



FAIRFAX COUNTY

ZED

**OFFICE OF THE CLERK
BOARD OF SUPERVISORS**
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm
Email: clerktothebos@fairfaxcounty.gov

October 22, 2003

Lynne J. Strobel, Esquire
Walsh, Colucci, Emrich & Terpak, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201-3359

RE: Rezoning Application/Final Development Plan
Number RZ/FDP 2002-SP-006

Dear Ms. Strobel:

Enclosed you will find a copy of a ordinance adopted by the Board of Supervisors at a regular meeting held on September 15, 2003, denying Rezoning/Final Development Plan Application RZ/FDP 2002-SP-006 in the name of Zia U. Hassan, located on the north of the east terminus of Moore Road, approximately 150 feet east of its intersection with Willow Valley Road, Tax Map 55-3 ((1)) 38, consisting of 4.79 acres in Springfield District.

If you have any questions concerning this Rezoning Application, please give me a call.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

RZ/FDP 2002-SP-006
October 22, 2003

2 -

cc: Chairman Katherine K. Hanley
Supervisor McConnell, Springfield District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Enforcement Branch
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Department of Highways - VDOT
Land Acqu. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES
Barbara J. Lipka, Executive Director, Planning Commission
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

RECEIVED
Department of Planning & Zoning
OCT 23 2003
Zoning Evaluation Division

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 15th day of September, 2003, the following resolution was adopted:

WHEREAS, Zia U. Hassan filed with this Board an application Numbered RZ/FDP 2002-SP-006 to have rezoned a certain parcel of land therein more particularly described, and

WHEREAS, after due consideration of the Planning Commission's recommendation and in consideration of those matters which were brought to this Board's attention at a duly called public hearing, it is the opinion of this Board that the application be denied.

NOW, THEREFORE, BE IT RESOLVED, that the said application be and the same is hereby denied.

A Copy Teste:



Nancy Veltz
Clerk to the Board of Supervisors

ZAPS USER GENERATED REPORTS
 ZONING APPLICATION SUMMARY REPORT
 APPLICATION NUMBER: RZ 2002-SP-006

DECISION DATE: 9/15/2003

HEARING BODY: BOS

CRD: NO

MAGISTERIAL DISTRICT: SPRINGFIELD

APPLICANT NAME ZIA U HASSAN

STAFF COORDINATOR: WMAYLA

ACTION: DENY

DECISION SUMMARY:

ON SEPTEMBER 15, 2003, SUPERVISOR MCCONNELL MOVED TO DE
 NY RZ 2002-SP-006 AND FDP 2002-SP-006. THE BOARD OF SU
 PERVISORS UNANIMOUSLY DENIED THE APPLICATION.

ZONING INFORMATION

EXISTING ZONING

PROPOSED ZONING

APPROVED ZONING

<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>
R-1	4.79 ACRES	PDH-2	4.79 ACRES		0.00 ACRES
TOTAL	4.79 ACRES	TOTAL	4.79 ACRES	TOTAL	0.00 ACRES

TAX MAP NUMBERS

055-3- /01/ /0038-



FAIRFAX COUNTY

APPLICATION FILED: February 13, 2002
PLANNING COMMISSION: July 30, 2003
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

July 16, 2003

STAFF REPORT ADDENDUM

RZ/FDP 2002-SP-006

SPRINGFIELD DISTRICT

APPLICANT: Zia U. Hassan

PRESENT ZONING: R-1, WS

REQUESTED ZONING: PDH-2, WS

PARCEL: 55-3 ((1)) 38

ACREAGE: 4.79 acres

DENSITY: 0.9 du/ac

OPEN SPACE: 23%

PLAN MAP: Residential, 1-2 du/ac

PROPOSAL: Request to rezone 4.79 acres from the R-1 District to the PDH-2 District for the development of three single family detached dwelling units.

STAFF RECOMMENDATIONS:

Staff recommends denial of RZ 2002-SP-006 as submitted. However, if it is the intent of the Board of Supervisors to approve RZ 2002-SP-006, staff recommends that such approval be subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends denial of FDP 2002-SP-006 as submitted. However, if it is the intent of the Planning Commission to approve FDP 2002-SP-006, staff recommends that such approval be subject to the Board of Supervisors approval of RZ 2002-SP-006 and the proposed final development plan conditions contained in Appendix 2.

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

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



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

Rezoning Application

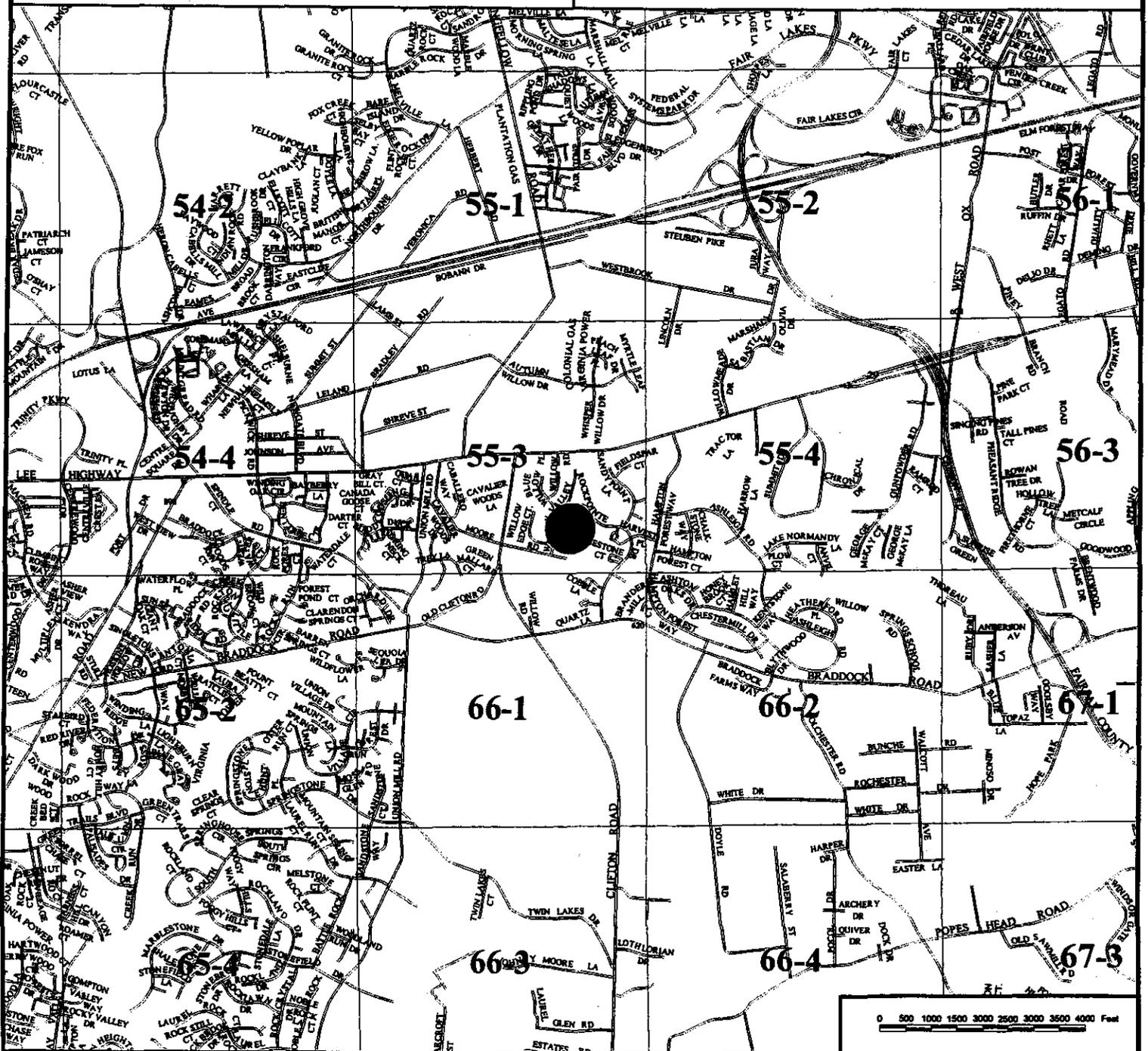
RZ 2002-SP-006

Final Development Plan

FDP 2002-SP-006

Applicant: ZIA U HASSAN
Filed: 02/13/2002
Area: 4.79 AC OF LAND; DISTRICT - SPRINGFIELD
Proposed: RESIDENTIAL
Located: N. OF MOORE RD., APPROX. 150 FT. E. OF ITS INTERSECTION WITH WILLOW VALLEY RD.
Zoning: FROM R-1 TO PDH-2
Overlay Dist: WS
Map Ref Num: 055-3- /01/ /0038

Applicant: ZIA U HASSAN
Filed: 02/13/2002
Area: 4.79 AC OF LAND; DISTRICT - SPRINGFIELD
Proposed: RESIDENTIAL DEVELOPMENT
Located: N. OF MOORE RD., APPROX. 150 FT. E. OF ITS INTERSECTION WITH WILLOW VALLEY RD.
Zoning: PDH-2
Overlay Dist: WS
Map Ref Num: 055-3- /01/ /0038

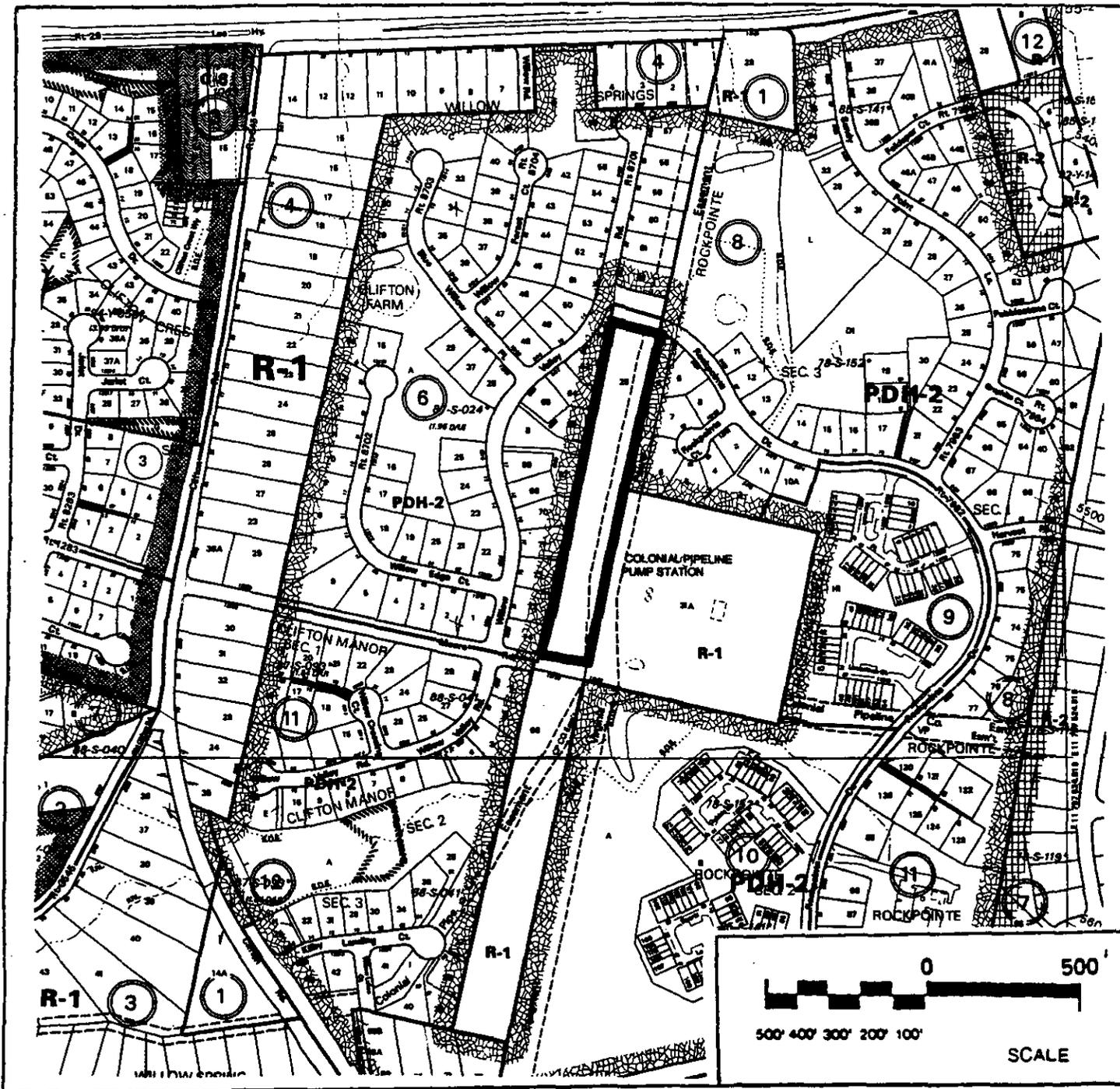


Rezoning Application
RZ 2002-SP-006

Applicant: ZIA U HASSAN
 Filed: 02/13/2002
 Area: 4.79 AC OF LAND; DISTRICT - SPRINGFIELD
 Proposed: RESIDENTIAL
 Located: LOCATED ON MOORE ROAD, 148.87 FEET EAST OF THE CENTERLINE OF WILLOW VALLEY ROAD.
 Zoning: FROM R-1 TO PDH-2
 Overlay Dist: WS
 Map Ref Num: 055-3- /011/0038

Final Development Plan
FDP 2002-SP-006

Applicant: ZIA U HASSAN
 Filed: 02/13/2002
 Area: 4.79 AC OF LAND; DISTRICT - SPRINGFIELD
 Proposed: RESIDENTIAL DEVELOPMENT
 Located: MOORE ROAD 148.87 FEET EAST OF THE CENTERLINE OF WILLOW VALLEY ROAD
 Zoning: PDH-2
 Overlay Dist: WS
 Map Ref Num: 055-3- /011/0038







PLEASE TYPE
OR PRINT IN BLACK INK

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
APPLICATION FOR ZONING MAP AMENDMENT

APPLICATION NO. 52/1078 002-51-110

(Assigned by Staff)

PETITION

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

I (We), Zia U. Hassan, the applicant(s), petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by reclassifying from the R-1 District to the PDM-2 District the property described below and outlined in red on the Zoning Section Sheet(s) accompanying and made a part of this application.

PROPERTY DESCRIPTION

1. LEGAL DESCRIPTION:

Lot(s)	Block(s)	Subdivision	Deed Book	Page No.
			Liber 1871	Folio 146

2. TAX MAP DESCRIPTION:

Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.	Total Area(Ac.or Sq.Ft.)
25-1	1		38	4.792 Acres

3. POSTAL ADDRESS OF PROPERTY: (If any)

13122 Moore Road
Chifton, Virginia 22024-1029

4. ADVERTISING DESCRIPTION: (Ex. South of Rt. 236, 1000 feet west of Rt. 274)

Property is located on Moore Road, 148.87 feet east of the intersection of Willow Valley Road.

5. PRESENT USE: Vacant

6. PROPOSED USE: single family detached dwellings.

7. SUPERVISOR DISTRICT: Springfield.

The name(s) and address(s) of owner(s) of record shall be provided on the affidavit form attached and made part of this application.

The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter on the subject property as necessary to process the application.

Zia U. Hassan

Type or Print Name of Applicant or Agent

Signature of Applicant or Agent

7177 Leesboro Pike, Suite 403-A, Falls Church, Virginia 22043

Address

(703) 938-8020

(703) 606-1000

Telephone No.

Home

Work

Please provide name and telephone number of contact person if different from above.

FDP 2002-0001

DO NOT WRITE IN THIS SPACE

Date application received: _____

Application Fee Paid: \$ _____

Date application accepted: _____

Form RZ (10/89)



Board Agenda Item
September 15, 2003

4:30 p.m.

Public Hearing on Rezoning/Final Development Plan Application RZ 2002-SP-006/FDP 2002-SP-006 (Zia U. Hassan) to Rezone from R-1 and WS to PDH-2 and WS to Permit Residential Development at a Density of 0.9 Dwelling Units Per Acre and Approval of the Conceptual and Final Development Plans, Located on Approximately 4.79 Acres, Springfield District

The application property is located north of the east terminus of Moore Road, approximately 150 feet east of its intersection with Willow Valley Road, Tax Map 55-3 ((1)) 38.

The Planning Commission recommended to the Board of Supervisors denial of RZ-2002-SP-006. The Planning Commission then denied FDP-2002-SP-006 as submitted.

ENCLOSED DOCUMENTS:

None. Staff Report and Planning Commission recommendation previously furnished.

STAFF:

Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

William Mayland, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting
July 30, 2003
Verbatim Excerpt

RZ 2002-SP-006 - ZIA U. HASSAN
FDP 2002-SP-006 - ZIA U. HASSAN

After Close of the Public Hearing

Vice Chairman Byers: I'll close the public hearing and recognize Mr. Murphy for action.

Commissioner Murphy: Thank you, Mr. Chairman. First, let me state that Ms. Strobel always does an excellent job representing her client. And Mr. Hassan, in your former life as a member of the Office of Comprehensive Planning staff, you know land use. This application, in my opinion, just doesn't make it. I cannot come up with rationale to recommend approval of the application. I did the-- I will disclose -- I did the '85 and '87 rezonings that had that connection and it was always the intent to have interparcel access. It was always the intent, hopefully, at that time, that this particular piece of property, which is a very, very difficult piece of property, would be consolidated. But it wasn't. There was a hold out. Now we're faced with this infill parcel that is really an interesting piece. And unfortunately I can't go along with density, and I can't make a motion, with the constraints put on it by the P District and the Fairfax Center Checklist, to justify a recommendation for approval that would give a sanction to allow this density on this property. Mr. Hassan has tried everything. He's even gone to the BZA. It didn't work. This is not working for me. And I cannot attempt -- and I've attempted for 20 years in the Planning Commission to judge each application on its own merits, on a case-by-case basis -- I can't come up with a rationale to recommend approval on this application because of the particulars that I just cited. I would think if it did meet all the criteria and the checklist, I think, with this Commission, the way this Commission has been acting on a lot of interparcel access connections, that perhaps the citizens would have a difficult time arguing the point that these roads should not be connected because the intent all along in this part of town was to have these communities connected because it was the intent right from the beginning that all of the parcels would be consolidated. But there's no sense going into that. It's a moot point. That connection has absolutely nothing to do right now with my decision to **MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DENY**
RZ 2002-SP-006.

