



APPLICATION ACCEPTED: October 7, 2010
APPLICATION AMENDED: July 29, 2011
PLANNING COMMISSION: December 15, 2011
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

December 1, 2011

STAFF REPORT

APPLICATION RZ/FDP 2010-PR-019

PROVIDENCE DISTRICT

APPLICANT: Kettler Sandburg, LLC

PRESENT ZONING: R-1

REQUESTED ZONING: PDH-4

PARCEL(S): 39-4 ((1)) 46 and 47

ACREAGE: 2.28 Acres

DENSITY: 3.5 du/ac

OPEN SPACE: 38%

PLAN MAP: Residential; 3-4 du/ac

PROPOSAL: To rezone from the R-1 District to PDH-4 District to permit a residential development consisting of eight single-family detached dwelling units.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2010-PR-019 and the associated conceptual development plan, subject to the draft proffers consistent with those found in Appendix 1 of this report.

Kelli Goddard-Sobers

Staff recommends approval of FDP 2010-PR-019 subject to the development conditions contained in Appendix 2 and subject to the Board's approval of the associated rezoning and conceptual development plan.

Staff recommends approval of a deviation of the tree preservation target requirement in favor of that shown on the CDP/FDP.

Staff recommends approval of a waiver of the requirement that private streets within a development shall be limited to those streets which are not required or designed to provide access to adjacent properties.

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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning application does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Rezoning Application

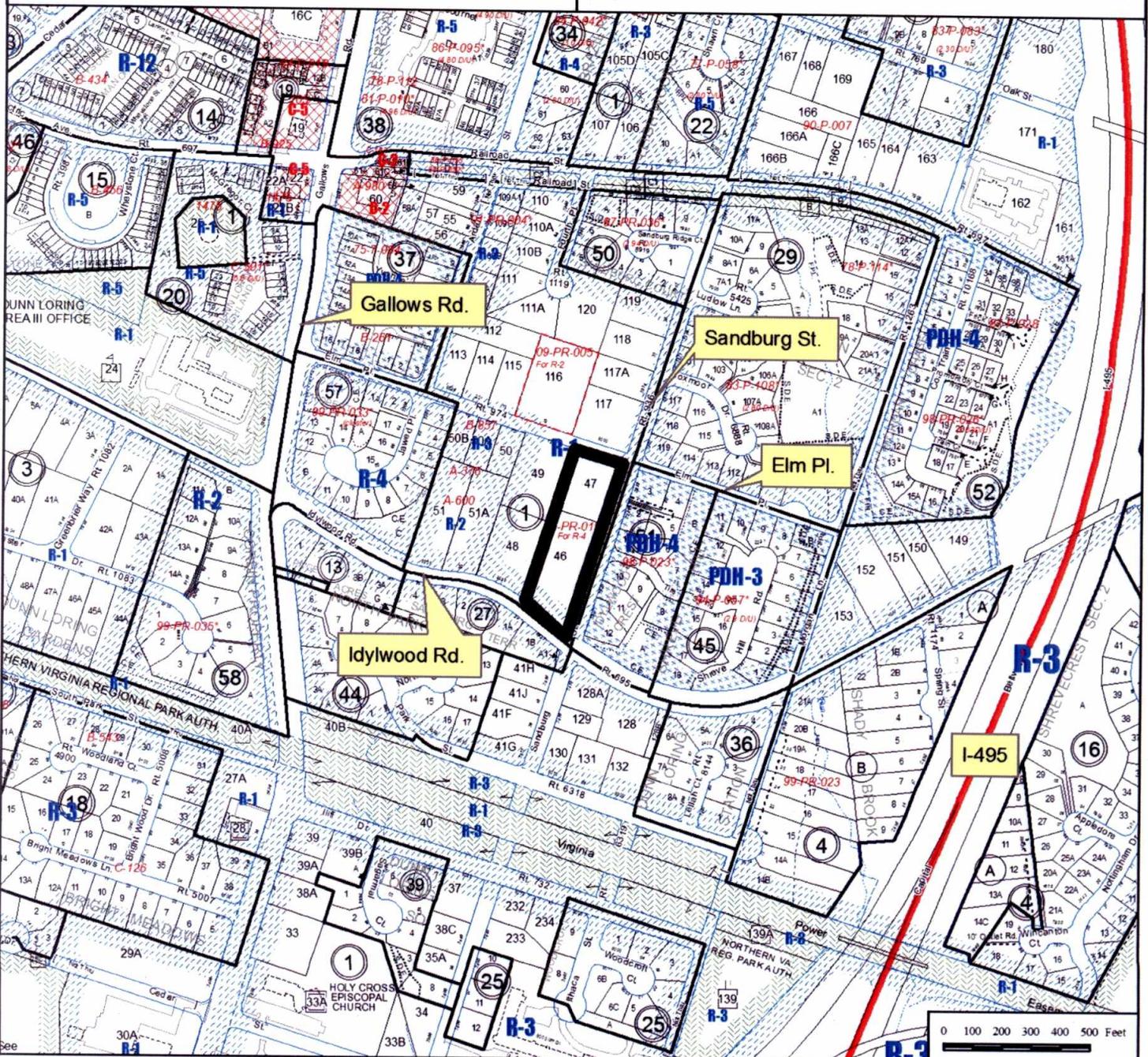
RZ 2010-PR-019

Final Development Plan

FDP 2010-PR-019

Applicant: KETTLER SANDBURG, LLC
 Accepted: 12/17/2010 - AMENDED 08/01/2011
 Proposed: RESIDENTIAL
 Area: 2.28 AC OF LAND; DISTRICT - PROVIDENCE
 Located: WEST SIDE OF SANDBURG STREET DIRECTLY SOUTH OF ELM PLACE
 Zoning: FROM R- 1 TO PDH- 4
 Map Ref Num: 039-4- /01/ /0046 /01/ /0047

Applicant: KETTLER SANDBURG, LLC
 Accepted: 08/01/2011
 Proposed: RESIDENTIAL
 Area: 2.28 AC OF LAND; DISTRICT - PROVIDENCE
 Located: WEST SIDE OF SANDBURG STREET DIRECTLY SOUTH OF ELM PLACE
 Zoning: PDH- 4
 Map Ref Num: 039-4- /01/ /0046 /01/ /0047



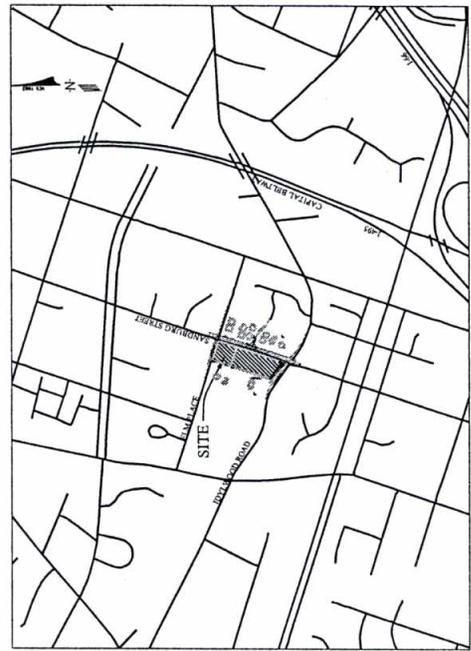
**CONCEPT DEVELOPMENT PLAN /
 FINAL DEVELOPMENT PLAN (CDP/FDP)
 PORTER AT SANDBURG STREET
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 RZ/FDP 2010-PR-019**

APPLICANT
KETTLER SANDBURG, LLC.
 C/O KETTLER
 1751 PINNACLE DRIVE
 SUITE 700
 MCLEAN, VA 22102
 (703) 641-9000
 CONTACT: CHARLIE KIELER

OWNER
SUSAN H. PORTER
 P.O. BOX 1412
 SILVER CITY, NM 88062

ATTORNEY
McGUIRE WOODS, LLP.
 1750 TYSONS BLVD.
 SUITE 1800
 MCLEAN, VA 22102-4215
 (703) 712-5360
 CONTACT: GREGORY A. RIEGLE

CIVIL ENGINEER
URBAN, LTD.
 4200 D TECHNOLOGY CT.
 CHANTILLY, VA 20151
 (703) 642-2306
 CONTACT: ROBERT W. BROWN



VICINITY MAP
 SCALE: 1" = 500'

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- 18 Tree Preservation Detail Option A
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- 20 Tree Preservation Detail Option B

REVISIONS DESCRIPTION No. DATE	PLAN DATE 09-28-10 12-02-10 04-12-10 02-16-10 08-10-11 11-10-11	Urban Ltd. 4200 D Technology Center Chantilly, Virginia 20151 www.urbanltd.com	Robert W. Brown P.E. 11/16/11 PROFESSIONAL SEAL	COVER SHEET PORTER AT SANDBURG STREET PROVIDENCE DISTRICT FAIRFAX COUNTY, VA CL: N/A DATE: NOV. 2011	SCALE: N/A SHEET 1 OF 20 ZNMAP12581
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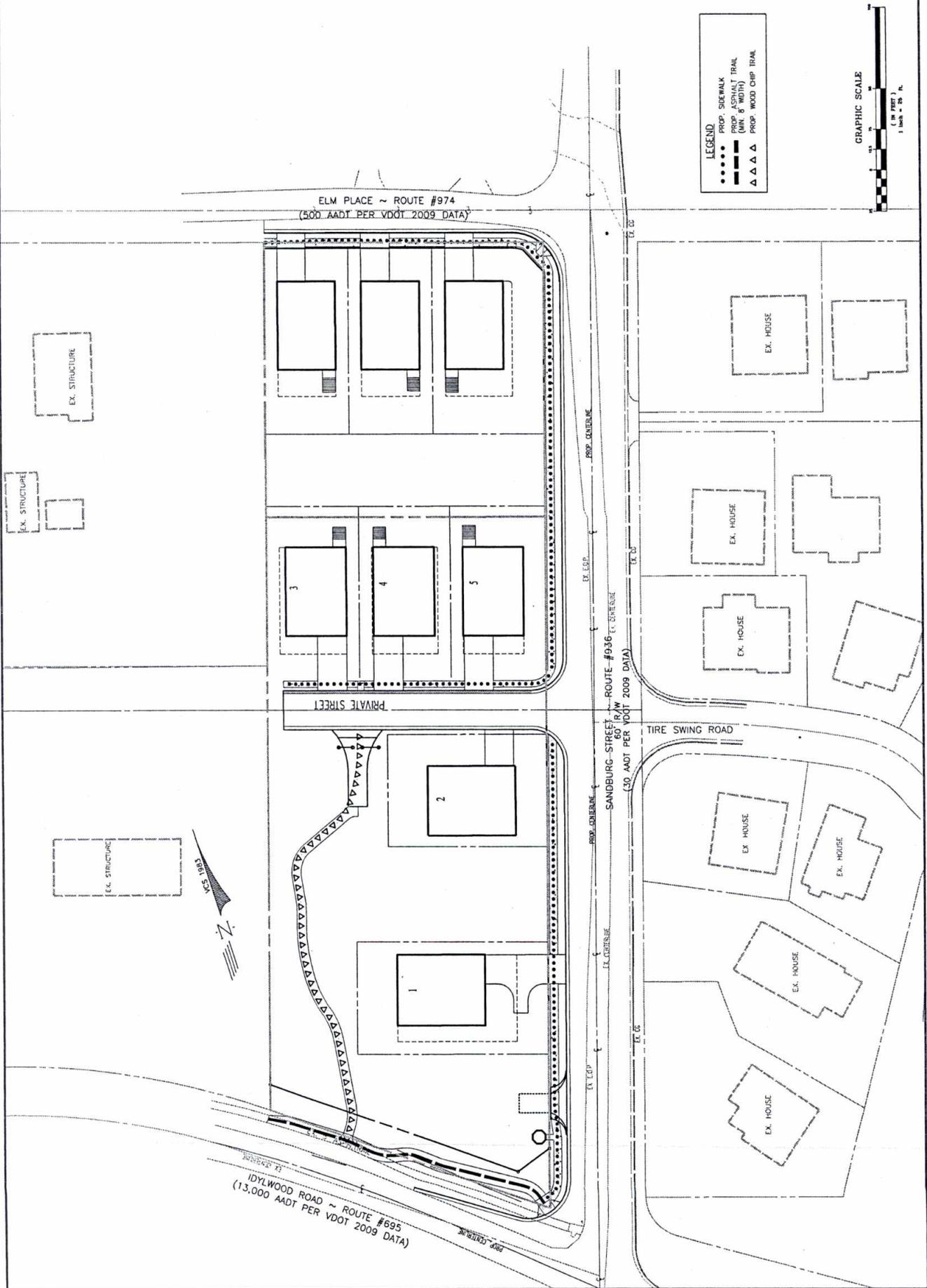


Urban Ltd.
2000 Lakeside Court
Columbia, Virginia 23111
Tel: 804.733.1200
Fax: 804.733.1201

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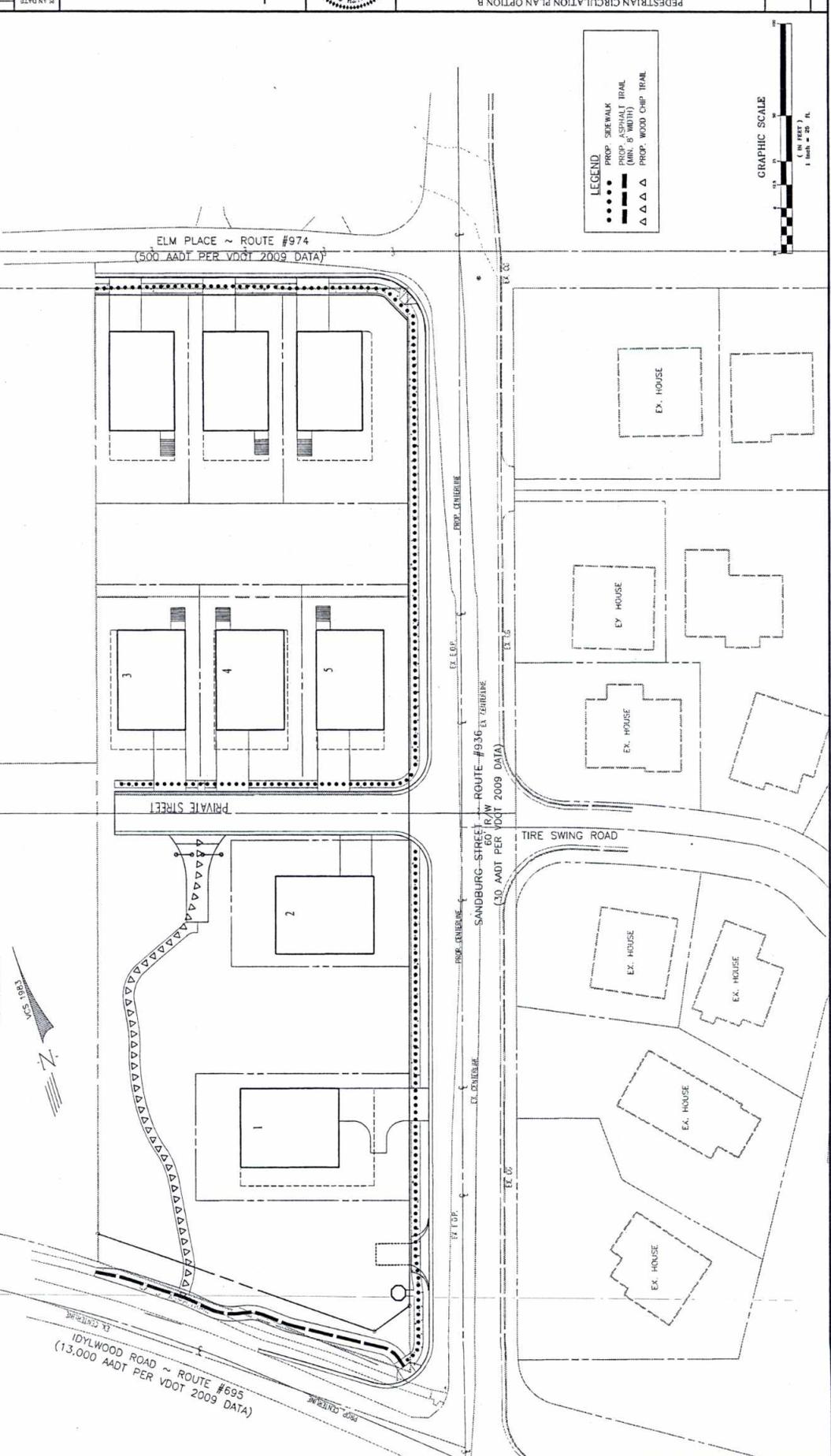
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**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

The applicant, Kettler Sandburg, LLC, requests approval to rezone the subject 2.28 acre site from the R-1 District to the PDH-4 District to permit the development of eight single-family detached dwelling units. The proposed development would result in an overall density of 3.51 dwelling units per acre (du/ac).

