



APPLICATION ACCEPTED: May 20, 2013
PLANNING COMMISSION: January 8, 2014
BOARD OF SUPERVISORS: January 28, 2014 at 3:30 p.m.

County of Fairfax, Virginia

December 24, 2013

WS

STAFF REPORT

RZ/FDP 2013-SU-010

SULLY DISTRICT

APPLICANT: Christopher Land, LLC

PRESENT ZONING: R-1 (Residential District, 1 dwelling unit per acre (du/ac))

REQUESTED ZONING: PDH-2 (Planned Development 2 du/ac)

PARCEL: 44-4 ((1)) 18

SITE AREA: 3.7 acres

OPEN SPACE: 35%

PLAN RECOMMENDATION: Residential at 1 to 2 du/ac

PROPOSAL: To rezone 3.7 acres from R-1 to PDH-2 for the development of seven single-family detached dwelling units at an overall density of 1.97 du/ac.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2013-SU-010, subject to the execution of the proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2013-SU-010, subject to the proposed development conditions in Appendix 2.

Joe Gorney

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



Staff recommends approval of the deviation to the tree preservation target, in favor of the measures shown on the proposed plan and as proffered.

Staff recommends that the Board of Supervisors approve a modification of the Zoning Ordinance to allow a private street to exceed 600 feet, as shown on the CDP/FDP.

Staff recommends that the Board of Supervisors direct the Director of the Department of Public Works and Environmental Services (DPWES) to approve a modification of the Public Facilities Manual (PFM) to allow construction of a cul-de-sac with a radius of 30 feet, as shown on the CDP/FDP.

Staff recommends that the Board of Supervisors direct the Director of the Department of Public Works and Environmental Services (DPWES) to approve a modification of the Public Facilities Manual (PFM) to allow construction of sidewalks on one side of the north-south section of the private street and the extension of Walney Park Drive, 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:\jgorney\APPLICATIONS\RZ-2013-SU-010-Jennell Property\PCPH-010814\STAFF_REPORT-Jennell-122413.docx



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

Rezoning Application

RZ 2013-SU-010

Applicant: CHRISTOPHER LAND, L.L.C.
 Accepted: 05/20/2013
 Proposed: RESIDENTIAL
 Area: 3.7 AC OF LAND; DISTRICT - SULLY
 Zoning Dist Sect:
 Located: 13865 WALNEY PARK DRIVE, CHANTILLY, VA 20151

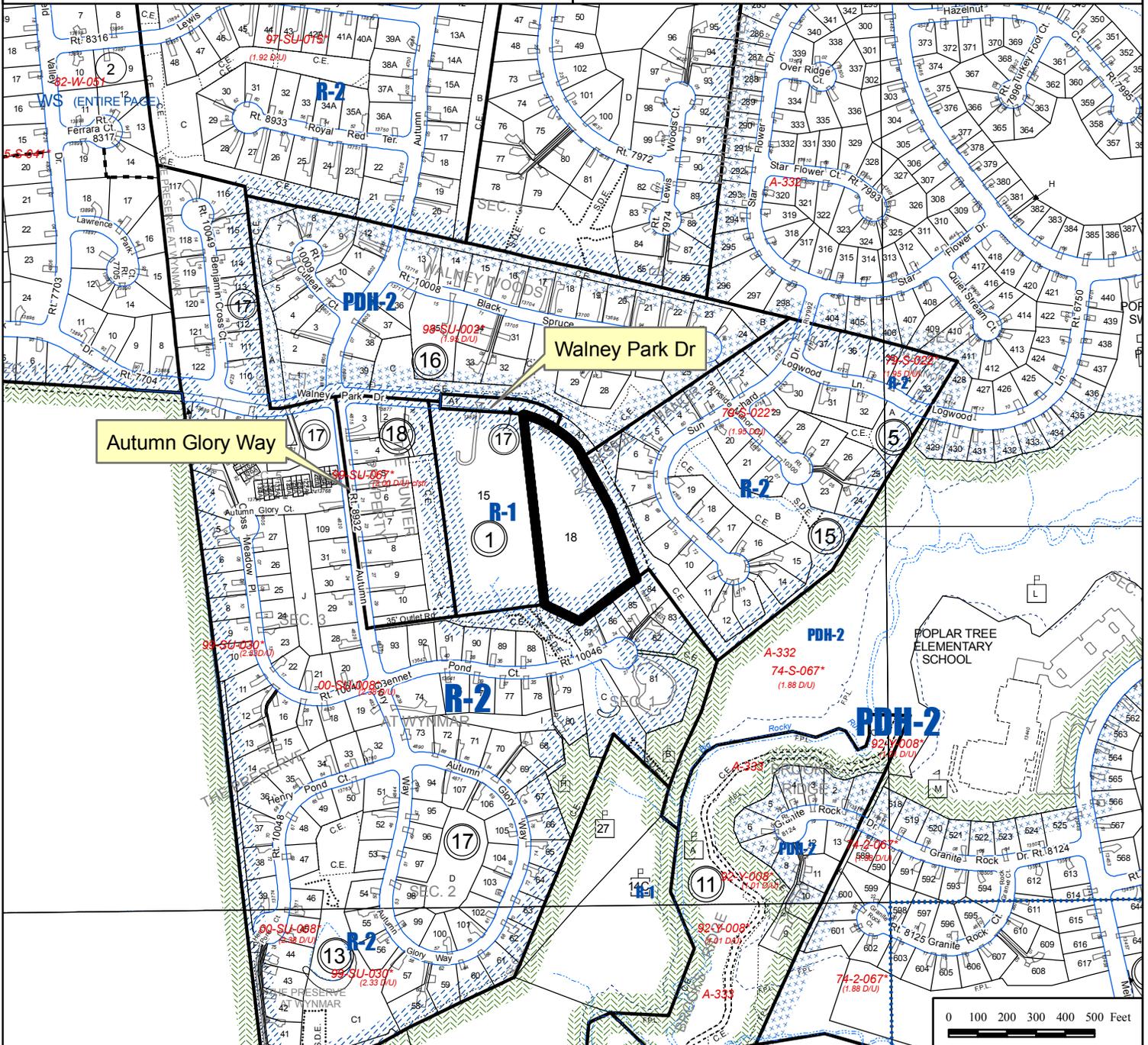
Zoning: FROM R- 1 TO PDH- 2
 Overlay Dist:
 Map Ref Num: 044-4- /01/ /0018

