



FAIRFAX COUNTY

APPLICATION FILED: December 17, 2001
APPLICATION AMENDED: March 20, 2002
PLANNING COMMISSION: May 2, 2002
BOARD OF SUPERVISORS: not scheduled

V I R G I N I A

April 18, 2002

STAFF REPORT

APPLICATION RZ 2001-DR-056

DRANESVILLE DISTRICT

APPLICANTS:	John E. Coleman, J. Scott Tucker, Luke L. Guarisco, Trustees for the Laura Lea Guarisco Trust III
PRESENT ZONING:	R-1
REQUESTED ZONING:	R-2
PARCEL:	31-3 ((1)) 157
ACREAGE:	1.20 acres
DENSITY:	1.66 du/ac
PLAN MAP:	Residential; 2-3 du/ac
PROPOSAL:	Conventional subdivision of two (2) single family detached lots

STAFF RECOMMENDATION:

Staff recommends approval of RZ 2001-DR-056, subject to the execution of proffers consistent with those contained in Appendix 1 of the Staff Report.

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.

REZONING APPLICATION

RZ 2001-DR-056

FILED 12/17/01

JOHN E. COLEMAN, J. SCOTT TUCKER, LUKE L. GUARISCO, TRUSTEES FOR THE LAURA LEA GUARISCO TRUST III

TO REZONE: 1.20 ACRES OF LAND; DISTRICT - DRANESVILLE

PROPOSED: RESIDENTIAL DEVELOPMENT

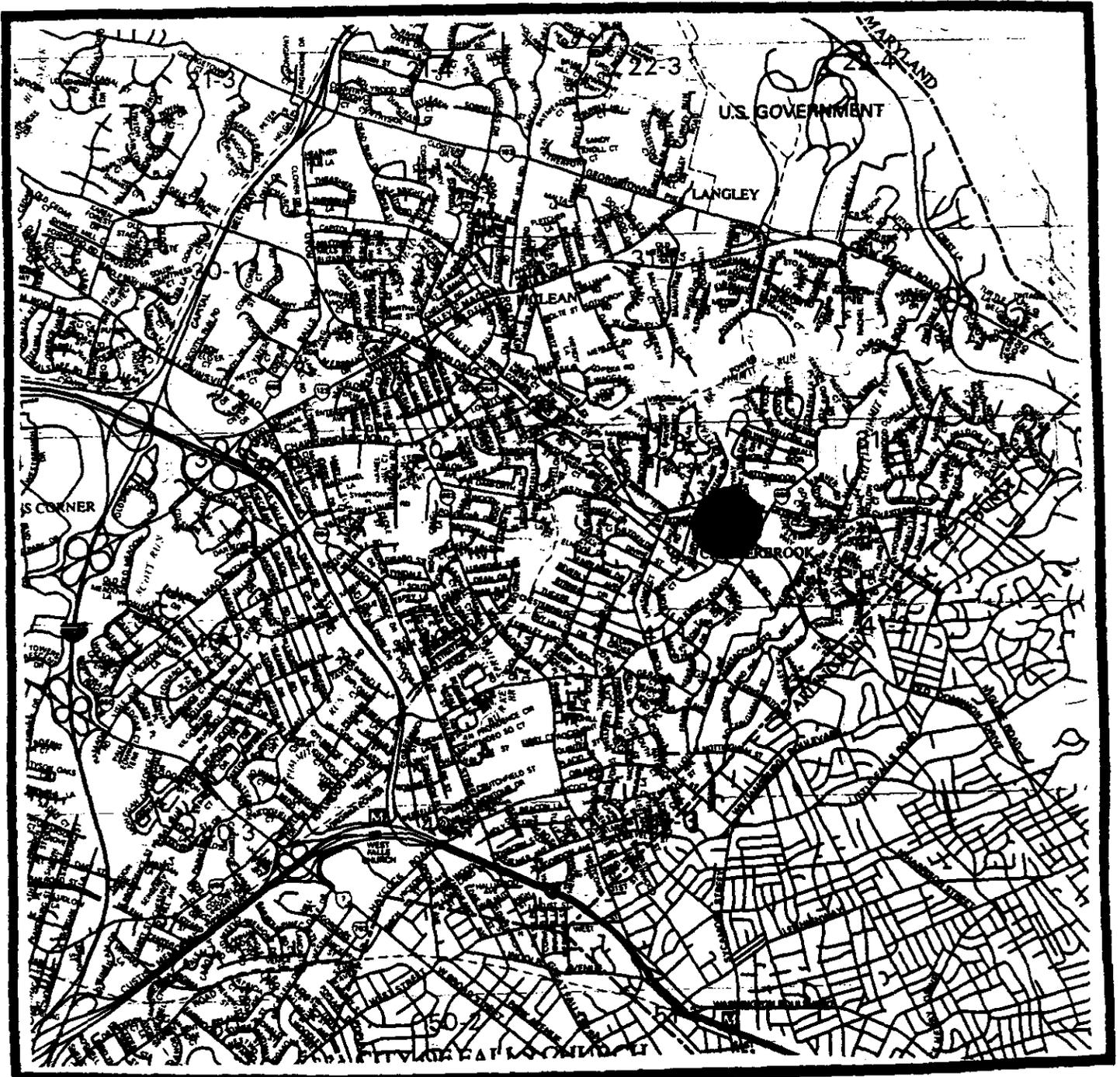
LOCATED: SOUTH SIDE OF LINWAY TERRACE (ROUTE 689),
APPROXIMATELY 200 FEET WEST OF KIRBY
ROAD (ROUTE 695)

ZONING: R-1

TO: R-2

OVERLAY DISTRICT(S):

