



APPLICATION ACCEPTED: March 15, 2012
PLANNING COMMISSION: November 8, 2012
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

October 25, 2012

STAFF REPORT

APPLICATION RZ/FDP 2012-LE-005
Waiver #24949-WPFM-001-1

LEE DISTRICT

APPLICANTS: Mussarat S. Ahmad, Adeela Ahmad, and Tanzeela I. Ahmad

PRESENT ZONING: R-1, HC

REQUESTED ZONING: PDH-5, HC

PARCELS: 81-4 ((3)) L and M

LOCATION: 6223 and 6227 Villa Street

SITE AREA: 44,837 square feet (1.03 acres)

PROPOSED DENSITY: 4.86 dwelling units per acre (du/ac)

PLAN MAP: Residential; 2-3 du/ac

PROPOSAL: To demolish the two existing dwellings and rezone from R-1 and HC (Highway Corridor District) to PDH-5 (Planned Development at 5 du/ac) and HC to permit the construction of five single family detached dwellings

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2012-LE-005 and the associated conceptual development plan, subject to the execution of proffers consistent with the draft proffers contained in Appendix 1.

Nick Rogers, AICP

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz



Staff recommends approval of FDP 2012-LE-005, subject to the Board's approval of RZ 2012-LE-005 and the associated conceptual development plan.

Staff recommends approval of a waiver of the minimum district size for the PDH-5 District from 2 acres to 1.03 acres.

Staff recommends approval of Waiver #24949-WPFM-001-1 of Section 6-303.8 of the PFM to allow an on-site, underground stormwater detention facility in a residential development, subject to the conditions contained in Appendix 13 dated September 20, 2012.

Staff recommends that the Board of Supervisors direct the Director of DPWES to permit a deviation from the required tree preservation target percentage.

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

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

The approval of this application does not interfere with, abrogate or annul any easements, 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.

O:\nroge1\Rezoning\RZ-FDP 2012-LE-005\Staff Report\Report Cover RZ-FDP 2012-LE-005.docx



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

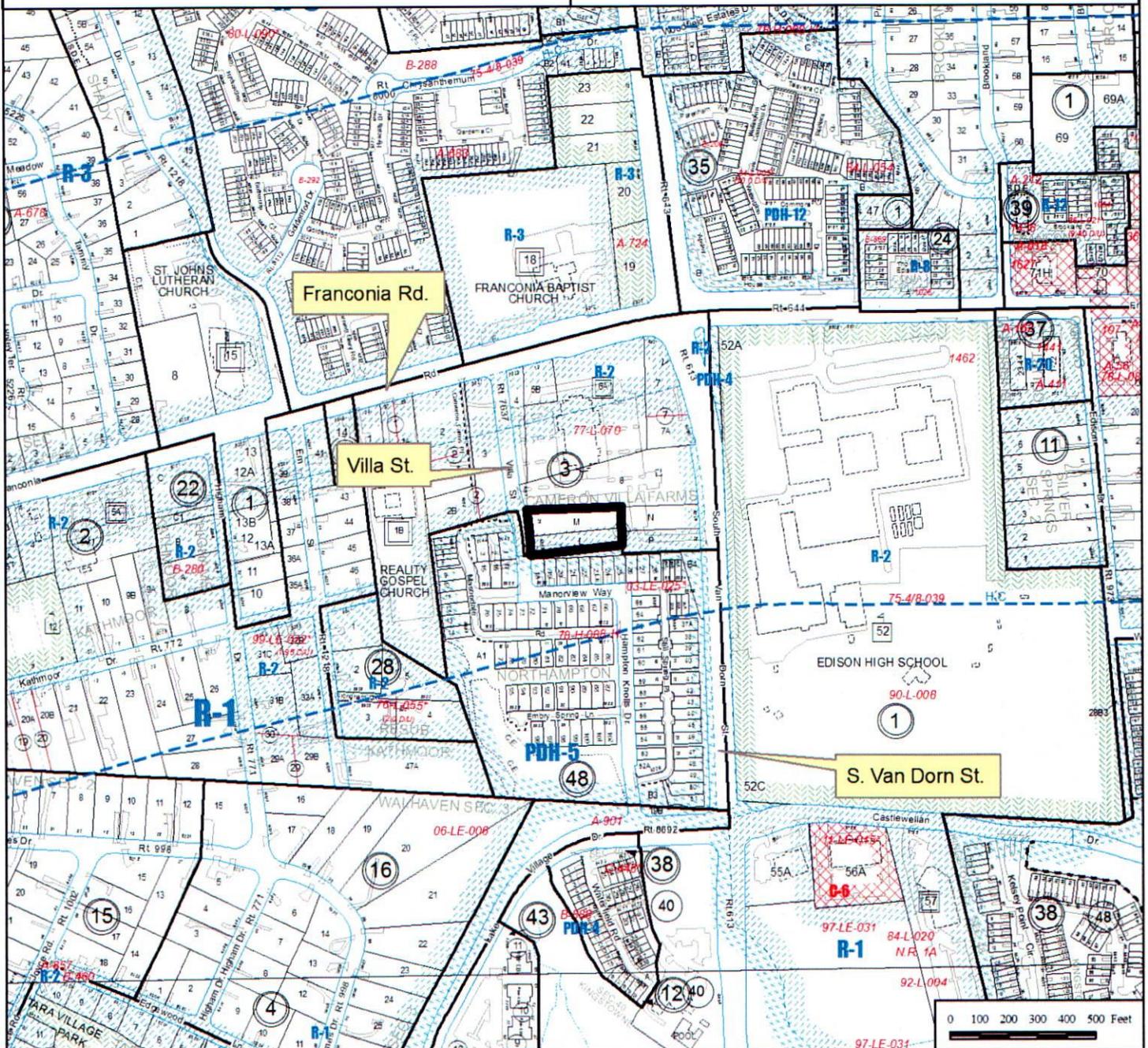
RZ 2012-LE-005

Final Development Plan

FDP 2012-LE-005

Applicant: MUSSARAT S. AHMAD, ADEELA I. AHMAD, TANZEELA I. AHMAD
Accepted: 03/15/2012
Proposed: RESIDENTIAL
Area: 1.03 AC OF LAND; DISTRICT - LEE ZIP - 22310
Located: EAST SIDE OF VILLA STREET, APPROXIMATELY 500 FEET SOUTH OF ITS INTERSECTION WITH FRANCONIA ROAD
Zoning: FROM R- 1 TO PDH- 5
Overlay Dist: HC
Map Ref Num: 081-4- /03/ / L /03/ / M

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	7771 New York Turnpike Suite 200 New Rochelle, NY 10801 Tel: 914.633.1100 Fax: 914.633.1101 www.urbanlit.com		Chief: E. AHMAD MUSAAB S. AHMAD & FARHANA M. AHMAD ARCHITECTS 10000 NEW YORK TURNPIKE SUITE 200 NEW ROCHELLE, NY 10801 TEL: 914.633.1100	Project Name: VILLA STREET AHMAD PROPERTY	CD/PEP Lee Daniel Fannie Conroy, Register Project No.: ZF-2010 Date: SEPTEMBER 24, 2018	Drawing Title: ILLUSTRATIVE PLAN	Scale: 1"=20' Drawing Number: 7	Sheet 7 of 9
	Project Location: Villa Street Ahmad Property							



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MUSARRAT S. AHMAD &
TANZEELA IMTIAZ AHMAD
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Revision / Issue	No.	Description	Date
1.	1.		
2.	2.		
3.	3.		
4.	4.		

Project Name
VILLA STREET AHMAD PROPERTY

COPY/DPD

Lee District
Fairfax County, Virginia
Drawn By: JL Checked By: AH/VOTM

Project No.: ZP-2040

Date: SEPTEMBER 24, 2012

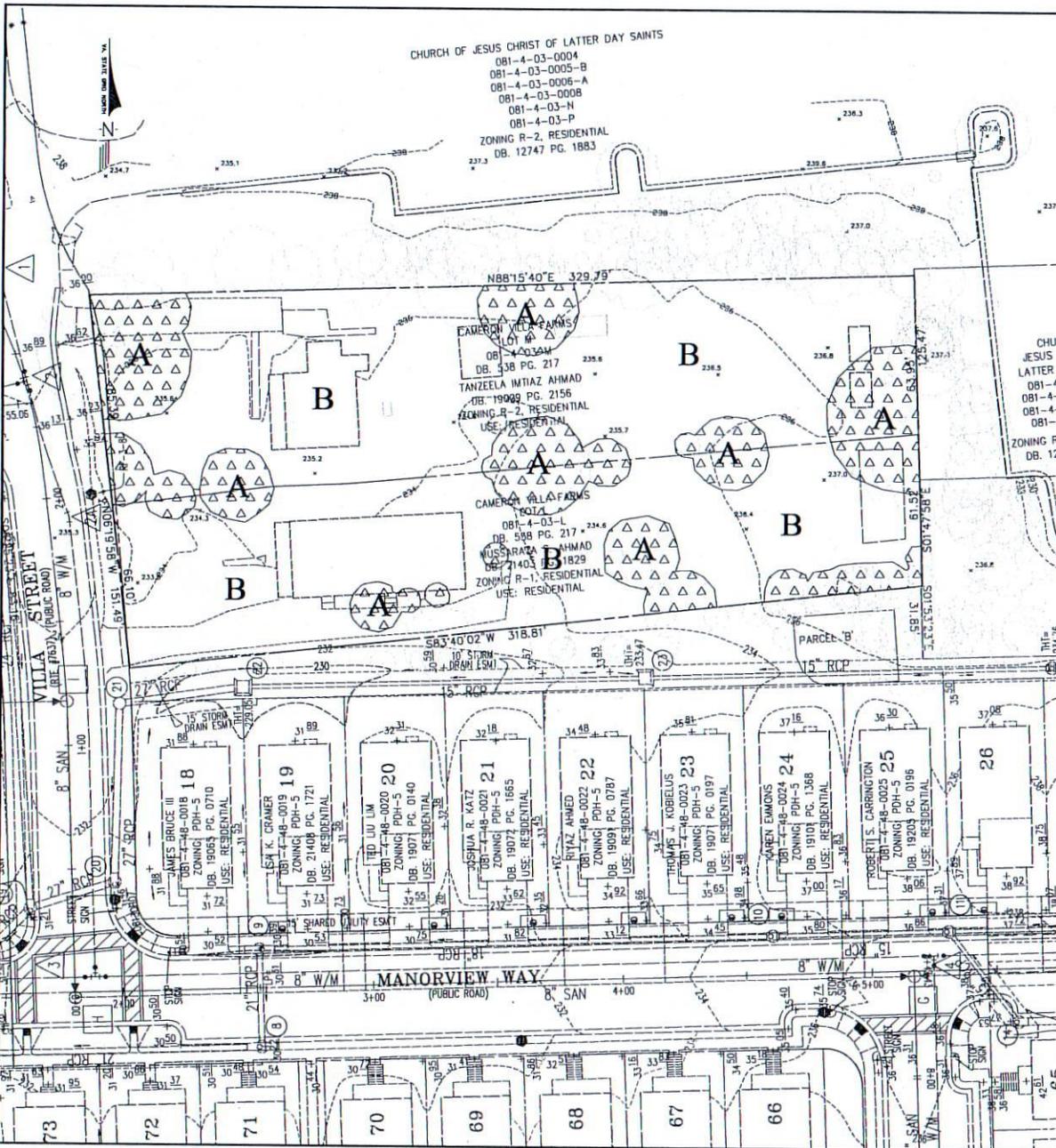
Drawing Title
EXISTING VEGETATION MAP

Scale: 1"=20'

Drawing Number

3

Sheet 3 of 9



EXISTING VEGETATION SUMMARY

Key	Cover Type	Primary Species	Successional Stage	Condition	Acreage	Cover Type Descriptions
A	Landscaped Tree Canopy	White Pine (<i>Pinus strobus</i>), Black Cherry (<i>Prunus serotina</i>), Red Maple (<i>Acer rubrum</i>), Sugar Maple (<i>Acer saccharum</i>), Eastern Red Cedar (<i>Juniperus virginiana</i>)	n/a	poor-fair	0.24 ac.	The trees within this cover type were planted and are poorly maintained. All of them can be found around the perimeter of the site and along the internal property line that divides the site. Most of the Red and Sugar Maples (8"-20" dbh) are in poor condition and as a result are heavily pruned. Black Cherries (3"-12" dbh) can be found in the southeast corner and one (18" dbh) on the internal property line. Most of the Black Cherries are in poor condition with heavy lily growth consuming them. There are a couple of White Pines, one along the western boundary (24" dbh) and one along the eastern boundary (17" dbh), that are in fair condition. Finally, one Eastern Red Cedar (13" dbh) along the eastern boundary is also in fair condition.
B	Developed Land	n/a	n/a	n/a	0.79 ac.	This cover type exists as impervious surfaces, such as walkways, driveways, patios, houses, and miscellaneous structures, as well as pervious surfaces that exist as gravel areas and lawns. The condition of the lawn area: the front lawns are in poor condition with significant soil compaction due to vehicle parking and the backyard lawns are in fair to good condition.
					Total	1.03 ac.

*dbh = diameter at breast height (trunk measured 4.5 ft. above the ground).

NOTES

1. EXISTING VEGETATION DATA COLLECTED FROM FIELD VISIT BY URBAN, LTD.'S CERTIFIED ARBORIST ON JAN. 10, 2012.

This Plan Prepared or Approved by:
John Lightye, ISA Certified Arborist
MA-5174A

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Client: ARI & AHMAD, MUSSARAT S. AHMAD & TANZEELA IMTIAZ AHMAD
 Project Name: VILLA STREET AHMAD PROPERTY
 Project No: 27-2040
 Date: SEPTEMBER 24, 2012
 Drawing Title: LANDSCAPE PLAN

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Scale: 1"=20'
 Drawing Number: 5
 Sheet 5 of 9

LEGEND:
 - CAT. IV DECIDUOUS TREE
 - CAT. III DECIDUOUS TREE
 - CAT. II EVERGREEN TREE
 - ANTI-TRANSPIRANT
 - LIMITS OF CLEARING
 - PROPOSED PERMANENT PAVING LOCATION SUBJECT TO FINAL SOILS REPORT AND FINAL ENGINEERING

TREE PRESERVATION TARGET CALCULATIONS:

Item	Quantity	Value
10 Year Tree Canopy (M ²)	41,817	100%
15 Year Tree Canopy (M ²)	10,153	24%
20 Year Tree Canopy (M ²)	2,825	7%
25 Year Tree Canopy (M ²)	1,075	3%
30 Year Tree Canopy (M ²)	375	1%
35 Year Tree Canopy (M ²)	125	0.3%
40 Year Tree Canopy (M ²)	43	0.1%
45 Year Tree Canopy (M ²)	15	0.04%
50 Year Tree Canopy (M ²)	5	0.01%
Total Tree Canopy (M²)	56,208	100%

30-YEAR TREE CANOPY REQUIREMENT CALCULATIONS:

