8) feet.

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

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

PDH Districts provide the opportunity to develop a site with more open space than would be required in a conventional zoning district. This site provides 31% open space, which meets the 30% requirement for the PDH-12 District set forth in Sect. 6-110 (though staff believes that a more creative SWM/BMP design or smaller units could have resulted in more open space). The proposed unit type and density will match the surrounding neighborhood so long as the optional sunrooms are limited to two stories in height along the southern and western property lines (as discussed earlier in this report). The applicant proposes pedestrian connections to the surrounding neighborhoods and to the Pan Am Shopping Center, which will integrate the proposed site with the surrounding neighborhoods.

The proposed 4.46-acre development satisfies the minimum district size of two (2) acres for the PDH District (Sect. 6-107). The proposed density of 9.64 dwelling units per acre falls within the maximum density of twelve (12) du/ac for the PDH-12 District (Sect. 6-109).

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

16-101 Planned Development General Standards

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

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

As stated earlier in this report, the proposed development proposes a density that is within the density range recommended by the Plan and is compatible with the adjacent residential development. Staff also believes that the scale and proposed architecture of the units will complement the surrounding dwellings so long as the optional sunrooms are limited to two stories in height along the southern and western property lines.

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

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

As stated earlier in this report, staff believes that the proposed design complements the existing and planned neighborhood scale, as does the proposed architecture. The applicant proposes a development, which is compatible with the scale of the surrounding residential neighborhoods. However, the sunroom options may create additional bulk, which may overshadow the adjacent units located to the south and east. For that reason, staff recommends a development condition which would limit the height of the sunrooms to two stories in height from finished grade along the western and southern property lines. The proposed site design provides trail connections to the Pan Am Shopping Center and the surrounding neighborhoods which helps better integrate the community. While the site design meets the open space requirement for the PDH-12 District, staff believes that more usable open space could have been provided either through the use of a smaller SWM/BMP facility or smaller units.

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.*

There are no streams or other natural features on site, which could be considered scenic assets. Trees are the most prominent natural feature present on the site. Unfortunately, as noted in the Urban Forestry Analysis, these trees are not worthy of preservation. Per the Urban Forester's recommendation, the applicant has agreed to transplant several existing holly trees. Furthermore, the applicant has agreed to provide a tree preservation plan for the review and approval of the Urban Forestry Division, DPWES, to protect the off-site trees during construction. Staff continues to strongly recommend that the applicant commit to provide additional tree cover over that required by the Zoning Ordinance to compensate for the lack of tree save.

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.*

The applicant proposes a development, which is compatible with the scale of the surrounding residential neighborhoods so long as the optional sunrooms are limited to two stories in height. In order to protect the off-site trees during construction, the applicant has proffered to prepare a tree preservation plan for the review and approval of the Urban Forestry Division, DPWES.

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.*

Staff's analysis has determined that the above listed facilities and services are available and adequate for the use.

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

As stated earlier in this report, the applicant is providing trail connections which will link the surrounding neighborhoods with the Pan Am Shopping Center, as well as the Vienna Metro Station and the bus stops along Lee Highway. The applicant will be constructing a service drive along the frontage of the site, which will enable the future residents to access a media break once Lee Highway is widened.

16-102 Planned Development Design Standards

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

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

The planned development meets the rear yard setback requirements for the R-12 zoning district – the zoning district which most closely characterizes the proposed development – at the periphery (see the Zoning Ordinance Provisions section of this report). Therefore, this standard has been satisfied.

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

The applicant meets the PDH-12 open space requirement of 30% and the off-street parking requirements.

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

The proposed trail connections will link the surrounding neighborhoods with the Pan Am Shopping Center, as well as the Vienna Metro Station and the bus stops along Lee Highway. In addition, the proposed service drive will enable the future residents to access a media break once Lee Highway is widened.

Summary of Zoning Ordinance Provisions

Staff finds that the application has satisfied the applicable Zoning Ordinance provisions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in conformance with the Comprehensive Plan and the Zoning Ordinance. However, given that no tree save is proposed, staff strongly recommends that additional tree cover through additional supplemental landscaping be provided above and beyond the tree cover requirement of 15%. Furthermore, staff believes the applicant should consider using innovative best management practices to reduce the size of the SWM/BMP facility. Finally, while the site design meets the open space requirement for the PDH-12 District, staff believes that the site design could have provided more usable open space either through the use of a smaller SWM/BMP facility or smaller units.

Recommendation

Staff recommends that RZ 2001-PR-050 and the Conceptual Development Plan be approved subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report.

Staff also recommends that FDP 2001-PR-050 be approved subject to the proposed development condition contained in Appendix 2 and the Board's approval of RZ 2001-PR-050 and the Conceptual Development Plan.

Staff recommends that the transitional screening and barrier requirements along the northern property line be modified to the 10-foot wide strip of landscaping and the barrier depicted on the CDP/FDP.

Staff recommends that the limitation on fence height be waived pursuant to Par. 8 of Sect. 16-401 to permit up to an eight (8) foot high wall along Lee Highway.

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 Development Conditions
3. Affidavit
4. Statement of Justification
5. Plan Citations and Land Use Analysis
6. Transportation Analysis
7. Environmental Analysis
8. Urban Forestry Analysis
9. Sanitary Sewer Analysis
10. Fairfax County Water Analysis
11. Fire and Rescue Analysis
12. Fairfax County Public Schools
13. Stormwater Planning, DPWES
14. Park Authority Analysis
15. Zoning Ordinance Provisions
16. Glossary

1

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4

DRAFT

PROFFERS

RZ 2001-PR-050

STANLEY-MARTIN HOMEBUILDING, L.L.C.

May 1, 2002

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

- 1. Conceptual/Final Development Plan.** Development of the property shall be in conformance with the plan entitled "Conceptual/Final Development Plan/Carey Property" ("CDP/FDP"), prepared by Patton Harris Rust & Associates, pc. (Sheets 1 through 6), revised as of April 29, 2002. Notwithstanding, the CDP/FDP is combined on one sheet, the CDP portion thereof (Section 16-501) shall constitute the entire plan relative to the points of access, the total number of units, type of units and general location of residential lots and common open space areas and distances from peripheral lot lines. Units shall be no closer to the periphery of the site than shown on the CDP/FDP. All unit driveways shall be a minimum of eighteen (18) feet in length. The Applicant shall have the option to request Final Development Plan Amendments ("FDPAs") from the Planning Commission for portions of the Plan in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance.
- 2. Energy Saver.** All homes on the property shall meet the thermal guidelines of the Virginia Power Energy Saver Program for energy-efficient homes or its equivalent, as determined by the Department of Public Works and Environmental Services ("DPWES") for either electric or gas energy systems, as applicable.
- 3. Recreational Facilities.** At the time of site plan approval, pursuant to Section 6-110 of the Zoning Ordinance, the Applicant shall contribute the sum of \$955 per approved dwelling unit for the total number of dwelling units on the site plan, to the Fairfax County Park Authority for use on recreational facilities in a Fairfax County Park in the general vicinity of the Subject Property, subject, however, to a credit for expenditures on-site for a gazebo, benches, a four (4) foot wide sidewalk within the linear park and a four (4) foot wide trail connecting to the Hampton Commons Homeowners' Association. In the event that a fence is constructed on the common property line with the Hampton Commons Homeowners' Association, a gate will be provided where the trail to Hampton Commons Homeowners' Association intersects with this fence. This gate will conform in design and material with the rest of the fence. A latch and lock fixture

shall be provided by the Applicant and attached to the Hampton Commons Homeowners' Association side of the gate. The keys to the lock shall be retained by the Hampton Commons Homeowners' Association, who shall determine in its sole discretion whether the gate should be locked or unlocked.