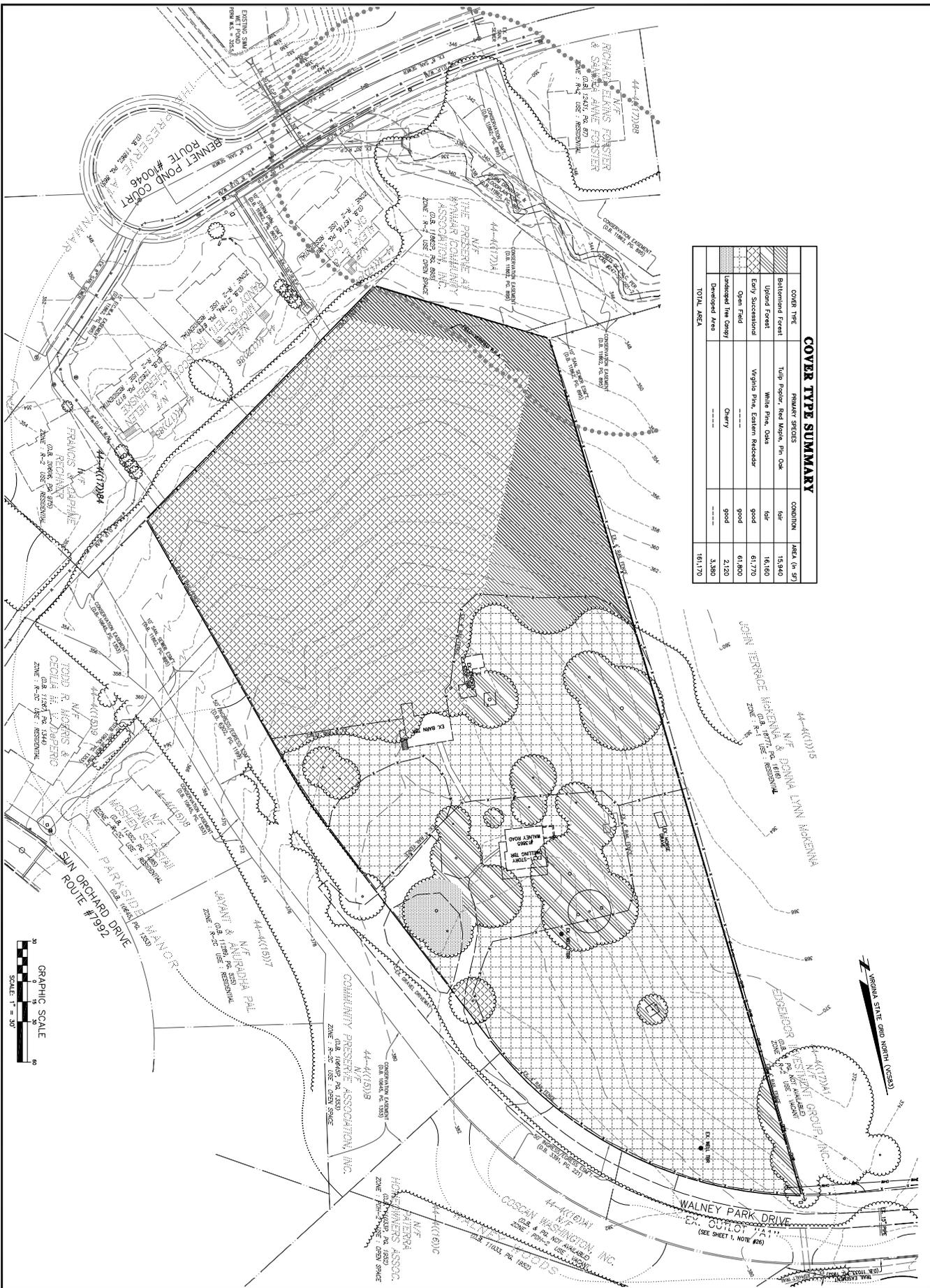
Final Development Plan

FDP 2013-SU-010

Applicant: CHRISTOPHER LAND, L.L.C.
 Accepted: 05/20/2013
 Proposed: RESIDENTIAL
 Area: 3.7 AC OF LAND; DISTRICT - SULLY
 Zoning Dist Sect:
 Located: 13865 WALNEY PARK DRIVE, CHANTILLY, VA 20151

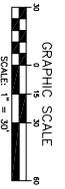
Zoning: PDH- 2
 Overlay Dist:
 Map Ref Num: 044-4- /01/ /0018





COVER TYPE SUMMARY

COVER TYPE	PRIMARY SPECIES	CONDITION	AREA (± SF)
Baltonian Forest	Tup, Poplar, Red Maple, Pin Oak	fair	15,940
Upland Forest	White Pine, Oak	fair	16,160
Early Successional	Virginia Pine, Eastern Redcedar	good	61,270
Open Field	Cherry	good	61,800
Undeveloped Tree Canopy		good	2,120
Developed Area			3,380
TOTAL AREA			181,170