Item	Quantity	Value
10 Year Tree Canopy (M ²)	41,817	100%
15 Year Tree Canopy (M ²)	10,153	24%
20 Year Tree Canopy (M ²)	2,825	7%
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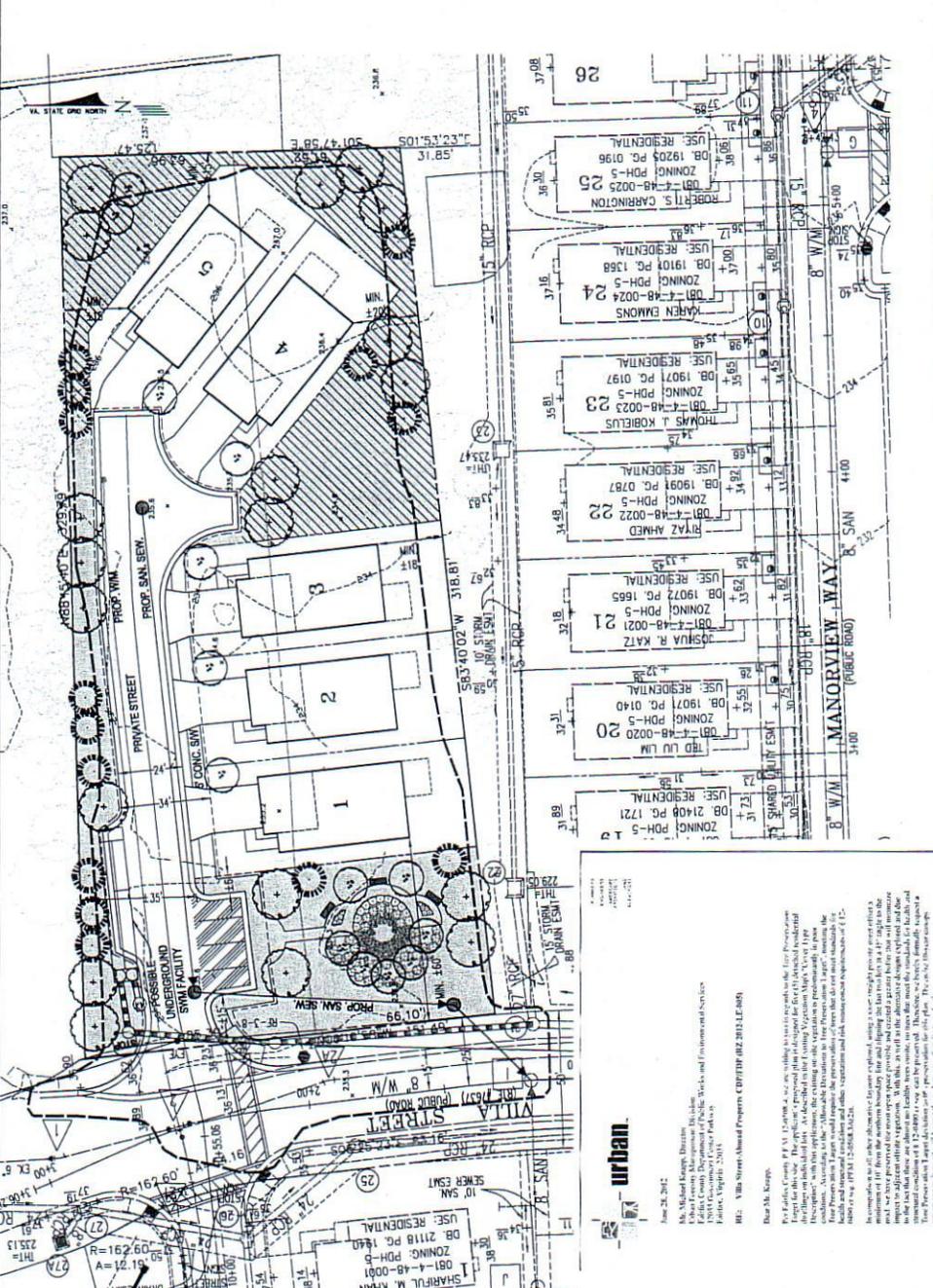
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TRANSITIONAL SCREENING AND BARRIER CALCULATIONS:

Item	Quantity	Value
Adjacent Tree Group	None Proposed	0
Plant Species A	None Proposed	0
Plant Species B	None Proposed	0
Plant Species C	None Proposed	0
Plant Species D	None Proposed	0
Plant Species E	None Proposed	0
Plant Species F	None Proposed	0
Plant Species G	None Proposed	0
Plant Species H	None Proposed	0
Plant Species I	None Proposed	0
Plant Species J	None Proposed	0
Plant Species K	None Proposed	0
Plant Species L	None Proposed	0
Plant Species M	None Proposed	0
Plant Species N	None Proposed	0
Plant Species O	None Proposed	0
Plant Species P	None Proposed	0
Plant Species Q	None Proposed	0
Plant Species R	None Proposed	0
Plant Species S	None Proposed	0
Plant Species T	None Proposed	0
Plant Species U	None Proposed	0
Plant Species V	None Proposed	0
Plant Species W	None Proposed	0
Plant Species X	None Proposed	0
Plant Species Y	None Proposed	0
Plant Species Z	None Proposed	0
Total Tree Canopy (M²)	0	0%

This Plan Prepared or Approved by:
 John Lighting, USA Certified Arborist
 # BA-5174A



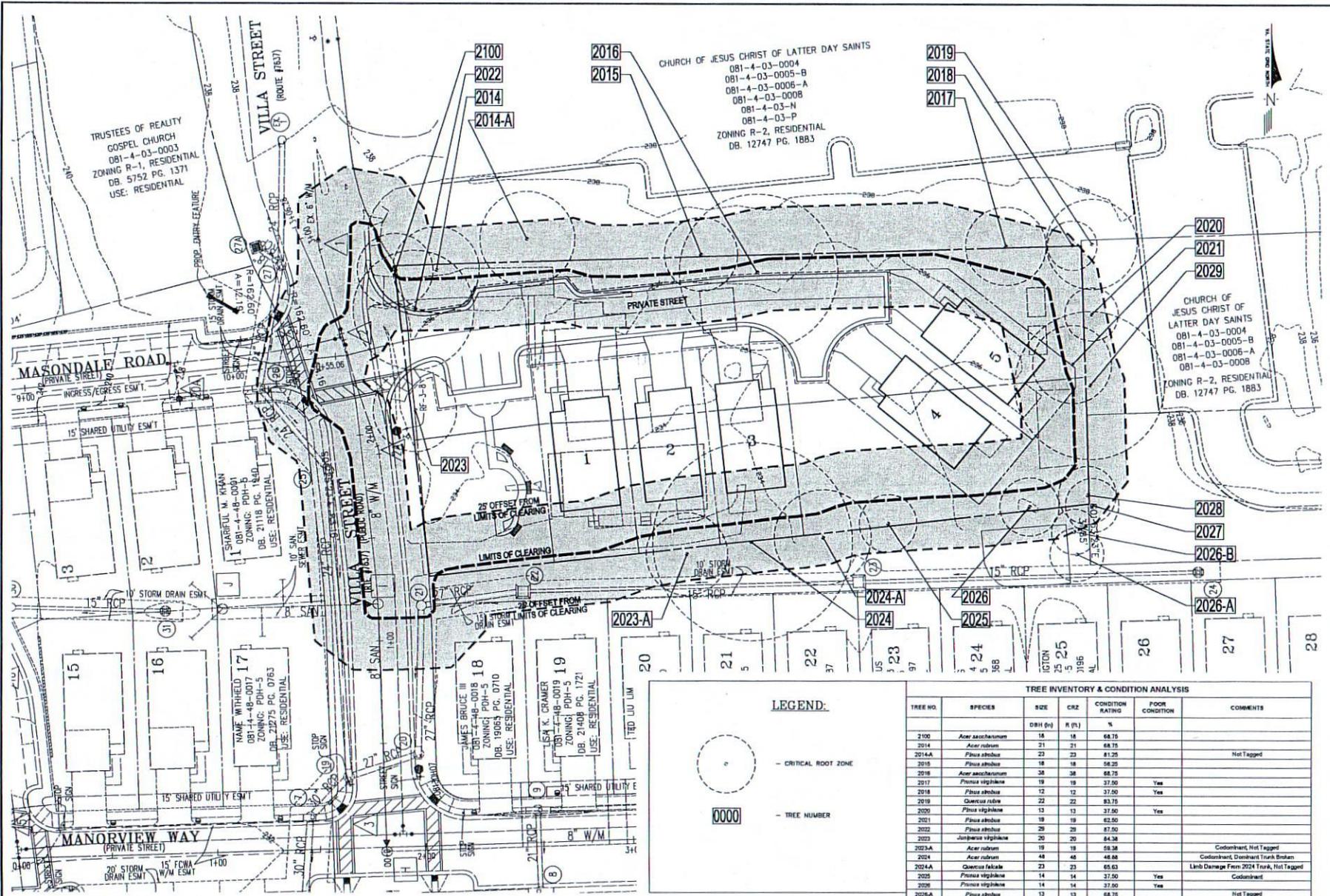
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Plant Species Y	None Proposed	0
Plant Species Z	None Proposed	0
Total Tree Canopy (M²)	0	0%

Notes:
 1. CANOPY COVERAGE PROVIDED BY MEANS OF IMPROVED CULTIVARS MAY VARY AT TIME OF FINAL ENGINEERING. MINIMUM CANOPY COVERAGE IS 10% FOR ALL SITES.
 2. ACCORDING TO THE "TRANSITIONAL SCREENING AND BARRIER MATRIX" UNDER ZONING U-13-300, PROPOSED USE OF SITES IS GROUP 1 (TOWNSHIPS, DETACHED) WITH NO TRANSITIONAL SCREENING YARDS REQUIRED.
 3. PROPOSED PARKING LOTS DO NOT ABUT BOUNDARY LINE OR RIGHT-OF-WAY. THEREFORE, NO PERIPHERAL PARKING LOT LANDSCAPING IS REQUIRED.
 4. PROPOSED PLANTINGS ARE MEANT TO CONVEY THE GENERAL CHARACTER AND QUALITY OF DESIGN. THE LOCATION, SPECIES, SIZES, AND QUANTITIES OF PROPOSED PLANTINGS ARE SUBJECT TO CHANGE AT FINAL ENGINEERING.



NOTE:
1. LIMITS OF CLEARING AND GRADING MAY CHANGE DURING FINAL ENGINEERING.

LEGEND:

○ - CRITICAL ROOT ZONE

○ - TREE NUMBER

0000

This Plan Prepared or Approved by:
John Lightle, ISA Certified Arborist
#MA-5174A

TREE INVENTORY & CONDITION ANALYSIS						
TREE NO.	SPECIES	SIZE	CRZ	CONDITION RATING	POOR CONDITION	COMMENTS
		DBH (in)	R (ft)	%		
2100	Acer saccharinum	18	18	66.75		
2014	Acer rubrum	21	21	66.75		
2014A	Pinus strobus	23	23	81.25		Not Tagged
2015	Pinus strobus	18	18	56.25		
2018	Acer saccharinum	24	24	66.75		
2018	Pinus virginiana	19	19	37.50	Yes	
2018	Pinus strobus	12	12	37.50	Yes	
2019	Quercus rubra	22	22	83.75		
2020	Pinus virginiana	13	13	37.50	Yes	
2021	Pinus strobus	19	19	62.50		
2022	Pinus strobus	28	28	87.50		
2022	Juniperus virginiana	20	20	84.38		
2023A	Acer rubrum	19	19	56.38		Codominant, Not Tagged
2024	Acer rubrum	48	48	48.88		Codominant, Dominant Trunk Broken
2024A	Quercus falcata	23	23	65.63		Limb Damage From 2024 Trunk, Not Tagged
2025	Pinus virginiana	14	14	37.50	Yes	Codominant
2026	Pinus strobus	14	14	37.50	Yes	
2026A	Pinus strobus	13	13	66.75		Not Tagged
2026-B	Pinus strobus	11	11	78.13		Not Tagged
2027	Acer rubrum	13	13	90.63		
2028	Dead	14	N/A	0.00	Yes	
2029	Dead	26	N/A	0.00	Yes	Codominant



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Revision / Issue
No. Description Date

Issue
Date Description

Project Name
VILLA STREET
AHMAD PROPERTY

CDPI/PDP

Lee District
Fairfax County, Virginia

Drawn By: JL Checked By: AHH/OTM

Project No. ZP-2040

Date: SEPTEMBER 24, 2012

Drawing Title
TREE INVENTORY
&
CONDITION ANALYSIS

Scale: 1"=20'

Drawing Number
6
Sheet 6 of 9

DESCRIPTION OF THE APPLICATION

The applicants, Mussarat S. Ahmad, Adeela Ahmad, and Tanzeela I. Ahmad, have requested approval to rezone two parcels totaling 1.03 acres from the R-1 Residential District to the PDH-5 District (Planned Development Housing at 5 dwelling units per acre). The applicants propose to demolish the two existing dwellings and construct five single family detached dwellings, resulting in an overall density of 4.86 dwelling units per acre (du/ac). The three-story houses would have two-car garages and be designed and constructed using architecture similar to that of the adjacent neighborhood. A private street would connect the houses to Villa Street.

The Conceptual Development Plan/Final Development Plan (CDP/FDP) for this application displays approximately 5,200 square feet of open space on the properties' southwestern corner. The open space would include walkways, benches, and landscaping. New landscaping would also be provided intermittently along the properties' borders and on the individual home sites.

The applicants have proposed two possible methods for managing stormwater quantity and quality as required by the Fairfax County Public Facilities Manual (PFM). The first method would employ on-site solutions such as pervious pavers and a conservation easement as Best Management Practices (BMPs), and an underground detention vault to detain water from leaving the site at an excessive rate. The applicants have requested a waiver from Section 6-0303.8 of the PFM, which prohibits such facilities in residential developments.

As an alternative, the applicants would use an existing off-site stormwater pond to the south to meet the PFM's standards for stormwater detention and phosphorus removal. This pond is privately owned and maintained by the Kingstowne Residential Owners Corporation (KROC), and the applicants would need to obtain written permission to use the facility.

Finally, the applicants have made the following requests:

- A waiver of the minimum PDH district size of 2 acres; and,
- A waiver of Section 6-303.8 to permit an underground stormwater detention facilities in residential developments.

Copies of the draft proffers, affidavit, and applicant's statement of justification are included in Appendices 1, 2, and 3, respectively. A copy of the applicants' CDP/FDP is included at the beginning of this staff report.

LOCATION AND CHARACTER

The subject properties are located at 6223 and 6227 Villa Street, which is just south of Franconia Road and in close proximity to its intersection with South Van Dorn Street¹. A single family detached dwelling is located on each property. Both properties are relatively flat and sparsely vegetated with white pine, loblolly pine, mulberry, elm, black cherry, and red maple trees. Based on the trees' location in relation to the proposed

¹ See Locator Map at the beginning of this staff report for the properties' location in relation to the greater transportation network

site design and the poor condition of some trees, the Department of Public Works and Environmental Services' Urban Forest Management Division (UFMD) does not consider the existing vegetation a preservation priority.

The two houses are bordered by a Church of Jesus Christ of Latter-Day Saints to the north and the Northampton community to the south (Table 1). Reality Gospel Church is located to the immediate west of the Church of Jesus Christ of Latter-Day Saints, and Villa Street bisects the two church properties. Villa Street connects with Manorview Way and Hampton Knolls Drive, creating an alternative north-south route for motorists to reach Lake Village Drive as opposed to using South Van Dorn Street. The surrounding street network can be seen in greater detail in Figure 1.

TABLE 1 - SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Church of Jesus Christ of Latter-Day Saints (Place of Worship)	R-1, R-2	Residential, 2-3 du/ac
South	Residential	PDH-5	Residential, 2-3 du/ac
East	Thomas Edison High School (Public School)	R-2	Public Facilities – High School
West	Reality Gospel Church (Place of Worship)	R-1, R-2	Residential, 2-3 du/ac

Northampton consists of 102 dwellings, and includes a mixture of single family detached units, single family attached units joined solely at a front-loading garage, and 11 single family attached townhouses. The architecture is a Colonial style exemplified in much of the housing stock built in the past two decades in Fairfax County. A community tot lot is located approximately 550 feet to the southeast from the subject properties, and the southwestern boundary of Northampton is the headwaters of Dogue Creek, which outfalls into the Potomac River near Fort Belvoir in southern Fairfax County.