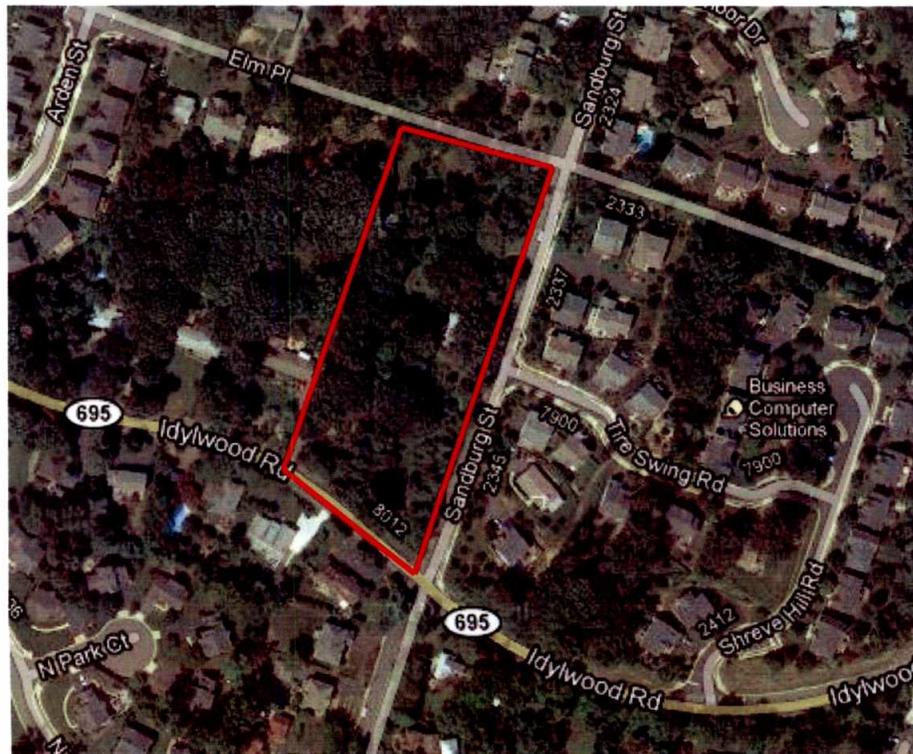
The applicant has requested the following:

- A deviation from the tree preservation target requirement in favor of that shown on the CDP/FDP.
- Waiver of the requirement that private streets within a development shall be limited to those streets which are not required or designed to provide access to adjacent properties as determined by the Director.

The applicant's draft proffers, affidavit, and statement of justification are contained in Appendices 1-3 respectively.

LOCATION AND CHARACTER

The 2.28 acre subject property is comprised of two parcels (46 and 47) located on the west side of Sandburg Street. There is a vacant single-family detached home and detached garage on Parcel 46 which the applicant is proposing to demolish; Parcel 47 is vacant. Both parcels are overgrown with vegetation and there are several mature trees throughout the site.

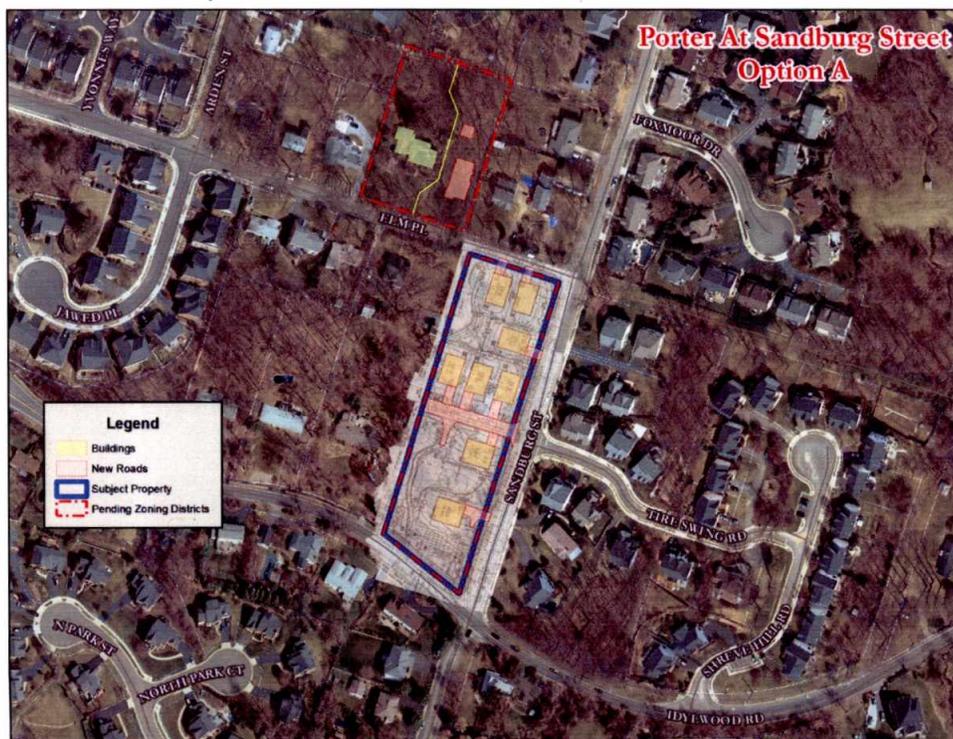


SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single-family detached (Dunn Loring)	R-1	Residential; 3-4 du/ac
South	Single-family detached (Sandburg Terrace)	R-3	Residential; 3-4 du/ac
East	Single-family detached (Idylwood Crest)	PDH-4	Residential; 3-4 du/ac
West	Single-family detached (Dunn Loring)	R-1	Residential; 3-4 du/ac

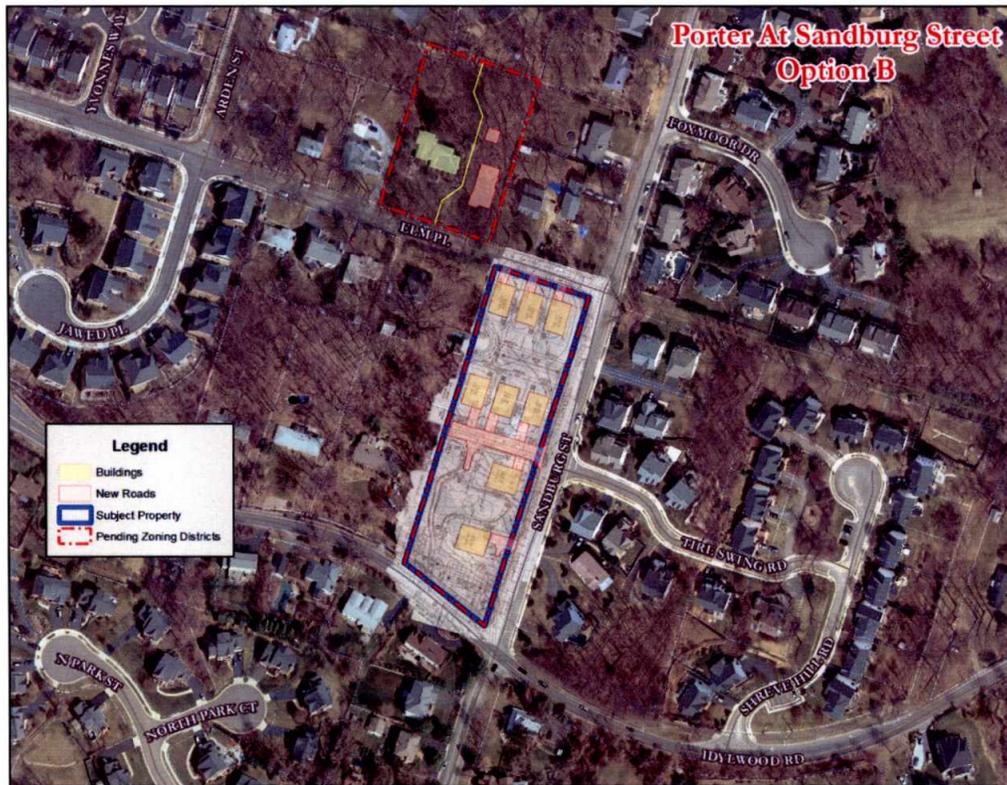
BACKGROUND

According to the DTA records, the existing house was built in 1900. The house is dilapidated and not worthy of preservation; however, it will be photographically documented by the applicant. The photographs will be provided to the Department of Planning and Zoning or directly to the Virginia Room of the Fairfax County Public Library for curation.

The following images depict Options A and B for the proposed development and the surrounding community. Much of the area surrounding the subject site has redeveloped in accordance with the Comprehensive Plan.



Proposed Development (Option A) and Surrounding Community



Proposed Development (Option B) and Surrounding Community

The following table provides information for the proposed development and adjacent residential developments.

Location from Subject Site	Residential Development	Zoning	Density	Smallest Lot Size	Largest Lot Size	Average Lot Size	Access Point
Proposal	Porter at Sandburg St.	PDH-4	3.5 du/ac	6,000 SF	8,400 SF	6,790 SF	Sandburg St. and Elm Place
				6,038 SF	8,400 SF	6,768 SF	
North	Dunn Loring	R-1	1 du/ac	19,656 SF	37,049 SF	24,483 SF	Elm Place
	Anthony Casolaro	R-2	1.5 du/ac	23,958 SF	34,428 SF	29,193 SF	Elm Place
East	Idylwood Crest	PDH-4	2.68 du/ac	7,300 SF	13,600 SF	9,950 SF	Sandburg St.
South	Sandburg Terrace	R-3	3 du/ac	10,580 SF	20,067 SF	14,597 SF	Idylwood Road
West	Dunn Loring	R-1	1 du/ac	43,560 SF	43,560 SF	43,560 SF	Elm Place and Idylwood Road

facility, along all three street frontages, and tree preservation areas. The tree preservation areas are shown on sheets 14 and 18 in the CDP/FDP. The applicant is proposing an underground infiltration SWM facility to be located in the southeastern corner of the site.

Vehicular Access: Access to four dwelling units would be provided by an approximately 160-foot long private street located off of Sandburg Street; two dwelling units would have direct access from Sandburg Street, and two dwelling units would have direct access from Elm Place. An emergency vehicle turnaround area is provided off of the private street at the entrance to the walking trail behind Lot 2. A driveway is also provided for maintenance access to the SWM facility from Sandburg Street.

Parking: A total of 18 parking spaces are proposed. The typical lot layout for the single-family detached dwellings depicts driveways with minimum dimensions of 18 feet wide x 20 feet long.

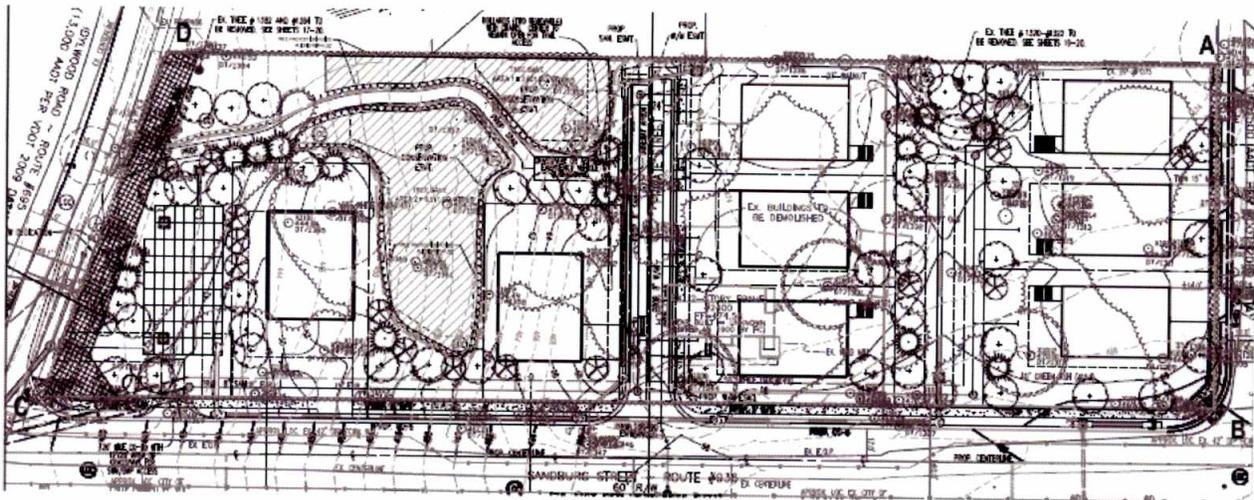
Pedestrian Access: Standard five-foot wide concrete sidewalks will be constructed by the applicant along Sandburg Street and Elm Place, and a four-foot wide sidewalk would be constructed along the northern side of the private street. The applicant is also proposing to expand the existing five-foot wide asphalt trail along the site's Idylwood Road frontage with an eight-foot wide asphalt trail. A walking trail consisting of woodchips or similar materials is also proposed between the two tree preservation areas at the southern end of the site.

Road Improvements: The CDP/FDP depicts the dedication of right-of-way up to 45 feet from the centerline of Idylwood Road and up to 30 feet from the centerline of Sandburg Street, with curb and gutter installed by the applicant along Sandburg Street, Elm Place, and a portion of the Idylwood Road frontage.

Stormwater Management/Best Management Practices (SWM/BMP) Facilities: The applicant proposes to provide a sub surface stormwater management detention facility consisting of an underground infiltration facility that would allow the stormwater runoff to infiltrate into the ground. The Department of Public Works and Environmental Services (DPWES) has determined the proposed facility does not require a waiver to provide underground detention in a residential area. The applicant proposes to meet the BMP requirements via the underground infiltration facility and tree conservation areas. It is calculated that this facility will provide 49.92% phosphorous removal. The proposed location for the SWM/BMP facility is in the southwestern corner of the property where it will discharge into the existing stream located near this corner of the property.



Option B



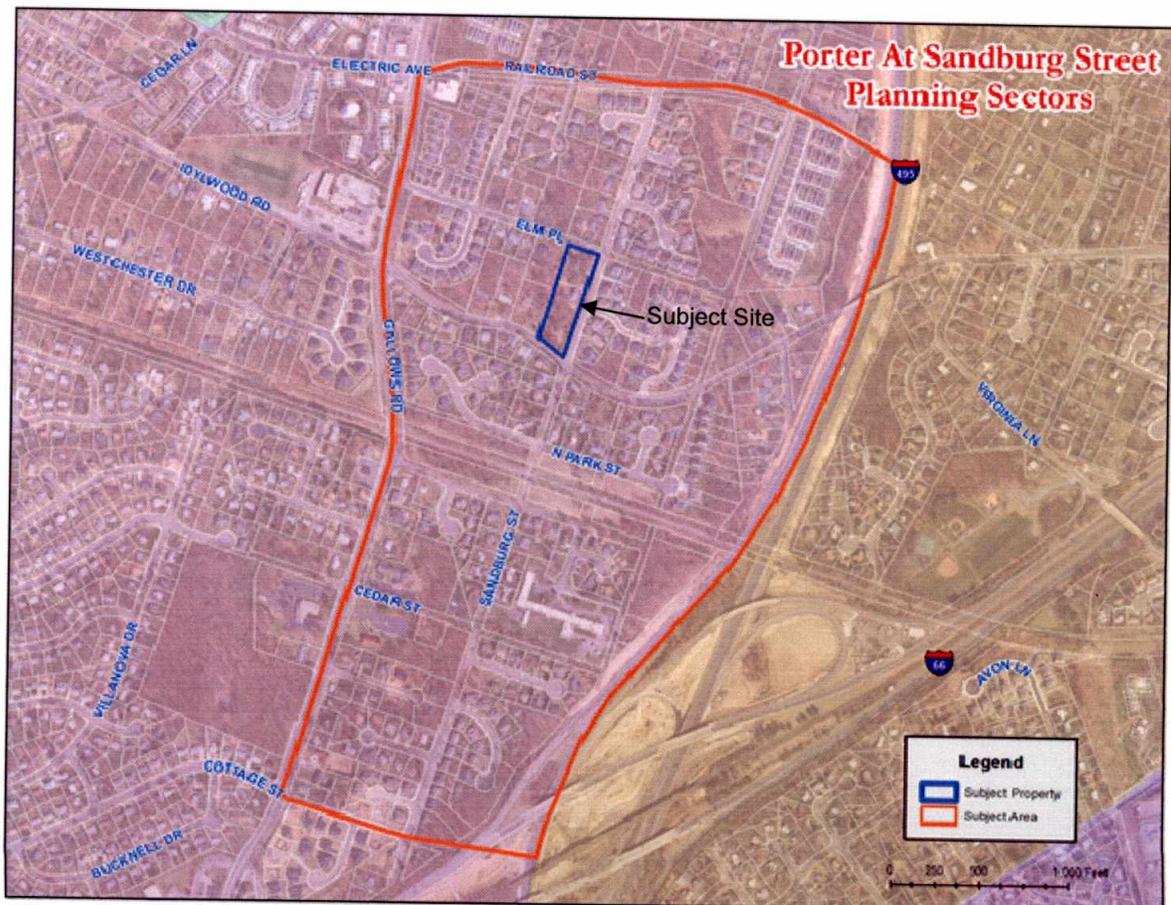
In this option, Lot 6 fronts Elm Place instead of Sandburg Street. As a result there are two tree preservation areas instead of three, as the third proposed under option A at the northern end of the site is gone due to the lot's relocation to that area. However, landscaping is proposed behind the lot along the western property line and also in the area where Lot 6 was originally proposed under option A. The overall amount of open space is still proposed as approximately 38%. Vehicular access is the same as in option A except for Lot 6 which would be accessed from Elm Place.