EXISTING VEGETATION MAP

JENNELL PROPERTY

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

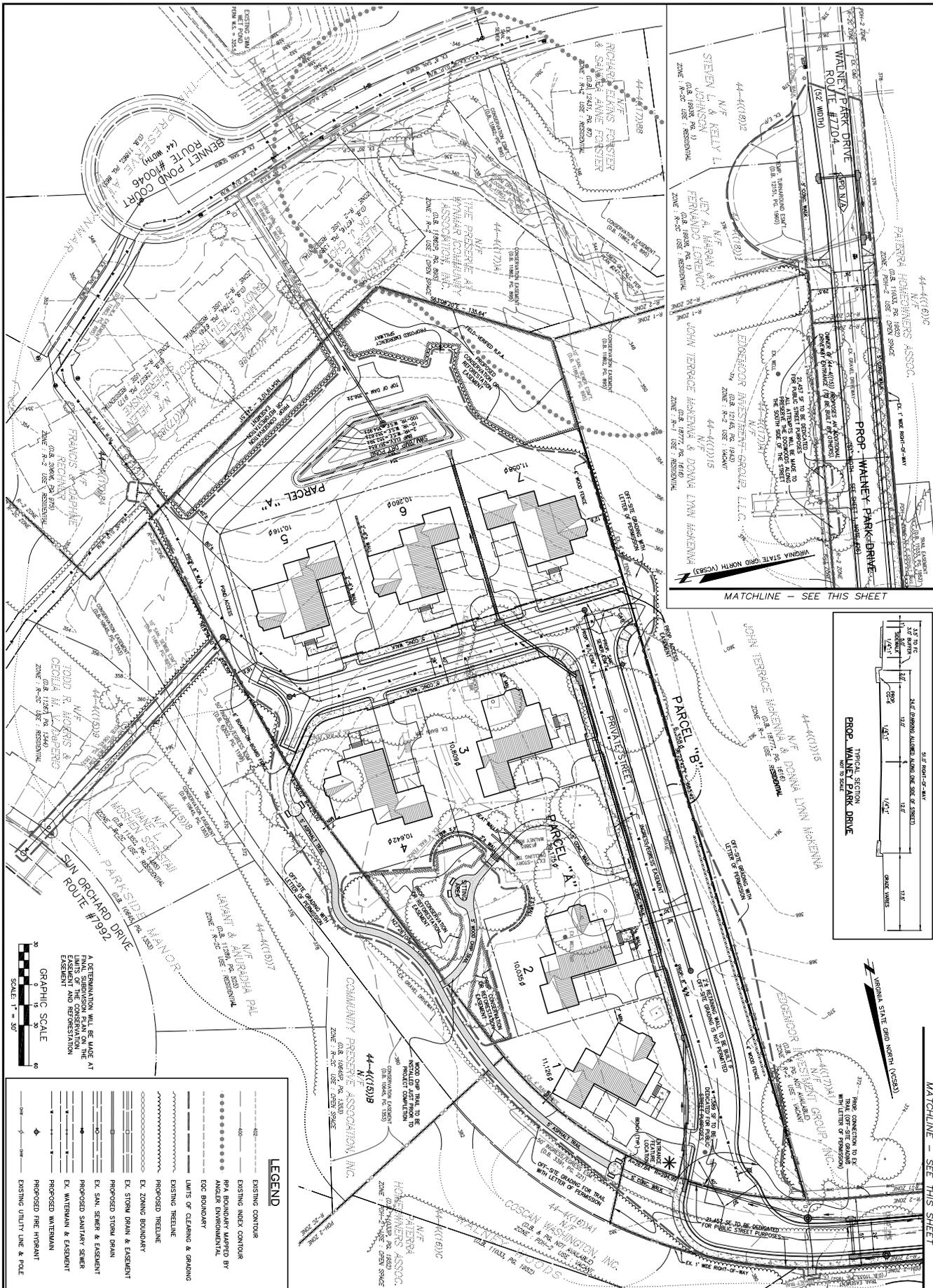


NO.	DESCRIPTION	REVISIONS	DATE	APPROVED BY

NO. DATE REVISION PRIOR TO APPROVAL

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
3969 Parker Dr., Ste. 210 Fairfax, VA 22030 703-345-7166 Fax 703-373-8596
www.cpa.com • Silver Spring, MD • Gaithersburg, MD • College Park, MD • Frederick, MD • Fairfax, VA

Scale: 1/2" = 30' (12/22/2013) Date: 12/22/2013 3:17 PM Sheet: 12/22/2013 3:17 PM

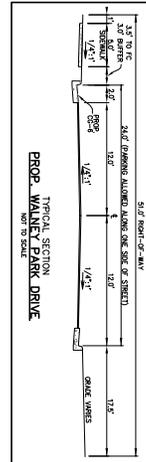


GRAPHIC SCALE
SCALE 1" = 30'

A DETERMINATION WILL BE MADE AT FINAL SUBDIVISION PLAN ON THE EXISTENT AND REPRESENTATION

LEGEND

- EXISTING CONTOUR
- EXISTING INDEX CONTOUR
- PRA BOUNDARY MAPPED BY ANGLER ENVIRONMENTAL
- EDC BOUNDARY
- LIMITS OF CLEARING & GRADING
- EXISTING TREELINE
- PROPOSED TREELINE
- EX. ZONING BOUNDARY
- EX. STORM DRAIN & EASEMENT
- EX. STORM DRAIN
- EX. SANI. SEWER & EASEMENT
- EX. STORM DRAIN
- EX. WATERMAIN & EASEMENT
- PROPOSED WATERMAIN
- PROPOSED FIRE HYDRANT
- EXISTING UTILITY LINE & POLE



MATCHLINE - SEE THIS SHEET

MATCHLINE - SEE THIS SHEET

CONCEPTUAL / FINAL DEVELOPMENT PLAN

JENNELL PROPERTY

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

3.	10-21-13	REV. WIDTH OF WALNEY PARK DRIVE, CONSV. EMTS., ADDED WATER EMIT.
4.	10-10-13	ADDED SIDEWALK IN FRONT OF LOTS 5-7 (KJV)
5.	10-1-13	REVISED POND, CULTURE-SAC, OFF-SITE CONNECTION & CLEARING LIMITS.
6.	10-1-13	ADDED PARCEL B. FENCE ALONG WESTERN BOUNDARY & STREET SECTION.
7.	9-19-13	REVISED LAYOUT & CLEARING LIMITS (KJV)
8.	7-2-13	REVISED LAYOUT & CLEARING LIMITS (KJV)
NO.	DATE	REVISION PRIOR TO APPROVAL

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NO.	DESCRIPTION	REVIEW	APPROVAL	DATE

Sheet 12/20/2013 12/20/2013 859 AM Sheet N:\V2581\DWG\04-00-00

TREE PRESERVATION NARRATIVE:

Trees as referred to in this document are considered those trees that are protected by limits of clearing and grading and shown by preservation on approved plans.