Northampton is part of KROC, which is the homeowners' association for residents of the Kingstowne community located to the south.

BACKGROUND

The two existing houses were built in 1947 and 1983, and were originally part of a neighborhood of over 20 houses that were built in the 1940s. The houses had access to both Villa Street and South Van Dorn Street. Most of the lots were served by Villa Street, which was at the time was not a through street and only connected to Franconia Road.

The Board of Zoning Appeals approved the Church of Jesus Christ of Latter-Day Saints' Special Permit application (SP 99-L-042) for a place of worship on October 12, 1999. Two of the houses that fronted South Van Dorn Street were acquired by the church and



Figure 1: An air photo showing the development pattern near the subject properties, outlined in yellow (Source: Bing Maps, accessed July 24, 2012).

demolished. These parcels became open space, parking, and an access drive to South Van Dorn Street.

The neighborhood was further redeveloped when 21 of the parcels were consolidated with RZ/FDP 2003-LE-025, PCA C-448-29 and FDP C-448-38, which were approved by the Board of Supervisors (BOS) on October 27, 2003. The BOS action rezoned the properties from R-1 to PDH-5 for what would become the Northampton neighborhood.

The properties totaled 18.26 acres and were approved for redevelopment at an overall density of 5.59 du/ac.

The staff report for these concurrent cases mentions that the property owners of Lots L and M, which are the subject properties for RZ/FDP 2012-LE-005, did not wish to be included at that time in the consolidation of lots that occurred to their south. The properties have both been sold to new owners since the Board's approval of the Northampton rezoning.

DESCRIPTION OF THE DEVELOPMENT PLAN AND PROFFERS

Proposed Dwellings

The applicants have proposed to construct five single family detached dwellings on the subject properties at a density of 4.86 du/ac. Three of the dwellings would be located to the south of a private street that would be located along the properties' northern edge. Two additional houses would be clustered at the eastern end of the site with common space separating the two groups of houses. This separation was created so that the turnaround at the end of the private street would be less confusing for motorists and to facilitate better fire truck access. The site layout is shown in Figure 2.

Each house would have a two-car garage and space in each driveway for two cars to be parked beside each other. The development includes four additional off-street parking spaces, for a total of 24 parking spaces.

To ensure that the architecture of the proposed dwellings would be compatible with that of Northampton, the applicants have included several photos of houses from Northampton as illustrative elevations on Sheet 2 of the CDP/FDP (Figure 3). Proffer 4 would commit the applicant to employing the same "architectural style, type, and proportion of building materials and architectural elements" as shown on Sheet 2. This would be demonstrated to the Department of Planning and Zoning's Zoning Evaluation Division (ZED) with additional photographs and elevations prior to site plan approval.

Typical Lot/Unit Detail

Sheet 2 includes an example of a typical lot design, showing a minimum front yard setback of 18 feet from the property line, minimum side yard setbacks of six feet, and a minimum rear yard setback of 18 feet. The units would have a garage with an opening on Villa Street, where a driveway of at least 18 feet in length would reach from the garage door to the back edge of the sidewalk or the face of the curb.

In order to allow flexibility for future home owners, the applicants have included a note below the typical lot/unit detail to allow deck modifications such as lattice work, pergolas, trellises, and overhanging planter boxes. In addition, porches, screened porches, and sunrooms could be constructed within the area identified for an optional deck/patio. This supplementary detail would prevent an applicant from needing to submit a Final Development Plan Amendment (FDPA), which is reviewed and approved by the Planning Commission, in order to enclose a deck or to construct the similar modifications listed above.

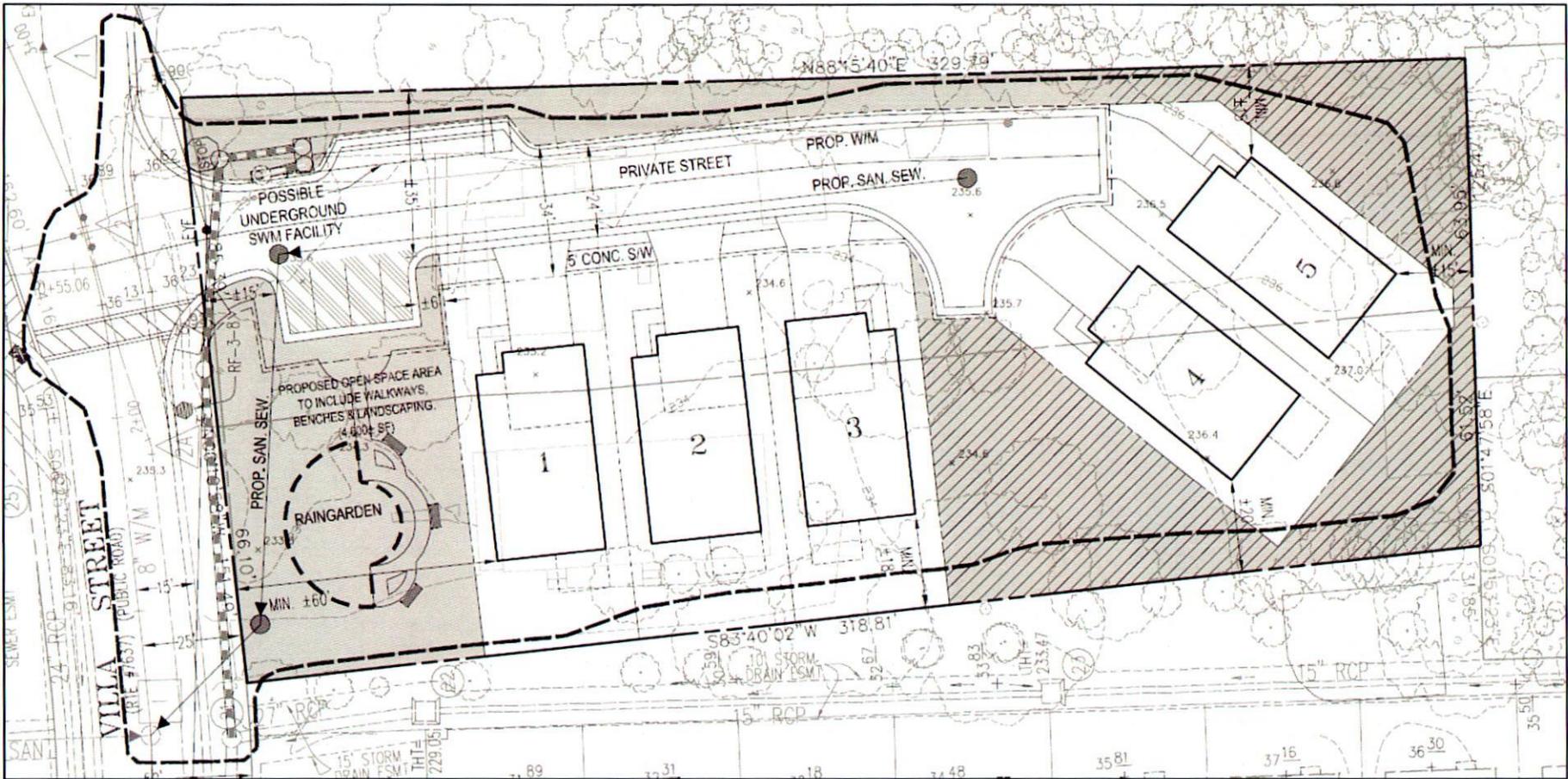


Figure 2: The proposed layout of the site, showing five single family detached dwelling units to the east of Villa Street (Source: Urban, Ltd., 9/24/2012)



Figure 3: The proposed dwellings would use similar architecture as these examples that the applicant has included in the CDP/FDP (Source: Urban, Ltd., 7/30/2012)

Open Space

The applicants would provide 0.36 acres of the site's 1.03 acres in open space, or 35% of the site. This meets the minimum requirement of 35% for PDH-5 zoning districts.

The CDP/FDP shows a 5,200 square foot area along Villa Street that would be designated for open space. It calls for the space "to include walkways, benches [and] landscaping." While the statement of justification mentioned the possibility of a tot lot at this location, no commitments in the proffers or on the CDP/FDP were made to include the tot lot.

Landscaping

Sheet 5 of the CDP/FDP displays the applicants' landscape plan. The proposed site design would remove the existing vegetation and plant a variety of Category II and IV deciduous trees, such as Red Maples and Willow Oaks, and Category II evergreen trees,

such as American Hollies and Eastern Redcedars. Approximately 9,000 square feet of the site would receive tree canopy coverage, which meets the minimum tree coverage requirement of 20%. The landscape plan is depicted in Figure 4.

Proffer 9 commits the applicants to planting trees with a minimum caliper of two inches for deciduous trees, and a minimum height of eight feet for evergreen trees. The proffer further stipulates that while the CDP/FDP lists a number of tree species, the actual types and species shall be determined pursuant to the landscape plan submitted at the time of the subdivision plan.

To protect the off-site trees near the property boundaries from damage due to construction activities, the applicants have included a number of proffers associated with tree preservation. Proffer 10 would require a tree preservation plan and narrative with each subdivision plan submission prior to subdivision approval. The tree preservation plan would protect the areas outside of the limits of clearing and grading shown on the CDP/FDP through crown pruning, root pruning, mulching, fertilization and

other tactics as necessary. The limits of clearing and grading would be demarcated by tree protection fencing.

The applicants have delineated the limits of clearing and grading in such a way so that the proposed street can be graded and constructed, and that the existing driveway along the southern property boundary can be demolished. This activity is close enough to the property line where the critical root zones of off-site trees could be jeopardized. To address this issue, the applicant has committed in Proffer 15 to flagging a 10-foot area along the northern and southern property boundaries within which "construction activity shall be done in such a manner and to the extent possible to avoid compaction of soil in order to protect off-site trees in good condition and having root zones extending into the subject property." UFMD would review and approve the methods used to remove any existing areas of asphalt or concrete within these 10-foot zones so that sensitive root areas are not compacted, which could damage the tree and result in tree loss. Figure 5 gives the potential extent of the critical root zones.

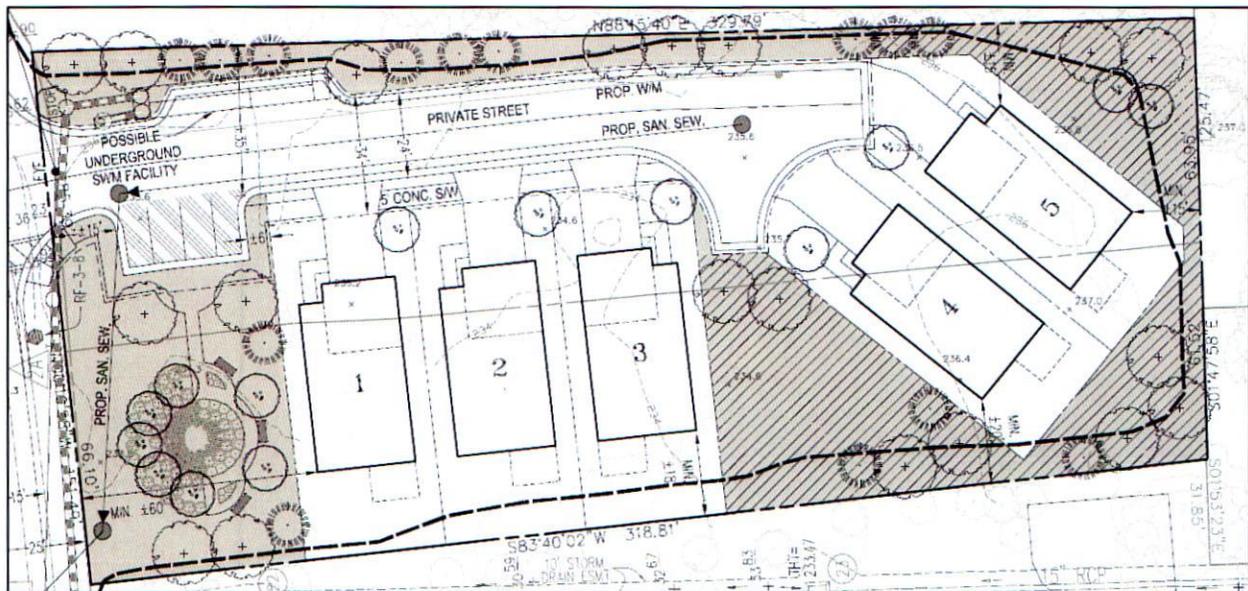


Figure 4: The applicants' landscape plan (Source: Urban, Ltd., 9/24/2012)

In addition, the applicant has committed with Proffer 17 to remove and replace any off-site trees within 25 feet of the limits of clearing and grading that are "dead, dying or hazardous and such condition is objectively determined to be the result of the Applicant's construction activities...". The applicants would need to obtain permission from the adjacent property owner according to the proffer language, and would not be pursued if the applicants were required to purchase an access easement.

The applicants have requested a deviation from the tree preservation target to avoid preserving the existing substandard vegetation. This request is outlined on Sheet 5. Per Article 13 of the Zoning Ordinance, no transitional screening or barriers would be required for this site due to the compatibility of the surrounding land uses.

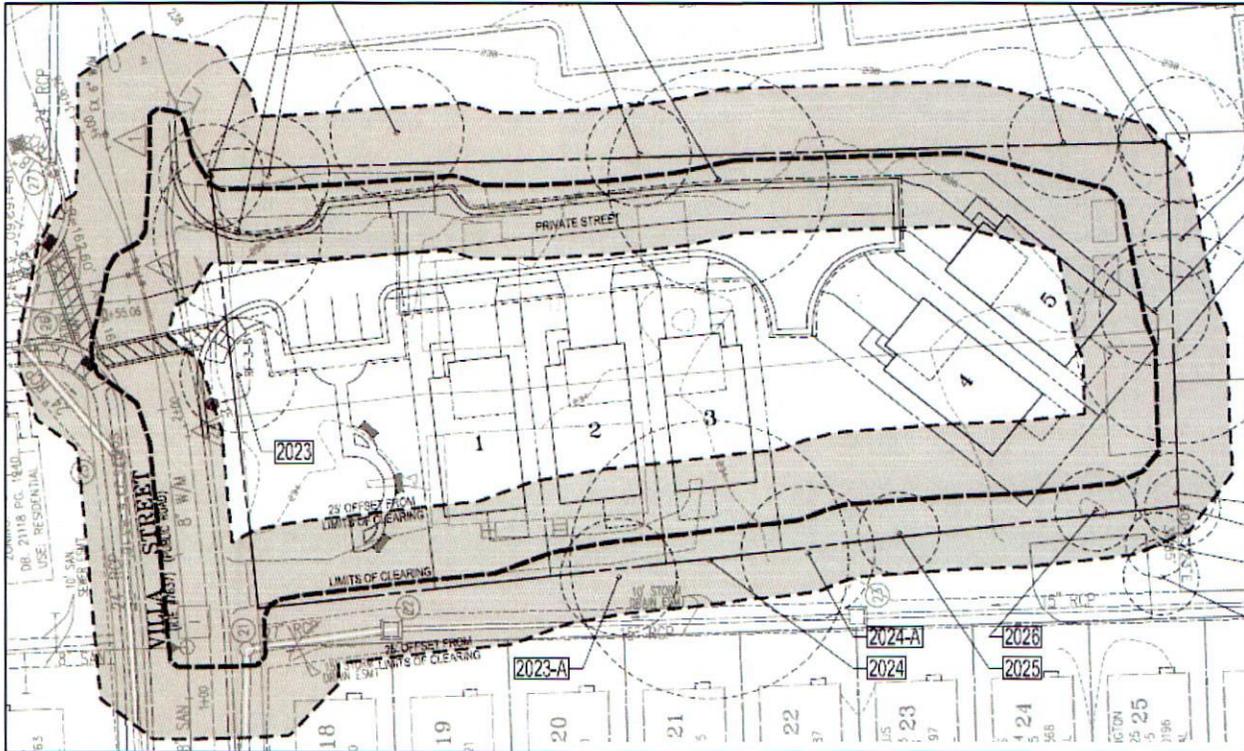


Figure 5: The applicants' have identified the trees with critical root zones that would be impacted by work near the limits of clearing and grading. The dashed circles indicate the potential extent of the critical root zones. (Source: Urban, Ltd., 9/24/2012)

Stormwater Management

To address the PFM's requirements for stormwater management, the applicants have proposed two options. Based on discussion with the applicants' agent, the most likely option to be implemented would be an on-site strategy, which would include an underground detention chamber that would reduce the rate of stormwater leaving the site. To satisfy the County's BMP requirement, the common parking spaces would be surfaced with pervious pavers, which allow water to infiltrate directly into the soil. Along with the pervious pavers, approximately 7,800 square feet of the site's common area would be permanently preserved in a conservation easement, which applicants can use for BMP credit per the PFM.

