



# FAIRFAX COUNTY

APPLICATION FILED: November 26, 2001  
PLANNING COMMISSION HEARING: May 30, 2002  
PLANNING COMMISSION DECISION ONLY: June 20, 2002  
BOARD OF SUPERVISORS: Not Yet Scheduled

V I R G I N I A

June 19, 2002

## STAFF REPORT ADDENDUM II

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 Attachment 1 of the staff report.

Staff also recommends that FDP 2001-PR-050 be approved subject to the proposed development conditions contained in Attachment 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.

Staff recommends a waiver of construction of that portion of the service drive which would connect to the Pan Am Shopping Center as shown on the CDP/FDP.

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

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

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



**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 POM-12  
DISTRICT  
LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY  
400 FEET EAST OF ITS INTERSECTION WITH  
NUTLEY STREET  
ZONING: R-1  
TD: POM-12  
OVERLAY DISTRICT(S): NC  
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  
400 FEET EAST OF ITS INTERSECTION WITH  
NUTLEY STREET  
ZONING: POM-12  
OVERLAY DISTRICT(S): NC  
MAP REF 048-4- /01/ /0015- .0016-



# REZONING APPLICATION /

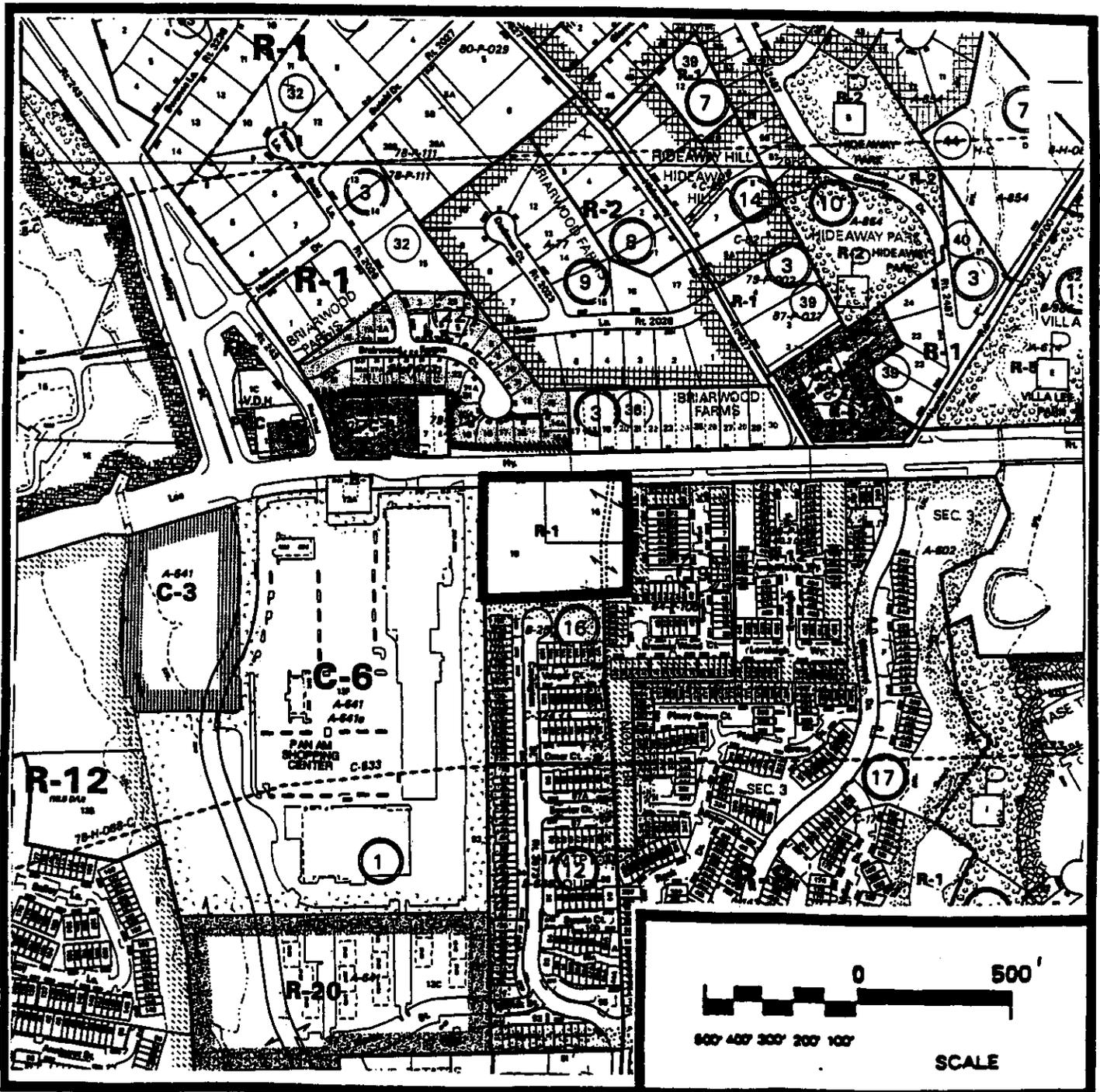
# FINAL DEVELOPMENT PLAN

## 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 PDH-12 DISTRICT  
LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY 600 FEET EAST OF ITS INTERSECTION WITH HUTLEY STREET  
ZONING: R-1  
TO: PDH-12  
OVERLAY DISTRICT(S): NC  
MAP REF 048-4- /01/ /DD15- ,0D16-