Commissioner Koch: Second.

Vice Chairman Byers: Seconded by Mr. Koch. Any discussion?

Commissioner Harsel: Mr. Chairman?

Vice Chairman Byers: Ms. Harsel.

Commissioner Harsel: As a follow-up -- I will support the motion, and I have to agree with staff that there is a reasonable use of this land under the current zoning.

Vice Chairman Byers: All in favor of the motion to recommend the Board of Supervisors deny RZ 2002-SP-006, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed?

Commissioner Hall: Abstain.

Vice Chairman Byers: Ms. Hall abstains. Motion carried. Mr. Murphy

Commissioner Murphy: Thank you very much.

Vice Chairman Byers: The FDP?

Commissioner Murphy: Oh, yeah. Do I have to make another -- yeah. I'd also MOVE THAT THE PLANNING COMMISSION DENY FDP 2002-SP-006 AS SUBMITTED.

Commissioner Koch: Second.

Vice Chairman Byers: Seconded by Mr. Koch. Discussion? All in favor of the motion to deny FDP 2002-SP-006, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed?

Commissioner Hall: Abstain.

Vice Chairman Byers: Motion carried. Ms. Hall abstains.

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(Each motion carried by a vote of 9-0-1 with Commissioner Hall abstaining; Commissioner Wilson not present for the vote; Commissioner Alcorn absent from the meeting.)

GLW



BACKGROUND

The applicant, Zia U. Hassan, originally requested to rezone 4.79 acres (Tax Map 55-3 ((1)) 38) from the R-1 (Residential, one dwelling unit per acre) and WS (Water Supply Overlay) Districts to the PDH-2 (Planned Development Housing, two dwelling units per acre) and WS Districts for the development of four single family detached (SFD) dwelling units. A staff report dated September 25, 2002, recommended denial of the application because in staff's opinion, the application did not provide adequate details on site amenities, landscaping and elevations to meet the intent of the Fairfax Center Checklist for the intermediate level of development and did not provide for the connection of Rockpointe Drive to Willow Valley Road. In addition, the development did not satisfy the General Standards for a Planned District and was not in conformance with the Comprehensive Plan. On October 10, 2002, prior to the Planning Commission public hearing, the applicant requested a deferral to review other development options.

On February 13, 2003, VC 2003-SP-028 was filed for the subject site requesting a variance for lot width to permit the subdivision of one lot into three lots and an outlot, with proposed Lot 2 having a lot width of 24.0 feet; whereas, a minimum lot width of 150 feet was required. On May 30, 2003, the Board of Zoning Appeals denied the variance request. A copy of the variance plat and resolution are contained in Attachment 5.

The applicant now requests to rezone the 4.79 acre site from the R-1 District to the PDH-2 District for the development of three single family detached lots. Approximately 1.47 acres of the site are impacted by major utility easements for the Virginia Electric and Power Company (VEPCO) and Colonial Gas Company and, in accordance with Par. 3 of Sect. 2-308 of the Zoning Ordinance, no density is calculated for the area located within a major utility easement. The calculated density is based on the 3.32 acres located outside the easements and results in a density of 0.9 dwelling units per acre (du/ac). In accordance with Par. 5 of Sect. 2-309 of the Zoning Ordinance, the open space area located within the major utility easement is not calculated because the entire major utility easement is not being preserved as open space due to the location of private streets and the site provides for 23% open space. A revised Conceptual/ Final Development Plan (CDP/FDP) was submitted, containing one sheet dated July 9, 2003. The revised CDP/FDP depicts three dwelling units with Lot 1 accessed from Moore Road and Lots 2 and 3 accessed from a private street connection to the extension of Rockpointe Drive from Willow Valley Road. An open space area is located between Lots 1 and 2 and within the VEPCO and Columbia Gas Pipeline easements that run across the eastern portion of the site. A copy of the CDP/FDP is located at the front of this report.

Copies of the draft proffers, proposed final development plan conditions, affidavit and statement of justification and located in Attachments 1-4, respectively.

DISCUSSION

The application is now being reviewed in accordance with the Residential Development Criteria adopted by the Board of Supervisors on September 9, 2002, with an effective date of January 7, 2003, which is located in Appendix 9 of the Land Use Section of the Policy Plan. (A complete copy of the text of the Residential Development Criteria is contained in Attachment 8 of this report.) Refer to the staff report dated September 25, 2002, for specific Plan text citations and analysis.

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood and addressing land use issues, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are used in evaluating zoning requests for new residential development.

Site Design

Criterion 1 of the Residential Development Criteria states that all rezoning applications should be characterized by high quality site design. Rezoning proposals, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

Consolidation: Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan and not preclude nearby properties from developing as recommended by the Plan.

The adjacent properties have been developed and there is no land available for further consolidation; the applicant has provided for the connection of Rockpointe Drive to Willow Valley Road as recommended by the Plan to consolidate the neighborhoods.

Layout: The layout should: provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences); provide dwelling units that are oriented appropriately to adjacent streets and homes; include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities; provide logical

and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots; provide convenient access to transit facilities; identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility co-location where feasible.

The dwelling units are oriented towards the above ground powerlines and Colonial Gas pump station and there is no proposed landscaping between the dwelling units and the power line and pumping station. The rear of the units provide for minimal tree save and landscaping adjacent to Clifton Farms. There is no proposed pedestrian or vehicular connection between the three lots. In staff's opinion, the current R-1 zoning of the property is consistent with the base level of the Comprehensive Plan and provides a reasonable use of this highly constrained site. The development should consist of one or two large lots accessed separately from Moore Road and Willow Valley Road.

Open Space: Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.

The development provides a 40,000 square foot open space (Parcel A) between Lots 1 and 2, a 8,963 square foot area (Parcel B) for stormwater management between Lot 3 and Rockpointe Drive and a 64,300 square foot area (Parcel C) located within the VEPCO easements that is excluded from open space calculations in accordance with Par. 5 of Sect. 2-309 of the Zoning Ordinance. Parcel A is primarily utilized as a tree save area and the open space provides benches, picnic facilities and no active recreation facilities. In staff's opinion, the current R-1 zoning of the property is consistent with the base level of the Comprehensive Plan and provides a reasonable use of this highly constrained site. It is unusual for a three lot subdivision to have common open space; a more appropriate development would be for one or two large lots with no common open space.

Landscaping: Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.

The development provides for minimal landscaping to the west and no landscaping to the east of dwelling units to mitigate the impacts of the VEPCO power lines and Colonial Gas pump station.

Amenities: Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

The only amenities provided by the applicant are benches and picnic facilities located within Parcel A.

Neighborhood Context

Criterion 2 of the Residential Development Criteria states that all rezoning applications, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of: transitions to abutting and adjacent uses; lot sizes, particularly along the periphery; bulk/mass of the proposed dwelling units; setbacks (front, side and rear); orientation of the proposed dwelling units to adjacent streets and homes; architectural elevations and materials; pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses; existing topography and vegetative cover and proposed changes to them as a result of clearing and grading. It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community.

The applicant has not provided elevations for the site amenities or lighting as typically found in Fairfax Center; however, the applicant has proffered to construct units with a minimum of 2,800 square feet and has provided typical elevations to be compatible with the adjacent dwelling units. The development provides for minimal buffering to the west and no landscaping to the east of the proposed dwelling units.

Environment

Criterion 3 of the Residential Development Criteria states that all rezoning applications should respect the environment. Rezoning proposals, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

Preservation: Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.

There are no RPAs, EQCs, wetlands or floodplains on the site; however, there are trees worthy of preservation. Tree preservation is discussed under Criterion 4 below.

Slopes and Soils: The design of developments should take existing topographic conditions and soil characteristics into consideration.

The soils mapped on this site may contain naturally occurring fibrous asbestos minerals. Excavations made in the hard bedrock and/or earth-moving activities may expose asbestos to the atmosphere allowing the fibers to become airborne. The applicant has proffered to provide the appropriate construction techniques and ensure that all construction personnel are alerted to this potential health risk to minimize this risk. Such techniques may include, but are not limited to, dust suppression measures during all blasting and drilling activities, covered transport of removed materials, and appropriate disposal of removed materials.

Water Quality: Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and low-impact site design techniques.

The applicant has proffered to provide stormwater management in accordance with the Public Facilities Manual (PFM) and that the pond will be landscaped to the maximum extent feasible. Staff notes that it appears the southern portion of the site may not be adequately detained and the applicant must demonstrate compliance with the PFM to the Department of Public Works and Environmental Services (DPWES) prior to subdivision plan approval.

Noise: Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.

Transportation generated noise does not affect this site.

Lighting: Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.

The applicant has proffered to require outdoor lighting fixtures to meet the performance standards of Article 14 of the Zoning Ordinance.

Energy: Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling.

The applicant has proffered to construct energy efficient homes to meet the thermal standards of the CABO Model Energy Program. The dwelling units and streets are not oriented to maximize solar access.

Tree Preservation and Tree Cover Requirements

Criterion 4 of the Residential Development Criteria states that all rezoning applications, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas.

The existing trees provide a visual barrier of the VEPCO power lines and the Colonial Gas pump station; with the removal of the trees and the limited additional landscaping proposed, the power lines and pump station will be extremely visible to the existing residents located to the west. The development provides for tree preservation within Parcel A and the applicant has proffered to provide a tree preservation plan. However, the development provides minimal landscaping between the dwelling units and the development to the west and no landscaping between the dwelling units and the overhead power lines to the east.

Transportation

Criterion 5 of the Residential Development Criteria states that all rezoning applications should implement measures to address planned transportation improvements and applicants should offset their impacts to the transportation network. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

Transportation Improvements: Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following: capacity enhancements to nearby arterial and collector streets; street design features that improve safety and mobility for non-motorized forms of transportation; signals and other traffic control measures; development phasing to coincide with identified transportation improvements; right-of-way dedication; construction of other improvements beyond ordinance

requirements; and monetary contributions for improvements in the vicinity of the development.

Moore Street: One lot is being accessed from an extension of Moore Road, which is currently not in the Virginia Department of Transportation (VDOT) system. At staff's request, the applicant has provided for full section improvement of Moore Road, and the provision of a cul-de-sac in order for the road to be accepted into the system by VDOT.

Rockpointe Drive:

The applicant has proffered to provide for the public street connection of Rockpointe Drive to Willow Valley Road as recommended by the Comprehensive Plan. The connection of Rockpointe Drive to Willow Valley Road is important since it provides increased access to the residential community for emergency/rescue services, additional access for service vehicles, enhancement of operation of school buses, and removes traffic from the arterial roadway for circulation between subdivisions.

Transit/Transportation Management: Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by: provision of bus shelters; implementation and/or participation in a shuttle bus service; participation in programs designed to reduce vehicular trips; incorporation of transit facilities within the development and integration of transit with adjacent areas; provision of trails and facilities that increase safety and mobility for non-motorized travel.

The provision of bus shelters and other transportation management measures were not requested or provided.

Interconnection of the Street Network: Vehicular connections between neighborhoods should be provided, as follows: local streets within the development should be connected with adjacent local streets to improve neighborhood circulation; when appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended; streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation; traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed; the number and length of long, single-ended roadways should be minimized; sufficient access for public safety vehicles should be ensured.

The Clifton Farm development proffered to provide right-of-way and construction of the connection of Rockpointe Drive to Willow Valley Road and the Hayden Village/Rockpointe development proffered to escrow \$15,000 for the removal of the temporary cul-de-sac for Rockpointe Drive. The connection was not made due to an alignment error, which has since been corrected.

The applicant is utilizing the right-of-way from the interparcel access to provide access to two lots via a private street from the extension of Rockpointe Drive to Willow Valley Road. Staff notes that the connection of Rockpointe Drive to Willow Valley Road is important since it provides increased access to the residential community for emergency/rescue services, additional access for service vehicles, enhancement of operation of school buses, and removes traffic from the arterial roadway for circulation between subdivisions.

Streets: Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.

Private streets are provided to access the Lots 2 and 3 and they are not wide enough to provide for parking. Rockpointe Drive is proposed to connect Willow Valley Road to provide interparcel access to Hayden Village as recommended by the Comprehensive Plan.

Non-motorized Facilities: Non-motorized facilities, such as those listed below, should be provided: connections to transit facilities; connections between adjoining neighborhoods; connections to existing non-motorized facilities; connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas; an internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan; offsite non-motorized facilities, particularly those included in the Comprehensive Plan; driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways; construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.

Sidewalks are not proposed to be connected to the dwelling units. Staff has proposed a final development plan condition to require driveways to be a minimum of eighteen feet in length to accommodate parking.

Alternative Street Designs: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

This section is not applicable.

Public Facilities

Criterion 6 of the Residential Design Criteria states that residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities).

All rezoning applications are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

The applicant has proffered to provide recreation on-site or a contribution to the Park Authority in accordance with the Ordinance requirements. No additional contribution was requested or provided by the applicant. The three dwelling units will not have a measurable impact on the school system.

Affordable Housing

Criterion 7 of the Residential Development Criteria states that ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. An applicant can elect to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance or as an alternative land. Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund equal to 0.5% of the value of all of the units approved on the property.

Since the application is for three dwelling units it is not subject to the Affordable Dwelling Unit Ordinance, the applicant did not elect to provide affordable dwelling units or land. The applicant has proffered to provide a 0.5% contribution of the sales price for the proposed units to the Housing Trust Fund.

Heritage Resources

Criterion 8 of the Residential Development Criteria states that heritage resources are those sites or structures, including their landscape settings that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities.

There are no heritage resource areas identified on the site and this criterion is not applicable.

Fairfax Center Area Checklist (Attachment 6)

The Fairfax Center Checklist is a tool utilized by staff in evaluating a rezoning application for conformance with the Comprehensive Plan. There are transportation, environmental, site design, land use and public facilities elements on the Checklist. The Comprehensive Plan recommends a density of 0.9 dwelling units per acre is at the base level of 1 dwelling unit per acre. In order to justify the base level, the application should satisfy all applicable basic elements.

In staff's opinion, the application meets 45% of the basic elements, 70% of the minor development elements, 50% of the major development issues, 40% of the essential development elements and 100% of the major transportation development elements. The development does not provide for adequate landscaping or tree preservation. The development does not adequately screen the power lines and pump station. The development does not provide adequate information related to lighting, house elevations, plantings, and site amenities. In staff's opinion, the applicant has not satisfied enough elements of the Fairfax Center Checklist to qualify for the basic level. The current R-1 zoning of the property is consistent with the base level of the Comprehensive Plan and provides a reasonable use of this highly constrained site.

ZONING ORDINANCE PROVISIONS (Appendix 7)

The requested rezoning of the 4.79 acre site to the PDH-2 District must comply with the applicable regulations of the Zoning Ordinance found in Article 6, Planned Development District Regulations and Article 16, Development Plans, among others.

Article 6

Sect. 6-101. Purpose and Intent: This section states that the PDH District was established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote a balanced development of mixed housing types and encourage the provision of affordable dwelling units. In staff's opinion, the development does not provide an innovative or creative design and is not in conformance with the Comprehensive Plan and does not meet the purpose and intent of the PDH District.

Par. 1 of Sect. 6-107. Minimum District Size: This section states that a minimum of two (2) acres is required for approval of the PDH District. The applicant

proposes to rezone 4.79 acres, including 3.32 acres located outside a major utility easement, which exceeds the minimum district size of two (2) acres.

Sect. 6-109. Maximum Density: The maximum density for the PDH-2 District is two (2) dwelling units per acre (du/ac). The applicant is proposing a density of 0.9 du/ac, which is under the maximum density when adjusted by the provisions of Sect. 2-308 of the Zoning Ordinance.

Par. 1 of Sect. 6-110. Open Space: A minimum of 20% open space is required for the PDH-12 District. The development provides 23% open space even adjusted by the provisions of Sect. 2-309 of the Zoning Ordinance.

Par. 2 of Sect. 6-110: A minimum of \$955 per unit is required for on-site recreational facilities. The applicant proffered to provide recreational amenities on-site at a minimum of \$955 per unit or contribute the outstanding portion to the Fairfax County Park Authority.

Section 16-101

General Standard 1 requires substantial conformance with the Comprehensive Plan. As stated previously, the application has not satisfied the Fairfax Center Checklist and is not in conformance with the Comprehensive Plan.

General Standard 2 requires that the design of the proposed planned development result in a more efficient use of the land and in a higher quality site design than could be achieved in a conventional district. As stated above, the site is impacted by major utility easements, and in accordance with Sect. 2-308 and 2-309 no density or open space is credited for the area impacted by the major utility easements. The planned district permits the use of private streets and creates the ability to locate the proposed units further from the VEPCO lines and provide for increased open space; however, the proposed design does not create a high quality design or take advantage of the flexibility of bulk regulations of the planned district.

As previously stated, the site is better suited for 2 lots, each accessing from a public street.

General Standard 3 requires that the design of the proposed development protect and preserve the natural features on the site. The proposed development does not provide adequate landscaping or preservation of existing trees.

General Standard 4 requires that the proposed development be designed to prevent substantial injury to the use and value of existing surrounding

development and not to hinder, deter, or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan. The proposed development would remove existing trees that provide a visual barrier for the adjacent dwelling units of the VEPCO power lines and Colonial Gas pump station and the applicant has not provided adequate landscaping to mitigate the adverse impacts.

General Standard 5 requires that the planned development be located in an area where transportation, police, fire protection and other public facilities are available and adequate for the proposed use. The applicant will be responsible to extend water and sewer service to the site. There are adequate police, fire and school services available for this development.

General Standard 6 requires that the planned development coordinate linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development. The applicant has provided for the vehicular and pedestrian connections of Rockpointe Drive to Willow Valley Road

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

Sect. 16-102 Design Standards:

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

The adjacent residential developments are zoned PDH-2. Clifton Farms to the west provided a twenty-five (25) foot wide rear yards adjacent to the site. The side yard for Lot 1 provides a twenty-five (25) foot setback to Clifton Farms and the rear yards for Lots 2 and 3 and provide a thirty (30) foot wide setback adjacent to Clifton Farms. Hayden Village to the east provided a fifty (50) foot wide buffer, in addition to the twenty-five (25) foot wide rear yard setbacks. Lots 2 and 3 provide twenty-five (25) foot wide front yards and the houses are setback seventy-five (75) feet from the property line. There are no transitional screening or barrier requirements for the adjacent uses.