The applicants have proposed a second option to use the existing stormwater pond south of Lake Village Drive to satisfy their PFM stormwater requirements. Sheet 8 of the CDP/FDP shows how stormwater would reach the pond, and the calculations listed on the sheet assert that the pond is properly sized to meet the BMP requirement for the subject properties. While no computations have been included that calculate the volume of water already being sent to this pond, or the size of the sewer pipes that lead to the pond, the applicant would be required to verify the feasibility of this off-site solution, if the rezoning is approved, during the subdivision review for the proposed dwellings. Furthermore, the pond is owned and maintained by KROC, and the applicants would need to obtain permission from KROC for the pond's usage.

Proffer 7 would commit the applicants to providing all stormwater management and BMP facilities in accordance with the PFM and in substantial conformance with the proposed CDP/FDP unless waivers or modifications were issued by DPWES. The proffer also gives the applicants flexibility to provide the facilities off-site in the KROC pond as long as the appropriate approvals are obtained. If the design of the stormwater facilities would alter the site design in such a way where substantial conformance was impossible, Proffer 7 commits the applicant to requesting a Proffered Conditions Amendment (PCA) in order to review and approve the new site design.

ANALYSIS

Comprehensive Plan

The Comprehensive Plan contains site specific text for the subject properties, which are within a larger 34-acre sub-sector that includes Northampton, Reality Gospel Church, and the Church of Jesus Christ of Latter Day Saints. The Plan's base text calls for residential development within the sub-sector at 2-3 du/ac, but gives an applicant the option to pursue a density of 4-5 du/ac if a number of recommended conditions are met:

- *Substantial consolidation of all parcels within Tax Map 81-4((3)) must be achieved;* This condition was met with the review and approval of RZ/FDP 2003-LE-025, PCA C-448-29 and FDP C-448-38, which consolidated 21 parcels into the 18.26 acres that is now the Northampton neighborhood. The applicants would consolidate the two remaining parcels and would develop them in a similar fashion.
- *If the option for a mix of institutional and residential uses is exercised, it would be preferable to locate the institutional use on the northern portion of the site adjacent to the Franconia Road frontage, with the residential use arranged to form a transition to the lower density residential development;*
Since the applicant is not proposing a mix of institutional and residential uses, this recommendation is not applicable.
- *The wooded slopes and stream valleys of the Dogue Creek headwaters are preserved;*
This recommendation was met with the review and approval of RZ/FDP 2003-LE-025, PCA C-448-29 and FDP C-448-38. The CDP/FDP for Northampton identified the southwestern portion of the site as an Environmental Quality Corridor (EQC), which was left undisturbed during Northampton's development. .
- *Provision for planned transportation improvements, including the applicable portions of a new interchange at Franconia Road and South Van Dorn Street, so that the site's access points and adjacent highways operate at an acceptable level of service. Access should be only from Villa Street and South Van Dorn Street with right turns only at Franconia Road and Villa Street. An extension of Villa Street to Lake Village Drive may be preferable in order to address access needs, provided that environmental issues can be adequately addressed at the time of a rezoning application;*

Access to South Van Dorn Street was removed for the properties that had frontage along it with the approval of RZ/FDP 2003-LE-025, PCA C-448-29 and FDP C-448-38. Villa Street was connected to Manorview Way and Hampton Knolls Drive, which intersects with Lake Village Drive. This recommendation was previously satisfied.

- *Provision of effective transitions and a substantial buffer along all boundaries with lower density residential development;*
The proposed density of 4.86 du/ac is lower than the 5.59 du/ac of Northampton to the south. The Zoning Ordinance does not require single family detached dwellings to be screened from other single family detached dwellings. This condition would have been satisfied by Northampton when the Dogue Creek headwaters were preserved as an EQC, which provides a natural buffer between the community and lower density housing in Kingstowne.
- *Provision of appropriate internal circulation, both pedestrian and vehicular;*
The applicants have provided a five-foot wide sidewalk for pedestrians and a private street for vehicles to access Villa Street. The turnaround at the end of the street is of ample size for motorists or fire/rescue vehicles to make a three-point turn and reverse course, according to the Department of Transportation (FCDOT) and the Fire and Rescue Department
- *Provision of an adequate setback from adjacent highways.*
The subject properties are located approximately 480 feet south of Franconia Road, and approximately 270 feet west of South Van Dorn Street.

For the residential lots that made up the original residential neighborhood described on Page 3, the Plan gives a second option for residential use at 5.5 du/ac by conforming to the following conditions in addition to those listed above:

- *Dwellings are of a single family detached unit type;*
The applicants propose to construct five single family detached dwelling units.
- *Innovative storm water management practices are explored and employed to the extent possible;*
The use of pervious pavers in the common areas is considered by DPWES an innovative stormwater practice. Other innovative practices, such as rain gardens, water quality swales, or tree box filters were not utilized in the site design.
- *Provision of an area for active recreation within the development is made.*
While 4,600 square feet have been set aside for recreational use, no active features such as a half basketball court or outdoor fitness equipment cluster have been included.

Even though the proposed density of 4.86 du/ac exceeds the recommendation on the Comprehensive Land Use Plan Map for 2-3 du/ac, the applicant is able to substantially conform to the applicable conditions for the 4-5 du/ac option. It is staff's preference that

the applicant attempt to conform to the conditions related to innovative stormwater management and active recreation in the 5.5 du/ac option.

Overall, the proposed use, unit type, and density of the proposed development are in conformance with the Comprehensive Plan.

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 public facilities, respecting the County's 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 Comprehensive Plan requires the following criteria be used in evaluating zoning requests for new residential development:

Site Design (Development Criterion #1)

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*

The applicants would consolidate the two remaining parcels and would develop them with a similar density, site design, and architecture as Northampton. This consolidation conforms to the site specific text in the Comprehensive Plan, as discussed on page 9.

b) *Layout*

The style and character of Northampton's layout has been maintained with the proposed site design. It provides logical, functional, and appropriate relationships amongst the dwelling units, private street, open space, and sidewalks. The units are oriented appropriately and complement the Northampton houses to the south. Usable yard areas for future additions have been included on the typical lot/unit detail. The relationships amongst the proposed units, when comparing lot sizes and orientation to one another, are logical and appropriate. The applicants have identified two alternatives for conforming to the PFM's stormwater management requirements.

c) *Open Space*

The applicants have met the Zoning Ordinance's minimum open space requirement of 35%. The open space would be usable and accessible, and the passive recreation area adjacent to Villa Street is a visible, well-integrated facility for the surrounding community.

d) *Landscaping*

The CDP/FDP shows landscaping spread throughout the recreation area, along the properties' northern boundary with the Church of Jesus Christ of Latter-Day Saints,

at the northeastern and southeastern corners, and at the southern end of the vehicle turnaround. An individual tree is shown on each residential lot. This landscaping would be appropriate given the proposed land use intensity and the similar intensity of the surrounding uses.

e) *Amenities*

The proposed recreation area would include walkways, benches, and landscaping according to the CDP/FDP. Beyond these features, the applicants have not incorporated any additional amenities in their site design. Given the small size of the site, and given the applicants' commitment to funding the Fairfax County Park Authority's (FCPA) fair share contribution request (Appendix 4), the absence of such amenities would not negatively impact the design or use of the open space.

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

Neighborhood Context (Development Criterion #2)

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;*
The proposed dwellings are surrounded on all sides by compatible uses of a residential and institutional nature. No transitional screening or barriers are required with this application.
- *Lot sizes, particularly along the periphery;*
The proposed lot sizes are of a similar size and shape as those of the Northampton houses to the west and south.
- *Bulk/mass of the proposed dwelling units;*
The applicants propose the usage of a three-story, 35-foot tall house which mimics the bulk and mass of the surrounding houses.
- *Setbacks (front, side and rear);*
The proposed front, side and rear setbacks are similarly sized to the surrounding townhouses.
- *Orientation of the proposed dwelling units to adjacent streets and homes;*
The proposed dwelling units are generally oriented with the front entrances facing north and the rear yards to the south. The easternmost two units are angled so that the front entrances are directed to the northwest. The rear yards of the units face the rear yards of the adjacent Northampton units. Because of this, the proposed units would be oriented appropriately to the adjacent streets and homes.

- *Architectural elevations and materials;*
The photos on Sheet 2 of the CDP/FDP depict houses with front-loading garages in Northampton. The applicant has proffered to use architectural designs and materials that substantially conform to those in the photos.
- *Pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;*
The proposed street layout would provide an entrance from Villa Street to the houses. The proposed sidewalks connect to the existing sidewalk along Villa Street. No other off-site connections are proposed, and no other opportunities are present for off-site connections.
- *Existing topography and vegetative cover and proposed changes to them as a result of clearing and grading*
The applicants proposed to clear the entire land area associated with this application. No significant grading is proposed given the flat topography of the site.

The applicants have designed the site to complement the Northampton houses. Based on the features discussed above, Criterion #2 has been met.

Environment (Development Criterion #3)

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*

There are no natural environmental resources located on the subject properties that warrant preservation. Such resources would include floodplains, stream valleys, woodlands, and wetlands.

b) *Slopes and Soils*

While the subject properties are relatively flat, the official 2011 Soils Map developed by DPWES identifies this area as possibly having a perched groundwater table and slow permeability rates. These soils may reduce the applicants' ability to infiltrate stormwater into the existing soil, and require an alternative strategy to using pervious pavers or other similar tools to satisfy the PFM's BMP requirement.

c) *Water Quality*

As discussed previously, the applicants have included pervious pavers and a conservation easement to satisfy the PFM's BMP requirement for minimizing off-site impacts on water quality. The applicants would need to provide computations to show that the required pollutant loads are being achieved during the subdivision review for the project, which would focus more intently on the engineering details of the site design than during a rezoning review. The stormwater pond owned by KROC may be a suitable alternative for handling the required 40% phosphorus removal rate, but the applicants have not obtain permission to use the pond for BMP

purposes at this time (Appendix 5). DPZ's Planning Division concurred with this analysis, as seen in Appendix 6.

Moreover, the applicant has requested a waiver to reduce the phosphorus removal rate from 40% to 20%. DPWES would also examine such a request during the subdivision review for the project if approved. The applicant would need to demonstrate that all alternatives for pollutant removal had been exhausted in order to obtain such a waiver.

The applicant has committed through proffers to provide BMP facilities either on- or off-site in accordance with PFM and in substantial conformance to the CDP/FDP. Staff is comfortable with this approach, as it ensures that the proper calculations would occur during site plan review. However, if the stormwater management shown on the CDP/FDP can not meet the PFM's requirements, and the site layout must be redesigned, then the applicants would potentially violate Proffer 1, which commits the applicant to designing the site in substantial conformance to the CDP/FDP. To resolve this issue, the applicant has committed in Proffer 7 to submitting a Proffered Condition Amendment (PCA) in the instance that the site must be redesigned in such a way that it would no longer conform to the approved CDP/FDP.

d) *Drainage*

The applicants have included the alternative of piping the water to the KROC pond, but no written permission has been issued by KROC to use the pond in such a way. DPWES would also need to evaluate the existing pipes that would carry the stormwater to the pond to ensure they are sized properly. This analysis would occur during the subdivision review if the rezoning were to be approved.

As an alternative, the applicant could use the underground detention vault to meet the PFM's detention requirements. Underground facilities in residential districts are prohibited unless a waiver is granted by the BOS. The applicant's waiver request is examined on page Xx.

The applicants' stormwater management proffer gives flexibility for on-site and off-site solutions to curb an impacts from stormwater runoff, as well as the necessary oversight for DPWES to review and approve the facilities subject to the PFM.

e) *Noise*

The site is not in close proximity to a source of transportation generated noise. The subject properties are approximately 480 feet south of Franconia Road and approximately 270 feet west of South Van Dorn Street. There would little potential for adverse impacts to the proposed dwelling units related to transportation generated noise.

f) *Lighting*

The applicants have not made a commitment to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.

g) *Energy*

To incorporate energy efficiency measures into the dwellings, the applicants have included a proffer to design and construct the proposed dwellings as ENERGY STAR® qualified homes. According to the proffer language, documentation would be submitted to DPZ's Environment and Development Review Branch prior to the issuance of each unit's Non-Residential Use Permit (Non-RUP) from a home energy rater certified through the Residential Energy Services network program which would demonstrate that the unit has qualified for the ENERGY STAR® designation. This proffer also supports the County's green building policy (Appendix 6).

Based on the features discussed above, Criterion #3 has been met.

Tree Preservation and Tree Cover Requirements (Development Criterion #4)

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 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 the Policy Plan) are also encouraged.

Staff is supportive of the applicants' removal of the site's existing vegetation, given the generally low quality of the trees and shrubs on site. As outlined in UMFD's analysis in Appendix 7, staff's preference would be for the applicants to demarcate a limit of clearing and grading that clears the northern and southern property boundaries by a minimum of 10 feet. Given the parcel's relatively small size, staff is comfortable with the limits of clearing and grading being drawn closer to the property lines in order to provide a site design that is compatible with Northampton and provides open space along Villa Street. The proffers commit the applicants to a number of tree protection measures and an off-site tree replacement should trees be damaged due to construction activity.

Based on the commitments made by the applicants, Criterion #4 has been met.

