



APPLICATION ACCEPTED: November 14, 2012
PLANNING COMMISSION: October 16, 2013
BOARD OF SUPERVISORS: tbd

County of Fairfax, Virginia

October 2, 2013

STAFF REPORT

RZ/FDP 2012-BR-020

BRADDOCK DISTRICT

APPLICANT: Eastwood Properties, Inc.

EXISTING ZONING: R-1

PROPOSED ZONING: PDH-3

PARCEL(S): 77-1((1)) 36, 37, 38

ACREAGE: 5.15 acres

DENSITY: 2.5 du/ac

OPEN SPACE: 40.0%

PLAN RECOMMENDATION: Residential @ 2-3 du/ac

PROPOSAL: The applicant seeks to rezone the subject property to PDH-3 and concurrent approval of a conceptual and final development plan to permit the development of 13 single-family detached units.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2012-BR-020 subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Brent Krasner, AICP

Staff recommends approval of FDP 2012-BR-020.

Staff recommends approval of a waiver of the service drive requirement along Rt. 123 in favor of the frontage improvements shown on the CDP/FDP.

Staff recommends approval of a modification of the trail requirement along Rt. 123 in favor of the eight foot wide asphalt trail shown on the CDP/FDP.

Staff recommends approval of a waiver of the on-road bike trail requirement along Rt. 123 in favor of the asphalt trail shown on the CDP/FDP.

Staff recommends approval of a waiver of the parallel crushed stone pedestrian path along Route 123 in favor of the asphalt path shown on the CDP/FDP.

Staff recommends approval of a modification of the sight distance requirement for corner lots to allow the entry feature and sound wall to be located as shown on the CDP/FDP.

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 rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application. 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:\bkrasner\ZED\Applications\Rezoning\RZ FDP 2012-BR-020 Eastwood\Report\RZ 2012-BR-020 Eastwood- Staff Report Cover.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).

Final Development Plan

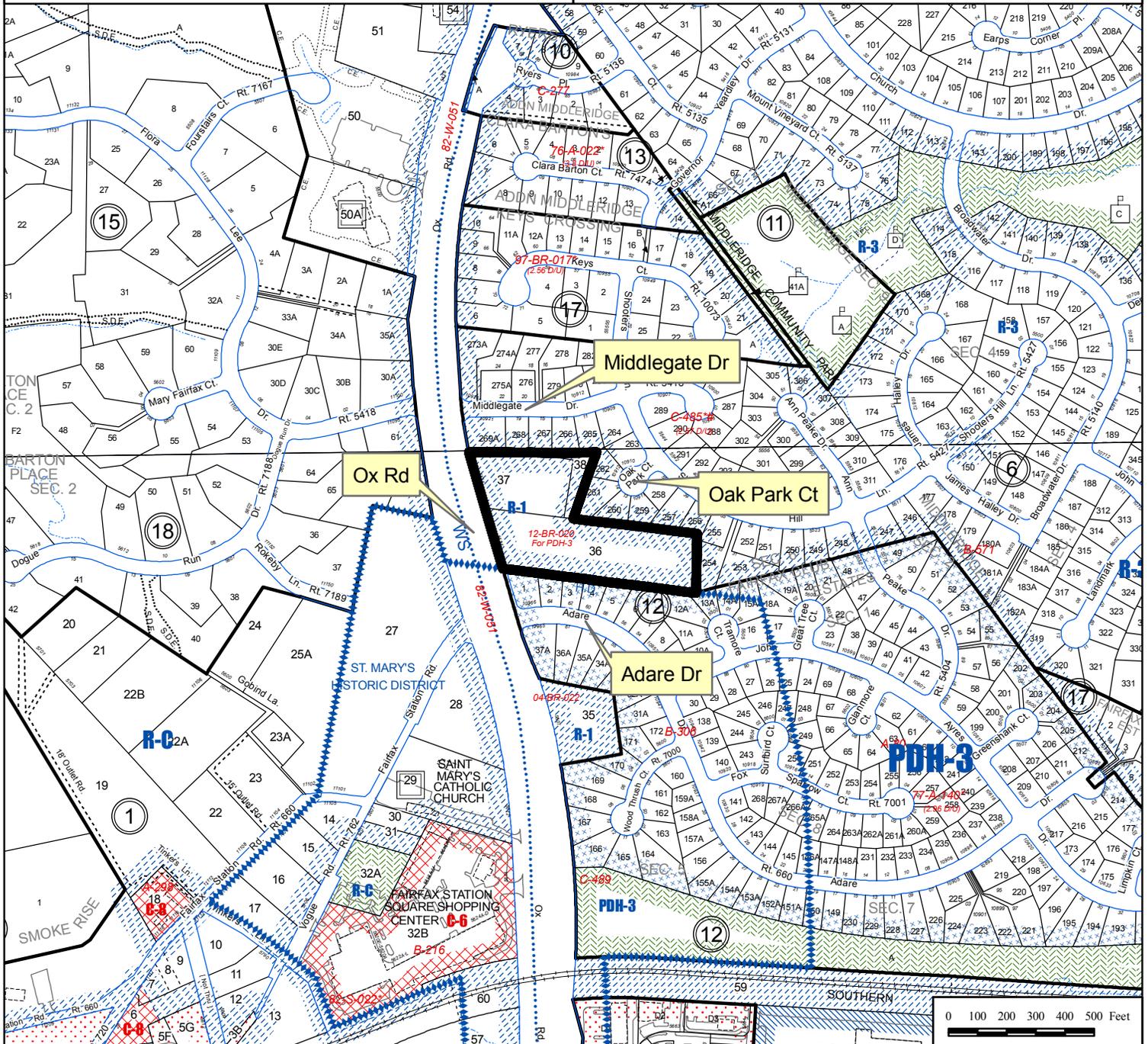
FDP 2012-BR-020

Applicant: EASTWOOD PROPERTIES, INC.
Accepted: 11/14/2012
Proposed: RESIDENTIAL
Area: 5.152 AC OF LAND; DISTRICT - BRADDOCK
Located: EAST SIDE OF OX ROAD, APPROXIMATELY 100 FEET NORTH OF ITS INTERSECTION WITH ADARE DRIVE
Zoning: PDH- 3
Map Ref Num: 077-1- /01/ /0036 /01/ /0037 /01/ /0038

Rezoning Application

RZ 2012-BR-020

Applicant: EASTWOOD PROPERTIES, INC.
Accepted: 11/14/2012
Proposed: RESIDENTIAL
Area: 5.152 AC OF LAND; DISTRICT - BRADDOCK
Located: EAST SIDE OF OX ROAD, APPROXIMATELY 100 FEET NORTH OF ITS INTERSECTION WITH ADARE DRIVE
Zoning: FROM R- 1 TO PDH- 3
Map Ref Num: 077-1- /01/ /0036 /01/ /0037 /01/ /0038

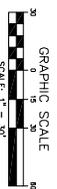




COVER TYPE SUMMARY

COVER TYPE	PREVALENT SPECIES	CONDITION	AREA (in SF)
Bottomland Forest	Red Tupelo, Sweetgum, Crape Myrtle, Magnolia, White Pine, Willow Oak, Sycamore, Sweetgum, Liquidambar	good	112,780
Undeveloped low canopy		good	47,275
Undeveloped Ground			57,146
Developed Area			7,288
TOTAL AREA			224,489

COMMENTS:
 BOTTOMLAND FOREST: The trees in this cover type are in quite good condition, however a large portion of this area is covered in ivy and other invasives.
 UNDEVELOPED TREE CANOPY: The vegetation in this cover type was in good condition with no apparent insect or disease problems.



EXISTING VEGETATION MAP

OX ROAD ESTATES

BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA

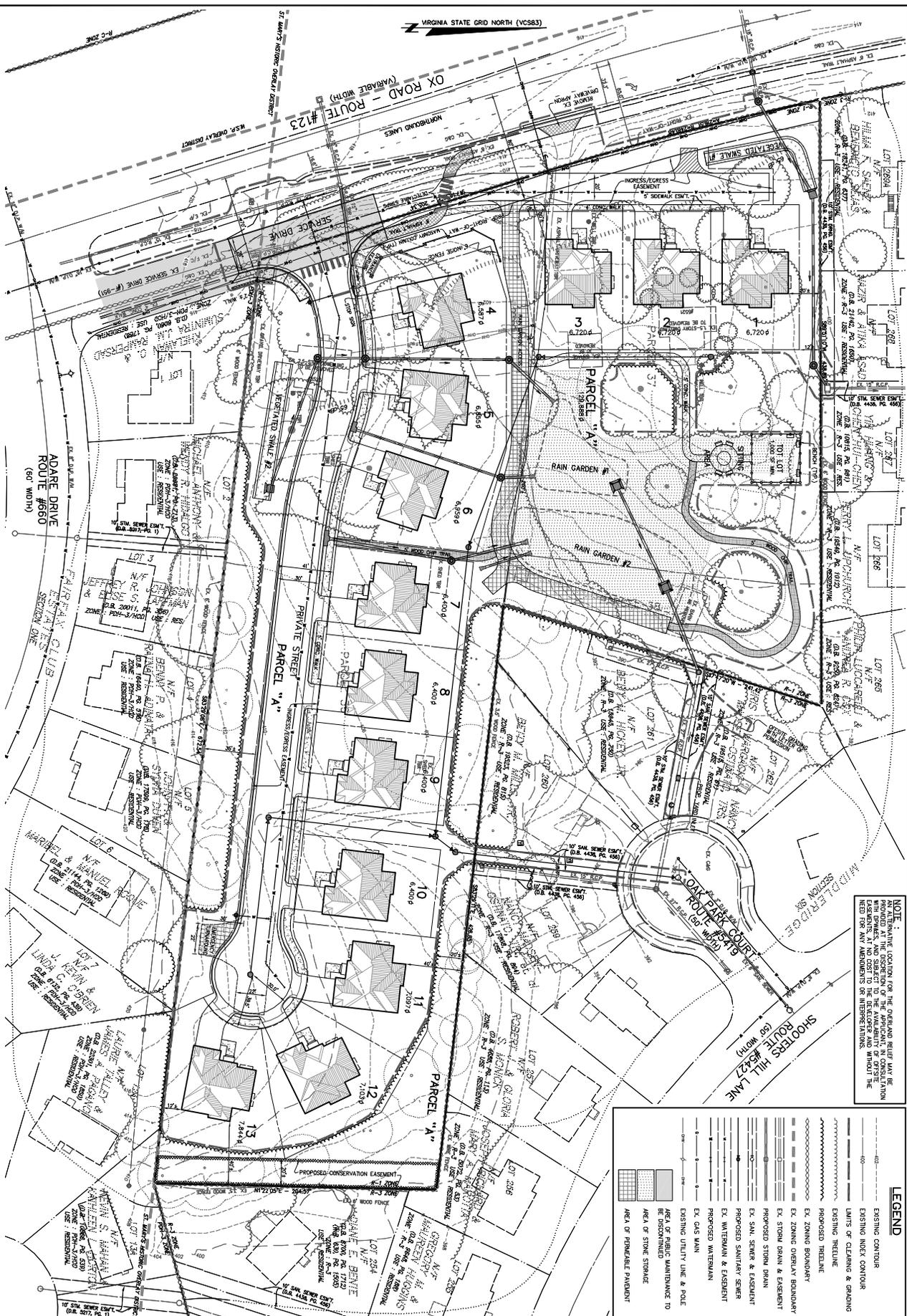


NO.	DESCRIPTION	REVISIONS	DATE	APPROVED

UNDATED TREE INFORMATION (CJV)
 11-24-13 ADDED TREE INFORMATION (KJV)
 NO. DATE REVISION PRIOR TO APPROVAL

CPJ Associates
 Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 3909 Pender Dr., Ste. 310 Fairfax, VA 22030 703-885-7858 Fax 501-275-8956
 www.cpa.com • Silver Spring, MD • Galderburg, MD • College Park, MD • Fredericks, MD • Fairfax, VA

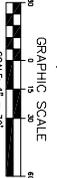
VIRGINIA STATE GRID NORTH (VCS83)



NOTE:
 MAINTAINING LOCATION FOR THE OVERLAND RELIEF MAY BE PROVIDED AT THE DISCRETION OF THE APPLICANT. CONSULTATION EXPENSES AT NO COST TO THE DEVELOPER AND WITHOUT THE NEED FOR ANY AGREEMENTS OR INTERESTS.

LEGEND

- EXISTING CONTOUR
- EXISTING INDEX CONTOUR
- LIMITS OF CLEARING & GRADING
- EXISTING TREELINE
- PROPOSED TREELINE
- EX. ZONING DISTRICT BOUNDARY
- EX. ZONING OVERLAY BOUNDARY
- EX. STORM DRAIN & EASEMENT
- PROPOSED STORM DRAIN
- EX. SAN. SEWER & EASEMENT
- PROPOSED SANITARY SEWER
- EX. WATERMAIN & EASEMENT
- PROPOSED WATERMAIN
- EX. GAS MAIN
- EXISTING UTILITY LINE & POLE
- AREA OF STONE STORAGE
- AREA OF PERMEABLE PAVEMENT
- NO. OF RIBBIC MAINTENANCE TO
- NO. OF RIBBIC MAINTENANCE TO



Scale: 1" = 30'

CONCEPTUAL / FINAL DEVELOPMENT PLAN

OX ROAD ESTATES

BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA

6.	9-24-13	ADDED OVERLAND RELIEF NOTE & SIDEWALK FOR LOTS 1-3 (KJV)
5.	8-6-13	REV. STONE STORAGE FOOTPRINT & CLEARING LIMITS (KJV)
4.	8-13-13	REVISED STORM WATER LAYOUT (KJV)
3.	7-26-13	REVISED LAYOUT & CLEARING LIMITS (KJV)
2.	5-2-13	REVISED PROP. ZONING DISTRICT & LAYOUT (KJV)
1.	1-17-12	REVISED PROP. ZONING DISTRICT & LAYOUT; REMOVED ONE LOT (KJV)
NO.	DATE	REVISION PRIOR TO APPROVAL

CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 3969 Percher Dr., Ste. 210 Fairfax, VA 22030 703-346-7555 Fax 703-275-8996
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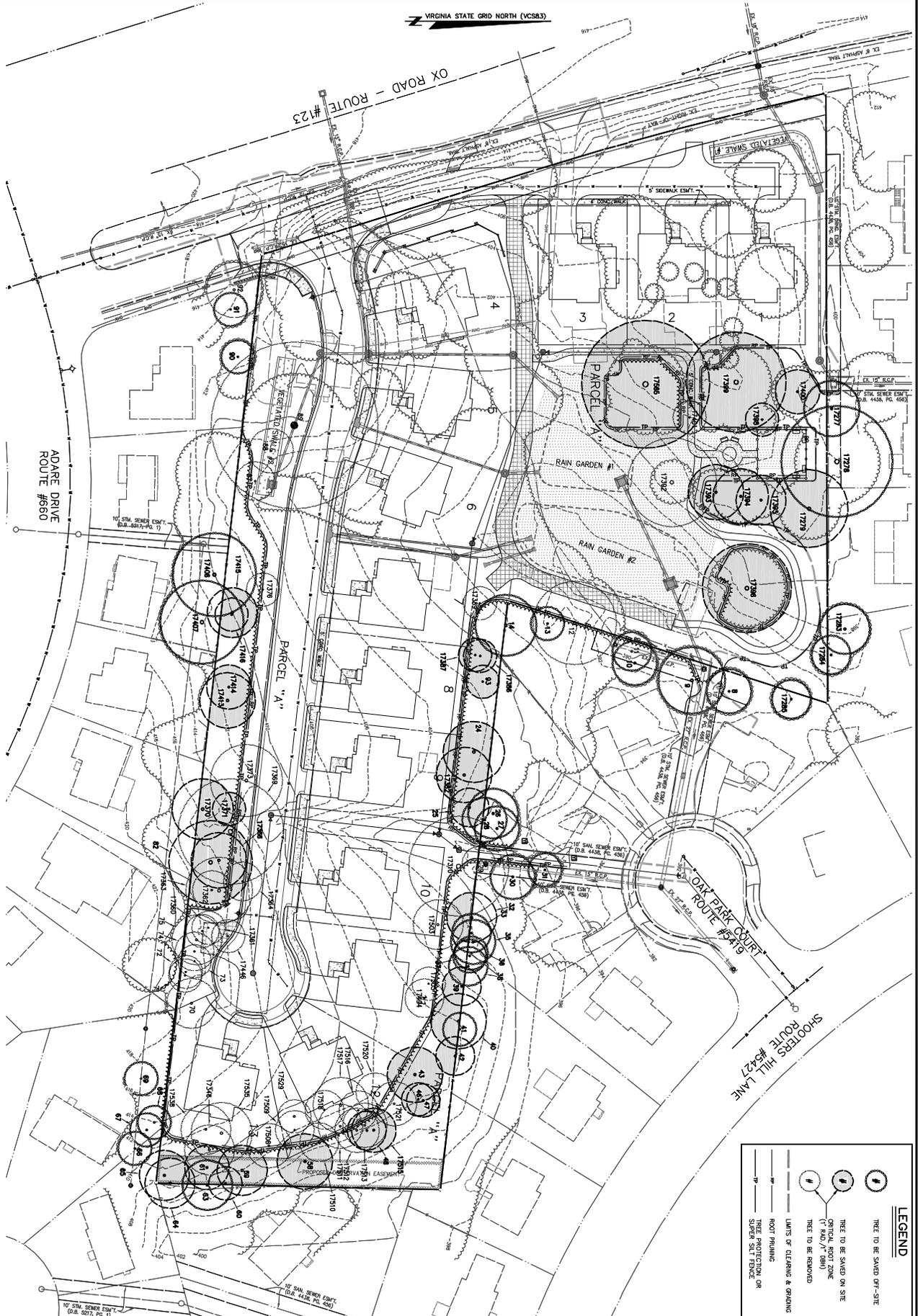


NO.	DESCRIPTION	REVISION	APPROVING DATE

Attached Xrefs: 00-F050/00-R0301/00-R0401/00-R0700

RZ 2012-BR-020

THIS SHEET IS FOR TREE PRESERVATION PURPOSES ONLY



LEGEND	
	TREE TO BE SAVED OFF-SITE
	TREE TO BE SAVED ON SITE
	TREE TO BE REMOVED
	ROOT PRUNING
	LIMITS OF CLEARING & GRADING
	TREE PROTECTION OR SUPER SILT FENCE

Date: 9/25/2013 11:00 AM
 User: PJOHNSON
 Project: OX ROAD ESTATES
 Sheet: 15 of 15
 Title: TREE PRESERVATION PLAN

NO.	DATE	DESCRIPTION	REVISIONS	APPROVAL	DATE



TREE PRESERVATION PLAN

OX ROAD ESTATES

BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA

1.	9-8-13	CHANGED TREE #7392 FROM PRESERVE TO REMOVE (KJV)
2.	8-23-13	REVISED SYMBOLS FOR OFF-SITE TREES (BLM)
3.	7-26-13	UPDATED TREE INVENTORY FOR NEW CLEARING LIMITS (BLM)
4.	5-2-13	UPDATED TREE INVENTORY FOR NEW CLEARING LIMITS (KJV)
NO.	DATE	REVISION PRIOR TO APPROVAL

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 3949 Pender Dr., Ste. 210 Fairfax, VA 22030 703-345-7558 Fax 703-275-4596
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TREE PRESERVATION TABLE III:

These are related to the document are considered those that are protected by means of cleaning and grading. The contractor is responsible for protecting the trees and preserving the preservation areas.

- 1. Pruning: Site Layer:** Prior to starting a tree preservation plan, the contractor is responsible for pruning the trees to be preserved. These trees shall not exceed that shown on the approved plan.
- 2. Pre-Construction Meeting:** After starting the site, a meeting shall be held by the contractor, the preservation contractor, and the preservation contractor. The meeting shall be held to discuss the preservation plan, the preservation contractor's responsibilities, and the preservation contractor's responsibilities. The meeting shall be held to discuss the preservation plan, the preservation contractor's responsibilities, and the preservation contractor's responsibilities.
- 3. The Preservation Approval:** The contractor shall submit a preservation plan to the preservation contractor for approval. The preservation contractor shall review the plan and provide comments. The preservation contractor shall review the plan and provide comments.
- 4. Protection of Existing Vegetation and Soil Conditions in the Preservation Area:** All existing vegetation and soil conditions shall be protected. The contractor shall take measures to protect the existing vegetation and soil conditions. The contractor shall take measures to protect the existing vegetation and soil conditions.
- 5. Use of Equipment:** Equipment shall be used in a manner that does not damage the existing vegetation and soil conditions. The contractor shall use equipment in a manner that does not damage the existing vegetation and soil conditions.
- 6. Root Pruning:** The preservation contractor shall not remove the roots of trees to be preserved. The preservation contractor shall not remove the roots of trees to be preserved.
- 7. Mulching:** The preservation contractor shall mulch the trees to be preserved. The preservation contractor shall mulch the trees to be preserved.
- 8. The Preservation Plan:** The preservation contractor shall submit a preservation plan to the preservation contractor for approval. The preservation contractor shall review the plan and provide comments.
- 9. The Preservation Maintenance:** The preservation contractor shall maintain the trees to be preserved. The preservation contractor shall maintain the trees to be preserved.
- 10. Pruning:** All pruning shall be done in a manner that does not damage the existing vegetation and soil conditions. The contractor shall prune the trees in a manner that does not damage the existing vegetation and soil conditions.
- 11. Site Monitoring:** The preservation contractor shall monitor the trees to be preserved. The preservation contractor shall monitor the trees to be preserved.