Design Standard 2 states the development must provide adequate open space, parking spaces as set forth in the Ordinance. The proposed development meets the Zoning Ordinance requirements for open space and number of parking spaces.

Design Standard 3 states the streets and driveways shall be designed to conform to the Ordinance, and that a network of trails and sidewalks shall provide access to recreational amenities and open space. The proposed streets and trails are designed in accordance with the Ordinance.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The applicant requests approval of three lots or 0.9 du/ac within an area planned for 1-2 dwelling units per acre. The development does not provide details on site amenities and landscaping or provide an extraordinary design to meet the intent of the Fairfax Center Checklist. The development has not satisfied the purpose and intent of the PDH District in providing a creative design. Staff concludes that the subject application is not in conformance with the Comprehensive Plan and does not satisfy the requirements of the Fairfax Center Checklist. The current R-1 zoning of the property is consistent with the base level of the Comprehensive Plan and provides a reasonable use of this highly constrained site.

Recommendations

Staff recommends denial of RZ 2002-SP-006 as submitted. However, if it is the intent of the Board of Supervisors to approve RZ 2002-SP-006, staff recommends that such approval be subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends denial of FDP 2002-SP-006 as submitted. However, if it is the intent of the Planning Commission to approve FDP 2002-SP-006, staff recommends that such approval be subject to the Board of Supervisors approval of RZ 2002-SP-006, and the proposed final development plan conditions consistent with those contained in Appendix 2.

It should be noted that it is not the intent of the 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 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.

ATTACHMENTS

1. Proffers
2. Final Development Plan Conditions
3. Affidavit
4. Statement of Justification
5. VC 2003-SP-028 Plat and Resolution
6. Fairfax Center Area Checklist
7. Zoning Ordinance Provisions
8. Residential Development Criteria

DRAFT PROFFERS

Zia U. Hassan

RZ 2002-SP-006

July 10, 2003

Deleted: July 1,

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Zia U. Hassan, the applicant and owner, (hereinafter referred to as the Applicant), for himself, successors and assigns in RZ 2002-SP-006, filed for property identified as Tax Map 55-3 ((1)) 38, (hereinafter referred to as the Application Property) hereby proffers the following, provided that the Board of Supervisors approves a rezoning of the Application Property to the PDH-2, WS District in conjunction with a Conceptual/Final Development Plan (CDP/FDP) for residential development. If accepted, these proffers shall replace and supersede any previous proffers approved on the Application Property.

1. CONCEPTUAL/FINAL DEVELOPMENT PLAN –

- a. Subject to the provisions of Section 16-204 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 CDP/FDP, consisting of one sheet prepared by Design Management Group dated February 7, 2002, and revised through July 9, 2003.
- b. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the layout, internal lot lines, and lot sizes of the proposed subdivision at time of subdivision plan submission based on final house locations, building footprints, and utility locations, provided that the changes are in substantial conformance with the CDP/FDP, and there is no decrease to the amount and location of open space, tree save, limits of clearing and grading, decrease in minimum setbacks shown for the lots, or distances to peripheral lot lines as dimensioned on the CDP/FDP.

Deleted: June 6, 2003

2. TRANSPORTATION –

- a. Subject to Virginia Department of Transportation (VDOT) and Department of Public Works and Environmental Services (DPWES) approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to thirty (30) feet from the centerline along the Application Property's Moore Road frontage and sufficient right-of-way to construct a cul-de-sac with a radius up to forty-five (45)

feet as shown on the CDP/FDP. Dedication shall be made at time of recordation of the final subdivision plat, or upon demand, whichever occurs first.

- b. The Applicant shall construct a five (5) foot wide concrete sidewalk within the dedicated right-of-way of Moore Road as shown on the CDP/FDP.
- c. Applicant reserves density credit as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance for all dedications described herein or as may be reasonably required by Fairfax County or VDOT whether such dedications occur prior to or at time of subdivision plat approval.
- d. Subject to VDOT and DPWES approval, Applicant shall construct full section improvements to Moore Road and a cul-de-sac as shown on the CDP/FDP. The Moore Road cul-de-sac shall meet the requirements of the Public Facilities Manual (PFM) unless a modification is granted by the Director of DPWES.
- e. Subject to VDOT and DPWES approval, Applicant shall construct public street improvements to Rockpointe Drive, including a connection from the existing temporary turn-around to Willow Valley Road. The Applicant shall remove the existing temporary cul-de-sac for Rockpointe Drive and re-vegetate the area. Applicant may utilize funds escrowed with Fairfax County for Rockpointe Drive improvements, including the funds for the removal of the temporary turn-around. Deleted: shall
- f. Applicant shall construct a five (5) foot wide concrete sidewalk on Rockpointe Drive as shown on the CDP/FDP. Formatted: Bullets and Numbering
- g. A contribution shall be made to the Fairfax Center Area Road Fund for each single family dwelling built, in accordance with and at such time as is specified in the "Procedural Guidelines" adopted by the Board on November 22, 1982, as amended, subject to credit for all creditable expenses, as determined by the Fairfax County Department of Transportation and DPWES. Formatted: Bullets and Numbering

3. LANDSCAPING AND OPEN SPACE -

- a. Applicant shall provide landscaping on the Application Property as generally shown on the CDP/FDP, per the Urban Forester approval. Evergreen trees shall be a minimum height of seven (7) feet and deciduous trees shall have a minimum caliper of three (3) inches at the time of planting.
- b. Parcel A shown on the CDP/FDP shall remain as undisturbed open space, and shall be owned and maintained by the homeowners' association established for the residential development. Existing vegetation shall be supplemented with evergreen trees to enhance the screening of the Application Property.

- c. A tree preservation plan shall be submitted as part of the subdivision plat submission. 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, 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 greater than ten (10) inches in diameter and within twenty (20) feet of the property line of Lot 2, adjacent to Parcel A; off-site within ten (10) feet of the property line of Lot 2, adjacent to Parcel A; and, within ten (10) feet of the limits of clearing and grading in the eastern portion of the site as shown on the CDP/FDP. 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 maximize the survivability of trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and other as necessary, shall be included in the plan and provided as determined necessary by the Urban Forester.
- d. Applicant shall strictly adhere to the limits of clearing and grading as shown on the CDP/FDP.
- e. All trees shown to be preserved on the tree preservation plan shall be protected by fencing a minimum of four (4) feet in height to be placed at the dripline of the trees to be preserved. Tree protection fencing in the form of a four (4) foot high fourteen (14) gauge welded wire fence 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 final limits of clearing and grading and shown on the Phase I and II erosion and sediment control sheets. Tree protection fencing shall only be required for tree save areas adjacent to clearing and grading activities. The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any construction work being conducted on the Application Property. A certified arborist shall monitor the installation of the tree protection fencing and verify in writing that the tree protection fence has been properly installed. Three (3) days prior to commencement of any clearing and grading, the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.
- f. Subject to the receipt of necessary permissions, Applicant shall donate ten (10) evergreen trees with a minimum height of seven (7) feet to the Hayden Village Homeowners' Association for planting in the open space adjacent to the Application Property to screen the existing Virginia Power easement.

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4. PARKS AND RECREATION -

Pursuant to Paragraph 2 of Section 6-110 and Paragraph 2 of Section 16-404 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall expend the sum of Nine Hundred Fifty-five Dollars (\$955.00) per approved lot. The on-site passive recreation facilities shall consist of benches as shown on the CDP/FDP and a picnic area in a location to be determined at time of subdivision plan submission. Picnic area shall consist of a table, benches and a barbecue area. The balance of any funds not expended on-site shall be contributed to the Fairfax County Park Authority at time of subdivision plat approval for recreation facilities located in the vicinity of the Application Property.

5. STORMWATER MANAGEMENT - BEST MANAGEMENT PRACTICES

- a. The Applicant shall provide stormwater management (SWM) and Best Management Practices (BMP) in a location as generally shown on the CDP/FDP and in accordance with the requirements of the Public Facilities Manual and Chesapeake Bay Preservation Ordinance, unless modified or waived by DPWES. In the event that on-site stormwater management or BMPs are modified by DPWES, modification of the SWM/BMP pond shown on the CDP/FDP shall not require the approval of a proffered condition amendment or an amendment to the CDP/FDP. Any open space resulting from any waiver or modification shall remain as open space, which is conveyed to the homeowners' association established for the residential development. Prior to subdivision plat approval it shall be demonstrated to the satisfaction of DPWES that the increase runoff and outfall from the development does not adversely impact the adjacent properties.
- b. The Applicant shall provide landscaping around the SWM pond to the extent possible in keeping with the planting policies of Fairfax County.

6. AFFORDABLE HOUSING –

At the time of building permit approval, a contribution shall be made to the Fairfax County Housing Trust Fund of 0.50% of the sales price of each single family dwelling actually constructed. The amount of said contribution shall be determined in coordination with the Department of Housing and Community Development.

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7. ASBESTOS –

Should DPWES, in coordination with the Air Pollution Control Division of the Health Department and with the Soil Science Office, determines that a potential health risk exists caused by the presence of rock containing asbestos on the Application Property, the Applicant shall:

- Take appropriate measures as determined by the Health Department to alert all construction personnel to this potential health risk.
- Commit to appropriate construction techniques, as determined by DPWES, in conjunction with the Air Pollution Control Division and with the Soil Science Office, to minimize this risk. Such techniques may include, but are not necessarily limited to, dust suppression measures during all blasting and drilling activities, covered transportation of removed materials presenting this risk and appropriate disposal of removed materials presenting this risk.

8. DESIGN -

- a. Applicant shall construct the residential dwellings to be comparable in size, scale and building materials with adjacent residentially developed properties. Photographs of homes within Clifton Farms and Hayden Village shall be provided to DPWES, prior to building permit approval, so that the Director of DPWES may make a determination that the proposed facades are compatible with existing facades in abutting subdivisions. Residential dwellings constructed on the Application Property shall include a minimum of 2,800 square feet.
- b. Applicant shall limit initial clearing of the Application Property to that necessary for the installation of utilities and access improvements, subject to Urban Forester approval. Home sites shall not be cleared until construction is ready to commence on that home.
- c. All homes constructed on the Application Property shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES, for either electric or gas energy systems.
- d. The homes constructed on the Application Property shall be generally in conformance with the elevations depicted on attached Exhibits A and B.

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9. GEOTECHNICAL -

The Applicant shall submit a Geotechnical Report to the Geotechnical Review Board for the Application Property as required by DPWES, for review and approval, prior to subdivision plat approval, and shall implement the recommendations outlined in the approved study.

10. CONSTRUCTION HOURS

- a. All construction activity shall be limited to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday. This proffer shall only apply to the original house construction and not to future additions by homeowners.

b. Construction activity on Sundays shall be limited to interior work only and to the hours of 7:00 a.m. to 6:00 p.m. This proffer shall only apply to the original house construction and not to future additions by homeowners.

c. Applicant shall provide the name and phone number of the construction site superintendent to the Clifton Farm and Hayden Village community managers who will coordinate concerns during construction.

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11. MISCELLANEOUS -

a. These proffers shall bind and inure to the benefit of the Applicant and his or her successors and assigns.

b. The Applicant shall establish a homeowners' association for the proposed development to own, manage and maintain the open space identified as Parcels A on the CDP/FDP and all other community owned land and improvements.

c. Prior to subdivision plat approval, the Applicant shall demonstrate to the satisfaction of DPWES that VEPCO and Columbia Gas have provided permission to locate the private driveways within their respective easements. If such permission cannot be obtained, driveways shall be relocated out of these easements.

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d. Applicant shall disclose to all prospective homeowners in a disclosure memorandum at time of contract execution and in the homeowners' association documents the proximity of the existing Colonial Gas pipeline and pumping station.

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e. A covenant shall be placed on each single family dwelling unit that prohibits the use of the garage for any purpose which precludes the storage of at least two vehicles. 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 covenant shall be approved by the Fairfax County Attorney's office. The homeowners' association documents shall expressly state this use restriction.

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f. 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 to assist in the initial sale of homes on the Application Property. Furthermore, the agents and employees involved in the marketing and sale of the residential units on the Application Property shall be directed to adhere to this proffer.

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g. Outdoor lighting shall be provided in accordance with Part 9 of Article 14 of the Zoning Ordinance.

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h. All of the improvements described herein shall be constructed concurrent with development of the Application Property.

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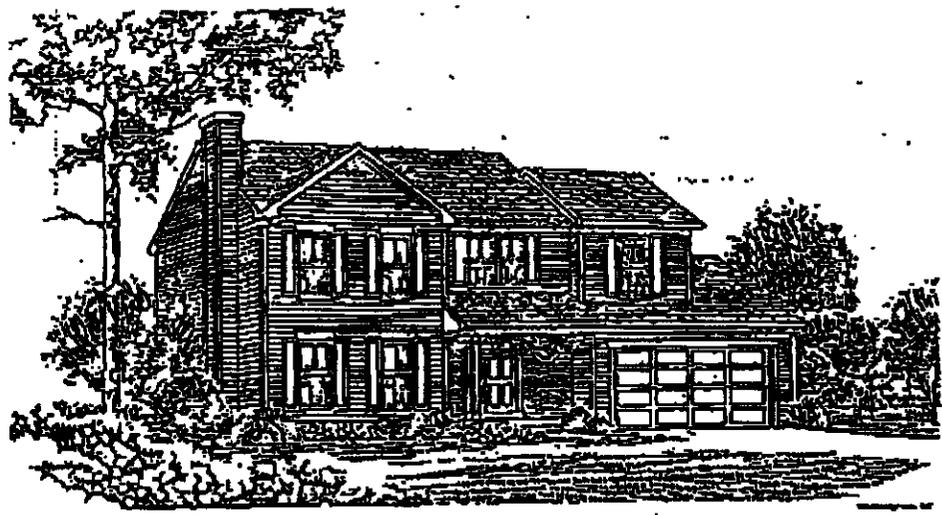
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[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

APPLICANT/OWNER

Zia U. Hassan

EXHIBIT A



These are architectural illustrations only intended to portray the character and architectural styling of the proposed single family residences. Modifications and adjustments may be necessary by the home builder to adequately site each residence.



EXHIBIT B



These are architectural illustrations only intended to portray the character and architectural styling of the proposed single family residences. Modifications and adjustments may be necessary by the home builder to adequately site each residence.



PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS

FDP 2002-SP-006

July 16, 2003

If it is the intent of the Planning Commission to approve FDP 2002-SP-006 for a single-family detached residential development located at Tax Map 55-3 ((1)) 38 staff recommends that the Planning Commission condition the approval by requiring conformance with the following final development plan conditions.

1. Development of the property shall be in substantial conformance with the CDP/FDP entitled "Clifton Acres", consisting of one (1) sheet prepared by Design Management Group and dated July 9, 2003.
2. Driveways shall be a minimum of eighteen (18) feet long.

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

REZONING AFFIDAVIT

DATE: January 13, 2003
 (enter date affidavit is notarized)

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below *2002-286*

in Application No.(s): RZ/FDP 2002-SP-006
 (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 must be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Zia U. Hassan	13827 Springstone Drive Clifton, Va. 20124	Applicant/Title Owner
Agent: Rizwana Hassan (nmi)		
Design Management Group Inc	7777 Leesburg Pike, Suite 403-N Falls Church, Va. 22043	Agent/Engineer
Agents Rizwana Hassan (nmi) Zia U. Hassan		
Walsh, Colucci, Lubeley, Emrich & Terpak, PC (formerly Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.)	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
Agents: Martin D. Walsh Lynne J. Strobel Keith C. Martin M. Catharine Puskar	Timothy S. Sampson Elizabeth D. Baker Susan K. Yantis Inda E. Stagg	William J. Keefe Shannon M.P. Johnson

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

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

REZONING AFFIDAVIT

DATE: January 13, 2003
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number(s))

2002-286

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Design Management Group, Inc.
7777 Leesburg Pike, Suite 403-N

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Zia U. Hassan

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

Zia U. Hassan President/Secretary

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

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

Rezoning Attachment to Par. 1(b)

DATE: January 13, 2003
(enter date affidavit is notarized)

2002-286

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number (s))

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

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

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

David J. Bomgardner	Thomas J. Colucci	James P. Downey	Jay du Von
Jerry K. Emrich	William A. Fogarty	John H. Foote	H. Mark Goetzman
Michael D. Lubeley	Keith C. Martin	J. Randall Minchew	John E. Rinaldi
Timothy S. Sampson	Lynne J. Strobel	Nan E. Terpak	Garth M. Wainman
Martin D. Walsh			

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

REZONING AFFIDAVIT

DATE: January 13, 2003
(enter date affidavit is notarized)

2002-286

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)
None

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

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

Multiple horizontal lines for listing partner names and titles.

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

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

REZONING AFFIDAVIT

DATE: January 13, 2003
(enter date affidavit is notarized)

2002-286

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number(s))

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

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

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

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

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

None

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

REZONING AFFIDAVIT

DATE: January 13, 2003
(enter date affidavit is notarized)

2002-284

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number(s))

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

None

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

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

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

WITNESS the following signature:

(check one)

Lynne J. Strobel
[] Applicant [x] Applicant's Authorized Agent

Lynne J. Strobel, attorney/agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 13 day of January 2002, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly A. Klemm
Notary Public
Commissioned as Kimberly A. Klemm

My commission expires: 11/30/2003



**WALSH COLUCCI
LUBELEY EMRICH
& TERPAK PC**

Lynne J. Strobel
(703) 528-4700 Ext. 18
lstrobel@arl.thelandlawyers.com

RECEIVED
Department of Planning & Zoning

JUN 10 2003

June 6, 2003

Zoning Evaluation Division

By Facsimile and U.S. Mail

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

Re: RZ 2002-SP-006
Applicant: Zia U. Hassan

Dear Ms. Byron:

Please accept the following to amend the statement of justification previously submitted by the Applicant on December 18, 2001. The Applicant proposes the rezoning of approximately 4.79 acres from the R-1 District to the PDH-2 District.

The Applicant is the owner of approximately 4.79 acres, which is located in the Springfield Magisterial District of Fairfax County, and identified among the Fairfax County tax map records as 55-3 ((1)) 38 (the "Subject Property"). The Subject Property is a long and narrow parcel located between Moore Road and Rockpointe Drive. It is impacted by two major utility easements. Surrounding properties are zoned to the PDH-2 District and developed with single-family detached homes. The Subject Property is one of the last remaining parcels zoned to the R-1 District in the immediate area, and this proposal may be characterized as infill development. The Applicant proposes a rezoning for residential development that will be compatible with the existing and established development pattern in the surrounding area.