MAP REF 031-3- /01/ /0157-



REZONING APPLICATION

RZ 2001-DR-056

FILED 12/17/01

JOHN E. COLEMAN, J. SCOTT TUCKER, LUKE L. GUARISCO, TRUSTEES FOR THE LAURA LEA GUARISCO TRUST III

TO REZONE: 1.20 ACRES OF LAND; DISTRICT - DRANESVILLE

PROPOSED: RESIDENTIAL DEVELOPMENT

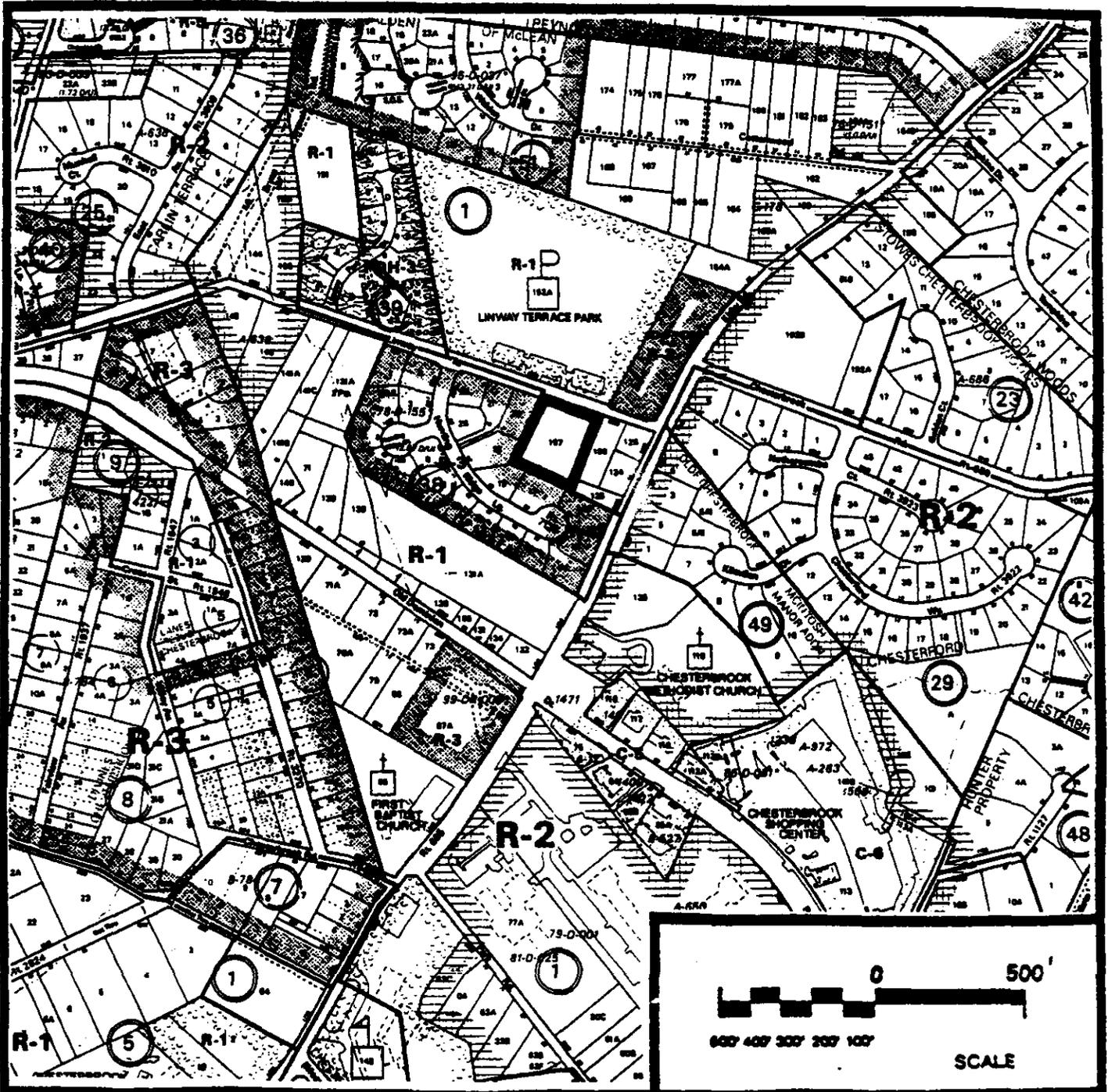
LOCATED: SOUTH SIDE OF LINWAY TERRACE (ROUTE 689),
APPROXIMATELY 200 FEET WEST OF KIRBY
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ZONING: R-1

TO: R-2

OVERLAY DISTRICT(S):

HAP REF 031-3- /01/ /0157-



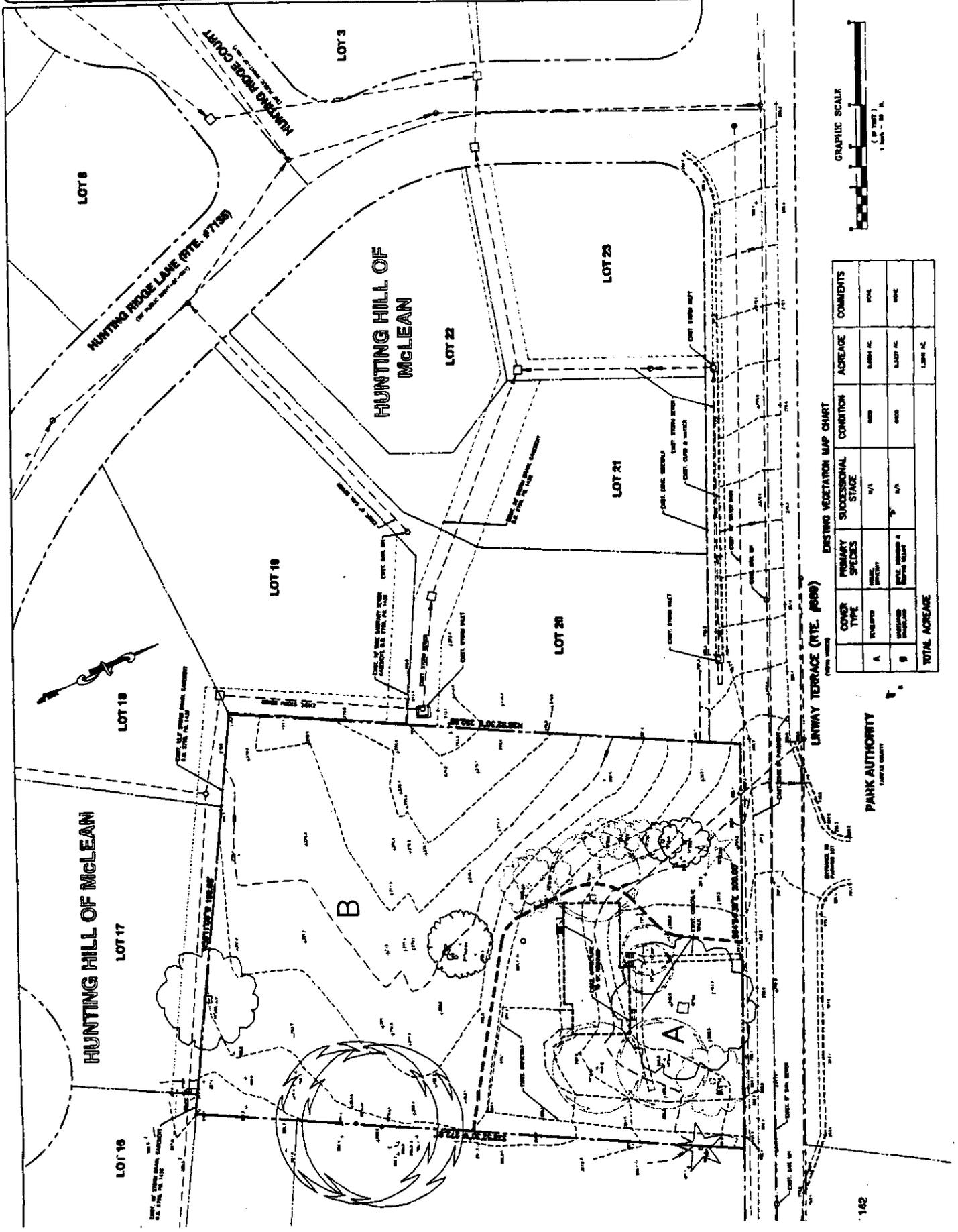
Huntley, Nye & Associates, Ltd.
 ARCHITECTS • LANDSCAPE ARCHITECTS • LAND PLANNERS
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 PHONE: 303-733-1100
 FAX: 303-733-1101



EXISTING VEGETATION MAP
 GRANSMILE DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 LINWAY ESTATES

DATE: 8/29/21	SCALE: 1"=20'
DATE: 11-27-20	DATE: 04-18-20
DATE: 04-18-20	

SHEET 2 OF 4
 PLAN NO.