Transportation (Development Criterion #5)

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*

The proposed houses would be served by a private street that would connect to the Villa Street and existing road network. Safe and adequate access to the road network would be maintained, and the traffic generated by the proposed dwelling units can be easily accommodated given the existing facilities.

b) *Transit/Transportation Management*

The applicants have not provided bus shelters, shuttle service, or other commitments related to transit or transportation management. Staff did not identify a need for such measures given the minimal impacts the proposed dwelling units would have on the nearby transportation network.

c) *Interconnection of Street Network*

The private street used by the five dwelling units would be a local street connecting to Villa Street, which also carries local traffic. Since the site specific language in the Comprehensive Plan discourages vehicular access points on to South Van Dorn Street, a connection to the adjacent church parcel is not necessary.

d) *Streets*

The applicants have proposed to use a private street, which is consistent with Northampton's street network. The maintenance costs for the street would be handled by the future residents of the five dwelling units.

e) *Non-motorized Facilities*

Sidewalks will be built along the private street and connect to the existing sidewalks along Villa Street. These sidewalks connect to the residential and institutional uses along Villa Street, and gives pedestrian and bicycle options to the retail and commercial uses located on Franconia Road. The proposed driveways are of adequate length to accommodate passenger vehicles without blocking walkways.

f) *Alternative Street Designs*

The applicants had originally included a quarter cul-de-sac at the end of the private street to allow vehicles to turn around and travel toward Villa Street. FCDOT (Appendix 8) and the Fire and Rescue Department requested that the applicant modify the turnaround to better accommodate motorists and fire trucks. The modified cul-de-sac shown on Sheet 4 resolved the matter for both departments, provided that the proper fire lane markings are used on the street's curbing.

Some of the above criteria are only minimally applicable to the proposed site design and location. Based on the features discussed above, Criterion #5 has been met.

Public Facilities (Development Criterion #6)

All rezoning applications for residential development are expected to offset their public facility impact and to 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

improvements projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

The Fairfax County Public Schools' Office of Facilities Planning Services (FPS) anticipates that the five dwelling units proposed by the applicants would generate two new students attending County schools (Appendix 9). In order to address the need for capital improvements associated with the new students, a proffer contribution of \$18,756 has been calculated to offset this impact. The applicants have included a commitment to contribute this amount to the BOS for capital improvements and capacity enhancements for the impacted school districts.

Similarly, FCPA cites text from the Comprehensive Plan describing the need to "mitigate the adverse impacts to park and recreation facilities caused by growth and development." This is augmented by references to the Rose Hill district and sub-unit text "emphasizing the importance of providing...park and recreational opportunities." The applicants have provided a passive recreation area on site, and have proffered to make the FCPA's requested fair share contribution of \$893 per unit, which totals \$6,251 (Appendix 4). Proffer 15 reinforces the applicants' commitment to complying with Sect. 6-409 of the Zoning Ordinance, which requires the provision of recreational amenities on site valued at \$1,700 per dwelling unit. If the on-site amenities fall below this amount, the applicants would contribute the balance of that value in cash to FCPA in order to satisfy the Zoning Ordinance requirement.

The proposed rezoning would not adversely impact nearby sanitary sewer capacity (Appendix 10) or public water service outside of a potential need for more water main extensions for fire flow needs (Appendix 11). The Fire and Rescue Department concluded that the proposal would meet fire protection guidelines (Appendix 12).

Based on the commitments discussed above, Criterion #6 has been met.

Affordable Housing (Development Criterion #7)

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.

While the Zoning Ordinance does not require the applicants to provide Affordable Dwelling Units (ADUs) in this instance, the Comprehensive Plan recommends a contribution to the County's Housing Trust Fund in rezoning applications that propose new residential dwellings. The applicant has satisfied the guidelines in the Comprehensive Plan by committing in the draft proffers to contribute 0.5% of the anticipated sales price of each new single family attached dwelling unit should the rezoning request be granted.

Based on the applicants' commitment, Criterion #7 has been met.

Heritage Resources (Development Criterion #8)

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.

No heritage resources have been identified by staff for documentation or preservation in association with the rezoning request. Criterion #8 is not applicable.

ZONING ORDINANCE PROVISIONS

Article 6, Sect. 108 of the Zoning Ordinance states that the maximum building height, minimum yard requirements, and maximum floor area ratio shall be controlled by the standards set forth in Par. 1 of Article 16. For the proposed site design in this rezoning case, the applicable bulk regulations are those of the conventional residential district closest to the requested PDH-5. In this case, that zoning district is R-5. The comparison between the R-5 single family detached residential standards and the proposal are summarized in Table 2.

TABLE 2 – BULK STANDARDS FOR R-5 ZONING		
Standard	Required	Provided
Lot Size	5,000 square feet minimum	3,810 square feet
Lot Width	Interior Lot – 50 feet minimum Corner Lot – 70 feet minimum	40 feet
Building Height	35 feet maximum	35 feet maximum
Front Yard	20 feet minimum	18 feet minimum
Rear Yard	25 feet minimum	18 feet minimum
Side Yard	8 feet minimum	6 feet minimum
Density	5.0 du/ac maximum	4.86 DUA
Open Space	Minimum of 25% of the gross area	35%
Parking Spaces	Minimum 15 spaces ²	24 spaces

² Article 11 of the Zoning Ordinance sets for the requirement for single family detached dwellings - Three (3) spaces per unit for lots with frontage on a private street, provided that only one (1) such space must have convenient access to a street

General Standards for Planned Developments (Sect. 16-101)

All development proposed for rezoning to a PDH district must satisfy 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.*

Based on the analysis discussed with the Residential Development Criteria, the applicants' proposal substantially conforms to the Comprehensive Plan with respect to type, character, intensity of use, and public facilities. The density and intensity have not exceeded the Plan's site specific recommendations.

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.*

The proposal would achieve the purpose and intent of the PDH district. The applicants' site design includes ample and efficient use of open space and a layout that complements the nearby PDH-5 zoning in density, type, layout, and construction.

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.*

No scenic assets and natural features were identified for preservation during the review of the applicants' proposal. The houses have been clustered together while meeting the Zoning Ordinance's minimum requirement of 35% open space.

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.*

The proposed dwellings have been designed and laid out in a compatible, similar fashion as those in the Northampton neighborhood to the south. This resemblance, coupled with the presence of institutional uses nearby, would not hinder, deter, or impede development of surrounding undeveloped properties in accordance with the 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.

In the staff analysis of Residential Development Criterion #6 (p. 18), the sanitary sewer, parks and recreation, fire protection, and public water availability were deemed adequate. The applicants have committed to either an on-site or off-site strategy for managing any increases in stormwater runoff that would occur.

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.*

The applicants' potential off-site strategy to manage the water quality and drainage volume/velocity of stormwater runoff would require the proposed dwellings to be connected into the existing stormwater piping that ultimately leads to the KROC pond. A letter of permission would be needed to use this facility according to DPWES.

Design Standards for Planned Developments (Sect. 16-102)

All development proposed for rezoning to a PDH district must satisfy the following design standards:

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 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.*

The subject properties are bordered by R-1 zoning to the north and east, which is the Church of Jesus Christ of Latter-Day Saints, and PDH-5 zoning to the south and west, which is Northampton. The bulk dimensions proposed by the applicants substantially conform to those used in the development of Northampton. A comparison with the R-5 District, which closely resembles the applicants' proposal, is shown in Table 2 on page 19.

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.*

The applicants' proposal would comply with the applicable provisions of the Zoning Ordinance outlined above, and would need to comply during subsequent stages of the development process.

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 the 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 applicants have provided streets and sidewalks that connect the proposed dwellings to the vehicular and pedestrian transportation network. No connections to mass transportation facilities were made given the small number of units proposed and the site's distance from mass transportation facilities.

In summary, the applicants have satisfied the General and Design Standards for Planned Developments.

WAIVERS AND MODIFICATIONS

- **Minimum district size for PDH District**

The land area of the subject properties is 1.03 acres, which is below the minimum district size of 2 acres required for a PDH district.

Paragraph 8 of Sect. 16-401 of the Zoning Ordinance grants the BOS the ability to authorize a variance in the strict application of specific zoning district regulations whenever such strict application would inhibit or frustrate the purpose and intent for establishing such a zoning district, and such variance would promote and comply with the standards set forth in the general and design standards for planned development districts (Sect. 16-101 and 16-102).

Since this proposal is for an infill development at a density consistent with the adjacent single family detached residential development, which satisfies the above criteria, staff is supportive of the applicants' waiver request.

- **On-site, underground stormwater detention facility on a residential property**

The applicant's request was reviewed by DPWES (#24949-WPFM-001-1), and the staff analysis is attached as Appendix 13. The BOS may grant a waiver after considering the possible impacts on public safety, impacts on the environment, and the burden placed on the prospective property owners for maintenance. The PFM requires underground facilities to be privately maintained, disclosed as part of the chain of title to all future homeowners responsible for their maintenance, be located outside of a Fairfax County storm drainage easement, and be subject to a private maintenance agreement between the property owners and the County.

DPWES staff recommends support of the waiver, but also recommends a number of conditions to address the impacts and burden to future homeowners. For increased

safety, the property owners would be required to carry liability insurance and have locking manholes and doors on the vault's access points. To alleviate the financial burden, the applicants would be required to establish a financial plan for the operation, inspection and maintenance of the facility. This would be supplemented with a fund for maintenance and a reserve fund for the eventual replacement of the facility in anticipation of 50 years of use. The full list of the proposed staff conditions is included in Appendix 13.

- **On-site stormwater detention**
- **Off-site stormwater detention**
- **Reduction in phosphorus removal rate**

The applicants have listed the above requests on Sheet 2 of the CDP/FDP. These requests concern provisions in the PFM that would be required during a subdivision review by DPWES instead of the staff review of a CDP/FDP. The applicants have included these waiver and modification requests as supplemental information for DPZ staff. The review and approval of such requests would be handled by DPWES during subdivision review.

CONCLUSIONS

The proposed site design, density and architecture would conform to the applicable provisions of the Comprehensive Plan. Staff is supportive of the waivers for the smaller district size and the underground detention facility, as it allows the applicants to provide an infill development in character with the surrounding community. The applicants' rezoning request would conform with the applicable provisions of the Zoning Ordinance, and they have resolved the outstanding issues to the satisfaction of staff.

STAFF RECOMMENDATION

Staff recommends approval of RZ 2012-LE-005 and the associated conceptual development plan, subject to the execution of proffers consistent with the draft proffers contained in Appendix 1.

Staff recommends approval of FDP 2012-LE-005, subject to the Board's approval of RZ 2012-LE-005 and the associated conceptual development plan.

Staff recommends approval of a waiver of the minimum district size for the PDH-5 District from 4 acres to 1.03 acres.

Staff recommends approval of Waiver #24949-WPFM-001-1 of Section 6-303.8 of the PFM to allow an on-site, underground stormwater detention facility in a residential development, subject to the conditions contained in Appendix 13 dated September 20, 2012.

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

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

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

APPENDICES

1. Draft Proffers dated September 24, 2012
2. Affidavit
3. Applicant's Statement of Justification
4. Fairfax County Park Authority Analysis
5. DPWES Stormwater Management Analysis
6. DPZ – Planning Division Environmental Analysis
7. UFMD Analysis
8. FCDOT Analysis
9. Schools Analysis
10. Sanitary Sewer Analysis
11. Water Authority Analysis
12. Fire and Rescue Analysis
13. DPWES Analysis of Waiver #24949-WPFM-001-1
14. Glossary of Terms

MUSSARAT S. AHMAD, ADEELA I. AHMAD, TANZEELA I. AHMAD**RZ 2012-LE-005
PROFFERS****June 28, 2012****Revised July 25, 2012****Revised September 24, 2012**

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the Applicants/Property Owners (hereinafter referred to as "Applicants") in this rezoning proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference 81-4((3))L and M (hereinafter referred to as the "Property") shall be in accordance with the following conditions if, and only if, said rezoning request for the PDH-5 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 Applicants, for themselves, their successors and assigns, agree that these proffers shall supersede any and all previously approved proffers 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:

Preamble

1. Conceptual/ Final Development Plan. The Property shall be developed in substantial conformance with the Conceptual Development Plan ("CDP ") and Final Development Plan ("FDP") entitled "Ahmad Property", prepared by Urban, Ltd., dated January 30, 2012 and revised through September 24, 2012, consisting of Sheets 1 through 9.
2. Elements of CDP. Notwithstanding the fact that the CDP and FDP are presented on the same plan, the elements that are components of the CDP are limited to the points of access, the location of the dwellings, amount and location of open space, uses, maximum number of dwelling units, and setbacks from the peripheral lot lines. Modification to such elements shall require a subsequent Proffered Condition Amendment (PCA). The Applicants reserve the right to request a Final Development Plan Amendment (FDPA) for elements other than CDP elements from the Planning Commission for all or a portion of the FDP in accordance with Section 16-402 of the Zoning Ordinance if such an amendment is in accordance with these Proffers as determined by the Zoning Administrator.
3. Minor Modifications. Minor modifications to the CDP/FDP may be permitted when necessitated by sound engineering or that may become necessary as part of final site design or engineering, pursuant to Section 16-403(4) of the Zoning Ordinance.

Design and Amenities

4. **Architecture.** Prior to subdivision plan approval, the Applicant shall demonstrate with the submission of photographs and elevations to the satisfaction of the Zoning Administrator that the new dwelling units are designed to be in substantial conformance with the existing homes in the North Hampton subdivision in terms of general architectural style, type and proportion of building materials and architectural elements as shown in the photograph on Sheet 2 of the CDP/FDP.

5. **Universal Design.** At the time of initial purchase, the Applicant shall offer each purchaser the following universal design options at no additional cost:
 - i. Front entrance doors that are a minimum of 36 inches wide
 - ii. Clear knee space under the sink in the kitchen
 - iii. Lever door handles instead of knobs
 - iv. Light switches 44-48 inches high
 - v. Thermostats a maximum of 48" high
 - vi. Electrical outlets a minimum of 18" high

At the time of initial purchase, the Applicant shall offer each purchaser additional universal design options at the purchaser's sole cost. These additional options may include, but not be limited to:

- vii. Step-less entry from the garage to the house and/or into the front door
- viii. A curb-less shower, or a shower with a curb of less than 4.5" high
- ix. A turning radius of five feet near the first floor bathroom commode
- x. Grab bars in the bathrooms that are ADA compliant
- xi. A first-floor bathroom console sink in lieu of a cabinet-style vanity

Transportation

6. **Private Road.** The private street shall be designed and constructed with materials and depth of pavement in accordance with public residential street standards in the Public Facilities Manual (PFM), subject to Department of Public Works and Environmental Services (DPWES) approval. In conjunction with the subdivision plan review process, the private drive shall be dedicated to either KROC or a Homeowners Association (HOA) and maintained by the same. A public access easement in a form approved by the County Attorney shall be placed on the private drive within the approved development.

Environmental

7. **Stormwater Management/Best Management Practices (SWM/BMPs).** The Applicant shall provide SWM and BMP facilities in accordance with the Public Facilities Manual (PFM) and in substantial conformance with the CDP/FDP,

unless waived or modified by DPWES. SWM and BMP facilities for the Property may be provided onsite as shown on Sheet 4 of the CDP/FDP, or in the existing SWM pond located on property identified among the Fairfax County tax assessment records as 91-2 ((1)) 28A1 provided appropriate approvals are obtained from DPWES. In the event that SWM and BMP facilities can not be provided in accordance with the PFM and in substantial conformance with the CDP/FDP as outlined above, the Applicants shall request a PCA for the review and approval of a new CDP/FDP.

8. Energy Conservation. The new dwelling units shall be designed and constructed as ENERGY STAR qualified homes. The major features of ENERGY STAR homes could include features such as: Effective Insulation, High-Performance Windows, Tight Construction and Ducts, Efficient Heating and Cooling Equipment, Efficient Products, and Third Party Verification (Home Energy Rater). Prior to the 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 qualification.

