



FAIRFAX COUNTY

APPLICATION FILED: March 18, 1999
PLANNING COMMISSION: October 27, 1999
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

October 14, 1999

STAFF REPORT

APPLICATION RZ 1999-PR-017

PROVIDENCE DISTRICT

APPLICANT: Centex Homes

PRESENT ZONING: R-1 (5.01 Acres), R-8 (11.47 Acres), HC

ACREAGE: 16.48 acres

REQUESTED ZONING: R-8, HC

PARCEL(S): 48-4 ((1)) 35
49-3 ((33)) 1-101, A

DU/AC: 8.30 du/ac

PLAN MAP: Residential; 2-3 du/ac

PLAN TEXT: Option for Residential at 5-8 du/ac

PROPOSAL: Rezone to permit development of 145 single-family attached residences, including 17 affordable dwellings.

WAIVERS/MODIFICATIONS: Modification of transitional screening and waiver of barrier requirements to that shown on the GDP

Waiver of the 600 foot maximum length for private streets

Waiver of the service drive requirement

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 1999-PR-017, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a modification of transitional screening and barrier requirements to that shown on the GDP.

Staff recommends approval of a waiver of the 600 foot maximum length for private streets.

Staff recommends approval of a waiver of the service drive requirement.

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



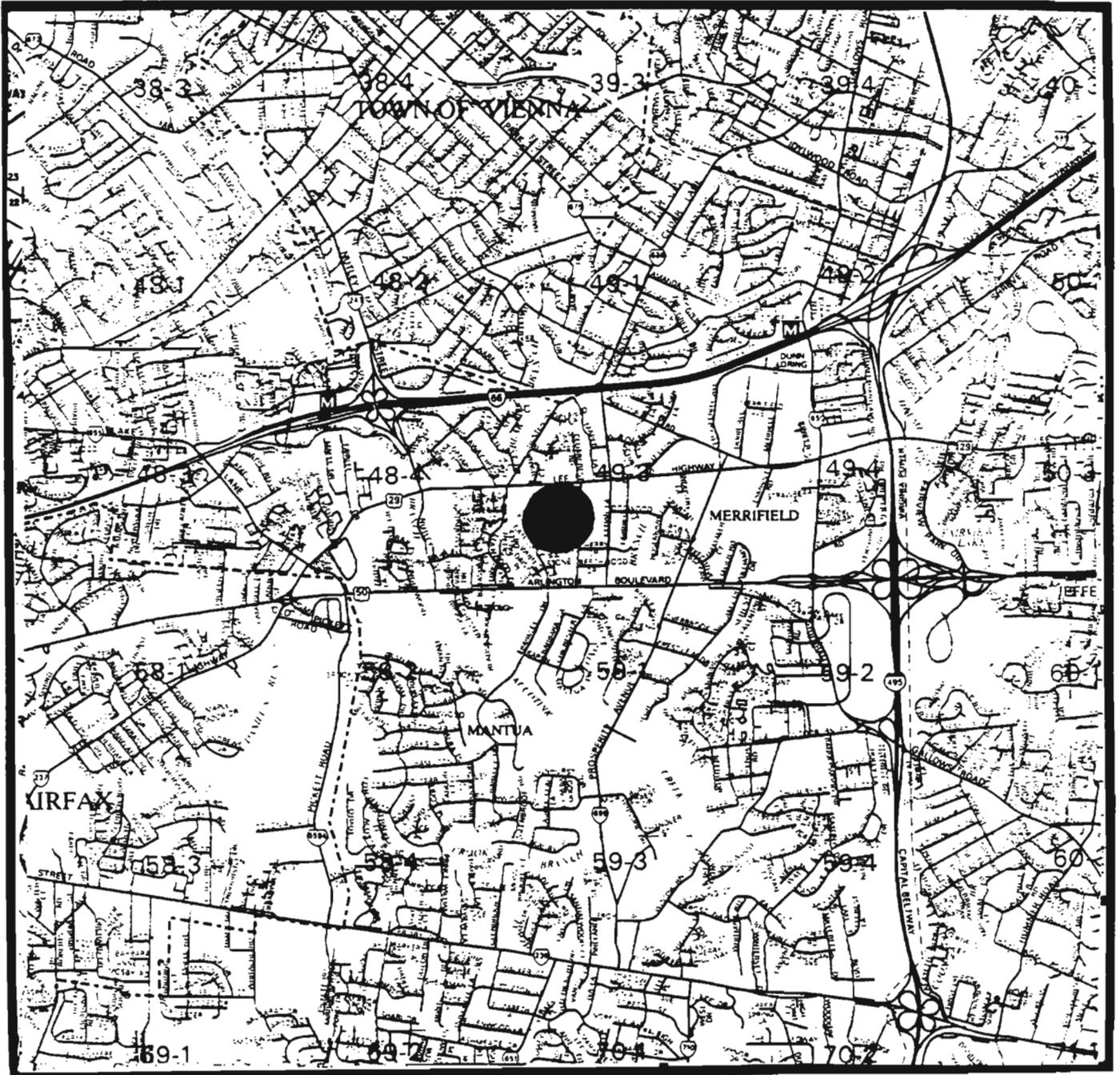
American with Disabilities Act (ADA); Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334.

REZONING APPLICATION

RZ 1999-PR-017

FILED 03/18/99

CENTEX HOMES
TO REZONE: 16.48 ACRES OF LAND; DISTRICT - PROVIDENCE
PROPOSED: REZONE FROM THE R-8, AND R-1 DISTRICTS TO
THE R-8 DISTRICT TO PERMIT RESIDENTIAL DEVELOPMENT
S. OF LEE HWY., APPROX. 100 FT. W. OF CEDAR LN.
LOCATED:
ZONING: R-1 R-8
TO: R-8
OVERLAY DISTRICTS: HC
MAP REF: 048-4 ((01)) 35;
049-3 ((33)) A, 1-101

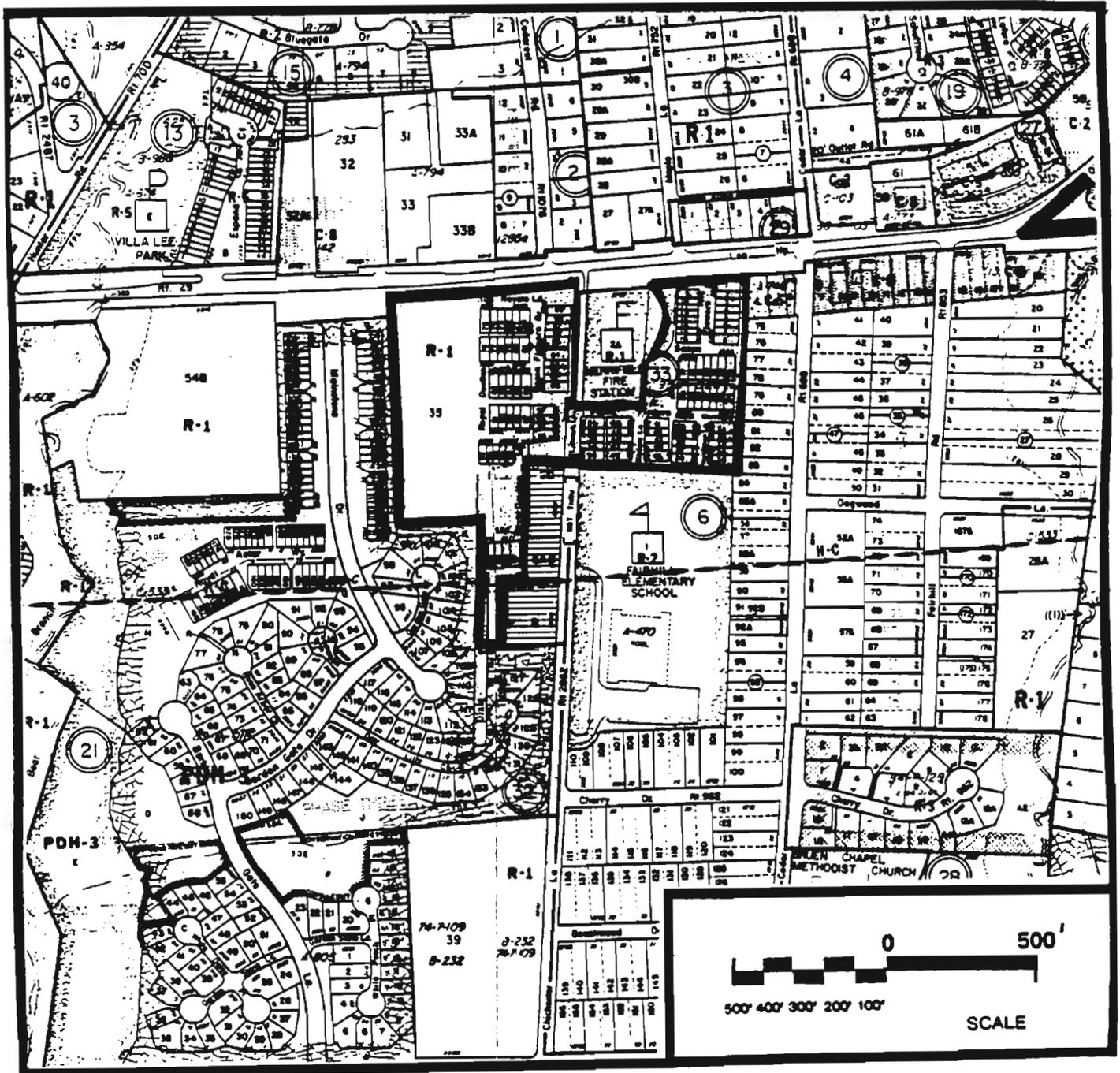


REZONING APPLICATION

RZ 1999-PR-017

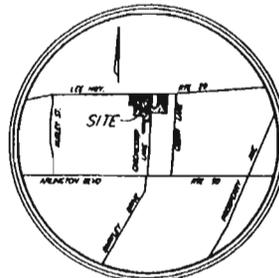
FILED 03/18/99

CENTEX HOMES
TO REZONE: 16.48 ACRES OF LAND; DISTRICT - PROVIDENCE
PROPOSED: REZONE FROM THE R-8, AND R-1 DISTRICTS TO
THE R-8 DISTRICT TO PERMIT RESIDENTIAL DEVELOPMENT
LOCATED: S. OF LEE HWY., APPROX. 100 FT. W. OF CEDAR LN.
ZONING: R-1 R-8
TO: R-8
OVERLAY DISTRICTS: HC
MAP REF: 048-4 ((01)) 35;
049-3 ((33)) A, 1-101



WELLS ADDITION GENERALIZED DEVELOPMENT PLAN

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA



VICINITY MAP
SCALE: 1" = 2,000'

CONTRACT PURCHASER & DEVELOPER

CENTEX HOMES
14121 PARKE LONG COURT
SUITE 201
CHANTILLY, VA 20151
TELEPHONE (703) 934-2600
FAX (703) 691-3437

ENGINEER/PLANNER

THE BC CONSULTANTS
12700 FAIR LAKES CIRCLE
SUITE 100
FAIRFAX, VIRGINIA 22033
TELEPHONE (703) 449-8100
FAX (703) 449-8108

SHEET INDEX

1. COVER SHEET
2. GENERALIZED DEVELOPMENT PLAN
3. GENERALIZED DEVELOPMENT PLAN
4. LANDSCAPE PLAN
5. LANDSCAPE PLAN
6. TREE SURVEY
7. NOTES, COMMENTS AND PLANS
8. EXHIBIT 'A' - ROUTE 29 IMPROVEMENTS

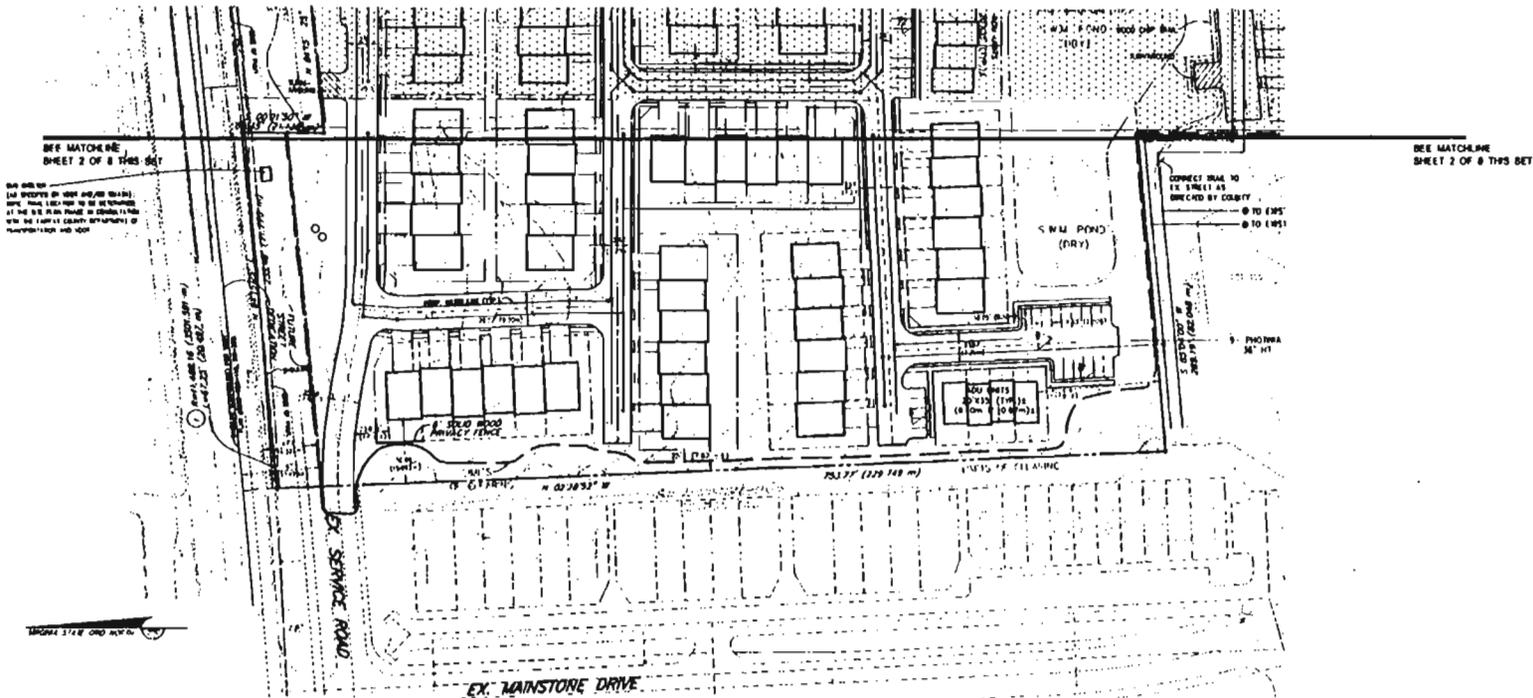
REVISED NOVEMBER 14, 1999
REVISED AUGUST 31, 1999
REVISED JULY 28, 1999
REVISED JUNE 18, 1999
MARCH 1, 1999
AUGUST 31, 1999



BC Consultants

Planners • Engineers • Surveyors • Landscape Architects
12700 Fair Lakes Circle, Suite 100, Fairfax, VA 22033
(703)449-8100 (703)449-8108 (Fax)
BCcon@bccon.com

**THE HATCHED AREA HAS NOT CHANGED
SINCE THE PREVIOUS APPROVAL**



MINIMUM YARD SETBACKS (BULK PLANE)

SCREENED	CONTROLLED BY A 15° ANGLE AT BULK PLANE BUT NOT LESS THAN 10 FT (3.05 m)
FRONT	CONTROLLED BY A 15° ANGLE AT BULK PLANE BUT NOT LESS THAN 10 FT (3.05 m)
SIDE	CONTROLLED BY A 15° ANGLE AT BULK PLANE BUT NOT LESS THAN 8 FT (2.44 m)
REAR	CONTROLLED BY A 25° ANGLE AT BULK PLANE BUT NOT LESS THAN 16 FT (4.88 m)
PROPOSED	
FRONT	
ADU	10 FT MIN. (3.05 m)
MARKET	16 FT MIN. (4.88 m)
SIDE	8 FT MIN. (2.44 m)
REAR	16 FT MIN. (4.88 m)

SITE TABULATIONS (PREVIOUSLY APPROVED GDP):

GROSS SITE AREA (G.S.A.)	12.46 Ac. ± (504 ha ±) or 542,757 SF ± (50,424 S.M. ±)
ROW DEDICATION:	0.53 Ac. ± (0.21 ha ±) or 23,138 SF ± (2,149 S.M. ±)
FIRE/RESERVE ON DEMAND FACILITY DEDICATION	0.46 Ac. ± (0.18 ha ±) or 20,076 SF ± (1,860 S.M. ±)
NET SITE AREA:	11,468.1 Ac. ± (4.84 ha ±) or 499,595 SF ± (46,414 S.M. ±)
EXISTING ZONE:	R-1 (11.76 AC OR 4.76 ha)
	R-2 (0.70 AC OR 0.28 ha)
PROPOSED ZONE:	R-8
OPEN SPACE REQUIRED (20% OF G.S.A.)	108,551 SF ± (10,085 ha ±)
OPEN SPACE PROVIDED (23.7% OF G.S.A.)	129,018 SF ± (11,986 ha ±)
PROPOSED NO. OF UNITS:	104
UNIT BREAKDOWN:	ADU's 13
	MARKET UNITS 87
	BONUS UNITS 4
ALLOWABLE DENSITY:	8 DU/AC
PROPOSED OVERALL DENSITY:	8.35 DU/AC
PROPOSED EFFECTIVE DENSITY:	6.90 DU/AC
PARKING SPACE REQUIRED:	210
(104 X 2.3 SPACE)	
PARKING SPACE PROVIDED:	423
PARKING BREAKDOWN:	SPACES IN GARAGE 182
	SPACES IN DRIVEWAY 182
	SURFACE PARKING (@ ADU's) 31
	SURFACE PARKING (ELSEWHERE) 28

SITE TABULATIONS (THIS SUBMISSION):

GROSS SITE AREA (G.S.A.):	16.47845 Ac. ± (6.66900 ha ±) or 717,844.04 SF ± (66,890 S.M. ±)
SITE AREA FOR DENSITY CREDIT:	17.47321 Ac. ± (7.07118 ha ±) or 781,133.03 SF ± (70,711.8 S.M. ±)
BREAKDOWN:	
GROSS SITE AREA:	16.47845 Ac. ± (6.66900 ha ±)
BOARD OF SUPERVISORS DEDICATION AREA (PARCEL B):	0.46209 Ac. ± (0.18700 ha ±)
STREET (ROW) DEDICATION AREA:	0.53187 Ac. ± (0.21518 ha ±)
EXISTING ZONE:	R-1 (5.01 AC ± OR 2.03 ha ±)
	R-8 (11.47 AC ± OR 4.64 ha ±)
PROPOSED ZONE:	R-8
OPEN SPACE REQUIRED (20% OF G.S.A.)	143,569 SF ± (13,338 S.M. ±)
OPEN SPACE PROVIDED (25.3% OF G.S.A.)	181,632 SF ± (16,874 S.M. ±)
PROPOSED NO. OF UNITS:	145
UNIT BREAKDOWN:	ADU's 17
	MARKET UNITS 121
	BONUS UNITS 7
ALLOWABLE DENSITY:	8 DU/AC
PROPOSED OVERALL DENSITY:	8.30 DU/AC
PROPOSED EFFECTIVE DENSITY:	6.92 DU/AC
PARKING SPACE REQUIRED:	334
(145 X 2.3 SPACE)	
PARKING SPACE PROVIDED:	591
PARKING BREAKDOWN:	SPACES IN GARAGE 256
	SPACES IN DRIVEWAY 256
	SURFACE PARKING (@ ADU's) 40
	SURFACE PARKING (ELSEWHERE) 39

SEE SHEETS 4 AND 5 FOR LANDSCAPE PLANS.
SEE SHEET 7 FOR NOTES, COMMENTS, AND TYPICAL LOT LAYOUTS.