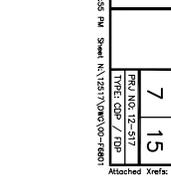
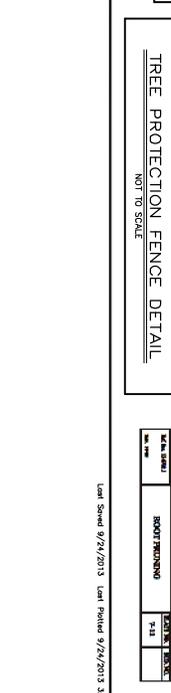
Tree #	Species	Common Name	DBH (inches)	Height (feet)	Condition	Location	Notes	Activities
1	Red Oak	Red Oak	12	25	Good	Area 1	...	...
2	White Oak	White Oak	15	30	Fair	Area 2	...	...
3	Live Oak	Live Oak	10	20	Good	Area 3	...	...
4	Black Oak	Black Oak	8	18	Fair	Area 4	...	...
5	Pin Oak	Pin Oak	6	15	Good	Area 5	...	...
6	Short Leaf Pine	Short Leaf Pine	4	10	Fair	Area 6	...	...
7	Long Leaf Pine	Long Leaf Pine	5	12	Good	Area 7	...	...
8	Slender Red Bark Pine	Slender Red Bark Pine	3	8	Fair	Area 8	...	...
9	White Pine	White Pine	7	16	Good	Area 9	...	...
10	Red Pine	Red Pine	5	12	Fair	Area 10	...	...
11	White Pine	White Pine	6	14	Good	Area 11	...	...
12	Red Pine	Red Pine	4	10	Fair	Area 12	...	...
13	White Pine	White Pine	5	12	Good	Area 13	...	...
14	Red Pine	Red Pine	3	8	Fair	Area 14	...	...
15	White Pine	White Pine	4	10	Good	Area 15	...	...
16	Red Pine	Red Pine	5	12	Fair	Area 16	...	...
17	White Pine	White Pine	6	14	Good	Area 17	...	...
18	Red Pine	Red Pine	4	10	Fair	Area 18	...	...
19	White Pine	White Pine	5	12	Good	Area 19	...	...
20	Red Pine	Red Pine	3	8	Fair	Area 20	...	...
21	White Pine	White Pine	4	10	Good	Area 21	...	...
22	Red Pine	Red Pine	5	12	Fair	Area 22	...	...
23	White Pine	White Pine	6	14	Good	Area 23	...	...
24	Red Pine	Red Pine	4	10	Fair	Area 24	...	...
25	White Pine	White Pine	5	12	Good	Area 25	...	...
26	Red Pine	Red Pine	3	8	Fair	Area 26	...	...
27	White Pine	White Pine	4	10	Good	Area 27	...	...
28	Red Pine	Red Pine	5	12	Fair	Area 28	...	...
29	White Pine	White Pine	6	14	Good	Area 29	...	...
30	Red Pine	Red Pine	4	10	Fair	Area 30	...	...
31	White Pine	White Pine	5	12	Good	Area 31	...	...
32	Red Pine	Red Pine	3	8	Fair	Area 32	...	...
33	White Pine	White Pine	4	10	Good	Area 33	...	...
34	Red Pine	Red Pine	5	12	Fair	Area 34	...	...
35	White Pine	White Pine	6	14	Good	Area 35	...	...
36	Red Pine	Red Pine	4	10	Fair	Area 36	...	...
37	White Pine	White Pine	5	12	Good	Area 37	...	...
38	Red Pine	Red Pine	3	8	Fair	Area 38	...	...
39	White Pine	White Pine	4	10	Good	Area 39	...	...
40	Red Pine	Red Pine	5	12	Fair	Area 40	...	...
41	White Pine	White Pine	6	14	Good	Area 41	...	...
42	Red Pine	Red Pine	4	10	Fair	Area 42	...	...
43	White Pine	White Pine	5	12	Good	Area 43	...	...
44	Red Pine	Red Pine	3	8	Fair	Area 44	...	...
45	White Pine	White Pine	4	10	Good	Area 45	...	...
46	Red Pine	Red Pine	5	12	Fair	Area 46	...	...
47	White Pine	White Pine	6	14	Good	Area 47	...	...
48	Red Pine	Red Pine	4	10	Fair	Area 48	...	...
49	White Pine	White Pine	5	12	Good	Area 49	...	...
50	Red Pine	Red Pine	3	8	Fair	Area 50	...	...
51	White Pine	White Pine	4	10	Good	Area 51	...	...
52	Red Pine	Red Pine	5	12	Fair	Area 52	...	...
53	White Pine	White Pine	6	14	Good	Area 53	...	...
54	Red Pine	Red Pine	4	10	Fair	Area 54	...	...
55	White Pine	White Pine	5	12	Good	Area 55	...	...
56	Red Pine	Red Pine	3	8	Fair	Area 56	...	...
57	White Pine	White Pine	4	10	Good	Area 57	...	...
58	Red Pine	Red Pine	5	12	Fair	Area 58	...	...
59	White Pine	White Pine	6	14	Good	Area 59	...	...
60	Red Pine	Red Pine	4	10	Fair	Area 60	...	...
61	White Pine	White Pine	5	12	Good	Area 61	...	...
62	Red Pine	Red Pine	3	8	Fair	Area 62	...	...
63	White Pine	White Pine	4	10	Good	Area 63	...	...
64	Red Pine	Red Pine	5	12	Fair	Area 64	...	...
65	White Pine	White Pine	6	14	Good	Area 65	...	...
66	Red Pine	Red Pine	4	10	Fair	Area 66	...	...
67	White Pine	White Pine	5	12	Good	Area 67	...	...
68	Red Pine	Red Pine	3	8	Fair	Area 68	...	...
69	White Pine	White Pine	4	10	Good	Area 69	...	...
70	Red Pine	Red Pine	5	12	Fair	Area 70	...	...
71	White Pine	White Pine	6	14	Good	Area 71	...	...
72	Red Pine	Red Pine	4	10	Fair	Area 72	...	...
73	White Pine	White Pine	5	12	Good	Area 73	...	...
74	Red Pine	Red Pine	3	8	Fair	Area 74	...	...
75	White Pine	White Pine	4	10	Good	Area 75	...	...
76	Red Pine	Red Pine	5	12	Fair	Area 76	...	...
77	White Pine	White Pine	6	14	Good	Area 77	...	...
78	Red Pine	Red Pine	4	10	Fair	Area 78	...	...
79	White Pine	White Pine	5	12	Good	Area 79	...	...
80	Red Pine	Red Pine	3	8	Fair	Area 80	...	...
81	White Pine	White Pine	4	10	Good	Area 81	...	...
82	Red Pine	Red Pine	5	12	Fair	Area 82	...	...
83	White Pine	White Pine	6	14	Good	Area 83	...	...
84	Red Pine	Red Pine	4	10	Fair	Area 84	...	...
85	White Pine	White Pine	5	12	Good	Area 85	...	...
86	Red Pine	Red Pine	3	8	Fair	Area 86	...	...
87	White Pine	White Pine	4	10	Good	Area 87	...	...
88	Red Pine	Red Pine	5	12	Fair	Area 88	...	...
89	White Pine	White Pine	6	14	Good	Area 89	...	...
90	Red Pine	Red Pine	4	10	Fair	Area 90	...	...
91	White Pine	White Pine	5	12	Good	Area 91	...	...
92	Red Pine	Red Pine	3	8	Fair	Area 92	...	...
93	White Pine	White Pine	4	10	Good	Area 93	...	...
94	Red Pine	Red Pine	5	12	Fair	Area 94	...	...
95	White Pine	White Pine	6	14	Good	Area 95	...	...
96	Red Pine	Red Pine	4	10	Fair	Area 96	...	...
97	White Pine	White Pine	5	12	Good	Area 97	...	...
98	Red Pine	Red Pine	3	8	Fair	Area 98	...	...
99	White Pine	White Pine	4	10	Good	Area 99	...	...
100	Red Pine	Red Pine	5	12	Fair	Area 100	...	...

NOTE: AS STATED BY SECTION 12-007.19 IN THE PUBLIC FACILITIES MANUAL, DEAD TREES AND TREES THAT REPRESENT A POTENTIAL HAZARD TO HUMAN HEALTH AND PROPERTY WHICH ARE 12 INCHES IN DIAMETER OR GREATER THAT RESIDE IN ONE OF THE TWO FOLLOWING AREAS WILL BE IDENTIFIED IN THE TREE INVENTORY.

AREA 1, 100 FEET FROM THE PROPOSED LIMITS OF CLEANING AND GRADING WITHIN THE UNDISTURBED AREA.

AREA 2, 10 FEET FROM THE PROPOSED LIMITS OF CLEANING AND GRADING WITHIN THE DISTURBED AREA.

THIS SHEET IS FOR TREE PRESERVATION PURPOSES ONLY



NOTE: 1. THE PROTECTION SIGN SHOULD BE MAINTAINED THROUGHOUT CONSTRUCTION. 2. THE PROTECTION SIGN SHOULD BE MAINTAINED THROUGHOUT CONSTRUCTION. 3. THE PROTECTION SIGN SHOULD BE MAINTAINED THROUGHOUT CONSTRUCTION.

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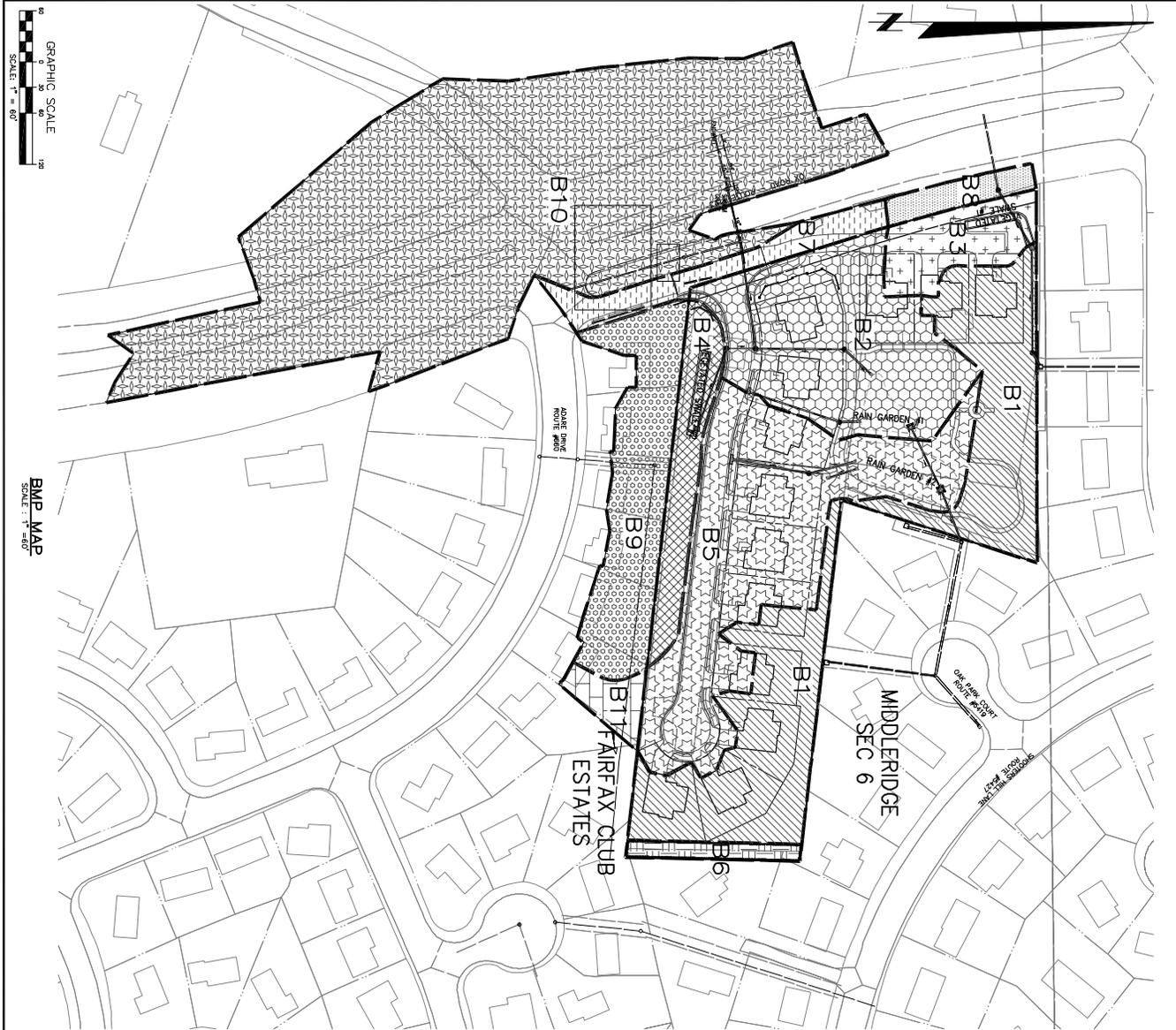
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BMP MAP
SCALE: 1" = 60'

PRELIMINARY BMP CALCULATIONS

NOTE: ALL BMP CALCULATIONS ARE PRELIMINARY AND MAY BE ADJUSTED WITH THE FINAL ENGINEERING PLANS.

NO.	DATE	REVISION	BY	CHKD.	APP'D.
1	11-24-13	REVISED OUTFALL ANALYSIS AND SMM & BMP CALCS (ADD)			
2	5-2-13	REVISED OUTFALL ANALYSIS AND SMM & BMP CALCS (ADD)			
3	2-26-13	REVISED OUTFALL ANALYSIS AND SMM & BMP CALCS (ADD)			
4	6-23-13	UPDATED CALCULATIONS BASED ON LAYOUT CHANGES (ADD)			

- BMP LEGEND**
- B1 - ONSITE UNCONTROLLED
 - B2 - ONSITE TO RAIN GARDEN #1
 - B3 - ONSITE TO VEGETATED SWALE #1
 - B4 - ONSITE TO VEGETATED SWALE #2
 - B5 - ONSITE TO RAIN GARDEN #2
 - B6 - ONSITE CONSERVATION EXHIBIT
 - B7 - OFFSITE TO RAIN GARDEN #1
 - B8 - OFFSITE TO VEGETATED SWALE #1
 - B9 - OFFSITE TO VEGETATED SWALE #2
 - B10 - OFFSITE TO UNDERGROUND STORAGE
 - B11 - OFFSITE TO RAIN GARDEN #2

BMP MAP
OX ROAD ESTATES

BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA



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Sheet 8 of 15
DATE: NOV. 2012
SCALE: HORIZONTAL = 1" = 60'
VERTICAL = 1" = 10'

STORMWATER MANAGEMENT SUMMARY

THE SUBJECT SITE WILL CONTAIN SWAMPY WETLANDS AND AN UNDESIRABLE SWAMPY WETLAND SYSTEM (UWS) LOCATED NEAR THE PROPOSED MAIN BUILDING. THIS UWS WILL BE COLLECTED AND TREATED BY A SWAMPY WETLAND SYSTEM (SWS) LOCATED NEAR THE PROPOSED MAIN BUILDING. THE SWS WILL BE DESIGNED TO TREAT THE UWS AND TO PROVIDE ADDITIONAL TREATMENT CAPACITY FOR THE SUBJECT SITE. THE SWS WILL BE DESIGNED TO TREAT THE UWS AND TO PROVIDE ADDITIONAL TREATMENT CAPACITY FOR THE SUBJECT SITE. THE SWS WILL BE DESIGNED TO TREAT THE UWS AND TO PROVIDE ADDITIONAL TREATMENT CAPACITY FOR THE SUBJECT SITE.

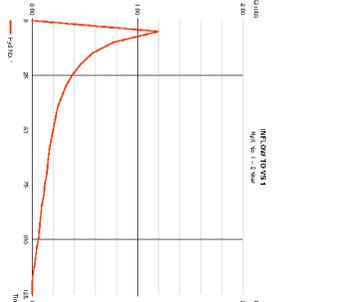
POST-DEVELOPMENT SITE 1-YEAR INFLOW

Peak discharge: 122.8 cfs
 Time to peak: 1.13 hr
 Duration of peak: 0.25 hr
 Total runoff: 1,132,800 gal
 Peak flow rate: 1,132.8 gpm
 Time to peak: 1.13 hr
 Duration of peak: 0.25 hr
 Total runoff: 1,132,800 gal
 Peak flow rate: 1,132.8 gpm

Flow Rate (cfs)	Flow Rate (gpm)	Flow Rate (MGD)
122.8	1,132.8	0.0027
100.0	900.0	0.0023
80.0	720.0	0.0018
60.0	540.0	0.0014
40.0	360.0	0.0009
20.0	180.0	0.0005
10.0	90.0	0.0002
5.0	45.0	0.0001
2.5	22.5	0.00005
1.25	11.25	0.000025
0.625	5.625	0.0000125
0.3125	2.8125	0.00000625
0.15625	1.40625	0.000003125
0.078125	0.703125	0.0000015625
0.0390625	0.3515625	0.00000078125
0.01953125	0.17578125	0.000000390625
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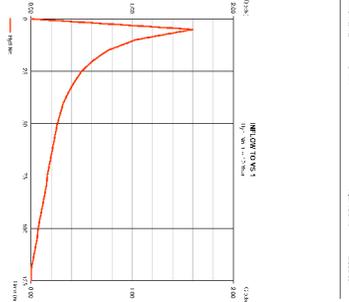
INFLOW TO VEGETATED SWALE #1 - 2YR

INFLOW TO SW 1
 Inflow hydrograph
 Time to peak = 4.00 hr
 Peak flow rate = 1.76 cfs
 Time to base = 2.00 hr
 Total volume = 1.76 cfs-hr



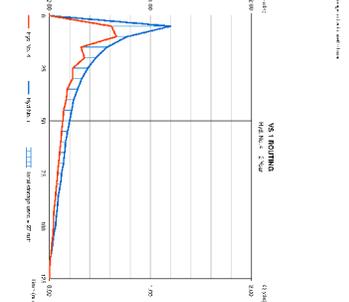
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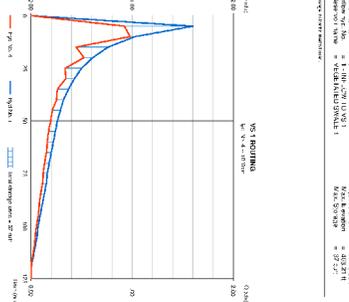
VEGETATED SWALE #1 ROUTING - 2YR

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 Time to base = 60.00 hr
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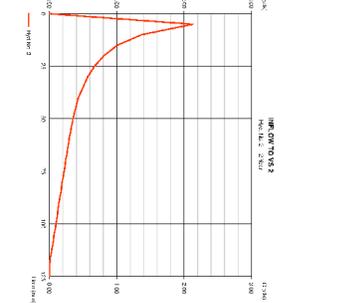
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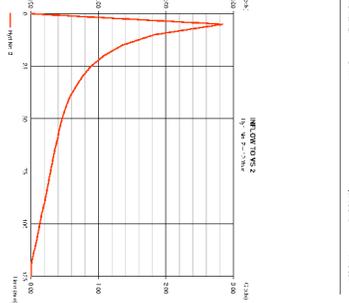
INFLOW TO VEGETATED SWALE #2 - 2YR

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 Inflow hydrograph
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 Peak flow rate = 1.76 cfs
 Time to base = 2.00 hr
 Total volume = 1.76 cfs-hr



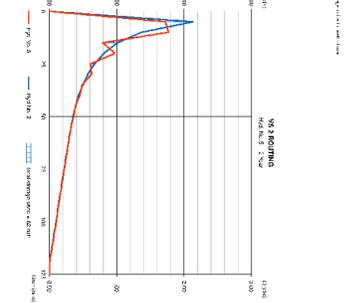
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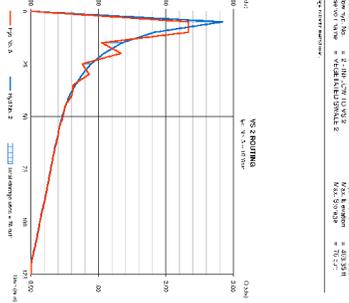
VEGETATED SWALE #2 ROUTING - 2YR

SW 2 ROUTING
 Routing
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 Peak flow rate = 1.00 cfs
 Time to base = 60.00 hr
 Total volume = 1.00 cfs-hr



VEGETATED SWALE #2 ROUTING - 10 YR

SW 2 ROUTING
 Routing
 Time to peak = 10.00 hr
 Peak flow rate = 2.00 cfs
 Time to base = 60.00 hr
 Total volume = 2.00 cfs-hr



NOTE: THESE COMPUTATIONS ARE PRELIMINARY AND MAY BE ADJUSTED WITH THE FINAL ENGINEERING PLANS.