ANALYSIS

Comprehensive Plan (Appendix 4)

The Comprehensive Plan provides guidance at the sector level for the development of parcels south of Railroad Street, north of Cottage Street, west of I-495 and east of Gallows Road. This portion of the sector is planned for residential use at 3-4 dwelling units per acre. Development above the low end of the Plan density range should provide substantial landscaping to screen residential areas from Gallows Road, substantial consolidation of adjacent parcels to ensure coordinated development; and the provision of coordinated vehicular access so as not to exacerbate traffic flow along Gallows Road. Coordinated development is achieved by the consolidation of two large sized parcels and the incorporation of a private street at the center of the site that can be extended to the adjacent western properties if they redevelop in the future. The private street also provides coordinated vehicular access as four lots would be accessed from this street. Only two lots would have direct access to Sandburg Street, and the other three lots would have access to Elm Place. The proposed development meets all of the required conditions and its proposed density of 3.51 is also in conformance with the Comprehensive Plan's recommendation.

Sector Boundaries



RESIDENTIAL DEVELOPMENT CRITERIA (Appendix 16)**Site Design** (Development Criterion #1)

This Criterion requires that the development proposal address consolidation goals in the Comprehensive Plan, further the integration of the development with adjacent parcels, and not preclude adjacent properties from developing according to the recommendations of the Plan. It also states that the development proposal should provide a logical and functional design with appropriate relationships within the development, including appropriately oriented dwelling units and usable yard areas within the individual lots. Convenient access to transit facilities should be provided where available, and all aspects pertaining to utilities shall be identified. Open space should be usable, accessible, and integrated. Appropriate landscaping amenities should be provided.

Consolidation

The application property and surrounding area is depicted on the Plan Map with a residential density range of three to four dwelling units per acre (du/ac). The proposed development is in accordance with the density recommendations of the Comprehensive Plan as the density of the proposed development is 3.50 du/ac, consisting of eight new dwelling units on 2.28 acres of land. The community to the east directly across Sandburg Street, (Idylwood Crest) is developed with single-family detached dwellings at a density of 2.68 du/ac. The properties to the north and west are developed with single-family detached dwellings at a density of 1.0 du/ac; and the properties to the south are developed with single-family detached dwellings at a density of 3 du/ac. The proposed development integrates well with adjacent developments and incorporates a private street which can be extended in the future if the adjacent western parcels redevelop. Staff finds that sufficient parcels have been consolidated to produce a coordinated development, and does not preclude adjacent properties, particularly those to the north and west, from redevelopment in accordance with the recommendations of the Comprehensive Plan.

Layout

As stated previously in the report, the proposed development is comprised of eight single-family detached dwelling broken up into two blocks. In both options, the proposed site layouts provide logical and functional designs. The closest lot to Idylwood Road (Lot 1) is setback approximately 65 feet from Idylwood Road and the proposed underground stormwater management facility is located in the open space area between Lot 1 and Idylwood Road. All existing and proposed utilities are depicted on the CDP/FDP in the most suitable location in relation to the dwelling units and proposed tree preservation areas. The lot typicals allow for future extensions and decks in accordance with the Article 2, Part 4, Section 2-412 in the Zoning Ordinance. However, regarding appropriate relationships between dwelling units within the development, staff's prefers the orientation of dwelling units in Option B as Lot 6 has more usable yard area and privacy. In Option A, Lot 6 is surrounded by four dwelling units (two on either side) and by utility easements on all four sides.

Open Space and Landscaping

The GDP indicates that approximately 38% of the site would remain as open space. This exceeds the Zoning Ordinance's minimum open space requirement of 20%. As mentioned above, the proposed underground stormwater management facility is located in an open space area between Lot 1 and Idylwood Road. There are also two other open spaces surrounding Lots 1 and 2 that contain tree preservation areas. A walking trail is proposed between these two open spaces that connects the private street proposed at the center of the site to Idylwood Road. In Option A, a third open space area is proposed in the northwestern corner of the site, along the western property line. Overall, the open space is well integrated and accessible via the proposed walking trail. No transitional screening or barriers are required for the proposed development. The applicant is providing an adequate amount of landscaping to screen the development from adjacent properties.

Amenities

The applicant is proposing a walking trail and an emergency turn around area as passive amenities at the rear of the site, and a gazebo to serve as a bus shelter for school children at the front of the site. Private rear yards for each dwelling unit are also depicted on the CDP/FDP.

Based on the features discussed above, Criterion # 1 has been met.

Neighborhood Context (Development Criterion #2)

While developments are not expected to be identical with the existing development within which they are to be located, this Criterion states that they should fit into the fabric of the community, as evidenced by an evaluation of bulk/mass of the proposed dwelling units; setbacks; architectural elevations and materials; pedestrian, bicycle, and vehicular connections; and proposed changes to the existing topography and vegetative cover as a result of clearing and grading.

Staff finds that the proposed development fits into the fabric of the community. The bulk and mass of the proposed dwelling units is comparable to the surrounding developments. Adequate landscaping is also provided as buffering between the proposed development and the adjacent developments along the property boundaries. Various building materials are proposed, some of which are similar to materials used in the adjacent residential developments. Sidewalk and trail improvements are also proposed along all street frontages. Regarding the existing topography and vegetative cover on-site, the applicant is proposing one retaining wall that ranges in height from 1 foot to two and one-half feet in the western portion of the site alongside Lot 3 in an attempt to work with the existing topography.

Environment (Development Criterion #3) (Appendix 5)

This Criterion requires that developments conserve natural environmental features to the extent possible, account for soil and topographic conditions, and protect current and future residents from noise and lighting impacts. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts.

The predominant natural feature on-site is trees. Some of the trees will be lost due to the proposed clearing and grading for the overall development, further discussed below in Development Criterion # 4. The proposed development would not have a significant environmental impact with respect to noise or lighting. To minimize potential impacts from traffic noise, the closest dwelling unit to Idylwood Road would be located approximately 65 feet from the Idylwood Road frontage. Regarding energy efficiency, the applicant has proffered that all of the dwelling units would be Energy Star qualified homes, and appliances, including but not limited to refrigerators, stoves, and dishwashers, within the units would be Energy Star Certified. Documentation would be provided by a home energy rater certified through the Residential Energy Services Network (RESNET) program.

To minimize the off-site impacts from stormwater runoff and adverse water quality impacts, the applicant is proposing an underground SWM/BMP facility designed to reduce the post-development peak flows to less than the current pre-development peak flows. DPWES staff has noted that the applicant states in the outfall narrative on Sheet 12 in the CDP/FDP, that if the outfall is found to be inadequate during final engineering design, then the detention method will be used on-site. The applicant states that additional detention would be achieved by the expansion of the proposed SWM/BMP facility. DPWES staff informed the applicant that the existing roadside ditch (or gutter pan) alongside Sandburg Street may not be an adequate outfall because the detention method requires defined channels with bed and banks. Therefore, if the outfall is found to be inadequate at the detailed construction plan phase, the applicant may have to detain on-site the runoff resulting from a 10-year storm event for the entire site.

Tree Preservation & Tree Cover Requirements (Development Criterion #4) (Appendix 7)

The primary tree preservation areas are focused on a cluster of three white oak trees and a holly tree at the southern end of the site, as well as along the northwestern periphery of the site, where some trees and understory material provide a transition between the application property and an abutting house located on Tax Map 39-4 ((1)) 49. In option A, the applicant is proposing that 58% of the 10-year tree canopy requirement will be met through tree preservation, and in option B, 41% will be met through tree preservation. The applicant is requesting a deviation of the tree preservation target requirement as the required amount is 75%. Urban Forestry Management staff has reviewed the CDP/FDP and is satisfied with the proposed amount of tree preservation as the quality trees onsite will be preserved. The tree cover requirement of 24, 874 SF is also being exceeded in both options, as Option A would provide 26,792 SF and Option B would provide 24,897 SF of tree cover. Staff finds this criterion has been met.

Transportation (*Development Criterion #5*) (Appendix 8)

This Criterion requires that developments provide safe and adequate access to the surrounding road network, that transit and pedestrian travel be encouraged, and that interconnection of streets be encouraged. In addition, alternative street designs may be appropriate where conditions merit. The traffic generated by the proposed development is minimal. The applicant has proposed to dedicate up to 45 feet of right-of-way along the site's frontage on Idylwood Road and up to 30 feet of right-of-way along Sandburg Street and to construct frontage improvements. As stated earlier in the report, the applicant is proposing to construct frontage improvements which include curb and gutter and to widen the asphalt trail along Idylwood Road from five feet to eight feet. A five-foot wide sidewalk would also be constructed along Sandburg Street and Elm Place, and a four-foot wide sidewalk would be constructed along the private street. The applicant is also encouraging transit and pedestrian travel by providing a bus shelter and a walking trail in addition to the sidewalks and asphalt trail. The applicant is also providing an emergency turnaround area on-site for emergency vehicles. Finally, the interconnection of streets is encouraged by the provision of a private street at the center of the site opposite Tire Swing Road. Staff finds that the transportation development criterion has been met.

Public Facilities (*Development Criterion #6*)**Fairfax County Public Schools** (Appendix 9)

The proposed development would be served by Stenwood Elementary, Kilmer Middle, and Marshall High School. According to the Fairfax County Public Schools (FCPS) Analysis, the rezoning and subsequent development of the subject property with eight single-family detached dwelling units could generate twelve additional students above what the existing zoning designation would allow. As such, the FCPS has determined that a proffered contribution of \$28,134 (or \$9,378 per student) is appropriate to offset the potential impact of additional students in the area. The applicant has proffered to contribute \$28,134 to the Board of Supervisors to transfer to the Fairfax County Public Schools to address capital improvements to the applicable schools that would receive students as a result of the proposed development.

Fairfax County Water Authority (Appendix 10)

The Fairfax County Water Authority Planning and Engineering Division staff has reviewed the application and stated that in the past water service to this area has been provided by the City of Falls Church Department of Public Utilities. However, it is noted that Fairfax Water has an existing 42 inch main in Sandburg Street capable of providing domestic water and fire service. There is no impediment to Fairfax Water serving this site.

Fire and Rescue Analysis (Appendix 11)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #413, Dunn Loring. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

Sanitary Sewer Analysis (Appendix 12)

The subject property is located within the Cameron Run (I-1) watershed and would be sewerer into the Alexandria Sanitation Authority (ASA). The Wastewater Planning and Monitoring Division in DPWES has stated that an existing eight inch line in the street is adequate for the proposed development.

Fairfax County Park Authority (Appendix 13)

The proposed development would add approximately 21 new residents to the population in the Providence District. To offset the impacts the additional residents would have on outdoor recreational facilities, the Fairfax County Park Authority (FCPA) has determined that a proffered contribution of \$29,953 would be appropriate for recreational facility development at one or more of the existing park sites located within the service area of the subject property. The applicant has proffered to contribute \$11,200 to provide recreational facilities to serve the property and \$18,760 to the FCPA for its use at the South Railroad Park or other recreational facilities in the Providence District.

Affordable Housing (Development Criterion # 7)

Criterion 7 states that ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Satisfaction of this criterion may be achieved by the construction of units, contribution of land, or by a contribution to the Housing Trust Fund. The applicant has proffered to contribute the sum of one half of one percent of the value of all the units approved on the property to the Fairfax County Housing Trust Fund. In addition, to address special accessibility requirements and others with special needs, the applicant has proffered to provide Universal Design Options to prospective purchasers. Therefore, staff finds this criterion has been met.

Heritage Resources (Development Criterion #8) (Appendix 14)

This Criterion requires that developments address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation. The applicant has proffered to conduct a Phase I and/or Phase II archaeological study on the site that was identified as subject to a Phase II archaeological testing. The applicant has committed to providing the results of the study to the Cultural Resources Management and Protection Section of the Fairfax County Park Authority (CRMPS), and to conduct additional Phase III evaluation and/or recovery in consultation and coordination with CRMPS, if it has been deemed necessary. Additionally, the applicant has proffered to photographic documentation of the existing dwelling on the property and to provide them to the Department of Planning and Zoning or directly to the Virginia Room of the Fairfax County Public Library for curation.

ZONING ORDINANCE PROVISIONS (Appendix 15)

Standard	R-4 District	Provided (PDH-4) Options A and B
Minimum District Size	2 acres	2.28 acres 2.19 acres (after ROW dedication)
Minimum Lot Area	8,400 SF	6,000 SF
Average Lot Area	8,800 SF	6,790 SF - Option A 6,768 SF - Option B
Min. Lot Width	Interior lot - 70 ft. Corner lot - 95 ft.	Interior lot - 52.5 ft. or greater Corner lot - 57 ft. or greater
Max. Building Height	35 ft.	35 ft.
Front Yard	30 ft.	Interior lot - 20 ft. Corner lot - 20ft. and 14 ft.
Side Yard	10 ft.	8 ft.
Rear Yard	25 ft.	25 ft.
Maximum Density	4 du/ac	3.5 du/ac
Parking Spaces	18 spaces *	18 spaces
Open Space	R-4 - N/A	Minimum proposed - 38% PDH-4 minimum – 20%

* 2 parking spaces per unit required for units with frontage on public street, 3 spaces per unit required for units with frontage on private street. [(2x6 units =12 spaces) + (3x2 units = 6 spaces)] = 18 parking spaces required.

P-District Requirements

Article 6

Sect. 6-101 Purpose and Intent

This section states that the PDH District is established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote balanced development of mixed housing types and to encourage the provision of affordable dwelling units. The applicant has proposed a creative design which helps to preserve quality trees on site and provides a significant amount open space.

Sect. 6-107 Lot Size Requirements

This section states that a minimum of two acres is required for approval of a PDH District. The area of this rezoning application is 2.28 acres.

Sect. 6-109 Maximum Density

This section states that the maximum density for the PDH-4 District is 4 dwelling units per acre. The applicant proposes a density of 3.5 du/ac.

Sect 6-110 Open Space

Par. 1 of this section requires a minimum of 20% of the gross area as open space in the PDH-4 District. Par. 2 of this section requires that recreational amenities be provided in the amount of \$1600 per dwelling unit. The applicant is proposing 38% open space and has proffered to provide \$1,600 per dwelling unit.

Article 16

Section 16-101 General Standards

General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use, and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions. The requirements for General Standard 1 were addressed earlier in the report under Residential Criterion # 1 that has been met.

General Standard 2 requires that the planned development results in a development that achieves the stated purpose and intent of the planned development district more than would development under a conventional zoning district. The creative design of the proposed development provides more open space than required in a conventional zoning district resulting in a significant amount of tree preservation.

General Standard 3 states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features. This has been addressed earlier in the report in the analysis of Residential Development Criteria # 3 and # 4. The proposed development does use the land efficiently and protect a significant number of trees.

Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan. The proposed development has been designed in accordance with the use and density recommendations in the Comprehensive Plan and also provides for a future interparcel access connection to the adjacent western parcels in anticipation of the parcels being redeveloped in the future.

Standard 5 states that the planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently developed. Staff has determined that the proposed development is located where all the aforementioned public facilities are available.

Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development. As discussed in the residential development criteria section of this report, the development does provide coordinated linkages, and connections to major external facilities at a suitable scale.

Staff finds that all six General Standards have been met.

Section 16-102 Design Standards

Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. Except for the rear yard, the setbacks and lot widths are less than what is required for a conventional R-4 District and are closer to the requirements for an R-4 Cluster District. No transitional screening is required between an R-4 District and the surrounding Districts.

Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments. The proposed development meets the parking requirements for the R-4 District.

Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities. The applicant has proffered to design the streets and driveways in conformance with the Zoning Ordinance and all other County ordinances. Trails and sidewalks are also proposed to provide access to open space, vehicular access routes, and mass transportation facilities.

Based on the features discussed above, staff finds that all three design standards have been met.

WAIVERS AND MODIFICATIONS

Deviation from the tree preservation requirement [Article 2 Section 122-2-3(b) 2 of the County Code and 12-0508.3A(2) of the Public Facilities Manual]

The applicant has requested a waiver of the tree preservation target requirement of 75%. In option A, 58% of the trees would be preserved and in option B, 41 % of the tree would be preserved. Staff supports the requested deviation as quality trees are proposed for preservation in both options.

Waiver of the requirement that private streets within a development shall be limited to those streets which are not required or designed to provide access to adjacent properties as determined by the Director (Article 11, Part 3, Section 11-302, Paragraph 1)

Staff supports the requested waiver as staff requested that the applicant provide interparcel access to the adjacent development via the private street in order to provide coordinated access from the adjacent parcels to Sandburg Street at such time that the adjacent parcels redevelop in the future.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant, Kettler Sandburg, LLC, requests approval of a rezoning of approximately 2.28 acres from the R-1 District to the PDH-4 District to permit the development of eight single-family detached dwelling units at an overall density of 3.5 du/ac. Staff finds that the proposed development is in harmony with the Comprehensive Plan and meets all applicable Zoning Ordinance provisions. Furthermore, staff believes that the applicant has satisfactorily addressed the Residential Development Criteria.

Staff Recommendations

Staff recommends approval of RZ 2010-PR-019 and the associated conceptual development plan, subject to the draft proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDP 2010-PR-019 subject to the development conditions contained in Appendix 2 and subject to the Board's approval of the associated rezoning and conceptual development plan.

Staff recommends approval of a deviation of the tree preservation target requirement in favor of that shown on the CDP/FDP.