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	11,486.16' (3,501.391 m)	87.25' (20.697 m)	33.82' (10.248 m)	87.25' (20.497 m)	N84°25'29" T	0°20'02" T
2	80.00' (24.384 m)	75.66' (23.309 m)	80.00' (24.384 m)	113.14' (34.484 m)	N47°33'30" T	R0°00'00" T

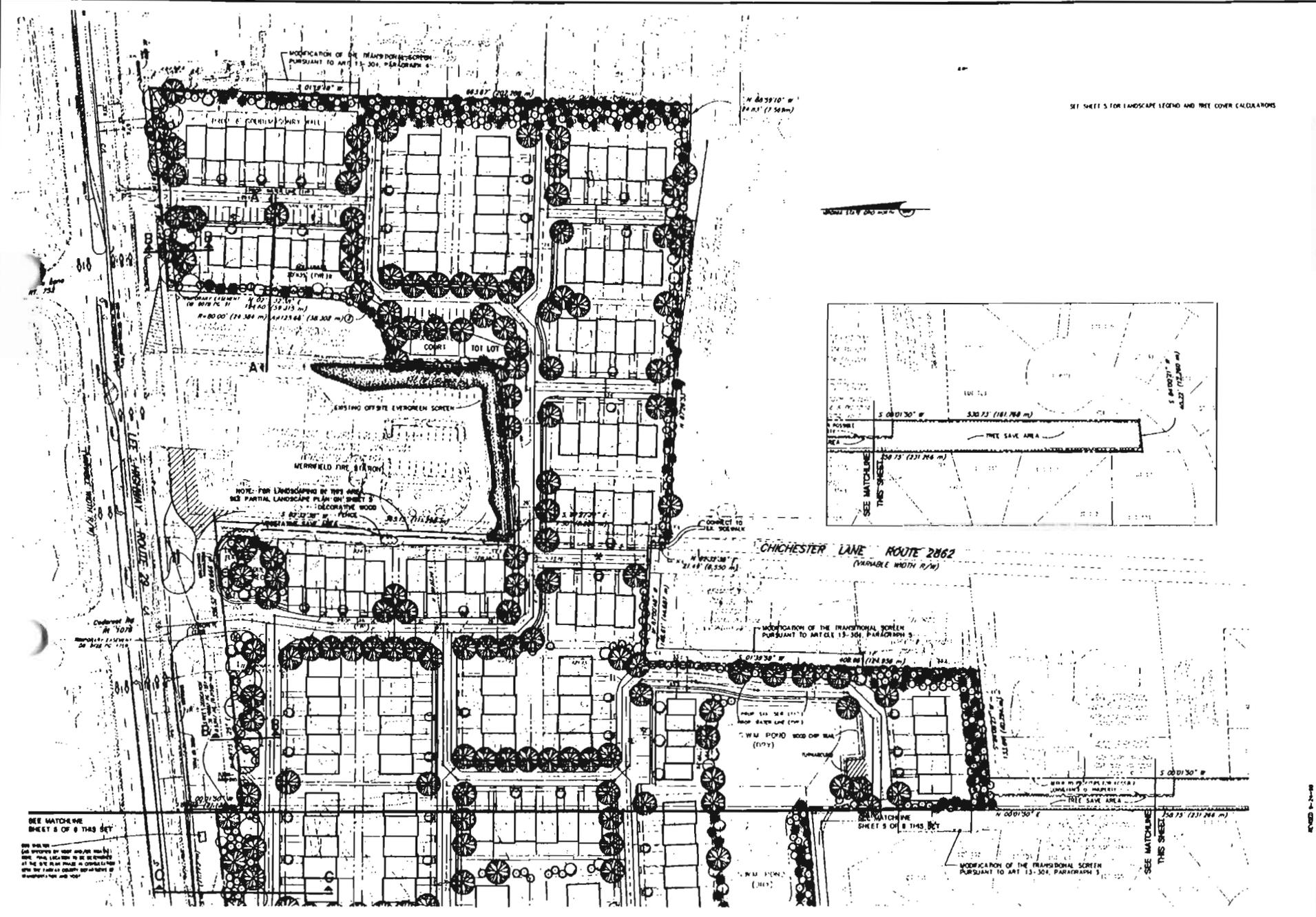
BC Consultants
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 BC@bcconsultants.com



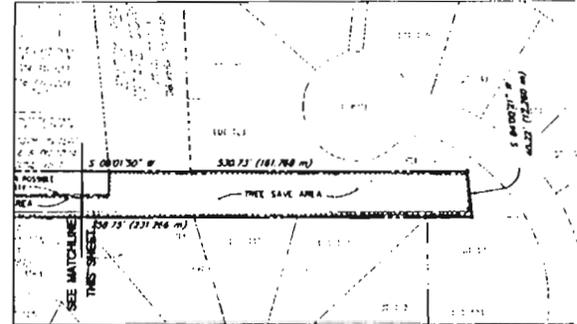
GENERALIZED DEVELOPMENT PLAN
WELLS ADDITION
 PREPARED BY: [Name]
 CHECKED BY: [Name]

DATE: 12-11-19
 SCALE: 1/8" = 1'-0"
 SHEET 3 OF 8
 CO. NO. 14082 31
 CAD: WAIVE PERM - 02/27/07

* DENSITY CREDIT RESERVED PER WELLS PROPERTY FINAL SUBDIVISION PLAT RECORDED DECEMBER 3, 1998 IN DEED BOOK 10687, PAGE 1397



SEE SHEET 5 FOR LANDSCAPE LEGEND AND TREE COVER CALCULATIONS



SEE MATCHLINE SHEET 3 OF 8 THIS SET

SEE MATCHLINE SHEET 5 OF 8 THIS SET

SEE MATCHLINE THIS SHEET

GENERALIZED DEVELOPMENT PLAN
LANDSCAPE PLAN
WELLS ADDITION

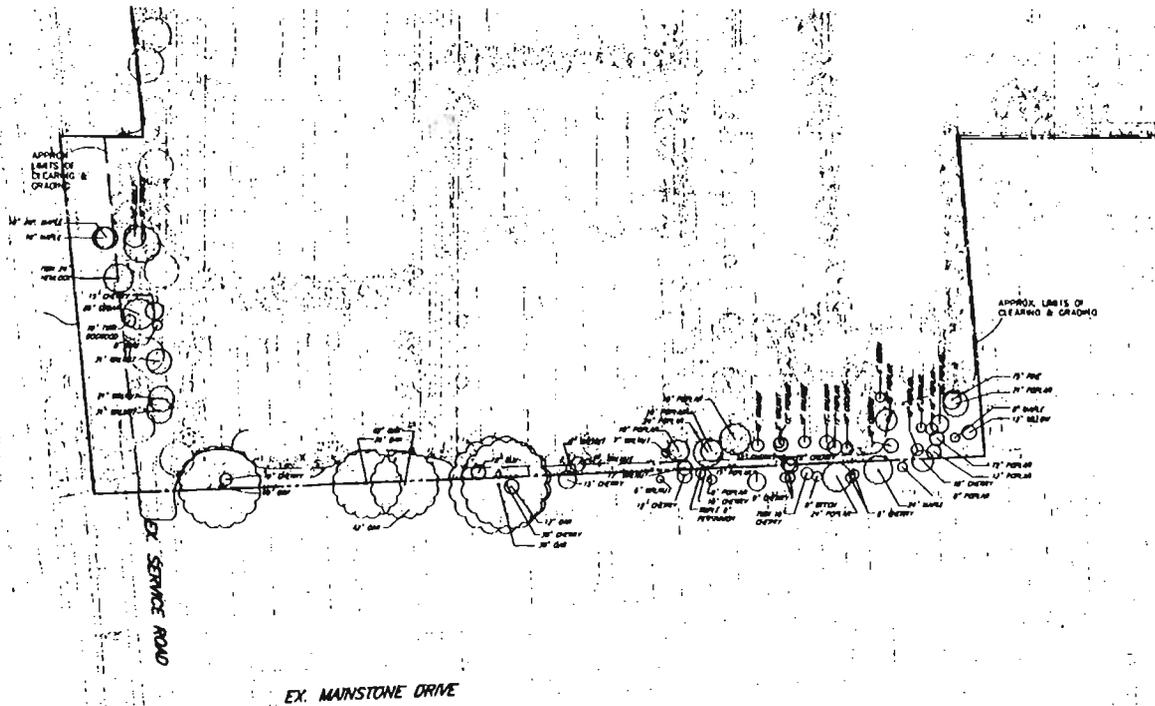
REGISTERED PROFESSIONAL ENGINEER
 COMMONWEALTH OF VIRGINIA

REVISED: 4-2-2019
 SCALE: AS SHOWN
 DATE: DECEMBER 23, 1998
 SCALE: 1/8" = 1'-0" (1:600)
 SHEET 4 OF 8
 CO. NO.
 FILE NO 11087.31
 CADD NAME: P1W-LV1.DWG

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 (703)448-8100 (703)448-8108 (Fax)
 Bccon@bccon.com

DESIGNED BY: PLR
 DRAFTED BY: CAD
 CHECKED BY: DDD
 DATE: DECEMBER 23, 1998
 SCALE: 1/8" = 1'-0" (1:600)
 SHEET 4 OF 8
 CO. NO.
 FILE NO 11087.31
 CADD NAME: P1W-LV1.DWG

PARTIAL PLAN



SCALE: 1" = 50' (1:500)

DESIGNED BY: PWR	CHECKED BY: DDD
DRAWN BY: MFC	DATE: DECEMBER 23, 1996
SCALE: 1" = 50' (1:500)	SHEET 6 OF 8
CD NO.	FILE NO: 14082 31
CLIENT: PETERSON & DEVELOPER	
PROJECT: WELLS ADDITION	
SHEET: 6 OF 8	
DATE: 12/23/96	
SCALE: 1" = 50'	
DRAWN BY: MFC	
CHECKED BY: DDD	
DESIGNED BY: PWR	

**GENERALIZED DEVELOPMENT PLAN
EXISTING TREE SURVEY
WELLS ADDITION**



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NOTES:

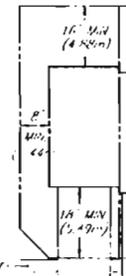
1. THE PROPERTIES DELINEATED ON THIS PLAN ARE LOCATED ON THE ASSESSMENT MAP #49-3-((133)) PARCEL 4 AND 1 TO 101, AND #48-4-((1)) PARCEL 35. (FORMERLY MAP #49-3-((6)) PARCELS 2 AND 28, MAP #49-3-((1)) PARCELS 4, 5, 5A, 7A, 7A1, 7A2, AND 7A3; AND MAP #48-4-((1)) PARCEL 35 AND DEER DRIVE
2. THE TOPOGRAPHY SHOWN HEREON IS AT THE CONTOUR INTERVAL OF 0.5m (1.64') FROM POS BY AIR SURVEY. THE BC CONSULTANTS ASSUMES NO RESPONSIBILITY FOR DESIGN OR CONSTRUCTION CHANGES CAUSED BY INACCURACIES IN SAID TOPOGRAPHIC INFORMATION SHOWN HEREON.
3. THE BOUNDARY INFORMATION SHOWN HEREON IS COMPILED FROM BOUNDARY SURVEYS PREPARED BY BC CONSULTANTS, INC.
4. STORM WATER MANAGEMENT AND BEST MANAGEMENT PRACTICES (BMP'S) WILL BE PROVIDED TO BE IN ACCORDANCE WITH FAIRFAX COUNTY ORDINANCES AS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES.
5. THE PROPERTY SHOWN ON THIS GENERAL DEVELOPMENT PLAN IS IN THE PROMENADE DISTRICT, THE ACCOITN SEWER DISTRICT AND THE ACCOITN CREEK WATER SHED.
6. CITY OF FALLS CHURCH IS THE PUBLIC WATER SUPPLY AGENCY FOR THIS DEVELOPMENT.
7. THIS PLAN DOES NOT PURPORT TO SHOW ALL EXISTING UNDERGROUND UTILITIES AND THOSE SHOWN ARE APPROXIMATE.
8. THIS PLAN DOES NOT NECESSARILY SHOW UTILITIES AS THEY ARE TO BE CONSTRUCTED FOR EACH INDIVIDUAL BUILDING. INDIVIDUAL PLANS AND PROFILES WILL BE SUBMITTED IN THE FUTURE FOR CONSTRUCTION PURPOSES. THE BC CONSULTANTS, INC. ASSUMES NO RESPONSIBILITY FOR CONSTRUCTION WITH THESE PLANS.
9. ALL PRIVATE STREETS SHALL CONFORM TO FAIRFAX COUNTY AND/OR VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION STANDARDS AND SPECIFICATIONS.
10. THE PROPOSED LIMITS OF CLEARING AND GRADING ARE APPROXIMATE AND ARE SUBJECT TO ADJUSTMENT AT TIME OF FINAL ENGINEERING AND LOCATION OF UTILITIES.
11. FUTURE ON DEMAND FACILITY BLDG. IS SHOWN FOR GRAPHIC PURPOSES ONLY. ACTUAL BLDG. FOOTPRINT AND LOCATION MAY CHANGE.
12. THIS DEVELOPMENT IS IN CONFORMANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN.
13. THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON SITE. IF ANY SUBSTANCES ARE FOUND, THE METHODS FOR DISPOSAL SHALL ADHERE TO COUNTY, STATE OR FEDERAL LAW.
14. ACCORDING TO THE COUNTY WIDE TRAILS PLAN THROUGH 1989, THERE IS NO TRAIL REQUIREMENT FOR THIS SITE.
15. 6' (1.83m) BEMMS WILL BE LOCATED IN THE TRANSITIONAL SCREENING YARDS ALONG LEE HIGHWAY FOR NOISE MITIGATION, WHERE POSSIBLE.
16. THIS PLAN WILL CONFORM TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS AND CONDITIONS, WITH THE FOLLOWING WAIVER REQUESTED:
 - MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS AS SHOWN ON THE LANDSCAPE PLAN PURSUANT TO ARTICLE 13-304, PARAGRAPHS 3, 4 AND 5.
 - MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG LEE HIGHWAY TO THAT AS SHOWN ON THE LANDSCAPE PLAN PURSUANT TO ARTICLE 13-302, PARAGRAPH 3, SECTION A-2.
 - WAIVER OF THE 800' MAXIMUM LENGTH OF A PRIVATE ROAD.
 - WAIVER OF THE BARRIER REQUIREMENTS IN ACCORDANCE WITH ARTICLE 13-304, PARAGRAPH 13.
 - WAIVER OF THE SERVICE DRIVE, ALONG LEE HIGHWAY, IN FAVOR OF THAT AS SHOWN ON THE PLAN.

17. TYPICAL MARKET UNIT SIZE SHOWN IS 24'-29" x 40' (7.32m x 12.19m). TYPICAL ADU SIZE SHOWN IS 20' x 35' (6.10m x 10.67m). DIMENSIONS OF ACTUAL UNITS BUILT MAY CHANGE ACCORDING TO MARKET CONDITIONS. HOWEVER, THE FINAL SIZE OF THE UNITS TO BE BUILT SHALL NOT CHANGE TO THE EXTENT THAT THERE IS A REDUCTION IN THE AMOUNT OF OPEN SPACE OR LANDSCAPING PROFFERED WITH THESE PLANS.
18. FENCE IN LOTS WILL CONFORM TO FAIRFAX COUNTY PUBLIC FACILITIES MANUAL STANDARDS.

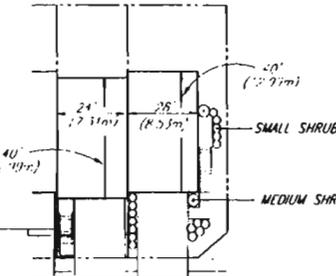
18-202 COMMENTS:

10. A. SHOWN ON PLAN
- B. SHOWN ON PLAN. MAX HEIGHT IS 35' (10.67m).
- C. SHOWN ON PLAN.
- D. SHOWN ON PLAN.
- E. SANITARY SEWER SHOWN ON PLAN. SWM WILL BE PROVIDED BY ONE DRY POND, AS SHOWN ON PLAN.
- F. THERE ARE NO KNOWN UTILITY EASEMENTS OF 25' (7.62m) OR MORE. ALL OTHER KNOWN MAJOR UNDERGROUND UTILITY EASEMENTS ARE SHOWN ON THE PLAN.
- G. SEE SITE TABULATION.
- H. SEE NOTE NO. 2.
- I. N/A.
- J. TRANSITIONAL SCREENING IS SHOWN ON THE LANDSCAPE PLAN.
- K. ALL EXISTING STRUCTURES ARE TO BE REMOVED.
- L. N/A.
- M. SEE SITE TABULATION.
- N. A TOP LOT, ADULT RECREATION AREA, AND A VOLLEYBALL COURT HAVE BEEN PROVIDED AS RECREATIONAL AMENITIES FOR THE DEVELOPMENT.
- O. PUBLIC IMPROVEMENTS, BOTH ON AND OFF-SITE, ARE SHOWN ON THE PLAN. TIMING FOR PROVIDING SUCH IMPROVEMENTS WILL DEPEND ON MARKET CONDITIONS.
- P. DEVELOPMENT SCHEDULE AND PHASING TO BE DETERMINED AS MARKET CONDITIONS ALLOW.
- Q. THERE ARE NO AREAS OF FLOODPLAIN, ENVIRONMENTAL QUALITY CORRIDORS OR RESOURCE PROTECTION AREAS ON SITE.
- R. SHOWN ON PLAN.
- S. SHOWN ON PLAN.
- T. THERE ARE NO KNOWN PLACES OF BURIAL ON SITE.
- U. OWNERS:

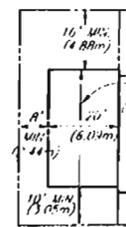
TAX ID. NO.	PARCEL #	OWNER
048-3-((8))	2	Centex Homes
048-3-((8))	28	Centex Homes
048-3-((1))	4	Centex Homes
048-3-((1))	5	Centex Homes
048-3-((1))	5A	Centex Homes
048-3-((1))	7A	Centex Homes
048-3-((1))	7A1	Centex Homes
048-3-((1))	7A2	Centex Homes
048-3-((1))	7A3	Centex Homes
048-4-((1))	35	Thompson, Samuel M. JR Etol
048-4-((1))	35	Centex Homes



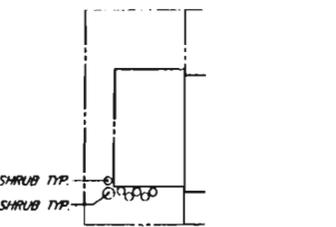
TYPICAL LOT LAYOUT
SCALE: 1" = 20'
(1" = 240')



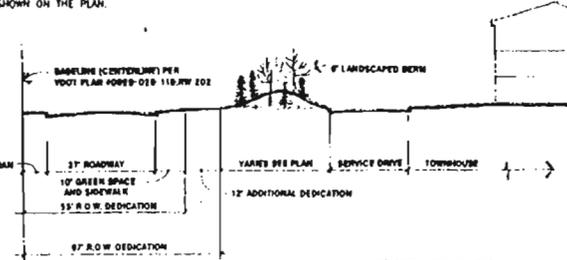
TYPICAL LOT LANDSCAPING
(FOR ILLUSTRATIVE PURPOSES ONLY)
SCALE: N.T.S.



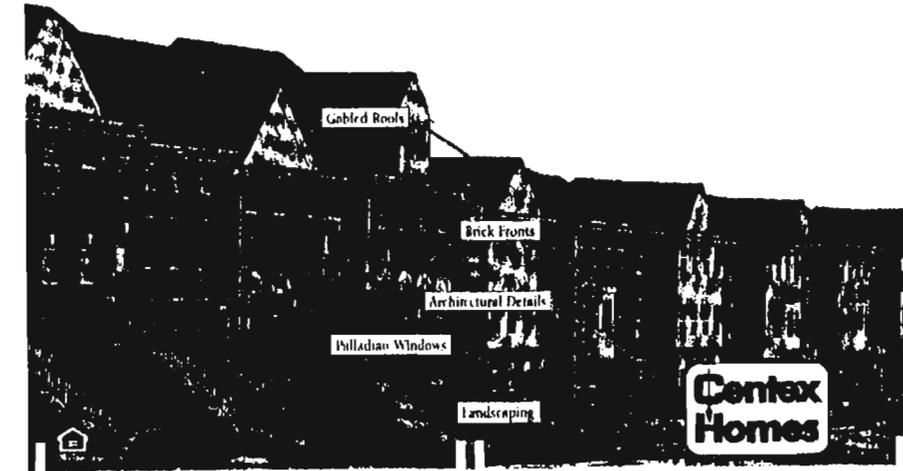
TYPICAL ADU LAYOUT
SCALE: 1" = 20'
(1" = 240')



TYPICAL ADU LANDSCAPING
(FOR ILLUSTRATIVE PURPOSES ONLY)
SCALE: 1" = 20'
(1" = 240')



SECTION C-C
1" = 20'



LUXURY TOWNHOMES (MARKET RATE UNITS) **FIRST-TIME BUYER TOWNHOMES (AFFORDABLE DWELLING UNITS)**

ARCHITECTURAL ELEVATION
NO SCALE

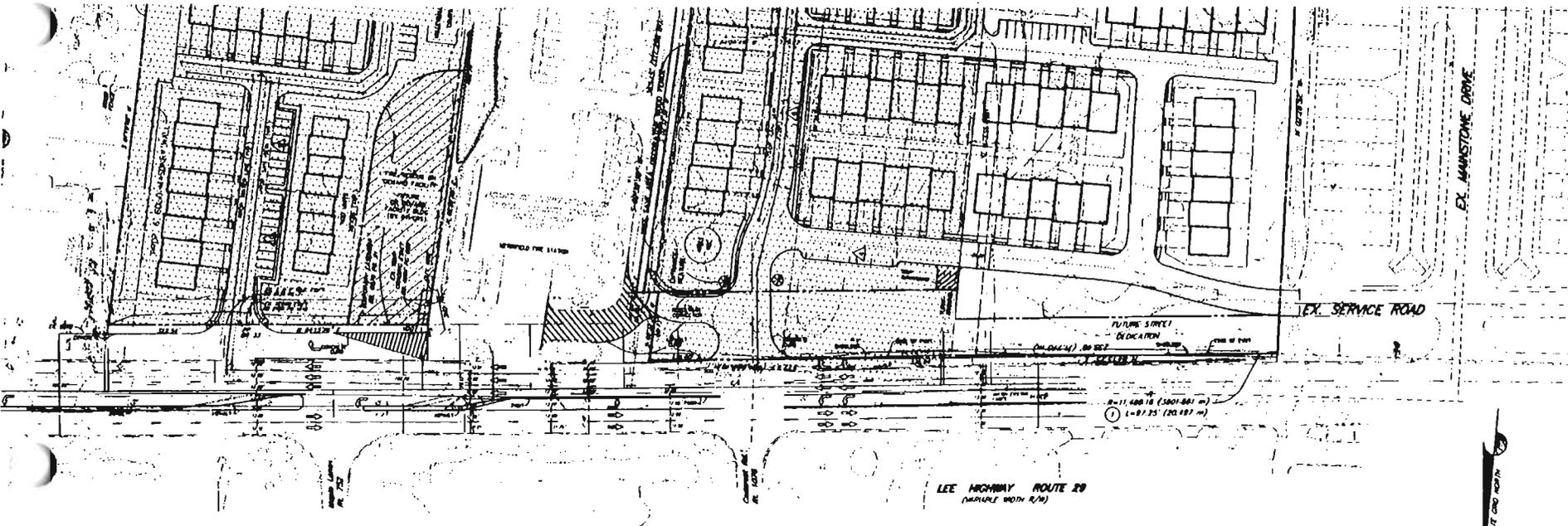
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BCcon@bcconsultants.com



NOTES, COMMENTS, AND PLANS
WELLS ADDITION
PROFESSIONAL SERVICE
FAIRFAX COUNTY, VIRGINIA

DESIGNED BY: PLR	DATE: 12/23/1995
DRAWN BY: CAD	DATE: 12/23/1995
CHECKED BY: DOO	DATE: 12/23/1995
DATE: DECEMBER 23, 1995	SCALE: NOT AS SHOWN
SHEET 7 OF 8	FILE NO: 11087-31
CADD NAME: PFW-MOI.DWG	

THE HATCHED AREA HAS NOT CHANGED SINCE THE PREVIOUS APPROVAL



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GENERALIZED DEVELOPMENT PLAN
 EXHIBIT A
WELLS ADDITION
 FARMINGTON DISTRICT
 FAIRFAX COUNTY, VIRGINIA

DESIGNED BY	PLR
DRAWN BY	CAD
CHECKED BY	DOO
DATE	DECEMBER 21, 1998
SCALE	HOR 1"=50' (1:500) VERT 1/2"=1'
SHEET	8 OF 8
CD NO.	
FILE NO	14082.31
CADD	WELLS ADDITION

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

DESCRIPTION OF THE APPLICATION

Proposal: Approval of an application to rezone 5.01 acres from the R-1 (Residential-One Dwelling Unit per Acre) and 11.47 acres from the R-8 (Residential-Eight Dwelling Units per Acre) Districts to the R-8 (Residential-Eight Dwelling Units per Acre) District in order to permit development of 145 single-family attached units, including 17 affordable dwellings. The total acreage proposed to be rezoned is 16.48 acres with an overall density of 8.30 dwelling units per acre. The property is also within the HC (Highway Corridor Overlay) District.

The 11.47 acre portion of the site that is currently zoned R-8 was rezoned to the R-8 District, pursuant to the Board's approval of RZ 95-P-026 on July 21, 1997, which rezoned 12.46 acres from the R-1 and the R-2 Districts to the R-8 District to permit the development of 104 single-family attached dwellings at a density of 8.35 dwelling units per acre (du/acre). This application seeks approval to include Parcel 35 in the development. With the exception of the addition of a tot lot and minor modifications along the border with Parcel 35, to join the 5.01 acre area to the 11.47 acre site, no changes are proposed to the existing R-8 portion of the site.