ROUTING FOR VEGETATED SWALES

OX ROAD ESTATES

BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



8-23-13 UPDATED CALCULATIONS BASED ON LAYOUT CHANGES (ABC)
 NO. DATE REVISION PRIOR TO APPROVAL

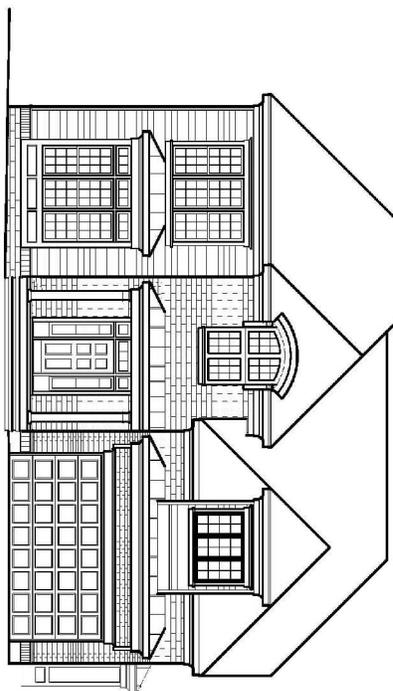
CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 3969 Premier Dr., Ste. 210 Fairfax, VA 22030 703-346-7555 Fax 703-273-8996
 www.cpa.com • Silver Spring, MD • Gaithersburg, MD • College Park, MD • Frederick, MD • Fairfax, VA

NO.	DESCRIPTION	REVISION	APPROV. DATE

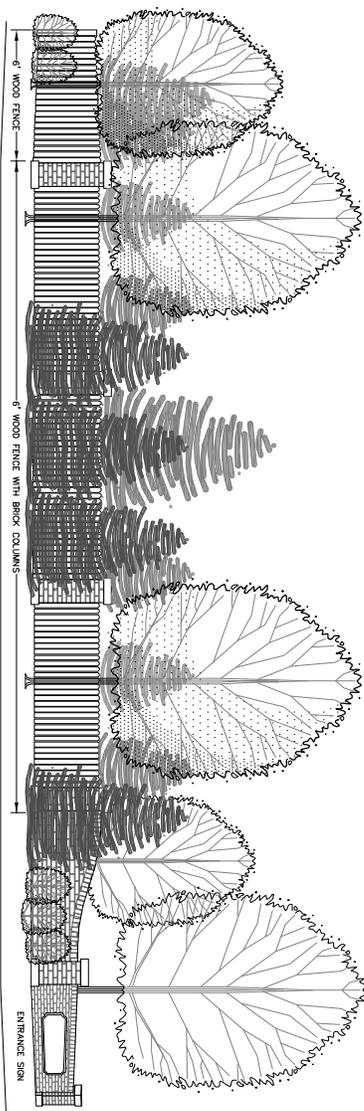
DESIGN	DFW	DRAFT	DFW
APPROVED			
DATE			
SCALE	AS SHOWN		
HORIZ.	AS SHOWN		
VERT.	AS SHOWN		
SHEET	14	OF	15
PROJECT	CPJ 07-73P		
DATE	9/24/2013		



TYPICAL BENCH
OR EQUIPMENT



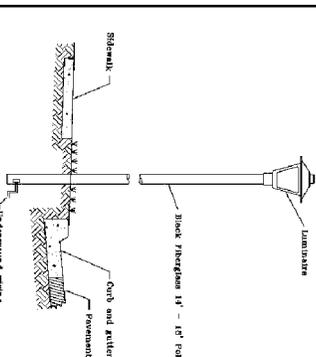
FRONT ELEVATION
SCALE: 1" = 5'



NOISE FENCE W/ENTRANCE FEATURE
SCALE: 1" = 5'

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL

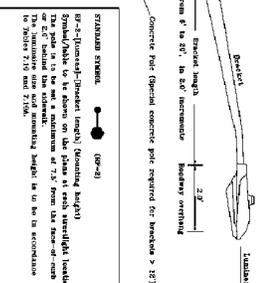
STANDARD SYMBOL (RP-3)
RP-3 (Landscape-Breakout Length) (Mounting Height)
Symbol/lead to be shown on the plans at each streetlight location.
The pole is to be set on the utility strip.
The luminaire pole and mounting height are to be in accordance
to Table 7.11.



REV. NO.	DATE	DESCRIPTION	BY	CHKD.
1	8-23-13	REVISION		
2	7-26-12	NEW SHEET (C&A)		

TYPICAL YARD LIGHT
OR EQUIPMENT

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL



REV. NO.	DATE	DESCRIPTION	BY	CHKD.
1	8-23-13	REVISION		
2	7-26-12	NEW SHEET (C&A)		

TYPICAL ENTRANCE LIGHT
OR EQUIPMENT

THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

ARCHITECTURAL ELEVATION & SITE DETAILS

OX ROAD ESTATES

BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA



NO.	DESCRIPTION	REV.	APPROV. DATE

6. 9-24-13 ADDED LIGHTING, BENCH & FENCE DETAILS (KJV)
 4. 8-23-13 REVISION (KJV)
 3. 7-26-12 NEW SHEET (C&A)
 2. 7-26-12 NEW SHEET (C&A)

REVISION PRIOR TO APPROVAL

CPJ Associates Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 3999 Pender Dr., Ste. 210 Fairfax, VA 22030 703-565-7558 Fax 703-275-6995
 www.cpa.com • Silver Spring, MD • Gaithersburg, MD • College Park, MD • Frederick, MD • Fairfax, VA

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

DESCRIPTION OF THE APPLICATION

The applicant, Eastwood Properties, Inc., requests approval of RZ 2012-BR-020 and the associated Conceptual and Final Development Plan in order to permit a residential development on 5.15 acres of land on Ox Road (Rt. 123). The applicant is proposing to rezone the property to PDH-3 to allow 13 single family detached units on a new private street and private driveway.

A reduced copy of the Conceptual Development Plan /Final Development Plan (CDP/FDP) is included at the front of this report. The proposed proffers, the Applicant's Affidavit, and the Statement of Justification are contained in Appendices 1, 2 and 3, respectively.

Waivers and Modifications:

- Waiver of the service drive requirement along Rt. 123
- Modification of the trail requirement along Rt. 123
- Waiver of the on-road bike trail requirement along Rt. 123
- Waiver of the parallel crushed stone pedestrian path requirement along Route 123
- Modification of the sight distance requirement for corner lots.

LOCATION AND CHARACTER

Location:

The 5.15 acre property is located on the east side of Ox Road between Middlegate Drive and Adare Drive, just north of St. Mary of Sorrows Church. Access will be via a private street that ties into an extension of the short section of service drive north of Adare Drive.

Site Description:

The "L" shaped tract is currently developed with two single-family houses (one on Lot 36, and one on Lots 37 and 38). Both houses are situated towards the front of the property near Route 123. The rear of Lots 37 and 38 contains a large barn, surrounded by mature evergreen trees and lawn areas. The rear of Lot 36 is heavily wooded with mature deciduous trees and contains several small outbuildings. All structures would be removed as part of the proposed development.



Figure 1 – Aerial View of Site and Surroundings

Surrounding Area Description:

The property abuts the Middleridge subdivision of single family detached houses on approximately 10,000 sf. lots to the north and east. The Fairfax Club Estates subdivision of single-family houses on lots of about 7,500 sf. is located to the south. Undeveloped land associated with a single family house on a 5 acre lot is located across Ox Road to the west along with additional single-family units on 25,000 sf. lots in the Barton Place subdivision, all in the RC District (See Figure 1). A summary of the surrounding uses, zoning, and comprehensive plan recommendations is provided in the following table:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single-Family Detached Residential	R-3	Residential at 2-3 du/ac
East	Single-Family Detached Residential	R-3	Residential at 2-3 du/ac
South	Single-Family Detached Residential	PDH-3	Residential at 3-4 du/ac
West	Single-Family Detached Residential	RC	Residential at 0.1-0.2 du/ac

BACKGROUND

No previous zoning applications are on file. Based on tax records and historic aerial photography the existing single family home on Lot 36 dates to the 1940s. At that time the property appears to have been part of a large farm. The house on Lot 37-38 dates to the 1950s.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

Plan Area:	III
Planning District:	Pohick
Planning Sector:	P-2, Main Branch
Plan Map:	Residential @ 2-3 du/ac
Plan Text:	

The Comprehensive Plan's discussion of the Main Branch Planning Sector does not include any site-specific recommendations for the subject property. This sector is largely developed as a stable suburban residential neighborhood. The plan does state, however, that infill development should be of a compatible use, type, and intensity in accordance with the guidance provided in the Land Use Objectives in the Policy Plan.

CONCEPTUAL/FINAL DEVELOPMENT PLAN ANALYSIS

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

Title of CDP/FDP:	"OX Road Estates"
Prepared By:	Charles P. Johnson & Associates, Inc.
Original and Revision Dates:	November 5, 2012, revised through September 24, 2013

Description of CDP/FDP:

Proposed Layout

The applicant's CDP/FDP (see Figure 2) situates ten lots along the north side of a 500 foot long private cul-de-sac that runs in an east-west orientation at the southern portion of the property. Three additional lots are located along the east side of a private shared driveway that runs in a north-south orientation from a proposed extension of the Ox Road service drive. The lots measure 6,400 sf. to 7,844 sf. in

area. The dwellings are shown with minimum 20 foot front and rear setbacks and seven foot side yard setbacks. Nineteen guest parking spaces are provided along one side of the private street, in addition to garage and driveway spaces. A large common open space area is provided at the northeast corner of the property and contains a tot lot, seating area, and walking path. Additional narrow areas of undisturbed wooded land are shown around the periphery of the site. Stormwater would be accommodated by two rain gardens built atop a large underground gravel storage system located in the center of the open space area. A wall that also functions as a sound barrier and entrance feature is shown along the western side of Lot 4.

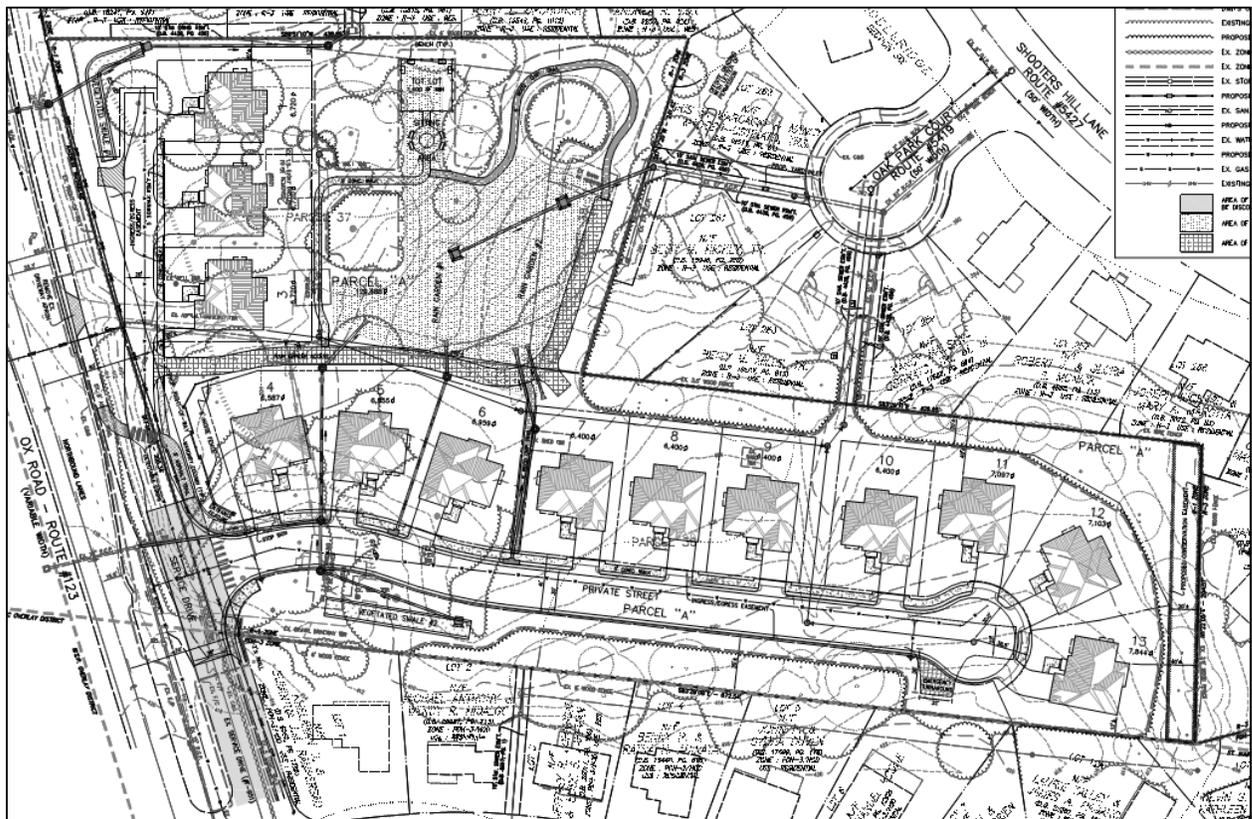


Figure 2 - Site Layout

Vehicular and Pedestrian Circulation

The CDP/FDP shows that the property will be accessed from a 110 foot long extension of the existing service drive along Ox Road, north of Adare Drive. From this point, a new 30 foot wide private street will extend approximately 500 feet to the east, terminating in cul-de-sac. A 20 foot wide private driveway is shown extending north from the new section of service drive for approximately 280 feet. The private driveway includes a hammerhead to facilitate turning. Similarly, the cul-de-sac contains an emergency turn-around for fire vehicles. A five foot wide concrete sidewalk is provided along the north side of the private street. No sidewalk is provided along the private driveway. An eight foot wide asphalt trail is provided along the east side of the service drive that then crosses the driveway, north of the service drive and connects with the existing trail along Ox Road.

Parking

The parking tabulations on Sheet 1 of the CDP/FDP show the development will meet the zoning ordinance requirement for single family uses. The 13 single family detached units require 39 spaces (@ 3 spaces/unit on private streets). The applicant will exceed the required parking by providing 26 spaces within the garages, 26 spaces on driveways, and 19 surface spaces for guest parking along the south side of the private street, for a total of 71 spaces. A proffer is provided that requires the garages be reserved for vehicle parking and that requires driveways be at least 20 feet in length, excluding the sidewalk.

Landscape and Open Space

The Zoning Ordinance requires a minimum of 20% open space for the 5.15 acre site; 40.0% (2.06 acres) is provided, primarily through one large open space area and a narrow strip of tree save/conservation area around the periphery of the site. Sheet 5 the CDP/FDP shows the proposed landscape design. The plan shows the main open space area contains a 1,000 sf. tot lot at the northern edge of the site next to a small seating area. Details for these features are shown on Sheet 15. The

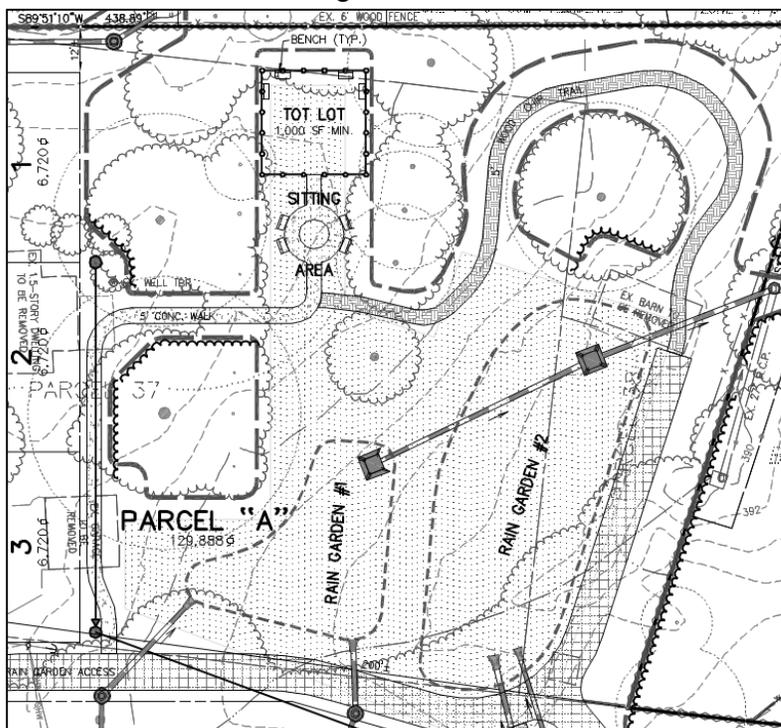


Figure 3 – Open Space/Stormwater area

Stormwater Management

The site lies within the Sideburn Branch sub-watershed of the Pohick Creek watershed. The stormwater management (SWM) and adequate outfall narratives on Sheet 9 of the CDP/FDP indicate that stormwater will be accommodated by two rain gardens built atop an underground gravel storage system located at the northeast

two planted rain gardens are located south of these feature. A combination wood-chip trail, concrete sidewalk, and paver access path are shown that will create a walking circuit through the open space area and connect to the private street between Lots 5 and 6. The open space area contains several mature evergreen trees that are being preserved. Additional shrub and tree plantings are provided at the periphery and within the rain gardens. Street trees are shown along the private street and shared driveway.

portion of the site. In addition, two vegetated swales are located adjacent to Route 123. The run-off from a majority of the site will flow via an onsite stormwater sewer system into the rain gardens and underground storage system. This facility outfalls to the existing inlet in an easement, off-site on Lot 261, located to the east on Oak Park Court and then into the storm sewer system associated with the Middleridge Subdivision, Section 6. The runoff flows through this system and eventually into Woodglen Lake and Sideburn Branch. A small area measuring approximately 0.92 acres at the eastern end of the subject property will sheet flow to the east and into the existing storm inlets on Shooters Hill Lane and Oak Park Court, to the northeast. The applicant has calculated the sheet flow volume on Sheet 9 and shows the rate and volume of sheet flow are being reduced in accordance with PFM requirements. According to the SWM narrative, the project will reduce post-development peak flows below pre-development levels. The rain gardens and vegetated swales are proposed to exceed the current BMP requirements and will provide a 47.5% reduction. It is anticipated that the Board will adopt new stormwater management regulations before the end of 2013, that would go into effect in mid-2014. The applicant is aware of the proposed regulations and has designed the stormwater management system to the extent feasible to conform with the anticipated new rules. Additional discussion of the stormwater management system is provided in the staff analysis section.

Architecture

A sample architectural building type has been provided on Sheet 15 of the CDP/FDP. The elevation depicts a colonial style design with a brick and siding façade and two-car front-loaded garage (Figure 4). A proffer has been provided that requires that the design be generally consistent with quality and materials depicted in this image.



Figure 4 – Typical Front Elevation

STAFF ANALYSIS

Land Use

The Comprehensive Plan does not contain any site-specific recommendations for the subject property. The Comprehensive Plan Map places the site in the 2 to 3 du/ac. category, consistent with the adjacent Middleridge and Fairfax Club Estates communities to the north and south. The Plan states that infill development should be of a compatible use, type, and intensity in accordance with the guidance provided in the Land Use Objectives in the Policy Plan. The proposal for 13 single family detached houses on 5.15 acres yields a density of 2.5 du/ac, which is in the middle of the recommended density range. This range is also similar to the adjacent subdivisions. Overall, staff finds that the proposed use, type and intensity is compatible with the surrounding area and thus is in harmony with the land use recommendations of the Comprehensive Plan.

Residential Development Criteria (Appendix 4)

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, being responsive to historic heritage, contributing to the provision of affordable housing, and being responsive to the unique, site specific considerations of the property. Accordingly, all rezoning requests for new residential development are evaluated based on the following eight criteria:

1. Site Design

The Site Design criterion requires that the development proposal address consolidation goals in the plan, further the integration of adjacent parcels, and not preclude adjacent parcels from developing in accordance with the Plan. In addition, the proposed development should provide useable, accessible and well-integrated open space, appropriate landscaping and other amenities.

The applicant's proposal includes all three remaining infill parcels along this section of Ox Road. The property is surrounded by mature residential communities developed in accordance with the Comprehensive Plan. Development with 13 detached houses is compatible with the surrounding area. The CDP/FDP shows a large open space area accessible by pedestrian pathways that includes both active and passive amenity features. Details for this area, provided in the CDP/FDP, show appropriate plantings and accent features such as benches and shade trees. Overall, staff finds that this criterion has been met.