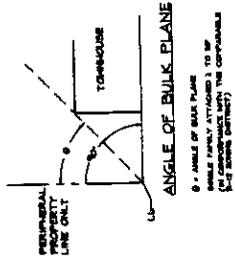
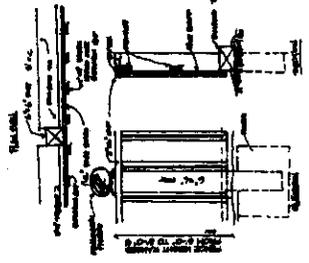
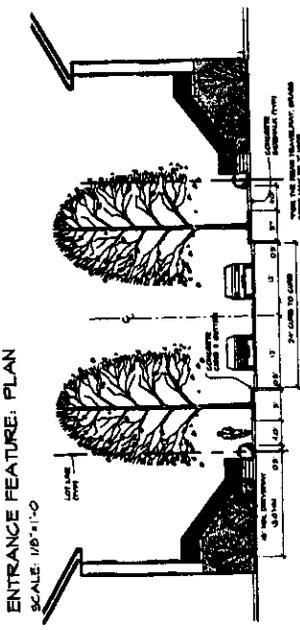
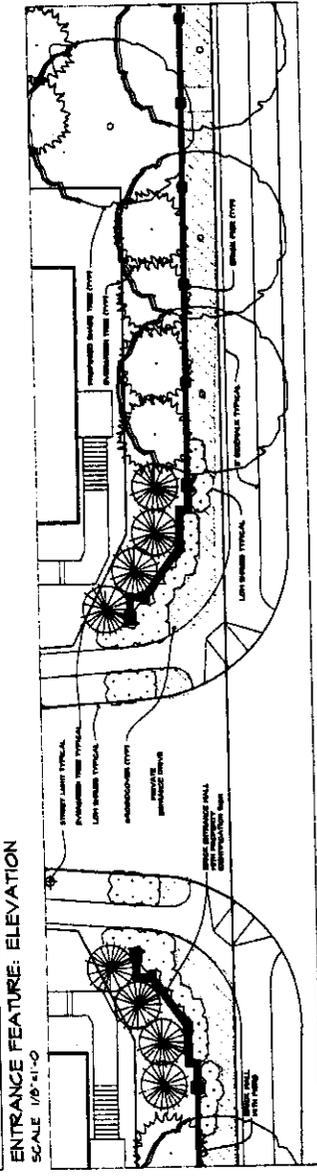
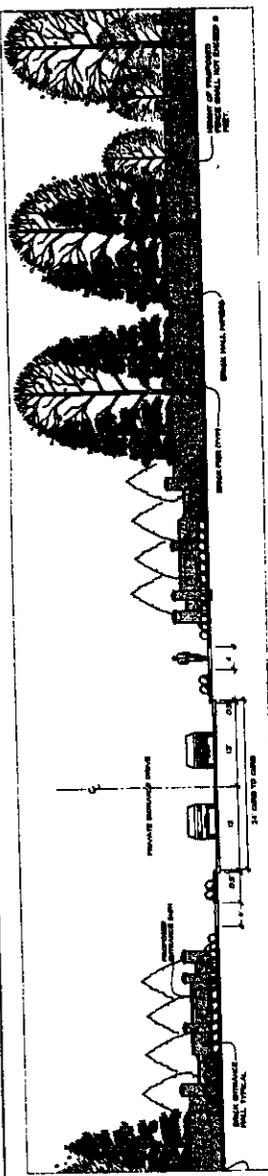
FILED 11/26/01  
STANLEY MARTIN HOMEBUILDING LLC  
FINAL DEVELOPMENT PLAN  
PROPOSED: RESIDENTIAL DEVELOPMENT  
APPROX. 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE  
LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY 600 FEET EAST OF ITS INTERSECTION WITH HUTLEY STREET  
ZONING: PDH-12  
OVERLAY DISTRICT(S):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











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

1	REVISION	DATE	BY
2	REVISION	DATE	BY
3	REVISION	DATE	BY
4	REVISION	DATE	BY
5	REVISION	DATE	BY
6	REVISION	DATE	BY
7	REVISION	DATE	BY
8	REVISION	DATE	BY
9	REVISION	DATE	BY
10	REVISION	DATE	BY