The Subject Property is located within the Bull Run Planning District of the Area III Comprehensive Plan; specifically, within the BR7 Braddock Planning Sector and Land Unit R-2 of the Fairfax Center Area. The Fairfax County Comprehensive Plan (the "Plan") does not include any site specific text recommendations for the Subject Property, however, Land Unit R-2 includes general recommendations for single-family residential use at two dwelling units per acre at the overlay level. The Applicant's proposal is consistent with the recommendations of the Plan.

The Applicant proposes to construct three homes on the Subject Property as illustrated on the Conceptual/Final Development Plan (CDP/FDP). One of the lots will have access to Moore Road and the two remaining lots will have access to Rockpointe Drive. The Subject Property is encumbered by

existing utility easements. These easements result in development constraints on the Subject Property. After taking into account the density restrictions associated with the existing easements, the resulting density is 0.90 dwelling unit per acre, which is below the Plan recommendation of up to two dwelling units per acre.

The Applicant has prepared a residential layout that is compatible in density and scale with surrounding development. The proposal may be classified as infill development as it is comprised of property that is surrounded by communities zoned to the PDH-2 District. Surrounding properties are similarly developed in use, type and intensity. Further, the proposed lots may be accessed from existing roadways and does not contribute to the issue of traffic cutting through existing residential neighborhoods. In addition, the Applicant meets the newly adopted residential development criteria as follows:

Site Design

The Applicant has consolidated all property that is available in this area. Surrounding properties are already zoned and developed residentially in accordance with Plan recommendations. Therefore, the proposal will not adversely impact future development opportunities. The proposed layout integrates the elements of open space, tree preservation and functional quality design at a residential density that conforms to Plan recommendations. Approximately 23 percent of the Subject Property will remain in open space. This calculation has been made in consideration of the penalties associated with the existing utility easements. The open space is centrally located on the Subject Property and is adjacent to the open space of the Clifton Farms Subdivision. This allows for the creation of a connected open space area that will include the preservation of existing vegetation. Landscaping will be provided and trees will be preserved on individual lots to provide appropriate screening. A concrete sidewalk will be provided along Moore Road and Rockpointe Drive to facilitate pedestrian access, both internal and external, to the Subject Property. Architectural details have been included in the proffers that have been submitted in conjunction with this application.

Neighborhood Context

The Applicant proposes a residential development that will complete an existing and established development pattern in the area. All surrounding properties are developed with single-family detached dwelling units zoned to the PDH-2 District. These densities exceed the density proposed by the Applicant. Appropriate screening and buffering are proposed on the Subject Property and appropriate setbacks are provided in the front and rear of each dwelling unit as shown on the CDP/FDP. A four (4) foot concrete sidewalk is proposed along the Subject Property's Moore Road and Rockpointe Drive frontages to facilitate pedestrian and non-motorized vehicle access to other properties in the area. The Applicant's proposal results in compatibility with existing surrounding uses. The Applicant has proffered to a minimum house size to ensure compatibility.

Environment

The Subject Property does not include any environmentally sensitive features that require preservation such as EQC, floodplain, or RPA. The Applicant is preserving existing mature vegetation on the Subject Property and the amount of disturbance on the Subject Property will be minimized. A large area of contiguous open space, designated as Parcel A, is centrally located on the Subject Property and will ensure preservation of existing vegetation. The Applicant's proposal is complementary to the surrounding area. Stormwater management will be addressed as shown on the CDP/FDP and as described in the proffers. Issues associated with noise impacts, lighting and the use of energy conservation materials have been addressed in proffers submitted in conjunction with the rezoning application.

Tree Preservation and Tree Cover Requirements

The Subject Property does include mature trees, and efforts have been taken to preserve as many trees as possible. In addition, the Applicant has submitted proffers to ensure appropriate tree preservation measures and the submission of a tree preservation plan. The proposed residential layout meets applicable tree cover requirements through a combination of preserved vegetation and proposed plantings.

Transportation

The Applicant proposes safe and adequate access to the adjacent road network. Improvements will be provided along Moore Road and Rockpointe Drive including the dedication of right-of-way and the construction of frontage improvements. All improvements will be constructed in accordance with VDOT standards. One of the proposed lots will have access to Moore Road, and the two remaining lots will have access to Rockpointe Drive. The Applicant, in consideration of the request of the adjacent communities, is not providing a connection of Rockpointe Drive. It is the Applicant's position, as well as the community, that this would result in cut-through traffic. Cut-through traffic would have a negative impact on the surrounding community. The Applicant is constructing a four (4) foot concrete sidewalk along the Subject Property's Moore Road and Rockpointe Drive frontages to facilitate pedestrian and non-motorized vehicle access. The Subject Property will be developed in a manner that will ensure that adequate parking is provided to accommodate visitors and guests.

Public Facilities

The proposed residential community may be classified as infill development that may be served by existing adequate public facilities. The Applicant's proposal of three (3) single-family detached homes will not have a measurable impact on public facilities.

Affordable Housing

The Applicant's proposal is less than 50 residential dwelling units, and, therefore, is not subject to the requirements of the Affordable Dwelling Unit Ordinance. The Applicant has addressed this issue with a proposed contribution to the Fairfax County Housing Trust Fund in the proffers that have been submitted in conjunction with the rezoning application.

Heritage Resources

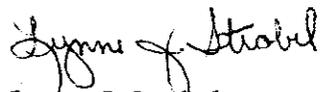
The Applicant is not aware of any heritage resources that may be located on the Subject Property.

The Applicant's proposal meets the objectives of the Plan, which recommends residential development at a density of up to two (2) dwelling units per acre. Further, the Applicant's proposal may be characterized as infill development that is compatible in use, type and intensity with the surrounding area. The Subject Property is one of the last remaining properties zoned to the R-1 District in the area, and the Applicant's proposal will complete an existing and established development pattern. The layout and design of the proposed residential community satisfies the residential development criteria as outlined herein. Lastly, the proposed development may be supported by existing transportation and public facilities.

Should you have any questions regarding the submission, or require additional information, please do not hesitate to give me a call. I understand that this application is scheduled for a public hearing before the Fairfax County Planning Commission on July 30, 2003. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & TERPAK, P.C.



Lynne J. Strobel

LJS/sap

cc: Zia U. Hassan
Martin D. Walsh

COUNTY OF FAIRFAX, VIRGINIA

VARIANCE RESOLUTION OF THE BOARD OF ZONING APPEALS

ZIA HASSAN, VC 2003-SP-028 Appl. under Sect(s). 18-401 of the Zoning Ordinance to permit subdivision of one lot into three lots and an outlot with proposed Lot 2 having a lot width of 24.0 ft. Located at 13122 Moore Rd. on approx. 4.79 ac. of land zoned R-1 and WS. Springfield District. Tax Map 55-3 ((1)) 38. Mr. Pammel moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on May 13, 2003; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. There are safety issues with the proposed lots being less than 100 feet from the gas pipeline.
3. The BZA should not be considering subjecting another lot to a safety hazard.

This application does not meet all of the following Required Standards for Variances in Section 18-404 of the Zoning Ordinance:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;
 - C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property, or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
6. That:
 - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict all reasonable use of the subject property, or
 - B. The granting of a variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the applicant.
7. That authorization of the variance will not be of substantial detriment to adjacent property.
8. That the character of the zoning district will not be changed by the granting of the variance.
9. That the variance will be in harmony with the intended spirit and purpose of this Ordinance and

will not be contrary to the public interest.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has not satisfied the Board that physical conditions as listed above exist which under a strict interpretation of the Zoning Ordinance would result in practical difficulty or unnecessary hardship that would deprive the user of all reasonable use of the land and/or buildings involved.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **DENIED**.

Mr. Kelley seconded the motion which failed by a vote of 3-3. Ms. Gibb, Mr. Hart and Mr. Hammack voted against the motion. Chairman DiGiulian was absent from the meeting.

This decision was officially filed in the office of the Board of Zoning Appeals and became final on May 21, 2003.

A Copy Teste:



Regina Thom Corbett, Clerk
Board of Zoning Appeals

*Par. 5 of Sect. 8-009 of the Zoning Ordinance requires that a concurring vote of 4 members of the Board of Zoning Appeals is needed to grant a variance.

FAIRFAX CENTER CHECKLIST

RZ/FDP 2002-SP-006 Addendum
July 9, 2003

Case Number:
Plan Date:

	Not Applicable	Applicable	Essential	Satisfied	Comments
I. AREA WIDE BASIC DEVELOPMENT ELEMENTS					
A. Roadways					
1. Minor street dedication and construction		x	x	x	
2. Major street R.O.W. dedication	x				
B. Transit					
1. Bus loading zones with necessary signs and pavement; Bus pull-off lanes	x				
2. Non-motorized access to bus or rail transit stations	x				
3. Land dedication for transit and commuter parking lots	x				
C. Non-motorized Transportation					
1. Walkways for pedestrians		x		x	
2. Bikeways for cyclists	x				
3. Secure bicycle parking facilities	x				

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
A. Roadways					
1. Major roadway construction of immediately needed portions		x	x	x	
2. Signs	x				
B. Transit					
1. Bus shelters	x				
2. Commuter parking	x				
C. Non-motorized transportation					
1. Pedestrian activated signals	x				
2. Bicycle support facilities (showers, lockers)	x				
D. Transportation Strategies					
1. Ridesharing programs	x				
2. Subsidized transit passes for employees	x				

FAIRFAX CENTER CHECKLIST

Case Number: RZ/FDP 2002-SP-006 Addendum
 Plan Date: July 9, 2003

III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS	Not Applicable			Applicable			Essential			Satisfied			Comments
A. Roadways													
1. Contribution towards major (future) roadway improvements													Fairfax Center Area Road Fund
2. Construct and/or contribute to major roadway improvements													
3. Traffic signals as required by VDOT													
B. Transit													
1. Bus or rail transit station parking lots													
C. Transportation Strategies													
1. Local shuttle service													
2. Parking fees													
D. Non-motorized Circulation													
1. Grade separated road crossings													

FAIRFAX CENTER CHECKLIST

Case Number: RZ/FDP 2002-SP-006 Addendum
 Plan Date: 07/09/2003

Not Applicable Applicable Essential Satisfied Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Environmental Quality Corridors (EQC)					
1. Preservation of EQCs as public or private open space	x				
B. Stormwater Management (BMP)					
1. Stormwater detention/retention		x		x	
2. Grassy swales/vegetative filter areas	x				
C. Preservation of Natural Features					
1. Preservation of quality vegetation		x	x		
2. Preservation of natural landforms	x				
3. Minimize site disturbance as a result of clearing or grading limits		x	x		
D. Other Environmental Quality Improvements					
1. Mitigation of highway-related noise impacts	x				
2. Siting roads and buildings for increased energy conservation (Including solar access)	x				

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Increased Open Space					
1. Non-stream valley habitat EQCs	x				
2. Increased on-site open space		x		x	
B. Protection of Ground Water Resources					
1. Protection of aquifer recharge areas	x				
C. Stormwater Management (BMP)					
1. Control of off-site flows		x		x	
2. Storage capacity in excess of design storm requirements	x				
D. Energy Conservation					
1. Provision of energy conscious site plan		x			

FAIRFAX CENTER CHECKLIST

Case Number:
Plan Date:

RZ/FDP 2002-SP-006 Addendum
07/09/2003

III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS		Not Applicable	Applicable	Essential	Satisfied	Comments
A. Innovative Techniques						
1. Innovative techniques in stormwater management	x					
2. Innovative techniques in air or noise pollution control and reduction	x					
3. Innovative techniques for the restoration of degraded environments	x					

FAIRFAX CENTER CHECKLIST

Case Number:

RZ/FDP 2002-SP-006 Addendum

Plan Date:

July 9, 2003

Not Applicable Applicable Essential Satisfied Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS				
A. Park Dedications				
1. Dedication of stream valley parks in accordance with Fairfax County Park Authority policy	x			
B. Public Facility Site Dedications				
1. Schools	x			
2. Police/fire facilities	x			

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS				
A. Park Dedications				
1. Dedication of parkland suitable for a neighborhood park	x			
B. Public Facility Site Dedication				
1. Libraries	x			
2. Community Centers	x			
3. Government offices/facilities	x			

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS				
A. Park Dedications				
1. Community Parks	x			
2. County Parks	x			
3. Historic and archeological parks	x			
B. Public Indoor or Outdoor Activity Spaces				
1. Health clubs	x			
2. Auditoriums/theaters	x			
3. Athletic fields/major active recreation facilities	x			

FAIRFAX CENTER CHECKLIST

Case Number: RZ/FDP 2002-SP-006 Addendum
 Plan Date: July 9, 2003

	Not Applicable	Applicable	Essential	Satisfied	Comments
I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Considerations					
1. Coordinated pedestrian and vehicular circulation systems		x	x	x	
2. Transportation and sewer infrastructure construction phased to development construction	x				
3. Appropriate transitional land uses to minimize the potential impact on adjacent sites		x	x		VEPCO and Colonial Gas easements not screened
4. Preservation of significant historic resources	x				
B. Landscaping					
1. Landscaping within street rights-of-way	x				
2. Additional landscaping of the development site where appropriate		x	x		
3. Provision of additional screening and buffering		x	x		

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Land Use/Site Planning					
1. Parcel consolidation		x		x	
2. Low/Mod income housing		x		x	
B. Mixed Use Plan					
1. Commitment to construction of all phases in mixed-use plans		x			
2. 24-hour use activity cycle encouraged through proper land use mix		x			
3. Provision of developed recreation area or facilities		x			

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Extraordinary Innovation					
1. Site design		x		x	
2. Energy conservation		x			

FAIRFAX CENTER CHECKLIST

Detailed Design

Case Number: RZ/FDP 2002-SP-006 Addendum
 Plan Date: July 9, 2003

	Not Applicable	Applicable	Essential	Satisfied	Comments
I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Entry Zone					
1. Signs	x				
2. Planting		x	x		
3. Lighting		x		x	
4. Screened surface parking	x				
B. Street Furnishings					
1. Properly designed elements such as lighting, signs, trash receptacles, etc.	x				

III. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
A. Building Entry Zone					
1. Signs	x				
2. Special planting		x	x		
3. Lighting	x				
B. Structures					
1. Architectural design that complements the site and adjacent developments		x	x	x	
2. Use of energy conservation techniques		x		x	
C. Parking					
1. Planting - above ordinance requirements		x	x		
2. Lighting	x				
D. Other Considerations					
1. Street furnishing such as seating, drinking fountains	x				
2. Provision of minor plazas	x				

FAIRFAX CENTER CHECKLIST

Detailed Design

Case Number: RZ/FDP 2002-SP-006 Addendum
Plan Date: July 9, 2003

III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS					
	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Detailed Site Design					
1. Structured parking with appropriate landscaping	x				
2. Major plazas	x				
3. Street furnishings to include structures (special planters, trellises, kiosks, covered pedestrian areas (arcades, shelters, etc.), Water features/pools, ornamental fountains, and special surface treatment	x				
4. Landscaping of major public spaces	x				

FAIRFAX CENTER CHECKLIST

Summary

Case Number:

RZ/FDP 2002-SP-006 Addendum

Plan Date:

July 9, 2003

I. BASIC DEVELOPMENT ELEMENTS

- | | |
|------------------------|------|
| 1. Applicable Elements | 11 |
| 2. Elements Satisfied | 5 |
| 3. Ratio | 0.45 |

II. MINOR DEVELOPMENT ELEMENTS

- | | |
|------------------------|------|
| 1. Applicable Elements | 10 |
| 2. Elements Satisfied | 7 |
| 3. Ratio | 0.70 |

III. MAJOR DEVELOPMENT ELEMENTS

- | | |
|------------------------|------|
| 1. Applicable Elements | 4 |
| 2. Elements Satisfied | 2 |
| 3. Ratio | 0.50 |

IV. ESSENTIAL DEVELOPMENT ELEMENTS

- | | |
|------------------------|------|
| 1. Applicable Elements | 15 |
| 2. Elements Satisfied | 6 |
| 3. Ratio | 0.40 |

V. MAJOR TRANSPORTATION DEVELOPMENT ELEMENTS

- | | |
|------------------------|------|
| 1. Applicable Elements | 2 |
| 2. Elements Satisfied | 2 |
| 3. Ratio | 1.00 |

VI. LOW/MODERATE INCOME HOUSING ELEMENT

yes

no

Standards for all Planned Developments

16-101 General Standards

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

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

16-102 Design Standards

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

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

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the

Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.

b) *Layout*: The layout should:

- provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
- provide dwelling units that are oriented appropriately to adjacent streets and homes;
- include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
- provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
- provide convenient access to transit facilities;
- Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.

c) *Open Space*: Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.

d) *Landscaping*: Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.

e) *Amenities*: Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

2. Neighborhood Context:

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;

- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

3. Environment:

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and low-impact site design techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.

- f) *Lighting*: Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy*: Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling.

4. Tree Preservation and Tree Cover Requirements:

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas.

5. Transportation:

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

- a) *Transportation Improvements*: Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:
 - Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;
 - Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management*: Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:

- Provision of bus shelters;
- Implementation and/or participation in a shuttle bus service;
- Participation in programs designed to reduce vehicular trips;
- Incorporation of transit facilities within the development and integration of transit with adjacent areas;
- Provision of trails and facilities that increase safety and mobility for non-motorized travel.

c) *Interconnection of the Street Network: Vehicular connections between neighborhoods should be provided, as follows:*

- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
- When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
- Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
- Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
- The number and length of long, single-ended roadways should be minimized;
- Sufficient access for public safety vehicles should be ensured.

d) *Streets:* Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.

e) *Non-motorized Facilities:* Non-motorized facilities, such as those listed below, should be provided:

- Connections to transit facilities;
- Connections between adjoining neighborhoods;
- Connections to existing non-motorized facilities;
- Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
- An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
- Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
- Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
- Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.

- f) *Alternative Street Designs*: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. Public Facilities:

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land*: If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.