Size: 16.48 Acres

Density: 8.30 du/ac

Open Space: 24.4%

Waivers/Modifications:

- modification of transitional screening and barrier requirements to that shown on the GDP, pursuant to Par. 3 of Sect. 13-304
- modification of the transitional screening requirements along Lee highway to that shown on the GDP, pursuant to Par. 3 of Sect. 13-302

- waiver of the 600 foot maximum private street length
- waiver of the barrier requirements, pursuant to Par. 13 of Sect. 13-304

The applicant's Draft Proffers, Affidavit, and Statement of Justification are contained in Appendices 1, 2, and 3, respectively. Copies of certain applicable Zoning Ordinance provisions are contained in Appendix 4. A reduction of the GDP approved in conjunction with the approval of RZ 95-P-026 and the proffers are contained in Appendix 5.

LOCATION AND CHARACTER

Site Description/Use: The site consists of both vacant and developed land which surrounds the Merrifield Fire Station/Providence District Governmental Center. Construction of units in the previously rezoned portion of the site is currently taking place. With the exception of a few areas of tree preservation, the site has been cleared and graded. The 5.01 acre portion of the site proposed to be added to the development contains scattered areas of vegetation. This area is adjacent to townhouses in the Barkley development. An area of existing trees is located between the two sites.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Single family detached (across Lee Highway)	R-1	4-5 du/ac
South	Single family detached	R-1, R-2, PDH-3	2-3 du/ac
	Elementary School	R-2	Public Use
	Fire Station/Government Center	R-1	Public Use

Direction	Use	Zoning	Plan
East	Service Station	C-5	Retail
	Single family detached	R-1, R-2	1-2 and 2-3 du/ac
	Fire Station/Government Center	R-1	Public Use
West	Single family detached	R-1	2-3 du/ac
	Single family attached (Barkley)	PDH-3	2-3 du/ac
	Fire Station/Government Center	R-1	Public Use

Note: The site surrounds the fire station and Providence District Government Center on three sides.

BACKGROUND

History of Site and Surrounding Area:

On May 1, 1995, RZ 95-P-026 was filed by Centex Real Estate Corp. on 5.72 acres which included only Tax Map parcel 49-3 ((6)) 2. The application requested to rezone the property from the R-1 and HC Districts to the R-8, HC Districts in order to develop 47 single-family attached units at a density of 8.22 units per acre. On October 31, 1995, the applicant requested that the application be deferred indefinitely to allow time to address transportation and land assembly goals.

On August 5, 1996, an Out-of-Turn Plan Amendment was adopted by the Board for properties identified as Tax Map parcels 49-3 ((6)) 2, 49-3 ((1)) 4, 5, 6B, 7, and 48-4 ((1)) 35 which includes the subject property. The base Plan range for these parcels was 2-3 du/acre, which did not change. The Amendment increased the Plan Option from 4-5 dwelling units per acre to 5-8 dwelling units per acre with certain specified conditions. Relevant citations from this Plan amendment are contained in Appendix 6.

On January 29, 1997, an amended application for RZ 95-P-026 was submitted by Centex Homes, a Nevada General Partnership, which increased the area proposed to be rezoned from 5.72 to a total of 12.46 acres. Rezoning application RZ 95-P-026 was approved by the Board on July 21, 1997, to permit development of 104 single-family attached residences at a density of 8.35 du/acre. Construction of the development has commenced. Tax Map Parcel 35, located to the west of the site, was not consolidated into the application at that time. The purpose of the current application, RZ 1999-PR-017, is to consolidate Parcel 35 into the previously approved development.

Rezoning RZ 89-P-011, which rezoned 65.4 acres from the R-1 District to the PDH-3 District, was approved on July 22, 1991. This site is located west of the subject site and was developed by Centex as "The Barkley" development which consists of single-family detached homes on small lots and single-family attached units which include affordable units.

Rezoning RZ 92-P-026 was approved on March 8, 1993 and rezoned 1.03 acres from the R-1 District to the R-2 District to permit a two-lot subdivision on Parcel 49-3 ((1)) 8 with access from Chichester Lane.

On September 26, 1994, Special Exception SE 94-P-012 was approved for the Exxon Station located in the C-5 District adjacent to the subject site at the intersection of Lee Highway and Cedar Lane to permit replacement of the existing service station with a new building which included a quick service food store, a new canopy, and new pump islands with multi-fuel dispensers. The work at Exxon has been completed.

COMPREHENSIVE PLAN PROVISIONS (Appendix 6)

Plan Area: Area II

Planning Sector: Lee Community Planning Sector (VI),
Vienna Planning District

In Plan Amendment No. 95-14, adopted on August 5, 1996 by the Board of Supervisors, the Plan states:

"12. Tax Maps 49-3 ((6)) 2; 49-3 ((1)) 4, 5, 6B, 7; and 48-4 ((1d)) 35 are planned for residential use at 2-3 dwelling units per acre. As an option, residential use at 5-8 dwelling units per acre may be appropriate if

consolidation occurs that results in adequate land dedicated for the fire station's platform on demand (POD) facility and the realignment of Chichester Lane with Cedarest Road, and if the following specific conditions are met:"

In Plan Amendment No. 95-14, the Plan also states:

"Parcels between the east side of Bear Branch and Chichester Lane, between Routes 29 and 50 are planned for 2-3 dwelling units per acre, as shown on the Plan map. Development of these parcels should: (a) be laid out in such a way as to avoid cut-through traffic between Route 50 and

Route 29; (b) provide active recreation facilities; and © ensure preservation of all environmental and cultural resources. Development consistent with the Plan recommendation will require substantial consolidation of the parcels in this area. (See Land Use Recommendation #12 for development options above 2-3 du/ac for portions of this area)."

Additional Plan citations can be found in the Land Use Analysis in Appendix 6.

Plan Map: 2-3 du/ac

ANALYSIS

Generalized Development Plan:

A reduction of the Generalized Development Plan (GDP) is contained at the front of the report.

Title of GDP: Wells Addition

Prepared by: BC Consultants

Dated: December 23, 1998. Revised to September 24, 1999

Description of the Generalized Development Plan:

The Generalized Development Plan (GDP) submitted with this application consists of 8 sheets.

Sheet 1 is the cover sheet.

Sheet 2 shows the originally approved site layout on the 11.47 acres (reduced from 12.46 acres by right-of-way dedication) and a portion of the 5.01 acre parcel (Parcel 35) proposed to be consolidated into the development. All of the previously rezoned area, except the following, is covered with a dotted pattern which, according to a note, indicates that no changes are proposed to the previously approved development plan: a tot lot located adjacent to the volleyball court, east of the fire station/ Providence District Government Center; an area on the east side of the stormwater management pond; a strip of land adjacent to the driveway located on the west side of the fire station/government center; and a narrow band along the west which abuts Parcel 35. The proposed modifications within the previously zoned 11.47 acre portion of the site include the addition of a tot lot, landscape changes adjacent to the stormwater management pond which were approved at site plan approval for engineering

reasons, additional landscaping adjacent to the driveway on the west side of the fire station/government center, and the addition of portions of units along the west where Parcel 35 is joined to the original development. No changes in number/type of units or changes in the circulation system are proposed in the area currently zoned R-8. Sheet 2 shows the extension of streets and of the Lee Highway service drive from the previously approved development into Parcel 35 and the extension of the stormwater management pond into Parcel 35 to accommodate the additional land area. The unit configuration proposed in Parcel 35 is consistent with that previously approved and provides a logical extension of the development. A bus shelter is depicted along Lee Highway in front of Parcel 35, with the final location to be determined at site plan.

As shown on Sheet 2, the proposed townhouse buildings contain 4-8 units each and are arranged along private streets which generally surround the fire station/government center. A Fire and Rescue Platform-On-Demand (POD) Facility is depicted east of the fire station. Recreation facilities consisting of a volleyball court and an adult recreation area are shown on the eastern and western sides of the fire station, respectively. In this application, a tot lot has been added adjacent to the volleyball court. According to the applicant's proffers, the adult recreation area will consist of an exercise station and a bench.

Sheet 3 contains the layout for Parcel 35, known as the Wells property, and the site tabulations. The unit layout for this parcel is consistent with that described on Sheet 2. A total of 41 additional units are proposed in this application and are shown on Parcel 35. Four (4) ADUs are proposed in the area west of the stormwater management pond, adjacent to the Barkley development. The tabulations provide a comparison of those approved in the original rezoning (RZ 95-P-026) and the current application. In summary, this application proposes to add forty-one (41) units to the original 104 originally approved. Four (4) additional ADUs, for a total of 17 units, are proposed. The proposed density is 8.30 du/acre as compared to 8.35 du/acre previously approved. Open space is proposed at 24.4% as compared to 23.7% previously approved. The number of parking spaces proposed has increased from 423 spaces to 591 spaces. Limits of clearing along the western side of Parcel 35 have been proposed to preserve some of the existing vegetation along the western side of the site, adjacent to the Barkley development.

Sheet 4 is the Landscape Plan. The landscape plan for the 11.47 acre area is generally the same as that shown on the proffered GDP with the exception that, in certain front yards where it was determined at site plan review that the planting area was not large enough to support a large deciduous tree, compact deciduous trees were substituted. This change was approved during site plan approval by the Urban Forester; therefore, staff requested the applicant to show the site plan approved landscaping on this GDP for accuracy and consistency.

The other change to the previously approved landscaping can be seen along the eastern side of the stormwater management pond where the original GDP showed trees planted between the wood chip trail around the pond and the pond embankment. The trees in this location which were depicted on the GDP were not approved at site plan because County policy does not permit trees in the embankment area and have, therefore, been removed from this submission.

Sheet 5 is the landscape plan for Parcel 35 and a plan for the area adjacent to the driveway on the west side of the fire station/government center. Tree cover calculations for the previously approved GDP, those approved with the site plan, and those proposed with this submission have been provided for comparison. The landscape plan for Parcel 35 shows a continuation of the planting scheme approved with the original rezoning. As discussed above, compact deciduous trees are now shown in the front yards of units where there may not have been adequate planting room for a full deciduous tree. Landscape Note #3 indicates that, where planting space allows, large deciduous trees will be provided. The amount of right-of-way dedication proposed in front of Parcel 35 is less than that provided on the R-8 zoned area which provides an increased planting area in front of this portion of the development. In order to provide an enhanced landscaped berm along the site frontage for noise mitigation and screening purposes, it was determined by DOT and VDOT that a reduced amount of right-of-way would be adequate to provide any of the planned future improvements to Route 29.

To summarize the tabulations, 23.4% tree cover was provided with the original rezoning, 24.9% tree cover was approved on the site plan, and the current submission provides 24.3% tree cover.

The landscape plan for the area adjacent to the fire station/government center driveway shows a decorative wood fence on the inside, or west side, of the landscaped area. The landscaped area, which is approximately ten (10) feet in width, is proposed to be planted with five (5) 3-3 ½ inch caliper deciduous trees interspersed with large evergreen trees (8-10 feet [33%]) and (10-12 feet in height [67%]).

This sheet also contains two (2) sections which show the relationship of the future POD facility to the proposed townhouses and the landscaped berm along the site frontage. These sections have not changed since the original approval.

Sheet 6 is an existing tree survey which was requested by staff and the Urban Forester to determine the potential for tree save along the western side of Parcel 35 between this site and the Barkley development. In addition, the Urban

Forester was interested in the specific locations of existing trees along the site frontage to determine the potential for their preservation. As can be seen, the trees along the site frontage will have to be removed for frontage improvements. Along the west, the limits of clearing and grading will protect a 60 inch oak, and a 42 inch and a 36 inch oak tree located along the western site boundary. Additional on-site smaller trees, including a 10 inch cherry, a 12 inch elm, a 12 inch oak, 30 inch oak, and a 30 inch cherry located on the Barkley site should be preserved. The limits of clearing and grading should also preserve a number of trees, including poplars, willow, and maple trees in the southwest corner of the site. Along the remainder of the western site boundary, the limits of clearing and grading are approximately 6-7 feet off the property line to protect existing trees on the Barkley property.

Sheet 7 contains notes and typical lot layouts and landscaping for both market rate and affordable units. Layouts are noted "for illustrative purposes only". Architectural elevations of the market rate and affordable units show the proposed market rate townhouses constructed with brick fronts with architectural details such as palladian windows and gabled roofs. The affordable units are depicted with brick and siding fronts with brick the predominant material and gabled roofs.

Sheet 8 is referenced as "Exhibit A" in the proffers and shows the Route 29 improvements along the site frontage, including an extension of the service drive across the front of Parcel 35 from the front of the Barkley development to connect with the private street network in the proposed development. Construction in the Route 29 right-of-way in front of the application property has begun. This sheet also shows additional modifications proposed in front of the fire station/government center.

Environmental Analysis (Appendix 7)

Issue: Highway Noise

The site is impacted by highway noise from Lee Highway (Route 29). The applicant's draft proffers commit to provide noise attenuation measures including a berm "as shown on the GDP". Both interior and exterior noise mitigation should have been provided to ensure that exterior noise levels do not exceed 65 dBA DNL and interior noise levels are mitigated to a maximum of 45 dBA DNL.

Resolution:

The applicant has proffered to utilize building materials to provide the recommended interior noise mitigation. The applicant has proffered to mitigate exterior noise through construction of a landscaped six-foot high earthen berm which is shown in Section B-B on Sheet 5 of the GDP. The Section shows the general relationship of the berm to Route 29 and the proposed townhouses in two locations of the site frontage. With the applicant's previous submission staff questioned the ability of the depicted berm to be located in front of Parcel 35 because the planting area in that location was so narrow. The applicant stated an intent to locate the berm in unused VDOT right-of-way in front of Parcel 35 which could not be done without approval from VDOT. Staff from DOT suggested that the applicant reduce the amount of right-of-way dedication in front of Parcel 35 since a conventional service drive was not proposed in front of the site and the amount of right-of-way shown on the applicant's GDP exceeded that needed for planned road improvements. VDOT concurred with this proposed modification. As a result, the GDP was modified to reduce the area to be dedicated which increased the on-site area available for the landscaped berm. Therefore, this issue has now been addressed.

Issue: Water Quality

There is an old tire dump on this site as well as other areas of general refuse containing cars, trucks, appliances, etc. The trash should be cleared out as construction occurs.

Resolution:

The applicant has proffered to remove the trash and debris prior to site plan approval for Parcel 35 which addresses the issue.

Issue: Tree Cover

Tree preservation should be implemented along the site periphery where it is feasible. A tree survey should have been provided for review by the Urban Forester.

Resolution:

This application was referred to the Urban Forestry Branch of DPWES for review to evaluate the potential for tree preservation and to follow up on proffered tree preservation in the area adjacent to the driveway into the fire station/government center. Two Memos from the Urban Forestry Branch, dated June 21, 1999,

and August 12, 1999, are contained in Appendix 8. According to the August 12, 1999, Memo, the applicant's latest GDP and proffers address previous comments of June 21, 1999 and other subsequent recommendations and comments made to the applicant verbally. Only two final issues remained to be addressed. The first was a correction to the title of the Guide for Plant Appraisal in the applicant's draft proffers which has now been made. The second was a recommendation that the tree condition analysis for all surveyed trees be completed as soon as possible in order to resolve most tree-related issues before the site plan stage. The tree survey and condition analysis will be made part of the tree preservation plan submitted with the first submission of the site plan, according to the applicant's draft proffer 4C. Although not a requirement, it would be in the applicant's best interest to provide the requested condition analysis to the Urban Forestry Branch as early as possible to expedite the site plan approval for Parcel 35.

Issue: Light Pollution

The applicant's development plan and proffers did not specify the location and types of outdoor lighting proposed for this site. To avoid impacts on adjacent residential property, all lighting should have been focused directly on parking/driveway areas and sidewalks and should not project beyond the property lines. Property identification signage, if lighted, should have been designed to minimize glare.

Resolution:

The applicant has proffered that lighting will be shielded and downward directed and that lighting for any signage will be front-lit which addresses this issue.

Issue: Trails

The Trails Plan Map showed a bicycle/equestrian trail along Lee Highway but it was not clear on which side of the highway it should be located.

Resolution:

This issue will be addressed during site plan review.

Transportation Analysis (Appendix 9)

Contained in Appendix 9 are comments from the Department of Transportation, dated June 2, 1999, August 13, 1999, September 2, 1999, and October 6, 1999.

The site is located on Lee Highway (Route 29) which is a primary arterial currently existing as a four-lane section with a two-way shared left turn lane in this location. The Comprehensive Plan calls for Lee Highway to be improved to a six-lane divided section with raised median. The road widening has been completed on the north side of the highway in this location. Right-of-way dedication and frontage improvements consistent with the latest VDOT plans are needed on the south side along the site frontage. Construction of the frontage improvements in front of the subject site has commenced. The proffered GDP approved with RZ 95-P-026 provided frontage improvements which were acceptable to the Department of Transportation and were consistent with the latest VDOT plans. The transportation improvements proposed on the GDP submitted with this application are consistent with the VDOT plans and with the previously approved improvements. The applicant requested a waiver of the service drive and proposed instead to provide a future interparcel connection at the front of the site to ultimately connect with the existing service drive located in front of the Barkley development. The private street at the front of the subject site, west of the adult recreation center, was shown as 26 feet in width to allow it to eventually function as a service drive. A waiver of the service drive was approved. The currently proposed GDP shows the extension of the private street across Parcel 35 to connect with the existing service drive in front of the Barkley development. The portion of this service road located on Parcel 35 was originally proposed to be located both in proposed VDOT right-of-way and on the application site. With the reduced right-of-way dedication needed in front of Parcel 35 which VDOT has agreed to, the service drive is now shown entirely within the application site. With approval of RZ 95-P-026 the applicant proffered to install a signal at the Lee Highway/Cedarest Road intersection, prior to the issuance of the tenth RUP, subject to VDOT warrants and approval. The applicant's draft proffer now provides for the installation of a traffic signal, subject to VDOT warrants and approvals.

According to the September 2, 1999, Memo from DOT, all of the issues previously identified as relevant to this application have been addressed in the applicant's most recently submitted GDP and proffers. These included service drive maintenance and the need for the applicant to document that Dixie Drive had been vacated.

Public Facility Analyses

Contained in Appendices 10-13 are the Fairfax County Water Service Analysis, the Sanitary Sewer Analysis, the Memorandum from the Utilities Planning and Design Division of the Department of Public Works, and the Fire and Rescue Department Preliminary Analysis which indicate that adequate services are available for the proposed development. The DPW Memo notes that there are complaints on file concerning channel bank erosion and yard flooding

downstream; however, no specific recommendations were made for this application. The subject site is located within the water service area of the City of Falls Church. Appendix 14 contains a Memorandum from the Fairfax County Park Authority which requests a contribution of \$42,000.00 from the developer to be used for acquisition/development/maintenance of athletic fields and park facilities in a nearby park. The applicant has declined to make this contribution; however, a volleyball court, tot lot, and adult recreation area are proposed in the development. The Fairfax County Schools report in Appendix 15 indicates that membership exceeds capacity at the middle school level. Capacity at the elementary and high school levels is adequate.

Land Use Analysis (Appendix 6)

The complete Land Use Analysis is contained in Appendix 6. The Comprehensive Plan map shows the subject site planned for residential use at a density of 2-3 dwelling units per acre. On August 5, 1996, the Board of Supervisors adopted Plan Amendment No. 95-14 which allowed an option for development at 5-8 du/ac, with the following specific conditions:

- substantial and logical consolidation and dedication of land for a POD (platform-on-demand) facility for the fire station
- effective buffering and screening to adjacent single-family residential uses and of the Merrifield Fire Station (including the POD facility)
- on-site recreational facilities sufficient to serve the proposed residential community
- a coordinated internal street system that connects all parts of this area and ensures pedestrian connections to Lee Highway, Chichester Lane, the County Government office, the adjoining Barkley Subdivision, and Fairhill Elementary School
- primary access which is consolidated to one location at Lee Highway opposite Cedarest Road. Additional entrances along Lee Highway may be provided as right-in/right-out only, with the exception of a median opening opposite the fire station for emergency vehicle use only.

At the time rezoning application RZ 95-P-026 was approved it was determined that the application was in conformance with Comprehensive Plan. The current application was filed in order to consolidate Parcel 35 into the development. Except as noted earlier, no changes to the area included in the original rezoning are proposed. The development pattern proposed for Parcel 35 is a continuation of that originally approved. The applicant has provided buffering, a

tot lot has been added adjacent to the volleyball court, and vehicular and pedestrian circulation are coordinated and connect all parts of the area. Therefore, staff is of the opinion that the application is in conformance with the Plan.

Residential Density Criteria

The applicant requests approval of a density of 8.30 dwelling units per acre. The Plan recommended density for the option is 5-8 dwelling units per acre. The applicant's requested density of 8.30 dwelling units per acre is at the high end of the density range which, adjusted for ADUs, is 6-9.6 dwelling units per acre. The high end begins at a density of 8.16 du/acre. Therefore, the applicant should satisfy at least three-quarters of the applicable criteria. Staff has reviewed the application against the Residential Density Criteria specified in the Comprehensive Plan. Staff's evaluation is as follows:

1. Provide a development plan, enforceable by the County, in which the natural, man-made and cultural features result in a high quality site design that achieves, at a minimum, the following objectives: it complements the existing and planned neighborhood scale, character and materials as demonstrated in architectural renderings and elevations (if requested); it establishes logical and functional relationships on- and off-site; it provides appropriate buffers and transitional areas; it provides appropriate berms, buffers, barriers, and construction and other techniques for noise attenuation to mitigate impacts of aircraft, railroad, highway and other obtrusive noise; it incorporates site design and/or construction techniques to achieve energy conservation; it protects and enhances the natural features of the site; it includes appropriate landscaping and provides for safe, efficient and coordinated pedestrian, vehicular and bicycle circulation. (FULL CREDIT)

The proposed townhouse development is located adjacent to single-family detached residences on the east, south, and west and provides appropriate buffers and transitional areas. The proposed development is of a similar character with the adjacent Barkley development. A 6 foot high landscaped berm is proffered along Lee Highway for noise attenuation and screening from the road. The applicant has proffered to utilize construction techniques to mitigate interior noise to an acceptable level. Pedestrian circulation is provided which connects to Chichester Lane and Lee Highway. The development provides sidewalks along both sides of the private streets within the community. The applicant has added additional landscaping to the plan which now provides good tree cover and places trees at the fronts of many of the units. Architectural details have been proffered which demonstrate that units will have

primarily brick fronts. A previously accepted proffer which provides fully fenced rear privacy yards for all units, with the exception of the four units in the northeast corner of the development which are adjacent to a proposed masonry wall, has been brought forward with this application.

2. Provide public facilities (other than parks) such as schools, fire stations, and libraries, beyond those necessary to serve the proposed development, to alleviate the impact of the proposed development on the community. (FULL CREDIT)

With approval of RZ 95-P-026, the applicant proffered to dedicate 0.46 acres of land to the Board of Supervisors for development of a POD (Platform-on-Demand) facility for the fire station, as called for in the Plan. This dedication has occurred. Also with approval of RZ 95-P-026, the applicant proffered to donate five (5) 486 computers to the Fairhill Elementary School. Documentation of the donation was required prior to the issuance of building permits.

3. Provide for the phasing of development to coincide with planned and programmed provision of public facility construction to reduce impacts of proposed development on the community. (NOT APPLICABLE)
4. Contribute to the development of specific transportation improvements that offset adverse impacts resulting from the development of the site. Contributions must be beyond ordinance requirements in order to receive credit under this criterion. (FULL CREDIT)

The applicant has proffered to install a traffic signal at the site entrance at the intersection of Lee Highway and Cedarest Road, subject to VDOT approval and warrants. Full credit is appropriate.