Landscaping and Tree Preservation

9. Landscaping. At the time of subdivision plan review, the Applicants shall submit to DPWES, a landscape plan showing landscaping consistent with the quality, quantity and general location shown on the Landscape Plan of 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 (2.0) inches and the minimum height for evergreen trees shall be eight (8) 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 subdivision plan approval.
10. Tree Preservation. Prior to subdivision plan approval, the Applicants shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent subdivision plan submissions. 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 12 inches in diameter and greater (measured at 4 ½ -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 within 25 feet to either side 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 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan. The requirements of this proffer shall not require the Applicants to undertake or obtain permission for work beyond the boundaries of the Application property.

11. Tree Preservation Walk-Through. The Applicants 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. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect 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. 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.
12. Limits of Clearing and Grading. The Applicants 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 stormwater management facilities as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or stormwater management facilities within 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 any such utilities or stormwater management facilities. Any trees impacted within the limits of clearing and grading as specified above shall be replaced on the site as determined by UFMD, DPWES.
13. 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."

14. Root Pruning. The Applicants shall root prune, 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 subdivision 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."

15. Construction Activity within 10 feet of southern and northern property lines. Notwithstanding the limits of clearing and grading as shown on the CDP/FDP, which in some areas are closer than 10 feet to adjacent property lines, a linear strip approximately ten (10) feet in width adjacent to the southern and to the northern property lines shall be designated as an area where all construction activity shall be done in such a manner and to the extent possible to avoid compaction of soil in order to protect off-site trees in good condition and having root zones extending into the subject property. These 10 foot wide strips shall be

demarcated with flagging or paint prior to any clearing, grading or construction on the property. Existing areas of asphalt or concrete within this 10 foot wide strip shall be removed in a manner that avoids impacting individual trees and/or groups of trees in good condition that are to be preserved, as reviewed and approved by UFMD, DPWES.

16. Demolition of Existing Structures. The demolition of all existing features and structures within the areas protected by the limits of clearing and grading as shown on the CDP/FDP shall be done in a manner and to the extent possible to avoid impacting individual trees and/or groups of off-site trees in good condition that are to be preserved, as reviewed and approved by UFMD, DPWES.
17. Off-Site Trees. If, within a two (2) year time period after the issuance of the last Residential Use Permit, any off-site trees within 25 feet of the limits of clearing and grading are dead, dying or hazardous and such condition is objectively determined to be the result of the Applicant's construction activities, the Applicant will remove said trees and provide appropriate replacement trees in terms of species, size and quantity as determined by the Urban Forestry Division pursuant to Section 12-403 of the Public Facilities Manual. This obligation shall be contingent upon the Applicant receiving permission from the respective adjacent property owners at no cost to the Applicant. Such permission, if needed, shall be diligently pursued.
18. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Property, a representative of the Applicants 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."

Public/Community Facilities

19. Park Authority Contributions. The Applicants shall contribute \$6,251 to the Board of Supervisors, within 60 days after subdivision plan approval for transfer to the Fairfax County Park Authority, for use at off-site recreational facilities intended to serve the future residents, as determined by FCPA.
20. Parks and Recreation. Pursuant to Section 6-409 of the Zoning Ordinance regarding developed recreational facilities, the Applicants shall provide the recreational facilities to serve the Property as shown on the CDP/FDP. At the time of subdivision plan review, the Applicants shall demonstrate that the value of

any proposed recreational amenities are equivalent to a minimum of \$1,700 per unit. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicants shall contribute funds in the amount needed to achieve the overall proffered amount of \$1,700 per unit to the Fairfax County Park Authority ("FCPA") for off-site recreational facilities intended to serve the future residents within the Property's service area.

21. School Contribution. A contribution of \$18,756 shall be made to the Board of Supervisors for transfer to Fairfax County Public Schools (FCPS) and designated for capital improvements directed to the Edison School Pyramid and/or Cluster V schools that service the subject property. The contribution shall be made at the time of, or prior to, subdivision plan approval. Following approval of this Application and prior to the Applicant's payment of the amount set forth in this Proffer, if Fairfax County should increase the contribution per student, the Applicants shall increase the amount of the contribution for that phase of development to reflect the then-current contribution. In addition, notification shall be given to FCPS when construction is anticipated to commence to assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

Miscellaneous

22. 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, including an estimated budget for such common maintenance items. As an alternative, the Applicants may incorporate the Property into the existing Kingstowne Residential Owners Corporation (KROC). If the property is not incorporated into KROC, then prior to issuance of the first residential use permit, the Applicant shall enter into a contract with an appropriate contractor for maintenance of the stormwater facility. Such contract shall be to maintain the stormwater facility until the HOA is turned over to the residents. At such time the Applicant shall also provide contact information and all records of such maintenance to the HOA along with written materials describing proper maintenance of the approved stormwater facility.
23. 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.

24. Disclosure. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicant of the maintenance responsibility for the private roadways, 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 and an estimated budget for such common maintenance items.
25. Housing Trust Fund. At the time of the first building permit issuance, the Applicants shall contribute a sum equal to one-half of one percent (0.5%) of the projected sales price for each dwelling unit on the Property to the Fairfax County Housing Trust Fund, as determined by the Department of Housing and Community Development in consultation with the Applicants to assist the County in its goal to provide affordable dwellings. The projected sales price shall be based upon the aggregate sales price of all of the units, as if 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.
26. 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-site or off-site by the Applicants or at the Applicants' direction to assist in the initial marketing and sale of homes on the subject Property. Furthermore, the Applicants shall direct their agents involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.
27. 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.
28. Escalation in Contribution Amounts. All proffers specifying contribution amounts or budgets for operational expenses shall escalate on a yearly basis from the base year of 2012 and change effective each January 1 thereafter, based on changes in the Consumer Price Index for all urban consumers (not seasonally adjusted) ("CPI-U"), both as permitted by Virginia State Code Section 15.2-2303.3.
29. Successors and Assigns. These Proffers will bind and inure to the benefit of the Applicants and their successors and assigns. Each reference to "Applicants" in this proffer statement shall include within its meaning and shall be binding upon Applicants' successor(s) in interest and/or developer(s) of the site or any portion of the site.

30. Counterparts. These Proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

SIGNATURES TO FOLLOW ON NEXT PAGES

MUSSARAT S. AHMAD
Co-Title Owner of Tax Map No. 81-4((3))L

By: _____
Name: Mussarat S. Ahmad

ADEELA I. AHMAD
Co-Title Owner of Tax Map No. 81-4((3))L

By: _____
Name: Adeela I. Ahmad

TANZEELA I. AHMAD
Co-Title Owner of Tax Map No. 81-4((3))L
Owner of Tax Map 81-4(93))M

By: _____
Name: Tanzeela I. Ahmad

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REZONING AFFIDAVIT

DATE: APR 18 2012
 (enter date affidavit is notarized)

I, Lori R. Greenlief, 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 115491

in Application No.(s): RZ/FDP 2012-LE-005
 (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)
Mussarat S. Ahmad Adeela I. Ahmad	6227 Villa Street Alexandria, VA 22310	Co-Applicant/Co-Title Owners of Tax Map No. 81-4 ((3)) L
Tanzeela I. Ahmad	6223 Villa Street Alexandria, VA 22310	Co-Applicant/Co-Title Owner of Tax Map No. 81-4 ((3)) L; Title Owner of Tax Map No. 81-4 ((3)) M
Amar S. Khan	7003 Larrlyn Drive Springfield, VA 22151	Agent for Applicants

(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)

APR 18 2012

DATE: _____
(enter date affidavit is notarized)

115491

for Application No. (s): RZ/FDP 2012-LE-005
(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)
Urban Engineering & Associates, Inc., t/a Urban, Ltd. Agent: Alvis H. Hagelis David T. McElhanev	7712 Little River Turnpike Annandale, VA 22003	Engineer/Agent for Applicants
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 for Applicants 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: APR 18 2012
(enter date affidavit is notarized)

115491

for Application No. (s): RZ/FDP 2012-LE-005
(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)
Urban Engineering & Associates, Inc., t/a Urban, Ltd.
7712 Little River Turnpike
Annandale, VA 22003

DESCRIPTION OF CORPORATION: (check one statement)

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

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

J. Edgar Sears, Jr.
Brian A. Sears

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

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

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

REZONING AFFIDAVIT

APR 18 2012

DATE: _____
(enter date affidavit is notarized)

115491

for Application No. (s): RZ/FDP 2012-LE-005
(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)

DATE: APR 18 2012
(enter date affidavit is notarized)

115491

for Application No. (s): RZ/FDP 2012-LE-005
(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 G.
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)

DATE: APR 18 2012
(enter date affidavit is notarized)

115491

for Application No. (s): RZ/FDP 2012-LE-005
(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 AFFIDAVIT

DATE: APR 18 2012
(enter date affidavit is notarized)

115491

for Application No. (s): RZ/FDP 2012-LE-005
(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: APR 18 2012
(enter date affidavit is notarized)

115491

for Application No. (s): RZ/FDP 2012-LE-005
(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:

[Handwritten signature of Lori R. Greenlief]

(check one)

[] Applicant

[X] Applicant's Authorized Agent

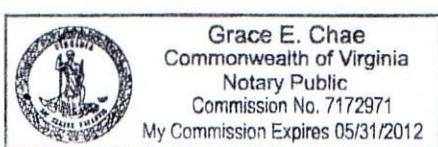
Lori R. Greenlief, Land Use Planner

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

Subscribed and sworn to before me this 18th day of April 2012, in the State/Comm. of Virginia, County/City of Fairfax.

[Handwritten signature of Grace E. Chae]
Notary Public

My commission expires: 5/31/2012



STATEMENT OF JUSTIFICATION

Adeela Ahmad, Mussarat S. Ahmad and Tanzeela Imtiaz Ahmad
 Tax Map Parcels 81-4 ((3)) L & M
 January 23, 2012

RECEIVED
 Department of Planning & Zoning
 MAR 07 2012
 Zoning Evaluation Division

I. Property Location, Current Zoning Classification and Proposed Use

The Property is located within the Lee Magisterial District and consists of parcel L (0.47 acres) and parcel M (0.56 acres) totaling 1.0293 acres. It is bounded by Villa Street to the west, Northampton residential development to the south and the Church of Jesus Christ of Latter Day Saints to the north and east. The Property is currently zoned to the R-1 District and is developed with two single family detached homes that are accessed via two driveways from Villa Street.

This rezoning application (Application) proposes to rezone the Property from the R-1 District to the PDH-5 District for the development of five (5) single family detached homes at a density of 4.86 dwelling units per acre.

II Conformance with the Adopted Comprehensive Plan

The Property is located within the Rose Hill Planning District (Area IV) of the RH4 Lehigh Community Planning Sector. The site specific recommendation for the Property (geographic area number 37) proposes residential use at a density of up to 5.5 dwelling units per acre if the following conditions are met:

1. Plan Recommendation: Substantial consolidation of all parcels within Tax Map 81-4((3)) must be achieved.

Response: The Application proposes consolidation of parcels L and M with the adjacent Northampton development which is zoned PDH-5. The CDP/FDP depicts 5 single family detached homes that would be similar to those within Northampton. The consolidation of left-over parcels L and M would complete the development of this area.

2. Plan Recommendation: If the option for a mix of institutional and residential uses is exercised, it would be preferable to locate the institutional use on the northern portion...

Response: This condition is not applicable since the Application does not propose any institutional use.

3. Plan Recommendation: The wooded slopes and stream valleys of the Dogue Creek headwaters are preserved.

Response: The Application does not propose to impact the wooded slopes and stream valleys of Dogue Creek headwaters.

4. Plan Recommendation: Provision for planned transportation improvements...

Response: This condition is not applicable since the Application does not propose any traffic impact that requires a VDOT 527 impact analysis.

5. Plan Recommendation: Provision of effective transitions and a substantial buffer along all boundaries with lower density residential developments.

Response: The Application proposes a residential use with density of 4.86 du/ac. on a site located between the Northampton development to the south which is 5.47 du/ac. and the church parking lot to the north and east. There are no lower density residential developments adjacent to the Property that would require a buffer.

6. Plan Recommendation: Provision of appropriate internal circulation, both pedestrian and vehicular.

Response: Vehicular and pedestrian access will be provided by a 24 foot wide private street and a 5 foot wide sidewalk that connects with Villa Street.

7. Plan Recommendation: Provision of an adequate setback from adjacent highways.

Response: There are no highways adjacent to the Property. The home closest to Villa Street on lot #1 proposes a setback of approximately 85 feet from Villa Street.

8. Plan Recommendation: Dwellings are of a single family detached type.

Response: Proposed dwellings are 3 story, single family detached homes that would be similar to those within Northampton development.

9. Plan Recommendation: Innovative storm water management practices are explored and employed to the extent possible.

Response: Storm water management will be provided in conjunction with Northampton's facilities and/or with a combination of innovative on-site management techniques such as underground detention, rain gardens or other bio-retention facilities.

10. Plan Recommendation: Provision of an area for active recreation within the development.

Response: A community green with an active recreation component such as a tot lot will be provided at the entrance to the Property. This open space will also serve as an amenity and landscaped entry feature for the Northampton community.

III. Compliance with Standards for a P District

The planned project:

1. Conforms to the adopted Comprehensive Plan with respect to the type, character and density of development envisioned for this area;
2. Proposes a PDH-5 designation that will allow the 5 unit project to be consolidated with the adjacent 18.26 acre, 100 unit PDH-5 Northampton community;
3. Has been designed to efficiently utilize the 1.03 acre property to protect as many of the higher quality trees as possible, subject to final determination of storm water facility techniques and locations. There are no streams, natural features or scenic assets on the site;
4. Will remove the existing structures on the property and will replace them with 5 single family detached homes similar in size, quality and architectural design to those in the adjacent development;
5. Is located in an area where transportation, police and fire protection, other public facilities and public utilities, including sewerage, are available and adequate for the uses proposed;
6. Provides a connection to major external facilities and services at a scale appropriate to the development.

IV. Compliance with Residential Development Criteria (Appendix 9)

A. SITE DESIGN As shown on the Conceptual Development Plan (CDP) and the Final Development Plan (FDP), the design places the 5 lots in a logical manner within the parcel, provides adequate buffers and safe, convenient access by means of a private street and sidewalk. A landscaped open space amenity is located at the entrance.

(1) Consolidation The development proposes integration of these 5 lots into the adjacent Northampton cluster as envisioned by the Comprehensive Plan.

(2) Layout The development proposes a logical layout, convenient access from Villa Street, an amenity located at the entrance, and homes facing the street with their rear yards backing onto an adjacent open space buffer and the rear yards of Northampton homes. The private street will reduce the amount of impervious surface and the required fire and safety vehicle turn-around is proposed to be pervious pavement such as grass-crete. Storm water management will be provided either in conjunction with facilities on the adjacent community and/or with a combination of innovative on-site techniques such as underground detention, rain gardens or other bio-retention facilities.

(3) Open Space An open space/ recreational area is shown at the entrance where it will function as a visual amenity and landscaped buffer between the homes and Villa Street. In this location the open space can be conveniently accessed by Northampton residents.

(4) Landscaping As shown on the landscape plan, the primary goal is to supplement existing vegetation along the buffers on the north, south and east side of the property with a combination of evergreen and deciduous material. In addition, landscape material will be provided to define the recreation area and to buffer adjacent lots to the south.

(5) Amenities A landscaped open area with an active recreation facility such as a tot lot will be provided at the entrance to the development.

B. NEIGHBORHOOD CONTEXT Surrounding uses include Northampton cluster, containing 100 single family homes, to the south and west and a church to the north and east. The proposed homes will be similar to adjacent homes with respect to lot size, bulk, setbacks, orientation, architectural style and materials. Vehicular and pedestrian connections will be provided to Villa Street by means of a private street and 5 foot wide sidewalk.