EXISTING VEGETATION MAP CHART

COVER TYPE	PRIMARY SPECIES	SUCCESSIONAL STAGE	CONDITION	ACREAGE	COMMENTS
A	...	1/A	...	0.0000 AC	...
B	...	2/A	...	0.0000 AC	...
TOTAL ACREAGE				0.0000 AC	

PARK AUTHORITY
 FAIRFAX COUNTY

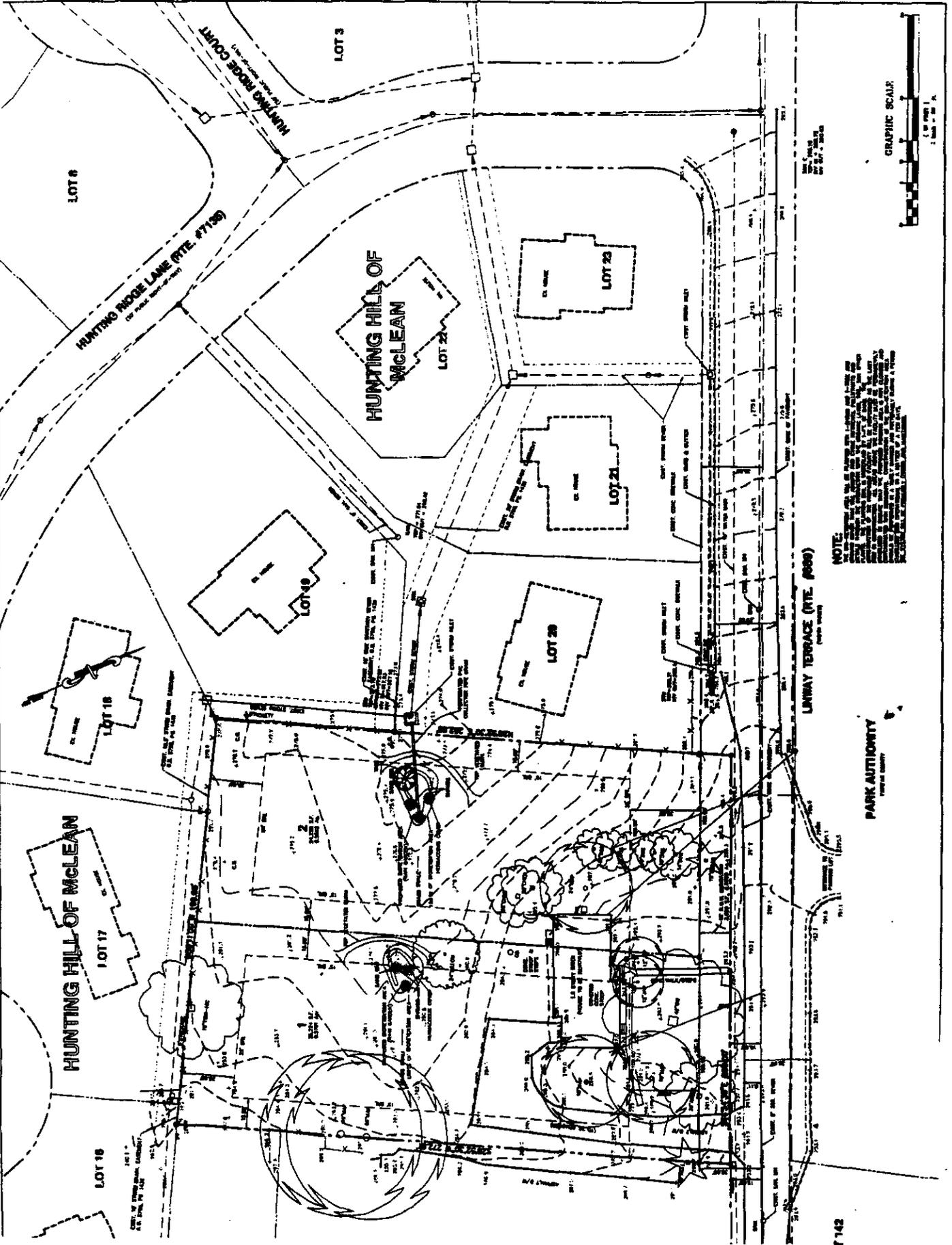
Huntley, Nye & Associates, Ltd.
 2100 ...
 1988 ...
 1988 ...



LINWAY ESTATES
 DRAWSVILLE DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 GDP

DATE	1-20-88
BY	GDP
REVISION	
NO. OF SHEETS	3 OF 4
DATE	9/28/87
BY	
REVISION	

SHEET 3 OF 4
 PLAN NO. PL-2000



NOTE:
 THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL AUTHORITY. THE SURVEYOR'S RESPONSIBILITY IS LIMITED TO THE ACCURACY OF THE SURVEY DATA AND THE CORRECTNESS OF THE LEGAL DESCRIPTION. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE SUITABILITY OF THE PLAN FOR ANY PARTICULAR PURPOSE. THE SURVEYOR'S LIABILITY IS LIMITED TO THE AMOUNT OF THE FEE PAID FOR THIS SERVICE.