Staff recommends approval of a waiver of the requirement that private streets within a development shall be limited to those streets which are not required or designed to provide access to adjacent properties

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

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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. Proposed Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Comprehensive Plan
6. Environmental Analysis
7. Stormwater Management Analysis
8. Urban Forest Management Division Analysis
9. Transportation Analysis
10. Public Schools Analysis
11. Fairfax Water Analysis
12. Fire and Rescue Analysis
13. Sanitary Sewer Analysis
14. Park Authority Analysis
15. Heritage Resources Analysis
16. Applicable Zoning Ordinance Provisions
17. Residential Development Criteria
18. Glossary of Terms

PORTER AT SANDBURG STREET**RZ 2010-PR-019
KETTLER SANDBURG LLC
PROFFERS****August 12, 2011
October 17, 2011
October 27, 2011
November 21, 2011**

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owner who is the Applicant in this rezoning proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference – 39-4-((1))-46 and 47 (hereinafter referred to as the “Property”) shall be in accordance with the following conditions if, and only if, said rezoning request for the PDH-4 District is granted by the Board of Supervisors of Fairfax County, Virginia (the "Board"). In the event said application request is denied or the Board’s approval is overturned by a court of competent jurisdiction, these proffers shall be null and void. The Owners and the Applicant (“Applicant”), for themselves, their successors and assigns, agree that these proffers shall supersede any and all previously approved proffers or conditions and shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board, in accordance with applicable County and State statutory procedures. The proffered conditions are:

I. GENERAL

1. Substantial Conformance. Subject to the provisions of Articles 16 of the Zoning Ordinance, under which minor modifications to an approved development plan and proffers are permitted, the development shall be in substantial conformance with the

Conceptual Development Plan/Final Development Plan (CDP/FDP), containing thirteen (13) sheets prepared by Urban, Ltd. dated July 2010 and revised through November, 2011.

2. Architecture. The architectural design of the dwellings shall be in substantial conformance with the bulk, mass, proportion and type and quality of materials and elevations shown on the exhibits attached. The primary building material exclusive of trim shall be limited to brick, stone, cementitious siding, shingles or other similar masonry materials. Minor modifications may be made with the final architectural designs provided such modifications are in substantial conformance with the exhibits attached. Further all units shall incorporate a minimum of 50% (not including trim, gutter, etc.) stone or brick materials on all front and side facades. Horizontal cementitious siding (Hardy Plank) or architecturally equivalent shall be used for the remainder. Raised panel shutters shall be used on all windows for the front, side and rear facades of all units.

3. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers, which may become occasioned as a part of final architectural and engineering design, may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Articles 16 and 18 of the Zoning Ordinance.

4. Lot Yield and Uses. The development shall consist of a maximum of eight (8) single-family detached units.

5. Establishment of HOA. Prior to record plat approval, the Applicant shall establish a Homeowners Association (HOA) in accordance with Sect. 2-700 of the Zoning Ordinance for the purpose of, among other things, establishing the necessary

residential covenants governing the use and operation of common open space and other facilities of the approved development and to provide a mechanism for ensuring the ability to complete the maintenance obligations and other provisions noted in these proffer conditions.

6. Dedication to HOA. At the time of record plat recordation, open space, common areas, private roadways, and amenities not otherwise conveyed or dedicated to the County shall be dedicated to the HOA and be maintained by the same.

7. Disclosure. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicants of the possible extension of the private road to serve as an interparcel access and of maintenance responsibility for the private roadways, painted walkways, stormwater management facilities, common area landscaping and any other open space amenities and shall acknowledge receipt of this information in writing. The initial deeds of conveyance and HOA governing documents shall expressly contain these disclosures.

8. Escalation. All monetary contributions required by these proffers shall escalate on a yearly basis from the base year of 2011, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI), as permitted by Virginia State Code Section 15.2-2303.3.

9. Garage Conversion. Any conversion of garages or use of garages that precludes 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 HOA and the Board of Supervisors. This restriction shall also be disclosed in the HOA documents. Prospective purchasers shall be advised of this use restriction, in writing, prior to entering into a contract of sale.

10. Length of Driveways. All driveways serving the residential single family units shall be a minimum of twenty feet (20') in length as measured outward from the face of the garage door to the edge of the sidewalk.

11. Decks and Similar Appurtenances. Decks, bay windows, patios, chimneys, areaways, stairs and stoops, mechanical equipment and other similar appurtenances may encroach into minimum yards as depicted on the "lot typical" as shown on the CDP/FDP and as permitted by Section 2-412 and Article 10 of the Zoning Ordinance. The restrictions and limitations of this proffer shall be disclosed to purchasers prior to contract ratification and further disclosed in the homeowners association documents. The HOA documents required above shall further stipulate that all decks be of a unified design subject to future modifications as determined by the HOA. In addition, all prospective purchasers shall be notified of the applicable County requirements as they pertain to matters of permitting and related construction requirements.

II. TRANSPORTATION

12. Right-of-Way Dedication along Elm Place, Sandburg Street, and Idylwood Road. At the time of subdivision plan approval, or upon demand by VDOT or Fairfax County, whichever occurs first, the Applicant shall dedicate, at no cost to Fairfax County and in fee simple to the Board, the right-of-way along the site frontage of Elm Place (Route #974), Sandburg Street (Route #936), and Idylwood Road (Route #695) as shown on the CDP/FDP.

13. Frontage Improvements. The Applicant shall provide onsite frontage improvements in the location and configuration shown on the CDP/FDP along the south side of Elm Place, the west side of Sandburg Street, and the north side of Idylwood Road. The frontage improvements generally consist of half section widening on Elm Place of approximately 14-feet from existing centerline with curb and gutter along the site frontage, half section widening on Sandburg Street with curb and gutter along the site frontage which will establish Sandburg Street as approximately 42-feet wide from curb to curb, and improvements to the Sandburg/Idylwood intersection consisting of an increased radius with a \pm 65-foot taper to be constructed with curb and gutter. The final configuration of such improvements shall be determined by final engineering and associated approvals. The Idylwood Road taper described above is in close proximity to existing utility poles. The Applicant shall construct the taper as described above close as possible to the existing utility poles as permitted by VDOT, but in no event shall the configuration of such onsite frontage improvements require relocation of the existing utility poles. These improvements shall be constructed prior to bond release for any of the units. Further, upon demonstration by the Applicant that, despite diligent efforts by the Applicant, provision of a respective improvement has been unreasonably delayed by others, or by circumstances beyond the control of the Applicant, the Zoning Administrator may agree to a later date for the completion of each such improvement.

14. Private Street. The internal private street shall be constructed as shown on the CDP/FDP with materials and depth of pavement consistent with public street standards in accordance with the Fairfax County Public Facilities Manual (PFM), subject to DPWES approval. The street width and remaining standards shall be designed in accordance with the private residential streets standards in accordance with the PFM,

subject to DPWES approval. Notwithstanding the language shown on the CDP/FDP, at the time of the construction of the private street the Applicant shall install a sign at the terminus of the private indicating the possibility of a future extension of the street. The sign and its language shall be in accordance with the appropriate plate in the PFM, subject to DPWES approval.

15. Public Access Easement. At the time of record plat recordation, the Applicant shall cause to be recorded among the land records a public access easement running to the benefit of Fairfax County, in a form acceptable to the County Attorney, over the private street as generally shown on the CDP/FDP.

16. Escrow for Interparcel Connection. As shown on the CDP/FDP, the proposed private street does not extend to the Property line. Prior to issuance of a RUP on the Property, the Applicant shall escrow with Fairfax County sufficient funds to extend the private street to the Property line adjacent to Tax Map 39-4 ((1)) 48. The amount, type and form of the surety shall be determined by DPWES Bonds and Agreement Branch and the Office of the County Attorney and shall be in accordance with the Fairfax County Bond and Price estimates in effect at the time of the escrow. In the event Tax Map 39-4 ((1)) 48 is redeveloped without utilizing the interparcel connection, the escrow shall be used for transportation improvements in the vicinity of the project.

17. Future Interparcel Access. In the event the properties to the west (Tax Maps 39-4 ((1)) 48 and 49) redevelop and in addition to the public access easement above, the Applicant (or successor HOA) shall grant all easements necessary for inter-parcel access to the properties to the west (Tax Maps 39-4 ((1)) 48 and 49) subject to the following conditions:

- Except for the escrow described above, completion of construction of the connection on the Property shall be undertaken by the owner of the adjacent parcels at their sole expense; and
- As a condition of use, the owner of the adjacent parcels shall enter into an ongoing maintenance agreement to provide an equitable pro-rata contribution to the Applicant (or successor HOA) for the maintenance of the private street based on published Institute of Transportation Engineers (ITE) trip generation rates for the proposed interparcel connection, as approved by FCDOT. As an alternative, either the Applicant (or successor HOA) may agree to annexation by the adjacent future common association provided that future common association assumes full maintenance responsibilities for the private street.

III. CONSTRUCTION

18. Construction Access and Hours. The staging and parking of construction vehicles shall occur on the Property, including personal vehicles utilized by construction workers. No parking shall occur on adjacent roadways. The hours of initial construction shall be posted in English and in Spanish and shall be limited to the hours between 7:00 a.m. and 9:00 p.m. Monday through Friday and 8:00 a.m. to 9:00 p.m. on Saturdays. No construction shall occur on Sundays or Federal Holidays. This shall be disclosed to all contractors and sub-contractors who perform work on the subject property during site construction.

19. Construction Management. Prior to the commencement of construction on the property, the Providence District Supervisor and the presidents or other

representatives of the homeowners associations as requested by the Supervisor shall be provided with the name, title and phone number of a person to whom comments and/or complaints regarding construction activities may be directed. Such correspondence shall be sent by US Mail, return receipt requested and copies of the receipts and responses shall be made available to County Staff upon request. A sign with this information shall be posted on-site prior to the commencement of construction and shall be updated and shall be retained on the site through all construction activities. A response to the comments/complaints made shall be provided within 3 business days of receipt. If the comment is of an emergency nature it shall be addressed within the next business day.

20. Erosion & Sedimentation Controls. To ensure off-site properties are not impacted by silt or associated run-off, the Applicant shall design and implement siltation control mechanisms that shall include “super silt” fencing or similar procedures as determined by DPWES. The functioning and integrity of all erosion and sedimentation controls (E&S controls) required by DPWES shall be inspected, by the Applicant or their designated representative, no later than the next business day following each storm event during the period of construction on-site. If the E&S controls have been damaged or breached, the E&S controls shall be repaired in accordance with the requirements of the Fairfax County Public Facilities Manual as determined by DPWES.

IV. ENVIRONMENTAL

21. Stormwater Management Facilities and Best Management Practices. The Applicant shall implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property in accordance with the Fairfax County Public Facilities Manual as reviewed and approved by DPWES. The stormwater management techniques may include but are not limited to the following: rain gardens,

filtera systems, infiltration ditches, bay filters, storm tech chamber and drainage swales. Stormwater management facilities/Best Management Practices (“BMPs”) shall be provided as generally depicted on the CDP/FDP. Adequate outfall shall be demonstrated in accordance with the PFM as determined by DPWES.

All SWM and BMP facilities shall be properly maintained on the Property in a manner determined by DPWES. The requirements for maintaining the SWM facility shall be in a standard maintenance agreement between the County and the Applicant who is the land owner, its successor and assigns. This agreement shall be recorded in the County land records and run with the land. Should any deficiencies in the existing SWM or BMP facilities be identified by the Stormwater Management Maintenance Division during regular inspections, or when investigating a drainage complaint, then maintenance shall be performed in accordance with the recorded maintenance agreement.

22. BMP Maintenance. After establishing the HOA pursuant to these proffers, the Applicant shall provide the HOA with written materials describing proper maintenance of the approved BMPs in accordance with the PFM and County guidelines.

23. Landscaping. At the time of site plan review, the Applicant shall submit to DPWES, a landscape plan showing landscaping consistent with the quality, quantity and general location shown on the Landscape Plan on the CDP/FDP. This plan shall be subject to review and approval of Urban Forestry Management, DPWES. At the time of planting, the minimum caliper for deciduous trees shall be two and one-half (2.5) inches to three (3) inches and the minimum height for evergreen trees shall be seven (7) feet. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans approved by Urban Forest Management at the time of site plan approval.

Maintenance responsibilities for the landscaping shall be disclosed in the homeowners' association documents.

24. Energy Conservation. All new dwelling units shall be designed and constructed as ENERGY STAR® qualified homes. The major features of an ENERGY STAR home include: Effective Insulation, High Performance Windows, Tight Construction and Ducts, Efficient Heating and Cooling Equipment, Efficient Products (may include but are not limited to: refrigerator, stove and dishwasher) and Third Party Verification (Home Energy Rater). Prior to issuance of the Residential use Permit (RUP) for each dwelling unit, documentation shall be submitted to the Environment and Development Review Branch of the Department of Planning and Zoning (DPZ) from a home energy rater certified through the Residential Energy Services network (RESNET) program that demonstrates that the dwelling unit has attained the ENERGY STAR for homes certification, as described in these conditions.

25. Noise Mitigation for Lot 8. As shown on the CDP/FDP, Lot 8 (the lot closest to Idylwood Road) shall be constructed using building materials, screening or fencing to ensure that a maximum interior noise level of approximately 45 dBA Ldn and a maximum rear yard noise level of 65 dBA Ldn shall be achieved. The Applicant may pursue other noise mitigation methods if it can be demonstrated pursuant to an independent noise study, subject to review and approval by DPWES in consultation with DPZ, that these alternative methods will be effective in reducing noise levels to a maximum interior noise level of approximately 45 dBA Ldn and a maximum rear yard noise level of 65 dBA Ldn.

V. TREE PRESERVATION

26. Tree Preservation Plan. The applicant shall submit a Tree Preservation Plan

and Narrative as part of the first and all subsequent submissions of the site plan review process. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 10 inches in diameter and greater (measured at 4 1/2 -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located in the area to be left undisturbed and within 25 feet of the limits of clearing and grading, and in the disturbed area and within 10 feet of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the CDP/FDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0506 and 12-0508. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, including but not limited to: crown pruning, root pruning along the limits of clearing (LOC), mulching, fertilization, installation of welded wire tree protection fencing and others as necessary, shall be included in the plan.

27. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or registered consulting arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting as part of the tree preservation plan. During the tree preservation walk-

through meeting which shall occur prior to the commencement of construction, the Applicant's certified arborist or registered consulting arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented.

Trees that are identified as dead or dying may be removed as part of the clearing operation, including tree #1348 as shown on the CDP/FDP as having died. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions

28. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities.

29. Tree Preservation Fencing. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in

the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

30. Root Pruning. The Applicant shall root prune after the tree preservation walk-through, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that

protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

31. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or registered consulting arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

32. Tree Appraisal. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 8 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest

edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Application Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

VI. RECREATION AND CULTURAL

33. On-Site Park Authority Contributions: The Applicant shall contribute \$1,600 per dwelling unit upon issuance of a RUP to the Fairfax County Board of Supervisors to provide recreational facilities to serve the Property. The Applicant shall receive credit

against such contribution for the cost of on-site recreational facilities, as approved by DPWES, which may include, but not be limited to the cost of improvements for outdoor seating areas, pedestrian trails (except those shown on the Comprehensive Plan), gazebos, plazas and other similar facilities.

34. Off-Site Park Authority Contributions: In addition the Applicant shall contribute \$2,345 per dwelling unit upon issuance of a RUP to the Fairfax County Board of Supervisors for transfer to Fairfax County Park Authority for use at South Railroad Street Park or other off-site recreational facilities intended to serve the future residents, as determined by FCPA in consultation with the Supervisor for the Providence District.

35. Archaeological Survey. Prior to any land disturbing activities on the Property, the Applicant shall conduct a Phase I and/or Phase II Archeological Survey, if determined appropriate by Cultural Resource Management and Protection Section of the Fairfax County Park Authority (CRMP) archaeological investigation of the site to identify and evaluate archaeological resources that are known and predicted to be present on the property. Prior to initiation of such study, the Applicant's consultant shall meet with CRMP to determine the methodology to be used in the study. Such methodology as approved by CRMP, shall be utilized by the consultant. A minimum of one month prior to commencement of the field work portion of the study, CRMP shall be notified, and CRMP staff shall be permitted to make field visits to observe the work in progress. Upon completion of field work, a field meeting shall be held with CRMP on-site to review the findings and for CRMP to make recommendation for future study if necessary.

If significant archaeological resources are discovered, as determined by CRMP, CRMP shall notify Applicant, in writing within thirty (30) days of the on-site meeting to undertake a Phase III data recovery. A research design for the Phase III

prepared in consultation with CRMP, including appropriate methodology, shall be utilized. Upon completion of the study, an archaeological technical report shall be prepared per the Virginia State and Federal guidelines. Any artifacts, photographs, field notes, or other documentation shall be contributed to CRMP for curation, with the intent that such artifacts will be available for exhibit in the Dunn Loring area.