5. Dedicate parkland suitable for active recreation and/or provide developed recreation areas and/or facilities in an amount and type determined by application of adopted Park facility standards and which accomplish a public purpose. (NOT APPLICABLE)

The Park Authority has not requested that the applicant dedicate any parkland; however, the Park Authority has requested the applicant to contribute \$42,000.00 to acquire/develop/maintain athletic fields and park facilities at a nearby park which the applicant has not agreed to provide.

6. Provide usable and accessible open space areas and other passive recreational facilities in excess of County ordinance requirements and those defined in the County's Environmental Quality Corridor policy. (HALF CREDIT)

The application proposes a total of 24.4% open space which exceeds the Ordinance requirement of 16% open space in the R-8 District for an affordable dwelling unit development. The open space is primarily located around the site periphery and between buildings. With the exception of the area containing the stormwater management facility, the volleyball court and tot lot, and the adult recreation area there are no significant areas of useable open space.

The primary benefit of the open space will be visual relief and additional buffering between units. The R-8 District does not have a requirement for recreational facilities. Therefore, the volleyball court, tot lot, and the adult recreation area are beyond Ordinance requirements. Since the actual amount of open space is 8.4% above Ordinance requirements, staff believes half credit is warranted. Full credit would only be justified if an open space amenity area had been provided.

7. Enhance, preserve or restore natural environmental resources on-site, (through, for example, EQC preservation, wetlands preservation and protection, limits of clearing and grading and tree preservation) and/or reduce adverse off-site environmental impacts (through, for example, regional stormwater management). Contributions to preservation of and enhancement to environmental resources must be in excess of ordinance requirements. (HALF CREDIT)

The application site does not contain large amounts of mature vegetation worthy of preservation; however, there are scattered clusters of trees which it would be desirable to preserve. With approval of the original rezoning, the applicant agreed to preserve two areas of existing trees adjacent to the driveway into the fire station and in the southernmost tip of the former Dixie Drive right-of-way. In staff's analysis, that was minimum tree preservation and, therefore, to compensate for the lack of tree preservation, the applicant agreed to add additional trees to the development plan in excess of tree cover requirements. Half credit was given on this criterion in the original rezoning. The 11.47 acre area included in the original rezoning is now under development and some of the tree preservation previously committed has been lost. The Urban Forester has worked with the developer to address tree save issues. In this application, to compensate for a lack of trees adjacent to the driveway into the fire station and government center, the applicant has developed a

landscape plan which exceeds requirements and provides deciduous and evergreen trees for a vegetative buffer. The applicant has also worked with the Urban Forester to provide tree save along the western side of the site, adjacent to the Barkley development. In staff's analysis, half credit is still appropriate since the total amount of tree save on the entire site is small.

8. Contribute to the County's low and moderate income housing goals. This shall be accomplished by providing either 12.5% of the total number of units to the Fairfax County Redevelopment Housing Authority, land adequate for an equal number of units or a contribution to the Fairfax County Housing Trust Fund in accordance with a formula established by the Board of Supervisors in consultation with the Fairfax County Redevelopment and Housing Authority. (FULL CREDIT)

The proposed development is at a density of 8.30 du/acre which is at the upper end of the density range of 5-8 dwelling units per acre, as adjusted for bonus density for affordable units. The applicant provides 12.5% of the total units as affordable units in conformance with the Ordinance. A total of seventeen (17) affordable units are provided.

9. Preserve, protect and/or restore structural, historic or scenic resources which are of architectural and/or cultural significance to the County's heritage. (NOT APPLICABLE)

The Heritage Resources Branch of FCPA has made no requests for the applicant to conduct archaeological surveys in this application.

10. Integrate land assembly and/or development plans to achieve Plan objectives. (FULL CREDIT)

The current application which adds Parcel 35 to the previously consolidated area, which was rezoned pursuant to the Board's approval of RZ 95-P-026, now provides full consolidation of the area specified in the Plan for consideration of the 5-8 dwelling unit per acre option; therefore, full credit is warranted.

In staff's analysis, the applicant has satisfied a sufficient number of the applicable Residential Density Criteria to justify the requested density of 8.30 dwelling units per acre.

ZONING ORDINANCE PROVISIONS (Appendix 4)

The following table illustrates how the proposed development conforms with the bulk standards of the R-8 District for ADU developments.

Standard	Bulk Standards (R-8)	
	Required	Provided
District Size	5 Acres	16.48 Acres
Lot Width	14 Ft.	20 Ft.
Building Height	35 Ft.	35 Ft.
Front Yard	15° ABP, Min.5 Ft.	10 Ft. (ADU) 18 Ft. (Others)
Side Yard	15° ABP, Min.8 Ft.	8 Ft.
Rear Yard	25° ABP, Min.16 Ft.	16 Ft.
Open Space	16%	24.4%

As the above chart demonstrates, all bulk regulations of the R-8 District for ADU developments are met in this application.

Parking

Article 11 requires 2.3 parking spaces per unit for single-family attached developments; thus, with 145 units, 334 parking spaces are required. The development provides a total of 591 spaces distributed as follows: 256 spaces in garages; 256 driveway spaces; and 79 surface spaces (40 ADUs, 39 elsewhere). Therefore, parking requirements have been met.

Transitional Screening and Barrier Requirements

Transitional Screening 1 and Barrier D, E, or F are required between single-family attached and detached residences. These requirements are applicable to the eastern and northern sides of the site and to portions of the western and southern sides of the site.

A modification of transitional screening and waiver of the barrier requirement were granted with approval of the original rezoning along the northern, eastern, and southern site boundaries in favor of landscaping proposed on the proffered GDP. The applicant has requested that the modification of screening and waiver of the barrier previously approved be re-affirmed in this application which staff supports. With the addition of Parcel 35, transitional screening and barrier requirements are now applicable along the northern and southern sides of that parcel. Along the north, the applicant requests a modification of screening and

waiver of the barrier requirements and proposes a landscaped berm six (6) feet in height. The requested modification is based on Par. 3A of Sect. 13-302 which allows an alternate planting scheme for Transitional Screening 1 which includes some deciduous trees instead of all evergreens. Staff supports this modification which will provide a better streetscape along Lee Highway than a solid screen of evergreen trees. The applicant has now revised the GDP to provide an increased area of landscaping with a berm along the Lee Highway frontage in front of Parcel 35 which was an issue. The applicant requests a waiver of the barrier requirement along Lee Highway, pursuant to Par. 13 of Sect. 13-304, which states that the barrier requirement may be waived in single-family attached developments where a six (6) foot high fence has been provided to enclose a privacy yard on all sides and such fence is architecturally designed and coordinated with landscaping techniques to minimize adverse impact on adjacent properties. Staff supports the waiver of the barrier since all of the proposed units in this area will be provided with an enclosed privacy yard. Along the site frontage, the six (6) foot high berm along the north will function as a barrier.

Along the southern side of Parcel 35 the applicant requests a modification of transitional screening, pursuant to Par. 3 of Sect. 13-304 which states that The applicant proposes to substitute the indicated landscaping with tree preservation in the southwest corner to meet the requirement. The applicant's tree survey which is presented on Sheet 6 shows that there are a number of existing trees in the southwest corner of the site which will be protected if limits of clearing and grading depicted on the GDP are not violated during construction. Staff supports the requested modification of transitional screening. The applicant requests a waiver of the barrier requirement along the south, pursuant to Par. 13 of Sect. 13-304 as described in the preceding paragraph. Staff supports the waiver of barrier. There are no units located in close proximity to the southern property boundary. There is a stormwater management pond and a parking lot for the ADUs and overflow parking. A waiver of the barrier requirement is appropriate as long as adequate landscaping is provided to screen the parking lot and headlights from the adjacent residences.

Additional Waivers

The applicant has requested reaffirmation of a waiver of the 600 foot maximum length for private streets which was previously approved. As long as the applicant proffers to disclose the maintenance responsibility for the private streets to prospective purchasers and the private streets meet public street standards for depth of pavement and materials, staff supports this waiver. The applicants latest draft proffers include the above commitments.

The applicant has requested a waiver of the service drive requirement along Lee Highway. A similar waiver was approved with approval of the original rezoning. Even though the application provides a street which will function as a service drive and will be connected to the existing service drive in front of the Barkely Development, a waiver is required because a standard service drive is not being provided. Staff supports the waiver which will permit the completion of the service drive which was proposed in the original rezoning and received the approval of VDOT and DOT.

CONCLUSIONS AND RECOMMENDATIONS:

Staff Conclusions:

The applicant's proposal is in conformance with the Comprehensive Plan and has met Zoning Ordinance requirements. The requested density has been justified. Previous proffers have been restated.

Staff Recommendations:

Staff recommends approval of RZ 1999-PR-017, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a modification of transitional screening and waiver of barrier requirements to that shown on the GDP.

Staff recommends approval of a waiver of the 600 foot maximum length for private streets.

Staff recommends approval of a waiver of the service drive to that shown on the GDP.

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

APPENDICES

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Zoning Ordinance Provisions
5. Clerk's Letter, GDP, and Proffers for RZ 95-P-026
6. Land Use Analysis
7. Environmental Analysis
8. Urban Forestry Comments
9. Transportation Analysis, Including VDOT Memorandum
10. Water Service Analysis
11. Sanitary Sewer Analysis
12. DPW Memorandum
13. Fire and Rescue Memorandum
14. Park Authority Memorandum
15. Fairfax County Schools Report
16. Glossary of Terms

DRAFT
PROFFERS

CENTEX HOMES/CARRIAGE LAWN AT BARKLEY

RZ 1999-PR-017

October 12, 1999

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the owners and Centex Homes (hereinafter referred to as the "Applicant"), for the owners, themselves, successors and assigns in RZ 1999-PR-017, filed for property identified on the Fairfax County Tax Map as 48-4 ((1)) 35 and 49-3 ((33)) 1-101, A (hereinafter referred to as the "Application Property"), agrees to the following proffers, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property from the R-1 and R-8 Zoning Districts to the R-8 Zoning District. In the event this application is approved, any previous proffers for the Application Property are hereby deemed null and void and hereinafter shall have no effect on the Application Property.

1. Generalized Development Plan.

- A. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the GDP, prepared by BC Consultants consisting of eight (8) sheets dated December 23, 1998, as revised through September 24, 1999.
- B. Pursuant to Section 18-204, minor modifications from the GDP may be permitted as determined by the Department of Public Works and Environmental Services (DPWES). Further, the Applicant may revise the width of townhouse units (exclusive of Affordable Dwelling Units (ADUs)) shown on the GDP without requiring approval of an amended GDP, provided that such changes are in conformance with the Zoning Ordinance and are in substantial conformance with the GDP and do not increase the number of units, decrease the amount of open space, landscaping or eliminate garage or driveway parking spaces.
- C. Any conversion of garages that will preclude the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the Homeowner's Association, which shall be established, and the Board. Prospective purchasers shall be advised of the use restriction prior to entering into a contract of sale.

- D. Privacy yards shall be enclosed on three (3) sides by a wooden fence, except for the four units in the northeastern corner adjacent to the masonry wall, which shall be enclosed on two (2) sides only.

2. Transportation.

- A. The Applicant shall dedicate and convey in fee simple to the Board, right-of-way along the Application Property's frontage of Lee Highway, as shown on the GDP. Dedication shall be made at time of site plan approval or upon demand from Fairfax County, whichever shall first occur. Ancillary easements shall be granted by the Applicant at time of site plan approval or upon demand if full frontage improvements are not provided by the Applicant.
- B. The Applicant shall construct road improvements along the Application Property's frontage and the Fire Station's (Parcel 2A) frontage consistent with VDOT Project Number 0029-029-119, RW202, as shown on Sheet 7 of the GDP. The improvements shall be constructed in phases corresponding to the site plan approved with each phase of development, subject to VDOT and DPWES approval.
- C. Subject to VDOT warrants and approval, the Applicant shall install a traffic signal at the Lee Highway/Cedarest Road intersection and provide interconnection, if required, to the existing emergency signal at the fire station.
- D. Prior to entering into a contract of sale, prospective purchasers of townhouses shall be notified in writing of the maintenance responsibility of the private streets and service drive, if required, by the Homeowners' Association and shall acknowledge receipt of this information in writing. The Applicant shall record a covenant setting forth the maintenance responsibility of the private streets and service drive, if required, by the Homeowner's Association among the land records of Fairfax County in a form approved by the County Attorney. Each deed of conveyance shall expressly contain this disclosure.
- E. All of the private streets and service drive shall be constructed to pavement thickness standards of public streets as set forth in the Public Facilities Manual, subject to DPWES approval.
- F. The portion of the service drive located outside of the right-of-way shall be located within a public access easement. In the event the service drive is not accepted for maintenance by VDOT, the Applicant shall accept maintenance responsibility for the service drive. On or before the bond release for the final section of the Application Property, and as a condition thereto, the Applicant shall deposit into an escrow account, owned and controlled by the Homeowners Association established for the

proposed development, the amount of Seven Thousand Two Hundred Dollars (\$7,200.00). This escrow shall be utilized by the Homeowners Association for future maintenance of the service drive. The service drive shall be maintained in a state of good repair by the Homeowners Association such that the service drive is clear of debris, snow, etc.

3. Recreation.

The Applicant shall construct an adult recreation area, consisting of three exercise stations and a bench, a volleyball court and tot lot as shown on the GDP, as approved by DPWES. Improvements shall be constructed concurrent with the corresponding phase of the development of the Application Property.

4. Landscaping and Open Space.

- A. Street trees and peripheral landscaping shall be provided by the Applicant as shown on the GDP. The exact location of the proposed plantings may be modified as necessary for the installation of utilities in coordination with the Urban Forester, but there shall be no decrease in the amount of landscaping or number of trees. The deciduous trees shown on individual lots on the GDP may be compact deciduous trees, as approved by the Urban Forester. All end units where a tree is shown shall have a large deciduous tree.
- B. The Applicant shall preserve those trees designated on the GDP as "to be saved." If these trees are not able to be saved during the development process as determined and approved by the Fairfax County Urban Forester ("Urban Forester"), the Applicant shall provide replacement trees of a comparable species and number with a minimum 3 inch caliper in coordination with the Fairfax County Urban Forester.
- C. The Applicant shall substantially conform to the limits of clearing and grading shown on the GDP, as approved by DPWES. The Applicant shall retain a certified arborist to prepare a tree preservation plan for the areas identified within the following areas of the Application Property: (i) within 20 feet of the western property line; and (ii) in the southwest corner of the Application Property (south of the proposed units and west of the proposed dry pond) to be reviewed by the Urban Forestry Branch as part of the first site plan submission for Parcel 35. The tree preservation plan shall include the tree survey submitted with the GDP and condition analysis prepared using methods outlined in the eighth edition of The Guide for Plant Appraisal. This plan shall provide for the preservation of specific quality trees and/or stands of trees within the designated open space areas, to the maximum extent feasible without precluding the development of a typical unit on each of the lots, as shown on the GDP. Preserved vegetation will be applied toward the satisfaction of transitional screening

requirements and supplemented where appropriate, as determined by the Urban Forester. If during the process of site plan review it is determined by the Urban Forester to be necessary to remove any trees previously designated to be preserved in order to locate utility lines, trails, ponds, etc., replacement trees shall be provided by the Applicant as determined by the Urban Forester in accordance with the Public Facilities Manual (PFM). Supplemental plantings, where determined necessary by the Urban Forester, shall be provided and shall consist of a combination of shade and evergreen trees in accordance with the PFM.

Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be provided. Activities may include, but are not limited to, crown pruning, root pruning, mulching and fertilizing.

All trees shown to be preserved on the tree preservation plan shall be protected by a tree protection fence. Tree protection fencing consisting of six (6) foot high chain link fence shall be erected at the limits of clearing and grading as shown on the Phase I & II erosion and sediment control sheets in all areas.

The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any clearing and grading activities on the site, including the demolition of any existing structures. The installation of tree protection fence shall be performed under the supervision of a certified arborist. Prior to the commencement of any clearing, grading, or demolition activities, the project's certified arborist shall verify in writing that the tree protection fence has been properly installed.

5. Noise.

A. The Applicant shall utilize building materials with characteristics in order to reduce the maximum interior noise to a level of approximately 45 dBA Ldn.

i. All units located between the 65-70 dBA Ldn highway noise impact contours located within 425 feet of the Lee Highway centerline should have the following acoustical attributes:

(a) Exterior walls shall have a laboratory STC rating of at least 39.

(b) Doors and windows shall have a laboratory STC rating of at least 28. If windows constitute more than twenty percent (20%) of any facade, they should have the same laboratory STC as the walls.

(c) Measures to seal and caulk between exterior wall surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

B. In order to achieve a maximum exterior noise level of 65 dBA Ldn, the Applicant shall construct a 6 foot high earthen berm in that general location as shown on the GDP, as approved by DPWES.

C. As an alternative, the Applicant may, at its sole discretion, have a refined acoustical analysis performed in coordination with County Staff to determine if any buildings or portion thereof may have sufficient shielding to permit a reduction in the mitigation measures prescribed above, subject to approval by DPWES.

6. Storm Water Management.

The Applicant shall provide storm water management in accordance with the requirements of DPWES at time of site plan approval. Storm water management shall be satisfied with the construction of a dry pond designed to Best Management Practices in a location as generally shown on the GDP.

7. Affordable Dwelling Units (ADUs).

The Applicant shall provide 17 affordable dwelling units as shown on the GDP.

8. Platform on Demand (POD).

All prospective purchasers of units shall be notified in writing prior to sale of units of the location of the POD facility and the County's intention to construct the facility.

9. Bus Shelter.

The Applicant shall provide one (1) bus shelter as generally shown on the GDP along Lee Highway, if requested by Fairfax County. The final location for the bus shelter shall be determined by the Fairfax County Department of Transportation and shall not require individual bus turn-outs or special lanes.

10. Debris Removal.

The Applicant shall remove the trash and debris currently located on the portion of the Application Property identified on Tax Map 48-4 ((1)) Parcel 35 prior to site plan approval for Parcel 35.

11. Lighting.

All lighting shall be fully shielded and directed downward to minimize off-site glare to adjacent residential properties. Lighting for any signage shall be front-lit so as to minimize any off-site glare.

12. Density Credit.

Advanced density credit shall be reserved as may be permitted by the provisions of Paragraph 4 of Sect. 2-308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be reasonably required by Fairfax County and/or VDOT at time of site plan approval.

13. Fairhill Elementary School.

The Applicant shall provide documentation to DPWES that the Applicant has donated two (2) color laser printers and one (1) work station computer with zip drive to the Fairhill Elementary School prior to the issuance of the 102nd building permit for the Application Property.

[SIGNATURES BEGIN ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 9-16, 19, 31-41, 43-45, 70, 74-81,
92-101 and 48-4 ((1)) 35:

CENTEX HOMES
A Nevada General Partnership

By: Centex Real Estate Corporation
A Nevada Corporation
Its Managing Partner

Robert K. Davis

Its: Division President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 24-30; 46-64, 66-69, 82-91

WL Homes, Inc.

By: Centex Real Estate Corporation
A Nevada Corporation
Its Managing Partner

Robert K. Davis

Its: Division President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
49-3 ((33)) A

CARRIAGE LAWN AT BARKLEY
HOMEOWNERS ASSOCIATION, INC.

By: _____
Michael B. Hummel

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 1

By: Centex Homes
Its: Attorney in fact for
Anh Hong Phan and
Boa Q. Nguyen

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 2

By: Centex Homes
Its: Attorney in fact for
Rajan Pardipuram
Sirisha Prasad

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 3

By: Centex Homes
Its: Attorney in fact for
Kiet T. Ung
Thuy Tien Duong

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
49-3 ((33)) 4

By: Centex Homes
Its: Attorney in fact for
Thomas B. Muleta

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 5

By: Centex Homes
Its: Attorney in fact for
Bashar M. Qasem
Manal A. Fouz

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 6

By: Centex Homes
Its: Attorney in fact for
Young C. Yoo
Jennifer J. Yoo

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 7

By: Centex Homes
Its: Attorney in fact for
Paul E. Kang
Young E. Kang

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 8

By: Centex Homes
Its: Attorney in fact for
Thang H. Nguyen
Suoc T. Nguyen

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 17

By: Centex Homes
Its: Attorney in fact for
Sean C. Timm
Wendy D. Warren

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
49-3 ((33)) 18

By: Centex Homes
Its: Attorney in fact for
Richard P. Le

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
49-3 ((33)) 20

By: Centex Homes
Its: Attorney in fact for
Jessie D. Washington

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
49-3 ((33)) 21

By: Centex Homes
Its: Attorney in fact for
Loi T. Nguyen

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
49-3 ((33)) 22

By: Centex Homes
Its: Attorney in fact for
Kanan F. Shah

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 23

By: Centex Homes
Its: Attorney in fact for
Gene S. Chung
Monica Y. S. Kim

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASERS OF TAX MAP
49-3 ((33)) 31

By: Centex Homes
Its: Attorney in fact for
Michael T. Vue
Thangh Nguyen Pham

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASERS OF TAX MAP
49-3 ((33)) 32

By: Centex Homes
Its: Attorney in fact for
Ha Nguyen
Kevin Le

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASER OF TAX MAP
49-3 ((33)) 33

By: Centex Homes
Its: Attorney in fact for
Cameron H. Tousi

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASERS OF TAX MAP
49-3 ((33)) 34

By: Centex Homes
Its: Attorney in fact for
Sung Man Kim
Michelle Y. Kim

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASERS OF TAX MAP
49-3 ((33)) 35

By: Centex Homes
Its: Attorney in fact for
Bill Stephens
Michelle Y. Kim

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASER OF TAX MAP
49-3 ((33)) 36

By: Centex Homes
Its: Attorney in fact for
Soo Lin Ue

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASERS OF TAX MAP
49-3 ((33)) 37

By: Centex Homes
Its: Attorney in fact for
Walter Mallory
Carol Mallory

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASERS OF TAX MAP
49-3 ((33)) 38

By: Centex Homes
Its: Attorney in fact for
Gauri Shirolkar
Jitendra Shirolkar

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASERS OF TAX MAP
49-3 ((33)) 39

By: Centex Homes
Its: Attorney in fact for
Hoang M. Nguyen
Huong Thuy Nguyen

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
49-3 ((33)) 41

By: Centex Homes
Its: Attorney in fact for
Khamp Bounkong

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 42

By: Centex Homes
Its: Attorney in fact for
Jiyon Oh
Choo H. Oh

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 43

By: Centex Homes
Its: Attorney in fact for
Teresa Koudjeti
Nabil Koudjeti

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 44

By: Centex Homes
Its: Attorney in fact for
Huu T. Tran
Huong T. Tran

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASERS OF TAX MAP
49-3 ((33)) 45

By: Centex Homes
Its: Attorney in fact for
Wahn Khang
Yon Paek

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 65

By: Centex Homes
Its: Attorney in fact for
David M. Goldberg
Bonnie M. Goldberg

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

**TITLE OWNER OF TAX MAP
49-3 ((33)) 66**

**By: Centex Homes
Its: Attorney in fact for
Anthony Ferrara**

**By: _____
Robert K. Davis**

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 67

By: Centex Homes
Its: Attorney in fact for
Michael J. Rayfield
Renee E. Rayfield

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 71

By: Centex Homes
Its: Attorney in fact for
Raul E. Plata
Marilyn Plata

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP
49-3 ((33)) 72

By: Centex Homes
Its: Attorney in fact for
Ting Ying Chen

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF TAX MAP
49-3 ((33)) 73

By: Centex Homes
Its: Attorney in fact for
Kwang N. Pak
Kyung O. Pak

By: _____
Robert K. Davis

Its: President

[SIGNATURES TO CONTINUE ON NEXT PAGE]

CONTRACT PURCHASERS OF TAX MAP
49-3 ((33)) 83

By: Centex Homes
Its: Attorney in fact for
Elle Choi

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASER OF TAX MAP
49-3 ((33)) 98

By: Centex Homes
Its: Attorney in fact for
Melody A. Ghaffari

By: _____
Robert K. Davis

Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASER OF TAX MAP
49-3 ((33)) 100

By: Centex Homes
Its: Attorney in fact for
Edward G. Cipriani

By: _____
Robert K. Davis

Its: President

[END SIGNATURES]

REZONING AFFIDAVIT

DATE: October 8, 1999
(enter date affidavit is notarized)

I, M. Catharine Puskar, do hereby state that I am a
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 99-87d

in Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relation- ships listed in BOLD above)
---	--	--

Centex Homes Agents: Michael B. Hummel Robert K. Davis Deborah J. Skibbo	14121 Parke Long Ct., Ste 201 Chantilly, VA 20151	Applicant/Title Owner of Tax Map 49-3 ((33)) 9-16,19 31-41, 43-45, 70, 74-81, 92-101 Agent and Attorney-in-fact for 49-3 ((33)) 1-8, 17-18, 20-23, 24-30, 42, 46-69, 71-73, 82-91
--	--	--

Centex Real Estate Corporation Agents: Michael B. Hummel Robert K. Davis	14121 Parke Long Court., Ste 201 Chantilly, VA 20151	Title Owner of Tax Map 48-4 ((1)) 35
---	---	--

(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).