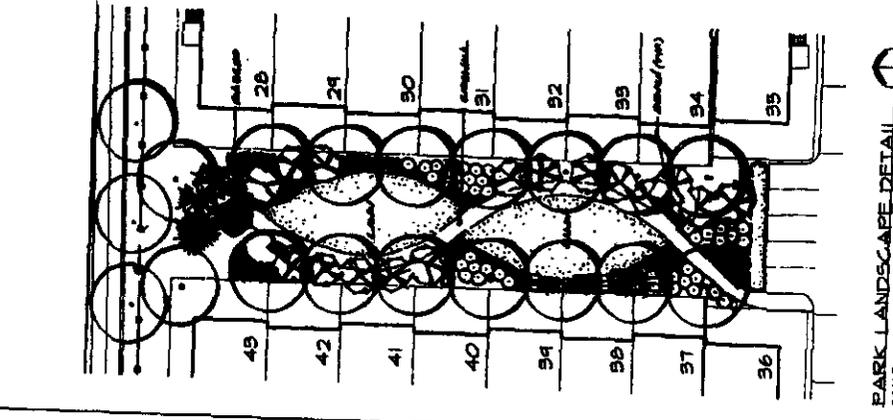
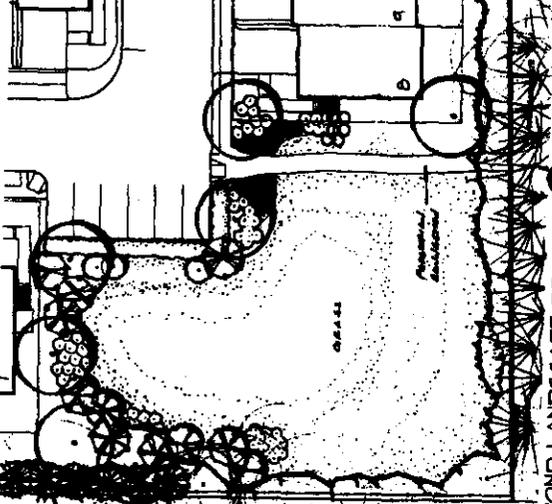
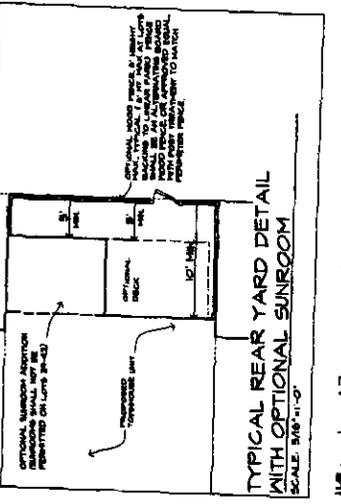
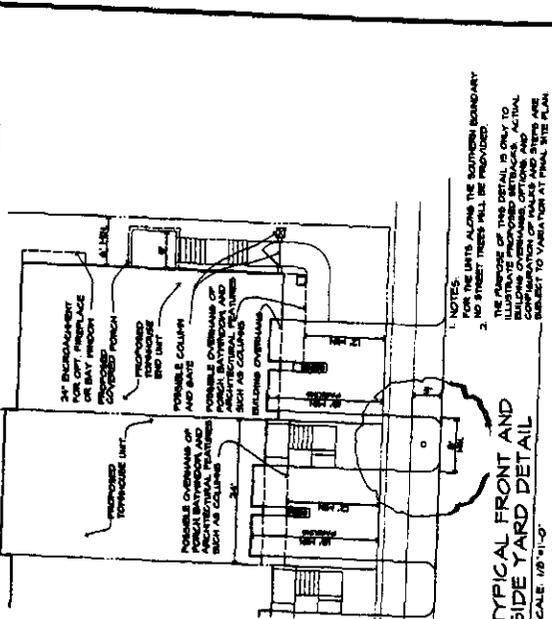
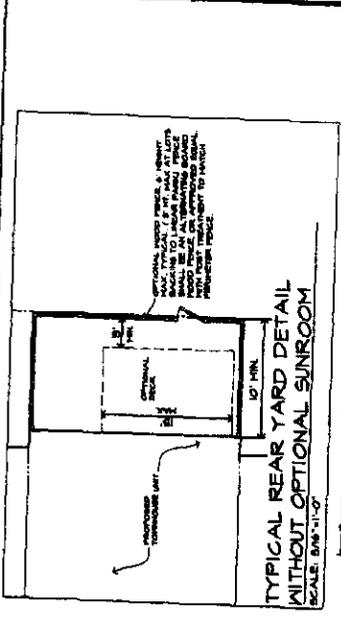