- Flagging Site Layout:** Prior to requesting a pre-construction meeting, the contractor is responsible for flagging the limits of clearing and grading. These limits shall not exceed that shown on the approved plans.
- Pre-Construction Meeting:** After clearing limits have been marked, meeting shall be requested by the contractor to walk with owner or owner's designated representative, architect/forester hired by owner, site superintendent, clearing contractor and UEMD DPMWS representative to make mutual determinations regarding preservation activities. Mutual preservation activities will be coordinated with the Urban Forestry Division at this time.
- Tree Protection Approval:** Selective tree removal, root pruning, and tree protection fence installation shall be completed prior to any maintenance or grading operations. All UEMD DPMWS representatives shall be notified of any tree removal or maintenance activities. All UEMD DPMWS representatives shall be notified of any tree protection fence installation activities to ensure that the tree protection has been installed.
- Protection of Existing Understory Vegetation and Soil Conditions in Tree Preservation Areas:** All preservation areas shall be maintained in a manner that minimizes damage to vegetation to be preserved in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Any removal of any vegetation or soil disturbance in tree preservation areas including the removal of trees, etc. shall be subject to the review and approval of UEMD DPMWS.
- Use of Equipment:** Except as qualified herein, the use of motorized equipment in tree preservation areas shall be limited to hand-operated equipment such as chainsaws, wheelbarrows, rakes and shovels. Any work that requires the use of motorized equipment, such as tree removal, stump grinding, and grading, shall be subject to the review and approval of UEMD DPMWS.
- Root Pruning:** Tree preservation areas shall be root pruned along the limits of clearing adjacent to the proposed building footprint. Root pruning shall be performed by the contractor using a small walk behind trencher or air spade. The root pruning trench shall be backfilled immediately. Site fence/sign shall force installation utilizing walk behind trencher can be substituted for root pruning as long as a minimum depth of 18" is achieved.
- Mulching:** Mulch shall be placed in areas as indicated on approved plans and/or extending in a swath fifteen feet wide along the limit of disturbance adjacent to indicated trees at minimum. Trees/areas indicated will be mulched with wood chips generated from on site clearing or tree removal and pruning operations when possible. Shredded hardwood mulch from other nearby landfills approved by project architect. Mulch shall be spread in a uniform depth of three (3) inches by hand.
- Tree Protection Fencing:** Tree Preservation Areas shall be protected by the method by UEMD Forestry Staff. Signs shall be placed for tree preservation areas as follows: a) as a minimum, a fence and sufficient control stakes. The installation of all tree protection fence types 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. Tree protection fencing shall be made clearly visible to all construction personnel. Bilingual signs stating "TREE PRESERVATION AREA - KEEP OUT!" shall be affixed to the tree preservation fence at least every 30 feet and three (3) working days prior to the commencement of any clearing, grading, or demolition activities. The subcontractor to the installation of the tree protection devices including fencing, UEMD and the district supervisor shall be notified and given the opportunity to inspect the site to assure 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 UEMD.
- Tree Protection Maintenance:** Fencing shall be maintained in an upright position for the duration of the project. Tree protection fencing that is damaged as a result of land clearing operations shall be repaired prior to the end of the workday that the damage occurred.
- 10. Pruning:** All pruning shall conform to current ANSI A300.2001 grading standards. Trees designated for removal shall be removed in a manner that minimizes damage to the project. Pruning operations shall be performed by a certified arborist. The interior of trees shall not be stripped of live tissue, wickets, or organic materials. Damaged, rotten, and rubbing branches may be removed at the arborist's discretion. Debris from pruning operations may be chipped and deposited into the Tree Preservation Areas and spread by hand to a uniform depth of be removed from the site.
- 11. Site Monitoring:** During any clearing or tree-vegetation structure removal or transplantation of vegetation on the subject site, a representative of the applicant shall be present to monitor the process and ensure that the activities are conducted as approved by UEMD. The applicant shall retain the services of a certified arborist to monitor all construction work and tree preservation efforts in order to ensure compliance with all tree preservation conditions, and UEMD approvals. Monitoring operations to ensure compliance with tree preservation plans and other preservation requirements shall be conducted daily during initial site clearing operations, weekly through the entire and sufficient period of construction, and as needed thereafter. The contractor shall be notified of any violations of the approved plans and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk-through meeting.

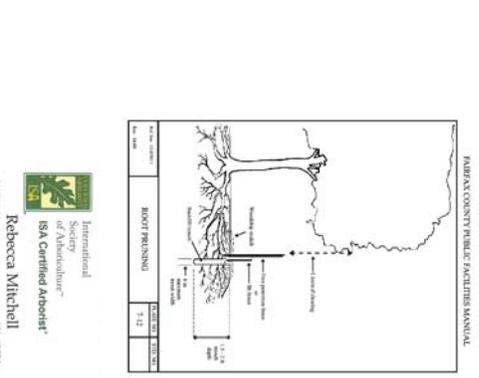
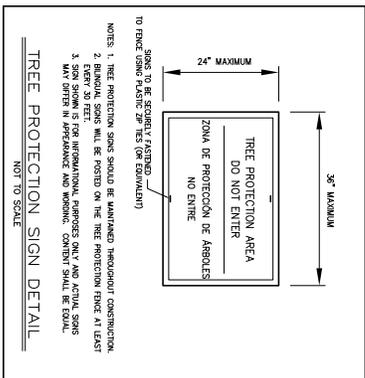
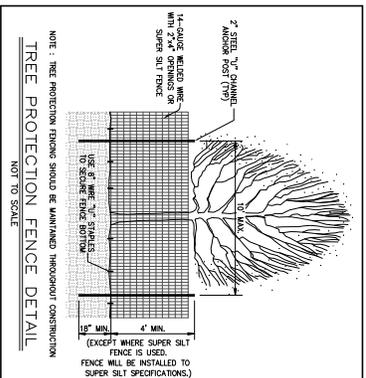
NOTE: AS STATED BY SECTION 12-2057.19 IN THE PUBLIC UTILITIES MANUAL, DEAD TREES ARE 12 INCHES IN DIAMETER OR GREATER THAT RESIDE IN ONE OF THE TWO FOLLOWING AREAS WILL BE IDENTIFIED IN THE TREE INVENTORY.

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

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

TREE INVENTORY AND ACTIVITIES SPREADSHEET

Tree #	Location	COMMON NAME	DIAMETER	HEIGHT	CONDITION	ACTIVITY	DATE	BY	REMARKS	PROTECT	PHOTO	FILE
1	2	3	4	5	6	7	8	9	10	11	12	13
101	102	103	104	105	106	107	108	109	110	111	112	113
114	115	116	117	118	119	120	121	122	123	124	125	126
127	128	129	130	131	132	133	134	135	136	137	138	139
140	141	142	143	144	145	146	147	148	149	150	151	152
153	154	155	156	157	158	159	160	161	162	163	164	165
166	167	168	169	170	171	172	173	174	175	176	177	178
179	180	181	182	183	184	185	186	187	188	189	190	191
192	193	194	195	196	197	198	199	200	201	202	203	204
205	206	207	208	209	210	211	212	213	214	215	216	217
218	219	220	221	222	223	224	225	226	227	228	229	230
231	232	233	234	235	236	237	238	239	240	241	242	243
244	245	246	247	248	249	250	251	252	253	254	255	256
257	258	259	260	261	262	263	264	265	266	267	268	269
270	271	272	273	274	275	276	277	278	279	280	281	282
283	284	285	286	287	288	289	290	291	292	293	294	295
296	297	298	299	300	301	302	303	304	305	306	307	308
309	310	311	312	313	314	315	316	317	318	319	320	321
322	323	324	325	326	327	328	329	330	331	332	333	334
335	336	337	338	339	340	341	342	343	344	345	346	347
348	349	350	351	352	353	354	355	356	357	358	359	360
361	362	363	364	365	366	367	368	369	370	371	372	373
374	375	376	377	378	379	380	381	382	383	384	385	386
387	388	389	390	391	392	393	394	395	396	397	398	399
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413	414	415	416	417	418	419	420	421	422	423	424	425
426	427	428	429	430	431	432	433	434	435	436	437	438
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725	726	727	728	729	730	731	732	733	734	735	736	737
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829	830	831	832	833	834	835	836	837	838	839	840	841
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868	869	870	871	872	873	874	875	876	877	878	879	880
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894	895	896	897	898	899	900	901	902	903	904	905	906
907	908	909	910	911	912	913	914	915	916	917	918	919
920	921	922	923	924	925	926	927	928	929	930	931	932
933	934	935	936	937	938	939	940	941	942	943	944	945
946	947	948	949	950	951	952	953	954	955	956	957	958
959	960	961	962	963	964	965	966	967	968	969	970	971
972	973	974	975	976	977	978	979	980	981	982	983	984
985	986	987	988	989	990	991	992	993	994	995	996	997
998	999	1000										