- b) *Housing Trust Fund Contributions*: Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;

- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

ROLE OF DENSITY RANGES IN AREA PLANS

Density ranges for property planned for residential development, expressed generally in terms of dwelling units per acre, are recommended in the Area Plans and are shown on the Comprehensive Plan Map. Where the Plan text and map differ, the text governs. In defining the density range:

- the "base level" of the range is defined as the lowest density recommended in the Plan range, i.e., 5 dwelling units per acre in the 5-8 dwelling unit per acre range;
- the "high end" of the range is defined as the base level plus 60% of the density range in a particular Plan category, which in the residential density range of 5-8 dwelling units per acre would be considered as 6.8 dwelling units per acre and above; and,
- the upper limit is defined as the maximum density called for in any Plan range, which, in the 5-8 dwelling unit per acre range would be 8 dwelling units per acre.
- In instances where a range is not specified in the Plan, for example where the Plan calls for residential density up to 30 dwelling units per acre, the density cited in the Plan shall be construed to equate to the upper limit of the Plan range, and the base level shall be the upper limit of the next lower Plan range, in this instance, 20 dwelling units per acre.



FAIRFAX COUNTY

APPLICATION FILED: February 13, 2002
PLANNING COMMISSION: October 10, 2002
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

September 25, 2002

STAFF REPORT

APPLICATION RZ/FDP 2002-SP-006

SPRINGFIELD DISTRICT

APPLICANT:	Zia U. Hassan
PRESENT ZONING:	R-1, WS
REQUESTED ZONING:	PDH-2, WS
PARCEL:	55-3 ((1)) 38
ACREAGE:	4.79 acres
DENSITY:	1.2 du/ac
OPEN SPACE:	20.6%
PLAN MAP:	Residential, 1-2 du/ac
PROPOSAL:	Request to rezone 4.79 acres from the R-1 District to the PDH-2 District for the development of four (4) single family detached dwelling units.

STAFF RECOMMENDATIONS:

Staff recommends denial of RZ 2002-SP-006 as submitted. However, if it is the intent of the Board of Supervisors to approve RZ 2002-SP-006, staff recommends that such approval be subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends denial of FDP 2002-SP-006 as submitted. However, if it is the intent of the Planning Commission to approve FDP 2002-SP-006, staff recommends that such approval be subject to the Board of Supervisors approval of RZ 2002-SP-006 and the proposed final development plan conditions consistent with those contained in Appendix 2.

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

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

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



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

Rezoning Application

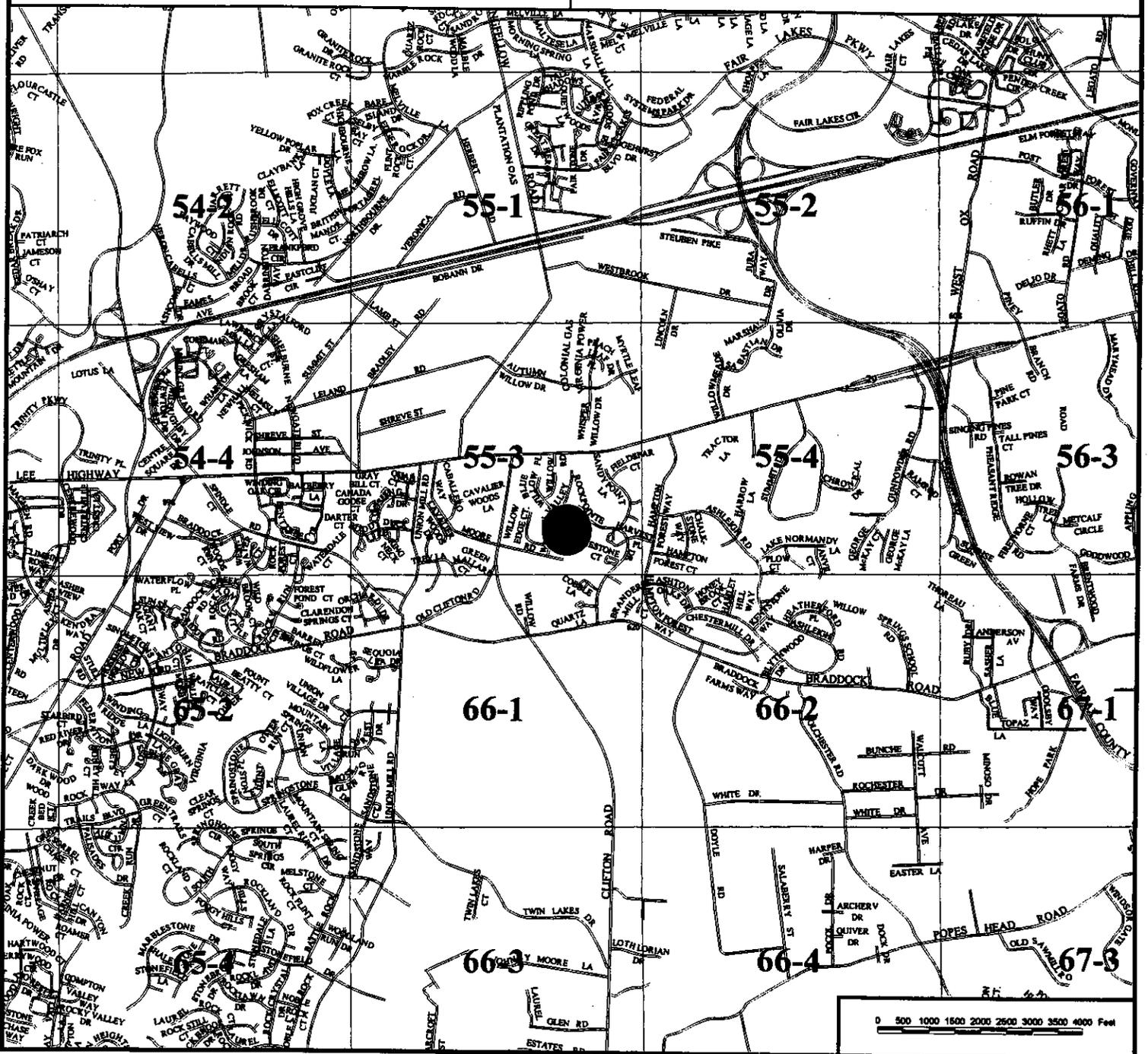
RZ 2002-SP-006

Applicant: ZIA U HASSAN
Filed: 02/13/2002
Area: 4.79 AC OF LAND; DISTRICT - SPRINGFIELD
Proposed: RESIDENTIAL
Located: N. OF MOORE RD., APPROX. 150 FT. E. OF ITS INTERSECTION WITH WILLOW VALLEY RD.
Zoning: FROM R-1 TO PDH-2
Overlay Dist: WS
Map Ref Num: 055-3- /01/ /0038

Final Development Plan

FDP 2002-SP-006

Applicant: ZIA U HASSAN
Filed: 02/13/2002
Area: 4.79 AC OF LAND; DISTRICT - SPRINGFIELD
Proposed: RESIDENTIAL DEVELOPMENT
Located: N. OF MOORE RD., APPROX. 150 FT. E. OF ITS INTERSECTION WITH WILLOW VALLEY RD.
Zoning: PDH-2
Overlay Dist: WS
Map Ref Num: 055-3- /01/ /0038

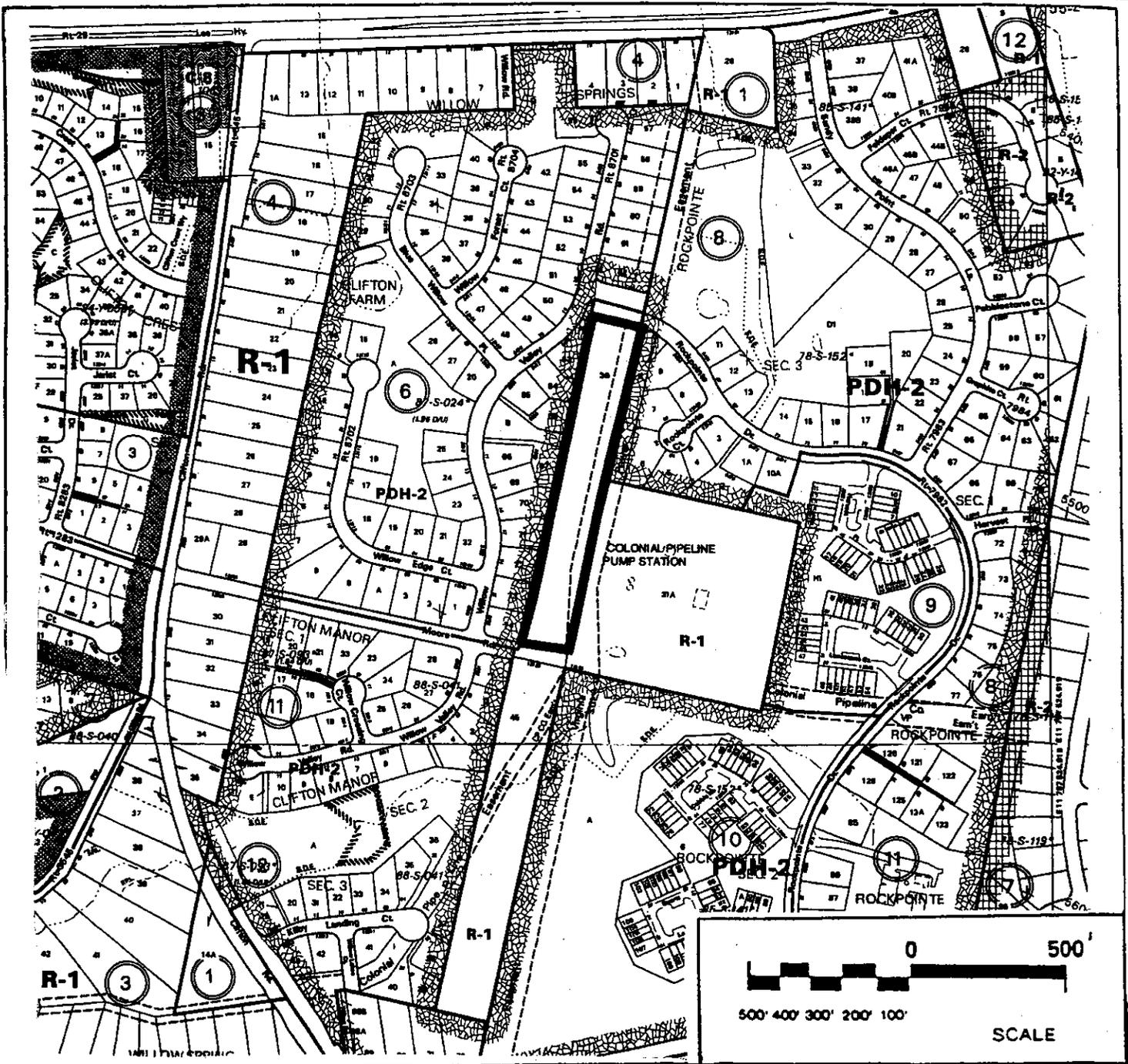


Zoning Application
RZ 2002-SP-006

Final Development Plan
FDP 2002-SP-006

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

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant, Zia U. Hassan, requests to rezone 4.79 acres (Tax Map 55-3 ((1)) 38) from the R-1 (Residential, one dwelling unit per acre) and WS (Water Supply Overlay) Districts to the PDH-2 (Planned Development Housing, two dwelling units per acre) and WS Districts for the development of four (4) single family detached (SFD) dwelling units. Approximately 1.47 acres of the site is impacted by major utility easements for the Virginia Electric and Power Company (VEPCO) and Colonial Gas Company and, in accordance with Par. 3 of Sect. 2-308 of the Zoning Ordinance, no density is calculated for the area located within a major utility easement. The calculated density based on the 3.32 acres located outside the easements results in a density of 1.2 dwelling units per acre (du/ac). In accordance with Par. 5 of Sect. 2-309 of the Zoning Ordinance the open space area located within the major utility easement is not calculated because the entire major utility easement is not preserved as open space due to the location of private streets and the site provides for 20.6% open space.

A copy of the draft proffers, proposed final development plan conditions, affidavit and statement of justification and located in Appendices 1-4, respectively.

LOCATION AND CHARACTER

Site Description:

The site is located partially within the Fairfax Center Area, north of Moore Road approximately one hundred and fifty (150) feet east of the intersection with Willow Valley Road and is currently vacant. There are existing Virginia pine trees located along the western portion of the site and above ground power lines and the below ground Colonial Gas pipeline located along the eastern portion of the site. The eastern portion of the site is subject to VEPCO and Colonial Gas Company easements. A curb cut is provided northwest of the site to provide access from Willow Valley Road. The adjacent developments to the east and west have previously provided public access easements and right-of-way for the extension of Rockpointe Drive to connect to Willow Valley Road.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Clifton Farms (1.96 du/ac), Residential (SFD)	PDH-2	Fairfax Center Area: Residential, 2 du/ac at overlay level
South	Vacant (Owned by Colonial Gas)	R-1	Residential, 1-2 du/ac
East	Hayden Village/Rockpointe, (2 du/ac) Residential (SFD) Colonial Gas pump station	PDH-2 R-1	Fairfax Center Area: Residential, 2 du/ac at overlay level
West	Clifton Farms (1.96 du/ac), Residential (SFD)	PDH-2	Fairfax Center Area: Residential, 2 du/ac at overlay level

BACKGROUND

There are no relevant land use applications for this site. The site was not part of rezoning applications for Clifton Farms (RZ 87-S-024) to the west or Hayden Village/Rockpointe (RZ 85-S-141) to the east; however, both rezoning applications proffered to provide a public road connection to the site to facilitate interparcel access between the subdivisions.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

Plan Area:	Area III
Planning District:	Bull Run Planning District
Planning Sector:	Fairfax Center Area: Land Unit R-2 Braddock Planning Sector (B7)
Plan Map:	Residential, 1-2 du/ac (Fairfax Center Area) Residential, 1-2 du/ac (Braddock Planning Sector)

Plan Text:

The northern portion of the site is located in the Fairfax Center Area: Land Unit R-2 and approximately 0.88 acres of the southern portion of the site is located in the Braddock Planning Sector (B7). Since most of the site is located in the Fairfax Center Area the entire development was reviewed under the Fairfax Center Area criteria.

On page 87 of the Fairfax Center Area Land Unit R of the 2000 edition of the Area III Comprehensive Plan, under the heading "Recommendation, Land Use," the Plan states:

"Sub-unit R-2

This sub-unit is planned for single-family residential use at 2 dwelling units per acre at the overlay level. Visual buffering should be provided in any development plan for parcels fronting on Route 29."

On page 82 of the Bull Run Planning District of the 2000 edition of the Area III Comprehensive Plan, under the Braddock Community Planning Sector (B7), under the heading "Recommendation, Land Use," the Plan states:

- "4. As shown on the Plan map, the land generally located south of the Route 29 Corridor and north of Braddock Road in the Little Rocky Run watershed that is in the approved sewer service area, is planned for residential use at 1-2 dwelling units per acre which is similar to the density of existing residential in the area."

ANALYSIS

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

Title of the combined CDP/FDP: "Clifton Acres"

Prepared By: Design Management Group

Original and Revision Dates: February 7, 2002, as revised through September 12, 2002

The combined Conceptual/Final Development Plan (CDP/FDP) consists of one (1) sheet depicting the combined Conceptual/Final Development Plan, notes, tabulations and typical house setback.

- The site is a long narrow rectangular shaped lot (1,182 x 175 feet) that is further constrained by utility easements. Four (4) single family detached lots are proposed for the 4.79 acre site. Two (2) lots are proposed to be accessed from a private street connecting to Moore Road to the south and two (2) lots are proposed to access from a private street connection from Willow Valley Road to the north. As stated previously, the adjacent developments previously provided right-of-way for the extension of Rockpointe Drive to connect to Willow Valley Road; however, the applicant has not proposed to provide the connection to Rockpointe Drive.
- Approximately 1.47 acres of the site is impacted by a major utility easement for the Virginia Electric and Power Company (VEPCO) and Colonial Gas pipeline and in accordance with Par. 3 of Sect. 2-308 of the Zoning Ordinance, no density is calculated on the area which is located within a major utility easement. The calculated density is 1.2 dwelling units per acre (du/ac). In accordance with Par. 5 of Sect. 2-309 of the Zoning Ordinance the open space area located within the major utility easement is not calculated and the calculated open space is 20.6%. The open space/tree save area separates the northern and southern lots and a small tree save area is located on Lot 1.
- The side yard setback for Lot 1 adjacent to Clifton Farms to the west is twenty (20) feet wide. The front yard setback for Lot 1 adjacent to the private street is eighteen (18) feet. The rear yards for Lots 2-4 adjacent to Clifton Farms to the west are thirty (30) feet wide and the side yards are fifteen (15) feet wide. The proposed houses on Lots 2-4 are located twenty-five (25) feet from the private street and VEPCO easement and seventy-five (75) feet from the property line. A stormwater management (SWM) pond is located at the northern portion of the site.

Environmental Analysis (Appendix 5)

As described below, there are outstanding environmental issues associated with this request.

Issue: Utility Easement

The private streets which provide access to the individual lots are located within major utility easements. The applicant should demonstrate that the easement owners will permit the private streets to be located within the easement. The applicant was also requested to provide full disclosure of the easements to all potential homeowners. Staff notes that development of single family homes in such close proximity to the easements is not optimal and all required safety precautions to minimize the potential of pipeline rupture and fire during and after construction would need to be implemented.

Resolution:

The applicant has provided documentation that the VEPCO has reviewed and approved the encroachment of the private streets into the easement; however, no documentation has been provided that the Colonial Gas Company has reviewed and approved the encroachment. The applicant has proffered to provide full disclosure of the presence of the easements to the future homeowners. In staff's opinion, this issue is still outstanding.

Issue: Stormwater Management

The Conceptual/Final Development Plan indicates that stormwater management and BMPs will be provided within a dry pond, unless waived. The developer is encouraged to utilize low impact development techniques throughout the site, minimizing or eliminating the need for a separate stormwater management dry pond which could further detract from the aesthetics of the proposed development if such design satisfies the Public Facilities Manual (PFM) for SWM/BMPs.

Resolution:

The applicant has proffered to provide stormwater management in accordance with the Public Facilities Manual (PFM) and that the pond will be landscaped to the maximum extent feasible. Staff notes that it appears the southern portion of the site may not be adequately detained and the applicant must demonstrate compliance with the PFM to the Department of Public Works and Environmental Services (DPWES) prior to site plan approval. In staff's opinion, this issue has been adequately resolved.