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

DATE: October 8, 1999

(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
W L Homes LLC, dba John Laing Homes Agent: Robert K. Davis for Centex Homes ("Appointee") Attorney-in-Fact for WL Homes LLC Mathew Beck (nmi) Linda Towns (nmi)	8618 Westwood Center Dr. Vienna, VA 22182	Title Owner of Tax Map 49-3 ((33)) 24-30, 46-64 66-69, 82-91
Samuel M. Thompson, Jr. Walton C. Thompson Lucille Curtis Alfred M. Thompson Lillie B. Crist Agents: A.J. Albanese Walton C. Thompson	9808 Cresence Way Fairfax, VA 22032	Former Title Owners of Tax Map 48-4 ((1)) 35
Anh Hong Phan Quoc Nguyen Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Anh Hong Phan Quoc Nguyen	2976 Nipper Way Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 1
Rajan Pardipuram Sirisha Prasad Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Rajan Pardipuram Sirisha Prasad	2974 Nipper Way Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 2

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

DATE: October 8, 1999
 (enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in RZ 1(a))
Kiet T. Ung Thuy Tien Duong Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Kiet T. Ung Thuy Tien Duong	2972 Nipper Way Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 3
✓ Thomas B. Muleta Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Thomas B. Muleta	2970 Nipper Way Fairfax, VA 22031	Title Owner of Tax Map 49-3 ((33)) 4
✓ Bashar M. Qasem Manal A. Fouz Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Bashar M. Qasem Manal A. Fouz	2968 Nipper Way Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 5
✓ Young C. Yoo Jennifer J. Yoo Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Young C. Yoo Jennifer J. Yoo	2966 Nipper Way Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 6

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

DATE: October 8, 1999
 (enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
 (enter County-assigned application number(s))

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

NAME (enter first name, middle)	ADDRESS (enter number, street)	RELATIONSHIP(S) (enter applicable relation-)
✓ Paul E. Kang Young E. Kang Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Paul E. Kang Young E. Kang	2964 Nipper Way Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 7
Thang H. Nguyen Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Thang H. Nguyen	2962 Nipper Way Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 8
✓ Sean C. Timm Wendy D. Warren Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Sean C. Timm Wendy D. Warren	2946 Saxon Flowers Drive Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 17
✓ Richard P. Le Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Richard P. Le	2948 Saxon Flowers Drive Fairfax, VA 22031	Title Owner of Tax Map 49-3 ((33)) 18
✓ Jessie D. Washington Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Jessie D. Washington	2952 Saxon Flowers Drive Fairfax, VA 22031	Title Owner of Tax Map 49-3 ((33)) 20

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

DATE: October 8, 1999
 (enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
✓ Loi Tien Nguyen Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Loi T. Nguyen	2954 Saxon Flowers Drive Fairfax, VA 22031	Title Owner of Tax Map 49-3 ((33)) 21
✓ Kanan F. Shah Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Kanan F. Shah	2956 Saxon Flowers Drive Fairfax, VA 22031	Title Owner of Tax Map 49-3 ((33)) 22
✓ Gene S. Chun Monica Y. S. Chun Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Gene S. Chung Monica Y. S. Chun	2958 Saxon Flowers Drive Fairfax, VA 22031	Title Owner of Tax Map 49-3 ((33)) 23
✓ Michael T. Vu Thanh Nguyen Pham Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Michael T. Vu Thanh Nguyen Pham	2965 Franciscan Lane Fairfax, VA 22031	Contract Purchasers of Tax Map 49-3 ((33)) 31

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

DATE: October 8, 1999
 (enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
✓ Ha Nguyen Kevin Le Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Ha Nguyen Kevin Le	2967 Franciscan Lane Fairfax, VA 22301	Contract Purchasers of Tax Map 49-3-((33)) 32
✓ Cameron H. Tousi Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Cameron H. Tousi	2969 Franciscan Lane Fairfax, VA 22301	Contract Purchaser of Tax Map 49-3- ((33)) 33
✓ Sung Man Kim Michelle Y. Kim Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Sung Man Kim Michelle Y. Kim	2971 Franciscan Lane Fairfax, VA 22301	Contract Purchasers of Tax Map 49-3 ((33)) 34
✓ Bill Stephens Michelle Stephens Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Bill Stephens Michelle Stephens	2973 Franciscan Lane Fairfax, VA 22301	Contract Purchasers of Tax Map 49-3 ((33)) 35

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

DATE: October 8, 1999
 (enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
Soo Lin Ue Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Sun Lin Ue	2974 Franciscan Lane Fairfax, VA 22031	Contract Purchaser of Tax Map 49-3 ((33)) 36
Walter Mallory Carol Mallory Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Walter Mallory Carol Mallory	2972 Franciscan Lane Fairfax, VA 22031	Contract Purchasers of Tax Map 49-3 ((33)) 37
Gauri Shirolkar Jitendra Shirolkar Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Gauri Shirolkar Jitendra Shirolkar	2970 Franciscan Lane Fairfax, VA 22301	Contract Purchasers of Tax Map 49-3 ((33)) 38
Hoang M. Nguyen Huong Thuy Nguyen Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Hoang M. Nguyen Huong Thuy Nguyen	2968 Franciscan Lane Fairfax, VA 22031	Contract Purchasers of Tax Map 49-3 ((33)) 39

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

DATE: October 8, 1999
 (enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
✓ Khamp Bounkong Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Khamp Bounkong	2963 Kildare Lane Fairfax, VA 22031	Title Owner of Tax Map 49-3 ((33)) 41
- Jiyon Oh Choo H. Oh Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Jiyon Oh Choo H. Oh	2965 Kildare Lane Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 42
- Teresa Koudjeti Nabil Koudjeti Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Teresa Koudjeti Nabil Koudjeti	2967 Kildare Lane Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 43
Huu T. Tran Huong T. Tran Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Huu T. Tran Huong T. Tran	2969 Kildare Lane Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 44

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

DATE: October 8, 1999
 (enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
 (enter County-assigned application number(s))

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

NAME	ADDRESS	RELATIONSHIP(S)
Wahn Khang Yon Paek Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Wahn Khang Yon Paek	2971 Kildare Lane Fairfax, VA 22031	Contract Purchasers of Tax Map 49-3 ((33)) 45
David M. Goldberg Bonnie M. Goldberg Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for David M. Goldberg Bonnie M. Goldberg	2937 Saxon Flowers Drive Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 65
Anthony Ferrara Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Anthony Ferrara	2935 Saxon Flowers Drive Fairfax, VA 22031	Title Owner of Tax Map 49-3 ((33)) 66
Michael J. Rayfield Renée E. Rayfield Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Michael J. Rayfield Renée E. Rayfield	2933 Saxon Flowers Drive Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 67

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

DATE: October 8, 1999
 (enter date affidavit is notarized)

99-878

for Application No(s): RZ 1999-PR-017
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
Raul E. Plata Marilu Plata Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Raul E. Plata Marilu Plata	8811 Blue Royale Lane Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 71
✓ Ting Ying Chen Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Ting Ying Chen	8813 Blue Royale Lane Fairfax, VA 22031	Title Owner of Tax Map 49-3 ((33)) 72
✓ Kwang Nam Pak Kyung Ok Pak Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Kwang Nam Pak Kyung Ok Pak	8815 Blue Royale Lane Fairfax, VA 22031	Title Owners of Tax Map 49-3 ((33)) 73
✓ Elle Choi Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Elle Choi	8817 Royal Doulton Lane Fairfax, VA 22301	Contract Purchaser of Tax Map 49-3 ((33)) 83
✓ Melody A. Ghaffari Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Melody A. Ghaffari	8873 Royal Doulton Lane Fairfax, VA 22301	Contract Purchaser of Tax Map 49-3 ((33)) 98

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

DATE: October 8, 1999
 (enter date affidavit is notarized)

99-872

for Application No(s): R2 1944-PR-017
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
Edward G. Cipriani Agent: Robert K. Davis for Centex Homes Attorney-in-Fact for Edward G. Cipriani	8877 Blue Royal Lane Fairfax, VA 22301	Contract Purchaser of Tax Map 49-3 ((33)) 100
The BC Consultants, Inc. Agents: Peter L. Rinek Dennis D. Dixon	12700 Fair Lakes Circle Fairfax, VA 22033	Engineers/Agents
Albanese & Associates, P.C. Agents: A.J. Albanese Mark S. Albanese	4041 University Drive Suite 301 Fairfax, Virginia 22030	Attorneys for Former Title Owners of Tax Map 48-4 ((1)) 35
Carriage Lawn at Barkley Homeowners Association, Inc. Agent: Michael B. Hummel	14121 Parke Long Ct. Chantilly, VA 20151	Title Owner of Tax Map 49-3 ((33)) A
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C. Agents: Martin D. Walsh Keith C. Martin Lynne J. Strobel Timothy S. Sampson Ramona J. Sein M. Catharine Puskar Susan K. Yantis Elizabeth D. Baker	2200 Clarendon Blvd. 13th Floor Arlington, VA 22201	Attorneys/Agents/Planners Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Former Agent Attorney/Agent Planner/Agent Planner/Agent

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

REZONING AFFIDAVIT

DATE: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

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

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

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

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

<u>Martin D. Walsh</u>	<u>Nan E. Terpak</u>
<u>Thomas J. Colucci</u>	_____
<u>Peter K. Stackhouse</u>	_____
<u>Jerry K. Emrich</u>	_____
<u>Michael D. Lubeley</u>	_____

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

_____	_____
_____	_____
_____	_____
_____	_____

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

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

DATE: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Centex Real Estate Corporation,
P.O. Box 199000
Dallas, Texas 75219-9000

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

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

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Robert K. Davis - President of D.C. Metro Division
Bryon Reed - Operations Manager of D.C. Metro Division

BOARD OF DIRECTORS	Renee Wales (nmi), Controller-General Acct	Charlie E. Irsch, VP-Inf. Systems
Alan B. Coleman	Vickie A. Roberts, Asst. Treasurer	Joseph Luciani (nmi), VP
Laurence E. Hirsch	Jeff A. Mason, Asst. VP	M. Randall Luther, VP-Research & Dev.
G. Walter Loewenbaum	Alice Ashley (nmi), Asst. Sec.	Michael S. Schroetke, VP- Business and Process Dev.
David W. Quinn	Karren P. Bates, Asst. Sec.	Ramond G. Smerge, VP, Secretary
Roger O. West	Jim Brown (nmi), Asst. Sec.	Douglas A. Stempowksi, Sales - Marketing
Dan W. Cook III	Karren M. Clary, Asst. Sec.	Burgess N. Trank, Jr., VP, Regional General Counsel, Asst. Sec.
OFFICERS	Nancy England (nmi), Asst. Sec.	James B. Watkins, VP, Regional General Counsel, Asst. Sec.
Timothy R. Eller, Chairman of the Board, CEO		Donald R. Westfall, VP, Reg. General Counsel, Asst. Sec.
David W. Quinn, Vice Chairman and CFO		John B. Bertero, III, Reg. General Counsel, Asst. Sec.
Andrew J. Hannigan, Pres., Chief Op. Ofc.		D. Mark McIntye, Reg. General Counsel, Asst. Sec.
William D. Alberts, Exec. VP, CFO		Donald J. Sajor, Reg. General Counsel, Asst. Sec.
Thomas M. Boyce, Exec. VP		Kenneth Y. Gordon, Assoc. Reg. General Counsel, Asst. Sec.
Robert D. Hillmann, Exec. VP		Andrew V. Showden, Assoc. Reg. General Counsel, Asst. Sec.
Steven R. Muller, Exec. VP		David E. Stumbos, Dep. General Counsel, Asst. Sec. (West Region)
Richard L. Sconyers, Exec. VP		Larry R. Fowler, Asst. Sec.
Joel C. Sowers, Jr., Exec. VP		Deborah M. Shallenburg, Asst. Sec.
Roland F. Osgood, Sr. VP, Pres. (CA-South Coast Division)		Michael J. Fraley, Jr., Asst. Sec.
David J. Sasina, Sr. VP		Jerry N. Smith, Asst. Sec.
Jay L. Smith, Sr. VP		Stephen M. Gillum, Asst. Sec.
Philip W. Warmick, Sr. VP, Pres. (TX-DFW Region)		Monte Sturgeon (nmi), Asst. Sec.
Jonathan R. Wheeler, Sr. VP-Organization Development		David A. Greenblatt, Asst. Sec.
Brian J. Woram, Sr. VP, General Counsel, Asst. Sec.		Eleanor J. Thompson, Asst. Sec.
Stuart M. Bitting, VP-Fin. Op.		William A. Hartis, Jr., Asst. Sec.
Melvin M. Chadwick, VP-Fin. Trea., Asst. Sec.		Cindy M. Hinson, Asst. Sec.
Paul J. Dodge, VP-Purchasing		Mary C. Hoff, Asst. Sec.
Frank C. Faye, VP		Christopher H. Mullins, Asst. Sec.
Richard C. Harvey, VP		Laurel Nicoulin (nmi), Asst. Sec.
F. Timothy Hoyt, Jr., VP-Regional Gen. Council, Asst. Sect.		Stacy Owens (nmi), Asst. Sec.
		Kimberly A. Pinson, Asst. Sec.
		Susan Rebera (nmi), Asst. Sec.
		Jane Rushing (nmi), Asst. Sec.
		Lynda L. Sargent, Asst. Sec.

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

October 8, 1999

DATE: (enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017 (enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
AAA Holdings, Inc.
P.O. Box 199000
Dallas, Texas 75219-9000

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

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

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Directors: Daniel B. Anderson, VP David A. Greenblatt, Gen. Counsel, Asst. Sec.
Richard C. Decker Richard C. Harvey, VP Jeff A. Mason, Asst. VP
David W. Quinn Scott A. Johnson, VP Vicki A. Roberts, Asst. Treasurer
OFFICERS: Kimberly A. Pinson, VP, Treas., Cont., Asst. Sec. Eleanor J. Thompson, Asst. Sec.
David W. Quinn, Chairman of the Board Robert A. Sebesta, VP
Richard C. Decker, Pres., CEO Brian J. Woram, VP
F. Charles Emery II, Exec. VP, Chief Op. Ofc. Raymond G. Smerge, Sec.

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Braewood Development Corp.
P.O. Box 199000
Dallas, Texas 75219-9000

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

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

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. Director, Vice-President, Secretary, Treasurer, etc.)
DIRECTORS: t, Vice-President, Secretary, Treasurer. Richard C. Harvey, VP
Richard C. Decker William D. Albers, Exec. VP, Chief Fin. Ofc. Kimberly A. Pinson, VP, Asst. Sec.
David W. Quinn Robert D. Hillmann, Exec. VP James B. Watkins, VP, Reg. Gen Coun, Asst. Sec.
OFFICERS: Brian J. Woram, Sr. VP, Gen. Counsel, Asst. Sec. Raymond G. Smerge, Sec.
David W. Quinn, Chairman of the Board Daniel B. Anderson, VP Jeff A. Mason, Asst. VP
Timothy R. Eller, Pres., CEO Melvin M Chadwick, VP-Fin. Treas., Asst. Sec. Eleanor J. Thompson, Asst. Sec.
Andrew J. Hannigan, Chief Op. Ofc. David A. Greenblatt, VP, Asst. Sec. Renee Wales (nmi), Asst. Sec.

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

DATE: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Panoramic Land, Inc.
P.O. Box 199000
Dallas, Texas 75219-9000

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 a class of stock issued by said corporation, and no shareholders are listed below.

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

_____	_____
_____	_____
_____	_____
_____	_____

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

DIRECTORS:	Richard C. Harvey, VP
Richard C. Decker	William D. Albers, Exec. VP, Chief Fin. Ofc.
David W. Quinn	Robert D. Hillmann, Exec. VP
OFFICERS:	Brian J. Woram, Sr. VP, Gen. Counsel, Asst. Sec.
David W. Quinn, Chairman of the Board	Daniel B. Anderson, VP
Timothy R. Eller, Pres., CEO	Melvin M. Chadwick, VP-Fin. Treas., Asst. Sec.
Andrew J. Hannigan, Chief Op. Ofc.	David A. Greenblatt, VP, Asst. Sec.
	Kimberly A. Pinson, VP, Asst. Sec.
	James B. Watkins, VP, Reg. Gen. Coun., Asst. Sec.
	Raymond G. Smerge, Sec.
	Jeff A. Mason, Asst. VP
	Eleanor J. Thompson, Asst. Sec.
	Renee Wales (mmi), Asst. Sec.

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
The BC Consultants, Inc.
12700 Fair Lakes Circle, Suite 100
Fairfax, Virginia 22033

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 a class of stock issued by said corporation, and no shareholders are listed below.

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

<u>James H. Scanlon</u>	_____
<u>Daniel M. Collier</u>	_____
_____	_____
_____	_____

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

_____	_____
_____	_____
_____	_____
_____	_____

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

October 8, 1999

DATE: (enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017 (enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
W L Homes, LLC
8618 Westwood Center Drive
Vienna, VA 22182

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 a class of stock issued by said corporation, and no shareholders are listed below

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Laing Holdings, Inc., Member
Watt Residential Partners, Member

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Steven M. Baldwin, Divisional President
Terry Neale, Vice President
H. Lawrence Webb, Chief Executive Officer
Wayne L. Stelmar, Chief Financial Officer

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Albanese & Associates, P.C.
4041 University Drive, Suite 301
Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)
[X] There are 10 or less shareholders, and all of the shareholders are listed below
[] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[] There are more than 10 shareholders, but no shareholder owns 10% or more of a class of stock issued by said corporation, and no shareholders are listed below

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
A.J. Albanese
Mark S. Albanese

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

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

DATE: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

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

Laing Holdings, Inc.
19600 Fairchild Road, Suite 150
Irvine, CA 92175

DESCRIPTION OF CORPORATION: (check one statement)

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

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

This is a publicly traded company on the European stock exchange.

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

R. Stephen Lidgate President/Chairman
Ronald V. Rosequist Vice President
Martin Storer (nm) Secretary/CFO
John Kemp (nm) Assistant Secretary

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

Carriage Lawn at Barkley Homeowners Association, Inc.
14121 Parke Long Ct.
Chantilly, VA 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

The corporation is a non-stock, non-profit corporation having no shareholders.

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

Michael B. Hummel, President
Bryon K. Reed, Secretary
Joseph H. Ricketts, Vice President

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

DATE: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

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

Watt Group, Inc.
2716 Ocean Park Boulevard, Suite 2025
Santa Monica, California 90405

DESCRIPTION OF CORPORATION: (check one statement)

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

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

R.A. Watt Trustee for the Ray and	_____
Nadine Watt Family Trust-	_____
Beneficiary - R.A. Watt and	_____
Nadine Watt	_____

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

Officers: R.A. Watt - President	Directors: R.A. Watt
Ryoko Takata - Vice President	Ryoko Takata
Christopher Chase (nmi) - Secretary	Christopher Chase (nmi)
Mark S. Humphreys - Assistant Secretary	Mark S. Humphreys

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

Watt Hawaii, Inc.
2716 Ocean Park Boulevard, Suite 2025
Santa Monica, California 90405

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Watt Residential, Inc.	_____
_____	_____
_____	_____
_____	_____

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

Officers:	_____
R.A. Watt - President	_____
Ryoko Takata - V.P./CFO	_____
Christopher Chase (nmi) - Secretary	_____
Mark S. Humphreys - Assistant Secretary	_____

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

DATE: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
WH Advisors, Inc. III
333 South Grand Avenue, 19th Floor
Los Angeles, California 90071

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Director: Stuart N. Rothenberg
Officers: Daniel M. Neidich, Pres., Brian J. Lahey, VP, Asst. Treas., Alan S. Kava, VP, Steven M. Feldman, VP
Edward M. Sisking, VP/Asst. Treas., Ralph F. Rosenberg, VP/Asst. Sec., David M. Weil VP, Kevin D. Naughton,
VP/Treas./Sec., Stuart M. Rothenberg, VP, Todd A. Williams, VP/Asst. Sec./Asst. Treas., Elizabeth A. O'Brien
VP/Asst. Sec., Michael K. Klingher, VP, Paul Vogel VP, Douglas G. Gunn, VP/Asst. Sec., Angie Madison (nmi),
VP/Asst. Sec., Susan L. Sack VP, Brahm S. Cramer, VP/Asst. Sec., Kate Lauer (nmi), VP/Asst. Sec., Elizabeth Burban
(nmi), VP/Asst. Sec., Zubin P. Irani, Asst. VP/Asst. Sec., Ronald L. Bernstein, Asst VP/Asst. Sec., Mitchell S. Weiss,
Asst. Treas.