2. Neighborhood Context

The Neighborhood Context Development Criterion requires the development proposal to fit into the fabric of the community as evidenced by an evaluation of

the bulk/mass/orientation of proposed dwelling units, lot sizes, architectural elevations/materials, and changes to existing topography and vegetation in comparison to surrounding uses.

In staff's opinion, the proposed site design is sensitive to the surrounding neighborhood context. With the proposed rear yards of the new homes facing the rear yards of the existing homes, the orientation is logical. Because the project contains common-owned land at the periphery, the proposed lot sizes (6,000-7,000 sf.) are smaller than the surrounding neighborhoods (which range from 10,000 to 12,000 sf.). The proposed homes are larger than the immediately surrounding neighborhoods but, in staff's opinion, are not out of character with other newly constructed homes in the wider Fairfax Station/Burke area. Lastly, though some trees are being removed to allow for the development of the property, the applicant has committed to meeting tree preservation target area requirement, primarily through saving trees at the boundaries of the site, and is proposing extensive re-planting/landscaping.

3. Environment (See Appendix 5 for Environmental Analysis)

This Criterion requires that developments respect the natural environment by conserving natural environmental resources, account for soil and topographic conditions and protect current and future residents from the impacts of noise and light. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts.

The key environmental issues for the property are the proper handling and treatment of stormwater and the preservation of mature trees. Since no stormwater measures currently exist at the property, the addition of a modern stormwater management system with rain gardens and underground storage will provide tangible benefits over existing conditions. The system is proposed to reduce post-development peak flows below existing levels. The system is sized to exceed current minimum standards by detaining the one year storm for 24 hours. Water quality is addressed through the use of vegetated swales and the rain gardens themselves that will exceed requirements for phosphorous reduction. Stormwater management is discussed in greater detail in a subsequent section of this report; however, in summary, staff feels this criterion is met. Previous requests for a waiver from the tree preservation requirements were withdrawn by the applicant and the tree preservation calculations shown on the CDP/FDP now comply with the Zoning Ordinance. The following additional environmental issues were raised by staff during the course of the review:

Green Building

The applicant has proffered to obtain Energy Star for Homes certification for the thirteen units.

Noise Mitigation

Noise effects have been adequately addressed through proffer commitments for a wall on the one lot that is affected by noise from Rt. 123 and construction techniques to comply with the Zoning Ordinance standards for noise mitigation. The Policy Plan recommends mitigation of the effects of noise generated by transportation to levels of no greater than DNL 65 dBA for outdoor activity areas, and DNL 45 dBA for interior areas of residences. The applicant has submitted a noise study of the property dated that indicates that projected traffic noise will be greater than 65 dBA within the interior of the unit on Lot four. Thus, mitigation is necessary in order to meet the Ordinance. The CDP/FDP on Sheet four of the development plans depict a barrier height of six feet. The interior of the affected units must be designed to ensure that interior noise levels do not exceed 45 dBA. The proffers provide for alternative interior noise attenuation measures subject to the implementation of a refined noise study as reviewed and approved by the Department of Public Works and Environmental Services (DPWES) in consultation with the Department of Planning and Zoning. While further study will be necessary to refine the most effective measures, the applicant has proffered to utilize noise attenuation measures with enhanced exterior walls, doors and glazing, and surfaces sealed and caulked to achieve noise levels to DNL 45 dBA for interior areas of the affected residences and 65 dBA for exterior areas.

4. Tree Preservation & Tree Cover Requirements

This Criterion states that all developments should be designed to take advantage of existing tree cover and developed appropriately to disturb as little existing tree cover as possible, including the extension of utility improvements to the site.

The property contains significant areas of mature tree cover. While the applicant is proposing to remove many of the existing trees, the project will meet the Zoning Ordinance requirement for tree preservation. This is achieved through the establishment of tree save areas along the periphery of the site and within the main open space area. The open space area was intentionally located in the northeast corner of property to allow for the preservation several large evergreen trees. By preserving mature trees around the property boundary and providing significant new tree and shrub plantings, the proposal helps to maintain part of the wooded character of the site as viewed from the surrounding neighborhood. Given these facts, staff believes this criterion has been met. Additional comments related to tree planting requirements are discussed in the Urban Forest Management analysis.

Urban Forest Management Analysis (Appendix 6)

UFM staff initially identified significant issues with the proposal related mainly to tree preservation. After several revisions, the applicant has largely addressed these concerns. The following summarizes the specific issues and the modifications made to the plans to address them:

Tree Preservation Target Area

Earlier submissions requested a significant modification of the tree preservation target area requirement. Given the mature tree cover that characterizes the site, staff had significant concerns with this request. Staff recommended that the applicant reevaluate the layout of the streets and lots as well as the size of the proposed houses in order to identify opportunities to save additional trees. The applicant responded to these concerns by reducing the size of the homes and re-designing the subdivision to maximize the preservation of existing trees. The calculations on Sheet 5 of the CDP/FDP show that the plan now exceeds the minimum required tree preservation target area by almost 1,000 sf. (38,878 sf. required vs. 39,875 proposed). Accordingly, a modification is no longer required and it is staff's opinion that this issue is adequately addressed.

Limits of Clearing and Grading

Staff provided specific recommendations to adjust the limits of clearing and grading to maximize tree preservation and to be consistent with the tree protection fencing indicated on the plan. The current submission has incorporated these changes.

Rain Garden Plantings

The proposed rain garden contains a depth of 3.25 feet of soil media and was shown to be planted with Category IV trees. However, per the PFM, Category IV trees require at least four feet of soil to ensure long-term viability. In the latest revision to the plan, the applicant has reduced the size of the proposed trees and adjusted the 10-year canopy calculations to conform with PFM standards.

Invasive Species Management

Staff recommended that the applicant provide a proffer for invasive species control with specific language related to vegetation management. The requested language has since been incorporated into the proffers, thus addressing this issue.

5. Transportation

Criterion 5 requires that development provide safe and adequate access to the surrounding road network, and that transit and pedestrian travel and interconnection of streets should be encouraged. In addition, alternative street designs may be appropriate where conditions merit.

The proposed development would be accessed from an extension of the Ox Road service drive, north of Adare Drive. A new 30 foot wide private cul-de-dac street would extend east from the service drive, accessing ten homes and a 20 foot wide private shared driveway would run north to serve three homes. A sidewalk would be provided along the north side of the private street. An eight foot wide trail connection is provided along Ox Road and the service drive to connect with exiting sections of trail. A traffic analysis provided by the applicant indicates that the intersection of Ox Road, Adare Drive, and the service drive can accommodate the new traffic generated from the 13 homes with a three second adjustment to the signal timing (increasing the green time to Adare Drive). In addition, the study provides a turning template that shows cars and trucks exiting the service drive can successfully turn to head north on Rt. 123. Overall, staff believes that safe and adequate vehicle pedestrian circulation is provided. Additional transportation analysis is provided below:

Transportation Analysis (See Appendix 7 for FCDOT and VDOT memoranda)

FCDOT and VDOT have reviewed the proposal and identified several concerns. These concerns have largely been addressed by the most recent plan submission and proffers, and are summarized here:

Rt. 123 dedication/Improvements in the Right of Way/Trail Alignment

As requested by staff, the applicant has proffered to dedicate fifteen feet of right of way along Ox Road to allow for the future widening of the roadway, as identified in the Comprehensive Plan. The area of dedication includes a portion of the shared driveway as well as all of the proposed asphalt trail. Staff has agreed to support this layout predicated on the acceptance of a proffer that requires the applicant to maintain any improvements in the right of way. In addition, the applicant will be responsible for the removal of these improvements at the time any Ox Road widening project proceeds. In other words, although a portion of the shared driveway will be located in the right-of-way, it will be maintained by the HOA like a private street until such time that the land is needed by VDOT or FCDOT to widen Ox Road, or to construct other planned improvements. At that time, the HOA will be responsible for removing the driveway and, depending on the configuration of the widened roadway, the houses along it may have their access reconfigured. The applicant has proposed a proffer that details this arrangement.

Staff commented that the proposed eight foot wide asphalt trail along Ox Road is not located in its ultimate position, under a widened Ox Road scenario. In addition, the trail is shown at eight feet in width, which requires a modification because it is less than the ten foot standard width in the Comprehensive Plan. Staff acknowledges, however, that the trail shown on the CDP/FDP matches the existing trail along Ox Road and, as there are no pending plans to improve Ox Road, believes the proposal is adequate. As the applicant's private driveway is in the dedicated ROW which precludes the construction of the trail in its ultimate location, transportation staff recommends that the applicant

escrow funds to cover the future construction of a ten foot wide trail along the full frontage of the application property after Ox Road is widened. In the event Ox Road is widened, the County will need to build the trail in its ultimate location. The applicant has not agreed to the request for an escrow and maintains the construction of the eight foot wide trail as proposed is sufficient. Staff continues to work with the applicant and FCDOT on this issue.

Curb and Gutter on Private Driveway

Staff recommended that the applicant install curb and gutter as well as sidewalk along the shared driveway for Lots 1-3. The applicant indicates that these features were omitted intentionally to allow for stormwater to sheet flow in an easterly direction into the rain gardens.

Signal Timing at Adare Drive and Rt. 123

The applicant's traffic study indicated an extra three seconds of green time for traffic exiting Adare Drive is warranted to account for the new trips generated by the proposed thirteen homes. The applicant will work with VDOT at the time of subdivision review to adjust the signal timing accordingly.

"Stop Here on Red" Sign

In order to prevent cars from blocking the service drive, the applicant has proffered to install a sign and stop bar that will instruct drivers to stop before the service drive on Adare Drive when the signal at Rt. 123 is red. Final determination as to the language and placement of the sign is subject to review and approval by VDOT.

6. Public Facilities

Criterion 6 states that residential developments should offset their impacts upon public facility systems (i.e. schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). Impacts may be offset by the dedication of land, construction of public facilities, contribution of in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects.

The applicant has proffered to provide a monetary contribution for public schools and recreational facilities. The applicant has proposed BMPs and other stormwater measures that, subject to DPWES approval, will provide a tangible benefit to both the existing and proposed residents. Overall, staff believes this criterion is adequately addressed. Specific Public Facilities issues are discussed in detail in Appendices 8 – 12.

Park Authority (Appendix 8)

The Park Authority reviewed the application and identified several issues and recommendations. All these have been addressed including the recreation contribution request:

Recreation Contribution

In addition to the \$1,700 per non-ADU unit required for open space and recreational features in the PDH district (per Sec.6-209 and 16-404 of the Zoning Ordinance), the Park Authority requests that the applicant contribute a fair share contribution of \$893 per new resident ($34 \times \$893 = \$30,362$) to offset the effects to service levels at nearby facilities. The applicant has proffered to provide both the PDH contribution and the full fair share contribution in the amount of \$30,362 and, as such, this issue has been satisfactorily addressed.

Fairfax County Public Schools (FCPS) (Appendix 9)

The proposed development would be served by Bonnie Brae Elementary School, Robinson Middle School and Robinson High School. If development occurs within the next six years, Bonnie Brae and Robinson Middle are projected to have excess capacity, while Robinson High is projected to have a deficit. The total number of new students generated by the development is anticipated to be five students (three elementary, one middle, one high school). Staff requests that the applicant contribute \$52,440 (or an amount equal to \$10,488 per student) to offset potential impacts from the additional students on the schools. The applicant has proffered to provide the \$52,440 (with an escalator clause) for capital improvements to Fairfax County schools in conformance with FCPS guidelines.

Sanitary Sewer (Appendix 10)

The property is located within the Pohick Creek Watershed, and would be ultimately serviced by the Norman M. Cole, Jr. Treatment Plant in Lorton. The property will tie into an existing 8-inch line located in Oak Park Court through an easement on Lot 260 to the north. DPWES Staff has determined that although the proposed pipe will be located less than the PFM standard of 15 feet to the existing dwelling on Lot 260, due to the shallow depth of the pipe, it can be installed without negative effects to the house. In order to minimize the disturbance to this property, the applicant has agreed to work with the homeowner to dig the required trench with light equipment or by hand. In addition, the applicant will fully restore the area at the conclusion of the work.

Water Service (Appendix 11)

Water service for the property will be provided from an existing 16" main in Ox Road that is deemed adequate at this time.

Health Department (Appendix 12)

The Health Department notes that the existing homes on the site are or were served by an on-site septic system and/or wells. The tanks and wells will need to be properly abandoned in order to receive the demolition permit. The applicant has provided a proffer to this effect.

7. Affordable Housing

This Criterion states that ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of Fairfax County. This Criterion may be satisfied by the construction of units, dedication of land, or by a contribution to the Housing Trust Fund.

As the applicant's proposal falls below the 50-unit minimum, the Affordable Dwelling Unit ordinance is not applicable. A proffer has been proposed that will provide a contribution to the housing trust fund in an amount equal to one-half of one percent of the value of all units approved at the time subdivision in accordance with Board of Supervisors' policy. This criterion has been met.

8. Heritage Resources

This Criterion requires that developments address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation.

As the site abuts the St. Mary's historic district, the applicant completed a Phase I archaeological assessment to determine if any resources are located on the property. The results indicate that the houses on the property (from the 1940s) are not individually eligible for listing on the national register. In addition, while several artifacts were recovered, they are considered isolated finds from disturbed contexts and were not recorded as archeological sites. No additional studies on the property are recommended. This criterion has been addressed.

Stormwater Management Analysis (Appendix 13)

According to the applicant's stormwater narrative and adequate outfall analysis, two rain gardens built atop one large underground gravel storage facility are proposed at the northeast corner of the site in the open space area. In addition, two vegetated swales are proposed closer to Ox Road. The site currently receives un-detained runoff from Rt.123, as well from a portion of Fairfax Club Estates, to the south. This, plus a majority of the on-site run-off, will flow via a system of pipes to the rain gardens and underground storage system. The facility is designed to outfall to the existing inlet off-site on Lot 261 of Middleridge Section 6, to the east, and then flows into the storm sewer system associated with that subdivision. A small portion of the eastern end of the property measuring 0.92 acres will sheet flow east into off-site inlets in Oak

Park Court and Shooters Hill Road. It is anticipated that the Board may adopt new stormwater management regulations before the end of 2013, that would subsequently go into effect in mid-2014. The applicant is aware of the proposed regulations and has designed the stormwater management system to the extent feasible to conform with the anticipated new rules.

Given pre-existing flooding problems immediately downstream from the subject property, staff from DPWES has worked with the applicant over several revisions to improve the stormwater management system. The following discussion summarizes the key staff concerns and describes the applicant's responses to address them.

Detention

The PFM limits the amount of area that is permitted to drain into a rain garden. As a result, some of the runoff will need to be piped directly to the underground gravel storage facility. Staff noted that this runoff will require both pre-treatment and a diversion structure to allow relief should the pre-treatment device become clogged. Staff has recommended underground hydro-pneumatic devices be utilized for the pre-treatment, but notes the addition of a diversion structure may require the location of the facility to be adjusted. This determination will be made at the time subdivision review.

Adequate Outfall (Offsite Overland Relief)/Drainage Diversion

The adequate outfall narrative on Sheets 9 and 11 of the CDP/FDP states that the site will outfall to existing inlet on neighboring Lot 261, to the east and that overland relief will flow between the homes on Lots 261 and 262 (10912 Oak Park Court and 10914 Oak Park Court). However, based on two foot contours from 2009, and field observations, it appears the level of the curb on Oak Park Court is above the level of the rear of those lots. Given current topography, the outfall's path appears to run north, parallel to the rear of the dwelling on Lot 262. Thus, permission for offsite grading on lot 262 is required in order to demonstrate that true adequate outfall, as depicted on the CDP/FDP, has been provided. Demonstrating adequate outfall is also a prerequisite to permit the drainage diversion as depicted on the plans. While the 100-year overland flow will be reduced by a proportional level as required by the PFM, the applicant acknowledges in the overland relief narrative on Sheet 9 of the CDP/FDP that off-site grading on Lot 262 and the installation of a new swale and inlet in the existing easement on Lot 261 will be required to provide offsite overland relief. As of the publication of this report, no formal agreement to allow the improvements on Lots 262 has been secured. Staff is continuing to work with the applicant, the Braddock District Supervisor's office, and the affected neighbors to find a mutually beneficial solution. In order to account for the possibility that permission for grading on lot 262 cannot be obtained, the applicant has added a note on Sheet 4 of the Plans and provided a proffer that indicates an alternate location for the overland relief may be provided in consultation with DPWES without the need for a PCA. It should be noted that

this provision pertains only to the off-site improvements and the remainder of the stormwater management system on-site must be consistent with what is depicted on the CDP/FDP.

Location of Storm Drains

The storm drains conveying offsite runoff must be placed in easements, per PFM requirements. As trees used for canopy credit are not permitted to be planted in easements, the location of certain trees depicted on the landscape plan may need to be shifted at the time of subdivision review. The applicant has provided proffer that indicates affected trees currently shown on the plan will be moved and the total amount of canopy coverage will not be reduced.

Tree Plantings in Rain Gardens

Staff noted that the Category IV trees proposed to be planted in the rain garden could not be installed with 3.25 feet of soil depth shown on the plan. The applicant has since revised the proposed planting plan and 10-year canopy calculations to show smaller Category II I trees.

Computation of Required Controls

Staff notes that with anticipated change to the County's stormwater ordinance set to take effect on July 1, 2014, the applicant will be required to utilize the new Virginia Runoff Reduction method in place of the Occoquan method. This change will require an additional 5% of phosphorous reduction (45% versus 40%). The applicant acknowledges this and has calculated that the rain gardens and swales will yield a 47% reduction in phosphorous, thus exceeding the new standard.

Use of Innovative (Best Management) Practices

Staff recommended that the applicant incorporate numerous volume reduction practices in addition to those required to meet water quality requirements. In response, the applicant revised the plan to incorporate permeable pavement for the access pathway to the rain gardens and added the two vegetated swales to capture run off from Rt. 123. Staff commends the applicant on the utilization of these techniques and recommends that they consider such additional practices as soil amendment for areas with compacted soils and designating additional conservation areas for tree preservation. A proffer is provided that requires the installation of the permeable pavement.

In summary, the gravel storage system is designed to maintain the two and ten-year peak flows below pre-development levels (under "good forested" conditions) plus, given documented downstream flooding conditions, an additional reduction for proportional improvements. In addition, the rain gardens themselves are designed to hold the 100-year storm below the level of the embankment to prevent spill-over. Neighboring property owners have provided anecdotal evidence of downstream basement flooding in a home on

Middlegate Drive (in addition to yard flooding). Given this, it should be noted that at subdivision review, if it is determined that downstream structures have or may be flooded, the applicant will be required to detain the runoff from the 100-year storm or achieve a proportional reduction of the 100-year storm runoff. This PFM requirement must be satisfied in order to obtain subdivision approval. Final determination of the adequacy of this and other elements of the proposed system will also be made by DPWES at the time of subdivision review. If such adequacy cannot be confirmed, the applicant will be required to re-design their system which may require an amendment to any rezoning and/or final development plan approval granted by the Planning Commission or Board of Supervisors.

ZONING ORDINANCE PROVISIONS (Appendix 14)

Planned Development District Standards

All rezoning proposals in a “planned” District must comply with the Zoning Ordinance provisions found in Article 6, Planned Development District Regulations and Article 16, Development Plans.

Article 6

Sect. 6-101 Purpose and Intent

This section states that the PDH District is established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote balanced development of mixed housing types and to encourage the provision of affordable dwelling units.

The development has been designed to address the key issues present at the site including effective management of stormwater runoff and the preservation of existing mature trees. By concentrating the open space at the lowest portion of the property, the design allows for an oversized stormwater management facility while simultaneously providing sufficient area for active and passive recreation. A proposed network of pedestrian pathways allow this area to be easily accessible from all parts of the site. In addition, the design preserves a line of mature trees in common land around the periphery of the site, some which is formally preserved in a conservation easement. By locating twelve of thirteen homes outside of the applicable noise contours, the layout is also responsive to noise emanating from Rt. 123. Adequate vehicular access is provided without the need for curb cuts on Rt. 123. Lastly, the applicant will meet their affordable housing requirement through a contribution to the housing trust fund. Overall, the layout represents a creative approach to meet the challenges of the site while still providing an attractive residential environment. Therefore, it is staff’s opinion that the CDP/FDP meets the purpose and intent of the PDH District.

Sect. 6-107, -109, and -110 Lot Size Requirements, Maximum Density, and Open Space

Section 6-107 states that a minimum of two acres is required for approval of a PDH District. Section 6-109 states that the maximum density for the PDH-3 District is 3 dwelling units per acre (du/ac). Par. 1 of section 6-110 requires a minimum of 25% of the gross area as open space in the PDH-8 District. Par. 2 of section 6-110 requires that recreational amenities be provided in the amount of \$1,700/du.