Issue: Tree Preservation

There are trees worthy of preservation on the site and the applicant was requested to revise the limits of clearing and grading to reflect some tree preservation areas. The applicant was requested to provide additional landscaping, particularly along the site periphery and as may be permitted adjacent to the utility easement.

Resolution:

The applicant revised the Conceptual/Final Development Plan to provide additional tree preservation in the open space area and on Lot 1 and reduced the limits of clearing and grading; however, only a small portion of the trees will be retained and the applicant has provided for minimal landscaping. The existing trees provided a visual barrier of the VEPCO power lines and the Colonial Gas pump station and with the removal of the trees and limited additional landscaping the power lines and pump station will be extremely visible to the existing residents located to the west. In staff's opinion, this issue remains outstanding.

Issue: Asbestos Soils

The soils mapped on this site may contain naturally occurring fibrous asbestos minerals. Excavations made in the hard bedrock and/or earth-moving activities may expose asbestos to the atmosphere allowing the fibers to become airborne. The applicant was requested to provide the appropriate construction techniques and ensure that all construction personnel are alerted to this potential health risk to minimize this risk. Such techniques may include, but are not limited to, dust suppression measures during all blasting and drilling activities, covered transport of removed materials, and appropriate disposal of removed materials.

Resolution:

The applicant has proffered to provide appropriate construction techniques and in staff's opinion, this issue has been adequately resolved.

Transportation Analysis (Appendix 6)

As described below, there are outstanding transportation issues associated with this request.

Issue: Rockpointe Drive Connection

The Public Facilities Manual (PFM), Section 7-0101.1 states: "Streets shall be provided to give access to adjoining property to the satisfaction of the Director. Also, streets shall be provided to connect with appropriate highways and with appropriate streets to adjoining developments." Objective 9, Policy C in the Transportation section of the Policy Plan states: "Promote accessibility between residential developments to facilitate local circulation of traffic and potential bus service." The Transportation and Traffic Team stated in the Infill and Residential Development Study, "The absence of local street connections results in the following negative impacts: increased response time for emergency equipment; increased possibility of blockage of access if a single access point is closed; increased costs and inefficiencies associated with the operation of school buses and service and delivery vehicles; increased use of arterial roads for short local trips within and between neighborhoods; increased traffic congestion on arterial roadways as these roads are forced to accommodate local trip-making and commuter traffic."

The Clifton Farm development proffered to provide right-of-way and construction of the connection of Rockpointe Drive to Willow Valley Road and the Hayden Village/Rockpointe development proffered to escrow \$15,000 for the removal of the temporary cul-de-sac for Rockpointe Drive. The connection was not made due to an alignment error, which has since been corrected, and the Clifton Farm development was permitted to escrow funds for the connection. Staff has no records of the escrow for the Rockpointe Drive connection, but an escrow is still on file for the removal of the temporary cul-de-sac.

The applicant is utilizing the right-of-way from the interparcel access to provide access to two (2) lots via a private street from Willow Valley Road; however, there is no proposed connection to Rockpointe Drive. The applicant should provide for the connection of Rockpointe Drive from the east to Willow Valley Road to the west. In addition, the applicant was requested to provide a sidewalk along Rockpointe Drive. Staff notes that the connection of Rockpointe Drive to Willow Valley Road is important since it provides increased access to the residential community for emergency/rescue services, additional access for service vehicles, enhancement of operation of school buses, and removes traffic from the arterial roadway for circulation between subdivisions.

Resolution:

The applicant has provided the sidewalk along Rockpointe Drive. The applicant has not provided for the connection of Rockpointe Drive and this issue remains outstanding.

Issue: Moore Road

Two (2) lots are being accessed from an extension of Moore Road, which is currently not in the Virginia Department of Transportation (VDOT) system. The applicant was requested to provide a permanent cul-de-sac and full section improvement to Moore Road in order for the road to be accepted into the system by VDOT.

Resolution:

The applicant has provided for full section improvement of Moore Road, and the provision of a cul-de-sac. In staff's opinion, this issue has been adequately resolved.

Issue: Fairfax Center Area Road Fund

The Comprehensive Plan provides that development in the Fairfax Center Area which is above baseline level specified in the Plan may be approved if, among other things, a contribution is made to the Fairfax Center Road Fund pursuant to Procedural Guidelines adopted by the Board of Supervisors. The applicant was requested to contribute to the road fund per the guidelines adopted by the Board of Supervisors.

Resolution:

The applicant has proffered to contribute to the Fairfax Center Area road fund in accordance with the fund guidelines. In staff's opinion, this issue has been adequately resolved.

Sanitary Sewer Analysis (Appendix 7)

The site is located in the Little Rocky Run (S1) watershed and would be sewered into the Upper Occoquan Sewer Treatment Plant where excess capacity is available. An existing eight (8) inch line located in Willow Valley Road and approximately one hundred (100) feet from the property is adequate for the

proposed development. The applicant will be responsible for extending sewer services from the connection located in Willow Valley Road. Staff notes that Little Rocky Run reimbursement charges are applicable.

Water Service Analysis (Appendix 8)

The site is located within the Fairfax County Water Authority service area; however, there is no domestic water service available at this time. The applicant will be responsible for extending water services from the water main connection located on Moore Road.

Fire and Rescue Analysis (Appendix 9)

The site is serviced by the Centreville (Station #17) Fire and Rescue Department of Fairfax County and currently meets fire protection guidelines.

Schools Analysis (Appendix 10)

The proposed development would have no additional impact on the school system.

Stormwater Management Analysis (Appendix 11)

There are no downstream complaints on file. The applicant must meet the requirement of PFM Section 6-0300 and provide stormwater management for the whole site and insure that the runoff will not adversely impact the houses to the west. The applicant has proffered to provide stormwater management in accordance with the PFM and landscape the pond to the maximum extent feasible. The applicant has proffered to demonstrate that the outfall will not adversely impact the adjacent properties. In staff's opinion, this issue has been adequately resolved.

Park Authority Analysis (Appendix 12)

As described below, there are no outstanding Park Authority issues associated with this request.

Issue: Contribution

The applicant is required to provide \$955 per unit for recreational facilities in accordance with the Zoning Ordinance.

Resolution:

The applicant has proffered to provide the contribution and this issue has been adequately resolved.

Land Use Analysis (Appendix 5)

As described below, there are outstanding land use issues associated with this request.

Issue: Density and Design Quality

Although the proposed density is within the planned density range, the development does not merit development at the intermediate level in the Fairfax Center Area. The site is severely constrained by the long narrow shape, the adjacent pumping station and utility easements which encumber the site. Dense landscaping should be provided within the development to maintain a buffer between the existing development and the adjacent uses in particular the Colonial Gas pump station. Additional information related to building elevations, lighting, focal landscaping and site amenities should be provided.

Resolution:

The applicant has revised the previous Conceptual/Final Development Plan and now requests the development of four (4) lots at 1.2 du/ac (which is still at the intermediate level) since the density exceeds the base level of one (1) dwelling unit per acre. However, the removal of the two (2) lots has not resulted in a meaningful increase in open space or the preservation of trees and the lots are not really clustered. Staff notes that no more than three (3) dwelling units could be constructed at the base level. The development has not provided adequate landscaping to mitigate the impacts of the VEPCO power lines and Colonial Gas pump station. The applicant has not provided additional information related to the design of the houses, site amenities and lighting as typically found in Fairfax Center; however, the applicant has proffered to construct units with a minimum of 2,800 square feet and provide a similar building material and scale as the adjacent residential units. In staff's opinion, this issue remains outstanding.

Issue: Fairfax Center Checklist (Appendix 13)

The Fairfax Center Checklist is a tool utilized by staff in evaluating a rezoning application for conformance with the Comprehensive Plan. There are transportation, environmental, site design, land use and public facilities elements

on the Checklist. The Comprehensive Plan recommends a density of 1.5 dwelling units per acre at the intermediate level and 1 dwelling unit per acre at the base level for this area. The applicant proposes a density of 1.2 du/ac, which is at the intermediate level. In order to justify the intermediate level, the application should satisfy all applicable basic elements; all minor transportation elements; all essential elements; and three-fourths of the applicable minor elements or one-half of the minor elements and one-fourth of the major development elements.

In staff's opinion, the application meets 17% of the basic elements, 22% of the minor development elements, 33% of the major development issues, 13% of the essential development elements and 100% of the major transportation development elements. The applicant has not provided for the connection of Rockpointe Drive. The development does not provide for adequate landscaping or tree preservation. The development does not provide for increased open space or minimization of the limits of clearing and grading. The development does not adequately screen the power lines and pump station. The development does not provide for an energy conscious plan. The development does not provide adequate information related to lighting, house elevations, plantings, and site amenities. In staff's opinion, the applicant has not satisfied enough elements of the Fairfax Center Checklist to qualify for the intermediate level.

ZONING ORDINANCE PROVISIONS (Appendix 14)

The requested rezoning of the 4.79 acre site to the PDH-2 District must comply with the applicable regulations of the Zoning Ordinance found in Article 6, Planned Development District Regulations and Article 16, Development Plans, among others.

Article 6

Sect. 6-101. Purpose and Intent: This section states that the PDH District was established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote a balanced development of mixed housing types and encourage the provision of affordable dwelling units. As stated in the Land Use Analysis, the development does not provide an innovative or creative design and is not in conformance with the Comprehensive Plan. In staff's opinion, the proposed development does not meet the purpose and intent of the PDH District.

Par. 1 of Sect. 6-107. Minimum District Size: This section states that a minimum of two (2) acres is required for approval of the PDH District. The applicant

proposes to rezone 4.79 acres, including 3.32 acres located outside a major utility easement, which exceeds the minimum district size of two (2) acres. In staff's opinion, this standard has been met.

Sect. 6-109. Maximum Density: The maximum density for the PDH-2 District is two (2) dwelling units per acre (du/ac). The applicant is proposing a density of 1.2 du/ac, which is under the maximum density even when adjusted by the provisions of Sect. 2-308 of the Zoning Ordinance. In staff's opinion, this standard has been met.

Par. 1 of Sect. 6-110. Open Space: A minimum of 20% open space is required for the PDH-12 District. The development provides 20.6% open space even when adjusted by the provisions of Sect. 2-309 of the Zoning Ordinance. In staff's opinion, this standard has been met.

Par. 2 of Sect. 6-110: A minimum of \$955 per unit is required for on-site recreational facilities. The applicant proffered to provide recreational amenities on-site at a minimum of \$955 per unit or contribute the outstanding portion to the Fairfax County Park Authority. In staff's opinion, this standard has been met.

Section 16-101

General Standard 1 requires substantial conformance with the Comprehensive Plan. As stated in the Land Use Analysis, the application has not satisfied the Fairfax Center Checklist and is not in conformance with the Comprehensive Plan. In staff's opinion, this standard has not been met.

General Standard 2 requires that the design of the proposed planned development result in a more efficient use of the land and in a higher quality site design than could be achieved in a conventional district. As stated above the site is impacted by major utility easements and in accordance with Sect. 2-308 and 2-309 no density or open space is credited for the area impacted by the major utility easements. The planned district permits the use of private streets and creates the ability to locate the proposed units further from the VEPCO lines and provide for increased open space; however, the proposed design does not create a high quality design or take advantage of the flexibility of bulk regulations of the planned district. In staff's opinion, this standard has not been met.

General Standard 3 requires that the design of the proposed development protect and preserve the natural features on the site. The proposed development does not provide adequate landscaping or preservation of existing trees. In staff's opinion, this issue standard has not been met.

General Standard 4 requires that the proposed development be designed to prevent substantial injury to the use and value of existing surrounding development and not to hinder, deter, or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan. The proposed development would remove existing trees that provide a visual barrier for the adjacent dwelling units of the VEPCO power lines and Colonial Gas pump station and the applicant has not provided adequate landscaping to mitigate the adverse impacts. In staff's opinion, this standard has not been met.

General Standard 5 requires that the planned development be located in an area where transportation, police, fire protection and other public facilities are available and adequate for the proposed use. The applicant will be responsible to extend water and sewer service to the site. There are adequate police, fire and school services available for this development. In staff's opinion, this standard has been met.

General Standard 6 requires that the planned development coordinate linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development. The applicant has not provided for the connection of Rockpointe Drive. In staff's opinion, this standard has not been met.

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

Sect. 16-102 Design Standards:

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

The adjacent residential developments are zoned PDH-2. Clifton Farms to the west provided a twenty-five (25) foot wide rear yards adjacent to the side yard for Lot 1 and the rear yards for Lots 2-4. The side yard for Lot 1 provides a twenty (20) foot setback and the rear yards for Lots 2-4 provide a thirty (30) foot wide setback adjacent to Clifton Farms. Hayden Village to the east provided a fifty (50) foot wide buffer, in addition to the twenty-five (25) foot wide rear yard setbacks. Lots 3 and 4 provide twenty-five (25) foot wide front yards and the houses are setback over seventy-five (75) feet from the property line. There are

no transitional screening or barrier requirements for the adjacent uses. In staff's opinion, this standard has been met.

Design Standard 2 states the development must provide adequate open space, parking spaces as set forth in the Ordinance. The proposed development meets the Zoning Ordinance requirements for open space and number of parking spaces. In staff's opinion, this standard has been met.

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

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant requests approval of a four (4) lots or 1.2 du/ac within an area planned for 1-2 du/ac. The development does not provide details on site amenities, landscaping and elevations to meet the intent of the Fairfax Center Checklist. The development does not provide for adequate landscaping, tree preservation or open space. The development does not provide for the connection of Rockpointe Drive. The development has not satisfied the purpose and intent of the PDH District in providing a creative design. In addition, the development does not satisfy General Standards 1-4 and 6 for a Planned District. Staff concludes that the subject application is not in conformance with the Comprehensive Plan and does not satisfy the requirements of the Fairfax Center Checklist for the intermediate level of development. The current R-1 zoning of the property is consistent with the base level of the Comprehensive Plan and provides a reasonable use of this highly constrained site.

Staff Recommendations

Staff recommends denial of RZ 2002-SP-006 as submitted. However, if it the intent of the Board of Supervisors to approve RZ 2002-SP-006, staff recommends that such approval be subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends denial of FDP 2002-SP-006 as submitted. However, if it the intent of the Planning Commission to approve FDP 2002-SP-006, staff recommends that such approval be subject to the Board of Supervisors approval of RZ 2002-SP-006 and the final development plan conditions contained in Appendix 2.

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

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

APPENDICES

1. Draft Proffers
2. Proposed Final Development Plan Conditions
3. Affidavit
4. Statement of Justification
5. Plan Citations, Land Use and Environmental Analysis
6. Transportation Analysis
7. Sanitary Sewer Analysis
8. Water Service Analysis
9. Fire and Rescue Analysis
10. Schools Analysis
11. Stormwater Management Analysis
12. Park Authority Analysis
13. Fairfax Center Checklist
14. Applicable Zoning Ordinance Provisions
15. Glossary of Terms

DRAFT PROFFERS

Zia U. Hassan

RZ 2002-SP-006

September 13, 2002

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Zia U. Hassan, the applicant and owner, (hereinafter referred to as the Applicant), for himself, successors and assigns in RZ 2002-SP-006, filed for property identified as Tax Map 55-3 ((1)) 38, (hereinafter referred to as the Application Property) hereby proffers the following, provided that the Board of Supervisors approves a rezoning of the Application Property to the PDH-2, WS District in conjunction with a Conceptual/Final Development Plan (CDP/FDP) for residential development. If accepted, these proffers shall replace and supersede any previous proffers approved on the Application Property.

1. CONCEPTUAL/FINAL DEVELOPMENT PLAN –

- a. Subject to the provisions of Section 16-204 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 CDP/FDP, consisting of one sheet prepared by Design Management Group dated February 7, 2002, and revised through September 13, 2002.
- b. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the layout, internal lot lines, and lot sizes of the proposed subdivision at time of subdivision plan submission based on final house locations, building footprints, and utility locations, provided that there is no decrease to the amount and location of open space, tree save, limits of clearing and grading, decrease in minimum setbacks shown for the lots, or distances to peripheral lot lines as dimensioned on the CDP/FDP.

2. TRANSPORTATION –

- a. Subject to Virginia Department of Transportation (VDOT) and Department of Public Works and Environmental Services (DPWES) approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to thirty (30) feet from the centerline along the Application Property's Moore Road frontage and sufficient right-of-way to construct a cul-de-sac with a radius up to forty-five (45)

feet as shown on the CDP/FDP. Dedication shall be made at time of recordation of the final subdivision plat, or upon demand, whichever occurs first.

- b. The Applicant shall construct a five (5) foot wide concrete sidewalk within the dedicated right-of-way of Moore Road as shown on the CDP/FDP.
- c. The Applicant shall construct a five (5) foot wide asphalt trail within the residential development as shown on the CDP/FDP.
- d. Applicant reserves density credit as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance for all dedications described herein or as may be reasonably required by Fairfax County or VDOT whether such dedications occur prior to or at time of subdivision plat approval.
- e. Subject to VDOT and DPWES approval, Applicant shall construct full section improvements to Moore Road and a cul-de-sac as shown on the CDP/FDP. The Moore Road cul-de-sac shall meet the requirements of the Public Facilities Manual (PFM) unless a modification is granted by the Director of DPWES.
- f. A contribution shall be made to the Fairfax Center Area Road Fund for each single family dwelling built, in accordance with and at such time as is specified in the "Procedural Guidelines" adopted by the Board on November 22, 1982, as amended, subject to credit for all creditable expenses, as determined by the Fairfax County Department of Transportation and DPWES.

3. LANDSCAPING AND OPEN SPACE -

- a. Applicant shall provide landscaping on the Application Property as generally shown on the CDP/FDP, per the Urban Forester approval. Evergreen trees shall be a minimum height of seven (7) feet and deciduous trees shall have a minimum caliper of three (3) inches at the time of planting.
- b. Subject to the receipt of necessary permissions, Applicant shall donate ten (10) evergreen trees with a minimum height of seven (7) feet to Hayden Village homeowners' association for planting in the open space to screen the existing Virginia Power easement.
- b. Parcel A shown on the CDP/FDP shall remain as undisturbed open space, and shall be owned and maintained by the homeowners' association established for the residential development.