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Pacific Northwest Builders, Inc.
2716 Ocean Park Boulevard, Suite 2025
Santa Monica, California 90405

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Watt Group, Inc. - Sole Shareholder

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Officers: J. Scott Watt-Pres. Directors: R.A. Watt
R.A. Watt - Vice Pres. Ryoko Takata
Christopher Chase (nmi) Secretary J. Scott Watt
Mark S. Humphreys - Assistant Secretary Christopher Chase (nmi)
Ryoko Takata - CFO

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

DATE: October 8, 1999
(enter date affidavit is notarized)

99-872

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Watt Residential, Inc.
2716 Ocean Park Boulevard, Suite 2025
Santa Monica, California 90405

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Watt Group, Inc.- Sole Shareholder

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Officers: R.A. Watt - President
Ryoko Takata - V.P./CFO
Christopher Chase (nmi) - Secretary
Mark S. Humphreys - Assistant Secretary
Directors: R.A. Watt
Ryoko Takata
Christopher Chase (nmi)
Mark S. Humphreys

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
WHW Company, Inc.
333 South Grand Avenue, Suite 1850
Los Angeles, California 90071

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Whitehall Street Real Estate L.P. III

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title)
Director: Stuart N. Rothenberg
Officers: Daniel M. Neidich, Pres., Brian J. Lahey, VP, Asst. Treas., Alan S. Kava, VP, Steven M. Feldman, VP
Edward M. Sisking, VP/Asst. Treas., Ralph F. Rosenberg, VP/Asst. Sec., David M. Weil VP, Kevin D. Naughton,
VP/Treas./Sec., Stuart M. Rothenberg, VP, Todd A. Williams, VP/Asst. Sec./Asst. Treas., Elizabeth A. O'Brien
VP/Asst. Sec., Michael K. Klingher, VP, Paul Vogel VP, Douglas G. Gunn, VP/Asst. Sec., Angie Madison (nmi),
VP/Asst. Sec., Susan L. Sack VP, Brahm S. Cramer, VP/Asst. Sec., Kate Lauer (nmi), VP/Asst. Sec., Elizabeth Burban
(nmi), VP/Asst. Sec., Zubin P. Irani, Asst. VP/Asst. Sec., Ronald L. Bernstein, Asst VP/Asst. Sec., Mitchell S. Weiss,

Asst. Treas. 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: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(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 & zip code)

Centex Homes, a Nevada General Partnership
14121 Parke Long Court, Suite 201
Chantilly, Virginia 20151

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

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

MANAGING GENERAL PARTNER:

Centex Real Estate Corporation

GENERAL PARTNERS:

AAA Holdings, Inc.

Braewood Development Corporation

Panoramic Land, Inc.

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

DATE: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
Watt Residential Partners
16830 Ventura Boulevard, Suite 610
Encino, CA 91436

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)
Watt Residential Investors III, LP-
General Partner
Watt Residential Associates, L.P.-
General Partner

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

DATE: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
Whitehall Street Real Estate Ltd., Partnership III ✓
333 South Grand Avenue 19th Floor
Los Angeles, California 90067

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)
WH Advisors, L.P. III - General Partner ✓

The Whitehall Street Real Estate Limited Partnership III is
a private real estate investment fund which
includes in excess of 100 investors as
limited partners none of which own 10% or
more of the fund.

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

October 8, 1999

DATE:

(enter date affidavit is notarized)

99-87d

for Application No(s):

RZ 1999-PR-017

(enter County-assigned application number(s))

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

WH Advisors, LP III

333 South Grand Avenue, 19th Floor

Los Angeles, California 90067

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g.

General Partner, Limited Partner, or General and Limited Partner)

WH Advisors, Inc. III

General Partner

The WH Advisors, LP III is a private real estate investment

fund which includes in excess of 100

investors as limited partners none of which

owns 10% or more of the fund.

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

REZONING AFFIDAVIT

DATE: October 8, 1999
(enter date affidavit is notarized)

99-87d

for Application No(s): RZ 1999-PR-017
(enter County-assigned application number(s))

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

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

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

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

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

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

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

WITNESS the following signature:

(check one) [] Applicant [x] Applicant's Authorized Agent
M Catharine Puskar

M. Catharine Puskar Attorney/Agent
(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 8th day of October, 1999, in the state of Virginia.

My commission expires: 01/31/02. Susan L. Hibbard
Notary Public

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

MARTIN D. WALSH
 THOMAS J. COLUCCI
 PETER K. STACKHOUSE
 JERRY K. EMRICH
 MICHAEL D. LUBELEY
 NAN E. TERPAK
 KEITH C. MARTIN
 JAY DU VON
 J. RANDALL MINCHEW
 WILLIAM A. FOGARTY
 DAVID J. BOMGARDNER
 LYNNE J. STROBEL
 H. MARK GOETZMAN
 JOHN E. RINALDI
 SEAN P. McMULLEN
 TIMOTHY S. SAMPSON
 M. CATHARINE PUSKAR
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 NANCY S. FARRELL

NICHOLAS MALINCHAK (RETIRED)

ATTORNEYS AT LAW

COURTHOUSE PLAZA
 THIRTEENTH FLOOR
 2200 CLARENDON BOULEVARD
 ARLINGTON, VIRGINIA 22201-3359
 (703) 528-4700
 FACSIMILE (703) 525-3197
 WEBSITE <http://www.wcael.com>

February 23, 1999

PRINCE WILLIAM OFFICE

VILLAGE SQUARE
 13683 OFFICE PLACE, SUITE 201
 WOODBRIDGE, VIRGINIA 22192-4216
 (703) 680-4664
 METRO (703) 690-4647
 FACSIMILE (703) 690-2412

LOUDOUN OFFICE

1 E. MARKET STREET, THIRD FLOOR
 LEESBURG, VIRGINIA 20175
 (703) 737-3633
 FACSIMILE (703) 737-3632

LEGAL ASSISTANTS/PLANNERS

CHRISTINE A. HOLADAY
 SUSAN S. FLANIGAN
 ELIZABETH D. BAKER
 SUSAN K. YANTIS
 J. GREGORY RUFF
 NICOLE L. BARRETT

RECEIVED
 DEPARTMENT OF PLANNING AND ZONING
 FEB 25 1999

ZONING EVALUATION DIVISION

Ms. Barbara Byron, Director
 Fairfax County Department of Planning and Zoning
 12055 Government Center Parkway, 8th Floor
 Fairfax, Virginia 22035

Re: Application for Rezoning to the R-8 District
 Applicant: Centex Homes

Dear Ms Byron:

May this letter serve as a statement of justification for the above-referenced rezoning application. Centex Homes is the Applicant and master developer of property identified on the Fairfax County Tax Map as 49-3 ((33)) 1-101, A and the right-of-way of Dixie Drive and contract purchaser of Tax Map 48-4 ((1)) 35 (the "Application Property"). The Application Property is located on the south side of Lee Highway and surrounds the Merrifield Fire Station/Providence District Governmental Center. The entire property consists of 16.48 acres.

On July 21, 1997, the Board of Supervisors rezoned a portion of the Application Property from the R-1 and R-2 Districts and Highway Corridor (H-C) Overlay District to the R-8 District and Highway Corridor Overlay District subject to proffers on the portion of property consisting of approximately 12.46 acres in conjunction with RZ 95-P-026. This property is located on Fairfax County Tax Map 49-3 ((33)) 1-101 and A. The approved Generalized Development Plan reflects the development of 104 single family attached units at a density of 8.35 dwelling units per acre on the 12.46 acres. At the time of this rezoning application, Centex Homes was not able to acquire the adjacent property to the west which is identified on the Fairfax County Tax Map as 48-4 ((1)) Parcel 35. The purpose of this rezoning application is to include this 4.95 acre parcel and incorporate into the previously zoned property currently under development by Centex Homes.

Centex Homes is proposing the rezoning of the entire property from the R-1, R-8 and H-C Districts to the R-8 and H-C Overlay District to permit the addition of 41 single family attached units. This will result in a total of 145 units at a density of 8.30 dwelling units per acre. Access will continue to be provided from Route 29 with an additional access point to the existing service drive

Ms. Barbara Byron, Director
February 23, 1999
Page 2

from along Route 29. Approximately 4.4 acres or 25% of the site will be open space. Stormwater Management will be provided in a dry pond facility located on the southern portion of the Application Property. The volleyball court and adult recreation area will continue to be provided to serve the residents of the development.

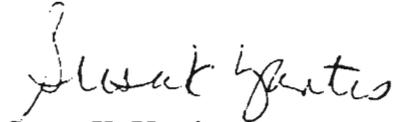
The property is located in the Lee Community Planning Sector (V1) of the Vienna Planning District in Area II. The Comprehensive Plan recommends, as an option, residential use at 5-8 dwelling units per acre. This application is in conformance with this Comprehensive Plan recommendation.

The proposed development will conform to all applicable land development ordinances, regulations and adopted standards with the following exceptions:

1. The Applicant requests a reaffirmation of the waiver of the 600-foot length limitation for private streets.
2. The Applicant requests a reaffirmation of the service drive requirement.
3. The Applicant requests a reaffirmation of the modification of the transitional screening requirements and a waiver of the barrier requirement in favor of that shown on the GDP.

Very truly yours,

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



Susan K. Yantis
Land Use Coordinator

SKY:kae
J:\CENTEX\506.3\BYRON.LT2

FAIRFAX COUNTY ZONING ORDINANCE

13-304 Transitional Screening and Barrier Waivers and Modifications

Transitional screening and barriers may be waived or modified by the Director in any of the following circumstances. The Director may attach conditions to any waiver or modification which would assure that the results of the waiver or modification would be in accordance with the purpose and intent of this Part.

1. Transitional screening and barriers may be waived or modified between uses that are to be developed under a common development or site plan or series of development or site plans within a PRC District when compatibility between uses has been addressed through a combination of the location and arrangement of buildings or through architectural or landscaping treatments.
2. Where the strict provisions of this Part would reduce the usable area of a lot due to lot configuration or size to a point which would preclude a reasonable use of the lot, transitional screening and/or barriers may be waived or modified by the Director where the side of a building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.
3. Transitional screening may be modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.
4. The transitional screening yard width and planting requirements may be reduced as much as two-thirds (2/3) where the developer chooses to construct a seven (7) foot brick or architectural block wall instead of the lesser barrier indicated by the matrix. This wall may be reduced to a height of six (6) feet where the Director deems such a height will satisfy the purpose and intent of this Part.
5. Transitional screening and barriers may be waived or modified where the adjoining land is designated in the adopted comprehensive plan for a use which would not require the provision of transitional screening between the land under site plan and the adjoining property.
6. Transitional screening and barriers may be waived or modified where the adjacent property is zoned to allow a use similar to that of the parcel under site plan.
7. Transitional screening and barriers may be waived or modified where the adjoining property is used for any public purpose other than a school or hospital.
8. Transitional screening and barriers may be waived or modified when the adjoining land is used for a sawmilling operation or for a wayside stand.
9. Transitional screening and barriers may be waived or modified where adjacent residential property is used for any use permitted by the Board of Zoning Appeals or the Board of

LANDSCAPING AND SCREENING

Supervisors as a special permit or special exception use except nursery schools, day care centers, schools of general and special education.

10. Transitional screening may be waived or modified when the adjoining land is an R district and is used for off-street parking as permitted by the provisions of Sect. 9-609.
11. Transitional screening and barriers may be waived or modified where the subject property abuts a railroad or interstate highway right-of-way, except the Dulles Airport Access Road.
12. The Director may waive or modify the barrier requirements where the topography of the lot providing the transitional screening and the lot being protected is such that a barrier would not be effective.
13. The Director may waive or modify the barrier requirements for single family attached dwelling units where a six (6) foot fence has been provided to enclose a privacy yard on all sides, and such fence is architecturally designed and coordinated with landscaping techniques to minimize adverse impact on adjacent properties.
14. Transitional screening and barriers may be waived or modified for any public use when such use has been specifically designed to minimize adverse impact on adjacent properties.
15. In affordable dwelling unit developments, where the strict application of the provisions of this Article would preclude compliance with the provisions of Part 8 of Article 2, transitional screening and/or barriers may be waived or modified.



V I R G I N I A

Telephone: 703-324-

FAX: 703-324-

TDD: 703-324-

August 4, 1997

Keith C. Martin, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley, P.C.
2200 Clarendon Boulevard
Thirteenth Floor
Arlington, Virginia 22201-3359

RE: Rezoning Application
Number RZ 95-P-026

Dear Mr. Martin:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 21, 1997 granting Rezoning Application Number RZ 95-P-026 in the name of Centex Homes, A Nevada General Partnership, to rezone certain property in the Providence District from the R-1 and R-2 Districts and Highway Corridor Overlay District to the R-8 District and Highway Corridor Overlay District, subject to the proffers dated July 11, 1997, on subject parcels 49-3 ((1)) 4, 5, Pt. 6B, 7 and 49-3 ((6)) 2 and a portion of the right-of-way of Chichester Lane and Dixie Drive to be vacated and/or abandoned consisting of approximately 12.46 acres.

The Board also:

- **Modified the transitional screening and waived the barrier requirements to those shown on the Generalized Development Plan (GDP);**

RZ 95-P-026
August 4, 1997

2.

- **Waived the 600-foot maximum length for private streets; and**
- **Waived the service drive requirement.**

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: John M. Yeatman, Director, Real Estate Div., Dept. of Tax Administration
Melinda M. Artman, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., OCP
Fred R. Beales, Supervisor Base Property Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Div., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Dorothy Purvis, Permits Department, VDOT
Land Acq. & Planning Div., Park Authority
James D. Gorby, Acting Director, Facilities Mgmt. Div., Office of General Svcs.

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

AUG 1 1997

ZONING EVALUATION DIVISION

February 24, 1999
BC Project Number: 14082

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
MAR 11 1999
ZONING EVALUATION DIVISION

**DESCRIPTION OF
PROPOSED R-8 ZONE
FOR THE
WELLS PROPERTY
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA**

Beginning at a point on the Southerly right-of-way line of Lee Highway, Route 29, variable width, said point also being the Northwest corner of Thompson Deed Book 6547 Page 905, Deed Book 7968 Page 847 and Deed Book 8914 Page 1745, thence running with said Southerly right-of-way line the following four (4) courses and distances:

- 1) 67.25 feet (20.497 meters) along the arc of a curving deflecting to the left having a radius of 11,488.16 feet (3,501.591 meters) and a chord bearing North 84° 25' 29" East 67.25 feet (20.497 meters) to a point, thence
- 2) North 84° 15' 25" East 235.48 feet (71.773 meters) to a point, thence
- 3) South 00° 01' 50" West 69.35 feet (21.138 meters) to a point, thence
- 4) North 84° 15' 25" East 356.52 feet (108.666 meters) to a point being the Northwestern corner of the property of the Board of Supervisors of Fairfax County, Virginia Deed Book 4710 at Page 746 and Deed Book 10605 at Page 585, thence running with the Westerly, Southerly and Easterly lines of said Board the following four (4) courses and distances
- 5) South 02° 32' 38" West 365.15 feet (111.298 meters) to a point, thence
- 6) South 87° 27' 22" East 7.50 feet (2.286 meters) to a point, thence
- 7) North 85° 09' 18" East 199.80 feet (60.897 meters) to a point, thence
- 8.) North 02°32'38" East 137.79 feet (41.997 meters) to a point being the Southwesterly corner of another parcel owned by the Board of Supervisors of Fairfax County, Virginia Deed Book 10687 at Page 1397, thence running with the Southerly and Easterly lines of said Board the following two (2) courses and distances

Wells Property
February 24, 1999
Page Two

- 9.) 125.66 feet (38.302 meters) along the arc of a curve deflecting to the left having a radius of 80.00 feet (24.384 meters) and a chord bearing North 47° 32' 38" East 113.14 feet (34.484 meters) to a point, thence
- 10) North 02° 32' 38" East 194.60 feet (59.315 meters) to a point lying on the aforementioned Southerly right-of-way line of Lee Highway, thence running with said Southerly right-of-way line
- 11) North 84°15'26" East 241.69 feet (73.668 meters) to a point, lying on the Westerly line of Lot 4, Fairhill on the Boulevard Deed Book F-13 Page 507 and Deed Book 481 Page 415, thence leaving said right-of-way and running with said Westerly line and continuing the same with the Westerly lines of Lots 75 through 83 of the said Fairhill on the Boulevard
- 12) South 01° 19' 48" West 663.67 feet (202.288 meters) to a point, lying on the Northerly line of Lot 84 of the said Fairhill on the Boulevard, thence running with a portion of the said Northerly line of Lot 84
- 13) North 88° 59' 10" West 24.83 feet (7.569 meters) to a point being the Northeast corner of the School Board of Fairfax County, Virginia Deed Book 2627 Page 133 Fairhill Elementary School, thence running with the Northern line of said school and running with the terminus of Chichester Lane
- 14) North 87° 26' 53" West 514.04 feet (156.680 meters) to a point, thence continuing with the terminus of Chichester Lane
- 15) North 02° 32' 38" East 21.49 feet (6.550 meters) to a point, thence continuing with the terminus of Chichester Lane and with the Northerly line of Layton Deed Book 7740 at Page 1074 and Deed Book 10580 at Page 719
- 16) North 87° 00' 48" West 146.61 feet (44.687 meters) to a point, said point being the Northwesterly corner of said Layton, thence running with the Westerly line of Layton and continuing the same with the Westerly line of Nguyen Deed Book 10435 at Page 103

Wells Property
February 24, 1999
Page Three

- 17) South 01° 39' 59" West 409.96 feet (124.956 meters) to a point, said point lying on the Northerly line of Anderson Deed Book 3704 Page 623 and Deed Book 7616 Page 1224, thence running with said Northerly line and continuing the same with another parcel owned by Anderson Deed Book 4078 Page 150 and Deed Book 7616 Page 1224
- 18) South 84° 08' 23" West 133.84 feet (40.794 meters) to a point, said point being the Northwesterly corner of said Anderson, thence running with the Westerly line of Anderson and continuing the same with the Westerly lines of Parcel J, Lot 126 and Parcel S of Armistead Park, Phase Three, Deed Book 9967 at Page 80
- 19) South 00° 01' 50" West 530.73 feet (161.768 meters) to a point, thence running with the Northerly line of said Parcel S, Armistead Park, Phase Three
- 20) South 84° 00' 21" West 40.22 feet (12.260 meters) to a point, thence running with the Easterly lines of Lots 125, 111, 110, 109 and Parcel K of said Armistead Park, Phase Three
- 21) North 00° 01' 50" East 758.75 feet (231.266 meters) to a point, thence running with the Northerly line of said Parcel K, Armistead Park, Phase Three and continuing with the Northerly line of Parcel G, Armistead Park, Phase Two, Deed Book 8813 at Page 176
- 22) South 85° 04' 00" West 269.19 feet (82.048 meters) to a point, thence running with the Easterly line of said Parcel G, Armistead Park, Phase Two
- 23) North 02° 28' 52" West 753.77 feet (229.749 meters) to the point of beginning containing 16.47945 acres (6.66900 hectares) of land.

This description was prepared without the benefit of a Title Report which may reveal or discover easements and/or rights-of-way not described herein.

PROFFERS

RZ 95-P-026

July 11, 1997

Pursuant to Section 15.1-491(a), Code of Virginia, 1950 as amended, Centex Homes (hereinafter referred to as the "Applicant"), the Applicant in RZ 95-P-026, filed for property identified on Fairfax County tax map as 49-3 ((1)) 4,5,7, pt. 6B; 49-3 ((6)) 2; 49-3 portions of Chichester Lane right-of-way owned by Fairfax County Board of Supervisors and 48-4 Dixie Drive Parcel (hereinafter referred to as the "Application Property"), agrees to the following proffers, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property from the R-1 and R-2 Zoning District to the R-8 Zoning District, in conjunction with a Generalized Development Plan (GDP) for a maximum of 104 residential single family attached dwelling units.

1. GENERALIZED DEVELOPMENT PLAN -

- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the GDP, prepared by BC Consultants, dated April 14, 1997, as revised through July 7, 1997.
- b. In the event the owners of Tax Map 48-4 ((1)) 35 do not record among the Fairfax County land records a waiver of ingress/egress right to a 30 foot wide portion of Dixie Drive, then development of the Application Property shall be in substantial conformance with the Alternative Development Plan as shown on Exhibit B (Sheets 6 and 7 of the GDP), and, in such event, Exhibit B (Sheet 6 of the GDP) and Exhibit B - Landscape Plan (Sheet 7) shall be the controlling GDP plans that will govern the development of the Application Property instead of Sheets 2 and 3 of the GDP.
- c. Pursuant to Section 18-204, minor deviations from the GDP may be permitted as determined by the Department of Environmental Management (DEM). Further, the Applicant may revise the width of townhouse units (exclusive of ADU units) shown on the GDP without requiring approval of an amended GDP, provided that such changes are in conformance with the Zoning Ordinance and are in substantial conformance with the GDP and do not increase the number of units, decrease the amount of open space, or eliminate garage or driveway parking spaces.
- d. Any conversion of garages that will preclude the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the Homeowner's Association, which shall be established, and the Board. Prospective purchasers shall be advised of the use restriction prior to entering into a contract of sale.
- e. Privacy yards shall be enclosed on three (3) sides by a wooden fence, except for the four units in the northeastern corner adjacent to the masonry wall, which shall be enclosed on two (2) sides only.

- f. Prior to site plan approval for units or improvements shown within Dixie Drive, the Applicant shall demonstrate to the satisfaction of the County Attorney that there are no existing ingress/egress rights to others within Dixie Drive.
- g. In the event the Applicant quitclaims interest to any portion of Dixie Drive to the Owner of Tax Map 49-3 ((1)) 9, as noted on the GDP, the use of such area shall be limited to private open space and nothing may be placed or erected within the quitclaimed area except for a fence and landscaping. The quitclaim deed shall expressly state that the land area conveyed has no density rights and shall also be made subject to the use restrictions that the land area quitclaimed is limited to private open space and that nothing may be placed or erected within the quitclaimed area except for a fence and landscaping. The Applicant shall demonstrate to the satisfaction of the County Attorney that there are no existing ingress/egress rights to others within that portion of Dixie Drive prior to the quitclaim.

2. **TRANSPORTATION -**

- a. Applicant shall dedicate and convey in fee simple to the Board, right-of-way along the Application Property's frontage, as shown on the GDP. Dedication shall be made at time of site plan approval or upon demand from Fairfax County, whichever shall first occur. Ancillary easements shall be granted by the Applicant at time of site plan approval.
- b. The applicant shall construct road improvements along the Application Property's frontage and the Fire Station's (Parcel 2A) frontage consistent with VDOT Project Number 0029-029-119, RW202, as shown on Exhibit "A" (Sheet 5 of the GDP). The improvements shall be constructed in phases corresponding to the site plan approved with each phase of development, subject to VDOT and DEM approval.
- c. Prior to the issuance of the tenth RUP, subject to VDOT warrants and approval, the Applicant shall install a signal at the Lee Highway/Cedarest Road intersection and construct a section of the private street system open and available to allow left turn exits from the development at the Lee Highway/Cedarest Road intersection.
- d. Prior to entering into a contract of sale, prospective purchasers of townhouses shall be notified in writing of the maintenance responsibility of the private streets by the Homeowners' Association and shall acknowledge receipt of this information in writing. The Applicant shall record a covenant setting forth the maintenance responsibility of the private streets by the Homeowner's Association among the land records of Fairfax County. Each deed of conveyance shall expressly contain this disclosure.

- e. All of the private streets shall be constructed to pavement thickness standards of public streets as set forth in the Public Facilities Manual, subject to DEM approval.

3. **RECREATION -**

- a. Applicant shall construct an adult recreation area, consisting of three exercise stations and a bench and a volleyball court as shown on the GDP, as approved by DEM. Improvements shall be constructed concurrent with the corresponding phase of the development of the Application Property.