The area of this rezoning application is 5.15 acres which meets the minimum district size requirement. The applicant proposes a density of 2.5 du/ac, which falls within the density range recommended by the Comprehensive Plan. The applicant proposes to retain 40.0% of the site as open space, which is twice the minimum requirement in the Zoning Ordinance. The applicant has also proffered to provide the required monetary contribution per unit for recreation to be provided on-site. It is staff's opinion that this standard has been satisfied.

Article 16**Section 16-101 General Standards**

General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted Comprehensive Plan, except as expressly permitted under the applicable density or intensity bonus provisions.

The comprehensive plan recommends the subject site for residential use at a density of 2-3 du/ac. The proposal for 13 single-family detached units at a density of 2.5 du/ac as depicted on the CDP/FDP is in conformance with Plan with respect to land use type, character and intensity and is consistent with surrounding development. Staff finds this standard is satisfied.

General Standard 2 states that 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.

It is staff's opinion that the CDP/FDP provides a functional layout with common open space as intended in the PDH District more so than would a development proposal under a conventional district. Detached residential units at 2.5 du/ac could be permitted under the R-3 district; however, while the conventional district requires a similar percentage of open space (25% versus 20%), it has no requirement that such space be publically accessible or usable. Moreover, there is little incentive for an applicant to exceed the open space requirement as is proposed here. The larger yard requirements in a conventional district would further reduce the ability to provide communal amenities or provide larger stormwater facilities without having to reduce density. In exchange for the relaxation of these bulk standards, the Zoning Ordinance calls for an innovative project that provides a high quality residential environment with

well-designed public spaces, attractive architectural design and high quality building materials. It is staff's opinion that these elements have been provided as evidenced by the open space area and walking paths, oversized stormwater management, and commitment to Energy Star certified homes.

General Standard 3 states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.

The CDP/FDP preserves 40% of the site as open space while still providing for 13 houses at a density of 2.5 du/ac. Based on the shape of the property, the arrangement of the lots and private streets is logical. The site presently contains numerous mature trees and there is sloping topography in the northeast portion of the site. While the removal of some trees is unavoidable, the plan meets the tree preservation target area requirement primarily through tree save areas around the periphery of the site and in the open space area. These tree saves areas will provide the added benefit of buffering the new development from adjacent homes. It is staff's opinion that this standard has been met.

General Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan.

Like the proposed development, the surrounding properties consist exclusively of single-family detached houses, developed in conformance with the Comprehensive Plan. The subject site is the last piece of un- or under-developed land in the immediate vicinity. By locating common-owned, tree save areas or open space along the majority of the site's border with neighboring homes, negative effects, if any, are minimized. It is staff's opinion that the proposal does not present an immediate conflict or negative effect on the use, value, or future development of any of surrounding properties.

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

Adequate public facilities and utility services are available including sewer service and stormwater management, subject to final review by DPWES at the time of subdivision approval. This standard is satisfied.

General Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

The site layout includes internal pedestrian and vehicular connections to all parts of the development. Vehicle access is provided to Adare Drive and the signal at Rt. 123 allows for safe access both northbound and southbound. Sidewalks are provided within the development and connect to external facilities along Ox Road including the new connection to be built by the applicant to link the existing sections of trail along the site's frontage. It is staff's opinion that this standard is met.

Section 16-102 Design Standards

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

The single family detached units along the north side of the private street are shown with a rear yard of at least 20 feet and the units along Rt. 123 have a minimum front yard of 20 feet. These figures generally conform to R-3 district standards which require a 35 foot minimum front yard and 25 foot minimum rear yard. It should be noted, however, that the presence of the common-owned tree save area between the residential lots and the tract boundary, which measures at least 25 feet in width, creates an effective minimum rear yard of 45 feet, well in excess of the conventional zone standard. Similarly, the common-owned area that contains the shared driveway along Ox Road, increases effective front yards at or above the conventional zone standard of 35 feet. Lastly, the southern (right) side yard on Lot 13 is shown with a width of 15 feet, which matches the R-3 standard.

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

The application exceeds the open space and parking requirements that would typically be required for a conventional district. Any entry signage will conform to the provisions in Article 12. This standard has been met.

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

The application provides for a private cul-de-sac street measuring 30 feet in width to serve ten homes and a shared 20 foot wide private driveway to serve the remaining three. The street layout is a logical response to the shape of the tract and has been deemed acceptable by FCDOT, VDOT, and the Fire Marshal. Adequate sidewalks

are provided along the Ox Road service drive and the private street, and a small trail network is provided to link the open space with the remainder of the development. Overall, staff supports the vehicular and pedestrian circulation network depicted on the CDP/FDP; this standard has been met.

Waivers/Modifications:

Waiver of the service drive requirement along Route 123 pursuant to Section 17-201.3 of the Zoning Ordinance in favor of the frontage improvements shown on the CDP/FDP.

Currently, a short segment of service drive exists north of Adare Drive. The applicant is constructing a partial extension of this service drive which becomes a shared private driveway to the north of the extension. Both of these will be privately maintained. Given that all proposed lots will utilize these roads to access the existing service drive, and ultimately Rt. 123 at Adare Drive, the applicant has provided a circulation pattern with the same functionality as a public service drive. In addition, as the land along Rt. 123 to the north is fully developed with single-family detached residential uses that front on internal streets, there is no need to extend a service drive across the full frontage of the subject property. Accordingly, staff supports the waiver in favor the configuration shown on the CDP/ FDP.

Modification of the trail requirement along Rt. 123 and waiver of the on-road bike trail requirement pursuant to Section 17-201.2 of the Zoning Ordinance in favor of the asphalt trail shown on the CDP/FDP.

The Comprehensive Plan calls for a ten foot wide asphalt trail along Ox Road. However, the existing sections of trail immediately to the north of the subject property is eight feet in width. While not ideal, staff does not object to the applicant's proposal to construct an eight foot wide asphalt trail that will connect the existing trail to the north and with the concrete sidewalk to the south, thus, matching existing conditions and filling a missing link along this segment of Ox Road. It should also be pointed out that under the Comprehensive Plan's recommendation for a widened Ox Road, the location of the asphalt trail would be different than what the applicant is proposing. Building the trail in that location at the present time, however, would create an awkward alignment. Therefore, staff supports the modification in favor of the trail shown on the CDP/FDP. In addition, as there are no bike lanes on Ox Road in this vicinity, staff supports the requested waiver of the bike lane requirement in favor of the asphalt trail depicted on the CDP/FDP.

Waiver of the parallel crushed stone path requirement pursuant to Section 17-201.2 of the Zoning Ordinance in favor of the asphalt trail shown on the CDP/FDP.

The Comprehensive Trails Plan indicates a crushed stone pedestrian path to run parallel to the asphalt trail along this section of Ox Road. As no such path exists to the north or south of the site, staff does not object to the requested waiver in favor.

Modification of the sight distance requirement for corner lots pursuant to Section 2-505 of the Zoning Ordinance to allow the entry feature and sound wall to be located as shown on the CDP/FDP.

Part of the proposed entry feature and sound wall shown on the CDP/FDP are located within the 30 foot sight triangle normally required by the Zoning Ordinance in Section 2-505. However, as the applicant has proffered to meet VDOT's functional standard for sight distance at the time of subdivision review or relocate the features, staff supports a modification of this standard .

CONCLUSION AND RECOMMENDATIONS

Conclusion

The applicant is requesting a rezoning to PDH-3 and subsequent Conceptual/Final Development Plan approval to allow for the development of 13 houses on a new private street and shared driveway. As a partially wooded infill site surrounded by established neighborhoods, the applicant was challenged with designing a layout that is compatible with surrounding development and sensitive to the many environmental issues present. Through numerous revisions to the CDP/FDP *and* proffer commitments based on Staff and community input, the applicant has largely addressed concerns about tree preservation, stormwater management, and traffic circulation. It is Staff's opinion that the current design strikes the appropriate balance between the density recommended in the Comprehensive Plan and a context sensitive layout.

Staff acknowledges lingering concerns related to off-site grading necessary to ameliorate existing drainage problems and provide adequate outfall (overland relief). This issue is most appropriately addressed at the subdivision review stage, in conformance with the rules of the PFM. Staff continues to encourage the applicant to work with the affected private parties to reach a mutually beneficial agreement; however a proffer is provided to address alternative designs for overland relief in the event the relief depicted on the CDP/FDP cannot be implemented . In summary, staff concludes that the request for approval of a Rezoning and Conceptual/Final Development Plan are in conformance with the Comprehensive Plan and all applicable provisions of the Zoning Ordinance.

Staff Recommendations

Staff recommends approval of RZ 2012-BR-020 subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDP 2012-BR-020

Staff recommends approval of a waiver of the service drive requirement along Rt. 123 in favor of the frontage improvements shown on the CDP/FDP.

Staff recommends approval of a modification of the trail requirement along Rt. 123 in favor of the eight foot wide asphalt trail shown on the CDP/FDP.

Staff recommends approval of a waiver of the on-road bike trail requirement along Rt. 123 in favor of the asphalt path shown on the CDP/FDP.

Staff recommends approval of a waiver of the parallel crushed stone pedestrian path along Route 123 in favor of the asphalt trail shown on CDP/FDP.

Staff recommends approval of a modification of the sight distance requirement for corner lots to allow the entry feature and sound wall to be located as shown on the CDP/FDP.

It should be noted that it is not the intent of staff to recommend that the Board or Planning Commission, in adopting any development conditions or 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.

APPENDICES

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Residential Development Criteria
5. Environmental Analysis
6. Urban Forest Management Analysis
7. Transportation (FCDOT and VDOT) Analysis
8. Park Authority Analysis
9. Fairfax County Public Schools
10. Sanitary Sewer Analysis
11. Water Service Analysis
12. Health Department Analysis
13. Stormwater Management Analysis
14. Zoning Ordinance Provisions
15. Glossary

Proffers**Eastwood Properties, Inc.****RZ 2012-BR-020****January 25, 2013****Revised May 2, 2013****Revised July 25, 2013****Revised September 24, 2013****Revised September 27, 2013****Revised October 2, 2013**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned Applicant, in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 77-1((1))36-38 (hereinafter referred to as the "Property") will be in accordance with the following conditions (the "Proffered Conditions"), if and only if, said rezoning request for the PDH-3 Zoning District is granted. In the event said rezoning request is denied, these Proffered Conditions shall be null and void. The Owner and the Applicant, for themselves, their successors and assigns hereby agree that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. The Proffered Conditions are:

I. GENERAL

1. Substantial Conformance. Subject to the provisions of Article 16 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP), prepared by Charles P. Johnson & Associates, Inc., consisting of 15 sheets, dated November 5, 2012, revised through September 24, 2013.
2. Maximum Lot Yield. The development shall consist of a maximum of 13 single family detached units.
3. Minor Modification. Except as may be further qualified by these proffered conditions, minor modifications to the building envelopes including house location and sizes may be permitted in accordance with Article 16 of the Zoning Ordinance.
4. Establishment of HOA. Prior to record plat approval, the Applicant shall either provide the Department of Public Works and Environmental Services with documentation that the subject property has been incorporated into one of the adjacent associations or the Applicant has established a Homeowners Association (HOA) in accordance with Sect. 2-

700 of the Zoning Ordinance. The purpose of the HOA shall be, 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. At the time of bond release, or turnover of the community to the HOA, whichever first occurs, an amount of \$13,000, earmarked for future maintenance of the open space and common facilities, such as the rain garden(s) and private roads, shall be deposited in the HOA bank account as a capital contribution.

5. Dedication to HOA. At the time of record plat recordation, the open space and common features/amenities not otherwise conveyed or dedicated to the County shall be dedicated to the HOA and maintained by the same.
6. Disclosure. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicants of the maintenance responsibility for the private roadways, walkways, stormwater management facilities, tot lot, 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.
7. Signs. No temporary signs (including “popsicle” style paper or cardboard signs), which are prohibited by Article 12 of the Zoning Ordinance and Chapter 7 of Title 33.1, and Chapter 8 of Title 46.2 of the Code of Virginia, shall be placed on or offsite by the Applicant or at the Applicant’s direction. The Applicant shall direct its agents and employees involved with the Property to adhere to this proffer.
8. Length of Driveways. The driveway on each residential lot shall have a minimum of 20 feet of pavement available for parking without infringing into the right-of-way or sidewalk area and shall be a minimum of 18 feet in width.
9. Lot Typical, Decks and Similar Appurtenances. Decks, bay windows, patios, chimneys, areaways, stairs and stoops, mechanical equipment and other similar appurtenances may encroach into minimum yards as depicted on the "lot typical" as shown on the CDP/FDP, as permitted by Section 2-412 and Article 10 of the Zoning Ordinance. Porches (including screened in porches) or sunrooms may be permitted in the rear yard in the area identified as “OPTIONAL DECK” on the lot typical included on the CDP/FDP. The specifications of this proffer shall be disclosed to future homeowners in the Homeowners Association documents.
10. Construction Activity.
 - A. Outdoor construction activities, any associated construction deliveries, any construction related loading or unloading of vehicles, and any construction related trash collection on the Property shall only occur between the hours of 7:00 a.m. and 9:00 p.m., Monday through Saturday, and between the hours of 9:00 a.m. and

9:00 p.m. on Federal Holidays, exclusive of Thanksgiving, Christmas, New Year's Day, Memorial Day, the 4th of July and Labor Day, on which no construction activities shall occur.

- B. All construction related vehicular access and deliveries shall be from Route 123/Ox Road or the Rt 123/Ox Road service drive, and shall not be permitted to approach the site on Adare Drive from the east.
- C. Construction workers shall either park on-site during the construction of the improvements on the Property or shall park in a remote location and be shuttled to the Property. Construction workers shall not be permitted to park on Adare Drive or Oak Park Court
- D. The construction activity hours, parking restrictions, the name of a contact person for the construction activities, a 24 hour contact number shall be posted on the Property during all construction activities. Any information posted on the Property during construction shall be posted in both English and Spanish.
- E. All construction site lighting shall use full cut-off or directionally shielded fixtures that are aimed and controlled so the directed light shall be substantially confined to the object intended to be illuminated. Directional control shields shall be used where necessary to limit stray light.
- F. All construction activities, including silt and dust control, and the use and disposal of any and all possible pollutants such as paint, gas, cement, etc. shall be performed in accordance with the County Code.

11. Architectural Design

The architectural design of the units shall be generally consistent with the quality of construction and materials shown on Sheet 15 of the CDP/FDP.

II. TRANSPORTATION

- 12. Right-of-Way Dedication along Ox Road, Route 123. At the time of subdivision plan approval, or upon demand by the Virginia Department of Transportation (VDOT) or Fairfax County, whichever occurs first, the Applicant shall dedicate, at no cost to Fairfax County and in fee simple, without encumbrances except as described below in this proffer, to the Board, the right-of-way along the site frontage of Ox Road and any associated ancillary easements, as generally shown on the CDP/FDP. The Applicant may reserve an easement for ingress and egress for the private access within the dedicated right-of-way. Density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT.
- 13. Road/Trail Maintenance. The Applicant acknowledges that the Applicant/Homeowners Association shall be responsible for the maintenance of the portion of the private

driveway and the portion of the proposed trail that is within the future dedicated right-of-way, as described in Proffer 10 above. The Applicant also acknowledges that the Homeowners Association will assume maintenance responsibility for the existing service drive from the corner of Adare Drive northward to the property, which is shown shaded on Sheet 4 of the CDP/FDP.

14. Public Access Easement. At the time of record plat recordation, the Applicant shall cause to be recorded among the land records a public access easement running to the benefit of Fairfax County, in a form acceptable to the County Attorney, over the private road and sidewalks as generally shown on the CDP/FDP. The Applicant shall record an access and maintenance agreement vesting homeowner association responsibility and liability for the portion of the private access located in dedicated right-of-way.
15. Stop Sign. A “Stop Here on Red” sign or other similar wording approved by VDOT shall be installed on Adare Drive to deter motorists on Adare Drive from blocking exit or entry onto the service drive.
16. Use of Garages, Driveways and Common Area Parking Space
 - A. Individual garages shall only be used for a purpose that will not interfere with the intended purpose of parking vehicles. There shall be 4 designated parking spaces per unit, two in the garage and two in the driveway. This restriction shall be included in the homeowner’s association documents prepared for the Application Property.
 - B. No parking of recreational vehicles (RVs), boats or trailers shall be permitted on the private streets or shared driveways. This restriction shall be included in the homeowner’s association documents prepared for the Application Property.
 - C. Owners shall be advised of the above use restrictions which shall be included in the initial lease/sales documents.
17. Sight Triangle. The private streets on the property will meet VDOT standards for sight functional distance. Elements of the CDP/FDP may be relocated to meet this standard.

III. ENVIRONMENTAL

18. Noise. In order to ensure an interior noise level of no greater than DNL 45 dBA, the Applicant shall employ the following acoustical treatment measures for lots within the highway noise impact zone of DNL 65-70 dBA.:
 - Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
 - Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20 percent of any façade exposed to noise levels of DNL 65

dBA or above. If glazing constitutes more than 20 percent of an exposed façade, then the glazing shall have an STC rating of at least 39.

- All surfaces shall be sealed and caulked in accordance with methods approved by the American Society of Testing and Materials (ASTM) to minimize sound transmission.
- Exterior noise levels for outdoor areas within lots shall be at or below DNL 65.

A noise barrier, architecturally solid from the ground up with no gaps or openings, 6 feet in height, as shown on the CDP/FDP, shall be constructed. Any noise attenuation measures shall be subject to the review and approval of the Environmental Branch of the Department of Planning and Zoning.

19. Lighting. If lighting is installed on the property, such lighting shall conform to the requirements of Part 9 of Article 14 of the Zoning Ordinance and shall be subject to the approval of the Director, DPWES in accordance with the provisions of the Public Facilities Manual. Fixtures shall be shielded and directed downward.
20. Energy Conservation. All new dwelling units shall be designed and constructed as ENERGY STAR qualified homes. The major features of ENERGY STAR homes 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).
21. Landscaping. Landscaping shall be generally consistent with the quality, quantity and the locations shown illustratively on the CDP/FDP and shall be a non-invasive species. At the time of planting, the minimum caliper for deciduous trees shall be two (2) to two and a half (2 ½) inches and the minimum height for evergreen trees shall be seven (7) feet. Actual types, locations and species of vegetation shall be determined pursuant to more detailed landscape plans submitted at the time of submission of the subdivision plans for review and approval by the UFMD. Such landscape plans shall provide tree coverage and species diversity consistent with the PFM criteria, as determined by the Urban Forester. The Applicant reserves the right to make minor modifications to such landscaping to reasonably accommodate utilities and other design considerations, subject to approval by UFMD, provided such relocated landscaping shall retain a generally equivalent number and type/quality of plantings as shown on the approved CDP/FDP.
22. Invasive Species Management. An invasive management plan shall be developed that provides for the management and treatment of invasive and undesirable plants, growing in all areas shown to be preserved, that are likely to endanger the long-term ecological functionality, health, and regenerative capacity of the early successional forest communities, for review and approval by the Urban Forest Management Division. The management plan shall incorporate the following information:
 - Identify targeted undesirable and invasive plant species to be suppressed and managed.
 - Identify targeted area of undesirable and invasive species, which shall be clearly identified on the landscape and/or tree preservation plan.

- Recommended government and industry method(s) of management, i.e. hand removal, mechanical equipment, chemical control, other.
- Identify how targeted species will be disposed.
- If chemical control is recommended, treatments shall be performed by or under direct supervision of a Virginia Certified Pesticide Applicator or Registered Technician and under the general supervision of Project Arborist).
- Provide information regarding timing of treatments, (hand removal, mechanical equipment or chemical treatments) when will treatments begin and end during a season and proposed frequency of treatments per season.
- Identify potential areas of reforestation and provide recommendation
- Monthly monitoring shall be reports provided to UFMD and SDID staff.
- Duration of management program; until Bond release or release of Conservation Deposit or prior to release if targeted plant(s) appear to be eliminated based on documentation provided by Project Arborist and an inspection by UFMD staff.

23. Limits of Clearing and Grading. The Applicant shall conform substantially 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. Specifically, in the area of trees 17399, 17401, and 17585, the location of the concrete sidewalk, as shown on Sheet 6 may be shifted, in consultation with the Urban Forester, in order to try to save tree 17401 so the limits of clearing and grading may be altered in this area. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities. Any trees impacted within the limits of clearing and grading as specified above shall be replaced on the site as determined by UFMD and the Chesapeake Bay Preservation Ordinance.

24. 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 individual trees located ten (10) feet within the tree save area 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) and 25 feet outside of the proposed 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 disturbance shown on the SE 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, determined by the certified arborist shall be included in the plan.