FAIRFAX COUNTY PUBLIC UTILITIES MANUAL

REBECCA MITCHELL
 International Society of Arboriculture
 ISA Certified Arborist
 MIA-46554
 08/31/2015

PAUL B. JOHNSON
 Lic. No. 018450
 PROFESSIONAL ENGINEER

JENNELL PROPERTY
 SULLY DISTRICT
 FAIRFAX COUNTY, VIRGINIA

1. 7-24-13 REVISED TREE PRESERVATION INVENTORY (BLM)
 NO. DATE REVISION PRIOR TO APPROVAL

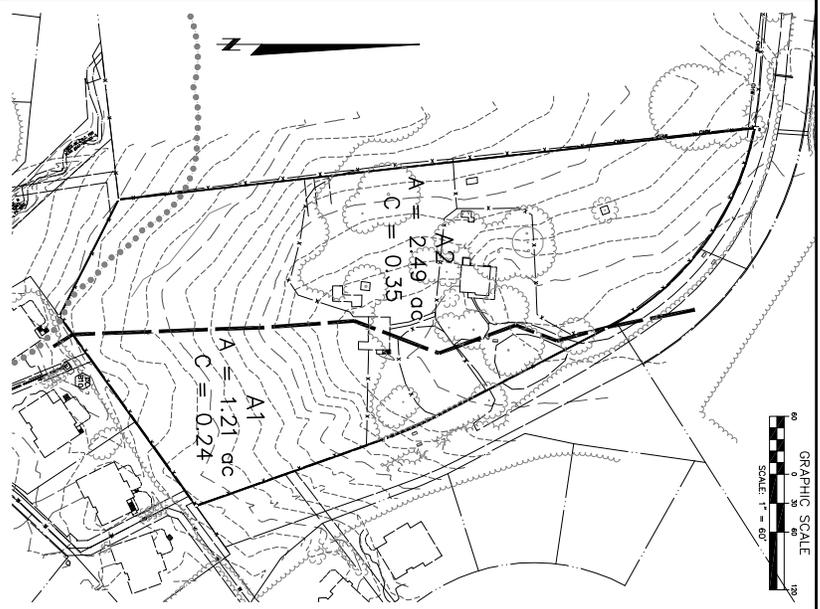
DESIGN KJV
 APPROVED APRIL 2013
 DATE
 HORIZ. MERI

SHEET 7 OF 12

PROJ NO. 12-521
 THE JOB / JOB

REVISIONS

Attached Xrefs: 00-F0500/00-R0301/00-R0401/00-F0700 RZ 2013-SU-010



PRE-DEVELOPMENT DRAINAGE MAP
SCALE: 1" = 60'

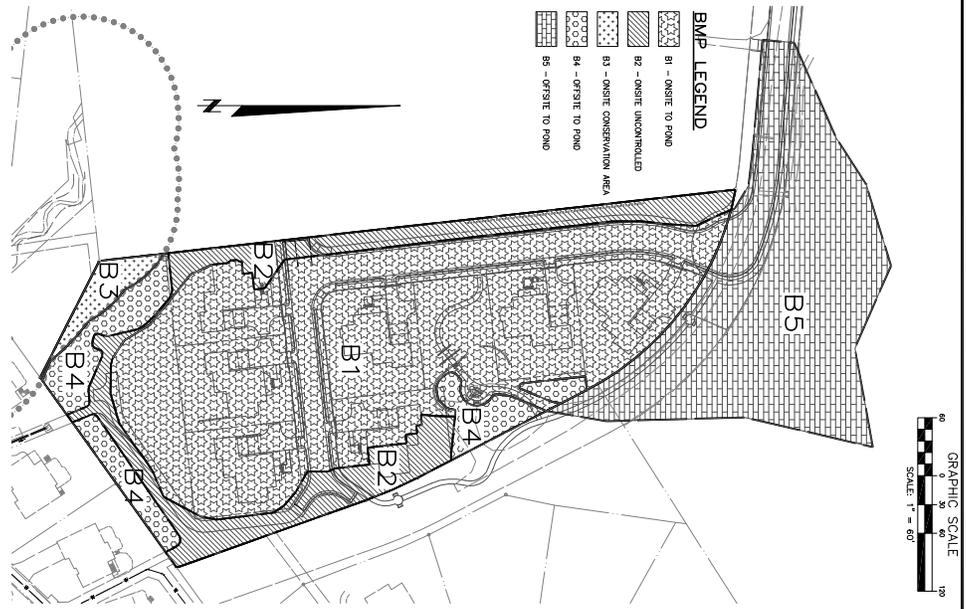
OUTFALL, SWM, AND BMP NARRATIVE

THE SITE CONSISTS OF 3.70 ACRES ON WHICH 7 SINGLE-FAMILY DETACHED UNITS ARE PROPOSED TO BE CONSTRUCTED. THE SITE IS ADJACENT TO THE BIG ROCKY RUN TRIBUTARY TO THE WEST AND A TRIBUTARY OF BIG ROCKY RUN TO THE SOUTH. A PORTION OF THE SITE DRAINS TOWARD A RESIDENTIAL PROPERTY TO THE WEST AND TO A TRIBUTARY OF BIG ROCKY RUN. THE REMAINDER OF THE SITE DRAINS TOWARD AN EXISTING CLOSED STORM SEWER SYSTEM LOCATED IN THE SINGLE-FAMILY SUBDIVISION MANAGEMENT ROAD WHICH RELEASES INTO A TRIBUTARY OF BIG ROCKY RUN. STORMWATER UNADVISED FOR THIS SITE HAS NOT BEEN PROVIDED FROM THE EXISTING POOL.