C. ENVIRONMENT The Property is currently developed and has 2 single family detached homes on it. Topography is generally flat and soils are suitable for development. Storm water management will be provided in conjunction with facilities on the adjacent development and/or with a combination of innovative on-site techniques such as underground detention, rain gardens or other bio-retention facilities.

D. TREE PRESERVATION AND TREE COVER REQUIREMENTS As noted on the Existing Vegetation Map, the tree canopy is primarily white pine, black cherry, red maple, sugar maple and eastern red cedar. The deciduous trees are in poor condition. There are two white pines and one eastern red cedar in fair condition. More than 75% of the property is developed land consisting of the two houses, with driveways, patios, several outbuildings and gravel areas. Any trees in fair or better condition are proposed to be saved to the extent feasible.

E. TRANSPORTATION The 2 homes on the property are currently served by driveways on Villa Street. The proposed development will be served by a private street connecting to Villa Street opposite its intersection with Masondale Road. This connection will serve to integrate the project with the adjacent community. There are no traffic impacts proposed that would require a VDOT 527 impact analysis.

F. OTHER CRITERIA Public facilities and affordable dwelling units are not proposed by this project. The site does not contain any heritage resources.

V Requested Waivers and Modifications

The following waivers and modifications are requested as part of the Application:

- Waiver of the minimum 2.0 acre PDH District parcel size pursuant to Par. 1 of Sect. 6-107 of the Ordinance. The Property will be consolidated with the adjacent 18.26 acre, PDH-5 Northampton development.

- Modification of the 35% open space requirement per Par. 1 of Sect. 6-110 of the Ordinance to a requirement of no less than 30%. The plan proposes slightly more than 30% open space that will be consolidated with the adjacent Northampton development which contains 43% open space.

VI Conclusion

The proposed development is consistent with current Comprehensive Plan recommendations and shall comply with all applicable ordinances, regulations and adopted standards of Fairfax County. Significantly, the proposed development will integrate two small parcels totaling 1.03 acres into the adjacent 18.26 acre Northampton community. The homes proposed will be compatible with this adjacent development with respect to lot size, building setbacks, height, architecture, materials and colors.

For all the reasons noted above, the Applicant respectfully requests approval of this Rezoning Application.

Sincerely,



Alvis H. Hagelis
Director of Land Planning
URBAN, LTD.



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 *ADD for SS*
Park Planning Branch, PDD

DATE: April 24, 2012

SUBJECT: RZ/FDP 2012-LE-005, Villa Street – Ahmad Property
Tax Map Number: 81-4((3))L&M

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated March 7, 2012, for the above referenced application. The Development Plan shows five single-family detached homes on a one-acre parcel to be rezoned from R-1 to PHD-5; the one-acre parcel is the result of two parcels (each having an existing single-family detached home) being consolidated. Furthermore, the one-acre parcel is to be integrated into the adjacent Northampton community that is also zoned PHD-5. Based on an average single-family detached household size of 2.41 in the Rose Hill Planning District, the development could add seven new residents (5 new – 2 existing = $3 \times 2.14 = 7.23$) to the Lee 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).

District-wide recommendations for the Rose Hill Planning District in the Area IV Plan describe the importance and need for adequate parklands and facilities to serve the community (Area IV, Rose Hill Planning District, District-wide Recommendations, Parks and Recreation, pp. 13). In addition, the sub-unit containing this development also emphasizes the importance of providing trail connections and park and recreational opportunities (Area IV, Rose Hill Planning District, RH-4 Lehigh Community Planning Sector, pp. 63 and 76).

Finally, text from the Rose Hill Planning District chapter of the Great Parks, Great Communities Park Comprehensive Plan echoes recommendations in the Countywide Comprehensive Plan.

ANALYSIS AND RECOMMENDATIONS

Park Needs:

Using adopted service level standards, staff has identified a need for all types of parkland in this area. Existing nearby parks (Bush Hill, Dogue Creek Stream Valley, Franconia Forest, Greendale Golf Course, Indian Run Stream Valley, Manchester Lakes, Tara Village) meet only a portion of the demand for parkland within one mile of the Applicant site. Based on adopted parkland standards, the proposed increase of seven residents generates a need for 0.035 acres of parkland. The Development Plan shows a 7,000 square foot (0.16 acres) recreational open space with possible tot-lot; furthermore, the Applicant is encouraged to provide additional amenities like benches or picnic areas.

In addition to parkland, the recreational facilities in greatest need in this area include trails, rectangle fields, adult softball and youth baseball diamond fields, basketball courts, playgrounds, neighborhood dog parks, and neighborhood skate parks.

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 \$1,700 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 five non-ADUs proposed, the Ordinance-required amount to be spent onsite is \$8,500. 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 \$1,700 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 \$6,251 to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

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	\$8,500	\$6,251	\$14,751
Total	\$8,500	\$6,251	\$14,751

*Average of \$893 per dwelling unit and \$0.27 per sq. ft. of commercial use

In addition, the analysis identified the following major issues:

- Construct the identified possible tot-lot in the onsite park and consider adding other amenities to serve the local community like benches or picnic areas.

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: Jay Rauschenbach
DPZ Coordinator: Nick Rogers

Copy: Cindy Walsh, Director, Resource Management Division
Chron Binder
File Copy



County of Fairfax, Virginia

MEMORANDUM

DATE: April 12, 2012

TO: Nick Rogers, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Thakur Dhakal, Senior Engineer III
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application #RZ/FDP 2012-LE-005; Villa Street, Ahmad Property; Final Development Plat dated 7th March 2012; LDS Project #24949-ZONA-001-1, Tax Map #081-4-03-L, 081-4-03-M; Lee 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 this site. Water quality controls are required for this project (PFM 6-0401.2, CBPO 118-3-2(f) (2)). The preliminary BMP computations are shown to provide the required BMP on an offsite regional pond. In site plan submission the BMP computations must be provided to show that the regional pond is adequately sized to meet BMP requirements of the site for proposed condition. For the purpose of taking BMP credit offsite, a letter of permission from the owner of the pond shall be provided prior to Rezoning plan approval. In case, the arrangement cannot be made for BMP credit, BMP must be provided on-site.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file. More information on this complaint is available from the Maintenance & Stormwater Management Division (703-877-2800).

Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3).

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



Nick Rogers, Staff Coordinator
Rezoning Plan Application #RZ 2012-LE-005, Villa Street
April 12, 2012
Page 2 of 2

Site Outfall

An outfall narrative has been provided, however, the description of the adequacy and stability of the outfall is not a part of the statement (ZO 9-011.J (2) (c)).

Stormwater Planning Comments

This case is located in the Dogue Creek Watershed. There is a BMP/LID plan (DC9520) located close to the subject site.

Dam Breach

None of this property is within the dam breach inundation zone.

These comments are based on the 2011 version of the Public Facilities Manual (PFM). A new Stormwater ordinance and updates to the PFM's Stormwater requirements are being developed as a result of changes to state code (see 4VAC50-60 adopted May 24, 2011). The site plan for this application may be required to conform to the updated PFM and the new ordinance.

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

TD/

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Stormwater Planning
Division, DPWES
Bijan Sistani, Chief, South Branch, SDID, DPWES
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

DATE: August 13, 2012

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Environmental Assessment: RZ /FDP 2012-LE-015
Villa Street

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 July 30, 2012. 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

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 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 5 single-family homes on a 1.029 acre parcel of land at a density of 4.86 dwelling units per acre under the PDH-5 Zoning District.

Water Quality/Stormwater Management and Adequate Outfall: The 1.029 acre subject property falls within the Dogue Creek Watershed. This property is located south of the Church of Jesus Christ of Latter Days on Franconia Road and it is north of the Northhampton Subdivision. This application originally proposed to meet water quality and the quantity measures for this development by the existing Kingstowne Lake; however, the Kingstowne Homeowners Association does not support this proposal. A possible underground vault is referenced on the development plan as well as an area of pervious pavement on the west end of the site where

visitor parking is proposed. In addition, the July 25, 2012 stormwater proffer also commits to the installation of an onsite underground vault which could accommodate water quantity requirements for this proposal. If the applicant has actually revised the proposal to show that an underground vault, then its actual location and specifications should be clearly shown on the development plan. Furthermore, the stormwater notes should be revised to reflect this change.

Regarding adequate outfall, the narrative states that runoff from the subject property drains into an existing storm sewer system and that Kingstowne Lake is the ultimate destination for the site drainage. While Kingstowne Lake may be the final destination under normal circumstances, it is not clear how this comports with the fact that the Kingstowne Homeowners Association has not agreed to allow this development to use the Kingstowne Lake. 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).

Green Building Practices: This 1.029-acre site is planned for residential development at 2-3 dwelling units per acre with the option for 4-5 dwelling units per acre provided that site specific Plan conditions are met. The current proposal seeks approval for 5 dwelling units, at an overall density of 4.86 dwelling units per acre is on the high end of the density range of the Plan's high density range option. In support of the County's green building policy, the applicant has made a proffered commitment to the attainment of Energy Star Qualified Homes prior to the issuance of a residential use permit (RUP) for each dwelling.

Tree Preservation/Restoration: The subject property is characterized by sparse canopy within the boundary of the application property. The applicant is encouraged to work with the Urban Forestry Management Division (UFMD) of DPWES in order to augment the proposed landscape plan for this proposed subdivision. In addition, the applicant should also work closely with UFMD to better protect the existing canopy and root systems of trees located very close to the property line or trees located offsite during construction.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan does not depict any trails immediately adjacent to the subject property.

PGN/MAW



County of Fairfax, Virginia

MEMORANDUM

July 17, 2012

TO: Nicholas Rogers, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II
Forest Conservation Branch, DPWES 

SUBJECT: Villa Street-Ahmad Property; RZ/FDPA 2012-LE-005

RE: Request for assistance dated June 29, 2012

This review is based on the Conceptual Development Plan/Final Development Plan (CDP/FDP) RZ 2012-LE-005 stamped "Received, Department of Planning and Zoning, June 28, 2012". A site visit was conducted on April 19, 2012, as part of the review of the CDP/FDP stamped "Received, Department of Planning and Zoning, March 7, 2012".

General Comment: Comments and recommendations on the previously submitted CDP/FDP were provided to you in the memo dated May 3, 2012. Additional comments and recommendations are provided to address the tree preservation target calculations, tree preservation, and draft proffers.

- 1. Comment:** A deviation from the tree preservation target has been requested on the CDP/FDP that states one or more of the justifications listed in Chapter 122-2-3(b) of the County Code, along with a narrative that provides a site-specific explanation of why the Tree Preservation Target cannot be met. The Urban Forest Management Division has reviewed the request and justification and does not object to the proposed Tree preservation Target of 0%.

Recommendation: Proffer language containing a directive from the Board of Supervisors to the Urban Forest Management Division, DPWES, or Director of DPWES to permit a deviation from the tree preservation target percentage should be provided.

- 2. Comment:** The proposed limits of clearing and grading at the northern of the site, northeast of proposed lot 3, and at the southern portion of the site, south of proposed lots 1, 2, and 3, will provide minimal preservation for the existing off-site trees located adjacent to these areas.

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



Recommendation: A contiguous 10-foot wide undisturbed buffer should be provided along the entire length of the northern and southern property boundaries to protect the existing off-site trees from construction damage.

- 3. Comment:** The tree preservation draft proffer is vague and does not include all elements contained in the proffer language recommended in the May 3, 2012, memo. Given the nature of the tree cover located adjacent to this site, and depending upon the ultimate development configuration provided for the CDP/FDP, several proffers will be instrumental in assuring adequate tree preservation and protection throughout the development process.

Recommendation: Recommend the following proffer language to ensure effective tree preservation:

Tree Preservation: "The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. 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 12 inches in diameter and greater (measured at 4 ½ -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 within 25 feet to either side 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 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan."

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. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect 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. 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.”

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 trails or utilities.”

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.”

Root Pruning. “The Applicant shall root prune, 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 subdivision 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.”

Demolition of Existing Structures. “The demolition of all existing features and structures within areas protected by the limits of clearing and grading areas shown on the CDP/FDP shall be done by hand without heavy equipment and conducted in a manner that does not impact individual trees and/or groups of trees that are to be preserved as reviewed and approved by the UFMD, DPWES.”

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.”

Please contact me at 703-324-1770 should you have any questions.

TLN/
UFMID #: 169061

cc: RA File
DPZ File



County of Fairfax, Virginia

MEMORANDUM

DATE: July 10, 2012

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

FROM: Angela Kadar Rodeheaver, Chief *MAD for FRR*
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 2012-LE-005)

SUBJECT: Transportation Impact

REFERENCE: RZ/FDP 2012-LE-005 Mussarat S. Ahmad, Adeela I. Ahmad,
Tanzeela I. Ahmad
Traffic Zone: 1491
Land Identification Map: 81-4 ((3)) 3M

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated March 7, 2012, and revised through June 28, 2012. The applicant wishes to rezone two parcels totaling 1.03 acres from R-1 to PDH-5 for an infill residential project of 5 single family dwellings. Access is with a private street to Villa Street.

- The turnaround at the end of the private street looks like a quarter cul-de-sac with two parking spaces attached. It is not clear how this would operate or be perceived by visitors.

The private street with turnaround is still not well designed and should be redone.

AKR/LAH/lah



FAIRFAX COUNTY
PUBLIC SCHOOLS

Department of Facilities and Transportation Services

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

April 6, 2012

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

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

SUBJECT: RZ/FDP 2012-LE-005

ACREAGE: 1.03 acres

TAX MAP: 81-4 ((3)) L & M

The rezoning application proposes to rezone property from the R-1 and H-C Districts to the PDH-5 and H-C Districts to permit the development of five single family detached dwelling units.

The rezoning application is within the Franconia Elementary, Twain Middle, and Edison High school attendance areas. The chart below shows the existing school capacity, 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
Franconia ES	563/611	548	547	64	587	24
Twain MS	1,025	861	887	138	966	59
Edison HS	1,800/1,875*	1,641	1,517	358	1,579	296

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

* Edison High currently is under renovation, which will be completed for the 2012-13 school year and will increase the school capacity.

The school capacity chart above shows a snapshot in time for student enrollments and school capacity balances. Student enrollment projections are done on a six year timeframe, currently through school year 2016-17 and are updated annually.

As the chart above shows, there currently is sufficient student capacity at the schools. It is noted that the available capacity at the schools may change due to the School Board's recent approval of the Annandale Regional Study, which changed the school attendance areas for Twain Middle and Edison High schools.

The rezoning application proposes five single family homes. The existing two lots currently are zoned R-1 and each lot contains 0.47 acres and 0.56 acres, respectively, which individually, do not contain enough acreage to develop a single family dwelling on each lot in accordance with the R-1 District regulations. The chart below shows the number of anticipated students from this rezoning application based on the countywide student yield ratio.