CAREY PROPERTY  
PROFESSIONAL DESIGNER  
FAIRFAX COUNTY, VIRGINIA

DETAILS



DATE	BY	APP'D	DATE
APR 2002	PHRA	PHRA	APR 2002
DATE	BY	APP'D	DATE
APR 2002	PHRA	PHRA	APR 2002



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

DATE	DESCRIPTION
JUNE 2002	FINAL
JUNE 2002	REVISED

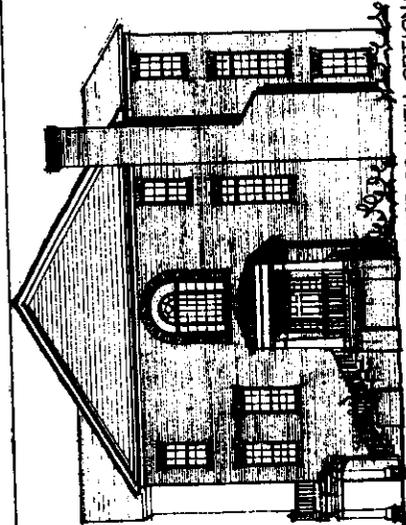
**PHRA**  
Professional Horticultural & Landscape Architects  
1000 North 1st Street, Suite 200  
Providence, Rhode Island 02903  
Phone: 401-863-1100  
Fax: 401-863-1101  
www.phra.com

CAREY PROPERTY  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

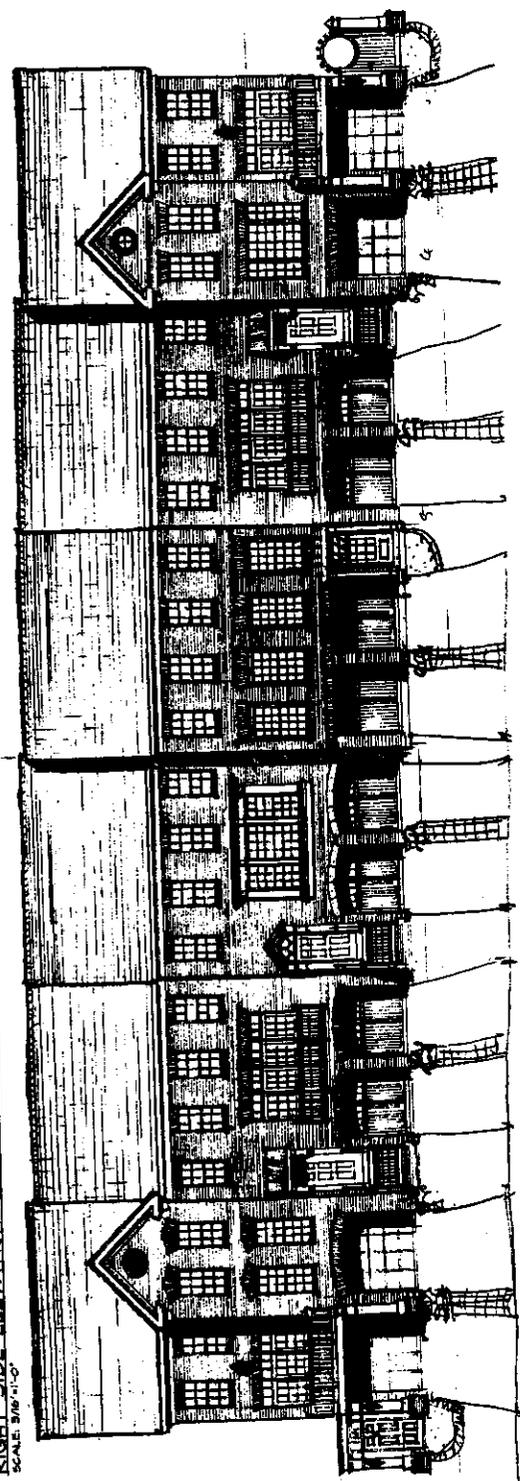
LANDSCAPE AND TYPICAL LOT DETAILS

NO.	DATE	DESCRIPTION
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3	3/15/02	CONCEPT PLAN
4	4/15/02	CONCEPT PLAN
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6	6/15/02	CONCEPT PLAN
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97	1/15/10	CONCEPT PLAN
98	2/15/10	CONCEPT PLAN
99	3/15/10	CONCEPT PLAN
100	4/15/10	CONCEPT PLAN

**NOTE:**  
 The typical building construction shown on this plan was provided by Stanley Martin  
 Construction, Inc. It is shown for information only and does not constitute an offer of construction,  
 and are subject to change due to field architectural design.



RIGHT SIDE ELEVATION AT ROUTE 29 WITH OPTIONAL SUNROOM AND FIREPLACE  
 SCALE 3/8"=1'-0"



TYPICAL FRONT ELEVATION  
 SCALE 5/8"=1'-0"