Photographic Documentation of the Existing Property. Prior to any land disturbing activities on the Property, the Applicant shall photographically document the interior and exterior of the existing structures, including but not limited to documentation of landscape features, a sketch plan of the site showing existing features and structures, interior floorplans, and plan showing the number and angle of photographic views. Prior to initiation of such documentation, the Applicant's consultant shall meet with the Department of Planning Zoning (DPZ) historic preservation planner to finalize the appropriate specific methodology for such documentation and such approved methodology shall be utilized by the consultant. At minimum such methodology shall include views of each façade, perspective views, exterior detail views (such as the main entrance, stairs, porches, and other character defining features), interior detail views (such as moldings, newel posts, stairways and other character defining features) and general streetscape views. Any photographs or other documentation shall be contributed to DPZ and directly to the Virginia Room of the Fairfax County Public Library for curation, with the intent that such photographs will be available for exhibit in the Dunn Loring area or the Virginia Room of the Fairfax County Public Library. The Applicant shall provide written documentation to DPZ that the required documentation has been submitted to the Virginia Room.

VII. OTHER

36. Temporary Signage. No temporary signs (including “popsicle” style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant’s direction to assist in the initial marketing and sale of homes on the subject Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.

37. School Contribution. A contribution of \$28,134 shall be made to the Board of Supervisors for transfer to FCPS and designated for capital improvements for schools serving the subject property. The contribution shall be made at the time of, or prior to, issuance of the first Building Permit. The contribution shall be directed toward projects within the Marshall High School Pyramid and/or Cluster II.

38. Affordable Dwelling Units. Prior to the issuance of the first Building Permit, the Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one half of one percent (1/2 %) of the sales price of all the units approved on the property. The one half of one percent (1/2 %) contribution shall be based on the aggregate sales price of all of the units subject to the contribution, as if those units were sold at the time of the issuance of the first Building Permit. The projected sales price shall be determined by the Applicant through an evaluation of the sales prices of comparable units in the area, in consultation with the Fairfax County Department of Housing and Community Development (HCD) and DPWES.

39. Universal Design. At the time of initial purchase, the following Universal Design options shall be offered to each purchaser at no additional cost: clear knee space under sink in kitchen, lever door handles instead of knobs, light switches 44"-48" high,

thermostats a maximum of 48" high, and/or electrical outlets a minimum of 18" high. At the time of initial purchase, additional Universal Design options shall be offered to each purchaser at the purchaser's sole cost. These additional options may include, but not be limited to, one no-step pathway into the house, 36-inch-wide doorways and/or zero-threshold doorways.

40. Successors and Assigns. Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest, assigns, and/or developer(s) of the Property or any portion of the Property.

Kettler Sandburg LLC

(Contract Purchaser of Tax Map No. 39-4-((1))-46,47

By: _____
Name: Robert C. Kettler
Title: Manager

Susan H. Porter

(Owner of Tax Map No. 39-4-((1))-46 and 47)

\32923653.8

PROPOSED DEVELOPMENT CONDITIONS

CDP/FDP 2010-PR-019

November 22, 2011

If it is the intent of the Board of Supervisors to approve CDP/FDP 2010-PR-019 located at Tax Map 39-4 ((1)) 46 and 47, to rezone from the R-1 District to the PDH-4 District to permit a residential development consisting of eight single-family detached dwelling units, then staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. Development of the property shall be in substantial conformance with the CDP/FDP entitled "Porter art Sandburg Street" consisting of 20 sheets prepared by Urban, Ltd., dated September 28, 2010 as revised through November 18, 2011.

REZONING AFFIDAVIT

DATE: SEP 19 2011
 (enter date affidavit is notarized)

I, David R. Gill, do hereby state that I am an
 (enter name of applicant or authorized agent)

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

110662a

in Application No.(s): RZ/FDP 2010-PR-019
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Kettler Sandburg LLC Agent: Charles J. Kieler Robert C. Kettler	1751 Pinnacle Drive, Suite 700 McLean, VA 22102	Applicant/Contract Purchaser of Tax Map No. 39-4 ((1)) 46, 47
Susan H. Porter Mara (nmi) Miles Daniel M. Porter	P.O. Box 1412 Silver City, NM 88062	Title Owner of Tax Map No. 39-4 ((1)) 46, 47
Urban, Ltd. Agent: Robert W. Brown	4200-D Technology Court Chantilly, VA 20151	Engineer/Agent

(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.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

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

Rezoning Attachment to Par. 1(a)

SEP 19 2011

DATE: _____
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. David R. Gill Jonathan P. Rak Gregory A. Riegle Mark M. Viani Kenneth W. Wire Sheri L. Akin Lisa M. Chiblow Lori R. Greenlief	1750 Tysons Boulevard, Suite 1800 Tysons Corner, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/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: SEP 19 2011
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

Kettler Sandburg LLC
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Robert C. Kettler, Member/Manager
Kettler Family Investments LLC, Member

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

Kettler Inc., Manager (former)

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

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

Rezoning Attachment to Par. 1(b)

SEP 19 2011

DATE: _____
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Urban, Ltd.
4200-D Technology Court
Chantilly, VA 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Barry B. Smith
J. Edgar Sears, Jr.
Brian A. Sears

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Kettler Family Investments LLC
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Robert C. Kettler

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

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

Rezoning Attachment to Par. 1(b)

DATE: SEP 19 2011
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

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

Kettler Inc.
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Robert C. Kettler
Richard W. Hausler

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

REZONING AFFIDAVIT

DATE: SEP 19 2011
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

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

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

Equity Partners of McGuireWoods LLP

- | | | |
|-------------------------|-----------------------|-----------------------|
| Adams, John D. | Beil, Marshall H. | Burk, Eric L. |
| Alphonso, Gordon R. | Belcher, Dennis I. | Busch, Stephen D. |
| Anderson, Arthur E., II | Bell, Craig D. | Cabaniss, Thomas E. |
| Anderson, Mark E. | Beresford, Richard A. | Cacheris, Kimberly Q. |
| Andre-Dumont, Hubert | Bilik, R. E. | Cairns, Scott S. |
| Bagley, Terrence M. | Blank, Jonathan T. | Capwell, Jeffrey R. |
| Barger, Brian D. | Boland, J. W. | Cason, Alan C. |
| Barnum, John W. | Brenner, Irving M. | Chaffin, Rebecca S. |
| Becker, Scott L. | Brooks, Edwin E. | Cobb, John H. |
| Becket, Thomas L. | Brose, R. C. | Cogbill, John V., III |

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

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

Rezoning Attachment to Par. 1(c)

SEP 19 2011

DATE: _____
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

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

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

Covington, Peter J.
Cramer, Robert W.
Cromwell, Richard J.
Culbertson, Craig R.
Cullen, Richard (nmi)
Cutler, Christopher M.
Daglio, Michael R.
De Ridder, Patrick A.
Dickerman, Dorothea W.
DiMattia, Michael J.
Dooley, Kathleen H.
Downing, Scott P.
Edwards, Elizabeth F.
Ensing, Donald A.
Ey, Douglas W., Jr.
Farrell, Thomas M.
Feller, Howard (nmi)
Fennebresque, John C.
Foley, Douglas M.
Fox, Charles D., IV
France, Bonnie M.
Franklin, Ronald G.
Fratkin, Bryan A.
Freedlander, Mark E.
Freeman, Jeremy D.
Fuhr, Joy C.
Gambill, Michael A.

Gibson, Donald J., Jr.
Glassman, Margaret M.
Glickson, Scott L.
Gold, Stephen (nmi)
Goldstein, Philip (nmi)
Grant, Richard S.
Greenberg, Richard T.
Grieb, John T.
Harmon, Jonathan P.
Harmon, T. C.
Hartsell, David L.
Hatcher, J. K.
Hayden, Patrick L.
Hayes, Dion W.
Heberton, George H.
Hedrick, James T., Jr.
Horne, Patrick T.
Hosmer, Patricia F.
Hutson, Benne C.
Isaf, Fred T.
Jackson, J. B.
Jarashow, Richard L.
Jordan, Hilary P.
Kanazawa, Sidney K.
Kannensohn, Kimberly J.
Katsantonis, Joanne (nmi)
Kerr, James Y., II

Kilpatrick, Gregory R.
King, Donald E.
King, Sally D.
Kittrell, Steven D.
Kobayashi, Naho (nmi)
Kratz, Timothy H.
Krueger, Kurt J.
Kutrow, Bradley R.
La Fratta, Mark J.
Lias-Booker, Ava E.
Lieberman, Richard E.
Little, Nancy R.
Long, William M.
Manning, Amy B.
Marianes, William B.
Marks, Robert G.
Marshall, Gary S.
Marshall, Harrison L., Jr.
Marsico, Leonard J.
Martin, Cecil E., III
Martin, George K.
Martinez, Peter W.
Mason, Richard J.
Mathews, Eugene E., III
Mayberry, William C.
McCallum, Steven C.
McDonald, John G.

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

Rezoning Attachment to Par. 1(c)

SEP 19 2011

DATE: _____
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

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

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

McElligott, James P.
McFarland, Robert W.
McIntyre, Charles W.
McLean, J. D.
McRill, Emery B.
Moldovan, Victor L.
Muckenfuss, Robert A.
Muir, Arthur B.
Murphy, Sean F.
Natarajan, Rajsekhar (nmi)
Neale, James F.
Nesbit, Christopher S.
Nickens, Jacks C.
O'Grady, Clive R.
O'Grady, John B.
O'Hare, James P.
Oakey, David N.
Oostdyk, Scott C.
Padgett, John D.
Parker, Brian K.
Phears, H. W.
Phillips, Michael R.
Plotkin, Robert S.
Pryor, Robert H.
Pusateri, David P.
Rak, Jonathan P.

Rakison, Robert B.
Reid, Joseph K., III
Richardson, David L.
Riegle, Gregory A.
Riley, James B., Jr.
Riopelle, Brian C.
Roberts, Manley W.
Robinson, Stephen W.
Rogers, Marvin L.
Rohman, Thomas P.
Rosen, Gregg M.
Rust, Dana L.
Satterwhite, Rodney A.
Scheurer, P. C.
Schewel, Michael J.
Schill, Gilbert E., Jr.
Schmidt, Gordon W.
Sellers, Jane W.
Shelley, Patrick M.
Simmons, L. D., II
Simmons, Robert W.
Skinner, Halcyon E.
Slone, Daniel K.
Spahn, Thomas E.
Spitz, Joel H.
Stallings, Thomas J.

Steen, Bruce M.
Stein, Marta A.
Stone, Jacquelyn E.
Swan, David I.
Tackley, Michael O.
Tarry, Samuel L., Jr.
Thornhill, James A.
Van der Mersch, Xavier G.
Vaughn, Scott P.
Vick, Howard C., Jr.
Viola, Richard W.
Wade, H. L., Jr.
Walker, John T., IV
Walker, W. K., Jr.
Walsh, James H.
Watts, Stephen H., II
Westwood, Scott E.
Whelpley, David B., Jr.
White, H. R., III
White, Walter H., Jr.
Wilburn, John D.
Williams, Steven R.
Wren, Elizabeth G.
Young, Kevin J.

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

Rezoning Attachment to Par. 1(c)

DATE: SEP 19 2011
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

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

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

(Former Equity Partner List)

- Barr, John S.
- Brown, Thomas C., Jr.
- Buchan, Jonathan E.
- de Cannart d'Hamale, Emmanuel
- Dorman, Keith A.
- Johnston, Barbara C.
- Keenan, Mark L.
- Kennedy, Wade M.
- Pankey, David H.
- Potts, William F., Jr.
- Werlin, Leslie M.
- Wilson, Ernest G.
- Wilson, James M.
- Younger, W. C.

(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

SEP 19 2011

DATE: _____
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

REZONING AFFIDAVIT

DATE: SEP 19 2011
(enter date affidavit is notarized)

110662a

for Application No. (s): RZ/FDP 2010-PR-019
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

NONE

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

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

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

WITNESS the following signature:

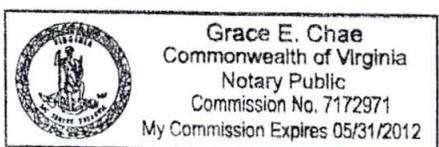
(check one) Applicant Applicant's Authorized Agent

David R. Gill, Esquire
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 19th day of September 20 11, in the State/Comm. of Virginia, County/City of Fairfax.

Grace E. Chae
Notary Public

My commission expires: 5/31/2012



NARRATIVE STATEMENT OF JUSTIFICATION

for

Porter at Sandburg Street

Rezoning Application

Tax Map # 39-4-((1))-46, 47

Revised - June 14, 2011

RECEIVED
Department of Planning & Zoning
JUN 28 2011
Zoning Evaluation Division

Revisions

Based on community and staff feedback the applicant has made a number of revisions to the proposal, most notably reducing the density and changing the proposed zoning from a conventional cluster to PDH-4. The reduction in density allows for a more efficient design and layout to address to the primary concern of creating a streetscape that mirrors the existing pattern on the east side of Sandburg Street. The proposal is no longer "soldiers in a row" but instead creates a varied street-front with significant improvements. Further the reduction in density also creates a more efficient tree-save area. Additional tree condition information has also been provided.

The following statement of justification has been revised to reflect the above-described revisions associated with the change to the PDH-4 Zoning District.

Introduction and Overview

This application is a strategic consolidation of two-oversized parcels to allow development of 9 high quality single-family detached homes consistent with recommendations of the Comprehensive Plan. This application is filed on behalf of Kettler Sandburg, LLC ("Kettler") and requests to rezone approximately 2.28 acres of property (the "Property") from the R-1 Zoning District to the conventional PDH-4 Zoning District.

Proposal

The site is comprised of two oversized parcels and an existing single home which will be demolished as part of this application. This property was not redeveloped even though similar oversized lots in the area have been redeveloped over the past decade. This proposal will be in character with the existing homes in the area. The site retains several mature trees and the proposed layout is intended to preserve many of these significant trees as well as honor the existing topography where practicable.

Compliance with Comprehensive Plan

The Property is in the Cedar Community Planning Sector (V2). The Property is planned for residential development between 3-4 dwelling units per acre, including a recommendation for substantial consolidation of adjacent parcels. This application is a logical consolidation of two parcels that will allow adjacent parcels to redevelop consistent with the Comprehensive Plan. The proposed open space buffer will create a logical buffer for the existing homes and establish a pattern if those adjacent homes redevelop to expand

such an open space. Further, this layout is consistent in scale with many redevelopments in the area including along Jawed Place to the west and Idylwood Crest to the east.

Compliance with Residential Development Criteria

For the reasons stated below, the subject rezoning fully complies with the applicable Residential Development Criteria contained in Appendix 9 of the Land Use Element of the Policy Plan. Specific compliance with the Criteria is as follows:

I. Site Design.

As shown on the Conceptual/Final Development Plan (CDP/FDP), high quality site design is proposed to maximize the potential tree save area, honor existing topography to the extent practicable and create a logical lot layout. Features of the development include an efficient layout and a unit type that will enhance the fabric of the community.

(A) Layout. The proposed layout provides fronts of units along Elm Place and a combination of fronts and sides of units along Sandburg Street. This layout creates an attractive and pedestrian-friendly street presence which will be enhanced by sidewalks and frontage improvements along Sandburg Street. A conservation easement provides substantial buffering to the neighboring residences while preserving existing vegetation.

(B) Open Space. The site will have more than 32% open space, significantly above the minimum requirement of 20%. This open space has been put to effective use by 1) creating a common area for preservation of specimen trees; 2) utilizing the natural topography to minimize clearing and grading and 3) extending the trail along Idylwood Road.

(C) Landscaping. Because of the preservation of the significant area of open space, little additional landscaping is needed to buffer the site from the existing properties to the west. High quality and attractive landscaping will be used on each of the lots to enhance the presentation to Sandburg Street.

(D) Amenities. In addition to the extensive open space and tree save, Kettler will commit to sidewalk improvements along Sandburg Street and Elm Place. In addition, the applicant will extend the trail along Idylwood Road frontage.

II. Neighborhood Context.

The predominant context of the surrounding developments is characterized by single-family homes, with a mix of redeveloped communities and ageing oversized lots. Across Sandburg Street, is the Idylwood Crest community which was rezoned to PDH-4 in 1998. The Idylwood Crest lots are less uniform and do not achieve the significant open space preservation consistent with this application. In the context of this Property, this use is clearly consistent with the "fabric" of the existing community.

III. Environment.

The proposed lot layout is designed to create limits of clearing and grading that take into consideration the existing mature trees on the site and utilize the topography in stormwater management. To address the volume and velocity of stormwater runoff from the proposed development, the applicant utilizes infiltration in the area shown on the plan. This results in a significant improvement in both water quality and quantity as the site predates modern stormwater management techniques.

IV. Tree Preservation and Tree Cover Requirements. The tree cover is being preserved to the extent possible along the periphery of the Property and in the significant open space. With these tools, the site is able to achieve a 10-year tree canopy coverage of 75%.

V. Transportation. The traffic to be generated by this proposal will be minimal. It will not trigger the requirement for a Chapter 527 Traffic Impact Analysis study. All lots will front on minor streets. The applicant will be making frontage improvements to Sandburg Street to bring it up to modern street standards.

VI. Public Facilities.

Through proffers, Kettler will commit to addressing impacts on public schools in accordance with the criteria and methodology adopted by the Board of Supervisors.

VII. Affordable Housing.

Through proffers, Kettler will provide the appropriate monetary contribution in accordance with the formula adopted by the Board of Supervisors.

Conclusion

The proposed development is consistent with the current Comprehensive Plan recommendations and shall comply with all ordinances, regulations and adopted standards of Fairfax County. For all of the aforementioned reasons, the applicant respectfully requests the Staff and Planning Commission to endorse, and the Board of Supervisors to approve this rezoning request.