4. **Road Dedication/Construction.** At the time of site plan approval, or upon demand by Fairfax County, whichever occurs first, right-of-way along the Lee Highway frontage necessary for public street purposes and as shown on the CDP/FDP, shall be dedicated and conveyed to the Board of Supervisors in fee simple. The Applicant shall also construct road widening, including a service drive, with curb gutter and sidewalk along the Lee Highway frontage of the Subject Property as shown on the CDP/FDP.
5. **Stormwater Management Pond Landscaping.** In order to restore a natural appearance to the proposed stormwater management pond, the landscape plan to be submitted as part of the first submission of the site plan shall show the maximum feasible amount of landscaping that will be allowed in the planting areas of the pond, in keeping with the planting policies of Fairfax County. In addition, the Applicant shall provide landscaping off-site around the area that is cleared for the stormwater management pond outfall as shown on Sheet 3 of the CDP/FDP. This stormwater management pond outfall shall be located and installed in the least disruptive manner feasible, considering cost and engineering, as determined by DPWES, and subject to approval by the Urban Forestry Division. Clearing will be minimized to the maximum extent feasible. The Applicant shall install said landscaping in accordance with said plan, subject to Urban Forestry approval. The stormwater management pond landscaping shall be in substantial conformance with the landscaping depicted on Sheet 5 of the CDP/FDP.
6. **Homeowners' Association.** The Applicant shall establish a Homeowners' Association for the proposed development to own, manage and maintain the open space areas, private streets, common parking areas, and all other community-owned land and improvements.
7. **Private Streets.** The on-site private streets shall be constructed in conformance with the Public Facilities Manual ("PFM"). Said streets shall be constructed of materials and depth of pavement consistent with the PFM for public streets. Initial purchasers shall be advised in writing prior to entering into a contract of sale that the Homeowners' Association ("HOA") shall be responsible for the maintenance of all the private streets in the development. The HOA documents shall specify that the HOA is responsible for the maintenance of the private streets. A public ingress-egress shall be granted over the private streets, sidewalks and the trail to the Hampton Commons Homeowners' Association. Said easement shall be recorded at the time of site plan approval. Subject to review and approval by the County Attorney, the HOA documents shall provide for establishment of a Reserve Fund to be used as funding for maintenance of

these private streets. At the time of settlement on each new unit, the Applicant shall place a minimum of \$125 per dwelling unit into this Reserve Fund.

8. **Affordable Housing Contribution.** At the time of site plan approval, the Applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to one half of one percent (.5%) of the projected sales price of the new homes to be built on-site, as determined by the Department of Housing and Community Development and DPWES in consultation with the Applicant to assist the County in its goal to provide affordable dwellings elsewhere in the County.
9. **Density.** All density and intensity of use attributable to land areas dedicated and conveyed to the Board of Supervisors pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and density hereby reserved to be applied to the residue of the Subject Property.
10. **Traffic Signal.** Prior to site plan approval, the Applicant shall prepare and submit a Virginia Department of Transportation ("VDOT") Warrant Study to VDOT. Said study shall be designed to determine the feasibility of installing a traffic signal and a pedestrian signal at the intersection of Lee Highway and Ellenwood Road. Said study shall be based upon current VDOT intersection design as well as the future intersection design by VDOT, taking into account reconfigured access to Lee Highway as well as projected traffic. When completed, copies of the Warrant Study shall be forwarded to the Supervisor and Planning Commissioner for Providence District. In addition to providing the Warrant Study, the Applicant shall make a contribution of \$21,500 to Fairfax County to be utilized for design and/or installation of this traffic signal. Said contribution shall be made prior to site plan approval.
11. **Off-Site Trail.** The Applicant shall construct a five (5) foot wide asphalt path extending westward within the Lee Highway right-of-way from the western edge of the Subject Property to the existing pavement area within the right-of-way adjacent to the Pan Am Shopping Center as shown on the CDP/FDP. Said path may meander, if necessary, to minimize clearing and grading. Alternatively, the Applicant shall connect said path directly to the parking lot island in the Pan Am Shopping Center, adjacent to the right-of-way, if the owner of Tax Map 48-4 ((1)) Parcel 12F grants the necessary easements at no cost to the Applicant. Lighting shall be provided by the Applicant along the trail, as shown on the CDP/FDP. This trail, and lighting for the trail, shall be bonded and constructed contemporaneously with the construction of the service drive.
12. **Tree Relocation Plan.** The Applicant shall prepare and implement a tree relocation plan to transfer certain holly trees, as specified on Sheet 5 of the CDP/FDP, onto an off-site property within a five (5) mile radius of the Subject Property; the off-site location to be subject to the approval of the Urban Forestry Division and the owner of the recipient off-site property. This plan shall be submitted with the construction plans for the subdivision. Specifically, existing

holly trees worthy of transplantation, as identified by the Applicant's arborist on a tree relocation plan, shall be relocated from the on-site areas to the recipient off-site property. The following components shall be included in the relocation plan: identification of the existing locations of the trees to be relocated; an assessment of the condition and survival potential of said trees; the proposed location receiving said trees; the timing of relocation in the development process (the tree relocations shall occur at the start of site development work as approved by the receiving property owners and the County Urban Forester); the proposed time of year of the relocation; the relocation methods to be used, including tree spade size if one is used; the relocation site preparation materials and methods; and initial care after transplanting, including mulching and watering specifications to be conducted. Said plan shall be subject to review and approval of the Urban Forestry Division and shall be implemented by the Applicant.

13. **Tree Preservation.** The Applicant shall prepare a tree preservation plan for the purposes of maximizing the preservation of existing off-site trees located in the Hampton Commons Homeowners' Association open space area immediately adjacent to the common property line with the Subject Property that may be impacted by construction activities on-site or construction activities by the Applicant off-site on Tax Map 48-4 ((16)) Parcel 101A. The tree preservation plan shall be submitted to the Urban Forestry Division of DPWES for review and approval as part of the first site plan submission. This tree preservation plan shall be prepared by a certified arborist and coordinated with and approved by the Urban Forestry Division. The tree preservation plan shall include specific tree preservation activities designed to maximize the survivability of trees designated for preservation, subject to the installation of the utility lines shown on the CDP/FDP. Utility lines shall be located and installed in the least disruptive manner feasible, considering cost and engineering, as determined by DPWES, and subject to approval by the Urban Forestry Division. If any off-site trees within the area designated to be preserved are destroyed as a result of the Applicant's construction activities within a two (2) year time period after the completion of construction activities, the Applicant will provide appropriate replacement trees in terms of species, size and quantity as determined by the Urban Forestry Division pursuant to Section 12-403 of the Public Facilities Manual. Tree preservation activities may include, but are not limited to, crown pruning, root pruning, mulching and fertilization. All trees shown to be protected on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing consisting of 14-gauge welded wire fencing attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart shall be erected at the limits of clearing and grading on-site. This temporary fencing shall be installed prior to any work being conducted on-site, including demolition and clearing for Phase I of the Erosion and Sediment Control Plan. Signage shall be securely attached to the protective fencing, identifying the area as a tree preservation area and made clearly visible to all construction personnel. Signs shall measure a minimum of 10 x 12 inches and read: "TREE PRESERVATION AREA - KEEP OUT."