4. **LANDSCAPING AND OPEN SPACE -**

- a. Street trees and peripheral landscaping shall be provided by the Applicant as shown on the GDP. The exact location of the proposed plantings may be modified as necessary for the installation of utilities in coordination with the Urban Forester, but there shall be no decrease in the amount of landscaping or number of trees. The deciduous trees shown on individual lots on the GDP may be compact deciduous trees, as approved by the Urban Forester. All end units where a tree is shown shall have a large deciduous tree.
- b. Applicant shall preserve those trees designated on the GDP as "to be saved." If these trees are not able to be saved during the development process as determined and approved by the Fairfax County Urban Forester ("Urban Forester"), Applicant shall provide replacement trees of a comparable species and number with a minimum 3 inch caliper in coordination with the Fairfax County Urban Forester.
- c. The Applicant shall substantially conform to the limits of clearing and grading shown on the GDP, as approved by DEM. Prior to land disturbing activities, limits of clearing and grading around designated tree save areas shall be marked with a 4 foot high fence or other barrier to protect drip lines of trees located within such areas, as approved by DEM. A tree preservation plan shall be submitted for the review and approval of Urban Forester at time of site plan review. This plan shall provide for the preservation of specific quality trees and/or stands of trees within designated open space areas, to the maximum extent feasible without precluding the development of a typical unit on each of the lots, as shown on the GDP. Preserved vegetation will be applied toward the satisfaction of transitional screening requirements and supplemented where appropriate, as determined by the Urban Forester. If during the process of site plan review it is determined by the Urban Forester to be necessary to remove any trees previously designated to be preserved in order to locate utility lines, trails, ponds, etc., then an area of additional tree save of equivalent value, as determined by the Urban Forester, may be submitted at an alternative location by the Urban Forester or the Applicant may elect first to transplant or replace if it is determined that there are no alternative trees according to the directions of the Urban

Forester, pursuant to Section 12-0403.7d of the Public Facilities Manual (PFM). Supplemental plantings, where determined necessary by the Urban Forester, shall be provided and shall consist of a combination of shade and evergreen trees in accordance with the PFM.

5. **NOISE -**

- a. Applicant shall utilize building materials with characteristics to achieve a maximum interior noise level of 45 dBA Ldn.
 - i. All units located between the 65-70 dBA Ldn highway noise impact contours located within 425 feet of the Lee Highway centerline should have the following acoustical attributes:
 - (1) Exterior walls shall have a laboratory STC rating of at least 39.
 - (2) Doors and windows shall have a laboratory STC rating of at least 28. If windows constitute more than twenty percent (20%) of any facade, they should have the same laboratory STC as the walls.
 - (3) Measures to seal and caulk between exterior wall surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
- b. In order to achieve a maximum exterior noise level of 65 dBA Ldn, applicant shall construct a 6 foot high earthen berm in that general location as shown on the GDP, as approved by DEM.
- c. The applicant may submit to the Office of Comprehensive Planning (OCP) and DEM an acoustical engineering study which will specify those building materials to be used to ensure that building interior sound levels will not be in excess of 45 dBA Ldn for all of those residential units delineated on the GDP within the above referenced areas. The study methodology shall be acceptable to OCP and the developer shall implement the results of the study.

6. **STORM WATER MANAGEMENT-**

- a. Applicant shall provide storm water management in accordance with the requirements of DEM at time of site plan approval. Storm water management shall be satisfied with the construction of a dry pond designed to Best Management Practices in a location as generally shown on the GDP.

7. **AFFORDABLE DWELLING UNITS -**

- a. The Applicant shall provide 13 affordable dwelling units as shown on the GDP.

8. **PLATFORM ON DEMAND (POD) -**

- a. At time of site plan approval or upon demand from Fairfax County, whichever shall first occur, Applicant shall dedicate and convey in fee simple to the Board the 0.46 acre fire/rescue on demand facility parcel as shown on the GDP.
- b. All prospective purchasers of units shall be notified in writing prior to sale of units of the location of the POD facility and the County's intention to construct the facility.

9. **FILL AND DEBRIS REMOVAL -**

- a. The Applicant shall, at its sole expense, remove all uncontrolled fill and debris that has been illegally dumped or stored by others on Tax Map 49-3 ((1)) 4. Fill and debris removal shall occur prior to clearing and grading activity on the Application Property, subject to DEM inspection and approval.

10. **CAPTAIN PELL'S -**

Upon the approval by the Board of Supervisors of RZ 95-P-026, the Applicant and Owner agree that the commercial eating establishment located in the main structure on Parcel 49-3 ((1)) 4 will not occupy or use the rear two-thirds portion of the structure for additional seating or any other purpose. The Applicant and Owner further agree that on or before 30 calendar days following the closing on the sale of Parcel 49-3 ((1)) 4 to Applicant or any successor in interest to Applicant, the tenants of the commercial eating establishment will be notified in writing to cease business and to vacate the main structure within 60 calendar days, after which no commercial uses or any other uses not permitted by the Zoning Ordinance will be made of the parcel or the structure.

11. **FAIRHILL ELEMENTARY SCHOOL -**

- a. The Applicant shall provide documentation to DEM that the Applicant has donated five 486 computers with printers to the Fairhill Elementary School prior to the issuance of building permits.

[SIGNATURES BEGIN ON NEXT PAGE]

OWNERS:

ESTATE OF GEORGE KRAUSE

Heirs: *George K. Herath, Executor*
George K. Herath, Executor

Joyce McArthur
Executor of the Estate of Thelma Garrison

James W. Garrison

William M. Krause

Donald L. Garrison

Robert P. Warhurst, Trustee

Jane C. Layton
Jane C. Layton

Hampton Williams, Trustee

Jim L. Wells

Gregory J. Layton
Gregory J. Layton

Eva J. Wells

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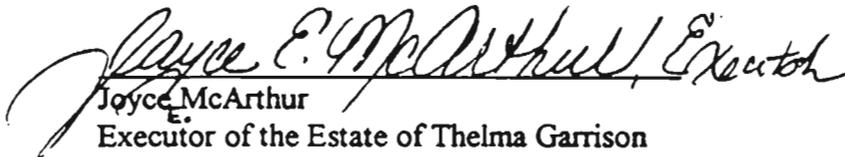
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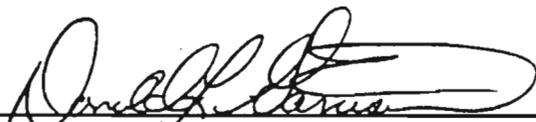
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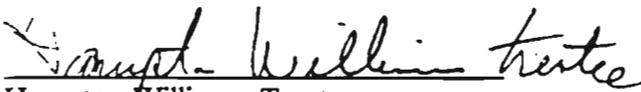
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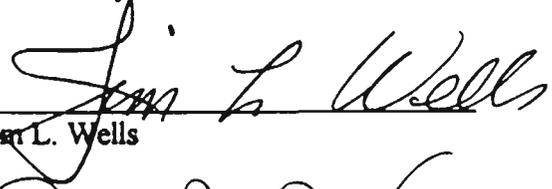
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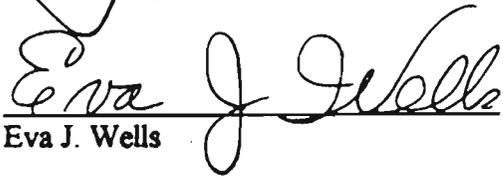
Hampton Williams, Trustee

Gregory J. Layton

Jane C. Layton



Jim L. Wells



Eva J. Wells

CENTEX HOMES
a Nevada General Partnership

By: Centex Real Estate Corporation
Managing General Partner

By: 
Robert K. Davis

Title: Division President

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RECEIVED
CENTEX HOMES
JUL 18 1993
CENTEX HOMES

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: Comprehensive Plan Land Use Analysis for: Case No. RZ 1999-PR-017
Centex

DATE: 2 August 1999

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the application and the development plan dated June 29, 1999. This application requests a rezoning from R-1 and R-8 to R-8. Approval of this application would result in a residential density of 6.98 dwelling units per acre. The extent to which the proposed use, intensity/density, and the development plan are consistent with the guidance of the Plan is noted.

CHARACTER OF THE SURROUNDING AREA:

The subject property is presently vacant, planned for residential use at 2-3 dwelling units per acre, and zoned R-1 and R-8. To the north are located single family detached homes and a Fairfax County Fire Station which is planned for residential use at 4-5 dwelling units per acre and public facilities, respectively and zoned R-1. To the east is located a service station and single family detached homes which are planned for retail and other related uses and residential use at 1-2 dwelling units per acre, respectively and zoned C-5 and R-1, respectively. To the south are located single family detached homes and an elementary school which are planned for residential use at 2-3 dwelling units per acre and public facilities, respectively and zoned PDH-3 and R-2, respectively. To the west are located town homes and single family detached homes which are planned for residential use at 2-3 dwelling units per acre and zoned PDH-3.

COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:

The 16.48-acre property is located in the Lee Community Planning Sector (V1) of the Vienna Planning District in Area II. The Comprehensive Plan provides the following guidance on land use and intensity for the property:

Text:

In Plan Amendment No. 95-14, adopted by the Board of Supervisors on August 5, 1996, the Plan states:

- “3. Parcels between the east side of Bear Branch and Chichester Lane, between Routes 29 and 50 are planned for 2-3 dwelling units per acre, as shown on the Plan map. Development of these parcels should: (a) be laid out in such a way as to avoid cut-through traffic between Route 50 and Route 29; (b) provide active recreation facilities; and (c) ensure preservation of all environmental and cultural resources. Development consistent with the Plan recommendation will require substantial consolidation of the parcels in this area. (See Land Use Recommendation # 12 for development options above 2-3 du/ac for portions of this area.) ...
12. Tax Maps 49-3((6))2; 49-3((1))4, 5, 6B, 7; and 48-4((1))35 are planned for residential use at 2-3 dwelling units per acre. As an option, residential use at 5-8 dwelling units per acre may be appropriate if consolidation occurs that results in adequate land dedicated for the fire station’s platform on demand (POD) facility and the realignment of Chichester Lane with Cedarest Road,...”

Map:

The Comprehensive Plan map shows that the property is planned for residential use at 2-3 dwelling units per acre.

Analysis:

The application and development plan propose a town house residential development at 6.98 dwelling units per acre which is in conformance with the use and density recommendations of the Comprehensive Plan. However, the applicant should address the issues discussed in the following section.

The Comprehensive Plan also provides the following text that establishes guidelines for evaluating the development proposal:

Text:

In Plan Amendment No. 95-14, adopted by the Board of Supervisors on August 5, 1996, the Plan states:

- “12. Tax Maps 49-3((6))2; 49-3((1))4, 5, 6B, 7; and 48-4((1))35 are planned for residential use at 2-3 dwelling units per acre. As an option, residential use

at 5-8 dwelling units per acre may be appropriate if consolidation occurs that results in adequate land dedicated for the fire station's platform on demand (POD) facility and the realignment of Chichester Lane with Cedarest Road, and if the following specific conditions are met:

- Substantial and logical consolidation should be provided so that the project functions in a well-designed and efficient manner. At a minimum, Tax Maps 49-3((6))2 and 49-3((1)) 4, 5, 7 must be consolidated in order to provide for inter-parcel access, the redevelopment of a nonconforming retail use to residential and the dedication of land for a POD facility. Any unconsolidated parcels should develop at 4-5 du/ac;"

Analysis:

The applicant has further consolidated the properties designated for residential use at 5-8 dwelling units per acre.

Text:

- Effective buffering and screening are provided adjacent to single family residential uses and the Merrifield Fire Station (including the POD facility);"

Analysis:

The applicant should provide supplemental trees along the subject property to the south of the southern boundary of the Merrifield Fire Station. Ground plantings should be provided on the subject property on the perimeter of the Merrifield Fire Station.

Text:

- On-site recreation facilities, sufficient to serve the proposed residential community, should be provided which could include tennis and all purpose courts as well as tot lots and pocket parks;"

Analysis:

The applicant should provide an additional facility such as a tot lot in the western portion of the proposed development.

Text:

- A coordinated internal pedestrian system that connects all parts of this area should be provided that ensures pedestrian connections to Lee Highway, Chichester Lane, the County Government office, the

adjoining Barkley Subdivision and Fairhill Elementary School;”

Analysis:

Sidewalks provide pedestrian access within the proposed development and to the surrounding development.

Text:

- “● Primary access for this area should be consolidated to one location at Lee Highway opposite Cedarest Road. Additional entrances along Lee Highway may be provided as right-in, right-out only, with the exception of a median opening opposite the fire station for emergency vehicle use only. Access should be provided to the public uses within this land unit via a service drive connecting the fire station entrance to the main entrance of the development. Chichester Lane shall not be connected between Route 29 and Route 50;”

Analysis:

Refer to the Department of Transportation concerning this development criterion.

Text:

- “● Any development proposal should provide a coordinated development plan that provides for a unified residential area with a coordinated internal street system that connects all parts of this area and ensures that access to the main entrance at Lee Highway is provided to the unconsolidated parcels via the internal street system.”

Analysis:

Sidewalks provide for the internal pedestrian circulation of the site.

BGD:ALC

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ 1999-PR-017
CENTEX HOMES

DATE: 3 August 1999

BACKGROUND:

This report, prepared by Irish Grandfield, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the Development Plan dated June 29, 1999. The report also identifies possible solutions to remedy environmental impacts. Alternative solutions may be acceptable provided that they achieve the desired degree of mitigation and are compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

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

1. **Transportation Generated Noise (Objective 4, p. 89, The Policy Plan)**

“Minimize human exposure to unhealthful levels of transportation generated noise.

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

New development should not expose people in their homes, or other noise sensitive environments to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA. . . .”

2. **Water Quality (Objective 2, pp. 86 - 87, The Policy Plan)**

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

Policy a. Implement 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. . .

Development proposals should implement best management practices to reduce runoff pollution. . . .”

3. **Tree Preservation (Objective 10, p. 93, The Policy Plan)**

“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. . .”

4. **Light Pollution (Objective 5 p. 89, The Policy Plan)**

“Minimize light emissions to those necessary and consistent with general safety.

Policy a.. Recognize the nuisance aspects of unfocused light emissions.”

Suggested Solution: Prior to or concurrent with the initial site clearing and grading on this property, the tires and refuse should be removed from the site and disposed of properly.

3. **Tree Preservation**

Issue: The Policy Plan calls for protecting and restoring some tree cover during development. This property is largely forested with a mix of oak, tulip poplar, black cherry, maple, and elm. Of particular note are three large red oaks along the western property line. The development plan indicates that the three red oaks along the property line will be preserved. The only other area identified as tree save is a few thousand square feet in the extreme southwestern corner of the site. The applicant has not submitted a tree survey to show what trees are located in the area designated for tree save. Likewise, since the tree save area is along a drainageway below the stormwater management pond, the applicant has not demonstrated that the tree preservation area will be viable following construction of the stormwater management improvements.

Suggested Solution: The density and type of development proposed on this site make it difficult to preserve many trees within the interior of the development. However, tree preservation can and should be implemented along the perimeter of the site.

A tree survey should be conducted and stands of trees as well as individual trees should be identified for preservation. The large red oak trees located along the western property line should be preserved if determined to be healthy and viable. The Urban Forester should review the tree survey to help identify tree save areas. As necessary, the development plan should be revised to protect significant trees. Tree preservation areas (including an appropriate surrounding buffer area such as the dripline of the trees to be saved) should be clearly identified on the development plan.

4. **Light Pollution**

Issue: It is unclear from review of the development plan the location and types of outdoor lighting that is proposed for this site. Staff does not object to any particular type of street lighting as long as the design is appropriate and the lighting does not cause light pollution.

Suggested Solution: All lighting provided on the property should be focused directly

on parking/driving areas and sidewalks. No lighting should project beyond the property line. Full cut-off lighting should be provided for any proposed outdoor lighting. Outdoor lighting for property name signage should be designed to minimize glare. One way to minimize glare is to use front-lit rather than back-lit signs and direct any light downward on the sign rather than upward or horizontally.

5. **Trails**

Issue: The Trails Plan Map shows a Bicycle/Equestrian Trail along Lee Highway. It is unclear if the trail is designated for the south side (onsite) or north side of the road (offsite). The Development Plan shows a proposed sidewalk within the area of dedication for Lee Highway.

Suggested Solution: The Director of DPWES will determine the requirement for a trail at site plan.

BGD:JPG

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Mary Ann Godfrey, Staff Coordinator
Zoning Evaluation Division, DPZ

DATE: August 12, 1999

FROM: *KWC*
Keith W. Cline, Urban Forester II
Urban Forestry Branch, OSDS

SUBJECT: Wells Addition, RZ 1999-PR-017

RE: Your request received August 11, 1999

This review is based on the revised Generalized Development Plan (GDP) dated July 28, 1999, the revised draft proffers dated July 30, 1999, a meeting held in Supervisor Connolly's office on July 16, 1999, and a phone conversation with Dennis Dickson, BC Consultants, on July 30, 1999.

General Comments: The referenced GDP and proffers adequately address my comments of June 21, 1999, on the previous GDP, and other subsequent Urban Forestry Branch recommendations and comments on this rezoning case. The following are several minor comments on the GDP and proffers.

1. **Comment:** The first complete sentence on Page 4 of the proffers incorrectly cites the Guide for Plant Appraisal.

Recommendation: The end of the sentence should read: "... outlined in the ~~eight~~ latest edition of the ~~Free~~ Guide for Plant Appraisal."

2. **Comment:** The condition analysis portion of the June 21, 1999, recommended tree survey (comment #1), was not provided with July 28, 1999, GDP.

Recommendation: I recommend that the tree condition analysis for all surveyed trees be completed as soon as possible. This will help resolve most tree-related issues before the site plan stage. The tree survey and condition analysis will be made part of the tree preservation plan submitted with the site plan (see draft proffer 4C).

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

KWC/
UFBID#00-0308

cc: Irish Grandfield, Environmental Planner, E&DRB, Planning Division, DPZ
Anita Capps, Land Use Planner, E&DRB, Planning Division, DPZ
RA File
DPZ File

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Mary Ann Godfrey, Staff Coordinator
Zoning Evaluation Division, DPZ

DATE: June 21, 1999

FROM: ^{KWC} Keith W. Cline, Urban Forester II
Urban Forestry Branch, OSDS

SUBJECT: Wells Addition, RZ 1999-PR-017

RE: Your request received May 1, 1999

This review is based on the Generalized Development Plan (GDP) which is stamped as received by the Department of Planning and Zoning on March 11, 1999, and a site visit conducted on June 16, 1999.

Site Description: The eastern three-quarters of the site is currently under development as townhouses. On the west side of the Merrifield Fire Station, two small vegetative save areas shown on this GDP, and on the approved site plan for the development, have been degraded by over-clearing. These areas were not sufficiently protected during the construction process. The western one-third of the site, which includes the addition to the GDP, contains a variety of vegetative cover types including grasslands, old field vegetation, bottomland hardwood forest, and scattered mature trees around the existing house and the western property line.

A specimen-quality Southern red oak, approximately 60 inches in diameter, is located in the northwest corner of the property on the western property line. Three other large red oaks, greater than 30 inches in diameter, are also located just to the south of the 60 inch red oak. In addition to these large oak trees, the vegetation along the western property line varies (from north to south) from grasslands, to pioneer species such as black cherry, mulberry, and invasive vines, to a medium-aged, sub-climax bottomland forest of tulip poplar and red maple. The southern half of the proposed addition to the GDP contains a medium-aged, sub-climax bottomland forest. There are scattered mature trees around the existing house, most in poor condition. A 20 inch American holly and a 24 inch Japanese maple, both in fair to good condition, are located in front of the existing house in the area designated for future street dedication.

Specific Comments

1. **Comment:** Only three small tree save areas are shown on the GDP. Two of these save areas have been degraded by over-clearing (see above). Existing trees on the site and on the western property line provide good opportunities for tree preservation.

Recommendation: Tree preservation should be provided on the new portion of the site based on a tree survey and the comments below. The tree survey should be provided as part of the GDP, should be prepared by an arborist certified by the International Society of Arboriculture, and should show the location, species, size, actual dripline and condition percentage rating of all trees 12 inches or greater in diameter on the site within 20 feet of the western property line, in the southwest corner of the site (south of the proposed units and west of the proposed dry pond), and in the future street dedication area in front of the existing house. The condition analysis should be prepared using methods outlined in the eighth edition of The Guide for Plant Appraisal.

2. **Comment:** The 60 inch red oak in the northwest corner of the site is a specimen-quality tree, the highest quality tree on the entire site. This tree appears to be located on the western property line. Two large red oaks (30 inch and 50 inch diameter) are located to the south of this tree.

Recommendation: Relocate the limits of clearing and grading in the northwest corner of the site so that no clearing or grading takes place within the driplines of the 60 inch, 30 inch and 50 inch red oaks.

3. **Comment:** On-site, off-site and property line trees along the western property boundary provide an excellent opportunity for tree preservation.

Recommendation: Show tree save areas on the GDP along the western property boundary to preserve existing, healthy on-site, off-site and property line trees based on the condition analysis provided as part of the tree survey. Shift the location of the proposed sanitary sewer away from the western property line to allow for tree preservation.

4. **Comment:** The southwest corner of the site contains medium-aged, sub-climax bottomland hardwood forest of tulip poplars and red maples.

Recommendation: Show a tree save area on the GDP in the southwest corner of the site, south of the proposed units and west of the proposed dry pond. This area can be supplemented with landscape trees if necessary to meet the intent of the Transitional Screening 1 required along the south property boundary in this area.

5. **Comment:** Transitional Screening 1 is not shown on the south side of the proposed dry pond in the southwest corner of the site as required.

Recommendation: Redesign the dry pond to provide a planting strip along the south property line, and show landscape trees that meet the Transitional Screening 1 requirement. Implementation would be enhanced by proffer text stating the screening requirement.

6. **Comment:** Six deciduous trees are shown to be planted along the property line at the rear of the parking lot at the rear of the Merrifield Fire Station. The existing grade in this area will prevent at least four to six of these trees from being planted.

Recommendation: Do not show landscape trees in this area where the existing grade will preclude planting.

7. **Comment:** The proposed landscaping shown on the GDP is not consistent with landscaping shown on the approved site plan (Wells Property, 8565-SP-02). The GDP shows large deciduous trees to be planted in the front of the townhouses throughout the project. These trees are not shown on the approved site plan and cannot be planted because of the small size of the available planting areas.

Recommendation: Remove all landscape trees from the GDP that cannot be planted because the available planting areas do not meet the minimum size requirements of the PFM. The GDP should not show landscaping that is inconsistent with the approved site plan unless the intent is to submit a revision to the site plan reflecting these changes.

8. **Comment:** The tree cover calculations, both for the previously approved GDP and for this submission, are incorrect. Many of the large deciduous trees shown to be planted on the site cannot be planted. The tree cover calculations should also reflect changes that result from all other comments.

Recommendation: Provide corrected tree cover calculations that reflect all changes resulting from these comments, including the increase in the tree cover credit due to preservation of existing trees on the western side of the site.

9. **Comment:** The vegetative save areas shown on the GDP on the west side of the Merrifield Fire Station property have been degraded by over-clearing. These areas were not sufficiently protected during the construction process. The approved site plan incorrectly shows the proffered 6 foot, decorative wood fence on the east side of the landscape trees along this property line, instead of the west side of the trees as shown on the GDP.