POST-DEVELOPMENT CONDITIONS

SEPARATE RUNOFF RAINFALL RAINFALL WATERSHEDS WILL BE PROVIDED WITH THE DEVELOPMENT OF THE SOUTHERN PART OF THE SITE. A CLOSED TRUNK STORM SYSTEM WILL BE INSTALLED TO COLLECT MOST OF THE SITE'S RUNOFF AND OFFER RIGHT-OF-WAY INTO THE PROPOSED OFF-ROAD SWM. A SMALL PORTION OF THE SITE WILL CONTINUE TO FLOW TO THE TRIBUTARY OF BIG ROCKY RUN. THE TOTAL SITE AREA IS 3.70 ACRES. DRAINAGE INTO THE EXISTING FLOODPLAIN AT POINT "X" IS LESS THAN 1.00 AC. THEREFORE, PER FPA 6-0002(B), THE EXTENT OF THE COMBINATION DRAINAGE IS COMPLETED AT POINT "X". SINCE THE FLOWS FROM THE SITE WILL BE REDUCED BELOW PRE-DEVELOPMENT LEVELS (SEE COMPUTATIONS THIS SHEET), IT IS THEREFORE THE ENGINEER'S OPINION THAT THIS CREATES AN ADEQUATE OUTFALL FOR THE PROJECT. MAP CALCULATIONS HAVE BEEN PROVIDED FOR THE SITE. THE TOTAL PROPOSED REMOVAL IS SIGNIFICANTLY GREATER THAN THE REQUIRED SIX INCHES.

AN ANALYSIS OF THE DAM BREACH HAS BEEN INCLUDED ON SHEET 9.

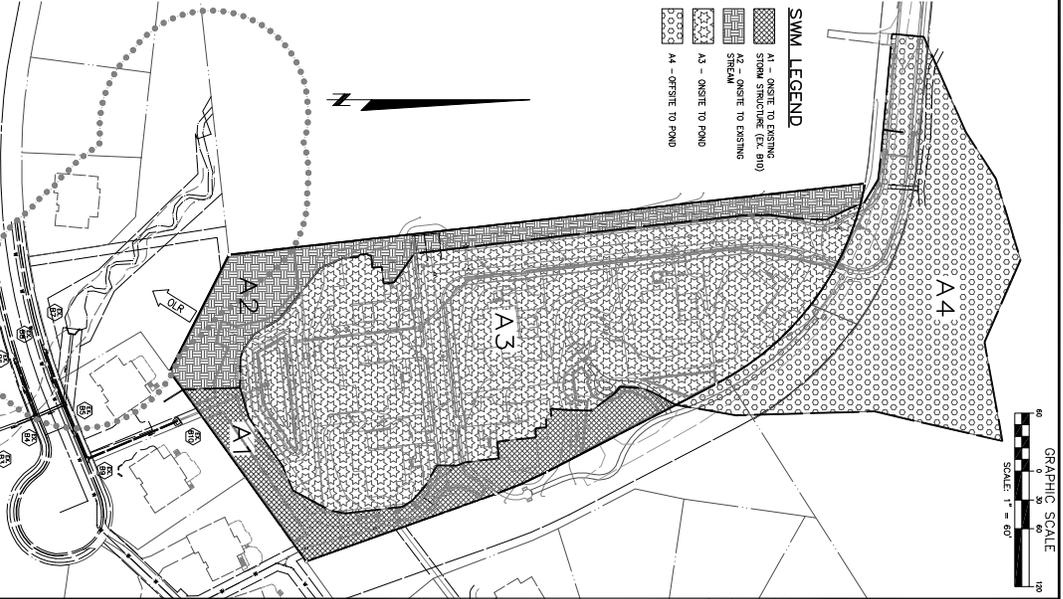


BMP MAP
SCALE: 1" = 60'

PRELIMINARY BMP COMPUTATIONS

TABLE 1. COMPUTATION OF THE DRAINAGE AREA FOR EACH BMP

Subarea	BMP	Removal	Area	Factor	Product
B1	On-site to Pond	(1)	0.2	0.1	0.02
B2	On-site to Pond	(2)	0.9	0.1	0.09
B3	On-site to Pond	(3)	0.2	0.1	0.02
B4	On-site to Pond	(4)	0.2	0.1	0.02
B5	On-site to Pond	(5)	0.2	0.1	0.02
Total					0.14



POST-DEVELOPMENT DRAINAGE MAP
SCALE: 1" = 60'

SWM SUMMARY

Structure	Type	Area (Ac)	Volume (cu ft)	Volume (cu yd)
A1	On-site to Existing Stream	10	144	5.4
A2	On-site to Existing Stream	10	144	5.4
A3	On-site to Existing Stream	10	144	5.4
A4	On-site to Existing Stream	10	144	5.4
Total				

DRAINAGE MAPS & NARRATIVES

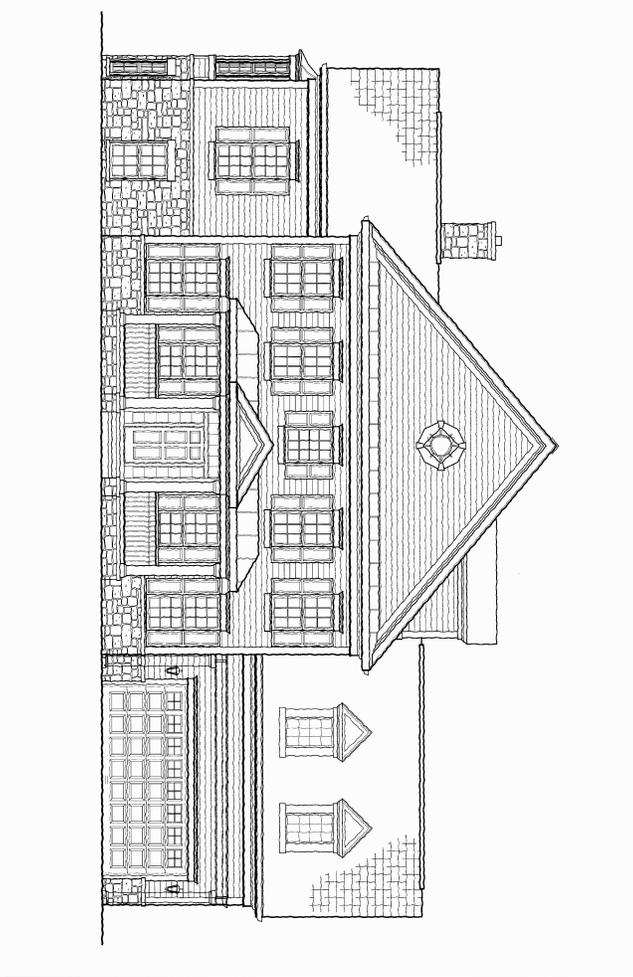
JENNEL PROPERTY

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

PAUL B. JOHNSON
Lic. No. 018450
PROFESSIONAL ENGINEER

NO.	DATE	REVISION
1	10-21-13	REV. OVERLAND RELIEF, ADDED REFORESTATION & DAM BREACH NOTES
2	10-13-13	REVISED OFFSITE DRAINAGE AREAS
3	9-19-13	REVISED CALCULATIONS & NARRATIVES
4	7-29-13	REVISED CALCULATIONS & NARRATIVES