- c. A tree preservation plan shall be submitted as part of the subdivision plat submission. 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, 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 greater than ten (10) inches in diameter and within twenty (20) feet of the property lines of Lots 2 and 3, adjacent to Parcel A; off-site within ten (10) feet of the property lines of Lots 2 and 3, adjacent to Parcel A; and, within ten (10) feet of the limits of clearing and grading in the eastern portion of the site as shown on the CDP/FDP. 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 maximize the survivability of trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and other as necessary, shall be included in the plan and provided as determined necessary by the Urban Forester.
- d. Applicant shall strictly adhere to the limits of clearing and grading as shown on the CDP/FDP.
- e. All trees shown to be preserved on the tree preservation plan shall be protected by fencing a minimum of four (4) feet in height to be placed at the dripline of the trees to be preserved. Tree protection fencing in the form of a four (4) foot high fourteen (14) gauge welded wire fence 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 final limits of clearing and grading and shown on the Phase I and II erosion and sediment control sheets. Tree protection fencing shall only be required for tree save areas adjacent to clearing and grading activities. The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any construction work being conducted on the Application Property. A certified arborist shall monitor the installation of the tree protection fencing and verify in writing that the tree protection fence has been properly installed. Three (3) days prior to commencement of any clearing and grading, the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.

4. PARKS AND RECREATION -

Pursuant to Paragraph 2 of Section 6-110 and Paragraph 2 of Section 16-404 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall expend the sum of Nine Hundred Fifty-five Dollars (\$955.00) per approved lot. The on-site passive recreation facilities shall consist of walking trails, benches and a picnic table as shown on the CDP/FDP. The balance of any funds not expended on-site shall be contributed to the Fairfax County Park Authority at time of subdivision plat approval for recreation facilities located in the vicinity of the Application Property.

5. STORMWATER MANAGEMENT - BEST MANAGEMENT PRACTICES

- a. The Applicant shall provide stormwater management (SWM) and Best Management Practices (BMP) in a location as generally shown on the CDP/FDP and in accordance with the requirements of the Public Facilities Manual and Chesapeake Bay Preservation Ordinance, unless modified or waived by DPWES. In the event that on-site stormwater management or BMPs are modified by DPWES, modification of the SWM/BMP pond shown on the CDP/FDP shall not require the approval of a proffered condition amendment or an amendment to the CDP/FDP. Any open space resulting from any waiver or modification shall remain as open space, which is conveyed to the homeowners' association established for the residential development. Prior to subdivision plat approval it shall be demonstrated to the satisfaction of DPWES that the increase runoff and outfall from the development does not adversely impact the adjacent properties.
- b. The Applicant shall provide landscaping around the SWM pond to the extent possible in keeping with the planting policies of Fairfax County.

6. AFFORDABLE HOUSING –

At the time of subdivision plat approval, a contribution shall be made to the Fairfax County Housing Trust Fund of 0.25% of the base sales price of each single family dwelling actually constructed. The amount of said contribution shall be determined in coordination with the Department of Housing and Community Development.

7. ASBESTOS –

Should DPWES, in coordination with the Air Pollution Control Division of the Health Department and with the Soil Science Office, determines that a potential health risk exists

caused by the presence of rock containing asbestos on the Application Property, the Applicant shall:

- X Take appropriate measures as determined by the Health Department to alert all construction personnel to this potential health risk.
- X Commit to appropriate construction techniques, as determined by DPWES, in conjunction with the Air Pollution Control Division and with the Soil Science Office, to minimize this risk. Such techniques may include, but are not necessarily limited to, dust suppression measures during all blasting and drilling activities, covered transportation of removed materials presenting this risk and appropriate disposal of removed materials presenting this risk.

8. DESIGN -

- a. Applicant shall construct the residential dwellings to be comparable in size, scale and building materials with adjacent residentially developed properties. Photographs of homes within Clifton Farms and Hayden Village shall be provided to DPWES, prior to subdivision plat approval, so that the Director of DPWES may make a determination that the proposed facades are compatible with existing facades in abutting subdivisions. Residential dwellings constructed on the Application Property shall include a minimum of 2,800 square feet.
- b. Applicant shall limit initial clearing of the Application Property to that necessary for the installation of utilities and access improvements, subject to Urban Forester approval. Home sites shall not be cleared until construction is ready to commence on that home.
- c. All homes constructed on the Application Property shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES, for either electric or gas energy systems.

9. GEOTECHNICAL -

The Applicant shall submit a Geotechnical Report to the Geotechnical Review Board for the Application Property as required by DPWES, for review and approval, prior to subdivision plat approval, and shall implement the recommendations outlined in the approved study.

10. CONSTRUCTION HOURS

- a. All construction activity shall be limited to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday. This proffer shall only apply to the original house construction and not to future additions by homeowners.
- b. Construction activity on Sundays shall be limited to interior work only and to the hours of 7:00 a.m. to 6:00 p.m. This proffer shall only apply to the original house construction and not to future additions by homeowners.

11. MISCELLANEOUS -

- a. These proffers shall bind and inure to the benefit of the Applicant and his or her successors and assigns.
- b. The Applicant shall establish a homeowners' association for the proposed development to own, manage and maintain the open space identified as Parcels A, B and C on the CDP/FDP and all other community owned land and improvements.
- c. Applicant shall disclose to all prospective homeowners in a disclosure memorandum at time of contract execution and in the homeowners' association documents the proximity of the existing Colonial Gas pipeline and pumping station.
- d. A covenant shall be placed on each single family dwelling unit that prohibits the use of the garage for any purpose which precludes the storage of at least two vehicles. 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 covenant shall be approved by the Fairfax County Attorney's office. The homeowners' association documents shall expressly state this use restriction.
- e. 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 to assist in the initial sale of homes on the Application Property. Furthermore, the agents and

employees involved in the marketing and sale of the residential units on the Application Property shall be directed to adhere to this proffer.

- f. The Applicant shall provide the name and phone number of the construction site superintendent to the Clifton Farm and Hayden Village community managers who will coordinate concerns during construction.
- g. All of the improvements described herein shall be constructed concurrent with development of the Application Property.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

APPLICANT/OWNER

Zia U. Hassan

PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS

FDP 2002-SP-006

September 25, 2002

If it is the intent of the Planning Commission to approve FDP 2002-SP-006 for a single-family detached residential development located at Tax Map 55-3 ((1)) 38 staff recommends that the Planning Commission condition the approval by requiring conformance with the following final development plan conditions.

1. Development of the property shall be in substantial conformance with the CDP/FDP entitled "Clifton Acres", consisting of one (1) sheet prepared by Design Management Group and dated February 7, 2002, as revised through September 12, 2002.
2. Driveways shall be a minimum of eighteen (18) feet wide by eighteen (18) feet long.
3. If provided, signage shall be provided in accordance with Article 12 of the Zoning Ordinance. If lighted, signage shall be front-lit only with the lights directed downward to minimize glare.
4. Documentation indicating that the proposed construction of the private streets and trails within the VEPCO and Colombia Gas easements shall be provided to DPWES prior to site plan approval.

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

REZONING AFFIDAVIT

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

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

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

2002-28a

in Application No.(s): RZ/FDP 2002-SP-006
 (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 must be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Zia U. Hassan	13827 Springstone Drive Clifton, Va. 20124	Applicant/Title Owner
Agent: Rizwana Hassan (nmi)		
Design Management Group Inc	7777 Leesburg Pike, Suite 403-N Falls Church, Va. 22043	Agent/Engineer
Agents: Rizwana Hassan (nmi) Zia U. Hassan		
Walsh, Colucci, Stackhouse, Emrich & Lubeley, PC	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
Agents: Martin D. Walsh Lynne J. Strobel Keith C. Martin M. Catharine Puskar	Timothy S. Sampson Elizabeth D. Baker Susan K. Yantis Inda E. Stagg	

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

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

REZONING AFFIDAVIT

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

2002-28a

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Design Management Group, Inc.
7777 Leesburg Pike, Suite 403-N

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Zia U. Hassan

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

Zia U. Hassan President/Secretary

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

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

Rezoning Attachment to Par. 1(b)

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

2002-28a

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and 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.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

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, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

REZONING AFFIDAVIT

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

2002-28a

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)
None

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

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

Two columns of horizontal lines for listing partner names and titles.

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

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

REZONING AFFIDAVIT

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

2002-289

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number(s))

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

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

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

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

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

None

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

REZONING AFFIDAVIT

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

2002-28a

for Application No. (s): RZ/FDP 2002-SP-006
(enter County-assigned application number(s))

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

None

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

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

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

WITNESS the following signature:

(check one) [] Applicant [x] Applicant's Authorized Agent
Lynne J. Strobel, attorney/agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 3 day of June 20 02, in the State/Comm. of Virginia, County/City of Arlington.

Notary Public
Commissioned as Kimberly A. Klemm

My commission expires: 11/30/2003

Statement of Justification

The subject property is located in Land unit R and sub-unit R-2 of Area III comprehensive plan which is a part of Fairfax Center Area. Land unit R is classified in the comprehensive plan as Suburban Neighborhood. Sub-unit R-2 is planned for single family residential use at 2 dwelling units per Acre at the overlay level, 1.5 units per Acre at intermediate level and 1 unit per Acre at the Base-line level as shown in the Land use summary chart on page 87 of 122 of Area III comprehensive plan.

The applicant is requesting PDH-2 Zoning for construction of 6 single family detached dwellings & at a density of 1.81 dwelling units per Acre. Adjacent Clifton Farms subdivision to the west of the subject site is zoned PDH-2 at a density of 1.96 D.U./Acre. Rockpointe subdivision immediately to the east of subject site is also zoned PDH-2.

The requested PDH-2 zoning for the subject parcel is in accordance with the recommendations of the comprehensive plan and the existing zoning in the immediate vicinity.

12/18/01
Date

Zia U. Hassan
Zia U. Hassan
Owner/Applicant.

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
DEC 19 2001
ZONING EVALUATION DIVISION

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

FROM: Fred R. Selden, Director *F.R.S.*
Planning Division, Department of Planning and Zoning

SUBJECT: Land Use & Environmental Analysis: RZ 2002-SP-006
Zia Hassan

DATE: 18 September 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 February 7, 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 4.79 acres of land from the R-1 to the PDH-2 District in order to develop 5 single family detached units at a density of 1.04du/ac. Two points of access into the site are proposed from Moore Road and Rockpointe Drive. Stormwater detention is proposed to be accommodated with the construction of a stormwater management dry pond at the northern edge of the site. A six foot high wooden fence is proposed to rear of the lots; an open space area labeled Parcel A is situated in the center of the site.

LOCATION AND CHARACTER OF THE AREA

The site is generally located between Clifton Road and Union Mill Road; specifically it is located on the north side of Moore Road just east of its intersection with Willow Valley Road. The site is a long, narrow parcel situated between a Colonial Pipeline Pump Station to the east and the Clifton Farms single family neighborhood to the west and north. The site contains 4.79 acres of which 1.46 acres are encumbered by a Colonial Pipeline utility easement along the eastern edge of the site. The site is partially wooded with deciduous and evergreen trees and open grassy areas which have been previously cleared. There are no existing buildings or structures on the property.

COMPREHENSIVE PLAN CITATIONS

Plan Area: III **Planning Sector:** Fairfax Center Area
Land Unit R - Sub-unit R2

Bull Run Community Planning District
Braddock Planning Sector (BR7)

Plan Text: On Page 87 of 122 of the Area III Volume of the Comprehensive Plan, 2000 Edition, the Plan states:

"Sub-unit R2

This sub-unit is planned for single-family residential use at 2 dwelling units per acre at the overlay level. Visual buffering should be provided in any development plan for parcels fronting on Route 29."

LAND USE SUMMARY CHART - LAND UNIT R, SUB-UNIT R2		
<u>Sub-units</u>	<u>Approximate Recommended Land Use</u>	<u>Intensity/Density FAR Units/Acre</u>
Baseline Level	RES	1
Intermediate Level	RES	1.5
Overlay Level	RES	2

And also, on Page 82 of the Area III Volume of the 2000 Comprehensive Plan, Bull Run Planning District, Braddock Community Planning Sector (BR7).the Plan states:.

- "4. As shown on the Plan map, the land generally located south of the Route 29 Corridor and north of Braddock Road in the Little Rocky Run watershed, that is in the approved sewer service area, is planned for residential use at 1-2 dwelling units per acre which is similar to the density of existing residential use in the area."

PLAN MAP: Fairfax Center Area Plan and Residential, 1-2 du/ac

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 8: Minimize the exposure of County residents to potential pipeline ruptures and explosions and avoid hazards from electrical transmission and distribution facilities.

Policy a: Ensure pipeline safety and minimize the hazards associated with gas and petroleum pipelines through improved construction inspection and quality assurance during construction and by requiring appropriate construction practices and building setbacks. This could be done in a variety of ways, including but not limited to the following:

- prohibiting the planting of new trees and the corresponding intrusion of side growth of new trees within the easements;
- limiting the crossings over and under the pipelines to those structures deemed necessary for infrastructure improvements; and
- limiting the uses allowed within any pipeline easement."

“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.”

ANALYSIS

Land Use

Issue: Density and Design. Although the proposed density is within the planned density range, this development does not merit the intermediate level in the Fairfax Center Area. Given the site constraints related to the long narrow parcel, the adjacent pumping station and utility easements which encumber the site, no more than four dwelling units should be proposed. A preferred design would be to cluster two homes at either end of the development and retain open space in the center of the site. All lots should be platted outside of the gas pipeline easements and the

houses should be shifted away from the easement. Dense landscaping should be provided within the development to maintain a buffer between the existing development and the Colonial Pipeline Pump Station. This issue remains outstanding.

Issue: Design Quality Since the development is within the Fairfax Center area, additional design information related to building elevations, lighting, focal landscaping features and site amenities should be provided to reflect the high quality design standards anticipated for Fairfax Center development.

Environment

Issue: Utility Easement The development plan indicates that all of the lots are platted within the utility easements, including the private street access to the individual driveways. It would be preferable to plat the lots outside of the easements and shift the units as far back from the easement as possible. The applicant should demonstrate that the utility owner concurs in the application to allow access over the easements. Full disclosure of the easements should be provided to all potential homeowners. Development of single family homes in such close proximity to the easements is not optimal and all required safety precautions to minimize the potential of pipeline rupture and fire during and after construction should be implemented. This concern remains outstanding.

Issue: Stormwater Management The development plan indicates that stormwater management and BMPs will be provided within a dry pond, unless waived. The developer is encouraged to utilize low impact development techniques throughout the site, minimizing or eliminating the need for a separate stormwater management dry pond which could further detract from the aesthetics of the proposed development.

Issue: Tree Preservation Although high quality trees and vegetation have not been identified on this site, some limited tree preservation should be achieved. The limits of clearing and grading should reflect some tree preservation areas. Additional tree planting should also be implemented, particularly along the site periphery and as may be permitted adjacent to the utility easement.

FS: DMJ

FAIRFAX COUNTY VIRGINIA

MEMORANDUM

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

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

FILE: 3-4 (RZ 2002-SP-006 & FDP 2002-SP-006)

SUBJECT: Transportation Impact

REFERENCE: RZ/FDP 2002-SP-006 Clifton Acres
Traffic Zone: 1660
Land Identification Map: 55-3 ((1)) 38

DATE: September 4, 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 February 2, 2002, and revised through July 4, 2002. The applicant proposes to rezone 4.792 acres from R-1 to PDH-2 to permit the construction of 5 single family dwellings for an FAR of 1.5. The streets on site would be private and sidewalks would be provided. The applicant is providing a contribution to the Fairfax Center Area Road Fund as prescribed.

The applicant should provide the connection between Rockpointe Drive and Willow Valley Road with sidewalk on the north side as called for in the Comprehensive Plan. This connection is to provide access to Route 29 and Clifton Road via the Moore Road connection for the parcels located generally between Clifton Road and Hampton Forest. The recommended circuitous alignment would discourage through traffic between Clifton Road and Route 29. At the time of rezoning approval, the developer of Clifton Farm proffered to escrow the cost of the construction and the developer of Rockpointe proffered an escrow to remove the temporary cul-de-sac of Rockpointe Drive. Interparcel connections such as this are considered vital for several reasons:

- The need for access of emergency/rescue services; without these connections there is increased response time for emergency equipment such as fire trucks and ambulances.
- Access for service vehicles for trash collection, deliveries, and utility maintenance.
- Enhancement of the operation of school buses.
- To provide traffic flow and circulation within and between neighborhoods for short local trips and prevent increased traffic congestion of arterial roadways; lack

of interparcel connections forces local trips onto arterials and is a significant factor in the increasing congestion of these roads in the county.

Fairfax County has several policies governing the connection of residential streets:

- The Public Facilities Manual, Section 7-0101.1 states: "Streets shall be provided to give access to adjoining property to the satisfaction of the Director. Also, streets shall be provided to connect with appropriate highways and with appropriate streets to adjoining developments."
- The Transportation Element of the Countywide Policy Plan in Objective 9, Policy c states, "Promote accessibility between residential developments to facilitate local circulation of traffic and potential bus service."

This is one of the key issues of the Traffic & Transportation Team as is stated in the draft Infill and Residential Development Study, "The absence of local street connections results in the following negative impacts: increased response times for emergency equipment; increased possibility of blockage of access if the single access point is closed (e.g. inclement weather, an accident, etc.); increased costs and inefficiencies associated with the operation of school buses and service and delivery vehicles (e.g. mail delivery, refuse collection, etc.); increased use of arterial roads for short local trips within and between neighborhoods; increased traffic congestion on arterial roadways as these roads are forced to accommodate local trip-making and commuter traffic." Also, "In almost all major jurisdictions in the metropolitan area, the interconnection of residential streets is recommended in the jurisdiction's Plan, and implemented or enforced by the local code, ordinance, and/or public facilities manual." Therefore, any development of this parcel would require the connection of the two stubs of Rockpointe Drive as planned.

If access is provided from Moore Road as well as from Rockpointe Drive, the applicant should construct a continuation of the full section of Moore Road with curb and gutter and sidewalk and terminating with a cul-de-sac to provide a turnaround for maintenance vehicles because VDOT does not accept half sections of roadways into the state system. VDOT also does not endorse the concept of private streets due to problems associated with the maintenance of such and recommends that internal streets be designed and constructed as public streets.