PARK AUTHORITY

7142

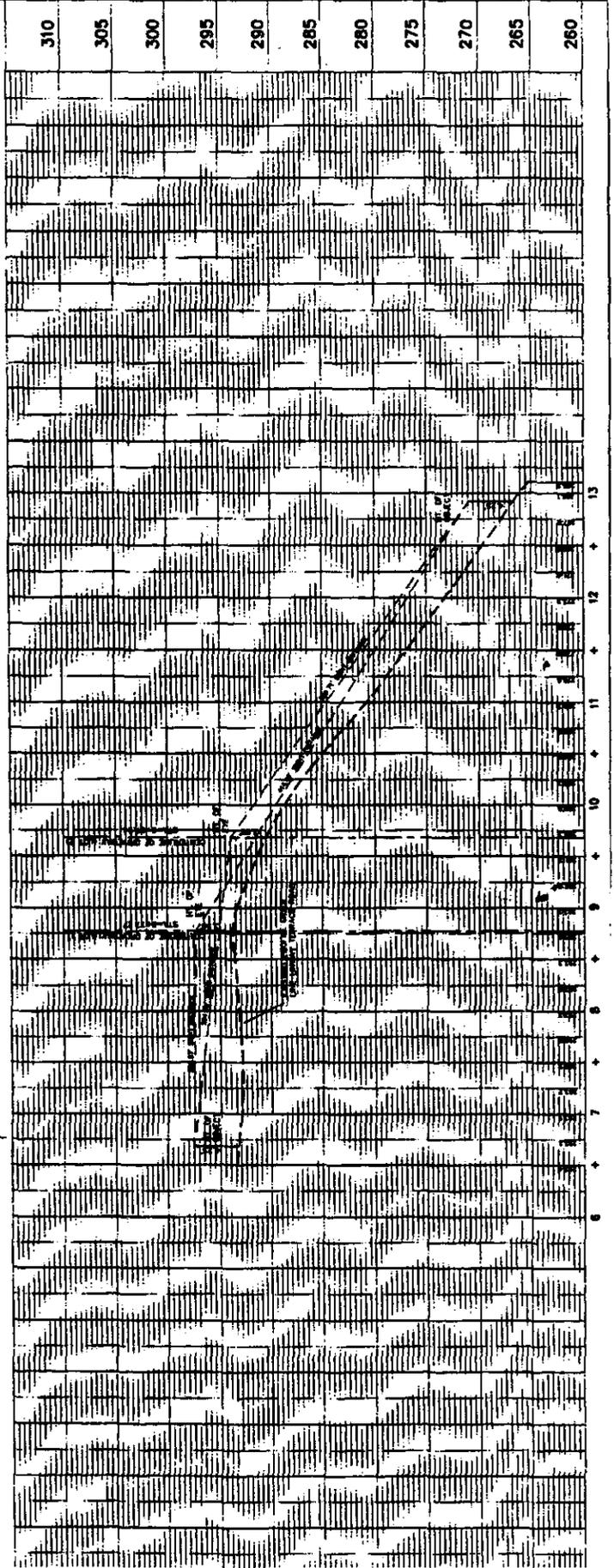
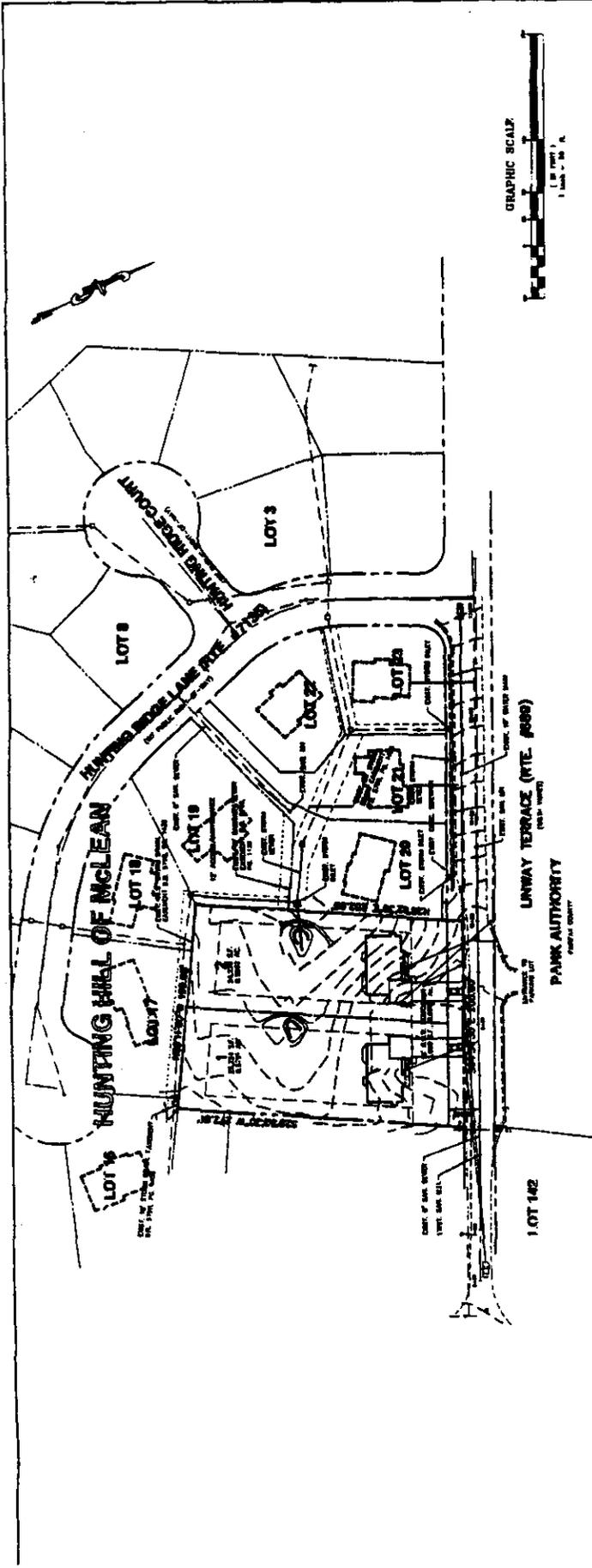
HUNTER, NICE & ASSOCIATES, LTD.
 1000 WEST 10TH AVENUE
 DENVER, COLORADO 80202
 PHONE 333-1111
 FAX 333-1111



LINWAY ESTATES
 DRAWSITE DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 SIGHT DISTANCE

COUNTY'S FILE NO. DATE DRAWN BY CHECKED BY APPROVED BY	1-15-1988
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SHEET 4 OF 4
 FILE NO.



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

DESCRIPTION OF THE APPLICATION

Proposal: To rezone 1.20 acres from the R-1 to the R-2 District, for the development of a conventional subdivision of two (2) single family homes at a density of 1.66 du/ac.

Location: The application property is located on the south side of Linway Terrace, approximately 200 feet west of its intersection with Kirby Road.

LOCATION AND CHARACTER

Site Description:

The 1.2 acre site has direct access to Linway Terrace. The single, square shaped lot slopes from Linway Terrace to the south, where a swale traverses the property at its midpoint. Both the existing house, situated roughly 60 feet from Linway Terrace, and the existing driveway extending along the eastern property line, will be removed. The site contains seventeen trees, in fair to poor condition, which are located primarily around the house and consist of dogwood, cherry, maple, and willow.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Linway Terrace Park and vacant land ¹	R-1 and R-3	Public Park; Residential, 2-3 du/ac
South	Single Family Detached Residential ²	R-3	Residential, 2-3 du/ac
East	Single Family Detached Residential	R-1	Residential; 2-3 du/ac
West	Single Family Detached Residential ²	R-3	Residential; 2-3 du/ac

¹The 1.91 acre property to the north of the subject property (Tax Map Number 31-3 ((1)) 142) was rezoned from the R-1 to the R-3 District on September 11, 2000, pursuant to the Board's approval of RZ 2000-DR-002, which permitted the development of 5 single family residential dwellings at a density of 2.62 dwelling units per acre.

²The 8.0 acre Hunting Hill of McLean subdivision to the south and west of the subject property was rezoned from the R-1 to the R-3 District on October 1, 1979, pursuant to the Board's approval of RZ 78-D-155, which permitted the development of 23 single family residential dwellings at a density of 2.9 dwelling units per acre.

BACKGROUND

Site History:

There are no proffers or development conditions governing the site.

A complaint was filed with the Zoning Enforcement Branch (ZEB) on November 9, 2001, regarding the storage of boats, trailers, tractors and other vehicles on the site. On December 10, 2001, a Notice of Violation was issued to the applicant. The applicant has been working with ZEB staff to clear the violation.

The application was initially proposed as a PDH-3, three lot, subdivision, with a large stormwater management pond. The applicant revised the request to propose a conventional R-2, two lot subdivision.

COMPREHENSIVE PLAN PROVISIONS (See Appendix 4)

Plan Area: McLean Planning District; Area II
Planning Sector: Kirby Planning District (M3)
Plan Map: Residential; 2-3 du/ac

Plan Text:

On Page 96 of 131 of the Area II volume of the Comprehensive Plan, 2000 Edition, the Plan states:

"2. Residential development on the vacant and underdeveloped acreage in the vicinity of Linway Terrace Park, west of Kirby Road, is planned for 2-3 dwelling units per acre. The higher end of the range should only be attained with substantial land consolidation."

ANALYSIS

Generalized Development Plan (GDP) (Copy at front of staff report)

Title of GDP: Generalized Development Plan, Rezoning Plat, Linway Estates

Prepared By: Huntley, Nyce and Associates, Ltd.

Original and Revision Dates: September 20, 2001 as revised through
April 10, 2002

Plan Description:

The Generalized Development Plan (GDP) consists of four (4) sheets showing the following information:

Sheet One contains the site tabulations, general notes, soils and vicinity maps and displays the dimensions of the two proposed lots, as having lot areas of 25,224 square feet for Lot 1 and 24,228 square feet for Lot 2. Sheet One also depicts fifteen feet of street dedication along Linway Terrace. No building footprints are shown.

Sheet Two consists of the Existing Vegetation Map (EVM).

Sheet Three depicts areas of tree save and one proposed bioretention area (rain garden) for each lot. Six trees are proposed for preservation, consisting of a large cherry and two dogwoods in the front yard, two large maples, two hickory and one willow tree in the rear yard.

The proposed rain gardens are depicted located in the existing swale at the midway point in the lots, adjacent to the two western property lines. A drainage pipe extends from the rain garden on Lot 2 to an existing storm sewer. The raingardens consist of shrubs, herbaccuous cover, sand beds and vegetated berms.