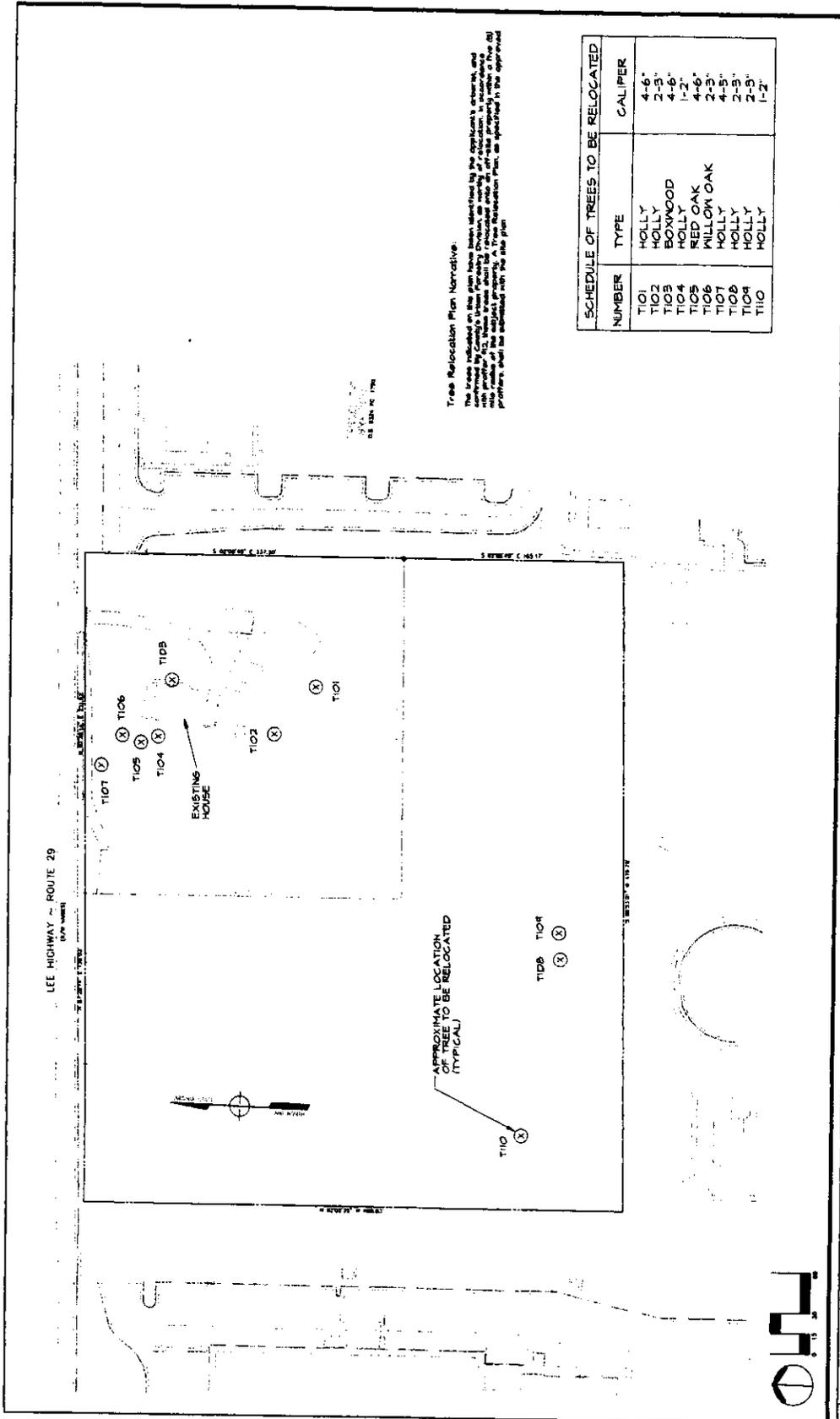
NO.	REVISION	DATE	BY	CHKD.

**CAREY PROPERTY**  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

**ARCHITECTURAL ELEVATIONS**

**PHIRA**  
 PROFESSIONAL ARCHITECTS  
 10000 WOODBURN ROAD, SUITE 100  
 FAIRFAX COUNTY, VIRGINIA 22033  
 (703) 261-1111

PROJECT	PHIRA
DATE	JUNE 2002
SCALE	5/8"=1'-0"
DESIGNER	DHS
DATE	6.06.02
FILE NO.	1106-14



**Tree Relocation Plan Narrative**  
 The trees indicated on this plan have been identified by the applicant's arborist, and with proper care, these trees should be successfully translocated and relocated. All work shall be performed in accordance with the approved Tree Relocation Plan, as specified in the approved permit and be submitted with the site plan.

SCHEDULE OF TREES TO BE RELOCATED		
NUMBER	TYPE	CALIPER
T101	HOLLY	4-6"
T102	HOLLY	2-3"
T103	BOXWOOD	4-6"
T104	HOLLY	1-2"
T105	RED OAK	4-6"
T106	MILLOW OAK	2-3"
T107	HOLLY	4-5"
T108	HOLLY	2-3"
T109	HOLLY	2-3"
T110	HOLLY	1-2"

		PHIRA PROFESSIONAL HORTICULTURAL INSTITUTE 10000 WOODBURN AVENUE FAIRFAX COUNTY, VIRGINIA 22031 (703) 441-1111
<b>CAREY PROPERTY</b> PROVIDENCE DISTRICT, FAIRFAX COUNTY, VIRGINIA		<b>TREE RELOCATION PLAN</b> SHEET 1 OF 1
PROJECT: CAREY PROPERTY LOCATION: PROVIDENCE DISTRICT, FAIRFAX COUNTY, VIRGINIA	DATE: JUNE 2002 SCALE: 1" = 30' DRAWN BY: DMS CHECKED BY: T. OF T.	SHEET NO: 118-01-1

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## BACKGROUND

Rezoning Application RZ/FDP 2001-PR-050 (Stanley-Martin Homebuilding, LLC) was filed on December 26, 2001. This application 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).