Respectfully submitted by



David R. Gill
McGuireWoods LLP
Agent for Applicant

V2 CEDAR COMMUNITY PLANNING SECTOR

CHARACTER

The Cedar Community Planning Sector is located east of the Town of Vienna, bounded to the north by Electric Avenue, Cedar Lane, and Gallows Road. The Capital Beltway (I-495) and I-66 border the sector to the east and south.

The majority of the Cedar Planning Sector is developed with single-family residential uses. There is a concentration of commercial and office uses between Cedar Lane, Gallows Road and Electric Avenue. Most of the uncommitted vacant land in this sector exists in smaller parcels north of the W&OD Railroad Regional Park between Gallows Road and the Capital Beltway. This vacant land is intermixed with single-family residential uses which are developed in varying lot sizes.

The adjacent areas located in the Town of Vienna are primarily single-family residential uses with the exception of Cedar Park Shopping Center and the adjoining garden apartments on Cedar Lane.

The area east of Gallows Road has produced potentially significant archaeological sites and contains some older and potentially significant buildings. The Dunn Loring School is located in the northwest corner of the Gallows Road-Idylwood Road intersection, Tax Map 39-4 ((1))24. Both Tudor Hall and the Camp Alger Headquarters, privately owned residences, are located in this sector. These residences are listed in the Fairfax County Inventory of Historic Sites. A list and map of heritage resources are included in the Vienna Planning District Overview section, Figures 4 and 5. Additional historic sites in this sector are also included in the inventory.

CONCEPT FOR FUTURE DEVELOPMENT

The Concept for Future Development recommends the areas of Cedar Community Planning Sector develop as Suburban Neighborhoods.

RECOMMENDATIONS

Land Use

The Cedar sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

Figure 21 indicates the geographic location of land use recommendations for this sector. Where recommendations are not shown on the General Locator Map, it is so noted.



County of Fairfax, Virginia

MEMORANDUM

DATE: September 24, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PGN*
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: RZ 2010-PR-019
Elm Street Communities, Inc.

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the revised Conceptual Development Plan/ Final Development Plan (CDP/FDP) Plan dated September 2, 2011. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony 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:

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on pages 7 and 8 states:

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

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-324-3056
www.fairfaxcounty.gov/dpz/



complies with the County's best management practice (BMP) requirements. . . .

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation. . . .
- Encourage cluster development when designed to maximize protection of ecologically valuable land. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. ”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 10 states:

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

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

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 11 states:

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

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 18 states:

“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. . . .

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on pages 19-21 states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development

- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*)
- Optimization of energy performance of structures/energy-efficient design
- Use of renewable energy resources
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris
- Use of recycled and rapidly renewable building materials
- Use of building materials and products that originate from nearby sources
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED[®]) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR[®] rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs.

...

Policy c. Ensure that zoning proposals for residential development will qualify for the ENERGY STAR Qualified Homes designation, where such zoning proposals seek development at the high end of the Plan density range and where broader commitments to green building practices are not being applied.”

ENVIRONMENTAL ANALYSIS

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

This application seeks approval for 9 single-family homes on a 2.28 acre parcel of land at a density of 3.95 dwelling units per acre under the PDH-4 Zoning District. One home and a detached garage (circa 1900) currently exist on the property, but the existing structures are proposed to be demolished.

Water Quality/Stormwater Management and Adequate Outfall: The subject property falls within the Cameron Run Watershed. The property is a long narrow swath of land which is bounded by Elm Place on the north, Idylwood Road on the south with access provided on the east side of the property from Sandburg Street. An infiltration system described as a stormchamber or an equivalent type vault is shown on the southwestern corner of the subject site. In addition, three proposed easement areas are shown on the site to accommodate the water quality control requirement. The stormwater narrative indicates that water quality measures for the proposed development will attain 40% removal through infiltration and tree preservation. Regarding adequate outfall, the narrative states that runoff from the subject property will drain to an existing underground stormwater system. Stormwater management/best management practice measures and outfall adequacy are subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Transportation Generated Noise: Lot 1 within this proposed development will be affected by traffic noise from Idylwood Road. Any noise mitigation measures should account for increased traffic volume and associated increased noise levels with future improvements of Idylwood Road. In accordance with Comprehensive Plan guidance regarding mitigation of transportation generated noise on new residential use, the applicant should commit to building materials which ensure that noise in interior areas of the new home on Lot 1 does not exceed 45 dBA L_{dn} . The applicant should also commit to providing a noise barrier on Lot 1 so that noise levels in the rear yard does not exceed 65 dBA L_{dn} . The barrier should be at least six feet in height and architecturally solid from ground up with no gaps or openings. The applicant may pursue other methods of mitigating transportation generated noise if it can be demonstrated through an independent noise study for review and approval by DPWES in consultation with the Department of Planning and Zoning, that these methods will be effective in reducing exterior noise levels to 65 dBA L_{dn} or less and interior noise levels to 45 dBA L_{dn} or less.

Green Building Practices: This 2.28-acre site is planned for residential development at 3-4 dwelling units per acre provided that site specific Plan conditions are met, and the current proposal seeks approval for 9 dwelling units, at an overall density of 3.95 dwelling units per acre. This application is at the high end of the planned density range; therefore, in support of the Policy Plan's green building guidance, the applicant should provide a proffered commitment for Energy Star Qualified Homes or Earthcraft House to be attained prior to the issuance of a residential use permit (RUP) for each dwelling unit. Alternatively, the applicant may pursue

LEED for Homes with posting of a green building escrow prior to approval of the site plan/subdivision plan. The applicant has not provided a commitment to the attainment of green building certification, as noted above. This issue remains unresolved.

Tree Preservation/Restoration: The subject property is characterized by a dense canopy of evergreen and deciduous trees. The tree conservation area shown between Lot 1 and Lot 2 does not depict adequate area to preserve the roots of the trees within the conservation area. The applicant is encouraged to work with the Urban Forestry Management Division of DPWES in order to better protect the existing canopy and root systems, as well as to correctly identify individual specimen trees worthy of preservation on the development plan.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan map depicts a major paved trail defined as asphalt or concrete, 8 feet or more in width on the north side of Idylwood Road located on the southern boundary of the property. The development plan depicts an existing 5 foot wide asphalt trail along this section of Idylwood Road.

PGN/MAW



County of Fairfax, Virginia

MEMORANDUM

DATE: November 23, 2011

TO: Kelli Goddard-Sobers, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Elfatih Salim, Senior Engineer III
Stormwater and Geotechnical Section
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application #RZ 2010-PR-019; Porter at Sandburg Street;
Conceptual Development Plan and Final Development Plan revised October
28, 2011; Cameron Run Watershed; LDS Project #020658-ZONA-001-1; Tax
Map #039-4-01-00-0046 and 039-4-01-00-0047; Providence District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on the site.

Floodplain

There are no regulated floodplains on the site.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Quantity and Quality Control Controls

Applicant proposes an SWM facility with underground infiltration to satisfy the PFM requirements of stormwater detention and water quality control in addition to three conservation easements for option A or two conservation easements for option B. A stormwater detention narrative is required on the plat with the type of the proposed facility. Some infiltration type facilities like StormTech Chambers require a PFM modification request and some like RainTank requires a Board of Supervisors' approval of public PFM modification request to allow underground SWM facilities in residential areas.

Department of Public Works and Environmental Services
Land Development Services, Site Development and Inspections Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



A soil infiltration testing will be required at the construction plan phase. The purpose of the field infiltration testing is to determine the soil hydraulic conductivity and the seasonal high groundwater table. All infiltration trench siting and sizing and boring location guidelines shall be observed. A private maintenance agreement for the StormTech Chambers will be required prior to approval of the construction plan.

For purposes of BMP efficiencies, "open space" in residential areas is defined as perpetually undisturbed Homeowners Association (or "common") areas placed in conservation easements and without other encumbrances. Open space used for BMP credit, which is not already in a floodplain easement, shall be placed in a recorded conservation easement with metes and bounds which shall also be shown on the plat. Open space used for BMP credit should be delineated on the plan sheets with the note "*Water quality management area. BMP credit allowed for open space. No use or disturbance of this area is permitted without the express written permission of the Director of the Department of Public Works and Environmental Services*". {PFM § 6-0402.8C}

Downstream Drainage System

General note #18 noted that a PFM waiver will be requested to allow a drainage diversion of 0.53 acres. Submission of a separate waiver is not required and applicant need to demonstrate on the construction plan all requirements of PFM § 6-0202.2A(2). In addition, the end point for stormwater outfall analysis will be extended to where the diverted flow is returned to its natural course.

The applicant shows a stormwater outfall narrative and description to 100 x the contributing drainage area. The applicant stated that should the outfall found to be inadequate during final engineering design; the detention method will be used which may lead to a larger stormwater management facility.

The applicant was notified that the roadside ditch (or gutter pan) alongside Sandburg Street may not be an adequate outfall and detaining the runoff resulting from a 10-year storm event for the entire site may be required at the detailed construction plan phase if the outfall is found to be inadequate because the detention method requires defined channels with bed and banks.

Please contact me at 703-324-1720 if you require additional information.

cc: Don Demetrius Chief, Watershed Projects Evaluation Branch, Stormwater Planning
Division, DPWES
Jeremiah Stonefield, Chief, Stormwater and Geotechnical Section, SDID, LDS, DPWES
Hani Fawaz, Chief Site Review Engineer, SDID, LDS, DPWES
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

October 19, 2011

TO: Kelli-Mae Goddard-Sobers, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II
Forest Conservation Branch, DPWES

Hug

SUBJECT: Porter at Sandburg Street, RZ 2010-PR-019

I have reviewed the CDP/FDP for the above referenced rezoning case, stamped as received by the Zoning Evaluation Division (ZED) on October 14, 2011. The following comments and recommendations are based on this review and site visits conducted during review of previous submissions of this plan

1. **Comment:** It is the general opinion among staff that Lot 6 is poorly situated. This lot is surrounded by utility easements and also makes the adjacent lots less appealing by restricting the use of the rear yards. Lot 6 would be better located on Elm Place. The loss of tree save area is outweighed by the better lot location, as the trees existing in the northwest corner of the property are less than good quality. If relocating the lot results in the loss of the 30-inch diameter ash tree (#1320), moving the lot is still the best option, as the ash is a less than desirable species due to the presents of emerald ash borer in the County and the probability that this tree will be short-lived as a result of impacts from this pest.

Recommendation: Require that Lot 6 is moved to Elm Place, leaving open space in the location between the three lots off of the private street and the three lots on Elm Place. Landscaping shown in the northwest corner of the site may be relocated to the open space created between Lots 3-5 and 6-8.

2. **Comment:** It appears that the only inventoried tree in southwest corner of Tree Save Area 1 is a dead red oak (#1384). The inventory proposes this tree for preservation. The dead red oak should be removed and the tree canopy calculation adjusted to reflect the actual tree canopy meeting forest condition standards. The area may remain as conservation area and tree planting proposed in this area. Trees proposed for planting will become established more readily in the undisturbed soil of this protected area.

Recommendation: Require Tree #1384 to be removed and the tree canopy calculation adjusted to reflect the actual tree canopy meeting forest condition standards. Proposed trees may be shown in open areas protected by limits of clearing and grading.

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division

12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503

Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769

www.fairfaxcounty.gov/dpwes



3. **Comment:** The proposed plant list specifies multi-stem Category III trees. With the possible exception of river birch, the species indicated should be single stem.

Recommendation: Require revision of the plant list to specify Category III trees as single stem, with the possible exception of river birch.

4. **Comment:** The proposed trail between tree save areas 1 & 2 is routed between trees #1356, a black locust and #1357 a red maple. The red maple is the two species and should be favored for preservation. Routing the trail between the two trees impacts both. The trail should be routed to remove the black locust (#1356) and provide greater distance from the red maple (#1357). The trail is also shown unnecessarily close to off-site tree #22, a 50-inch diameter white oak.

Recommendation: Require the proposed trail to be rerouted to remove Tree #1356, a black locust and provide greater distance from Tree #1357, a red maple. Also require the trail to be routed to provide greater distance (a minimum of 20 feet) from off-site Tree #22, a 50-inch diameter white oak.

If there are any questions, please contact me at (703)324-1770.

HCW/
UFMID #: 157522

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: February 16, 2011

TO: Barbara Berlin, Coyle, Director
Zoning Evaluation Division
Department of Comprehensive Planning

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

FILE: 3-4 (RZ 2010-PR-019)

SUBJECT: Transportation Impact

REFERENCE: RZ 2010-PR-019; Kettler Sandburg, LLC
Traffic Zone: 1575
Land Identification Map: 39-4 ((01)) 46, 47

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plan dated December 20, 2010.

The applicant proposes to rezone 2.28 acres from the R-1 District to the R-4 Cluster District to provide 10 single-family detached homes.

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

- The proposal should consolidate the development with additional parcels to lessen the driveway impact to Sandburg Street.
- A stub street, opposite Tire Swing Road should be provided for a future public street extension to the west.
- Idylwood Road is on the Comprehensive Plan for a two lane improved roadway and a bicycle route. Therefore, the applicant should extend the shoulder along their site on Idylwood Road for an additional 8-ft.
- The right-of-way proposed at the corner of Idylwood Road and Sandburg Street should be chorded to the corner radius.
- The turn radii proposed should have two pedestrian ramp curb cuts.

AKR/ak cc: Michele Brickner, Director, Design Review, DPW & ES



FAIRFAX COUNTY
PUBLIC SCHOOLS

Department of Facilities and Transportation Services

Office of Facilities Planning Services
8115 Gatehouse Road, Suite 3300
Falls Church, Virginia 22042

November 21, 2011

TO: Barbara Berlin, Director
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division

FROM: Denise M. James, Director 
Office of Facilities Planning Services

SUBJECT: RZ/FDP 2010-PR-019, Kettler Sandburg LLC

ACREAGE: 2.28 acres

TAX MAP: 39-4 ((1)) 46 & 47

PROPOSAL: Rezone property from the R-1 District to the PDH-4 District to permit 8 single family detached dwelling units.

COMMENTS: This revises a previous memo dated August 26, 2011 to reflect a change in the number of residential units proposed and changes in student enrollment and school capacity.

The proposed rezoning area is within Stenwood Elementary, Kilmer Middle, and Marshall High school attendance area boundaries. The chart below shows the existing school capacity, student enrollment, and projected enrollment.

School	Capacity	Enrollment (9/30/11)	2012-2013 Projected Enrollment	Capacity Balance 2012-2013	2016-17 Projected Enrollment	Capacity Balance 2016-17
Stenwood ES	450	509	529	-79	542	-92
Kilmer MS	1,116	1,134	1,120	-4	1,369	-253
Marshall HS	1,511/2,000*	1,623	1,698	-187	1,974	26

Capacity and enrollment are based on the draft FCPS FY 2013-17 CIP.

** Renovations at Marshall High are anticipated to be completed for the 2014-15 school year, which will increase the school capacity.*

The school capacity chart above shows a snapshot in time for student enrollment and school capacity balances. Student enrollment projections are done on a six year timeframe, currently through school year 2016-17, and are updated annually. While Stenwood is projected to have a capacity deficit, renovations to the school are anticipated to be completed in 2012, which would address the capacity deficit. At this time, if development occurs within the next six years, Kilmer Middle School is projected to have a capacity deficit and the rezoning application is anticipated to contribute to this projected capacity deficit. Beyond the six year projection horizon, enrollment projections are not available.

The rezoning application proposes to rezone property from the R-1 District to the PDH-4 District to permit 8 single family detached dwelling units. The property contains 2.28 acres and is undeveloped. It appears that the current maximum development potential is 2 single family dwelling units, if developed by-right based on the zoning district and acreage.

According to the number of residential units proposed, the chart below shows the number of anticipated students by school level based on the current countywide student yield ratio.

School level	Single family detached ratio	Proposed # of units	Student yield	Single family detached ratio	Current # of units permitted by-right	Student yield
Elementary	.266	8	2	.266	2	1
Middle	.084	8	1	.084	2	0
High	.181	8	1	.181	2	0
			4 Total			
				1 Total		

SUMMARY:

Suggested Proffer Contribution

The rezoning application is anticipated to yield a total of 3 new students over the one student that would be anticipated if developed by-right. Based on the approved proffer formula guidelines, the students generated would justify a proffer contribution of \$28,134 (3 students x \$9,378) in order to address capital improvements for the receiving schools.

It is also recommended that the school proffer amount be based on either the current suggested per student proffer contribution at the time of zoning approval or the per student proffer contribution in effect at the time of development, whichever is greater. This would better offset the impact that new student yields will have on surrounding schools at the time of development since the school proffer amount is based, in part, on construction costs and market conditions. For your reference, below is an example of such a proffer that was included as part of an approved proffer contribution to FCPS.

- A. Adjustment to Contribution Amounts. Following approval of this Application and prior to the Applicant's payment of the amount(s) set forth in this Proffer, if Fairfax County should increase the ratio of students per high-rise multifamily unit or the amount of the contribution per student, the Applicant shall increase the amount of the contribution for that phase of development to reflect the then-current ratio and/or contribution. If the County should decrease the ratio or contribution amount, the Applicant shall provide the greater of the two amounts.