Sheet four depicts sight distance along Linway Terrace. Building footprints are depicted on this sheet and access is shown via two separate driveway entrances on Linway Terrace.

Transportation Analysis (See Appendix 5)

Issue: Right of Way Dedication and Frontage Improvements

The Department of Transportation has requested dedication of right of way and construction of frontage improvements along Linway Terrace, to include curb and gutter, consistent with the adjacent Hunting Hill of McLean subdivision.

The applicant has not committed to providing curb and gutter along Linway Terrace because curb and gutter from the adjacent development, Hunting Hill of McLean, is located approximately 50 feet from the subject property. Staff is currently researching the reason why the curb and gutter was not constructed all the way to the subject property. Regardless of the outcome of this research,

staff believes that at a minimum, an escrow should be provided for the construction of curb and gutter along Linway Terrace.

Resolution:

The applicant has committed to the requested right of way dedication but has not committed to construct curb and gutter along the frontage or escrow funds, therefore, this issue has not been resolved.

Issue: Combined shared driveway

The applicant was requested to provide a combined shared driveway, to improve sight distance along Linway Terrace, but has indicated that the lots will be developed with two separate driveways. Although one driveway entrance provides better sight distance, the Department of Transportation has indicated that two driveways would also be acceptable, provided the applicant can demonstrate that adequate sight distance will be provided. Sheet 4 of the GDP demonstrates that adequate site distance is achieved with two separate driveways. Furthermore, a proffer states that all driveway connections to Linway Terrace shall meet VDOT sight distance requirements. Staff therefore believes that the development of two lots with two separate driveways is acceptable.

Land Use Analyses (See Appendix 4)

The proposed two lot subdivision at a density of 1.66 dwelling units per acre, falls below the density range recommended by the Comprehensive Plan of 2-3 dwelling units per acre. Further, the proposed lot sizes of 25,000 and 24,000 square feet, respectively, are slightly larger than lots to the south and west. The proposed development is therefore in conformance with the planned land use and density guidelines of the Comprehensive Plan. Because the proposal falls below the low end of the density range set forth in Comprehensive Plan, the application is not evaluated under the Residential Development Criteria.

Environment Analysis (See Appendix 4)

Issue: Stormwater Management/Best Management Practices (BMPs)

The Land Use and Environment Analysis notes that it would be desirable for the applicant to utilize low impact development techniques for stormwater management and BMPs. This comment was based upon a previous plan, originally submitted for 3 Lots to be zoned PDH-3, which showed a large, dry stormwater detention pond. The current plan depicts bioretention, in the form of two rain gardens, one on each lot. The proffers provide disclosure regarding the maintenance responsibilities of the rain gardens by the homeowners. Staff believes that this issue has been resolved.

Issue: Urban Forestry Analysis

The Urban Forestry Division of DPWES has determined that the majority of the trees on site are not worthy of preservation and that the applicant should instead provide a landscape plan comprised of high quality landscape trees and shrubs (see Appendix 6).

The applicant was requested to provide a landscape plan, indicating the location, size and variety of vegetation. The applicant did not provide a landscape plan because the precise layout of the dwellings has not yet been determined.

Staff requested the applicant to commit to preparing a landscape plan at the time of subdivision plan approval which includes, at a minimum, foundation plantings around the dwellings and ornamental trees along Linway Terrace. The landscape plan would be subject to review and approval of the Urban Forestry Division.

Resolution:

The applicant has provided a proffer which requires submission of a landscape plan at the time of subdivision plan review which provides foundation plantings in the front of the dwellings and ornamental street trees along Linway Terrace, subject to review and approval by the Urban Forestry Division. Staff believes that with approval of the proposed proffers, this issue is resolved.

Public Facilities Analyses**Park Authority Analysis** (see Appendix 7)

The Park Authority submitted a memorandum based upon the previous PDH-3 proposal, which requires the applicant to provide \$955 per dwelling unit for outdoor recreational facilities to serve the development population. With the application amended to the conventional R-2 Zoning District, this requirement is no longer applicable.

The Park Authority memorandum further recommended low impact development or other innovative SWM/BMP techniques to provide downstream environmental improvements. Staff believes that the current GDP and proffers, which depicts one rain garden for each lot, addresses this concern.

Water Service Analysis: (see Appendix 8)

The application property is located within the franchise area of the City of Falls Church. Staff has confirmed with the City of Falls Church that adequate domestic water service is available at the site, and therefore, there are no water service issues associated with this request.

Sanitary Sewer Service Analysis (See Appendix 9)

The sanitary sewer service analysis indicates that there is excess capacity available to serve the proposed development.

Schools Analysis (See Appendix 10)

The schools analysis, which was based upon the original three lot proposal, indicates that the development would produce one additional elementary student. Enrollment in the elementary school listed (Chesterbrook Elementary) is currently projected to below capacity.

Fire and Rescue Analysis (See Appendix 11)

The subject site will be serviced by the Fairfax County Fire and Rescue Department Station #01, McLean. There are no fire and rescue issues associated with this request.

Utilities Planning and Design Analysis (See Appendix 12)

The Utilities Planning and Design analysis states that there are no downstream drainage complaints on file pertaining to the outfall for this property. There are no utilities planning and design issues associated with this request.

ZONING ORDINANCE PROVISIONS

Standard	Required	Provided
Bulk Standards (R-2)*		
Lot Width	100 ft. minimum	100 ft.
Building Height	35 ft. high max.	35 ft. high max.
Front Yard	35 ft.	35 ft.
Side Yard	15 ft.	15 ft.
Rear Yard	25 ft.	25 ft.
Transitional Screening and Barrier: none.		

* The GDP does not show the footprint of the two dwellings, but does show the building restriction line, as established by minimum yard requirements.

WAIVERS/MODIFICATIONS REQUESTED

None requested.

Summary of Zoning Ordinance Provisions

All applicable Zoning Ordinance standards have been satisfied with the proposed proffers.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in conformance with the Comprehensive Plan and the applicable Zoning Ordinance provisions. Staff believes however, that it would be beneficial for the applicant to proffer to escrow funds for installation of future curb and gutter along Linway Terrace.

Staff Recommendations

Staff recommends approval of RZ 2001-DR-056, subject to the execution of proffers consistent with those contained in Appendix 1 of the Staff Report.

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. Affidavit
3. Statement of Justification
4. Plan Citations, Land Use and Environmental Analysis
5. Transportation Analysis
6. Urban Forestry Analysis
7. Park Authority Analysis
8. Water Service Analysis
9. Sanitary Sewer Analysis
10. Schools Analysis
11. Fire and Rescue Analysis
12. Utilities Planning and Design Analysis (DPWES)
13. Glossary of Terms

PROFFERS**LAURA LEA GUARISCO TRUST III****RZ 2001-DR-056****APRIL 15, 2002**

Pursuant to Section 15.2-2303 (A), Code of Virginia, 1950 as amended, the undersigned Applicant and owners, for themselves, their successors and assigns, (hereinafter referred to as the "Applicant"), filed for a rezoning for property identified on Fairfax County Tax Map as 31-3 ((1)) Parcel 157, (hereinafter referred to as the "Application Property"), hereby agree to the following proffers, provided that Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property to the R-2 Zoning District, for two single-family detached lots, as proffered herein.

1. GENERALIZED DEVELOPMENT PLAN (GDP)

- a. Subject to the provisions of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the GDP, prepared by Huntley, Nyce & Associates, Ltd., dated April 10, 2002.
- b. Notwithstanding that shown on the tabulations on the GDP, the maximum density shall be limited to 1.66 dwelling units per acre.