25. 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 or designated representative 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, increasing 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.
26. 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 is done per the root pruning guidelines contained in these proffers. Fencing shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets.
27. Tree Appraisal. The Applicant shall retain a certified arborist, to determine the replacement value of all trees 12 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the

improvements on the Application Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by the project arborist and/or UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement of the trees shall be determined by the Fairfax County Public Facilities Manual and by UFMD. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

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.

28. Demolition of Existing Structures. Within the areas protected by the limits of clearing and grading as shown on the CDP/FDP, all existing features and structures shall be removed in a manner that avoids impacting trees and/or groups of trees that are to be preserved, as reviewed and approved by UFMD, DPWES.
29. Root Pruning. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. Root pruning shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. Root pruning shall be 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 minimum depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading, or demolition of structures and in conjunction with the installation of all super silt fence being used as tree protection fence.
 - 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.
30. 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 conditioned 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 development conditions, 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.

31. Stormwater Management Facilities and Best Management Practices. Unless waived or modified, stormwater management shall be provided as generally depicted on the CDP/FDP and as approved by DPWES to attain a phosphorus removal rate of 45%, which represents a standard above the current minimum required by the County. Improvements shown off-site on the CDP/FDP may be altered based on final engineering without an amendment to this rezoning subject to DPWES approval. The requirements for maintaining non-County maintained SWM improvements shall be in a standard maintenance agreement between the County and the Applicant who is the land owner, its successor and assigns. This agreement shall be recorded in the County land records and run with the land. Should any deficiencies in the existing SWM or BMP facilities/improvements be identified by the Stormwater Management Maintenance Division during regular inspections, or when investigating a drainage complaint, then maintenance shall be performed in reasonable fashion and time in accordance with the recorded maintenance agreement.
32. Trail Marker. A trail marker sign shall be installed at the entrance of the site delineating the location of the trail to the north.
33. Tot Lot. At least three of the following elements shall be included in the tot lot: slides, swings, balance beams, spring animals and/or spring pads, play structures, spinarounds, horizontal bars, climbers, as recommended by the Public Facilities Manual.
34. Conservation Easement. At the time of subdivision plat recordation, the Applicant shall cause to be recorded among the land records a conservation easement running to the benefit of Fairfax County for the area generally shown on the CDP/FDP as “Proposed Conservation Easement”.
35. Demolition Permit. Prior to the issuance of a demolition permit for the existing single family dwellings, the Applicant shall obtain the necessary permits from the Fairfax County Health Department to ensure the proper abandonment of any septic systems and the capping of any wells on the property.
36. Trees within County Easements. If, at the time of final engineering and the locating of County easements on the subject property, it is determined that there are existing trees within the easement area(s), those trees may be relocated on the property without affecting tree canopy or preservation calculations.

IV. CONTRIBUTIONS

37. Housing Trust Fund. At the time of the first building permit issuance, the Applicant 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 Applicant 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.
38. Recreation Contribution. At the time of subdivision approval, the Applicant shall contribute the sum of \$30,362 for use at off-site recreational facilities intended to serve the future residents, as determined by FCPA. The Applicant shall coordinate with the District Supervisor as to specific beneficiary of the contribution. Pursuant to Section 6-409 of the Zoning Ordinance, the Applicant shall provide recreational facilities to serve the Property as shown on the CDP/FDP. At the time of subdivision review, the Applicant shall demonstrate that the value of all 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 Applicant shall contribute funds in the amount needed to achieve the overall proffered amount of \$1,700 per unit to the FCPA for off-site recreational facilities intended to serve the future residents within Braddock District.
39. Public Schools. A contribution of \$52,440 (5 students X \$10,488) shall be made to the Board of Supervisors for transfer to Fairfax County Public Schools (FCPS) and designated for capital improvements in the Robinson High School Pyramid. The contribution shall be made at the time of, or prior to, site 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 ratio of students per unit or the amount of the contribution per student, the Applicant shall increase the amount of the contribution for that phase of development to reflect the then-current 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.
40. Escalation. All monetary contributions required by these proffers shall escalate on a yearly basis from the base year of 2013, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI), as permitted by Virginia State Code Section 15.2-2303.3.

Successors and Assigns

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

Counterparts

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

TITLE OWNERS AND APPLICANTS SIGNATURES TO FOLLOW ON THE NEXT PAGE:

EASTWOOD PROPERTIES, INC.
A Virginia Corporation

Agent/Attorney-in-Fact for Daniel B. Thompson,
Title Owner of TM No. 77-1((1))36 and Contract
Purchaser of TM Nos. 77-1((1))36, 37, 38

By: Eastwood Properties, Inc.

Name _____
Richard L. Labbe

Title: President/Secretary/ Treasurer

R&D 2001, LLC
Co-owner of
TM 77-1((1))37, 38

By: _____

Name: David M. Gregory

Title: _____

Church Road Limited, Inc.
Co-owner of
TM 77-1((1))37, 38

By: _____

Name: David M. Gregory

Title: _____

REZONING AFFIDAVIT

DATE: SEP 11 2013
 (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 118834

in Application No.(s): RZ/FDP 2012-BR-020
 (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)
Eastwood Properties, Inc. Agent: Richard L. Labbe	3050 Chain Bridge Road, Suite 103 Fairfax, VA 22030	Applicant/Contract Purchaser of Tax Map 77-1 ((1)) 36, 37, 38 Agent and Attorney-in-Fact for Daniel B. Thompson, Title Owner of Tax Map 77-1 ((1)) 36
Daniel B. Thompson	5525 Ox Road Fairfax Station, VA 22039	Title Owner of Tax Map 77-1 ((1)) 36
R & D 2001, LLC Agent: David M. Gregory	41239 Canongate Drive Leesburg, VA 20175	Co-Title Owner of Tax Map 77-1 ((1)) 37, 38
Church Road, Limited Agent: David M. Gregory	41239 Canongate Drive Leesburg, VA 20175	Co-Title Owner of Tax Map 77-1 ((1)) 37, 38

(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)

DATE: SEP 11 2013
(enter date affidavit is notarized)

118834

for Application No. (s): RZ/FDP 2012-BR-020
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams Lianne E. Childress 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 Applicant Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent
Charles P. Johnson & Associates, Inc. Agent: Paul B. Johnson Allan D. Baken Henry M. Fox Jr.	3959 Pender Drive, #210 Fairfax, VA 22030	Engineer/Agent for Applicant

(check if applicable)

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

REZONING AFFIDAVIT

DATE: SEP 11 2013
(enter date affidavit is notarized)

118834

for Application No. (s): RZ/FDP 2012-BR-020
(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)
Eastwood Properties, Inc.
3050 Chain Bridge Road, Suite 103
Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Richard L. Labbe, sole shareholder

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

Richard L. Labbe, President/Vice President/Secretary/Treasurer

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

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

Rezoning Attachment to Par. 1(b)

DATE: SEP 11 2013
(enter date affidavit is notarized)

11 8834

for Application No. (s): RZ/FDP 2012-BR-020
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
R & D 2001, LLC
41239 Canongate Drive
Leesburg, VA 20175

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

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

David M. Gregory, Managing Member

=====

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

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Church Road, Limited
41239 Canongate Drive
Leesburg, VA 20175

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

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

David M. Gregory

=====

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

David M. Gregory, President/Secretary/Treasurer/Sole Director

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

Rezoning Attachment to Par. 1(b)

DATE: SEP 11 2013
(enter date affidavit is notarized)

11 88 34

for Application No. (s): RZ/FDP 2012-BR-020
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Charles P. Johnson & Associates, Inc.
3959 Pender Drive, #210
Fairfax, VA 22030

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

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

Charles P. Johnson
Paul B. Johnson

=====

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

=====

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

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

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

=====

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

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

REZONING AFFIDAVIT

DATE: SEP 11 2013
(enter date affidavit is notarized)

118834

for Application No. (s): RZ/FDP 2012-BR-020
(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. | Bilik, R. E. | Capwell, Jeffrey R. |
| Alphonso, Gordon R. | Blank, Jonathan T. | Cason, Alan C. |
| Anderson, Arthur E., II | Boland, J. W. | Chaffin, Rebecca S. |
| Anderson, Mark E. | Brenner, Irving M. | Chapman, Jeffrey J. |
| Andre-Dumont, Hubert | Brooks, Edwin E. | Cockrell, Geoffrey C. |
| Bagley, Terrence M. | Brose, R. C. | Covington, Peter J. |
| Barger, Brian D. | Burk, Eric L. | Cramer, Robert W. |
| Becker, Scott L. | Busch, Stephen D. | Cromwell, Richard J. |
| Becket, Thomas L. | Cabaniss, Thomas E. | Culbertson, Craig R. |
| Belcher, Dennis I. | Cacheris, Kimberly Q. | Cullen, Richard (nmi) |
| Bell, Craig D. | Cairns, Scott S. | Daglio, Michael R. |

(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: SEP 11 2013
(enter date affidavit is notarized)

118834

for Application No. (s): RZ/FDP 2012-BR-020
(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**)

- | | | |
|-------------------------|---------------------------|----------------------------|
| De Ridder, Patrick A. | Grieb, John T. | Kittrell, Steven D. |
| Dickerman, Dorothea W. | Harmon, Jonathan P. | Kobayashi, Naho (nmi) |
| DiMattia, Michael J. | Harmon, T. C. | Konia, Charles A. |
| Dooley, Kathleen H. | Hartsell, David L. | Kratz, Timothy H. |
| Downing, Scott P. | Hatcher, J. K. | Kromkowski, Mark A. |
| Edwards, Elizabeth F. | Hayden, Patrick L. | Krueger, Kurt J. |
| Ensing, Donald A. | Hayes, Dion W. | Kutrow, Bradley R. |
| Ey, Douglas W., Jr. | Heberton, George H. | La Fratta, Mark J. |
| Farrell, Thomas M. | Hedrick, James T., Jr. | Lamb, Douglas E. |
| Feller, Howard (nmi) | Horne, Patrick T. | Lias-Booker, Ava E. |
| Finkelson, David E. | Hornyak, David J. | Little, Nancy R. |
| Foley, Douglas M. | Hosmer, Patricia F. | Long, William M. |
| Fox, Charles D., IV | Hutson, Benne C. | Manning, Amy B. |
| Franklin, Ronald G. | Isaf, Fred T. | Marianes, William B. |
| Fratkin, Bryan A. | Jackson, J. B. | Marshall, Gary S. |
| Freedlander, Mark E. | Jewett, Bryce D., III | Marshall, Harrison L., Jr. |
| Freeman, Jeremy D. | Jordan, Hilary P. | Marsico, Leonard J. |
| Fuhr, Joy C. | Justus, J. B. | Martin, Cecil E., III |
| Gambill, Michael A. | Kahn, Brian A. | Martin, George K. |
| Gibson, Donald J., Jr. | Kanazawa, Sidney K. | Martinez, Peter W. |
| Glassman, Margaret M. | Kane, Matthew C. | Mason, Richard J. |
| Glickson, Scott L. | Kang, Franklin D. | Mathews, Eugene E., III |
| Gold, Stephen (nmi) | Kannensohn, Kimberly J. | Mayberry, William C. |
| Goldstein, Philip (nmi) | Katsantonis, Joanne (nmi) | McDonald, John G. |
| Grant, Richard S. | Keeler, Steven J. | McElligott, James P. |
| Greenberg, Richard T. | Kerr, James Y., II | McFarland, Robert W. |
| Greenspan, David L. | Kilpatrick, Gregory R. | McGinnis, Kevin A. |
| Gresham, A. B. | King, Donald E. | McIntyre, Charles W. |

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

Rezoning Attachment to Par. 1(c)

DATE: SEP 11 2013
(enter date affidavit is notarized)

11 8834

for Application No. (s): RZ/FDP 2012-BR-020
(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**)

McLean, J. D.
McRill, Emery B.
Milianti, Peter A.
Miller, Amy E.
Moldovan, Victor L.
Muckenfuss, Robert A.
Murphy, Sean F.
Natarajan, Rajsekhar (nmi)
Neale, James F.
Nesbit, Christopher S.
Newhouse, Philip J.
O'Grady, John B.
Oakey, David N.
Older, Stephen E.
Oostdyk, Scott C.
Padgett, John D.
Parker, Brian K.
Perzek, Philip J.
Phillips, Michael R.
Pryor, Robert H.
Pusateri, David P.
Rak, Jonathan P.
Reid, Joseph K., III
Richardson, David L.
Riegle, Gregory A.

Riley, James B., Jr.
Riopelle, Brian C.
Roberts, Manley W.
Robinson, Stephen W.
Roeschenthaler, Michael J.
Rogers, Marvin L.
Rohman, Thomas P.
Ronn, David L.
Rosen, Gregg M.
Rust, Dana L.
Satterwhite, Rodney A.
Scheurer, P. C.
Schewel, Michael J.
Schmidt, Gordon W.
Sellers, Jane W.
Shelley, Patrick M.
Simmons, L. D., II
Simmons, Robert W.
Slaughter, D. F.
Slone, Daniel K.
Spahn, Thomas E.
Spitz, Joel H.
Spivey, Angela M.
Stallings, Thomas J.
Steen, Bruce M.

Stein, Marta A.
Stone, Jacquelyn E.
Swan, David I.
Tackley, Michael O.
Tarry, Samuel L., Jr.
Thanner, Christopher J.
Thornhill, James A.
Van Horn, James E.
Vaughn, Scott P.
Vick, Howard C., Jr.
Viola, Richard W.
Wade, H. L., Jr.
Walker, John T., IV
Walker, Thomas R.
Walker, W. K., Jr.
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: SEP 11 2013
(enter date affidavit is notarized)

118834

for Application No. (s): RZ/FDP 2012-BR-020
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

REZONING AFFIDAVIT

DATE: SEP 11 2013
(enter date affidavit is notarized)

118834

for Application No. (s): RZ/FDP 2012-BR-020
(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.

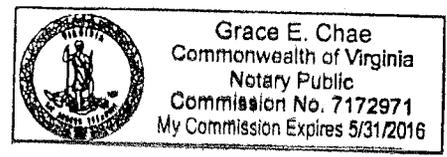
4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, 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: [Signature]
(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 11th day of September 20 13, in the State of Virginia, County City of Fairfax

[Signature]
Notary Public

My commission expires: 5/31/2016



Appendix 3
RECEIVED
Department of Planning & Zoning
OCT 09 2012
Zoning Evaluation Division

STATEMENT OF JUSTIFICATION

Rezoning Application for the Ox Road Property filed by Eastwood Properties, Inc.
For Property Located at Fairfax County Tax Map 77-1((1))36,37,38
October 5, 2012

INTRODUCTION/BACKGROUND

The subject application (the "application"), filed by Eastwood Properties, Inc., (the "Applicant"), is a request to rezone approximately 5.15 acres of property from the R-1 to the PDH-3 District to permit the development of fourteen (14) single family detached dwellings. The subject property is located on the east side of Ox Road, Rt. 123, north of its intersection with Adare Drive. It is surrounded by property zoned R-3 (cluster) and PDH-3 and developed with single family detached dwelling units.

CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN

The Conceptual Development Plan/Final Development Plan (CDP/FDP), prepared by Charles P. Johnson & Associates, Inc., shows fourteen (14) lots to be developed with single family detached dwellings, all with access via a private street system onto a service drive that, then, connects to Ox Road at Adare Drive to the south. The proposed density is 2.7 dwelling units per acre. Stormwater management will be handled through an onsite dry pond located in the northern portion of the property as well as a conservation easement and an infiltration trench. This is described in detail on the CDF/FDP. Twenty (20) percent open space is provided generally surrounding the edges of the property. Sidewalks will be provided within the development with a connection from the development to the existing trail along Ox Road. The existing service drive, which currently terminates just south of the property, will be extended to serve the property.

COMPREHENSIVE PLAN

Plan Language

The subject property is located within Area III, P-2 Main Branch Community Planning Sector of the Pohick Planning District. There is no site specific Plan language for the property. The Plan does recommend that infill development be of a compatible use, type and intensity as stipulated in Objectives 8 and 14 of the Policy Plan. The Plan Map shows the property is planned for residential use at 2 to 3 dwelling units per acre.

Land Use Objective 8, policy a: "Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use,

and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur.”

Land Use Objective 14, policy b: “Encourage infill development in established areas that is compatible with existing and/or planned land use and that is a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.”

The character of the proposed subdivision is compatible with the surrounding developments which are developed similarly under the PDH-3 and R-3 zoning districts. The average lot size is in between the existing PDH-3 development to the south and the R-3 (cluster) development to the north.

The property also complies with the Comprehensive Plan objectives outlined in the Residential Development Criteria as explained below.

Residential Development Criteria

- Site Design:

Consolidation: The proposed rezoning consolidates three lots and consists of all the land that is available to consolidate in the area.

Layout: The proposed layout provides a logical, functional and rational pattern for development of the property. The relationship of the lots in this development to the lots in the adjacent developments is the same as the relationship between the lots within those developments. In fact, the buffering provided in the proposed plan provides for an even better relationship than exists within the existing subdivisions.

Open Space: The required percentage of open space is provided and it is proportioned logically as a buffer to the adjacent neighborhoods.

Landscaping: The lots will be landscaped generally as depicted on the CDP/FDP.

Amenities: Adequate open space is shown to provide an amenity for the residents. It is the intent of the Applicant to annex this properties into one or the other of the adjacent homeowners associations.

- Neighborhood Context

The proposed community is consistent with the established context in terms of use, intensity and character. The size of the proposed lots and

the orientation of the dwellings are compatible with the established development pattern on the surrounding properties.

- Environment

Preservation: Several trees in the southern and eastern portions of the property as well as a few in the northern portion are being preserved.

Slopes and Soils: There is a small amount of soil that will require a geotechnical study at the time of site plan but it is not going to cause an issue with the residential lots. It is located in the area of the dry pond. There no slopes on the subject property that would hinder development.

Water Quality and Drainage: Stormwater management is being handled via a proposed dry pond, an infiltration trench and a conservation easement. It is noted that drainage has been an issue for properties downstream from the subject property and that condition will be corrected with this application.

Noise, Lighting: The addition of these 14 homes should not create a noise or lighting issue for the existing residences. There are no external noise issues for the future residents of this community.

Energy: Through proffers, the Applicant will commit to comply with the energy efficiency guidelines of the International Building Code for energy efficient homes.

- Tree Preservation and Tree Cover: Tree cover requirements will be met. Trees in the southern and eastern portions of the property will be preserved.

- Transportation: The existing service drive will be extended to serve the site, providing a safe access point to Ox Road at an existing signaled intersection.

- Public Facilities

The applicant plans to offset the public facility impact with appropriate proffers.

- Affordable Housing

The provision of affordable dwelling units is not applicable to this development. The applicant will proffer to a contribution to the Housing Trust Fund equal to 0.5% of the value of all the units approved on the property.

- Heritage Resources

To the Applicant's knowledge, there are no structures of historical significance on the property and the property itself is not of historical significance.

The proposed planned development conforms to the adopted Comprehensive Plan with respect to type, character and density of use. The use of a P district zoning creates the ability to limit the amount of impervious surface through the use of private streets, preserve existing vegetation in open space in the southern and eastern portions of the property and more closely match the character of the PDH-3 and the R-3 cluster developments which surround the property.

ZONING ORDINANCE

Article 6: Planned Development District Regulations

Sects. 6-102, 6-106, 6-107, 6-108, 6-109, 6-110, 6-111

The proposed use of single family detached dwellings is a permitted principal use in a PDH District. The development conforms to the standards set forth in Part 1 of Article 16 as discussed below and the use will comply with the performance standards set forth in Article 14. The minimum district size, bulk regulations, density and open space meet the requirements of Article 6. Additionally, the proposed lots meet the shape factor limitations in Article 2.

Article 16: Sect. 16-101, General Standards for All Planned Developments

1. The application satisfies General Standard 1 which requires that the planned development substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. The proposed development consists of single family detached dwellings at a density of 2.7 dwelling units per acre which is within the recommended Plan density of 2 to 3 dwelling units per acre.
2. The Application meets General Standard 2 in that rezoning to a planned development district rather than a conventional district will allow the setbacks and lot sizes to match those of the surrounding lots.
3. There are no scenic assets or natural features to preserve on the property.
4. General Standard 4, which requires that the development not hinder the development of surrounding undeveloped properties, does not apply as all of the surrounding lots are developed as a part of existing residential subdivisions.

5. Adequate public facilities are available to serve the property so General Standard 5 is met.
6. General Standard 6 does not apply in that the site is an infill lot in an area where connections to internal and external facilities already exist.

Article 16: Sect. 16-102, Design Standards for All Planned Developments

1. Design Standard 1 does not apply in that the property is being developed with the same use as that which surrounds it.
2. Parking regulations and open space requirements are met in the development.
3. The proposed streets and driveways will conform to the applicable regulations.