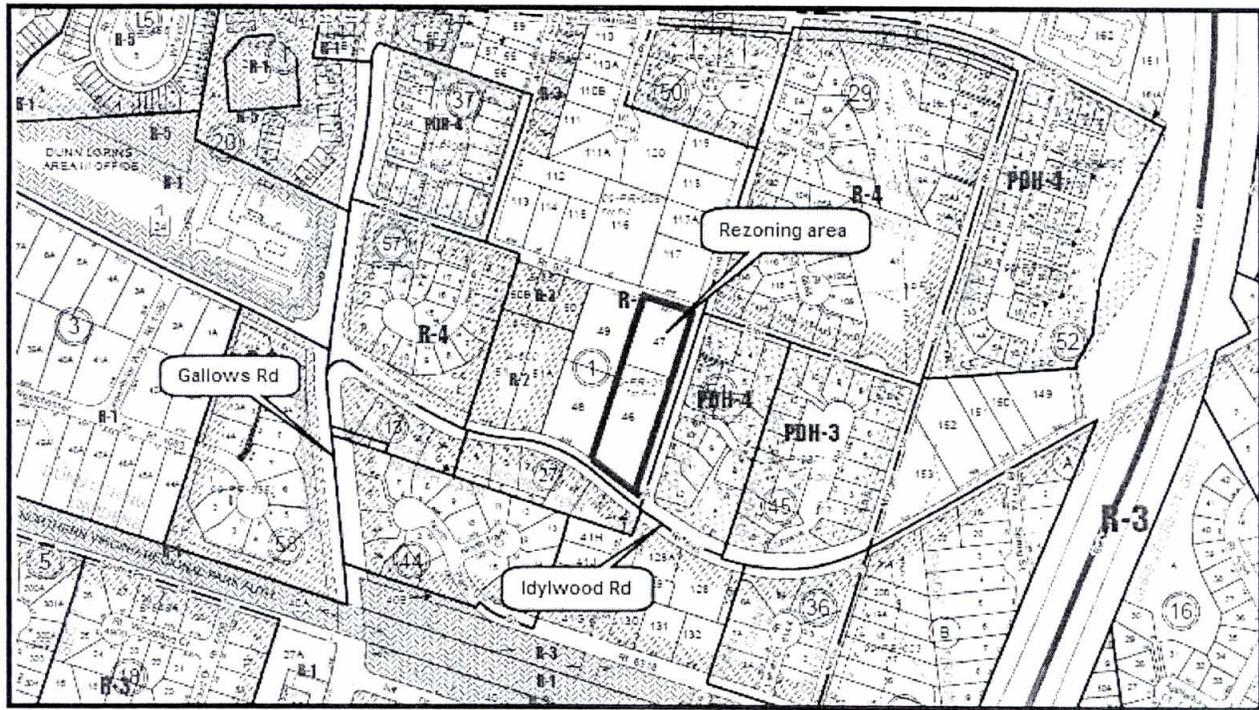
In addition, it is recommended that all proffer contributions be directed to the Marshall HS pyramid and/or to Cluster II schools that encompass this area at the time of site plan approval or building permit approval. It is also recommended that notification be given to FCPS when construction is anticipated to commence. This will assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

DMJ/mat

Attachment: Locator Map

cc: Patricia S. Reed, School Board, Providence District
 Ilryong Moon, School Board, At-Large
 James L. Raney, School Board, At-Large
 Martina A. Hone, School Board, At-Large
 Dean Tistadt, Chief Operating Officer
 Jim Kacur, Cluster II, Assistant Superintendent
 Peggy Dammeyer, Interim Principal, Stenwood Elementary School
 Douglas Tyson, Principal, Kilmer Middle School
 Jay W. Pearson, Principal, Marshall High School

Fairfax County Public Schools
Office of Facilities Planning Services





FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

August 15, 2011

Ms. Barbara C. Berlin, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 2010-PR-019
FDP 2010-PR-019
Porter at Sandburg Street
Tax Map: 49-3

Dear Ms. Berlin:

Fairfax Water would like to reiterate the comments submitted in our letter to you which was dated January 20, 2011, regarding Porter at Sandburg Street (copy enclosed).

If you have any questions regarding this information, please contact Dave Guerra Chief, Plan Review at (703) 289-6343.

Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg".

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosures (as noted)

cc: Robert Brown, Urban, Ltd.
Gregory Riegle, McGuire Woods, LLP



FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

January 20, 2011

Ms. Barbara Berlin, Director
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 2010-PR-019
Porter at Sandberg Street
Tax Map: 39-4

Dear Ms. Berlin:

Fairfax Water is uniquely able to provide high-quality water service to the Porter at Sandberg Street development. In the past, water service to this site has been provided by the City of Falls Church Department of Public Utilities (City); however, the site is located in Fairfax County. We believe that future water service for the proposed redevelopment should be provided by Fairfax Water instead of the City for the following reasons:

1. Fairfax Water has an existing 42-inch transmission main in Sandberg Street that is capable of providing adequate domestic and fire protection service. See the attached water system map and review comments on the GDP.
2. Fairfax Water has a fully integrated transmission network allowing ample flow to be routed to the site from several independent sources. Fairfax Water's programmed investment in transmission and distribution system development provides the site access to service from a 42-inch diameter transmission main from a pumping facility at Tysons Corner. The site also has access to water storage facilities located at Tysons Corner, Penderwood, and Fairfax Hospital. Alternative supplies are available from a variety of additional sources including pumping facilities at Fairfax Circle or Annandale. Having a variety of

supply options increases service reliability, provides for sufficient domestic and fire protection capacity.

3. Customers served by Fairfax Water enjoy the lowest commodity rate for water in the Washington Metropolitan area. Currently Fairfax Water customers pay \$1.93 per 1,000 gallons while the City's customers pay \$3.03 per 1,000 gallons.
4. Although not currently doing so, in the past the City has charged a higher rate to its customers located in Fairfax County than to its customers located in the City.
5. Fairfax Water operates as a true enterprise fund. All water system revenues are returned to the water system to support infrastructure reinvestment and system improvements.
6. Fairfax Water is governed by a Board appointed by the Fairfax County Board of Supervisors. Citizens of Fairfax County whose water service is provided by the City have no representation in the decisions made regarding the water system that serves them.
7. Fairfax Water owns and operates two state of the art treatment facilities, sourced by two separate watersheds, the Occoquan Reservoir and the Potomac River. These plants produce superb quality water that meets and surpasses all current and anticipated regulations.

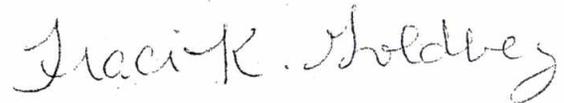
As you may know, there is no legal impediment to Fairfax Water's serving this property. All previous legal disputes between Fairfax Water and the City have now been resolved. Under a consent decree entered February 25, 2010 in the Circuit Court of Fairfax County, the City agreed that Fairfax Water may provide water service anywhere within the City's previous service area in Fairfax County, and that the City would not unreasonably interfere with the ability of any customer or developer to obtain service from Fairfax Water.

As many areas of Fairfax County undergo transformation and redevelopment, the increased land-use density and investment warrant public infrastructure commensurate with the high standards of Fairfax County. Accordingly, the proposed project should be served by the highest level of water service available. Again, Fairfax Water is uniquely able to provide that level of service.

Ms. Barbara Berlin
January 20, 2011
Page Three

If you have any questions regarding this information, please contact Dave Guerra
Chief, Plan Review at (703) 289-6343.

Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg".

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosures (as noted)

cc: Robert Brown, Urban Ltd.
Gregory Riegle, McGuire Woods, LLP

Fairfax Water

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

January 20, 2011

Mr. Robert Brown, P.E.
Urban, Ltd.
4200-D Technology Court
Chantilly, Virginia 20151

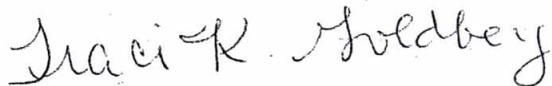
Re: RZ 2010-PR-019
Porter at Sandberg Street
Tax Map 39-4

Dear Mr. Brown:

Fairfax Water has provided a formal response to Ms. Barbara Berlin, Director of the Planning & Zoning Department of Fairfax County regarding the above application (see attached). We would like to invite you or representatives of your company to our office to discuss water service options that are currently available from Fairfax Water. As stated in our response letter, Fairfax Water has an existing 42-inch diameter transmission main in Sandberg Street capable of supporting the domestic and fire protection requirements of the proposed development. In addition, with several pumping and storage facilities in close proximity to the site, we have the operational flexibility to maintain high quality service and provide alternative supply options.

Please contact Dave Guerra, P.E., Chief, Site Plan Review, at 703-289-6343 at your convenience to schedule a meeting or discuss any questions you may have. We would like very much to have the opportunity to provide water service to this project.

Sincerely,



Traci K. Goldberg, P.E.
Manager, Planning

Enclosure

cc: Jamie Bain Hedges, Director, Planning & Engineering
Gregory Riegle, McGuire Woods, LLP



County of Fairfax, Virginia

MEMORANDUM

DATE: August 19, 2011

TO: Barbara C. Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Eric Fisher, GIS Analyst III
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning/Final
Development Plan Application RZ/FDP 2010-PR-019

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





County of Fairfax, Virginia

MEMORANDUM

DATE: August 19, 2011

TO: Kelli Goddard-Sobers
Zoning Evaluation Division
Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)
Wastewater Planning & Monitoring Division
Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ/FDP2010-PR-019
Tax Map No. 039-4- /01/0046, 0047

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

- The application property is located in the Cameron Run (I-1) watershed. It would be sewered into the Alexandria Sanitation Authority (ASA).
- Based upon current and committed flow, there is excess capacity in the (ASA). 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.
- An existing 8" inch line located in the street is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information or comments:

Department of Public Works and Environmental Services
Wastewater Planning & Monitoring Division
12000 Government Center Parkway, Suite 358
Fairfax, VA 22035-0052
Phone: 703-324-5030, Fax: 703-324-3946





FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

FROM: Sandy Stallman, AICP, Manager 
Park Planning Branch, PDD

DATE: November 7, 2011

SUBJECT: RZ/FDP 2010-PR-019, Porter at Sandburg Street, Revised
Tax Map Number(s): 39-4 ((1)) 46, 47

BACKGROUND

The Park Authority staff has reviewed the revised Development Plan dated October 28, 2011, for the above referenced application. The Development Plan shows eight new single-family detached dwelling units on two parcels to be rezoned from R-1 to PDH-4. Based on an average single-family detached household size of 2.96 in the Vienna Planning District, the development could add 21 new residents (8 proposed units – 1 existing unit = $7 \times 2.96 = 20.72$) to the Providence Supervisory District.

COMPREHENSIVE PLAN GUIDANCE

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

The proposed development is located within the Cedar Community Planning Sector (V2) of the Vienna Planning District, in the Area II Plan. The sector is primarily developed as stable residential neighborhoods and the concept for Future Development describes residential infill that is compatible in use, type, and intensity. Plan text also describes the area east of Gallows Road, which includes the subject parcels, as having produced potentially significant archaeological sites and as containing some older and potentially significant buildings. The Plan recommends that within this planning sector, “Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found.” (V2-Cedar Community Planning Sector, Vienna Planning District,

Area II Plan, p.60) The Plan further recommends that local-serving, neighborhood parks be provided in conjunction with new development. (Figure 24, p.63)

Finally, text from the Vienna District chapter of the Great Parks, Great Communities Park Comprehensive Plan echoes recommendations in the Countywide Comprehensive Plan. Specific District chapter recommendations include adding playgrounds and athletic field capacity, as well as protecting natural and cultural resources.

ANALYSIS AND RECOMMENDATIONS

Park Needs:

Using adopted service level standards, staff has identified a need for all types of parkland and recreational facilities in this area. Existing nearby parks (Tysons Woods, Briarcliff, South Railroad Street, and Dunn Loring Community—Idylwood Park is nearby but separated from the subject parcels by I-495) meet only a portion of the demand for parkland generated by residential development in the Cedar Community Sector and Vienna Planning District. In addition to parkland, the recreational facilities in greatest need in this area include trails, rectangle fields, playgrounds, and basketball courts.

Recreational Impact of Residential Development:

The Fairfax County Zoning Ordinance requires provision of open space and recreational features within Planned Development Districts (see Zoning Ordinance Sections 6-110 and 16-404). The minimum expenditure for park and recreational facilities within these districts is set at \$1,600 per non-ADU residential unit for outdoor recreational facilities to serve the development population. Whenever possible, the facilities should be located within the residential development site. With eight non-ADUs proposed, the Ordinance-required amount to be spent onsite is \$11,200. Any portion of this amount not spent onsite should be conveyed to the Park Authority for recreational facility construction at one or more park sites in the service area of the development.

The \$1,600 per unit funds required by Ordinance offset only a portion of the impact to provide recreational facilities for the new residents generated by this development. Typically, a large portion if not all of the Ordinance-required funds are used for outdoor recreational amenities onsite. As a result, the Park Authority is not compensated for the increased demands caused by residential development for other recreational facilities that the Park Authority must provide.

With the Countywide Comprehensive Policy Plan as a guide (Appendix 9, #6 of the Land Use section, as well as Objective 6, Policy a, b and c of the Parks and Recreation section), the Park Authority requests a fair share contribution of \$893 per new resident with any residential rezoning application to offset impacts to park and recreation service levels. This allows the Park Authority to build additional facilities needed as the population increases. To offset the additional impact caused by the proposed development, the applicant should contribute \$18,753 to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

Onsite Facilities:

County Comprehensive Plan guidance for this area supports the provision of onsite facilities in conjunction with new development. Both Options A and B of the revised plan set propose a wood chip trail that extends from the southern boundary of the site on Idylwood Road, through the proposed conservation easement area, terminating at the internal private street.

Staff recommends that remaining P-district onsite expenditure funds not used onsite along with fair-share park proffer funds be dedicated to the Park Authority for use at a park within the service area of the proposed development.

Natural Resources Impact:

The Park Authority owns and operates the South Railroad Street Park near the applicant's parcel. To protect the environmental health of Park Authority land (less than 1,000 feet from the subject parcel), all plant materials to be installed on the applicant's parcel should be non-invasive to reduce the spread of invasive species.

Staff recommends that a statement committing to the use of non-invasive plantings be included either in the Planting Specifications on Sheet 16, under Plant Materials (note #7), or in proffered conditions for this application. The statement might read, "New plantings within the site areas shall be only of non-invasive species appropriate to the location and climate of the area."

Cultural Resources Impact:

The Comprehensive Plan recommends that within this planning sector, "Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies..." (V2-Cedar Community Planning Sector, Vienna Planning District, Area II Plan, p.60)

This application's parcels were subjected to archival review. Parcel 0046 contains a structure dating prior to 1937 and archival review yielded evidence of a large structure on parcel 0047. The second structure, likely a large barn, has since been destroyed. The existing, pre-1937 structure on parcel 0046 should be documented by a qualified historic architect prior to demolition.

In addition, the area contains a moderate potential for Native American and historic sites. Given the specific Comprehensive Plan guidance cited above, the Park Authority recommends a Phase I archaeological survey to determine the presence or absence of archaeological sites. If sites are found, Phase II archaeological testing is recommended to determine if sites are eligible for inclusion into the National Register of Historic Places. Finally, if found sites are eligible, the Park Authority recommends avoidance or a Phase III archaeological data recovery, if the sites cannot be avoided. The applicant is encouraged to contact the Cultural Resources Management staff with questions.

At the completion of any cultural resource studies, the Park Authority requests that the applicant provide one copy of the archaeology report as well as field notes, photographs and artifacts to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study.

SUMMARY OF RECOMMENDATIONS

This section summarizes the recommendations included in the preceding analysis section. Following is a table summarizing required and recommended recreation contribution amounts:

Proposed Uses	P-District Onsite Expenditure	Requested Park Proffer Amount*	Total
Single-family detached units	\$11,200	\$18,753	\$29,953
Total	\$11,200	\$18,753	\$29,953

In addition, the analysis identified the following major issues:

- All plant materials installed should be non-invasive to protect the environmental health of nearby Park Authority land
- Conduct a Phase I archaeological survey; if sites are found Phase II archaeological testing is recommended to determine if sites are eligible for inclusion into the National Register of Historic Places. Finally, if found sites are eligible, the Park Authority recommends avoidance or a Phase III archaeological data recovery, if the sites cannot be avoided.

Please note the Park Authority would like to review and comment on proffers related to park and recreation issues. We request that draft and final proffers be submitted to the assigned reviewer noted below for review and comment prior to completion of the staff report and prior to final Board of Supervisors approval.

FCPA Reviewer: Anna Bentley
DPZ Coordinator: Kelli-Mae Goddard-Sobers

Copy: Cindy Walsh, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
Chron Binder
File Copy

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County of Fairfax, Virginia

MEMORANDUM

DATE: 19 August 2011

TO: Kelli-Mae Goddard-Sobers, ZED Coordinator

FROM: Linda Cornish Blank, Historic Preservation Planner *LCB*

SUBJECT: RZ 2010-PR-019, Kettler, Sandburg, LLC, Proposed consolidation and rezoning of approximately 2.28 acres to allow for development of 10 single family detached homes, 2400 Sandburg Street, 8001 Elm Place, Tax map # 39-4 ((1)) 46 & 47.