2. LANDSCAPE PLAN

At time of subdivision plan submission, Applicant shall submit a Landscape Plan, which provides necessary planting of trees which, when added to the canopy of any trees to be saved on site will meet the tree coverage requirements of the Public Facilities Manual. In addition, the Landscape Plan will show foundation plantings around the front facade of each of the houses and ornamental street trees along the Application Property's Linway Terrace frontage. The Landscape Plan will be prepared in coordination with the Urban Forestry Branch.

3. TRANSPORTATION

- a. At time of subdivision plan approval, or upon demand by Fairfax County, whichever occurs first, right-of-way along the Application Property's Linway Terrace frontage as shown on the GDP shall be dedicated and conveyed in fee simple to the Board.
- b. All driveway connections to Linway Terrace right-of-way shall meet VDOT site distance requirements.

4. RAIN GARDENS

- a. Rain Garden: A rain garden shall be placed on each lot as shown on the GDP, prior to the issuance of the Residential Use Permit (RUP) for each lot, subject to the approval of the Department of Public Works and Environmental Services (DPWES).
- b. Disclosure: A written disclosure shall be placed in the purchase contract and in the deed for each lot and recorded among the land records of Fairfax County, Virginia in a form approved by the County Attorney, which:
 - i. Notifies the landowner of the existence and maintenance responsibility for the rain garden.
 - ii. Sets forth maintenance standards for the rain garden as outlined on attached Exhibit "A".

5. SUBDIVISION PLAN

The Subdivision Plan shall be designed in conformance with all adopted rules and regulations of Fairfax County and approved by DPWES.

6. 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 BEGIN ON FOLLOWING PAGE]

TITLE OWNER OF Tax Map 31-3 ((1)) 157

LAURA LEA GUARISCO TRUST III.

BY _____
JOHN E. COLEMAN, TRUSTEE

BY _____
J. SCOTT TUCKER, TRUSTEE

BY _____
LUKE L. GUARISCO, TRUSTEE

(END OF SIGNATURES)



REZONING AFFIDAVIT

DATE: October 23, 2001
(enter date affidavit is notarized)

I, Keith C. Martin, Attorney/Agent, do hereby state that I am an
(enter name of applicant or authorized agent)

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

2001-199

in Application No(s): RZ/FDP 2001-DR-056
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Laura Lea Guarisco Trust III for the benefit of Laura Lea Guarisco John E. Coleman, Trustee J. Scott Tucker, Trustee Luke L. Guarisco, Trustee	6354 Linway Terrace McLean, Virginia 22101	Title Owner of Tax Map 31-3 ((1)) 157
Marwan Moheyeldien (nmi)		Agent
Huntley, Nyce & Associates, Ltd	7202 Poplar Street, Unit E Annandale, Virginia 22003	Enginners/Surveyors/ Agents
Charles J. Huntley		Agent

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

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

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

Rezoning Attachment to Par. 1(b)

DATE: October 23, 2001
(enter date affidavit is notarized)

for Application No(s): 27/FBP 2001-DR-056 2001-1992
(enter County-assigned application number(s))

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

Huntley, Nyce Company
7202 Poplar Street, Unit E, Annandale, Virginia 22003

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Charles J. Huntley
Lestor O. Nyce
Robert L. Sproles

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

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

Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Boulevard, 13th Floor, Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Martin D. Walsh Michael D. Lubeley
Thomas J. Colucci Nan E. Terpak
Peter K. Stackhouse
Jerry K. Emrich

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

(check if applicable)

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

Handwritten mark resembling the number 4.

REZONING AFFIDAVIT

DATE: October 23, 2001
(enter date affidavit is notarized)

for Application No(s): RZ/PA 2001-DR-08 2001-199
(enter County-assigned application number(s))

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

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

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

Huntley, Nyce & Associates, Ltd.
7202 Poplar Street, Unit E, Annandale, Virginia 22003

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Sole shareholder - Huntley, Nyce Company

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

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

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment

page.

REZONING AFFIDAVIT

DATE: October 23, 2001
(enter date affidavit is notarized)

for Application No(s): 12/EP 2001-DE-056
(enter County-assigned application number(s))

2001-199a

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

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

NONE

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

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

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

NONE

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

4. That the information contained in this affidavit is complete and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

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

Keith C. Martin, Attorney/Agent

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

Subscribed and sworn to before me this 23rd day of October, 2001, in the State/Comm. of Virginia, County/City of Arlington

Jayne M. Smith
Notary Public

My commission expires: May 31, 2005



WALSH COLUCCI
STACKHOUSE EMRICH
& LUBELEY PC

Keith C. Martin
(703) 528-4700 x19
kcmar@arl.wtsel.com

OFFICE 0 APPENDIX 3
MAR 06 2002
ZONING EVALUATION DIVISION

AMENDED

March 6, 2002

VIA Hand Delivery

Barbara Byron
Fairfax County Department of Planning & Zoning
Director, Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

Re: **Amended** Rezoning Application on RZ 2001-DR-056
Property Identified as Tax Map 31-3 ((1)) 157 ("Application Property")
Requesting Rezoning from the R-1 District to the R-2 District
Dranesville District, Fairfax County, VA

Dear Ms. Byron:

The following is submitted as a **revised** statement of justification for the above-referenced rezoning application. The Applicant/Title Owner of the Application Property requests rezoning of the 1.204 acre parcel from the R-1 District to the R-2 District to allow for the development of two single-family detached lots. The Application Property is located on the south side of Linway Terrace, directly across from Linway Terrace Park.

It is submitted that this rezoning request is in compliance with the recommendations of the Fairfax County Comprehensive Plan. The Application Property is planned for residential development at a density range of two to three dwelling units per acre, pursuant to the recommendations of the M-3 Kirby Community Planning Sector of the Area II Comprehensive Plan.

The Generalized Development Plan (GDP) shows the lot configuration, access to Linway Terrace, building restriction area, and tree preservation areas. The two proposed lots are both over .6 acre in size. Both lots will access Linway Terrace *via* individual driveways.

The GDP identifies several large trees on the Application Property, which will be preserved during development. The remainder of the parcel is currently developed with an existing older residential structure, lawn area, and driveway.

PHONE 703 528 4700 FAX 703 525 3197 WWW.WCSEL.COM
COURTHOUSE PLAZA 2200 CLARENDON BLVD., THIRTEENTH FLOOR ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 MANASSAS OFFICE 703 330 7400 PRINCE WILLIAM OFFICE 703 680 4664

APPENDIX 4

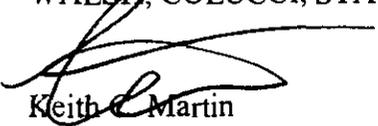
Page 2
March 6, 2002

It is submitted that this proposed rezoning is consistent with and compatible with surrounding development along Linway Terrace. The proposed tree preservation plan will maintain the existing tree cover on the site that will benefit the future homeowners as well as surrounding neighbors. The two lots have been situated to compliment the corresponding contiguous residential lots.

If you have any questions regarding the above or should you require further information, please do not hesitate to contact me.

Very truly yours,

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY



Keith C. Martin

KCM:jms

cc: Marwan Moheyeldien

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: Land Use & Environmental Analysis: RZ 2001-DR-056
Laura Lea Guarisco Trust

DATE: 25 March 2002

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject rezoning application and the Generalized Development Plans dated September 20, 2001 and revised through March 1, 2002. The extent to which the proposed use, intensity, and development plans are consistent with the environmental policies and land use guidance contained in the Comprehensive Plan is noted.

DESCRIPTION OF THE APPLICATION

The applicant requests approval to rezone approximately 1.2 acres of land from the R-1 to the R-2 District in order to develop 2 single family detached units at a density of 1.17 du/ac. No modifications or waivers are requested.