14. **Noise Attenuation.** With reference to Lee Highway, the Applicant shall provide the following noise attenuation measures:
- a. In order to achieve a maximum interior noise level of 45 dBA Ldn, the Applicant proffers that all residential units located between 119 feet and 257 feet from the centerline of Lee Highway, impacted by highway noise having levels between 65 and 70 dBA Ldn, shall have the following acoustical attributes:
 - (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 39.
 - (2) Doors and glazing shall have a laboratory STC of at least 28. If glazing constitutes more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
 - (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
 - b. In order to achieve a maximum interior noise level of 45 dBA Ldn, the Applicant proffers that all residential units located within 119 feet from the centerline of Lee Highway, impacted by highway noise having levels between 70 and 75 dBA Ldn, shall have the following acoustical attributes:
 - (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 45.
 - (2) Doors and glazing shall have a laboratory STC of at least 37. If glazing constitutes more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
 - (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
 - c. In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation measures such as acoustical (architecturally solid, no gaps) fencing, walls, earthen berms, or combinations thereof, shall be provided for rear yard, ground level areas, unshielded by topography or built structures, in accordance with noise wall specifications depicted on the CDP/FDP, unless alternative specifications are approved by DPWES and the Department of Planning and Zoning ("DPZ").

- d. As an alternative to "a", "b," or "c" above, the Applicant may elect to have a refined acoustical analysis performed, subject to the approval of DPWES and the Department of Planning and Zoning, to verify or amend the noise levels and impact areas set forth above to revise noise attenuation measures and/or to determine which units/buildings may have sufficient shielding to permit a reduction in the interior or exterior mitigation measures prescribed above. The acoustical fencing detailed on Sheet 4 of the CDP/FDP may be reduced in height if it is demonstrated to DPWES and DPZ that a lower height will provide the required noise mitigation.
15. **Architecture.** The front exterior facades and the side exterior facades of Units 1, 27, 28 and 43 shall be constructed with brick facing. All other front or side facades shall be constructed of brick or cementitious siding (e.g., HardiPlank by James Hardie Building Products) or a combination thereof. With regard to the townhouse units contiguous to the linear park, optional sunroom extensions will only be permitted on Units 28 and 43. No sunrooms shall be permitted on Units 29 through 42. The architecture of the units shall substantially conform to the elevations depicted on Sheet 6 of the CDP/FDP. The architectural treatment of fencing on the perimeter of the site shall be in accordance with Sheet 6 of the CDP/FDP.
16. **School Contribution.** At the time of site plan approval, the Applicant shall donate new computer equipment to Fairhill Elementary School (the "School") as follows: ten (10) computer workstations at a cost not to exceed \$1,500 per workstation, each workstation shall include equipment acceptable to the School Principal and be compatible with the School's computer system.
17. **Rear Yard Fencing.** Except for required acoustical fencing, rear yard fencing for the rear yards of units contiguous to the linear park shall not exceed a height of five (5) feet and all other rear yard fencing shall be in accordance with the Typical Rear Yard Fencing Plan Detail depicted on Sheet 5 of the CDP/FDP.
18. **Setback.** The common open space area adjacent to the common property of the Hampton Commons Homeowners' Association and the Braxton Homeowners' Association, Inc., shall be a minimum width of fifteen (15) feet along these two property lines as shown on the CDP/FDP.
19. **Landscaping.** Pursuant to Section 16-403 of the Zoning Ordinance, landscaping shall be in substantial conformance with the Landscape Plan (Sheet 3). Landscaping along the border with the Hampton Commons Homeowners' Association property shall be in accordance with the Landscape Plan (Sheet 3) unless an alternative landscape plan is approved by the Applicant and the Hampton Commons Homeowners' Association, subject to the approval of the Urban Forestry Division.

20. **Construction Hours.** Exterior construction hours shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m to 5:00 p.m. on Saturdays. No exterior construction shall be permitted on Sundays or holidays.
21. **Counterparts.** These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

[SIGNATURES ON THE FOLLOWING PAGE]

**APPLICANT/CONTRACT PURCHASER OF TAX
MAP 48-4 ((1)) PARCELS 15 AND 16**

STANLEY-MARTIN HOMEBUILDING, L.L.C.

By: _____
Steven B. Alloy, Managing Member

OWNER OF TAX MAP 48-4 ((1)) PARCELS 15 AND 16

COVINGTON FAMILY LIMITED PARTNERSHIP

By: _____
Ida Lee Carey, General Partner

PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS

FDP 2001-PR-050

May 1, 2002

If it is the intent of the Planning Commission to approve Final Development Plan Application FDP 2001-PR-050 for Tax Map Parcels 48-4 ((1)) 15 and 16, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Prior to site plan approval the applicant shall demonstrate to the satisfaction of DPWES that all grading for the site has been coordinated with the Fairfax County Department of Transportation along with the Virginia Department of Transportation (VDOT) in order to ensure that the final grades of the subject site tie into the grades proposed with the future widening of Lee Highway.
2. A copy of each site plan submission shall be forwarded to the Providence District Planning Commissioner for review and comment.
3. Sunroom options for units along the southern and eastern property lines (proposed units 8 through 27) shall be limited to a maximum of two stories in height from finished grade.
4. A vehicular turnaround shall be provided at the eastern end of the private street serving Lots 14-19.

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REZONING AFFIDAVIT

DATE: March 12, 2002
 (enter date affidavit is notarized)

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

(check one) applicant
 applicant's authorized agent listed in Par. I(a) below 2001-1796

in Application No.(s): RZ/FDP 2001-PR-050
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Stanley-Martin Homebuilding, L.L.C. Agents: Steven B. Alloy Robert E. Statz James Reeve Donald J. Fix Dennis Quinn	1881 Campus Commons Dr., #101 Reston, VA 20191	Applicant/Contract Purchaser of Tax Map 48-4 ((1)) Parcels 15 & 16
Covington Family Limited Partnership Ida Lee Carey - General Partner	9101 Lee Highway Fairfax, VA 22031	Owner of Tax Map 48-4 ((1)) Parcels 15 and 16

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

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

Rezoning Attachment to Par. 1(a)