Waivers

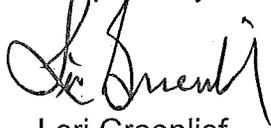
A waiver of the parallel stone dust trail requirement and the on-road bike route trail requirement is requested. There is already a paved trail along Ox Road and the grades on the site will make it difficult to provide the stone dust trail. Neither of the existing developments on either side have provided for the on-road bike trail.

To the best of our knowledge, the proposed development of the subject property conforms to all currently applicable land development ordinances, regulations and adopted standards except the district size and open space requirements and onsite detention as discussed in this statement.

There are no known hazardous or toxic substances to be generated, utilized, stored, treated nor disposed of on this site.

Should you have any questions regarding this statement or other documents associated with this filing or require additional information, please contact me. Thank you for your assistance.

Respectfully submitted,



Lori Greenlief
Land Use Planner, McGuireWoods LLP

APPENDIX 9

RESIDENTIAL DEVELOPMENT CRITERIA

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

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

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

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

1. Site Design:

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

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

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

2. Neighborhood Context:

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

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

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

3. Environment:

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

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

4. Tree Preservation and Tree Cover Requirements:

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

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

5. Transportation:

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

a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:

- Capacity enhancements to nearby arterial and collector streets;
- Street design features that improve safety and mobility for non-motorized forms of transportation;
- Signals and other traffic control measures;
- Development phasing to coincide with identified transportation improvements;
- Right-of-way dedication;
- Construction of other improvements beyond ordinance requirements;
- Monetary contributions for improvements in the vicinity of the development.

b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:

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

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

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

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

6. Public Facilities:

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

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

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

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

7. Affordable Housing:

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

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

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

8. Heritage Resources:

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

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

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

ROLE OF DENSITY RANGES IN AREA PLANS

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

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



County of Fairfax, Virginia

MEMORANDUM

DATE: May 23, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Environmental Assessment: RZ 2012-BR-020 Ox Road Estates

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plans revised through May 3, 2013 and proffers revised through May 2, 2013. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. 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

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, 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. . . .”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, 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. . . .”

The Fairfax County Comprehensive Plan Policy Plan, 2011 Edition, Environment section as amended through July 27, 2010, pages 11 and 12 states:

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

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

New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential

development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, 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. . . .

Policy c: Use open space/conservation easements as appropriate to preserve woodlands, monarch trees, and/or rare or otherwise significant stands of trees, as identified by the County.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 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.

Stormwater Management and Adequate Outfall

The proposed 13 lot, single-family detached subdivision on the 5.15 acre subject property is located in the Popes Head Creek watershed. According to the stormwater management narrative a rain garden with underground storage and two filterstrips will be provided on site. A closed storm sewer system will be installed to collect a portion of the stormwater from onsite and offsite

areas, then daylight and flow into the proposed rain garden along with overland flow in the area. A small portion of the site will continue to flow un-detained to existing off-site storm structures. Stormwater management/best management practice measures and outfall adequacy are subject to review and approval by the Department of Public Works and Environmental Services.

On May 24, 2011, the Virginia Soil and Water Conservation Board adopted Final Stormwater Regulations, which became effective September 13, 2011. The regulations require all local governments in Virginia to adopt and enforce new stormwater management requirements; these new requirements must be effective on July 1, 2014. Staff from the Department of Public Works and Environmental Services is pursuing the development of a stormwater management ordinance in order to implement this state mandate, and it is anticipated that this ordinance will become effective on the July 1, 2014 deadline. The applicant will be required to comply with these new requirements for any subject development activities for which the applicant has not, prior to July 1, 2014, obtained VSMP permit coverage under the Virginia Stormwater Management Program General Permit for Discharges of Stormwater from Construction Activities. The proposed development will not be grandfathered from the new ordinance as a result of approval of this zoning application. While all details regarding the new stormwater management ordinance are not known at this time, the general water quality control and water quantity control parameters are included in the Virginia Stormwater Management Program Permit Regulations found at VAC50-60-10 et seq. of the Virginia Administrative Code. The applicant should, therefore, be encouraged strongly to design the proposed stormwater management system consistent with both existing and anticipated stormwater management requirements.

Tree Preservation and Landscaping

The revised development plan shows five tree save areas: 11,100 square foot area along the southeastern boundary, 5,800 square foot area along the southern boundary and 950 square foot, 2,650 square foot and 2,240 square foot areas located north of the rain garden. Proposed new trees are located along Ox Road, the site periphery and near new homes. The applicant is requesting a deviation from the Tree Preservation Target Area requirement of the Public Facilities Manual. The applicant has committed to plant non-invasive species as well as to remove invasive species in all tree preservation areas. The deviation request, tree preservation plan and landscape plan are subject to review and comment by the Urban Forestry Management staff.

Transportation Generated Noise

Transportation generated noise impacts the subject property especially lots 1-4 which are located along Ox Road. A noise study was performed by the applicant's consultant. The noise study indicates that noise levels will be as high as 71.5 decibels at the facades of homes on lots 1-4, and 67 to 68 decibels in the rear yards of those lots. To be in conformance with Policy Plan guidance on noise mitigation, the consultant recommends a noise wall along the rear yards of those four lots so that noise does not exceed projected day-night average noise level (DNL) of 65 decibels in outdoor recreation areas. The consultant further recommends that the proposed seating area be moved beyond the 65 decibel impact area. The applicant should commit to

appropriate sound transmission class (STC) ratings of building materials so that interior areas, including upper levels, of those homes are mitigated to DNL to 45 decibels or less. The development plan should depict the noise wall on the development plan and the applicant should commit to all proposed measures for noise mitigation as recommended by the acoustical consultant.

Green Buildings

This application proposes 13 dwellings at a density of 2.52 dwelling units per acre which is just below the high end of the 2-3 du/ac Plan density range. Consistent with the green building Comprehensive Plan policy, the applicant is encouraged to commit to the attainment of a residential green building certification program such as Energy Star Qualified Homes, Earthcraft House or 2012 National Green Building Standard (formerly known as NAHB National Green Building Certification) to be demonstrated prior to the issuance of the residential use permit for each dwelling. The applicant is currently only committing to include Energy Star features in the new dwellings.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan Map depicts a minor paved trail with parallel natural surface or stone dust trails defined as typically 6 to 8 feet in width and an onroad bike lane along Ox Road in the vicinity of the subject property. The applicant is requesting a waiver of these trail requirements.

PGN/MAW

RZ/FDP 2012-BR-020



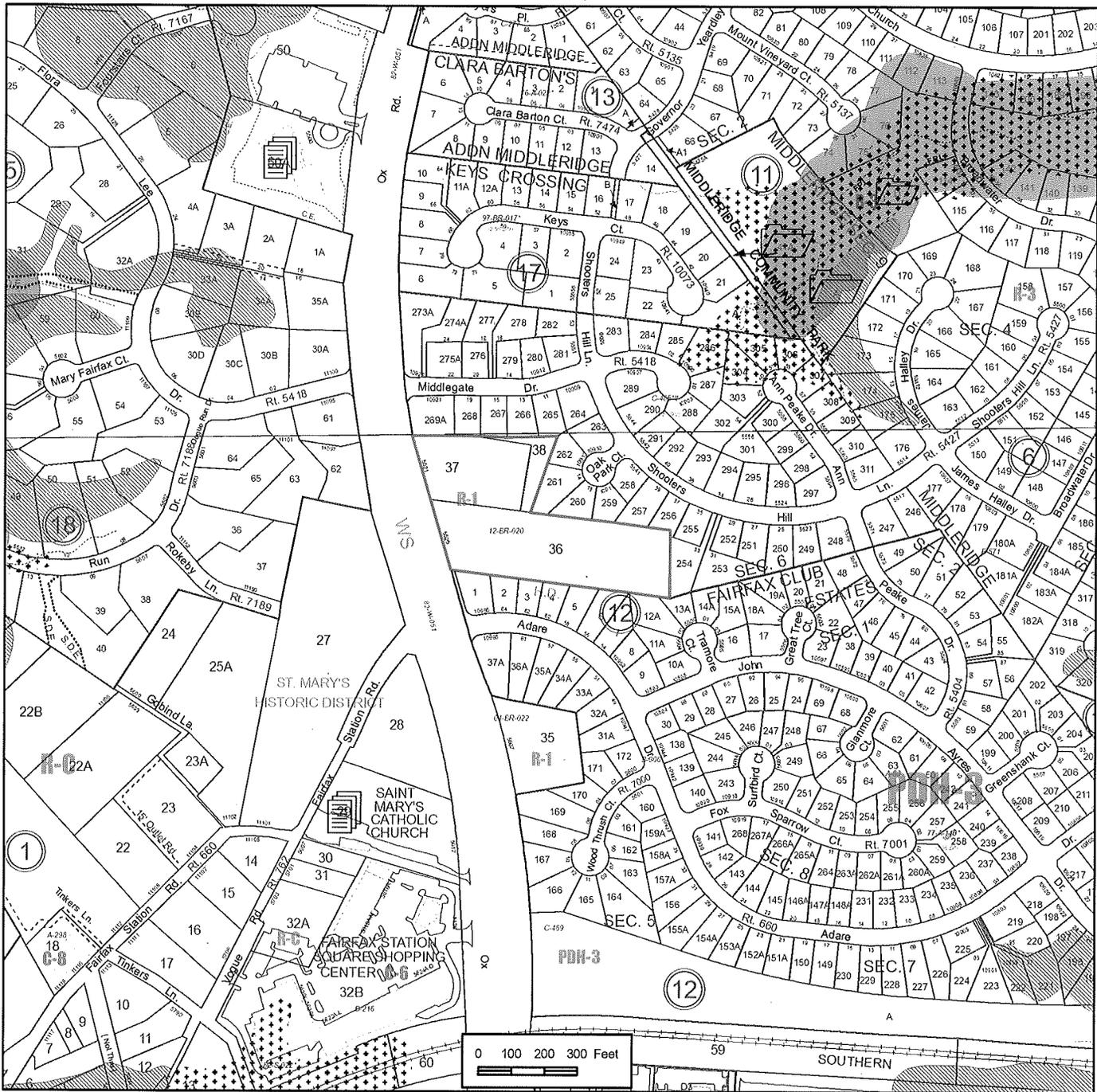
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Fairfax County Department of Planning and Zoning
Aerial Imagery, Copyright 2002, Commonwealth of Virginia



Environmental Assessment Map

RZ/FDP 2012-BR-020



Study Area Assessment:	
Asbestos:	0.00 Acres
Hydric Soils:	0.00 Acres
Slopes >= 15%:	0.00 Acres
RPA:	0.00 Acres

Notes:

Prepared by the Fairfax County Department of Planning and Zoning, using Fairfax County GIS

The features here are generalized and therefore approximate.

Information provided is partial in nature - do not assume that a feature not shown, does not exist.

This information has not been verified and should not be used in place of site specific environmental studies.

Legend	
	Slopes >= 15%
	Hydric Soils
	Asbestos Soils
	Streams
	Resource Protection Areas



County of Fairfax, Virginia

MEMORANDUM

DATE: September 6, 2013

TO: Brent Krasner, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Samantha Wangsgard, Urban Forester II 
Forest Conservation Branch, DPWES

SUBJECT: Ox Road Estates Lots 36, 37, 38-Eastwood Properties, Inc.; RZ/FDP 2012-BR-020

The following comments and recommendations were generated based on a review of the resubmission of the Conceptual/Final Development Plan (CDP/FDP) stamped "Received, Department of Planning and Zoning, August 26, 2013". These comments were discussed with Beth Forbes of the Site Development and Inspections Division as well as Hank Fox of Charles P. Johnson & Associates during the week of September 2, 2013.

1. **Comment:** It appears that credit is being taken for a 32 inch white pine, however over 40 percent of the trees critical root zone will be impacted by construction and therefore it is not recommended for preservation and is not eligible for canopy credit. This tree is also shown as being an 18 inch white pine on the existing vegetation map.

Recommendation: The size of the white pine should be verified and if necessary the critical root zone should be adjusted to reflect that of an 18 inch tree. If the tree is 32 inches then the limits of disturbance should be adjusted so that no more than 40 percent of the critical root zone of the tree is impacted by construction.

2. **Comment:** The proposed rain garden shows 3.25 feet of soil media and the use of Category IV trees. Category IV trees should have a minimum of 4 feet of soil media.

Recommendation: Four feet of soil media should be provided or the size of trees should be reduced. In reducing the size of trees proposed for use, the landscape plan and 10-year tree canopy calculations should also be revised.

If further assistance is desired, please contact me at 703-324-1770.

SW/

UFMDID #: 176886

cc: DPZ File

Department of Public Works and Environmental 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





County of Fairfax, Virginia

MEMORANDUM

DATE: August 6, 2013

TO: Brent Krasner, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Samantha Wangsgard, Urban Forester II 
Forest Conservation Branch, DPWES

SUBJECT: Ox Road Estates Lots 36, 37, 38-Eastwood Properties, Inc.; RZ/FDP 2012-BR-020

This review is based upon the resubmission of the Conceptual/Final Development Plan (CDP/FDP) stamped "Received, Department of Planning and Zoning, August 1, 2013".

1. **Comment:** It appears that the applicant is no longer requesting a deviation from the tree preservation target; however the proposed tree preservation areas appear to include canopies of off-site trees and co-owned trees.

Recommendation: The tree preservation areas and calculations on Sheet 5 should be revised to only include the following as part of the tree preservation areas:

- The canopy for trees with main trunks located on the site being developed.
- Trees that are bisected by the development site's outer property line if it is reasonable to assume that these trees will survive for a minimum of 10 years after plan approval. These trees may only contribute canopy credit for that portion of their canopies that directly overhang the development site.
- Where shared property lines bisect dense forest stands and it is not practical or feasible to determine which property a canopy originates from, the extent of on-site canopy areas may be defined by the shared property line.

Additionally, Sheet 6 should be revised to use symbols that clearly delineate between trees that are proposed for preservation and are located within the development site and those that are off-site.

SW/

UFMDID #: 176886

cc: DPZ File

Department of Public Works and Environmental Services
Urban Forest Management Division
12055 Government Center Parkway, Suite 518
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Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes





County of Fairfax, Virginia

MEMORANDUM

DATE: September 19, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

FILE: 3-4(RZ/FDP 2012-BR-020)

SUBJECT: RZ/FDP 2012-BR-020; Eastwood Properties, Inc.
Tax Map: 77-1((1)) 36, 37, 38

RECEIVED
Department of Planning & Zoning

SEP 25 2013

Zoning Evaluation Division

This department has reviewed the rezoning and final development plan revised through September 6, 2013. We have the following comments:

- The Comprehensive Plan recommends that Ox Road be widened to 6 lanes. The existing trail on Ox Road would need to be realigned. Due to the proposed development, the trail will need to be realigned to cross the proposed private driveway located in the dedicated right-of-way (ROW) in an area with larger grade differential. Since the applicant has not proposed to build the trail in its future location, FCDOT requests an escrow to fund the 210-foot portion of the trail along the applicant's frontage that will need to be rebuilt to meet the 10-foot standard and to make the future trail ADA-compliant once Ox Road is widened. The escrow should be included in the proffers.
- The applicant should proffer to maintain the extended service drive, which becomes the applicant's private driveway, and request the Board of Supervisors to petition VDOT to discontinue the service drive from its maintenance system. The applicant may continue the use of the private driveway, which is located in the dedicated ROW, until such time as the private driveway area is needed for transportation improvements as determined by the County or VDOT. The applicant should also proffer to be responsible for the ultimate removal of the private driveway and coordinate alternative access with the County and VDOT.
- The applicant's proffers should include a provision that they will maintain the portion of the trail east of the proposed private driveway until its connection with the existing 4-ft sidewalk on the property to the south. The proposed trail does not conform to VDOT's or the County's standard.
- All necessary public access easements should be provided on the private street and sidewalks on the applicant's property.
- The private street fronting Lots 1-3 should be built with curb and gutter. Five-foot sidewalk should be provided for Lots 1-3 and connected to the proposed sidewalk in the rest of the development.

AKR/AY



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

August 23, 2013

GREGORY A. WHIRLEY
COMMISSIONER

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Kevin Nelson
Virginia Department of Transportation – Land Development Section

Subject: RZ/FDP 2012-BR-020 Eastwood Properties, Inc.
Tax Map # 77-1((01))0036, 37 & 38

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on August 2, 2013, and received August 7, 2013. I have no further comments regarding this project.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver
fairfaxrezoning2012-BR-020rz2EastwoodProp5-30-13BB



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

January 23, 2013

GREGORY A. WHIRLEY
COMMISSIONER

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Kevin Nelson
Virginia Department of Transportation – Land Development Section

Subject: RZ/FDP 2012-BR-020 Eastwood Properties, Inc.
Tax Map # 77-1((01))0036, 37 & 38

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on November 30, 2012, and received December 3, 2012. The following comments are offered:

1. The service drive should be extended as a single public street onto the site.
2. The use of private streets is not supported.
3. An operational review should be provided for the access between the existing service drive and the adjacent public streets. Some modification may be necessary.
4. The third northbound lane should be constructed along Rt. 123 in conformance with the County Transportation Plan.
5. The storm drainage from Rt. 123 which enters the site should not be carried in a pipe at a diagonal angle to the centerline of Rt. 123. This should either be carried in a ditch or the new pipes should be constructed parallel to the Rt. 123 centerline.
6. The County should review the proposed trail design and location for conformance with their plan.
7. No proffers were provided for review.

Additional comments may be provided as the plan progresses. If you have any questions, please call me.

cc: Ms. Angela Rodeheaver
fairfaxrezoning2012-BR-020rz1EastwoodProp1-23-13BB



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 *AD for SS*
Park Planning Branch, PDD

DATE: May 21, 2013

SUBJECT: RZ-FDP 2012-BR-020, Eastwood Properties, Inc., Addendum
Tax Map Number(s): 77-1 ((1)) 36, 37, 38

The Park Authority staff has reviewed the revised Development Plan (dated May 3, 2013) and draft proffers (dated May 2, 2013) for the above referenced application. Staff provides the comments below to supplement those previously submitted in the memorandum dated January 10, 2013.

- *Recreation Impact of Residential Development:* The reduction of residential units from 14 to 13 will cause Ordinance-required onsite expenditures to be \$22,100 and the requested fair share contribution to be \$30,362.
- *Onsite Facilities:* The revised site plan shows a tot lot of approximately 1,000 square feet. The placement near a preserved tree and a landscaped buffer will help provide shade in the summer months and will extend the amenity's use. The addition of this tot lot addresses earlier comments regarding onsite recreation; staff only further suggests that details regarding possible contents of the play area be included either in the plan set (e.g., on Sheet #4) or in proffer language.
- *Natural Resources Impact:* Staff continues to have concerns regarding areas of uncontrolled drainage shown on the plan set.
- *Cultural Resources Impact:* The applicant has provided a completed Archaeological Survey Data Management Form and has submitted a Phase I archaeological survey report. The report found no significant resources; all structures older than 50 years were documented and found not to be significant. Staff has reviewed the report and agrees with its findings. There are no further cultural resource issues and no further archaeological work is warranted.
- *Draft Proffer #19, Recreation Contribution:* Per the note above, the fair share contribution amount requested is \$30,362 (13 units less 2 existing = 11 new units; 11 x

3.12 pp/hh = 34 residents). Staff requests the amount in this proffer be adjusted to reflect the revised plan and estimated number of new residents.

FCPA Reviewer: Anna Bentley
DPZ Coordinator: Brent Krasner

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



FAIRFAX COUNTY PARK AUTHORITY



MEMORANDUM

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

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

DATE: January 10, 2013

SUBJECT: RZ-FDP 2012-BR-020, Eastwood Properties, Inc.
Tax Map Number(s): 77-1 ((1)) 36, 37, 38

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated September 14, 2012, for the above referenced application. The Development Plan shows 14 new single-family detached dwelling units on an approximately 5 acre site to be rezoned from R-1 to PDH-3 with proffers. Based on an average multi-family household size of 3.12 in the Pohick Planning District, the development could add 37 new residents (14 new units – 2 existing = 12 x 3.12 = 37) to the Braddock 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).

Recommendations in the Area III Plan for both the Pohick Planning District and the P2-Main Branch Community Planning Sector include specific guidance regarding cultural and heritage resources. Guidance points to the importance of locating, recording, and, as appropriate, preserving these resources. Relevant guidance can be found within the District-Wide Recommendations for Heritage Resources (see Area III, Pohick Planning District Overview, District-Wide recommendations, Heritage Resources, p.10, 15) and also within the District-Wide Parks and Recreation recommendations (ibid, p.17). Planning Sector recommendations specifically state, “Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored

for the avoidance, preservation or recovery of significant heritage resources that are found.” (Area III, Pohick Planning District, P2-Main Branch Community Planning Sector, Heritage Resources, Pg 42)

Finally, text from the Pohick District chapter of the Great Parks, Great Communities Park Comprehensive Plan echoes the recommendations from the Countywide Comprehensive Plan and cited above.