School level	SFD ratio	Proposed # of units	Student yield
Elementary	.266	5	1
Middle	.084	5	0
High	.181	5	1
			2 Total

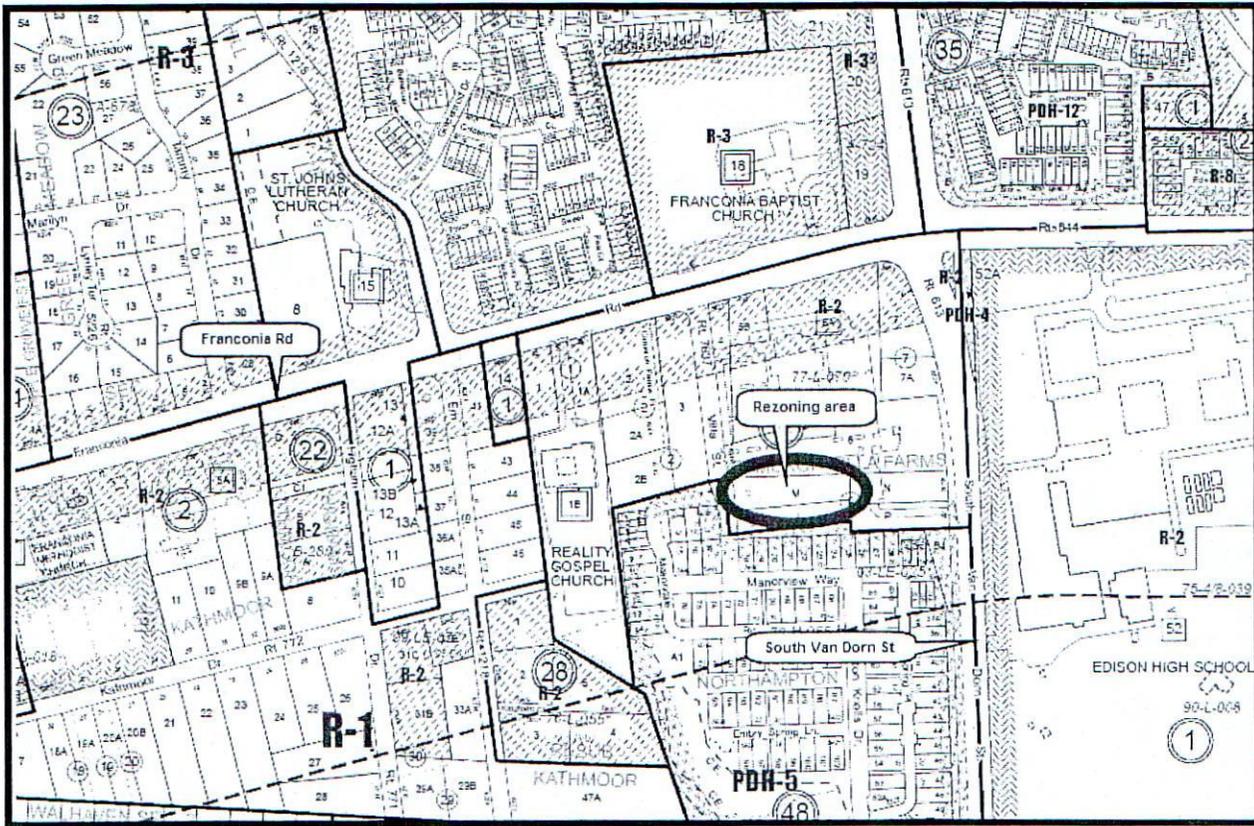
As the chart above shows, two new students are anticipated. Based on the approved proffer formula guidelines contained in the Residential Development Criteria, the students generated would justify a proffer contribution of \$18,756 (2 students x \$9,378) in order to address capital improvements for the receiving schools. It is recommended that the proffer contribution be directed to the schools in the Edison High School Pyramid and/or Cluster V schools at the time of site plan approval.

DMJ/mat

Attachment: Locator Map

cc: Tamara Derenak Kaufax, School Board Member, Lee District
 Ilryong Moon, School Board Member, At-Large
 Ryan McElveen, School Board Member, At-Large
 Ted Velkoff, School Board Member, At-Large
 Dean Tistadt, Chief Operating Officer
 Frances Ivey, Cluster V, Assistant Superintendent
 Merrell Dade, Principal, Franconia Elementary School
 Aimee Holleb, Principal, Twain Middle School
 Gregory Croghan, Principal, Edison High School

Fairfax County Public Schools
Office of Facilities Planning Services





County of Fairfax, Virginia

MEMORANDUM

DATE: April 4, 2012

TO: Nick Rogers
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Gilbert Osei-Kwadwo, P.E.
Engineering Analysis and Planning Branch

SUBJECT: Sanitary Sewer Analysis Report

REF: Application No. RZ/FDP 2012-LE-005
Tax Map No. 081-4- ((03)) - - L, M

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 Dogue Creek (L) watershed. It would be sewer into the Noman M. Cole Pollution Control Plant (NMCCP).
- Based upon current and committed flow, there is excess capacity in the NMCCP. 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 Villa Street and approx. 50 feet from the property 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 + Application <u>+Previous Applications</u>		Existing Use + Application <u>+ Comp Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	X		X		X	
Submain	X		X		X	
Main/Trunk	X		X		X	

- Other pertinent comments:**

FAIRFAX COUNTY
WASTEWATER MANAGEMENT



Quality of Water = Quality of Life

Department of Public Works and Environmental Services
Wastewater Planning & Monitoring Division
12000 Government Center Parkway, Suite 358
Fairfax, VA 22035
Phone: 703-324-5030, Fax: 703-803-3297
www.fairfaxcounty.gov/dpwes





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

March 28, 2012

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

Re: RZ 2012-LE-005
FDP 2012-LE-005
Ahmad Property
Tax Map: 81-4

Dear Ms. Berlin:

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

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 8-inch water main located at the property. See the enclosed water system map.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

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

Sincerely,

A handwritten signature in black ink that reads "Traci K. Goldberg".

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

Enclosure
cc: Alvis Hagelis, Urban, Ltd.



County of Fairfax, Virginia

MEMORANDUM

DATE: April 2, 2012

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 Application RZ/FDP 2012-LE-005

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 #405, **Franconia**
2. After construction programmed ___(n/a)___ this property will be serviced by the fire station _____(n/a)_____



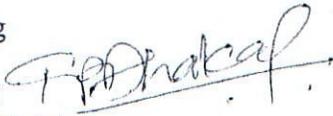


County of Fairfax, Virginia

MEMORANDUM

DATE: September 20, 2012

TO: Nick Rogers, AICP, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Thakur Dhakal, Senior Engineer III 
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application #RZ/FDP 2012-LE-005; Villa Street, Ahmad Property; Final Development Plat dated 7th March 2012; LDS Project #24949-ZONA-001-1, Tax Map #081-4-03-L, 081-4-03-M; Lee District

REFERENCE: Waiver #24949-WPFM-001-1 for the Location of Underground Facilities in a Residential Area

We have reviewed the referenced submission for consistency with Section 6-0303.8 of the Public Facilities Manual (PFM) which restricts use of underground Stormwater management facilities located in a residential development (Attachment B). The Board of Supervisors (Board) may grant a waiver after taking into consideration possible impacts on public safety, the environment, and the burden placed on prospective property owners for maintenance. Underground Stormwater management facilities located in residential developments allowed by the Board:

- shall be privately maintained,
- shall be disclosed as part of the chain of title to all future owners responsible for maintenance of the facilities,
- shall not be located in a County storm drainage easement, and
- shall have a private maintenance agreement, in a form acceptable to the Director of the Department of Public Works and Environmental Services (DPWES), executed before the construction plan is approved.

The owner of Villa Street-Ahmad Property has submitted an updated development plan for its Planned Residential Community to allow redevelopment of the site. The site currently provides 2-single family buildings. The owners have proposed to replace those buildings with 5-single family dwellings.

The site was originally developed before the county's current detention requirements were promulgated; no detention facilities exist on the property. The Stormwater detention has been

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 703-324-1877 • FAX 703-324-8359



proposed to be provided by Kingstowne Pond under Option A. This pond is privately owned and maintained by the Kingstowne Residential Owners Corporation (KROC)

The property owner feels the underground storage may be necessary should the owners of the downstream wet ponds not permit the development to use the ponds or should there be inadequate outfall between the site and the ponds. The owner would like the ability to use on-site detention to meet the PFM's detention requirements and has proposed this scenario as Option B. One underground vault is located on the development plan.

ANALYSIS

An analysis of the possible impacts on public safety, the environment, and the burden placed on the owners for maintenance is as follows.

Impacts on Public Safety – The underground detention vault is proposed to be located under or adjacent to Private Street. The access points to the facilities will be highly visible. Unofficial access to the facilities will be easily noticed.

If it is the intent of the Board to approve the waiver request, the property owner shall provide liability insurance in an amount acceptable to Fairfax County as a waiver condition. A typical liability insurance amount is \$1,000,000 against claims associated with underground facilities. The private maintenance agreement shall also hold Fairfax County harmless from any liability associated with the facilities. In addition, locking manholes and doors must be provided at each access point.

Impacts on the Environment – The site is currently developed. The proposed underground facility would flow into a storm drain system along Villa Street. Adequate outfall at these locations must be demonstrated before a site plan can be approved. Staff does not believe that there will be any adverse impact on the environment from the construction and maintenance of the underground facilities.

Burden Placed on Property Owner for Maintenance and Future Replacement

Underground storage facilities are normally required to be off-line. With an off-line design, should a facility become clogged, the storm drain system could continue to operate. When in-line facilities become clogged, the storm drain system's operations would cease. The storm drain system would back up and could overflow. Flooding may be possible depending on the intensity and duration of the storm event.

A minimum height of 72 inches for underground Stormwater structures is generally required to facilitate maintenance (PFM 6-1306.3H). Accessibility to the underground facilities is a concern in that sufficient head room is necessary for maintenance purposes.

The proposed vault is located under the proposed parking area and the parking will not be available at the time of replacement of the underground facility when it becomes necessary.

If it is the intent of the Board to approve the waiver request, the property owner must execute a maintenance agreement prior to site plan approval. Staff recommends the property owner be required to establish a financial plan for the operation, inspection, and maintenance of the

Nick Rogers, AICP, Staff Coordinator

Waiver #24949-WPFM-001-1, Villa Street, Ahmed Property, Underground Detention

Page 3 of 4

underground facilities. The property owner should be required to establish a fund for the annual maintenance. Staff recommends that the property owner provide an initial deposit in an escrow account in an amount equal to the estimated costs for the first 20 years of maintenance of the facility. The engineer has provided \$1,000 as an estimate of the annual maintenance cost for the facility; staff finds this estimate reasonable. Before site plan approval, \$20,000 should be placed into escrow to fund 20 years of maintenance. About \$4,000 per residential unit would be escrowed. These monies would not be available to the owner until bond release.

The property owner should also be required, as a waiver condition, to address future replacement of the underground facilities as part of its private maintenance agreement with the County. In order to maximize the useful life of the underground facility, the property owner must be required to construct the underground facilities with reinforced concrete products only. A replacement cost fund, based on an estimated 50-year lifespan for concrete products, should be established. The replacement reserve fund must be separate from the annual maintenance fund to ensure the monies are available at the time replacement is necessary and have not been previously spent on maintenance activities. The engineer has estimated the construction cost of this facility to be about \$35,500; staff finds this estimate reasonable. The owner would be expected to contribute about \$355/year per each residential unit to a fund the facility's replacement, which seems higher, compared to other developments within the County. This is because of low number of residential units are proposed in this development.

As the total burden per household for the maintenance and replacement of the vault will be about \$555 per year, staff recommends that developer should escrow majority of this cost to make the fees affordable to the future homeowners.

RECOMMENDATION

DPWES recommends that the Board approve the waiver to locate underground facilities at Villa Street, a residential development. If it is the intent of the Board to approve the waiver, DPWES recommends the approval be subject to Waiver #24949-WPFM-001-1 Conditions, Villa Street, dated September 20, 2012, as contained in Attachment A.

If you have any questions, or need further assistance, please contact me at 703-324-1720.

ATTACHED DOCUMENTS

Attachment A – Waiver #24949-WPFM-001-1 Conditions, Villa Street, dated September 17, 2012

Attachment B – PFM Section 6-0303.8

cc: Robert A. Stalzer, Deputy County Executive
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Zoning Application File (24949-ZONA-001)
Waiver File

Waiver #24949-WPFM-001-1 Conditions

Villa Street, Ahmed Property
Rezoning Application #RZ-2012-LE-005
September 20, 2012

1. The underground facilities shall be constructed in accordance with the development plan and these conditions as determined by the Director of the Department of Public Works and Environmental Services (DPWES).
2. To provide greater accessibility for maintenance purposes, the underground facilities shall have a minimum height of 72 inches.
3. The underground facilities shall be constructed of reinforced concrete products only and incorporate safety features, such as including locking manholes and doors, as determined by DPWES at the time of construction plan submission.
4. The underground facilities shall be privately maintained and shall not be located in a County storm drain easement.
5. A private maintenance agreement, as reviewed and approved by the Fairfax County Attorney's Office, shall be executed and recorded in the Land Records of the County. The private maintenance agreement shall be executed prior to final plan approval.

The private maintenance agreement shall address:

- County inspection and all other issues as may be necessary to ensure the facilities are maintained by the property owner in good working condition acceptable to the County so as to control Stormwater generated from the redevelopment of the site and to minimize the possibility of clogging events;
 - a condition that the property owner and its successors or assigns shall not petition the County to assume maintenance of or to replace the underground facilities;
 - establishment of a reserve fund for future replacement of the underground facilities;
 - establishment of procedures to follow to facilitate inspection by the County, i.e. advance notice procedure, whom to contact, who has the access keys, etc.;
 - a condition that the property owner provide and continuously maintain liability insurance -- the typical liability insurance amount is at least \$1,000,000 against claims associated with underground facilities; and
 - a statement that Fairfax County shall be held harmless from any liability associated with the facilities.
6. Operation, inspection, and maintenance procedures associated with the underground facilities shall be incorporated into the site construction plan and private maintenance agreement that ensures safe operation, inspection, and maintenance of the facilities.
 7. A financial plan for the property owner to finance regular maintenance and full life-cycle replacement costs shall be established prior to site plan approval. A separate line item in the annual budget for operation, inspection, and maintenance shall be established. A reserve

fund for future replacement of the underground facilities shall also be established to receive annual deposits based on the initial construction cost and considering an estimated 50-year lifespan for concrete products.

8. Prior to final construction plan approval, the property owner shall escrow sufficient funds that will cover a 20-year maintenance cycle of the underground facilities. These monies shall not be made available to owner until after final bond release.

Fairfax County Government
Public Facilities Manual
Chapter 6 – Storm Drainage

§ 6-0303.8 (83-04-PFM, 24-88-PFM) Underground detention facilities may not be used in residential developments, including rental townhouses, condominiums and apartments, unless specifically waived by the Board of Supervisors (Board) in conjunction with the approval of a rezoning, proffered condition amendment, special exception, or special exception amendment. In addition, after receiving input from the Director regarding a request by the property owner(s) to use underground detention in a residential development, the Board may grant a waiver if an application for rezoning, proffered condition amendment, special exception, and special exception amendment was approved prior to, June 8, 2004, and if an underground detention facility was a feature shown on an approved proffered development plan or on an approved special exception plat. Any decision by the Board to grant a waiver shall take into consideration possible impacts on public safety, the environment, and the burden placed on prospective owners for maintenance of the facilities. Any property owner(s) seeking a waiver shall provide for adequate funding for maintenance of the facilities where deemed appropriate by the Board. Underground detention facilities approved for use in residential developments by the Board shall be privately maintained, shall be disclosed as part of the chain of title to all future homeowners (e.g., individual members of a homeowners' or condominium association) responsible for maintenance of the facilities, shall not be located in a County storm drainage easement, and a private maintenance agreement in a form acceptable to the Director must be executed before the construction plan is approved. Underground detention facilities may be used in commercial and industrial developments where private maintenance agreements are executed and the facilities are not located in a County storm drainage easement.

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		