On May 1, 2002, the Staff Report for RZ/FDP 2001-PR-050 was published. In this report, staff recommended that RZ/FDP 2001-PR-050 be approved.

Subsequent to the publication of the Staff Report, a revised Conceptual/Final Development Plan (CDP/FDP) was submitted, which included two changes. First, new architectural elevations were proposed. Second, the distance between the optional sunroom and the southern and eastern periphery of the site was increased from 20 to 25 feet. An addendum to the Staff Report was published on May 29, 2002. In this addendum, staff continued to recommend approval of RZ 2001-PR-050 and the Conceptual Development Plan subject to the execution of proffers consistent with those dated May 23, 2002. Staff also recommended that FDP 2001-PR-050 be approved subject to the proposed development conditions dated May 1, 2002, and the Board's approval of RZ 2001-PR-050 and the Conceptual Development Plan.

The Planning Commission public hearing was held on May 30, 2002. The decision was deferred until June 20, 2002, to give the applicant an opportunity to address issues raised at the Planning Commission. The Board of Supervisors public hearing has not yet been scheduled.

## DISCUSSION

The applicant has submitted a revised CDP/FDP, as revised through June 10, 2002. A copy of the revised CDP/FDP is included at the front of this addendum. The revised plan contains the following changes:

**Setback from the Peripheral Lot Lines:** The revised CDP/FDP indicates that all units (with or without sunrooms) will be at least 25 feet back from the peripheral lot line of the site. A minimum buffer of 15 feet of open space will be located between the peripheral lot line and the yards of the proposed units.

**Typical Yard Details:** Sheet 5 contains three typical yard details. The first detail depicts the rear yard with the optional sunroom. Detail 1 notes that the optional sunroom will be no closer than five (5) feet to the rear lot line. Furthermore, if a deck is added to a unit with a sunroom, the deck will be no closer than five (5) feet to the rear lot line. The second detail depicts the rear yard without a sunroom. Detail 2 indicates that the deck on a unit without a sunroom can be located three (3) feet from the rear lot line. In addition, the deck can be no wider than 15 feet. This restriction is also included in the proffers (Proffer 15). Finally, the last detail provides the typical for the front and side yards of units. Detail 3 notes that the driveways will be at least 18 feet long but that there could be a possible second story building overhang over the driveway. The side yards will be at least six (6) feet wide. However, there could be an encroachment into this yard for a fireplace, bay window,

staircase and covered porch. It should be noted that this encroachment cannot be any greater than three (3) feet per the Fire Marshal.

**Tree Save:** A recent survey of the property indicated that several mature trees are located on the eastern property line (the common property line shared with Braxton Woods). As such, the applicant is now proposing to preserve these trees (six deciduous trees) as shown on Sheet 3. The applicant will supplement the preserved trees with additional landscaping as depicted on Sheet 3. Proffer 13(b) notes that the applicant will preserve these trees unless the applicant and the Braxton Woods Homeowners Association agree in writing to a modification to the preservation plan to provide a replacement tree (or replacement trees).

**Tree Relocation Plan:** A new sheet has been added (Sheet 7) which depicts the location of the proposed trees to be relocated under the applicant's tree location plan.

**Wall:** The entrance feature elevation on Sheet 4 now indicates that the proposed wall along Lee Highway will be all brick with brick piers. The detail for the wall along Lee Highway and the wooden fence along the eastern, southern, and western property lines indicates that the height could be between six (6) and eight (8) feet high.

**Utility Layout:** An alternative utility layout plan is depicted on Sheet 3. This layout depicts the sanitary sewer and water main lines being connected to the site from Hampton Commons to the south.

The applicant has also made the following changes to the proffers, which are now dated June 12, 2002. All changes and modifications are highlighted:

**Recreational Facilities (Proffer 3):** The applicant is no longer seeking credit for the proposed trail which connects to the Hampton Commons property line. In addition, the applicant has stated that notwithstanding any credit given for the \$955 per unit contribution for recreational facilities provided pursuant to the P-District requirements, the applicant will contribute no less than \$15,000 to the Fairfax County Park Authority (FCPA). Finally, the proffer notes that a six (6) foot high wooden fence will be constructed along the southern property line (the common property line with Hampton Commons).

**Stormwater Management (Proffer 5):** The applicant has proffered to plant water-tolerant plants in the bed of the pond.

**Traffic Signal (Proffer 10):** As noted at the May 30, 2002, Planning Commission public hearing, the applicant has agreed to contribute \$1,000 per dwelling unit for the design and installation of a traffic signal at the intersection of Lee Highway, Ellenwood Road, and Hunter Road. Previously, the applicant had proffered a total contribution of \$21,500.