ANALYSIS AND RECOMMENDATIONS

Park Needs:

Using adopted service level standards, staff has identified a need for all types of parkland and recreational facilities in this area. Existing nearby parks (Middleridge, Woodglen Lake, Country Club View, Pohick Stream Valley) meet only a portion of the demand for parkland generated by residential development in the Main Branch Planning Sector. In addition to parkland, the recreational facilities in greatest need in the planning district include trails, basketball courts, playgrounds, and rectangle fields.

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 14 non-ADUs proposed, the Ordinance-required amount to be spent onsite is \$23,800. 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 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 \$33,434 to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

Onsite Facilities:

The plan set shows an onsite seating area with benches on the south side of the proposed driveway into the development. Due to the current design and site location, the element serves as

a visual entryway feature, meeting design or branding goals rather than park and recreation needs.

An onsite recreational facility, such as a tot lot or similarly scale-appropriate element, is appropriate for this site and would help meet a portion of the recreational demand that will be generated by future residents. Staff requests that such a facility be provided and shown on the plan set to allow staff a better understanding of how the space might be used by future residents.

Natural Resources Impact:

The Park Authority owns and operates Woodglen Lake and Middleridge Parks, both less than 1,000 feet from the applicant's property. As such, staff recommends that all plant materials to be installed on the property be non-invasive to reduce the spread of invasive species and protect the environmental health of parkland, due to the close proximity of Park Authority property. If there is a question as to whether a native species occurs in Fairfax County, the applicant should check the Digital Atlas of Virginia Flora at <http://vaplantatlas.org/> for clarification. A list of invasive plant species for the state of Virginia can be found at the Virginia Department of Conservation & Recreation Division of Natural Heritage (DNH) website at http://www.dcr.virginia.gov/natural_heritage/documents/invlist.pdf. For a list of native plant species, see the section on the DNH website titled *Native Plants for Conservation, Restoration, and Landscaping* at: http://www.dcr.virginia.gov/natural_heritage/nativeplants.shtml.

Staff further recommends that onsite stormwater management best practices be implemented for the approximately .80 acres of uncontrolled drainage shown on the plan set (sheet #8, areas labeled 'B1'). Implementing best practices for the uncontrolled areas on the northern and eastern ends of the site would reduce impacts and reduce stormwater flows to Woodglen Lake.

Cultural Resources Impact:

The parcels were subjected to archival cultural resources review and have a moderate to high potential for archaeological sites.

Parcel 36 is located within the Fairfax County Civil War Sites Inventory #335. The site summary, as included in that Inventory, is below for reference.

"This is the general location of Federal camps during the fall of 1861. The camps reflect Federal efforts at occupying Fairfax Station and controlling the Orange and Alexandria Railroad. The location has been developed as residential, commercial and public properties. However, undeveloped areas remain. In general, construction methods within the past twenty years have included the removal of organic topsoil. On older properties there is a chance that archeological resources have survived. In the fall of 1861, V.P. Corbett made a series of popular maps depicting military positions in Fairfax County. The maps show troop positions, camps, defensive works, local landmarks, and topography. Based on the information depicted on these maps, relic hunters have had success finding camps. It is possible that additional unknown camps are within this location. Relic hunters report that campsites were present in this location and that both Federal and Confederate artifacts have been found. The location was not field checked during the 2001 investigation. It is recommended that undeveloped locations within this area be investigated prior to any planned modifications to the current landscape or

rezoning. Areas developed within the past twenty years warrant no additional investigations.”

In addition, the entire site is contiguous to the Saint Mary’s Church Historic Overlay District. Consistent with Section 7-210 of the Zoning Ordinance, the applicant shall complete and submit the Archaeological Survey Data Management form, found here:

<http://www.fairfaxcounty.gov/parks/resources/Downloads/ArchSrvyDataFrm.pdf>

Based on the moderate to high likelihood of archaeological sites, the applicant is required to conduct a Phase I archaeological survey on the parcels. If significant sites are found, a Phase II archaeological testing is recommended in order to determine if sites are eligible for inclusion into the National Register of Historic Places. If sites are found eligible, avoidance or Phase III archaeological data recovery is recommended.

At the completion of any cultural resource studies, The Park Authority requests that the applicant provide one copy of the archaeology report as well as field notes, photographs and artifacts to the Park Authority’s Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study. Additional guidance and expectations regarding response times can be found in Section 7-210 of the Zoning Ordinance.

Trails:

The development plan shows continuing the 8’ asphalt trail that exists to the north of the site along Ox Road/Route 123. Staff recommends that the applicant provide a marked trail crossing at the entrance to the proposed development, from the north side to the south side of the proposed private street. Such demarcation will be safer for trail users and a better visual signal that a continuous trail remains.

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	\$23,800	\$33,434	\$57,234
Total	\$23,800	\$33,434	\$57,234

In addition, the analysis identified the following major issues:

- Provide an onsite park and recreational amenity, such as a tot lot or similarly scale-appropriate element
- Install only non-invasive plant materials on the property

- Implement stormwater management best practices for the uncontrolled areas of the site (<1 acre)
- Complete and submit the Archaeological Survey Data Management form
- Conduct a Phase I archaeological study
- Provide a marked trail crossing at the site entrance

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

FCPA Reviewer: Anna Bentley
DPZ Coordinator: Brent Krasner

Copy: Cindy Walsh, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
Elizabeth Cronauer, Trail Coordinator, Special Projects Branch
Chron Binder
File Copy



FAIRFAX COUNTY
PUBLIC SCHOOLS

Department of Facilities and Transportation Services

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

December 18, 2012

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

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

SUBJECT: RZ/FDP 2012-BR-020, Eastwood Properties

ACREAGE: 5.15 acres

TAX MAP: 77-1 ((1)) 36, 37, 38

PROPOSAL:

The applicant seeks to rezone the subject site from R-1 District to PDH-3 District in order to permit the redevelopment of the site's two existing single family detached homes (on 3 lots) into a 14 unit townhouse development.

ANALYSIS:

School Capacities

The schools serving this area are Bonnie Brae Elementary and Robinson Secondary School. The chart below shows the existing school capacity, enrollment, and projected enrollment.

School	Capacity 2012 / 2017	Enrollment (9/30/12)	2013-14 Projected Enrollment	Capacity Balance 2013-14	2017-18 Projected Enrollment	Capacity Balance 2017-18
Bonnie Brae ES	817 / 817	719	736	81	769	48
Robinson MS	1316 / 1316	1204	1117	199	994	322
Robinson HS	2564 / 2564	2685	2618	-54	2480	84

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 2017-18 and are updated annually. At this time, if development occurs within the next six years, both Bonnie Brae and Robinson Secondary School are projected to have sufficient capacity. Beyond the six year projection horizon, enrollment projections are not available.

Capital Improvement Program Projects

The FY 2013-17 Capital Improvement Program (CIP) does not recommend any projects at the impacted schools at this time.

Development Impact

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

School Level	Single Family Attached Ratio	Proposed # of units	Proposed Student Yield	School Level	Single Family Detached Ratio	Permitted # of units	Permitted Student Yield
Elementary	.249	14	4	Elementary	.268	5	1
Middle	.063	14	1	Middle	.085	5	0
High	.128	14	2	High	.178	5	1
			7 total				2 total

RECOMMENDATIONS:

Proffer Contribution

A total of 5 new students are anticipated (3 Elementary, 1 Middle and 1 High School). Based on the approved Residential Development Criteria, a proffer contribution of \$52,440 (5 x \$10,488) is recommended to offset the impact that new student growth will have on surrounding schools. It is recommended that the proffer contribution be directed toward schools in Cluster VI or to schools in the Robinson High School Pyramid at the time of site plan or building permit approval. A proffer contribution at the time of occupancy is not recommended since this does not allow the school system adequate time to use the proffer contribution to offset the impact of new students.

In addition, an "escalation" proffer is recommended. The suggested per student proffer contribution is updated on an annual basis to reflect current market conditions. The amount has decreased over the last several years because of the down turn in the economy and lower construction costs for FCPS. As a result, an escalation proffer would allow for payment of the school proffer based on either the current suggested per student proffer contribution at the time of zoning approval or the per student proffer contribution in effect at the time of development, whichever is greater. This would better offset the impact that new student yields will have on surrounding schools at the time of development. For your reference, below is an example of an escalation proffer that was included as part of an approved proffer contribution to FCPS.

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

Proffer Notification

It is also recommended that the developer proffer that notification to FCPS will be provided when development is likely to occur or when a site plan has been filed with the County. This will allow the school system adequate time to plan for anticipated student growth to ensure classroom availability.

ADDITIONAL INFORMATION:

FCPS is in the early stages of a Boundary Study for Fairfax High School and Lanier Middle School. The scope of study for this item will be considered for action by the School Board at their December 20, 2012 meeting. Pending the action of the School Board, Robinson Secondary School may be included in the study. While, current projections indicate available capacity in out years, these projections may be impacted by the Boundary Study.

DMJ/gjb

Attachment: Locator Map

cc: Megan McLaughlin, School Board Member, Braddock District
 Ilryong Moon, Chairman, School Board Member, At-Large
 Ryan McElveen, School Board Member, At-Large
 Ted Velkoff, School Board Member, At-Large
 Dean Tistadt, Chief Operating Officer, FCPS
 Leslie Butz, Cluster VI, Assistant Superintendent
 Dan Meier, Principal, Robinson Secondary School
 Kathy Bruce, Principal, Bonnie Brae Elementary School



County of Fairfax, Virginia

MEMORANDUM

DATE: September 17, 2013

TO: Brent M. Krasner,
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 2012-BR-020**
Tax Map No. 077-1- ((01)) - 0036, 0037, 0038

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 POHICK CREEK (N-1) 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 Oak Park Court and approx. 150 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.

	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>
<u>Sewer Network</u>						
Collector	X		X		X	
Submain	X		X		X	
Main/Trunk	X		X		X	

5. **Other pertinent comments:** The applicant intends to use an existing sanitary sewer easement located between Lots 260 and 261 in MiddleRidge Subdivision. The proposed the sewer line will be closer than 15 feet from the home on Lot 260 but due to the shallow depth of the sewer line, the easement could be utilized without any adverse impact to the home.





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

December 6, 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-BR-020
Ox Road Estates
Tax Map: 77-1

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 currently served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 16-inch water main located in Ox Road. 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 cursive script that reads "Traci K. Goldberg".

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

Enclosure

cc: Lori Greenlief, McGuire Woods



County of Fairfax, Virginia

DATE: December 5, 2012

TO: Brent Kasner, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Kevin R. Wastler, EH Supervisor *KRW*
Technical Review and Information Resources Section
Fairfax County Health Department

SUBJECT: Development Plan Analysis

REFERENCE: Application No. RZ/FDP 2012-BR-020

After reviewing the application, we have only one comment to be considered. The Health Department records indicate that the existing houses on lots 36 and 37 on Ox Road to be demolished are/were served by an onsite sewage disposal system as well as a private well water supply. There are no records on file that the wells and septic systems were ever properly abandoned. **The septic tanks and wells will have to be properly abandoned prior to approval of the demolition permit being released.**





County of Fairfax, Virginia

MEMORANDUM

DATE: September 4, 2013

TO: Brent Krasner, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Engineer IV, for the
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning/Final Development Plan Application #RZ/FDP 2012-BR-020, Eastwood Properties, Inc. -- Ox Road Estates, Conceptual/Final Development Plan dated July 26, 2013, LDS Project #25667-ZONA-001-1, Tax Map #77-1-01-0036, -0037 and -0038, Braddock District

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

Chesapeake Bay Preservation Ordinance

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

Water quality controls are required for this development (PFM 6-0401.2A). Two bioretention facilities, two vegetated swales and conserved open space have been proposed. A pretreatment channel/strip will be necessary for the concentrated flows entering the bioretention filter (PFM 6-1307.4D) that might alter the location of the facility.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There have been downstream erosion complaints on file. More information on these complaints are available from the Maintenance & Stormwater Management Division (703-877-2800) and the Braddock District Office (703-425-9300).

Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). An underground detention facility is depicted on the plan. The runoff piped directly to the underground facility will require both pretreatment ((PFM 6-0101.3A, VA BMP Manual 3-10) and a diversion structure to avoid flooding (PFM 6-1306.3L) should the pretreatment device/facility become clogged. Underground, hydropneumatic devices could be located on the property to provide pretreatment. The addition of a diversion structure might alter the location of the facility.

Department of Public Works and Environmental Services
Land Development Services
12055 Government Center Parkway, Suite 444
Fairfax, Virginia 22035-5503
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The design of the bioretention facilities don't seem to take into account the depth of soil required to support the Category IV trees depicted on the landscape plan (Sheet 5). The planting plan may have to be adjusted since it is unlikely the extent of the underground stone can be enlarged.

The large extent of the underground storage might impact some trees shown to be preserved since the underground stone will be close to the trees' critical root zones.

At the subdivision plan stage, detention of the 100-year storm's runoff, or a proportional reduction of the 100-year storm's runoff, will be necessary if downstream structures have flooded in the past or may be flooded in the future (PFM 6-0202.4 and -0203.5).

Site Outfall

An outfall narrative that describes the adequacy and stability of the natural channels downstream to 100 times the site area has been provided. The narrative states that the natural channels in the outfall are stable, however, based on the erosion cited in the Pohick Creek Watershed Management Plan (see below) and the information provided at the August 29 community meeting, it seems as if the existing outfall is inadequate.

The submission indicates that the Detention Method (PFM 6-0203.4) will be used. This method can be used to meet the PFM's outfall requirements, but it does not *make* the outfall adequate as stated in the outfall narrative.

It is difficult to image an adequate outfall path, identified with an "OLR" arrow, between 10912 and 10914 Oak Park Court since the area has relatively flat slope and a higher elevation near the cul-de-sac. Based on 2-foot contours developed from 2009 orthophotos and information provided at the August 29 community meeting, the outfall's flow path seems to parallel the rear of the dwelling at 10912 Oak Park Court.

This plan proposes a drainage diversion within the site to reroute runoff that usually leaves the site near 10911 and 10913 Oak Park Court towards the bioretention facilities. Drainage diversions must be justified at the subdivision plan stage.

At the subdivision plan stage it must be demonstrated that:

- any increase in peak rate or volume of sheet flow caused by the development will not have any adverse impact, aggravate any existing drainage problem or cause a new drainage problem on lower lying properties as determined by DPWES (PFM 6-0202.6B),
- there will be no flooding of existing dwellings by the 100-year storm event, or any existing flooding condition will not be aggravated (PFM 6-0204.1B(5)) and
- any drainage diversion proposed must demonstrate no adverse impact on adjacent or downstream properties and consider both the concentrated and non-concentrated flows leaving the development (PFM 6-0202.2A(1) and (4)).

If any part of the existing outfall within the "100 times" area is currently inadequate (e.g., the eroded downstream natural channels, sheet flow concerns or flooding concerns), the extent of

review for outfall adequacy can be extended downstream past the minimum extent described in PFM 6-0203.2 (PFM 6-0203.2E).

Storm Drains

The storm drains conveying runoff from off-site will have to be placed within easements. Trees are not permitted within storm drainage easements or within 5 feet of an easement containing a pipe (PFM 12-0515.6B). Adjustments to the landscaping plan shown on Sheet 5 may be necessary.

Watershed Plan

The Pohick Creek Watershed Management Plan depicts a Priority Structural Project downstream from this development. The stream restoration project (#PC9254) lies between John Turley Place and Paynes Church Drive extends upstream to Broadwater Drive. The project's order-of-magnitude cost was identified as \$1,050,000. This project would repair stream bank and bed erosion, restore channel morphology and, therefore, reduce sediment loading. Information about the project from the watershed plan is attached. Work on this project has not been started; the project does not appear in the Stormwater Planning Division's FY14 work program.

Proffers Dated July 25, 2013

Item #25 proffers to provide additional water quality controls above the current minimum required by the County. Should the subdivision construction plan for this development not be approved before July 1, 2014, the subdivision plan will be required to use a different methodology for computing the required controls. It is possible that removal of an additional 5% of the phosphorus using the current Occoquan Method might be within the phosphorus removal requirements when the new Virginia Runoff Reduction Method is used.

Stormwater Planning Division Comments

After viewing this development's original submittal, the Stormwater Planning Division (SWPD) requested a commitment to use additional volume reduction stormwater practices in addition to those required to meet water quality requirements. A schematic proposing additional facilities was attached to DPWES's May 23, 2013, comments. The use of multiple innovative practices is very effective in reducing the volume of water leaving the site and benefits the receiving waters. Construction details and specifications for practices not in the PFM can be provided by SWPD.

1. Permeable Pavers with underlying gravel galleries for infiltration and storage will capture precipitation onto the pavers as well as runoff from adjoining impermeable surfaces sloping in their direction. In addition to the stormwater benefits, these pavers add amenity and require minimal subsequent disturbance in the case of needed access to underlying utilities. A typical cross section from bottom to top will include nonwoven geotextile fabric on bottom and sides of the excavation, even-graded #57 stone with integrated under-drain and clean-out, even-graded #8 bedding stone and specified pavers. Pavers used for BMP credit in residential areas must be specifically approved by the Board (PFM 6-1304.2A). No request for BMP credit has been received by DPWES.

The current C/FDP shows permeable pavement being used for the maintenance access road to the bioretention facilities.

Brent Krasner, Staff Coordinator

Rezoning/Final Development Plan Application #RZ/FDP 2012-BR-020, Ox Road Estates

September 4, 2013

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2. Bioretention Filters and Basins are appropriate in parking lot medians and areas adjoining buildings. Typically, these include and underlying gravel gallery for infiltration and storage of runoff to them. A typical cross section from bottom to top will include geotextile fabric, even-graded #57 stone with integrated under-drain and clean-out, a choker course of #8 even-graded stone, specified filter/growth media, blanket of certified organic compost and vegetative plantings. The use of bioretention or dry ponds to meet detention, BMP and outfall requirements should be considered after all other environmental design techniques have been maximized.

The current C/FDP shows vegetated swales have been added to the development.

3. Soil Amendments can be placed anywhere on the site where soils are compacted or biologically depleted. These amendments will significantly improve infiltration and plant response. Rototilling 3-inches of certified organic compost into the top 10"-12" of the soil profile is best for heavily compacted soils. A 3-inch blanket of certified organic compost can be applied over the surface of less compacted soils. These applications should occur after heavy construction equipment and clean-up activity is complete in the area and prior to planting.

The current C/FDP does not propose soil amendments.

4. Conservation/Reforestation areas that may not meet eligibility requirements for BMP credit should be considered.

The current C/FDP could have additional conservation areas dedicated in the areas to be used for tree preservation.

These comments have been based on the 2011 version of the Public Facilities Manual. A new stormwater management ordinance and updates to the PFM's stormwater requirements are in the early stages of their approval process. The subdivision 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.

Attachments

BF/

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Stormwater Planning Division, DPWES
Durga Kharel, Chief, Central Branch, SDID, DPWES
Zoning Application File

ARTICLE 6

PLANNED DEVELOPMENT DISTRICT REGULATIONS

PART 1 6-100 PDH PLANNED DEVELOPMENT HOUSING DISTRICT

6-101 Purpose and Intent

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

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

6-102 Principal Uses Permitted

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

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

6-103 Secondary Uses Permitted

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

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

PLANNED DEVELOPMENT DISTRICT REGULATIONS

- C. The keeping of all animals including wild or exotic animals as defined in Chapter 41.1 of The Code may be permitted with the approval of the Director of the Department of Animal Control, upon a determination that the animal does not pose a risk to public health, safety and welfare and that there will be adequate feed and water, adequate shelter, adequate space in the primary enclosure for the particular type of animal depending upon its age, size and weight and adequate veterinary care.
11. Drive-through pharmacies shall be permitted only on a lot which is designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation and parking. Adequate parking and stacking spaces for the use shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the lot. In addition, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

6-107

Lot Size Requirements

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

6-108

Bulk Regulations

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

6-109

Maximum Density

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

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

FAIRFAX COUNTY ZONING ORDINANCE

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

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

6-110

Open Space

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

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

PLANNED DEVELOPMENT DISTRICT REGULATIONS

2. As part of the open space to be provided in accordance with the provisions of Par. 1 above, there shall be a requirement to provide recreational facilities in all PDH Districts. The provision of such facilities shall be subject to the provisions of Sect. 16-404, and such requirements shall be based on a minimum expenditure of \$1700 per dwelling unit for such facilities and either:
 - A. The facilities shall be provided on-site by the developer in substantial conformance with the approved final development plan, and/or
 - B. The Board may approve the provision of the facilities on land which is not part of the subject PDH District.

Notwithstanding the above, in affordable dwelling unit developments, the requirement for a per dwelling unit expenditure shall not apply to affordable dwelling units.

6-111

Additional Regulations

1. Refer to Article 16 for standards and development plan requirements for all planned developments.
2. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above, including the shape factor limitations contained in Sect. 2-401.

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		