LOCATION AND CHARACTER OF THE AREA

The site is located in the southwest quadrant of the intersection of Linway Terrace and Kirby and is directly opposite Linway Terrace Park to the north. The area is surrounded by single family detached development. The properties to the immediate south and west are zoned R-3 and planned for residential development at 2-3 du/ac. The lots to the immediate east are zoned R-2 and also planned for residential development at 2-3 du/ac. Properties further east across Kirby are planned for residential use at 1-2 du/ac. The parcel to the north across Linway Terrace, which is immediately adjacent to the park, is also zoned R-3 and planned for residential development at 2-3 du/ac.

COMPREHENSIVE PLAN CITATIONS

Plan Area: II **Planning Sector:** Kirby Community Planning Sector
McLean Planning District (M3)

Plan Text: On Page 96 of 131 of the Area II volume of the Comprehensive Plan, 2000 Edition, the Plan states:

"2. Residential development on the vacant and underdeveloped acreage in the vicinity of Linway Terrace Park, west of Kirby Road, is planned for 2-3 dwelling units per acre. The higher end of the range should only be attained with substantial land consolidation."

OTHER PLAN CITATIONS:

The following citations on pages 31 and 35 of the Land Use Element of the Policy Plan are also applicable:

"Objective 8: Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.

Policy a. Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur."

"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.

Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening."

The following citations on pages 91 through 102 of the Environment section of the Policy Plan are also applicable:

"Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a: Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County's best management practice (BMP)

requirements."

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

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

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

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

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.

And on Page 59 of the Transportation section of the Policy Plan:

"Objective 4: Fairfax County should provide a comprehensive network of trails and sidewalks as an integral element of the overall transportation network.

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

PLAN MAP: Residential use at 2-3 du/ac

ANALYSIS

Land Use

Issue: Conformance with the Comprehensive Plan. The Plan specifically states that the application may develop at a density of 2-3 du/ac and that densities at the high end of that range are not appropriate without substantial consolidation. The proposal to develop 2 lots at a density of 1.17 du/ac is below the density range. The proposed lots are somewhat larger than the lots to the south and west. The proposed development is in conformance with the planned land use and density guidance in the Comprehensive Plan.

Environment

Issue: Stormwater Management. It would be desirable for the developer to utilize low impact development techniques throughout the site, minimizing or eliminating the need for a separate

stormwater management parcel. The notes on the development plan indicate that the applicant will seek to use bioretention for stormwater management.

BGD: DMJ

FAIRFAX COUNTY VIRGINIA

MEMORANDUM

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

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

FILE: 3-4 (RZ 2001-DR-056)

SUBJECT: Transportation Impact

REFERENCE: RZ 2001-DR-056; Linway Cluster, Amended Application
Traffic Zone: 1465
Land Identification Map: 31-3 ((1)) 157

DATE: March 13, 2002

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plans made available to this office dated November 20, 2001, and revised through March 1, 2002. The subject application is a request to rezone 1.204 acres from R-1 to R-2 for two single family detached dwelling units for a density of 1.66 dwelling units per acre. Each lot will access Linway Terrace with its own driveway.

- Curb and gutter frontage improvements should tie into those of adjacent development, Hunting Hill of McLean.
- Although two separate driveways is acceptable, a combined shared driveway would be better and the sight distance appears to be better from lot number two.

AKR/LAH/lah

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

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Mavis Stanfield, Staff Coordinator
Zoning Evaluation Division, DPZ

DATE: February 21, 2002

FROM: Brian Murphy, Urban Forester II *BWM*
Urban Forestry Division, OSDS

SUBJECT: Kirby Road and Linway Terrace, RZ/FDP 2001-DR-056

RE: Your request received January 23, 2002

This review is based on the Existing Vegetation Map (EVM), which is signed by the submitting engineer on December 11, 2001, and a site visit conducted on January 31, 2002.

General Comments: This is an existing 1.2-acre home site with scattered landscape trees, shrubs and large lawn area. Many of the trees on site are either over-mature or in fair to poor condition. Without knowing potential design plans, it is difficult to determine the long-term survival of the individual trees. Demolition of the existing house and the future construction of new homes on the site will impact the existing trees.

There are currently many trees, which are not good candidates for preservation regardless of future events, given their current poor condition. It is the recommendation of the Urban Forestry Division that none of the existing landscape be used to meet tree cover requirements on the site. The requirements should be met through the proposal of an extensive landscape plan comprised of high quality landscape trees and shrubs. This would be a much greater benefit to the community in the future.

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

BWM/
UFDID# 02-1319

cc: DPZ File
RA File
Denise M. James, Land Use Planner, E&DRB, Planning Division, DPZ


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 24, 2002

SUBJECT: RZ/FDP 2001-DR-056
Laura Lea Guarisco Trust III
Loc: 31-3((1)) 157

BACKGROUND

The Fairfax County Park Authority (FCPA) staff has reviewed the proposed Development Plan dated December 17, 2001 for the above referenced application. The Development Plan shows 3 residential dwelling units on the 1.20 acre site. The proposal will add approximately 8 residents to the current population of Dranesville 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. Protecting Park Resources (The Policy Plan, Parks and Recreation Objective 3, p. 179)

“Ensure the long term protection, maintenance and preservation of park resources.”

Policy a. “Protect park resources from the adverse impact of development on nearby properties.”

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 3 non-ADUs proposed, the cost is \$2,865 to develop said facilities. Since the development plan shows no recreational facilities, the pro-rata funds should be dedicated to the FCPA to maintain the current level of service in this area.

The developer for this relatively small 1.2-acre lot is requesting waivers for both SWM and BMP controls. This site drains to Pimmit Run. Pimmit Run has been cited in two Fairfax County documents as having substantially degraded biological and habitat integrity, (2001 Stream Protection Strategy Baseline Study), and as exhibiting erosion problems (1996 Fairfax County Master Plan for Flood Control and Drainage Pro Rate Share Projects). Stream stabilization projects PM234 and PM233 are identified for a reach of Pimmit Run a short distance downstream from the development.

The entire Pimmit Run Watershed is classified as a Watershed Restoration Level II area by the 2001 Fairfax County Stream Protection Strategy (SPS) Baseline Study. The primary goals for Level II streams are to maintain areas to prevent further degradation and to improve water quality. The SPS recommends that infill development similar to this one use Low Impact Development (LID) or other innovative SWM/BMP techniques that would lead

to improvements in the downstream environment. FCPA recommends that this application be revised to include innovative SWM techniques as called for by the SPS Baseline Study.

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

FAIRFAX COUNTY WATER AUTHORITY

8570 EXECUTIVE PARK AVENUE - P.O. BOX 1500

MERRIFIELD, VIRGINIA 22116-0815

PLANNING AND ENGINEERING DIVISION
C. DAVID BINNING, P.E., DIRECTORTELEPHONE
(703) 289-6325FACSIMILE
(703) 289-6382

January 8, 2002

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

Re: RZ 01-DR-056
FDP 01-DR-056
Water Service Analysis

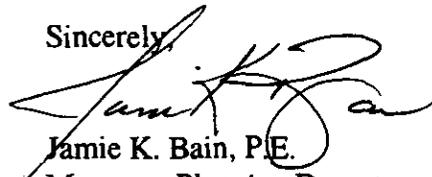
Dear Ms. Byron:

The following information is submitted in response to your request for a water service analysis for the above 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. The site is located in the City of Falls Church service area. See enclosed map.

If you have any questions regarding this information please contact me at (703) 289-6302.