**School Contribution (Proffer 16):** As noted at the May 30, 2002, Planning Commission public hearing, the applicant has agreed to contribute \$800 per dwelling unit to Fairhill Elementary School towards the purchase of a Wireless Networking and Mobile Lab Unit. Previously, the applicant had proffered a total contribution of \$28,165.



PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS

FDP 2001-PR-050

June 12, 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.~~
2. 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.
3. A vehicular turnaround shall be provided at the eastern end of the private street serving Lots 14-19 **if determined necessary by the Department of Public Works and Environmental Services (DPWES).**

**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

(6) foot high board on board fence on the Subject Property on this border with Braxton, except in any area where an acoustical fence is required pursuant to Paragraph 14 herein. The fencing constructed by the Applicant along the boundary line with Braxton shall be field located, to preserve the trees referenced in Proffer No. 13h, above.

26. **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 and the Hampton Commons Homeowners' Association ~~and the Braxton Woods Homeowners Association~~, subject to the approval of the Urban Forestry Division.

**b. Landscaping along the border with the Braxton Homeowner's Association property shall be in accordance with the Landscape Plan (Sheet 3) unless an alternative landscape plan is approved by the Applicant and Braxton 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. **Signs.** No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on- or off-site by the Applicant or at the Applicant's direction to assist in the initial sale of homes on the Subject Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and sale of residential units on the Subject Property to adhere to this proffer.
22. **Garages.** The Applicant shall place a covenant on each townhouse garage unit that prohibits the use of the garage for any purpose, which precludes motor vehicle storage. This covenant shall be recorded among the land records of Fairfax County prior to the sale of lots and shall run to the benefit of the Homeowners' Association and to the Board of Supervisors. Prior to recordation, the covenants shall be approved by the Fairfax County Attorney's office. The HOA documents shall expressly state this use restriction.
23. **Sewer/Water Line.** The Applicant shall seek to obtain a sewer line/water line easement over the Hampton Commons Property through Tax Map 48-4((16)) Parcel 101A. If successful, the Applicant shall connect its sewer line and water line through this parcel within the new easement area in lieu of utilizing the existing water line easement in Hampton Commons and the existing sewer line easement located adjacent to the property in Braxton Woods.
24. **Site Plan Submission. At the time of filing of each site plan submission, a copy of each submission will be forwarded to the Providence District Supervisor and the Providence District Planning Commissioner.**
25. **Braxton Fence. Subject to receiving permission from the Braxton Homeowners' Association, the Applicant shall remove the existing fence located on the Braxton Homeowners' Association property adjacent to the eastern border of the Subject Property. The Applicant shall then install a six**

sidewall having brick facing unless the sunroom wall is indented from the sidewall by more than two (2) feet. 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. Sunrooms shall be permitted on all other units as an option provided each sunroom meets the minimum setback requirements of these proffers. The restriction on sunrooms shall be disclosed in the HOA documents. The architecture of the units shall substantially conform to the elevations depicted on Sheet 4 ~~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. Sunrooms shall be no closer than five (5) feet from the rear property line and no closer than twenty-five (25) feet from the boundary line of the Subject Property. The maximum width of any deck, from side to side, shall not exceed fifteen (15) feet.

16. **School Contribution.** Prior to site plan approval, the Applicant shall provide documentation to DPWES that the Applicant has donated the sum of ~~\$28,165~~ \$800 per dwelling unit, for each dwelling unit approved on the final site plan, to Fairhill Elementary School prior to the issuance of the first building permit. These funds are to be applied towards the purchase of ~~two (2)~~ Wireless Networking and Mobile Lab Units in support of Fairhill's Technology Project. At the time the funds are received, more advanced technologies may be substituted, at the discretion of the principal, for the actual purchases that will be made and installed through the Fairfax County Public School System.
17. **Rear Yard Fencing.** Except for required acoustical fencing, optional 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 also be optional, but any such fencing shall be in accordance with the Typical Rear Yard Fencing Plan Detail depicted on Sheet 5 of the CDP/FDP. These restrictions shall be recorded in the HOA documents.
18. **Setback.** The common open space area (i.e., the area that is not included within an individual lot) adjacent to the common property of the Hampton Commons Homeowners' Association and the Braxton ~~Woods~~ 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).
  - a. 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

- (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. The Applicant may elect to have a refined acoustical analysis performed to verify or amend the noise levels and impact areas set forth above to revise interior noise attenuation measures as prescribed above and/or to revise exterior noise mitigation in order to determine if the height of the acoustical fencing as detailed on Sheet 4 of the CDP/FDP may be reduced to six feet. The refined acoustical analysis and revisions to noise attenuation measures is subject to the approval of DPWES and the Department of Planning and Zoning. **Any refined acoustical analysis shall also be forwarded to the Providence District Planning Commissioner at the time of filing with the County.**
15. **Architecture.** The front exterior facades and the side exterior facades of Units 1, 27, 28 and 43 shall be constructed with brick facing. In addition, sunroom walls shall have brick facing where the sunroom walls are an extension of a unit

c. 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."

d. The Applicant shall retain the services of a certified arborist or landscape architect and shall have the limits of clearing and grading along the southern and eastern property lines marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an Urban Forestry Division representative to determine where minor adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading. Trees that are not likely to survive construction due to their species and/or their proximity to disturbance will also be identified at this time, and the Applicant shall be given the option of removing them as part of the clearing operation. Any tree that is designated for removal at the edge of the limits of clearing and grading or within a tree preservation area, shall be removed using a chain saw to avoid damage to surrounding trees. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees.