DATE: March 12, 2002
 (enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Patton Harris Rust & Associates, pc Agents: David H. Steigler Douglas Kennedy Elizabeth F. Fribush Robert A. Munse Marl Tajnai	14532 Lee Road Chantilly, VA 20151	Engineers/Planners/Agents
Thunderbird Archeological Associates, Inc. Agents: Kimberly A. Snyder William A. Gardner Joan M. Walker Charles Goode	126 East High Street Woodstock, VA 22664	Archeological Engineer/Agent
Geotechnical Consulting & Testing, Inc. Agent: Timothy V. Farabaugh	8551 Sudley Road Manassas, VA 20110	Geotechnical and Environment Engineer/Agents
Wetland Studies & Solutions, Inc. Agents: Michael S. Rolband Mark Headly	14088-M Sullyfield Circle Chantilly, VA 20151	Wetland Consultant/Agents
Hendricksen, the Care of Trees, Inc. Agent: Joan Spence	275C 12th Street, 2nd Floor Wheeling, IL 60090-2004	Arborist/Agent
Polysonics Corp. Agents: Peter C. Brenton Scott B. Harvey	5115 MacArthur Boulevard, N.W. Washington, DC 20016	Noise Consultant/Agent

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

Rezoning Attachment to Par. 1(a)

DATE: March 12, 2002
 (enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2001-PR-050
 (enter County-assigned application number (s))

2001-179e

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

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

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

REZONING AFFIDAVIT

DATE: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(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)
STANLEY-MARTIN HOMEBUILDING, L.L.C.
1881 Campus Commons Drive, #101
Reston, VA 20191

DESCRIPTION OF CORPORATION: (check one statement)

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

MEMBERS:

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

Martin K. Alloy
Steven B. Alloy

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

Martin K. Alloy - Chairman/Treasurer	Ronald Jones - Vice President
Steven B. Alloy - President	Robert E. Statz - VP, Land Acquisitions
Catherine A. Baum - Exec. VP/Secretary	Sharon L. De Falco - Asst. Secretary

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

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

Rezoning Attachment to Par. 1(b)

DATE: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
PATTON HARRIS RUST AND ASSOCIATES, pc
14532 Lee Road
Chantilly, VA 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Thomas D. Rust
Jeffrey E. Frank
John M. Harris

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
THUNDERBIRD ARCHEOLOGICAL ASSOCIATES, INC.
126 East High Street
Woodstock, VA 22664

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
GEOTECHNICAL CONSULTING & TESTING, INC.
8551 Sudley Road
Manassas, VA 20110

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Emad E. Saadeh
Timothy V. Farabaugh

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
WETLAND STUDIES & SOLUTIONS, INC.
14088-M Sullyfield Circle
Chantilly, VA 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Michael S. Rolband - Sole Shareholder

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

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

Rezoning Attachment to Par. 1(b)

DATE: March 12, 2002
(enter date affidavit is notarized)

2001-1790

for Application No. (s): RZ/FDP 2001-PR-050
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
HENDRICKSEN, THE CARE OF TREES, INC.
275C 12th Street, 2nd Floor
Wheeling, IL 60090-2004

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)

John R. Hendricksen
Employee Stock Ownership Plan²

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)
²Employee Stock Ownership Plan
275C 12th Street, 2nd Floor
Wheeling, IL 60090-2004

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 Attachment to Par. 1(b)

DATE: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(enter County-assigned application number (s))

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

POLYSONICS CORP.
5115 MacArthur Boulevard, N.W.
Washington, DC 20016

DESCRIPTION OF CORPORATION: (check one statement)

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

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

George Spano	Karen Q. Marble-Hall	Marianne Blankeship
Scott B. Harvey	Peter C. Brenton	Xianginina Zhang
Robert M. Capozello		

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: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

Reed Smith LLP (formerly dba as Reed Smith Hazel & Thomas LLP)
3110 Fairview Park Drive, #1400
Falls Church, VA 22042(check if applicable) The above-listed partnership has no limited partners.

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

GENERAL PARTNERS:

Aaronson, Joel P.	Boehner, Russell J.	Clark, II, Peter S.	Dermody, Debra H.
Abbott, Kevin C.	Bolden, A. Scott	Cobetto, Jack B.	Dicello, Francis P.
Alfandary, Peter R.	Bonessa, Dennis R.	Colen, Frederick H.	DiFiore, Gerard S.
Allen, Thomas L.	Booker, Daniel I.	Cottman, Larry	Dilling, Robert M.
Auten, David C.	Bookman, Mark	Condo, Kathy K.	DiNome, John A.
Bagliebter, William M.	Borrowdale, Peter E.	Connors, Eugene K.	Duman, Thomas J.
Banzhaf, Michael A.	Brown, George	Convery, III, J. Ferd	Dumville, S. Miles
Barry, Kevin A.	Browne, Michael L.	Cottingham, Robert B.	Duronio, Carolyn D.
Basinski, Anthony J.	Burroughs, Jr., Benton	Cramer, John McN.	Erickson, John R.
Begley, Sara A.	Cameron, Douglas E.	Cranston, Michael	Esser, Carl E.
Bentz, James W.	Carder, Elizabeth B.	D'Agostino, L. James	Evans, David C.
Bernstein, Leonard A.	Casey, Bernard J.	Dare, R. Mark	Fagelson, Ian B.
Bevan, III, William	Christian, Douglas Y.	Davis, Peter R.	Fagelson, Karen C.
Binis, Barbara R.	Christman, Bruce L.	Demase, Lawrence A.	First, Mark L.
Birnbaum, Lloyd C.	Clark, George R.	DeNinno, David L.	Fisher, Solomon

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

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

Rezoning Attachment to Par. 1(c)

DATE: March 12, 2002
 (enter date affidavit is notarized)

2001-1790

for Application No. (s): RZ/FDP 2001-PR-050
 (enter County-assigned application number (s))

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

REED SMITH LLP (formerly dba REED SMITH HAZEL & THOMAS LLP) (cont'd list of partners)
3110 Fairview Park Drive, #1400
Falls Church, VA 22042

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

GENERAL PARTNERS:

- | | | | |
|---------------------------|------------------------|---------------------------|--------------------------|
| Flatley, Lawrence E. | Honigberg, Carol C. | Luchini, Joseph S. | Post, Peter D. |
| Folk, Thomas R. | Horvitz, Selwyn A. | Lynch, Michael C. | Preston, Thomas P. |
| Fontana, Mark A. | Howell, Ben Burke | Lyons, III, Stephen M. | Prorok, Robert F. |
| Foster, Timothy G. | Innamorato, Don A. | Mahone, Glenn R. | Quinn, John E. |
| Fox, Thomas C. | Jones, Craig W. | Marger, Joseph W. | Radley, Lawrence |
| Frank, Ronald W. | Jordan, Gregory B. | Marks, Jan A. | Ralton, W. Scott |
| Fritton, Karl A. | Katz, Carol S. | Marston, David W.* | Reed, W. Franklin |
| Gallagher, Jr., Daniel P. | Kauffman, Robert A. | Marston, Jr., Walter A. | Reichner, Henry F. |
| Gallatin, James P. | Kearney, James K. | McAllister, David J. | Restivo, Jr., James J. |
| Gentile, Jr., Pasquale D. | Kearney, Kerry A. | McGarrigle, Thomas J. | Richter, Stephen William |
| Glanon, Richard H. | Kiel, Gerald H. | McGough, Jr., W. Thomas | Rieser, Jr., Joseph A. |
| Goldrosen, Donald N. | Kieman, Peter J. | McGuan, Kathleen H. | Rissetto, Christopher L. |
| Goldschmidt, Jr., John W. | King, Robert A. | McKenna, J. Frank | Ritchey, Patrick W. |
| Golub, Daniel H. | Klein, Murray J. | McLaughlin, J. Sherman | Robinson, William M. |
| Grady, Kelly A. | Kneeder, H. Lane | McNichoi, Jr., William J. | Rosenbaum, Joseph I. |
| Gross, Dodi Walker | Kolaski, Kenneth M. | Mehfoud, Kathleen S. | Rosenthal, Jeffrey M. |
| Gryko, Wit J. | Kosch, James A. | Melodia, Mark S. | Rudolf, Joseph C. |
| Guadagnino, Frank T. | Kozlov, Herbert | Metro, Joseph W. | Sabourin, Jr., John J. |
| Hackett, Mary J. | Krebs-Markrich, Julia | Miller, Edward S. | Sachse, Kimberly L. |
| Haggerty, James R. | Kury, Franklin L. | Miller, Robert J. | Schaffer, Eric A. |
| Hanes, Grayson P. | Lacy, D. Patrick | Moorhouse, Richard L. | Schatz, Gordon B. |
| Harmon, John C. | Lasher, Lori L. | Morris, Robert K. | Scheineson, Marc J. |
| Hartman, Ronald G. | Lawrence, Robert A. | Munsch, Martha H. | Scott, Michael T. |
| Hatheway, Jr., Gordon W. | LeBlond, John F. | Myers, Donald J. | Sedlack, Joseph M. |
| Hayes, David S. | LeDonne, Eugene | Napoitano, Perry A. | Seifer, E. W. |
| Heard, David J. | Leech, Frederick C. | Naugle, Louis A. | Shmulewitz, Aaron A. |
| Heffler, Curt L. | Levin, Jonathan L. | Nichoias, Robert A. | Short, Carolyn P. |
| Heidelberger, Louis M. | Lindley, Daniel F. | Nogay, Arlie R. | Shurlow, Nancy J. |
| Hill, Robert J. | Linge, H. Kennedy | Peck, Jr., Daniel F. | Simons, Robert P. |
| Hitt, Leo N. | Loepere, Carol C. | Perfido, Ruth S. | Singer, Paul M. |
| Hoeg, III, A. Everett | London, Alan E. | Picco, Steven J. | Smith, II, John F. |
| Hoffman, Robert B. | Lovett, Robert G. | Plevy, Arthur L. | Smith, William J. |
| Hofstetter, Jonathan M. | Lowenstein, Michael E. | Pellack, Michael B. | Sneirson, Marilyn |

*Former Partner

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

Rezoning Attachment to Par. 1(c)

DATE: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
REED SMITH LLP (formerly dba REED SMITH HAZEL & THOMAS LLP) (cont'd list of partners)
3110 Fairview Park Drive, #1400
Falls Church, VA 22042

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

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

GENERAL PARTNERS:

Snyder, Michael A.	Tabachnick, Gene A.	Ummer, James W.	Winter, Nelson W.
Spaulding, Douglas K.	Thalner, Jr., Karl A.	Unkovic, John C.	Wood, John N.
Speed, Nick P.	Thomas, William G.	Vitsas, John L.	Young, Jonathan
Springer, Claudia Z.	Tillman, Eugene	von Waldow, Arnd N.	Zimmerman, Scott F.
Stewart, II, George L.	Todd, Thomas	Walters, Christopher K.	J. Jerome Mansmann ↗
Stoner, II, Edward N.	Tompkins, Benjamin F.	Whitman, Bradford F.	
Stroyd, Jr., Arthur H.	Trevelise, Andrew J.	Wickouski, M. Stephanie	
Swayze, David S.	Trice, II, Harley N.	Wilson, Stephanie	

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

Rezoning Attachment to Par. 1(c)

DATE: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(enter County-assigned application number (s))

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

COVINGTON FAMILY LIMITED PARTNERSHIP
9101 Lee Highway
Fairfax, VA 22031

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

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

GENERAL PARTNERS:

Ida Lee Carey
Rita A. Covington Revocable Trust¹

LIMITED PARTNERS:

Ida Lee Carey
Rita A. Covington Revocable Trust¹

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

Rezoning Attachment to Par. 1(c)

DATE: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(enter County-assigned application number (s))

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

1 RITA A. COVINGTON REVOCABLE TRUST
9101 Lee Highway
Fairfax, VA 22031

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

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

BENEFICIARIES:

Charles Henry Covington
John Marshall Covington
Ida Lee Carey
Margaret G. Covington
Wallace S. Covington

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

REZONING AFFIDAVIT

DATE: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(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: March 12, 2002
(enter date affidavit is notarized)

2001-1796

for Application No. (s): RZ/FDP 2001-PR-050
(enter County-assigned application number(s))

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

NONE

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

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

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

WITNESS the following signature:

(check one)

Robert A. Lawrence
 Applicant Applicant's Authorized Agent

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

Subscribed and sworn to before me this 12th day of March 2002, in the State/Comm. of Virginia, County/City of Fairfax

Shoula L. Statham
Notary Public

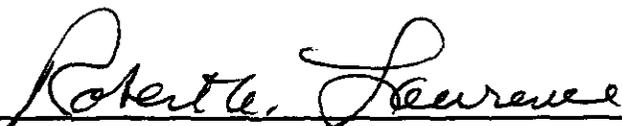
My commission expires: March 31, 2003

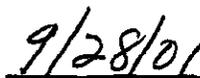
STATEMENT OF JUSTIFICATION

STANLEY-MARTIN HOMEBUILDING, L.L.C.
TAX MAP 48-4 ((1)) PARCELS 15 AND 16

The subject property contains two parcels with a total acreage of approximately 4.46 acres. These parcels are located on the south side of Lee Highway (Route 29) approximately 800 feet east of Nutley Street in Fairfax County, Virginia, in close proximity to the Vienna Metro Station and the Interstate Route 66 Transportation Corridor.

The Subject Property is located in the V1 - Lee Community Planning Sector of Area II. The Area II Comprehensive Master Plan map recommends residential development of the Subject Property at a density of 8-12 dwelling units per acre. The adjoining properties to the south and to the west are zoned R-8 and R-12, respectively, and are currently developed at densities of 9.4 and 10.8 dwelling units per acre. The property to the east is zoned C-8 with an existing retail shopping center use. The rezoning of the Subject Property from R-1 to PDH-12 to achieve a density of 9.6 dwelling units per acre is thus consistent with the County's Comprehensive Master Plan and compatible with existing adjacent land uses.


Robert A. Lawrence, Esq., Agent


Date

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: LAND USE ANALYSIS: RZ/FDP 2001-PR-050
(Stanley-Martin)

DATE: 13 February 2002

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of this application. The proposed use, intensity and site design are evaluated in terms of the relevant Plan recommendations and policies.

DESCRIPTION OF THE APPLICATION:

<i>Date of Development Plan</i>	February 8, 2002
<i>Request</i>	Rezoning from R-1 to PDH-12 for 43 single-family attached dwelling units
<i>DU/AC</i>	9.6
<i>Land Area</i>	4.46

CHARACTER and PLANNED USE OF THE ADJACENT AREA:

The site is located on the south side of Lee Highway, Route 29, just east of Nutley Street. It is adjacent to the Pan Am shopping center. There are townhouses adjacent to the southern and eastern boundaries of the site. These are planned and developed under a density of 8-12 dwelling units per acre. The land opposite the site on the north side of Lee Highway is planned and developed under a density range of 4-5 dwelling units per acre. There is a small strip of retail commercial uses on the north side of Lee Highway just west of the subject site.

COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:**Plan Text:**

On page 25 in the Area II text, the Vienna Planning District, the Lee Community Planning Sector (V-1), LAND USE RECOMMENDATIONS, the 2000 Comprehensive Plan states:

“Infill development in this planning sector should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objective... 14.”

On page 35 in the LAND USE section of the Policy Plan in the LAND USE COMPATIBILITY section, the Plan states:

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

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

Plan Map:

The property is planned for residential use at a density of 8-12 dwelling units per acre, as shown on the Comprehensive Plan map.

Analysis:

The application conforms to the use and density guidance of the Comprehensive Plan.

BGD: SEM

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

FILE: 3- 4 (RZ 2001-PR-050)

SUBJECT: Transportation Impact

REFERENCE: RZ 2001-PR-050, FDP 2001-PR-050;
 Traffic Zone: 1518
 Land Identification Map: 48-4((01)) 15,16

DATE: March 4, 2002

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised development plan dated February 8, 2002 and draft proffers dated February 8, 2002.

The application is a request to rezone 4.46 acres from the R-1 district to the PDH-12 district to provide 43 attached single-family residential dwelling units at a density of 9.6 dwelling units per acre.

Traffic Generation

	<u>Trips Per 1</u>	
	<u>Day</u>	<u>Peak Hour</u>
Comprehensive Plan:		
8-12 dwelling units per acre 1.....	280-445 vpd	23-34 vph
Proposed Use:		
Townhomes (Fairfax County Rates)-43 dwelling units 1	360 vpd	27 vph

1 Trip Generation Rates per Fairfax County, VA Townhome study
 2 Note-vpd is vehicles per day; vph is vehicles per hour

Barbara A. Byron
March 4, 2002
Page two

This department has reviewed the subject application and offers the following comments:

- The applicant should remove the parking spaces on the service drive area.
- The applicant should provide a vehicle turn around at the terminus of the travel way near lots 19 and 20.
- The applicant should show how the grades for the subject application along Lee Highway will tie-in to the future VDOT plans for the widening of Lee Highway.
- The applicant should provide sight distance profiles for the proposed access on Lee Highway.

AKR/AK:ak

c:\mword\rz-cases\rz01pr050

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



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

RAY D. PETHEL
INTERIM COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)
March 29, 2002

THOMAS F. FARLEY
DISTRICT ADMINISTRATOR

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-PR-050 & FDP 2001-PR-050 Carey Property
Tax Map # 48-4((01))0015 & 16
Fairfax County

Dear Ms. Byron:

I have reviewed the above plan submitted on March 12, 2002, and received on March 13, 2002. The following comments are offered and remain numbered the same as in the first two submissions:

2. No direct access to Rt. 29 will be permitted. Access will be via the service drive and other access points.
3. Access should be provided to and from Covington Street via an extension of this street.
5. The service drive shall connect to the stub from the shopping center service drive. The argument regarding cut through traffic does not appear to have any validity. The purpose of service drives is to provide interparcel access for local traffic trips. This service drive does not serve as a connection between any commuter routes. It provides access to the shopping center for the residents of the area, thereby removing the local traffic from the through traffic on Rt. 29.
6. A per lot transportation contribution should be made for improvements to the roadway network serving this area.
7. The entire Rt. 29 frontage third lane should be constructed or the costs escrowed.
8. The proposed contribution toward a future signal is not much more than 5% of the total costs for a signal. This proposed contribution appears inadequate.

This application can not be supported without the service drive connection. If you have any questions, please call me at (703)383-2424.

Sincerely,

Kevin Nelson
Transportation Engineer

cc: Ms. Angela Rodehaver
fairfaxrezoneingRZ2001-PR-050r23CareyProp3-29-0288

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ 2001-PR-050
Stanley Martin Homebuilders, L.L.C.

DATE: 22 March 2001

This memorandum includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the revised development plan dated March 6, 2002. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

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

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

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

- Policy a. . . . ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements.
- Policy k. For new development and redevelopment, apply low-impact site design techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following

practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land.
- . . . Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.

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

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

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

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

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

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

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

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

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

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

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

**Objective 11: Conserve and restore tree cover on developed and developing sites.
Provide tree cover on sites where it is absent prior to development.**

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

ENVIRONMENTAL ANALYSIS:

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

Water Quality Best Management Practices

Issue:

The subject property is a 4.46-acre lot, which is situated immediately east of the Pan-Am Shopping Center and approximately .6 miles south and east of the Vienna Metro. A mix of deciduous and evergreen trees covers the site, except for a developed area associated with an existing residence situated in the northeastern quadrant of the property adjacent to Lee Highway. The development plan depicts a large stormwater pond in the southwestern corner of the property. No tree save or tree restoration area is depicted on the development plan.

Resolution:

The applicant is encouraged to work with the Department of Public Works and Environmental Services to explore opportunities to implement innovative best management practices in order to

integrate the proposed stormwater pond, and to provide some minimal preservation of the existing vegetation. The applicant is encouraged to implement creative site design techniques and to re-evaluate the design of the SWM facility in a manner that disperses treatment throughout the site. In the event that DPWES determines that this site is suitable for the implementation of innovative best management practices, then the size of the proposed pond might possibly be reduced, thus allowing for the provision of more open.

Highway Noise

Issue:

A highway noise analysis was performed for Lee Highway. The analysis produced the following noise contour projections for Lee Highway (note DNL dBA is equivalent to dBA L_{dn}):

65 dBA L_{dn}	260' feet from centerline
70 dBA L_{dn}	120' feet from centerline

That portion of the site, which is adjacent to Lee Highway, may be adversely affected by highway noise. More than half of the residential structures to be built will fall within two hundred sixty feet (260') of the proposed centerline of Lee Highway, which is within the 65-70 dBA L_{dn} impact area. Approximately twenty-eight of the proposed forty-three (43) lots will fall within the 65-70 dBA L_{dn} impact area.

Resolution:

In order to reduce noise in interior areas to 45 dBA L_{dn} or less, any residential structure that will be located within two hundred sixty feet of the revised design centerline of Lee Highway should be constructed with building materials that are sufficient to provide this level of acoustical mitigation. In order to reduce exterior noise levels in the rear and side yards of lots located at least partially within the projected 65-70-dBA L_{dn} impact area, one or more noise barriers should be provided. The barrier(s) should be of a height sufficient to break all lines of sight between an imaginary plane formed between a line eight feet above the centerline of the highway and a line six feet above the ground in the affected outdoor recreational areas. The barriers should be architecturally solid from ground up with no gaps or openings. A berm, architecturally solid wall, or berm-wall combination can be used as a noise barrier. If desired, the applicant may substitute rear yard privacy fencing for the noise barrier as long such fencing will meet the above guidelines.