Planning Location: Fairfax County Comprehensive Plan, 2007 Edition, Area II, Vienna Planning District, Amended through 3-9-2010, Overview, p. 8, 13:

“Heritage Resources

The Vienna Planning District contains both known and potential heritage resources. A list of those heritage resources included in Fairfax County's Inventory of Historic Sites is shown on Figure 4, and a map of those resources is shown on Figure 5. . . .

“ . . . Historic resources have been identified in the Town of Vienna as well as throughout the district. Additional unidentified resources may yet exist in undeveloped areas and within developed sections of the district. Of particular importance are resources associated with the history of the Town of Vienna and the community of Dunn Loring. . . . ”

V-2-Cedar Community Planning Sector p.60:

“Heritage Resources

Significant heritage resources may be located in open spaces, in low density residential areas and in mid 20th century neighborhoods of this planning sector. Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered.”

Heritage Resource Comment:

Background: The Application Property was recorded in a historic resources survey of the Dunn Loring area conducted in 1993. During that time, there was interest in creating a Dunn Loring historic overlay district. The effort was abandoned in December 1996 when there did not appear to be community consensus on whether to proceed with creating a district.

In 2003, then property owner of the Application Property, Mrs. Jane Martin Porter, explored the possibility of placing an easement on the property and of listing the property in the National Register of Historic Places and Places. The following is taken from Mrs. Martin's

Department of Planning and Zoning
 Planning Division
 12055 Government Center Parkway, Suite 730
 Fairfax, Virginia 22035-5509
 Phone 703-324-1380
 Fax 703-324-3056
www.fairfaxcounty.gov/dpz/



Dedication to My Dad, Thomas P. Martin: "In 1982 Fairfax County revised its Master Plan. A density of three to four house (sic) per acre

became the desire (sic) objective in considering applications for rezoning. Tax rates were based on the highest and best use of the land. Few homeowners could resist the rewards of high land prices and the penalties of increasing taxes."

Findings:

1. The two and one-half story frame four-square single-family residential dwelling built c. 1890, located at 2400 Sandburg Street, tax map # 39-4 ((1)) 46, is an example of a resource type recognized in Study Unit H10 *Suburbanization and Urban Dominance* of the county's Heritage Resource Management Plan. The plan provides for its registration and protection in-keeping with Comprehensive Plan policies.
2. In the early 1990s, the Dunn Loring community explored creating a historic overlay district (HOD). A historic resources survey was conducted in 1993 as part of that effort. Creating a Dunn Loring HOD was abandoned in December 1996. The opportunity to protect the historic and architectural resources and character of late 19th and early 20th century Dunn Loring was lost when the community abandoned the idea of creating a HOD.
3. The historic character of Dunn Loring has been substantially diminished by extensive development. The area's architectural and historic importance was based upon the community's significance as a whole, not on individual landmark building(s). Individual properties are significant for their contribution to the community fabric rather than as individual landmark buildings. With the loss of community context and fabric, the significance of individual buildings is greatly compromised. Once important components to the historic character of the Dunn Loring community, individual buildings that remain become isolated and loose context since the historic community of which they were once a part has disappeared.
4. Single-family Victorian and Colonial Revival style residential dwellings built during the late 19th and first decade of the 20th century continue to disappear with development and redevelopment. Unless residential building types from this period are documented, an important part of county history is lost without record.
5. Documentation of buildings and sites plays an important part in telling the history, development and evolution of our community. The dwelling and accessory buildings merit documentation. Of equal importance to the documentation is the site context or cultural landscape, objects and structures and its setting along Sandburg, Elm and Idylwood.

Heritage Resource Recommendation:

1. The existing conditions for the Application Property at 2400 Sandburg Street, 8001 Elm Place, Tax map # 39-4 ((1)) 46 & 47 be documented through photographic recordation for the purpose of recording and documenting the existing standing structures, the cultural landscape and streetscape setting prior to development and/or demolition. The documentation include at a minimum the exteriors of the standing structures, landscape features and character defining features of the residential interior as stipulated below, to be photographed prior to any land disturbing activity on site. The documentation include a clear sketch plan map for exterior and landscape, based upon the existing conditions map for this application, and a floor plan for interior, showing the location of the photographic angle of views with each photograph identified. The number and angle of photographic views, sketch plan map and floor plan layout be

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coordinated with the Department of Planning and Zoning (DPZ) Historic Preservation planner, either prior to taking of the photographs or prior to final submission of the documentation but prior to any land disturbing activity on site. All final photographs and sketch plan map be submitted to the Virginia Room of the Fairfax County Public Library and to the Fairfax County Department of Planning and Zoning (DPZ) Historic Preservation planner. The applicant is to provide written documentation to DPZ that required documentation has been submitted to the Virginia Room.

Photographic documentation; dwelling, garage and site context:

1. View of each façade
 2. Perspective view, front façade and one side
 3. Perspective view, rear and one side
 4. Details of the buildings such as views of the main entrance, stairs, porch(es), prominent window(s), chimney(s) and any unique architectural and/or character defining features
 5. Details of the residential interior such as stairways, newel posts, molding(s), windows, doors and any unique architectural and/or character defining features
 6. General views from a distance sufficient to show environmental setting, landscaping, and cultural landscape features, structures, objects and elements
 7. General streetscape views to and from the property along Sandburg, Elm and Idylwood.
2. Concur with the Cultural Resource Management and Protection Section of the Fairfax County Park Authority recommendation for archaeological survey and testing. As stipulated in The Comprehensive Plan Area II, Vienna Planning District, V-2-Cedar Community Planning Sector the recommended survey and testing should precede any development or ground disturbance activity.

RESIDENTIAL DISTRICT REGULATIONS

3-405**Use Limitations**

1. No sale of goods or products shall be permitted, except as accessory and incidental to a permitted, special permit or special exception use.
2. All uses shall comply with the performance standards set forth in Article 14.
3. Cluster subdivisions may be permitted in accordance with the provisions of Sect. 9-615 when the cluster subdivision has a minimum district size of two (2) acres or greater but less than three and one-half (3.5) acres, and with the provisions of Sect. 2-421 when the cluster subdivision has a minimum district size of three and one-half (3.5) acres or greater.

3-406**Lot Size Requirements**

1. Minimum district size for cluster subdivisions:
 - A. Cluster subdivisions containing a minimum district size of two (2) acres or greater but less than three and one-half (3.5) acres shall be subject to special exception approval.
 - B. Cluster subdivisions containing a minimum district size of three and one-half acres (3.5) acres or greater shall be subject to approval by the Director.
2. Average lot area
 - A. Conventional subdivision lot: 8,800 sq. ft.
 - B. Cluster subdivision lot: No Requirement
3. Minimum lot area
 - A. Conventional subdivision lot: 8,400 sq. ft.
 - B. Cluster subdivision lot approved by the Director: 6,000 sq. ft., except that if any portion of a cluster subdivision lot is located within 25 feet of a peripheral boundary of the cluster subdivision and any portion of any lot located outside of the cluster subdivision that is contiguous to that cluster subdivision's peripheral boundary is zoned to a district that permits a maximum density equal to or less than 4 dwelling units per acre and contains a single family detached dwelling or is vacant, then such cluster subdivision lot shall contain a minimum lot area of 8,000 square feet. Notwithstanding the above, when the contiguous development is zoned to the PDH-4 District or to an R-4 District and is developed with and/or approved for a cluster subdivision, all lots within the proposed cluster subdivision shall contain a minimum lot area of 6,000 square feet.
 - C. Cluster subdivision lot approved by special exception: 6,000 sq. ft.
4. Minimum lot width
 - A. Conventional subdivision lot:

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(1) Interior lot - 70 feet

(2) Corner lot - 95 feet

B. Except as qualified below, cluster subdivision lot approved by the Director:

(1) Interior lot - No Requirement

(2) Corner lot - 70 feet

If any portion of a cluster subdivision lot is located within 25 feet of a peripheral boundary of the cluster subdivision and any portion of any lot located outside of the cluster subdivision that is contiguous to that peripheral cluster subdivision's boundary is zoned to a district that permits a maximum density equal to or less than 4 dwelling units per acre and contains a single family detached dwelling or is vacant, then such cluster subdivision lot shall contain a minimum lot width of 70 feet for interior lots and 95 feet for corner lots. Notwithstanding the above, when the contiguous development is zoned to the PDH-4 District or to an R-4 District and is developed with and/or approved for a cluster subdivision, all lots within the proposed cluster subdivision shall have no minimum required lot width for interior lots and shall contain a minimum lot width of 70 feet for corner lots.

C. Cluster subdivision lot approved by special exception:

(1) Interior lot – No Requirement

(2) Corner lot – 70 feet

3-407

Bulk Regulations

1. Maximum building height

A. Single family dwellings: 35 feet

B. All other structures: 60 feet

2. Minimum yard requirements

A. Single family dwellings

(1) Conventional subdivision lot

(a) Front yard: 30 feet

(b) Side yard: 10 feet

(c) Rear yard 25 feet

(2) Cluster subdivision lot

RESIDENTIAL DISTRICT REGULATIONS

- (a) Front yard: 20 feet
 - (b) Side yard: 8 feet
 - (c) Rear yard: 25 feet
- B. All other structures
- (1) Front yard: Controlled by a 35° angle of bulk plane, but not less than 25 feet
 - (2) Side yard: Controlled by a 30° angle of bulk plane, but not less than 10 feet
 - (3) Rear yard: Controlled by a 30° angle of bulk plane, but not less than 25 feet
3. Maximum floor area ratio:
- A. 0.30 for uses other than residential or public
 - B. 0.35 for public uses

3-408 Maximum Density

- 1. Conventional subdivisions: Four (4) dwelling units per acre.
- 2. Cluster subdivisions:
 - A. Four (4) dwelling units per acre for cluster subdivisions approved by the Director in accordance with Sect. 2-421, or that are the result of proffered rezoning from a district that allows a permitted maximum density of less than four (4) dwelling units per acre.
 - B. Four dwelling units per acre plus one (1) bonus dwelling unit for cluster subdivisions containing a minimum district size of two (2) acres or greater but less than three and one-half (3.5) acres and approved by special exception.

3-409 Open Space

In subdivisions approved for cluster development, 25% of the gross area shall be open space.

3-410 Affordable Dwelling Unit Developments

Affordable dwelling unit developments may consist of single family detached dwelling units, either in a conventional subdivision or cluster subdivision. Cluster subdivisions shall be subject to the approval of the Director in accordance with Sect. 2-421. In addition, single family attached dwelling units are permitted, provided that no more than forty-five (45) percent of the

ARTICLE 6

PLANNED DEVELOPMENT DISTRICT REGULATIONS

PART 1 6-100 PDH PLANNED DEVELOPMENT HOUSING DISTRICT

6-101 Purpose and Intent

The PDH District is established to encourage innovative and creative design and to facilitate use of the most advantageous construction techniques in the development of land for residential and other selected secondary uses. The district regulations are designed to insure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development; to promote balanced developments of mixed housing types; to encourage the provision of dwellings within the means of families of low and moderate income; and otherwise to implement the stated purpose and intent of this Ordinance.

To these ends, rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of Article 16.

6-102 Principal Uses Permitted

The following principal uses shall be permitted subject to the approval of a final development plan prepared in accordance with the provisions of Article 16, and subject to the use limitations set forth in Sect. 106 below.

1. Affordable dwelling unit developments.
2. Dwellings, single family detached.
3. Dwellings, single family attached.
4. Dwellings, multiple family.
5. Dwellings, mixture of those types set forth above.
6. Public uses.

6-103 Secondary Uses Permitted

The following secondary uses shall be permitted only in a PDH District which contains one or more principal uses; only when such uses are presented on an approved final development plan prepared in accordance with the provisions of Article 16; and subject to the use limitations set forth in Sect. 106 below.

1. Accessory uses, accessory service uses and home occupations as permitted by Article 10.
2. Automated teller machines, located within a multiple family dwelling.
3. Business service and supply service establishments.

PLANNED DEVELOPMENT DISTRICT REGULATIONS

C. The keeping of all animals including wild or exotic animals as defined in Chapter 41.1 of The Code may be permitted with the approval of the Director of the Department of Animal Control, upon a determination that the animal does not pose a risk to public health, safety and welfare and that there will be adequate feed and water, adequate shelter, adequate space in the primary enclosure for the particular type of animal depending upon its age, size and weight and adequate veterinary care.

11. Drive-through pharmacies shall be permitted only on a lot which is designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation and parking. Adequate parking and stacking spaces for the use shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the lot. In addition, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

6-107 Lot Size Requirements

- 1. Minimum district size: Land shall be classified in the PDH District only on a parcel of two (2) acres or larger and only when the purpose and intent and all of the standards and requirements of the PDH District can be satisfied.
- 2. Minimum lot area: No requirement for each use or building, provided that a privacy yard, having a minimum area of 200 square feet, shall be provided on each single family attached dwelling unit lot, unless waived by the Board in conjunction with the approval of a development plan.
- 3. Minimum lot width: No requirement for each use or building.

6-108 Bulk Regulations

The maximum building height, minimum yard requirements and maximum floor area ratio shall be controlled by the standards set forth in Part 1 of Article 16.

6-109 Maximum Density

1. For purposes of computing density, the PDH District is divided into subdistricts in which the residential density is limited as set forth below, except that the maximum density limitations may be increased in accordance with the requirements for affordable dwelling units set forth in Part 8 of Article 2 and shall be exclusive of the bonus market rate units and/or bonus floor area, any of which is associated with the provision of workforce dwelling units, as applicable.

Subdistrict	Density
PDH-1	1 dwelling unit per acre
PDH-2	2 dwelling units per acre
PDH-3	3 dwelling units per acre
PDH-4	4 dwelling units per acre

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PDH-5	5 dwelling units per acre
PDH-8	8 dwelling units per acre
PDH-12	12 dwelling units per acre
PDH-16	16 dwelling units per acre
PDH-20	20 dwelling units per acre
PDH-30	30 dwelling units per acre
PDH-40	40 dwelling units per acre

2. The Board may, in its sole discretion, increase the maximum number of dwelling units in a PDH District in accordance with and when the conceptual and the final development plans include one or more of the following; but in no event shall such increase be permitted when such features were used to meet the development criteria in the adopted comprehensive plan and in no event shall the total number of dwellings exceed 125% of the number permitted in Par. 1 above.
 - A. Design features, amenities, open space and/or recreational facilities in the planned development which in the opinion of the Board are features which achieve an exceptional and high quality development - As determined by the Board, but not to exceed 5%.
 - B. Preservation and restoration of buildings, structures, or premises which have historic or architectural significance - As determined by the Board, but not to exceed 5%.
 - C. Development of the subject property in conformance with the comprehensive plan with a less intense use or density than permitted by the current zoning district - As determined by the Board in each instance, but not to exceed 10%.

6-110 Open Space

1. The following minimum amount of open space shall be provided in each PDH subdistrict:

Subdistrict	Open Space	Affordable Dwelling Unit Development Open Space
PDH-1	25% of the gross area	Not Applicable
PDH-2	20% of the gross area	18% of the gross area
PDH-3	20% of the gross area	18% of the gross area
PDH-4	20% of the gross area	18% of the gross area
PDH-5	35% of the gross area	31% of the gross area
PDH-8	25% of the gross area	22% of the gross area
PDH-12	30% of the gross area	27% of the gross area
PDH-16	35% of the gross area	31% of the gross area
PDH-20	35% of the gross area	31% of the gross area
PDH-30	45% of the gross area	40% of the gross area
PDH-40	35% of the gross area	31% of the gross area

ARTICLE 16
DEVELOPMENT PLANS

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

16-101 General Standards

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

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

16-102 Design Standards

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

1. In order to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional

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zoning district which most closely characterizes the particular type of development under consideration. In the PTC District, such provisions shall only have general applicability and only at the periphery of the Tysons Corner Urban Center, as designated in the adopted comprehensive plan.

2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

APPENDIX 9

RESIDENTIAL DEVELOPMENT CRITERIA

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

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

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

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

1. Site Design:

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

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.

- b) *Layout*: The layout should:
- provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
 - provide dwelling units that are oriented appropriately to adjacent streets and homes;
 - include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
 - provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
 - provide convenient access to transit facilities;
 - Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.
- c) *Open Space*: Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.
- d) *Landscaping*: Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.
- e) *Amenities*: Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

2. Neighborhood Context:

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

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

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

3. Environment:

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

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and better site design and low impact development (LID) techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.
- f) *Lighting:* Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy:* Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling. Energy efficiency measures should be incorporated into building design and construction.

4. Tree Preservation and Tree Cover Requirements:

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

sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas. Air quality-sensitive tree preservation and planting efforts (see Objective 1, Policy c in the Environment section of this document) are also encouraged.

5. Transportation:

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

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:
 - Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;
 - Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
 - Provision of bus shelters;
 - Implementation and/or participation in a shuttle bus service;
 - Participation in programs designed to reduce vehicular trips;
 - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
 - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
 - Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
 - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
 - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
 - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;

- The number and length of long, single-ended roadways should be minimized;
 - Sufficient access for public safety vehicles should be ensured.
- d) *Streets*: Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities*: Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
 - Connections between adjoining neighborhoods;
 - Connections to existing non-motorized facilities;
 - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
 - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
 - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
 - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
 - Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs*: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. Public Facilities:

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

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

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

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

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County.

Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

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

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

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;
- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

ROLE OF DENSITY RANGES IN AREA PLANS

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

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

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 by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Abbreviations Commonly Used in Staff Reports

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