Sincerely,



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

Enclosures (as noted)

REZONING APPLICATION /

FINAL DEVELOPMENT PLAN

RZ 2001-DR-056

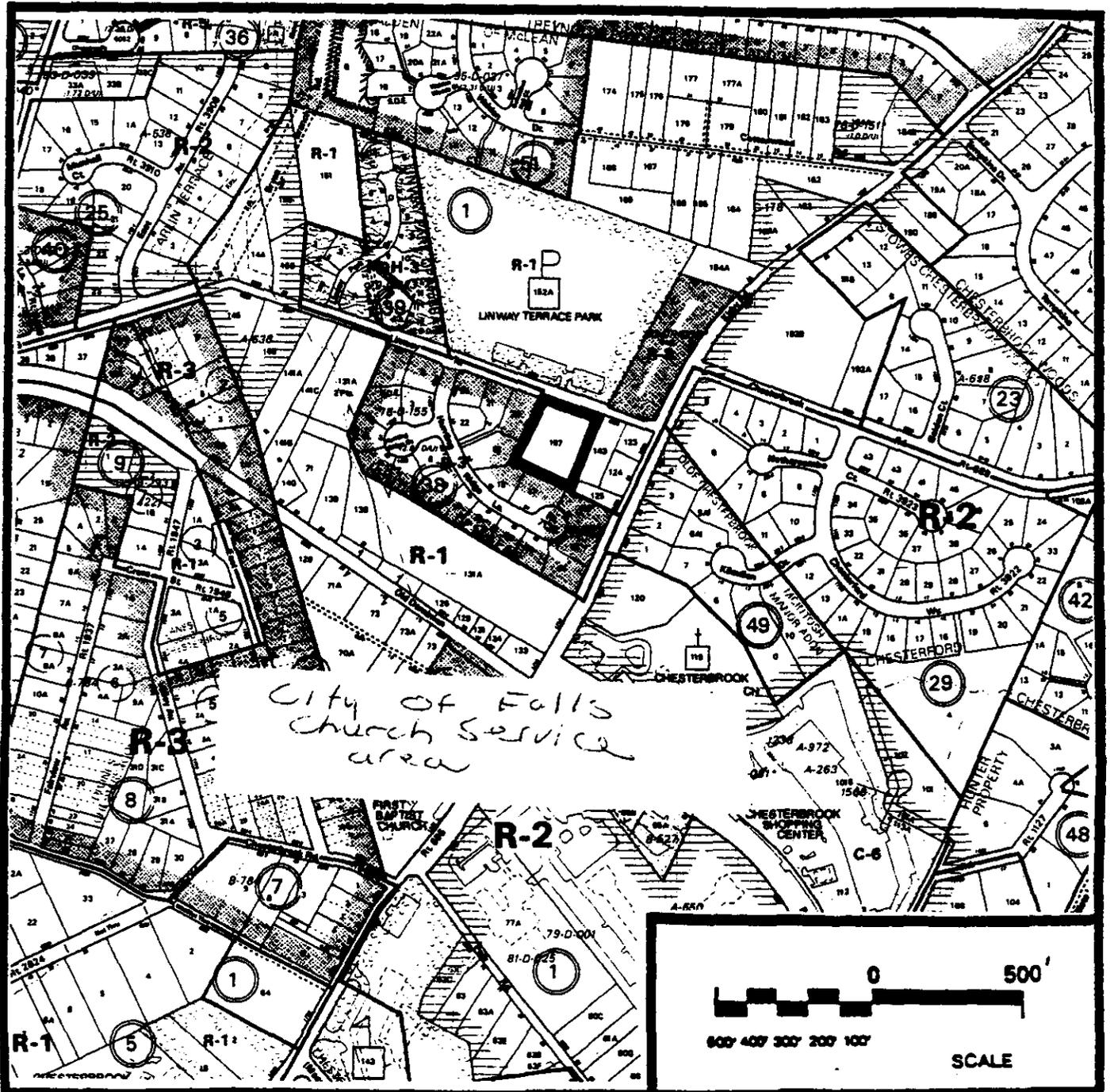
FDP 2001-DR-056

FILED 12/17/01

LAURA LEA GUARISCO TRUST III
TO REZONE: 1.20 ACRES OF LAND; DISTRICT - DRANESVILLE
PROPOSED: RESIDENTIAL DEVELOPMENT
LOCATED: SOUTH SIDE OF LINWAY TERRACE (ROUTE 689),
APPROXIMATELY 200 FEET WEST OF KIRBY
ROAD (ROUTE 695)
ZONING: R-1
TO: PDH-3
OVERLAY DISTRICT(S):
MAP REF 031-3- /01/ /0157-

FILED 12/17/01

LAURA LEA GUARISCO TRUST III
FINAL DEVELOPMENT PLAN
PROPOSED: RESIDENTIAL DEVELOPMENT
APPRDX. 1.20 ACRES OF LAND; OISTRCT - DRANESVILL
LDCATED: SOUTH OF LINWAY TERRACE, 200 FEET WEST OF
KIRBY ROAD
ZONING: PDH-3
OVERLAY DISTRICT(S):
MAP REF 031-3- /01/ /0157-



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ/FDP 2001-DR-056
 Tax Map No. 031-3- /01/ /0157

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

1. The application property is located in the PIMMIT RUN (G1) Watershed. It would be sewered into the Blue Plains Treatment Plant.
2. Based upon current and committed flow, excess capacity is available at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established in accordance with the context of the Blue Plains Agreement of 1984. 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 pipe line located LINWAY TERRACE AND 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: _____

Date: 4/5/02

Case # RZ-01DR-056

Map: 31-3

PU 3494

Acreage: 1.20

Rezoning

From : RZ-1 To: PDH-2

TO: County Zoning Evaluation Branch (DPZ)

FROM: FCPS Facilities Planning (246-3609)

SUBJECT: Schools Impact Analysis, Rezoning Application

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

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

School Name and Number	Grade Level	9/30/01 Capacity	9/30/01 Membership	2002-2003 Membership	Memb/Cap Difference 2002-2003	2006-2007 Membership	Memb/Cap Difference 2006-2007
Chesterbrook 3035	K-6	663	538	569	94	607	56
Longfellow 3031	7-8	800	1002	1013	-213	1118	-318
McLean 3030	9-12	1725	1516	1382	143	1865	-140

11. 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	3	X.4	1	SF	1	X.4	0	1	1
7-8	SF	3	X.069	0	SF	1	X.069	0	0	0
9-12	SF	3	X.159	0	SF	1	X.159	0	0	0

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

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

The following impact sheet will not generated any additional classrooms at Longfellow Middle and McLean High.

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

December 20, 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-DR-056 and Final Development Plan FDP 2001-DR-056

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 #01, McLean.
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.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: 4/10/02

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



SUBJECT: Rezoning Application Review

Name of Applicant/Application: Laura Lea Guarisco Trust III

Application Number: RZ/FDP2001-DR-056

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

Date Received in SWPD: 12/20/01

Date Due Back to DPZ: 1/16/02

Site Information: Location - 031-3-01-00-00157
Area of Site - 1.2 acres
Rezone from - R-1 to PDH-3
Watershed/Segment - Pimmit Run /

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): Road crossing improvement project PM 432 is located approximately 1000 feet downstream of site.
- 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: Laura Lea Guarisco Trust III / RZ/FDP2001-DR-056

******* 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) mq
Transportation Design Branch (Larry Ichter) nc
Stormwater Management Branch (Fred Rose) FR
RS

SRS/RZ/FDP2001-DR-056

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

GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Abbreviations Commonly Used in Staff Reports

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