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

Tree Preservation/Restoration

Issue:

The Comprehensive Plan specifically recommends conserving tree cover on developing sites. In the event that tree cover is not of high quality, the Comprehensive Plan recommends restoring vegetation with a mixture of appropriate native tree species. The applicant has not designated any specific areas on this site as an open space amenity for the future residents of this forty-three-unit subdivision other than the area around the stormwater management pond and a linear park in the center of the subdivision. The linear park does not provide an adequate and accessible open space amenity for the entire subdivision.

Resolution:

The applicant is encouraged to work with the Urban Forestry Division of DPWES to collaborate on the reforestation of the open space areas on this property. Such an effort would serve the dual purpose of providing an open space amenity for the residents, as well as meeting tree preservation/ restoration requirements. The Department of Urban Forestry has identified a number of American Holly trees, which are worth preserving or which could be transplanted. Wherever possible, healthy shrubs and trees should be identified and incorporated into a transplantation element of the proposed landscape plan.

TRAILS PLAN:

The Trails Plan Map depicts a bicycle trail on the north side of Lee Highway. At the time of Site Plan review, the Director, Department of Public Works and Environmental Services will determine what trail requirements may apply to the subject property.

BGD: MAW

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Cathy Lewis, Staff Coordinator
Zoning Evaluation Division, DPZ

DATE: January 14, 2002

FROM: Todd Nelson, Urban Forester II
Urban Forestry Division, OSDS 

SUBJECT: Carey Property; RZ/FDP 2001-PR-050

RE: Request for assistance dated December 20, 2001

This review is based upon a site visit conducted on January 8, 2002, and the Conceptual/Final Development Plan stamped "Received, Department of Planning and Zoning, November 27, 2001."

Site Description: This site is a developed single family dwelling with a wooden garage and tool shed along the northeastern portion of the property. There is a 20-inch holly at the northwest corner of the house in fair condition along with several small red oaks and other hollies. The western property boundary consists primarily of Virginia pine, tulip poplar, locust and cherry trees. The southern portion of the site is an early successional upland forest consisting primarily of locust, red maple, Virginia pine and cherry. The eastern portion of the property consists primarily of locust and catalpa trees. The preservation of existing trees on this site is not recommended due to the species, condition, location, and size of the trees. However, several holly trees are scattered throughout this site. Transplantation plans for these trees should be considered.

1. **Comment:** The limits of clearing and grading, shown along the western, southern, and eastern property boundaries, will provide minimal preservation for the existing off-site trees. However, vegetation on the Applicant property is not worth preserving and should be cleared up to the property line.

Recommendation: Obtain a commitment from the Applicant similar to the following: "In order to protect the off-site trees from construction damage, should any off-site trees, adjacent to the limits of clearing and grading, become dead, dying, or hazardous, these trees will be removed and replaced by the Developer."

2. **Comment:** Landscaping is not shown in or around the proposed stormwater management pond.

Recommendation: Obtain a commitment from the Applicant similar to the following: "In order to restore a natural appearance to the proposed stormwater management facility in the northeast corner of the site, a landscape plan shall be submitted as part of the first submission

of the site plan showing extensive landscaping in all possible planting areas of the pond, in keeping with the planting policy of the PFM." In addition, any trees shown to be planted around the SWM facility may be used towards the tree cover requirement.

- 3. Comment:** The five foot wide planting strips located in front of the various lots are not sufficient for tree planting, and the survivability of the large deciduous trees shown to be planted in these strips will be poor.

Recommendation: The planting strips in front of the various lots should be a minimum of eight feet wide, and the types of trees to be planted in these strips should be medium deciduous or flowering deciduous, including, but not limited to, Yoshino cherry, Zelkova, saucer magnolia, redbud and American linden.

- 4. Comment:** The 15% tree cover requirement should be met by planting landscape trees throughout the site.

Recommendation: In order to provide additional tree cover in the subdivision, a landscape plan should be submitted that shows a variety of native tree species of various sizes, planted throughout the site. Native trees that are well suited for this location include willow oak, white oak, red oak, red maple, eastern red cedar, American holly, redbud, flowering dogwood, serviceberry, and many others.

- 5. Comment:** A 3-inch caliper size specification for shade trees is indicated in the legend. This size specification is undesirable due to the lack of availability and lower survival rate of trees this size.

Recommendation: To ensure survivability and availability, the size specification for nursery stock deciduous trees should be 2 to 2.5-inch caliper.

- 6. Comment:** Given the nature of the off-site tree cover adjacent to the proposed limits of clearing and grading, and depending upon the ultimate development configuration provided, several proffers will be instrumental in assuring adequate tree preservation and protection throughout the development process.

Recommendation: Recommend the following proffer language to ensure effective tree preservation:

Tree Preservation Fencing: "All trees off-site trees adjacent to the limits of clearing and grading shall be protected by tree protection fence in the form of four foot high, 14-gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no

further than 10 feet apart. This fence type shall be shown on the Phase I and II erosion and sediment control sheets. The tree protection fencing shall be made clearly visible to all construction personnel, and shall be installed immediately after root pruning has taken place and prior to any clearing and grading activities on the site, including the demolition of any existing structures.”

Tree Transplantation: “The Applicant shall provide a transplantation plan as part of the first submission of the subdivision plan. The transplantation plan shall be prepared by a certified arborist. The following are the components of a transplanting plan: identification of the existing locations of the plants to be transplanted; an assessment of the condition and survival potential of the plants; the proposed transplant locations; the timing of transplanting in the development process; the proposed time of year of the transplanting; the transplant methods to be used, including tree spade size if one is used; the relocation site preparation materials and methods; the initial care after transplanting, including mulching and watering specification to be conducted; and the long-term care measures including the installation of tree protection fencing and watering.”

Root Pruning: “Prior to the commencement of any clearing, grading, or other demolition activities, the limits of clearing and grading shall be root pruned to a depth of 18 inches with a trencher or vibratory plow. The developer’s certified arborist shall verify in writing that the root pruning has been taken place.”

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

TLN/
UFDID# 02-1191

cc: Mary Ann Welton, Environmental Planner, DPZ
Steve McGregor, Land Use Planner, DPZ
DPZ file
RA file

MEMORANDUM

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

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ/FDP 2001-PR-050
 Tax Map No. 048-4- /01/ /0015, 0016

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

1. The application property is located in the ACCOTINK CREEK (M2) watershed. It would be sewered into the Norman M. Cole, Jr. Pollution Control Plant.
2. Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or the Board of Supervisors has established priority reservations. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in EASEMENT and APPROX. 50 FEET FROM the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information or comments: _____

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

December 12, 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-PR-050
FDP 01-PR-050

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 not located within the franchise area of the Fairfax County Water Authority.
2. Water service is not available from FCWA.

City of Falls Church service area. See enclosed map.