Recommendation: Revise the landscaping shown along the property line on the west side of the Merrifield Fire Station property to show a variety of deciduous and evergreen trees, of various sizes, including trees 10 to 12 feet in height. Describe the landscape plan for this area in the proffer text. The intent of the revised landscape plan is to compensate for over-clearing of the vegetative save areas, and to provide a more effective screen between the townhouses and the adjoining parcel. A revision to the approved site plan will need to be submitted reflecting these changes to the landscape plan, and correctly showing the wood fence location on the west side of the landscape plantings.

10. **Comment:** Approximately 30 eastern red cedars along the property line at the rear of the Merrifield Fire Station property (south property line) were damaged during construction on the site.

Recommendation: Obtain a commitment from the applicant to replace, with the same size and species, any of the 30 eastern red cedars that are determined by the Urban Forestry Branch to be hazardous, dead or declining due to construction damage.

11. **Comment:** Trees to be preserved on this site will require protection and care throughout the development process.

Recommendation: Recommended proffer language to address this issue: "The applicant shall retain a certified arborist to prepare a tree preservation plan to be reviewed by the Urban Forestry Branch as part of the first site plan submission. The tree preservation plan shall include the tree survey and condition analysis provided with the GDP. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be provided. Activities may include, but are not limited to, crown pruning, root pruning, mulching, and fertilization."

"All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing consisting of six foot high chain link fence shall be erected at the limits of clearing and grading as shown on the phase I & II erosion and sediment control sheets in the all areas."

"The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any clearing and grading activities on the site, including the demolition of any existing structures. The installation of tree protection fence shall be performed under the supervision of a certified arborist. Prior to the commencement of any clearing, grading, or demolition activities, the project's certified arborist shall verify in writing that the tree protection fence has been properly installed."

Wells Addition
RZ 1999-PR-017
June 21, 1999
Page 5

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

KWC/
UFBID#99-1481

cc: Irish Grandfield, Environmental Planner, E&DRB, Planning Division, DPZ
Anita Capps, Land Use Planner, E&DRB, Planning Division, DPZ
RA File
DPZ File

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

FILE: 3-5 (RZ 1999-PR-017)

SUBJECT: RZ 1999-PR-017; Centex Homes
Traffic Zone: 1518
Land Identification Map: 48-4 ((1)) 2, 4, 5, pt 6B, 35

DATE: June 2, 1999

Comments by the Department of Transportation regarding the subject application are noted below. These comments are based upon plats/plans made available to this office, dated December 23, 1998, and revised through March 1, 1999.

- The portion of the private street connection to Mainstone Drive that is located in VDOT right-of-way along Route 29 should be constructed in conformance with VDOT standards for service drives and petitioned for acceptance by VDOT. If this is not feasible, then an agreement should be executed that vests maintenance responsibility for this connection with the proposed community. This recommendation is made to address potential future lapses in maintenance responsibility.
- The applicant's site plan locates home sites within the alignment of Dixie Drive. Previous research by the County determined that Dixie Drive was created as a private easement. Regardless of its designation, this roadway should be vacated or abandoned prior to approval of a site plan for this portion of the proposed community.
- Previous transportation commitments associated with RZ 95-P-026 should be carried forward.

AKR/MAD

cc: Michelle Brickner, Deputy Director, Office of Site Development Services,
Department of Public Works and Environmental Services

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

FILE: 3-5 (RZ 1999-PR-017)

SUBJECT: RZ 1999-PR-017; Centex Homes
Traffic Zone: 1518
Land Identification Map: 48-4 ((1)) 2, 4, 5, pt 6B, 35

DATE: September 9, 1999

This department has completed its review of the revised plat and the draft proffers each dated August 31, 1999. In addition, this department has reviewed documentation provided by the applicant regarding the issue of ownership of Dixie Drive. The applicant's assertions regarding the ownership of Dixie Drive are acceptable to this department. Further, the applicant has adequately addressed all other concerns previously expressed with the initial review of the application. Therefore, this department has no further objection to the application.

AKR/MAD

cc: Michelle Brickner, Deputy Director, Office of Site Development Services,
Department of Public Works and Environmental Services



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

DAVID R. GEHR
COMMISSIONER

3975 FAIR RIDGE DRIVE
FAIRFAX, VA 22033
(703) 383-VDOT (8368)

THOMAS F. FARLEY
DISTRICT ADMINISTRATOR

April 20, 1999

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

Re: RZ 1999-PR-017, Wells Addition
Tax Map No.: 048-4 ((1)) 35, 049-3 ((33)) A, 1-101

Dear Ms. Byron,

This office has reviewed the generalized development plan relative to rezoning application 1999-PR-017 and offers the following comments.

The application has been filed is to include a 4.95 acre parcel (41 single family attached units) into the previously zoned property (RZ 95-P-026) currently under construction.

Frontage improvements along Route 29 should be in accordance with VDOT Project 0029-029-119, RW202 (sheet no. 6 & 7).

If you should require any additional information please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Noreen H. Maloney".

Noreen H. Maloney
Transportation Engineer

cc: Mr. R. L. Moore

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

April 9, 1999

MEMORANDUM

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

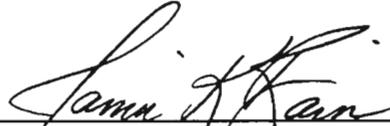
FROM: Planning Branch (Tel. 289-6363)
Planning and Engineering Division

SUBJECT: Water Service Analysis, Rezoning Application RZ 99-PR-017

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

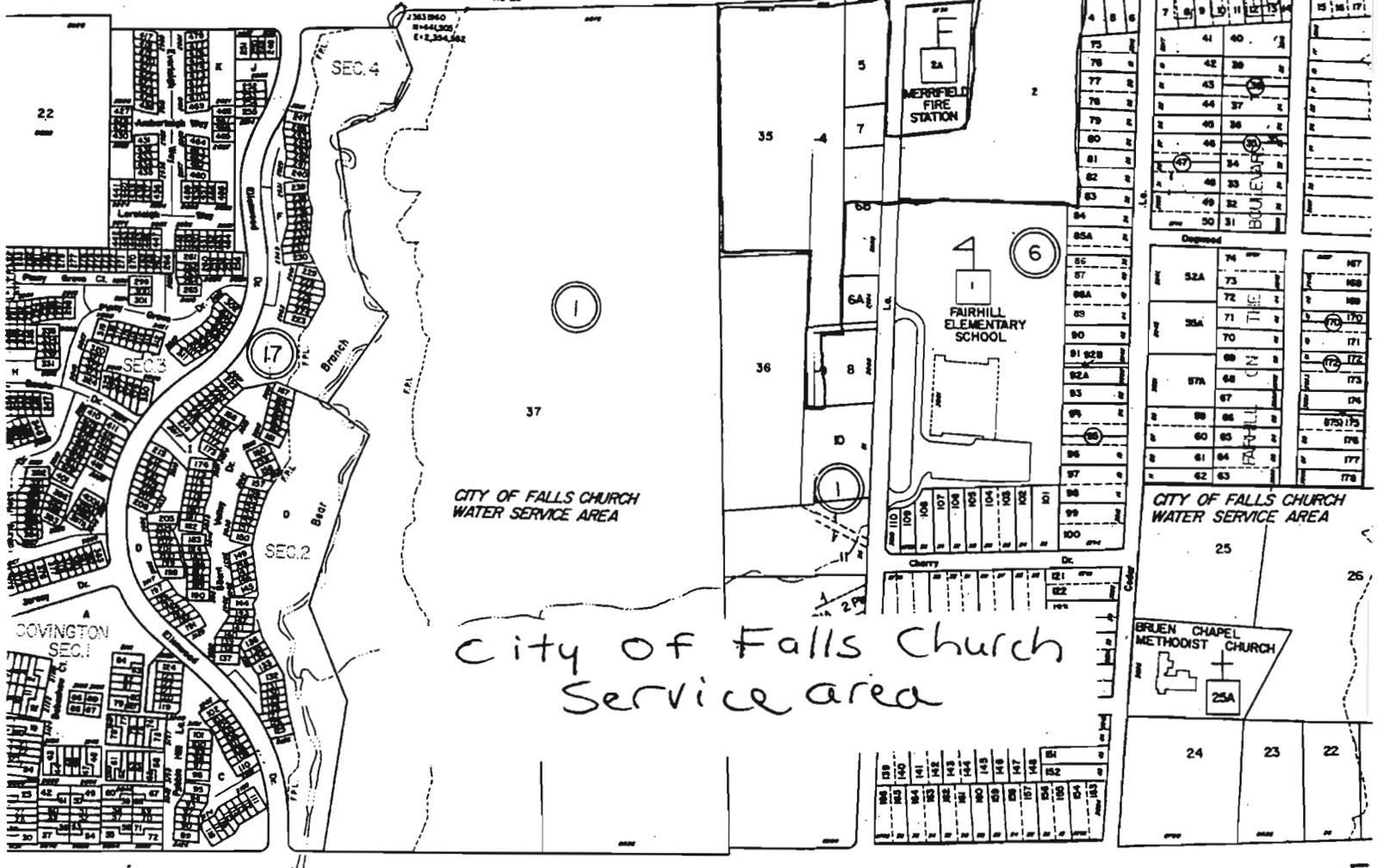
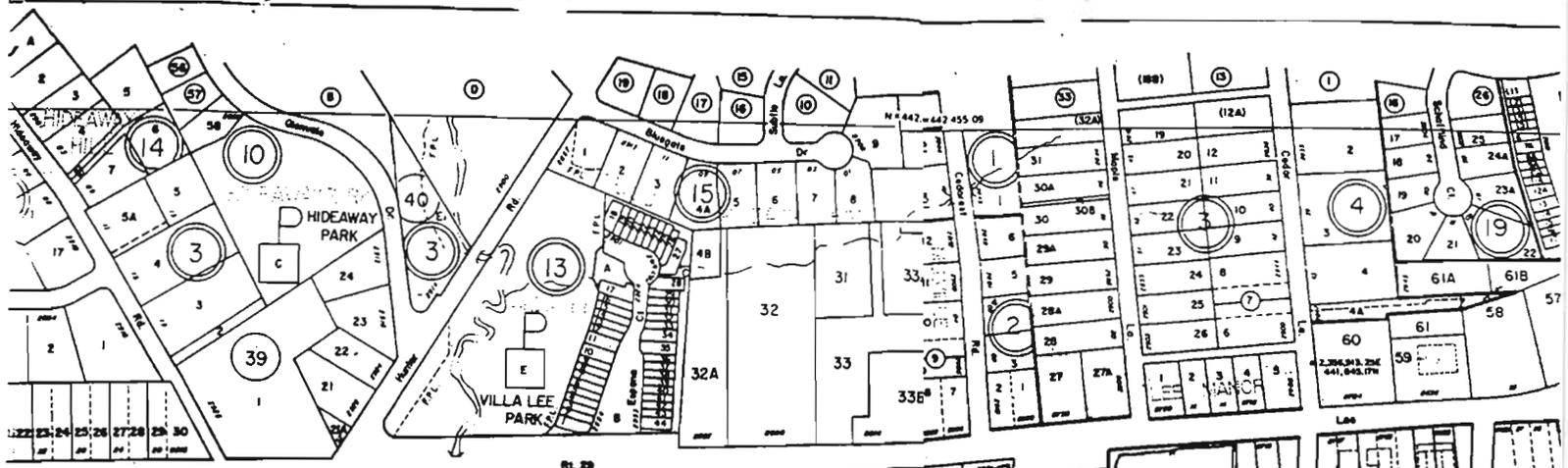
1. The application property is not located within the franchise area of the Fairfax County Water Authority.
2. Water service is not available from FCWA.
3. Other pertinent information or comments:

City of Falls Church water service area. See enclosed map.

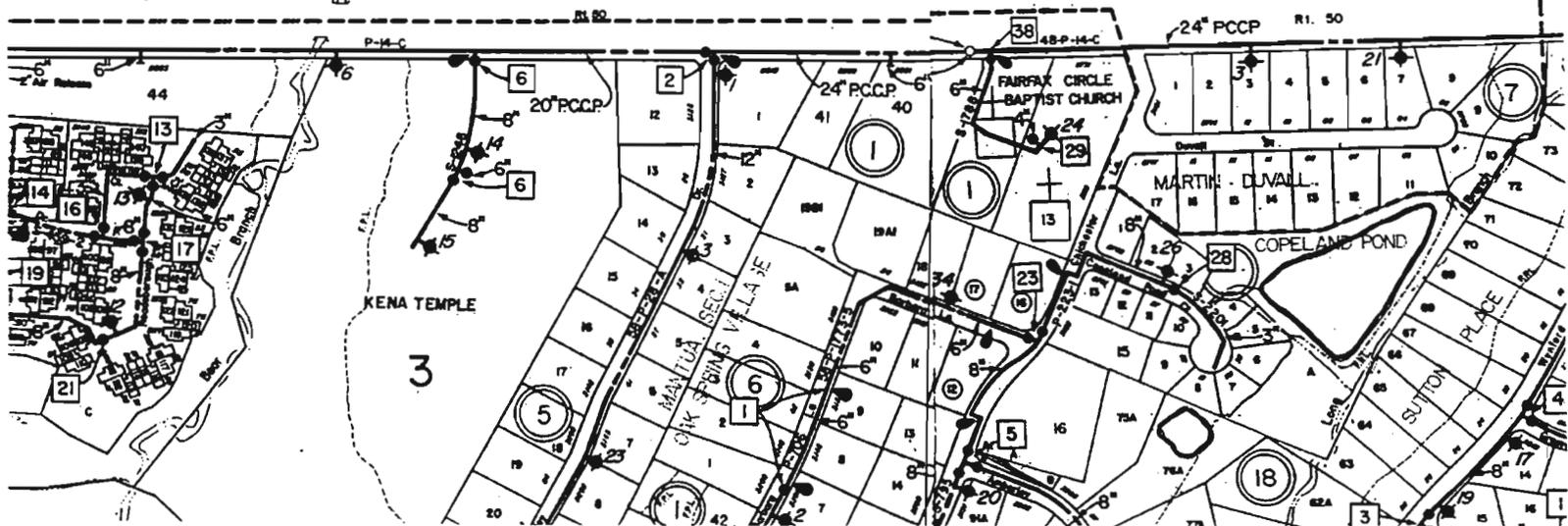


Jamie K. Bain, P.E.
Acting Manager, Planning

Attachment



City of Falls Church
Service area



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator DATE: May 4, 1999
 Zoning Evaluation Division, OCP

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 1999-PR-017

Tax Map No. 048-4 ((01))0035 AND SEVERAL PARCELS ON 49-3

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

1. The application property is located in the Accotink creek (M-2) watershed. It would be sewerred into the Lower Potomac Treatment Plant.
2. Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or 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 an easement and approx. 150 feet from the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

Sewer Network	Existing Use + Application		Existing Use + Application Previous Rezoning		Existing Use + Application + Comp Plan	
	Adeq.	Inadeq.	Adeq.	Inadeq.	Adeq.	Inadeq.
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: _____

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: 4-30-99

FROM: Ronald N. Kirkpatrick, Director
Utilities Planning and Design Division
Department of Public Works & Environmental Services

SUBJECT: Rezoning Application Review

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

MAY 5 1999

ZONING EVALUATION DIVISION

Name of Applicant/Application: Centex Homes

Application Number: 1999-PR-017

Type of Application: RZ

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

Date Received in UP&DD: April 6, 1999

Date Due Back to DPZ: April 29, 1999

Site Information: Location - 48-4((1))35 and 49-3((33))A, 1-101
Area of Site - 16.48 acres
Rezone from - R-1 to R-8
Watershed/Segment - Accotink Creek / Bear & Long Branch

UP&DD Information:

I. Drainage:

- UP&DD Drainage Complaint files:

Yes No Any downstream drainage complaints on file pertaining to the outfall for this property?

If yes, describe: **There are complaints, on file with PSB, concerning house flooding, stream erosion and yard flooding, approximately 1,000 feet to 2,000 feet downstream of this proposed development.**

- Master Drainage Plan (proposed projects): **AC331, AC301, AC312 and AC311 Channel restoration and stabilization projects are located approximately 3,000 feet, 6,000 feet, 2,000 feet and 3,000 feet downstream of site respectively.**
- UP&DD Ongoing County Drainage Projects: **None.**
- Other Drainage Information: **None.**

RE: Rezoning Application Review

II. Trails:

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:

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:

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 UP&DD Projects or Programs:

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: **None.**

RE: Rezoning Application Review

Application Name/Number: **Centex Homes / RZ1999-PR-017**

******* UTILITIES PLANNING AND DESIGN DIVISION, DPW, RECOMMENDATIONS*******

Note: The UP&DD recommendations are based on the UP&DD 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 UP&DD recommendations are to be considered additional measures over and above the minimum current regulations.

DRAINAGE RECOMMENDATIONS: Applicant shall include location of on-site stormwater control facility on plan which covers that portion of the site outfalling within the Long Branch watershed.

TRAILS RECOMMENDATIONS: None.

SCHOOL SIDEWALK RECOMMENDATIONS: None.

SANITARY SEWER E&I RECOMMENDATIONS:

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 during the normal Department of Environmental Management plan review and approval process.

Other E&I Recommendations: **None.**

OTHER UP&DD PROJECT/PROGRAM RECOMMENDATIONS: None.

UP&DD Internal sign-off by:	Planning Support Branch (Ahmed Rayyan)	kcm
	Utilities Design Branch (Walt Wozniak)	WTW
	Transportation Design Branch (Larry Ichter)	LLJ
	Stormwater Management Branch (Fred Rose)	<i>FR</i>

RNK/rz99pr17.wpd

cc: Gordon Lawrence, Coordinator, Office of Safety, Fx. Co. Public Schools (only if sidewalk recommendation made)
Gilbert Osei-Kwadwo, Chief, Engineering Analysis Planning Branch
Bruce Douglas, Chief, Environment and Development Review Branch

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

April 9, 1999

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
1999-PR-017

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #30, Merrifield.
2. After construction programmed for FY 19__, this property will be serviced by the fire station planned for the _____ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility; however, a station location study is currently underway, which may impact this rezoning positively.

**Fairfax
County
Park
Authority**



MEMORANDUM

APPENDIX 14
REC
DEPARTMENT OF PLANNING AND ZONING

JUL 1 1999

ZONING EVALUATION DIVISION

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

DATE: June 25, 1999

FROM: Lynn Tadlock, Director
Planning and Development Division

SUBJECT: RZ 1999-PR-017
Wells Addition
Loc: 48-4((1))35; 49-3((33))A,1-101

The Fairfax County Park Authority (FCPA) staff reviewed the above referenced application and provides the following comments:

Provide the proportional cost of \$42,000 to the Fairfax County Park Authority to acquire/develop/maintain athletic field facilities in a nearby park to serve the residents of this development.

Develop neighborhood park facilities at the site to meet the out-door recreational amenities' demand for the residents.

The development plan for Wells Addition will construct 145 single family attached units that will add 350 residents to the current population of Providence District. The plan shows a volleyball court and a small area for adult recreation. The adult recreation area does not identify what types of facilities are planned there. The residents of this development will demand several outdoor facilities including picnic, playground, tot lot, basketball, tennis, volleyball courts, and athletic fields. The proportional development cost to provide these facilities is \$70,350. There is no walk to Neighborhood Park in the immediate vicinity of this development. Therefore, it will be more desirable to provide neighborhood park facilities at the site. The proportional cost for the development of athletic fields is \$42,000. These funds can be used to develop or maintain athletic fields in a nearby park serving this population.

The Comprehensive Plan for Fairfax County, Virginia, Policy Plan, Parks and Recreation, Objective 4, Policy a, page 164, states: "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;...."

Barbara Byron
RZ 1999-PR-017
Wells Addition
June 25, 1999
Page 2

The Comprehensive Plan for Fairfax County, Virginia, Policy Plan, Parks and Recreation, Objective 4, Policy b, page 164, states: "Mitigate the cumulative impacts of development which 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."

cc: William C. Cutler, Planning and Development, FCPA
Dorothea L. Stefen, Plan Review Case Manager, FCPA
Gail Croke, Planning and Development, FCPA
Mubarika Shah, Plan Review Team, FCPA

RECEIVED

DEPARTMENT OF PLANNING AND ZONING

TO: Barbara A. Byron, Division Director
 Zoning Evaluation Branch (OCP)
 10255 Govt. Center Parkway, Suite 800

Date: 4/30/99
 Map: 48-4,49-3

JUN 9 1999

FROM: Facilities Planning (246-3609)

Acreage: 16.48 PU 2088

ZONING EVALUATION DIVISION

From: R-1, R-8 To: R-8

SUBJECT: Schools Analysis, Rezoning Application

Case# RZ-99-PR-017

The following information is submitted in response to your request for a school analysis for the referenced rezoning application. A comparison of estimated student generation between the proposed development plan and that possible under existing zoning area are as follows:

School Level	Unit Type	Proposed Zoning			Unit Type	Existing Zoning			Rezoning Increase Decrease	Total School Impact
		Units	Ratio	Students		Units	Ratio	Students		
Elem. (K-6)	S/F	145	x	.198				x		30
Inter. (7-8)	S/F	145	x	.048				x		7
High (9-12)	SF	145	x	.097				x		14

* Schools which serve this property, their current total membership, net operating capacity, and their projections for the next five years are as follows:

School Name And Number	Grade Level	9/30/98 Capacity	9/30/98 Membership	Projected Membership				
				99-00	00-01	01-02	02-03	03-04
Fairhill	K-6	419	349	368	379	386	391	399
Jackson	7-8	900	938	943	918	949	949	971
Falls Church	9-12	2000	1397	1401	1403	1367	1372	1406

Source: Capital Improvement Program, FY 1999-2003 Facilities Planning Services Office

Note: Five-year projections are those currently available and will be updated yearly. School attendance areas subject to yearly review. The effect of the rezoning application does not consider the existence or status of other applications.

Comments:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 DEM 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 DEM 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	PDC	Planned Development Commercial
ADU	Affordable Dwelling Unit	PDH	Planned Development Housing
ARB	Architectural Review Board	PFM	Public Facilities Manual
BMP	Best Management Practices	PRC	Planned Residential Community
BOS	Board of Supervisors	RMA	Resource Management Area
BZA	Board of Zoning Appeals	RPA	Resource Protection Area
COG	Council of Governments	RUP	Residential Use Permit
CBC	Community Business Center	RZ	Rezoning
CDP	Conceptual Development Plan	SE	Special Exception
DEM	Department of Environmental Management	SP	Special Permit
DDR	Division of Design Review, DEM	TDM	Transportation Demand Management
DP	Development Plan	TMA	Transportation Management Association
DPW	Department of Public Works	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, DPW
FAR	Floor Area Ratio	UMTA	Urban Mass Transit Association
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HCD	Housing and Community Development	VPH	Vehicles per Hour
LOS	Level of Service	WMATA	Washington Metropolitan Area Transit Authority
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, OCP
OCP	Office of Comprehensive Planning	ZED	Zoning Evaluation Division, OCP
OT	Office of Transportation	ZPRB	Zoning Permit Review Branch
PD	Planning Division		