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THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

Unit Sheet 12/20/2013 Unit Plot 12/23/2013 B34 MI Sheet N\12261\000\007000
 Attached Xrefs:

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		<p style="font-size: 8px;"> Charles P. Johnson & Associates, Inc. Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors 3909 Pender Dr., Ste. 210 Fairfax, VA 22030 703-385-9585 Fax 703-373-8195 www.cpj.com • Silver Spring, MD • Gaithersburg, MD • College Park, MD • Frederick, MD • Fairfax, VA </p>																																																																																												



EXHIBIT 'C'

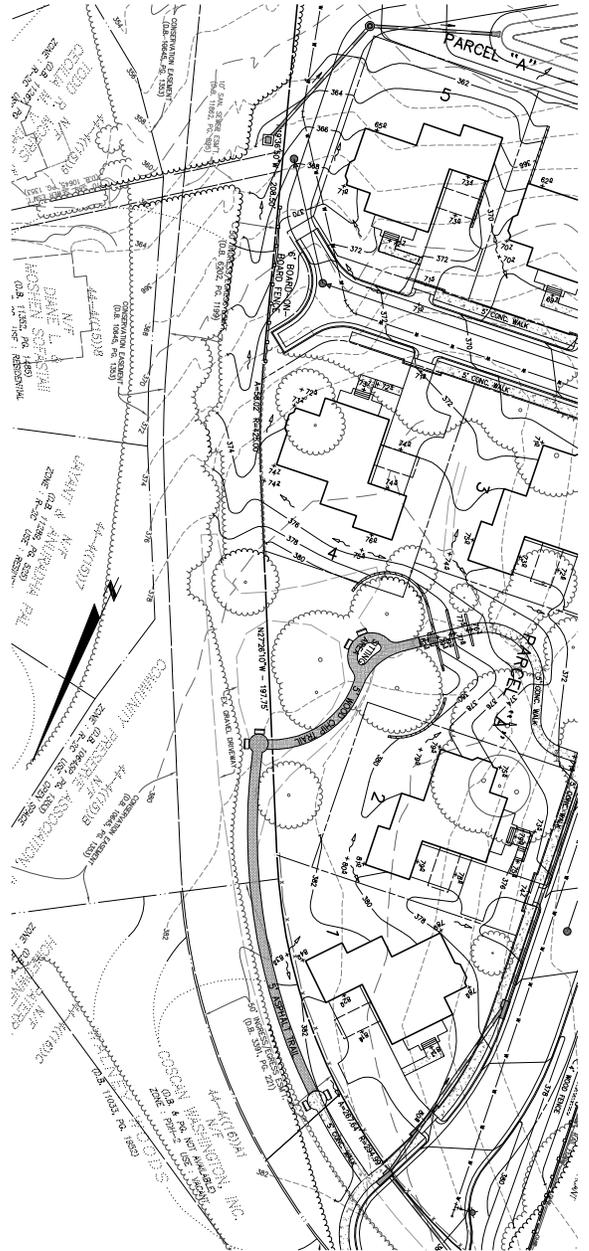
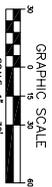


EXHIBIT 'B'

NOTE
EXHIBIT 'A' IS THE CDP/TDP AS
SHOWN ON SHEET 4.



Plan Sheet 12/29/2013 Land Parcel 12/29/2013 1202.W. Sheet N175217(000)01-002

PROJ NO.	12-251
SHEET	11
OF	12
DESIGN	KJV
DRAFT	KJV
APPROVED	KJV
DATE	APRIL 2013
SCALE	1" = 30'
VERT.	

NO.	DESCRIPTION	REVISED BY	APPROVAL DATE



EXHIBITS SHOWING ALTERNATE OFFSITE GRADING & TRAIL LOCATIONS

JENNELL PROPERTY

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

NO.	5	12-20-13	NEW SHEET (KJV)
DATE			
REVISION PRIOR TO APPROVAL			

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
3999 Pender Dr., Ste. 210 Fairfax, VA 22030 703-545-7555 Fax: 703-275-8595
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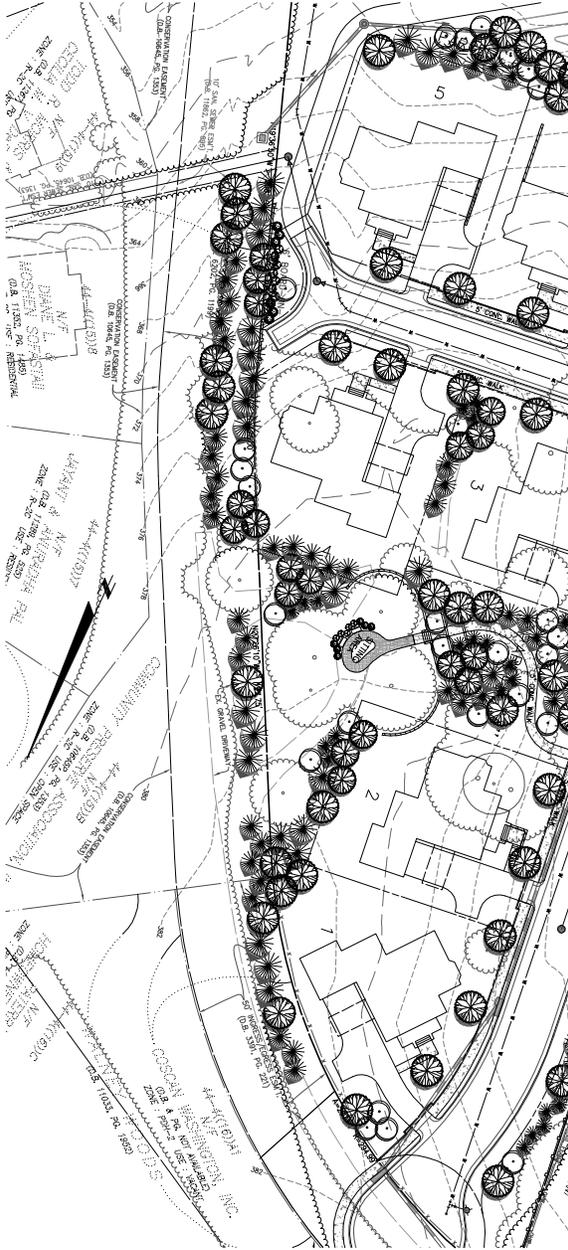