AKR/LAH/lah

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

MEMORANDUM

TO: Staff Coordinator DATE: May 26, 2002
 Zoning Evaluation Division, OCP

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ/FDP 2002-SP-006
 Tax Map No. 055-3- /01/ /0038

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

1. The application property is located in the LITTLE ROCKY RUN (S1) Watershed. It would be sewered into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant 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 by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in WILLOW VALLEY ROAD and APPROX. 100 FEET FROM the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information or comments: LITTLE ROCKY RUN REIMBURSEMENT
CHARGES ARE APPLICABLE

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

February 26, 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 02-SP-006
FDP 02-SP-006
Water Service Analysis

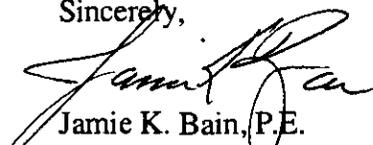
Dear Ms. Byron:

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

1. The property is located within the Fairfax County Water Authority service area.
2. Adequate domestic water service is not available at this site.
3. An offsite water main connection on Moore Road will be required to serve the subject site. See the enclosed property map and Generalized Development Plan.
4. Depending upon the configuration of the onsite water mains, additional water main extensions may be necessary.

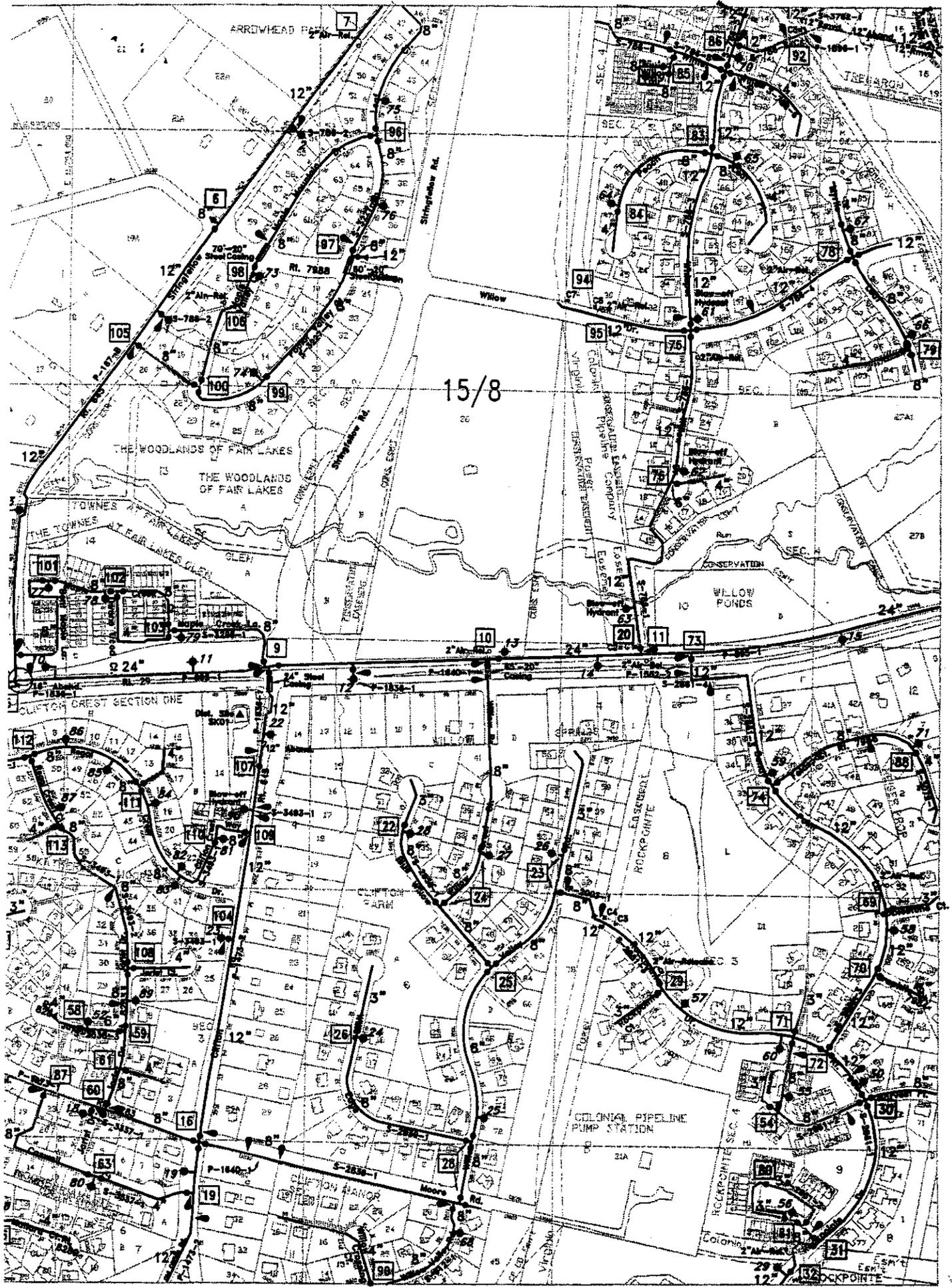
If you have any questions regarding this information please contact me at (703) 289-6302.

Sincerely,



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

Enclosures (as noted)



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

February 26, 2002

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 2002-SP-006 and Final Development Plan FDP 2002-SP-006

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 #17, Centreville.
2. After construction programmed for FY 2003, this property will be serviced by the fire station planned for the Fairfax Centre area, Station #40.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is ____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Date: 4/18/02
Map: 55-3
Acreage: 4.79
Rezoning
From: R-1 **To:** PDH-2

Case # RZ-02-SP-006
PU 4203

TO: County Zoning Evaluation Branch (DPZ)
FROM: FCPS Facilities Planning (246-3609)
SUBJECT: Schools Impact Analysis, Rezoning Application

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

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

School Name and Number	Grade Level	9/30/01 Capacity	9/30/01 Membership	2002-2003 Membership	Memb/Cap Difference 2002-2003	2006-2007 Membership	Memb/Cap Difference 2006-2007
Willow Springs 2424	K-6	924	982	1002	-78	1024	-100
Lanier 2501	7-8	775	1006	1037	-262	1145	-370
Fairfax 2500	9-12	2075	1973	2032	43	2164	-89

- II. The requested rezoning could increase or reduce projected student membership as shown in the following analysis:

School Level (by Grade)	Unit Type	Proposed Zoning			Unit Type	Existing Zoning			Student Increase/Decrease	Total Students
		Units	Ratio	Students		Units	Ratio	Students		
K-6	SF	6	X.4	2	SF	4	X.4	2	0	2
7-8	SF	6	X.069	0	SF	4	X.069	0	0	0
9-12	SF	6	X.159	1	SF	4	X.159	1	0	1

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

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

Comments

Enrollment in the schools listed (Willow Springs Elementary, Lanier Middle, Fairfax High) is currently projected to be near or above capacity.

The proposed development would not have any impact on the enrollments of the area schools

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

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: 4/10/02

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

SUBJECT: Rezoning Application Review

Name of Applicant/Application: ZIA U Hassan

Application Number: RZ/FDP2002-SP-006

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

Date Received in SWPD: 2/19/02

Date Due Back to DPZ: 3/14/02

Site Information: Location - 053-3-01-00-0038
Area of Site - 4.79 acres
Rezone from - R-1 to PDH-s
Watershed/Segment - Little Rocky 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 LR442 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: ZIA U Hassan / RZ/FDP2002-SP-006

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

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

DRAINAGE RECOMMENDATIONS (SWPD): Applicant shall provide stormwater management for the entire site, not just that portion flowing north to the proposed stormwater management pond, as specified in PFM Section 6-0300. Applicant shall ensure that the increase runoff from the increased impervious area does not impact the houses to the west of the site.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

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

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

Other E&I Recommendations (PDD): None.

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

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

SRS/RZ/FDP2002-SP-006

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



.....
MEMORANDUM

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

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

DATE: March 15, 2002

SUBJECT: RZ/FDP 2002-SP-006
Zia U. Hassan
Loc: 55-3((1))38

BACKGROUND

The Fairfax County Park Authority (FCPA) staff has reviewed the proposed Development Plan dated February 7, 2002 for the above referenced application. The Development Plan shows 6 new proposed homes on approximately 4.79 acres. The proposal will add approximately 19 residents to the current population of Springfield 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. **New Park Facilities** (Area III, Bull Run Planning District, Centreville Community Planning Sector, Parks and Recreation Recommendations, p. 79 of 87)

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

3. **Protect 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. No recreational facilities are shown on the Development Plan. 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 6 non-ADUs proposed, the cost to develop these facilities is \$5,730. Since the development plan shows no recreational facilities the applicant should dedicate the full \$5,730 to the FCPA.

This site lies within a Water Supply Protection Overlay District (WSPOD). The goal of the WSPOD is to protect water quality in the Occoquan Reservoir Watershed. The County has endorsed low-density development, enhanced stormwater management (SWM) best management practices (BMPs), and conservation in the WSPOD to help protect water quality. Although the Development Plan shows a potential location for a dry stormwater management pond, note 5 on the plan indicates that the applicant may seek a waiver of the stormwater management requirement. FCPA does not believe that a SWM BMP waiver is consistent with the goals of the WSPOD and recommends that the applicant provide SWM BMPs either onsite or on an adjacent site.

Barbara A. Byron
RZ/FDP 2002-SP-006, Zia U. Hassan
Page 3

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

FAIRFAX CENTER CHECKLIST

RZ/FDP 2002-SP-006
 February 7, 2002, as revised through September 12, 2002

Case Number:
 Plan Date:

I. AREA WIDE BASIC DEVELOPMENT ELEMENTS	Not			Comments
	Applicable	Applicable	Satisfied	
A. Roadways				Rockpointe Drive connection not provided
1. Minor street dedication and construction		x		
2. Major street R.O.W. dedication	x			
B. Transit				
1. Bus loading zones with necessary signs and pavement; Bus pull-off lanes	x			
2. Non-motorized access to bus or rail transit stations	x			
3. Land dedication for transit and commuter parking lots	x			
C. Non-motorized Transportation				
1. Walkways for pedestrians		x	x	
2. Bikeways for cyclists	x			
3. Secure bicycle parking facilities	x			

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS				
A. Roadways				
1. Major roadway construction of immediately needed portions		x		Rockpointe Drive connection not provided
2. Signs	x			
B. Transit				
1. Bus shelters	x			
2. Commuter parking	x			
C. Non-motorized transportation				
1. Pedestrian activated signals	x			
2. Bicycle support facilities (showers, lockers)	x			
D. Transportation Strategies				

FAIRFAX CENTER CHECKLIST

Case Number: RZ/FDP 2002-SP-006

Plan Date: February 7, 2002, as revised through September 12, 2002

	Applicable	Not Applicable	Applicable	Essential	Satisfied	Comments
1. Ridesharing programs	x					
2. Subsidized transit passes for employees	x					
BIL AREA WIDE MAJOR DEVELOPMENT ELEMENTS						
A. Roadways						
1. Contribution towards major (future) roadway improvements			x	x	x	Fairfax Center Area Road Fund
2. Construct and/or contribute to major roadway improvements	x					
3. Traffic signals as required by VDOT	x					
B. Transit						
1. Bus or rail transit station parking lots	x					
C. Transportation Strategies						
1. Local shuttle service	x					
2. Parking fees	x					
D. Non-motorized Circulation						
1. Grade separated road crossings	x					

FAIRFAX CENTER CHECKLIST

Case Number:

RZ/FDP 2002-SP-006

Plan Date:

February 7, 2002, as revised through September 12, 2002

		Not			Satisfied		Comments
		Applicable	Applicable	Essential	Satisfied		
I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS							
A. Environmental Quality Corridors (EQC)							
1. Preservation of EQCs as public or private open space	x						
B. Stormwater Management (BMP)							
1. Stormwater detention/retention			x		x		
2. Grassy swales/vegetative filter areas	x						
C. Preservation of Natural Features							
1. Preservation of quality vegetation			x	x			
2. Preservation of natural landforms	x						
3. Minimize site disturbance as a result of clearing or grading limits			x	x			
D. Other Environmental Quality Improvements							
1. Mitigation of highway-related noise impacts	x						
2. Siting roads and buildings for increased energy conservation (Including solar access)			x				
II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS							
A. Increased Open Space							
1. Non-stream valley habitat EQCs	x						
2. Increased on-site open space			x				
B. Protection of Ground Water Resources							
1. Protection of aquifer recharge areas	x						
C. Stormwater Management (BMP)							
1. Control of off-site flows			x		x		
2. Storage capacity in excess of design storm requirements	x						
D. Energy Conservation							
1. Provision of energy conscious site plan			x				

FAIRFAX CENTER CHECKLIST

Environmental Systems

Case Number:

RZ/FDP 2002-SP-006

Plan Date:

February 7, 2002, as revised through September 12, 2002

Not

	Applicable	Applicable	Essential	Satisfied	Comments
III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Innovative Techniques					
1. Innovative techniques in stormwater management	x				
2. Innovative techniques in air or noise pollution control and reduction	x				
3. Innovative techniques for the restoration of degraded environments	x				

FAIRFAX CENTER CHECKLIST

Provision of Public Facilities

Case Number:

RZ/FDP 2002-SP-006

Plan Date:

February 7, 2002, as revised through September 12, 2002

Not

Applicable Applicable Essential Satisfied Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Park Dedications					
1. Dedication of stream valley parks in accordance with Fairfax County Park Authority policy	x				
B. Public Facility Site Dedications					
1. Schools	x				
2. Police/fire facilities	x				

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Park Dedications					
1. Dedication of parkland suitable for a neighborhood park	x				
B. Public Facility Site Dedication					
1. Libraries	x				
2. Community Centers	x				
3. Government offices/facilities	x				

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Park Dedications					
1. Community Parks	x				
2. County Parks	x				
3. Historic and archeological parks	x				
B. Public Indoor or Outdoor Activity Spaces					
1. Health clubs	x				
2. Auditoriums/theaters	x				
3. Athletic fields/major active recreation facilities	x				

FAIRFAX CENTER CHECKLIST

Land Use - Site Planning

Case Number:

RZ/FDP 2002-SP-006

Plan Date:

February 7, 2002, as revised through September 12, 2002

Not

Applicable Applicable Essential Satisfied Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Considerations					
1. Coordinated pedestrian and vehicular circulation systems		x	x		Rockpointe Drive connection not provided
2. Transportation and sewer infrastructure construction phased to development construction	x				
3. Appropriate transitional land uses to minimize the potential impact on adjacent sites		x	x		VEPCO and Colonial Gas easements not screened
4. Preservation of significant historic resources	x				
B. Landscaping					
1. Landscaping within street rights-of-way	x				
2. Additional landscaping of the development site where appropriate		x	x		
3. Provision of additional screening and buffering		x	x		

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Land Use/Site Planning					
1. Parcel consolidation	x				
2. Low/Mod income housing		x	x	x	
B. Mixed Use Plan					
1. Commitment to construction of all phases in mixed-use plans	x				
2. 24-hour use activity cycle encouraged through proper land use mix	x				
3. Provision of developed recreation area or facilities	x				

FAIRFAX CENTER CHECKLIST

Land Use - Site Planning

Case Number:

RZ/FDP 2002-SP-006

Plan Date:

February 7, 2002, as revised through September 12, 2002

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS	Not			Satisfied	Comments
	Applicable	Applicable	Essential		
A. Extraordinary Innovation					
1. Site design		x	x		
2. Energy conservation		x			

FAIRFAX CENTER CHECKLIST

Detailed Design

Case Number:
Plan Date:

RZ/FDP 2002-SP-006
February 7, 2002, as revised through September 12, 2002

		Not		Satisfied		Comments
		Applicable	Essential	Applicable	Essential	
I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS						
A. Site Entry Zone						
1. Signs	X					
2. Planting		X	X			
3. Lighting		X	X			
4. Screened surface parking	X					
B. Street Furnishings						
1. Properly designed elements such as lighting, signs, trash receptacles, etc.	X					

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS						
A. Building Entry Zone						
1. Signs	X					
2. Special planting		X	X			
3. Lighting	X					
B. Structures						
1. Architectural design that complements the site and adjacent developments		X	X			
2. Use of energy conservation techniques		X				
C. Parking						
1. Planting - above ordinance requirements		X	X			
2. Lighting	X					
D. Other Considerations						
1. Street furnishing such as seating, drinking fountains	X					
2. Provision of minor plazas	X					

FAIRFAX CENTER CHECKLIST

Case Number:

RZ/FDP 2002-SP-006

Plan Date:

February 7, 2002, as revised through September 12, 2002

	Not			Comments
	Applicable	Applicable	Essential	
III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS				
A. Detailed Site Design				
1. Structured parking with appropriate landscaping	x			
2. Major plazas	x			
3. Street furnishings to include structures (special planters, trellises, kiosks, covered pedestrian areas (arcades, shelters, etc.), Water features/pools, ornamental fountains, and special surface treatment	x			
4. Landscaping of major public spaces	x			

FAIRFAX CENTER CHECKLIST

Summary

Case Number:

RZ/FDP 2002-SP-006

Plan Date:

February 7, 2002, as revised through September 12, 2002

I. BASIC DEVELOPMENT ELEMENTS

- 1. Applicable Elements 12
- 2. Elements Satisfied 2
- 3. Ratio 0.17

II. MINOR DEVELOPMENT ELEMENTS

- 1. Applicable Elements 9
- 2. Elements Satisfied 2
- 3. Ratio 0.22

III. MAJOR DEVELOPMENT ELEMENTS

- 1. Applicable Elements 3
- 2. Elements Satisfied 1
- 3. Ratio 0.33

IV. ESSENTIAL DEVELOPMENT ELEMENTS

- 1. Applicable Elements 15
- 2. Elements Satisfied 2
- 3. Ratio 0.13

V. MAJOR TRANSPORTATION DEVELOPMENT ELEMENTS

- 1. Applicable Elements 1
- 2. Elements Satisfied 1
- 3. Ratio 1.00

VI. LOW/MODERATE INCOME HOUSING ELEMENT

yes

no

Standards for all Planned Developments

16-101 General Standards

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

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

16-102 Design Standards

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

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

GLOSSARY

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

- ABANDONMENT:** Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.
- ACCESSORY DWELLING UNIT (OR APARTMENT):** A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.
- AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT:** Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.
- AGRICULTURAL AND FORESTAL DISTRICTS:** A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.
- BARRIER:** A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.
- BEST MANAGEMENT PRACTICES (BMPs):** Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.
- BUFFER:** Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.
- CHESAPEAKE BAY PRESERVATION ORDINANCE:** Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.
- CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted in the zoning district if the site were developed as a conventional subdivision. See Sect. 9-615 of the Zoning Ordinance.
- COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.
- BA:** 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		