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.

**b. With respect to the border with Braxton Homeowners' Association, the Applicant shall preserve the six (6) deciduous trees specifically identified on the landscape plan unless the Applicant and the Braxton Homeowners' Association agree in writing to a modification to the plan to provide a replacement tree or replacement trees, as the case may be. In that event, the Applicant shall transplant the equivalent number of trees from the Subject Property that are worthy of preservation, or, provide new deciduous trees, subject to the approval of Braxton. In the event that trees are relocated from the Subject Property, the Applicant shall provide the components of a tree relocation plan as specified in Proffer No. 12 above. The tree preservation plans shall be submitted to the Urban Forestry Division of DPWES for review and approval as part of the first site plan and all subsequent site plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and reviewed and approved by the Urban Forestry Division. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees twenty (20) feet to either side of the limits of clearing and grading along the southern and eastern property lines. The tree survey shall also include areas of clearing and grading not shown on the CDP/FDP resulting from engineering requirements, such as off-site clearing and grading for utilities or stormwater outfall. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the *Guide for Plant Appraisal* published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved (such as crown pruning, root pruning, mulching, fertilizations and others as necessary) shall be included in the plan. This tree preservation plans shall be prepared by a certified arborist and coordinated with and approved by the Urban Forestry Division. The tree preservation plans 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, 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 dead, dying or hazardous 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.**

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 as determined by the Urban Forestry Division, DPWES. 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 7 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.**
- a. 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 and the Braxton Homeowners' Association open space areas immediately adjacent to the common property line with the Subject Property. The open space areas that may be impacted by construction activities on-site or construction activities by the Applicant off-site are located on Tax Map 48-4 ((16)) Parcel 101A (Hampton Commons) and Braxton Woods Homeowners Association (Tax Map 48-4 ((19)) Parcel A) (Braxton).

6. **Homeowners' Association.** The Applicant shall establish a Homeowners' Association ("**HOA**") 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 easement 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, as approved by the County Attorney's office.
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 and Hunter 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~~ \$1,000 per dwelling unit, for each dwelling unit approved on the final site plan, 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.

sidewalk within the linear park. ~~and a four (4) foot wide trail connecting to the Hampton Commons Homeowners' Association~~ Notwithstanding this credit, the Applicant's contribution to the Fairfax County Park Authority shall not be less than \$15,000.

A six (6) foot high wooden (board on board) fence will be 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 and to plant water-tolerant plants in the bed of the pond, if determined feasible by DPWES, 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, as determined by DPWES, and subject to approval by the Urban Forestry Division. Clearing will be minimized to the maximum extent feasible. If any off-site trees within the area designated to be preserved are destroyed or irreparably damaged as a result of the Applicant's construction activities, as determined by the Urban Forestry Division, DPWES, 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. 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.

# DRAFT

## PROFFERS

RZ 2001-PR-050

STANLEY-MARTIN HOMEBUILDING, L.L.C.

June 18, 2002 ~~May 28, 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 7 6), revised as of ~~May 16, 2002~~ June 10, 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 to the edge of the sidewalk so that there is no overhang of cars within the sidewalk. 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 Efficiency.** ~~All homes on the property shall meet the thermal standards 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 homes.~~ All homes constructed on the property shall meet the thermal standards of the Cabo Model Energy Program for energy efficient homes, or its equivalent, as determined by the Department of Public Works and Environmental Services ("DPWES") for either electric or gas energy homes, as applicable.
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 and a four (4) foot wide

Rear Yard Fencing (Proffer 17): The applicant has clarified that rear yard fencing for units shall be optional. For the units contiguous to the linear park, the fencing shall not exceed a height of five (5) feet. The applicant will record these fencing restrictions in the homeowner association (HOA) documents.

Fence Along the Eastern Property Line (Proffer 25): The applicant has proffered that subject to permission from the Braxton Woods Homeowners Association, the applicant will remove the fence located in the Braxton Woods common area (adjacent to the eastern border of the subject property) and replace it with a six (6) foot high board-on-board fence along the eastern property line (the common property line with Braxton Woods).

## **CONCLUSION**

With the proposed changes described above, staff continues to recommend approval of the application.

## **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 Attachment 1 of the staff report.

Staff also recommends that FDP 2001-PR-050 be approved subject to the proposed development conditions contained in Attachment 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.

Staff recommends a waiver of construction of that portion of the service drive which would connect to the Pan Am Shopping Center as shown on the CDP/FDP.

## **ATTACHMENTS**

1. Draft proffers, dated June 12, 2002
2. Proposed development conditions, dated June 12, 2002