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

Attachment

REZONING APPLICATION /

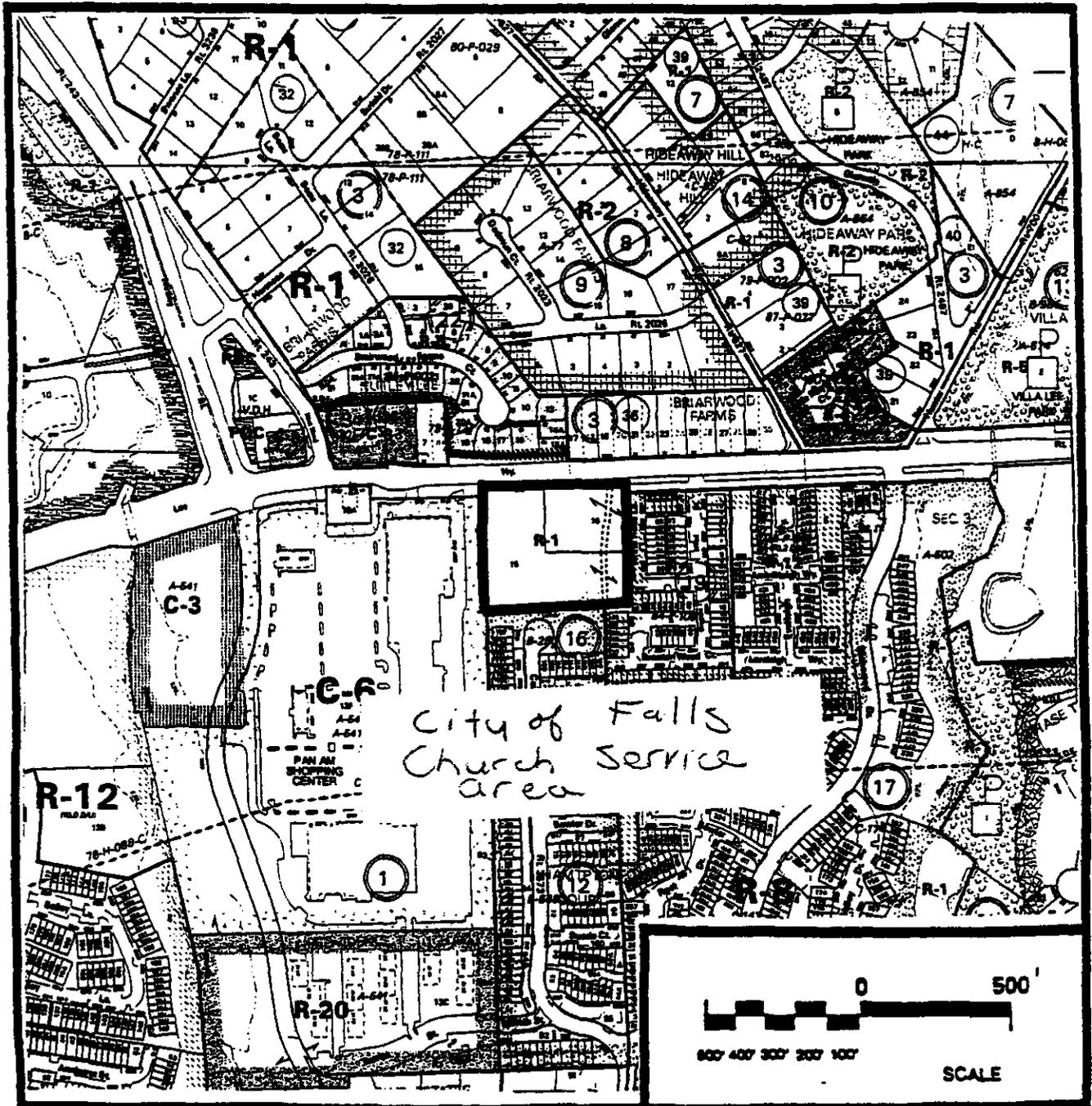
FINAL DEVELOPMENT PLAN

RZ 2001-PR-050

FDP 2001-PR-050

FILED 11/26/01
STANLEY-MARTIN HOMEBUILDERS, L.L.C.
TO REZONE: 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE
PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE PDH-12
DISTRICT
LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY
600 FEET EAST OF ITS INTERSECTION WITH
NUTLEY STREET
ZONING: R-1
TO: PDH-12
OVERLAY DISTRICT(S): MC
MAP REF 048-4- /01/ /0015- .0016-

FILED 11/26/01
STANLEY MARTIN HOMEBUILDING LLC
FINAL DEVELOPMENT PLAN
PROPOSED: RESIDENTIAL DEVELOPMENT
APPROX. 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE
LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY
600 FEET EAST OF ITS INTERSECTION WITH
NUTLEY STREET
ZONING: PDH-12
OVERLAY DISTRICT(S): MC
MAP REF 048-4- /01/ /0015- .0016-



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

December 12, 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-PR-050 and Final Development Plan FDP 2001-PR-050

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 #30, Merrifield.
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: 3/1/02 Case # RZ-01-PR-050
 Map: 48-4 PU 2074
 Acreage: 4.46
 Rezoning
 From : R-1 To: R-12

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
Fairhill 3087	K-6	447	464	493	-48	561	-114
Jackson 3081	7-8	900	1040	1090	-190	1135	-235
Falls Church 3090	9-12	2000	1439	1548	482	1710	290

- 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	43	X.201	9	SF	4	X.4	2	7	9
7-8	SF	43	X.048	2	SF	4	X.069	0	2	2
9-12	SF	43	X.102	4	SF	4	X.159	1	3	4

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 (Falls Church High) is currently projected to be below capacity.

Enrollment in the schools listed (Fairhill Elementary, Jackson Middle) is currently projected to be near or above capacity.

The 11 students generated by this proposal would require .44 additional classrooms at Fairhill Elementary and Jackson Middle(11 divided by 25 students per classroom). Providing these additional classrooms will cost approximately \$ 154,000 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: 3/11/02

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

SUBJECT: Rezoning Application Review

Name of Applicant/Application: Stanley Martin Homebuilding LLC

Application Number: RZ/FDP2001-PR-050

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

Date Received in SWPD: 12/10/01

Date Due Back to DPZ: 1/2/02

Site Information: Location - 048-4-01-00-0015 and 16
Area of Site - 4.46 acres
Rezone from - R-1 to PDH-12
Watershed/Segment - Accotink Creek / Hunter

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: Stanley Martin Homebuilding LLC / RZ/FDP2001-PR-050

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

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

DRAINAGE RECOMMENDATIONS (SWPD): None.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

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

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

Other E&I Recommendations (PDD): None.

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

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

SRS/RZ/FDP2001PR050

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



FAIRFAX COUNTY PARK AUTHORITY
.....
MEMORANDUM

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

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

DATE: January 7, 2002

SUBJECT: RZ/FDP 2001-PR-050
Stanley Martin Home Building, LLC.
Loc: 48-4((1)) 15,16

BACKGROUND

The Fairfax County Park Authority (FCPA) staff has reviewed the proposed Conceptual/Final Development Plan dated November 27, 2001 for the above referenced application. The Development Plan shows 43 proposed townhouse units on approximately 4.46 acres. The proposal will add approximately 109 residents to the current population of Providence 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. **Vienna Planning District** (Area II, Lee Community Planning Sector, Parks and Recreation, Page 35 of 74)

“Neighborhood park facilities should be provided in conjunction with new 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 43 non-ADUs proposed, the cost is \$41,065 to develop said facilities. Since the development 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

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS**16-101 General Standards**

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

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

16-102 Design Standards

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

1. In order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.
2. Other than those regulations specifically set forth in Article 6 for a particular P district,

the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.

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

GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.D.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 tidality 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		