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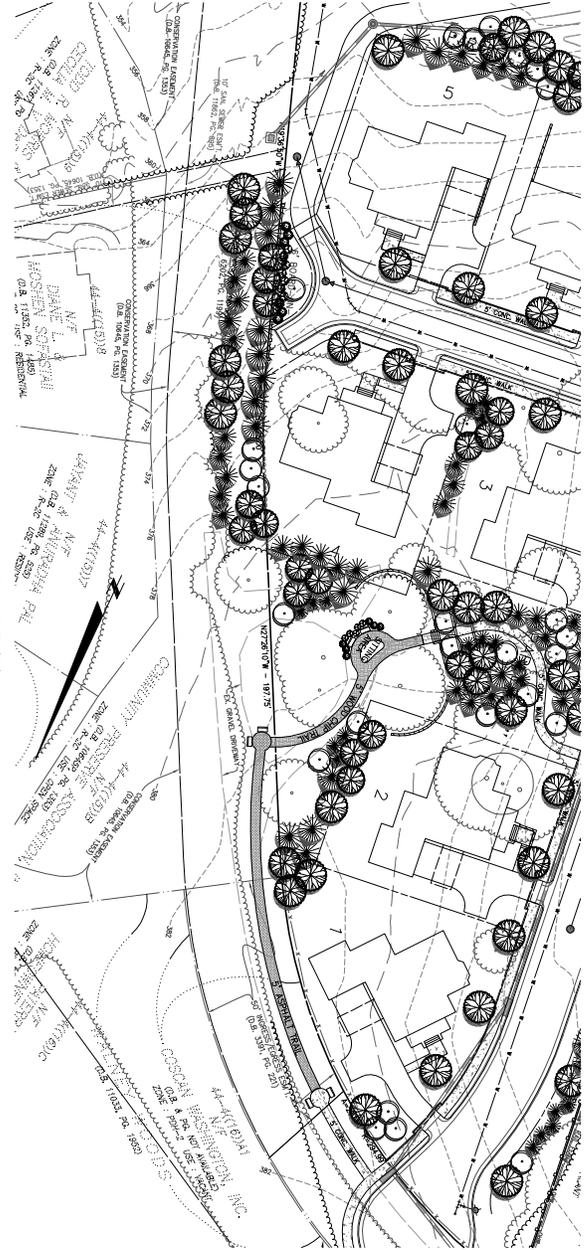
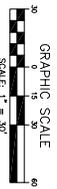


EXHIBIT 'B'

NOTE
EXHIBIT 'A' IS THE LANDSCAPE
PLAN AS SHOWN ON SHEET 5.



12-12-2013 12:23:2013 12:23:2013 8:44 AM SHAW N:\2013\12\12\12-12-2013-12-12-2013

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EXHIBITS SHOWING ALTERNATE OFFSITE
LANDSCAPING & TRAIL LOCATIONS

JENNELL PROPERTY

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

6.	12-20-13	NEW SHEET (KM)			
NO.	DATE	REVISION	PRIOR	TO	APPROVAL

CPJ Associates Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
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**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Applicant:	Christopher Land, LLC
Location:	13865 Walney Park Drive (Tax Map 44-4 ((1)) 18)
Request:	To rezone 3.7 acres from R-1 to PDH-2 to permit the development of seven single-family detached dwelling units at an overall density of 1.97 du/ac.
Waivers/Modifications:	<p>The applicant requests a deviation from the tree preservation target.</p> <p>The applicant requests a modification of the Public Facilities Manual (PFM) to allow construction of a cul-de-sac with a radius of 30 feet, as shown on the Conceptual Development Plan and Final Development Plan (CDP/FDP).</p> <p>The applicant requests a modification of the Zoning Ordinance to allow a private street to exceed 600 feet, as shown on the CDP/FDP.</p> <p>The applicant requests a modification of the PFM to allow the construction of sidewalks on one side of the north-south section of the private street, as shown on the CDP/FDP.</p>

A reduced copy of the proposed CDP/FDP is included at the front of this report. The proffers, proposed development conditions, affidavit, and the statement of justification are included as Appendices 1 through 4.

LOCATION AND CHARACTER

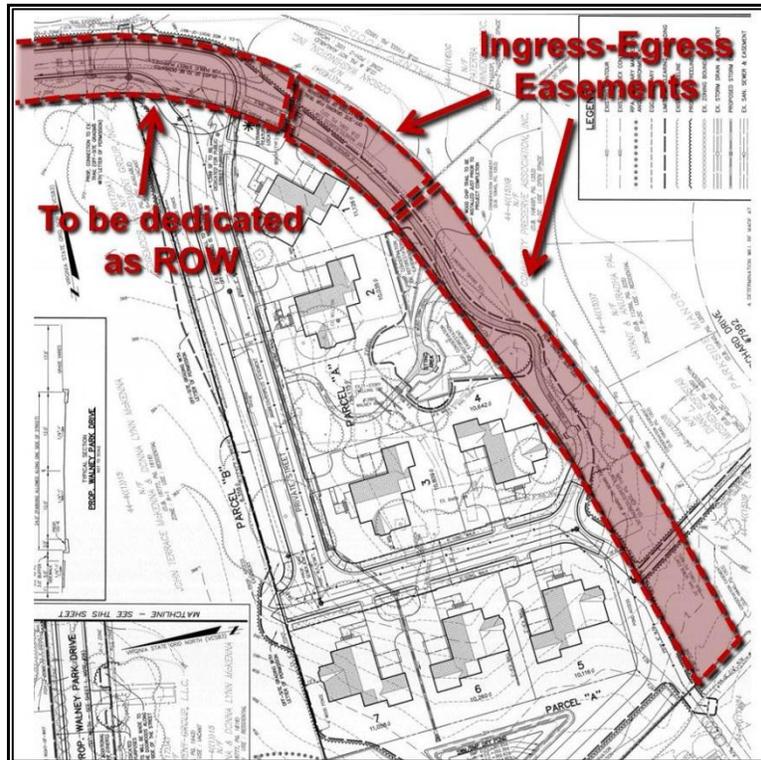
Site Description

Aerial View of the Project Site (view to the north)



The subject property consists of one parcel located at the eastern terminus of Walney Park Drive, which is approximately 200 yards east of Autumn Glory Way and one-half mile east of Walney Road. The property is developed with a single-family detached dwelling (built in 1970); a barn; a chicken coop; fenced pastures; and a wooded area. The property is surrounded by suburban single-family detached development to the north, east, and south and a five-acre residential lot to the west. Drainage is generally to the south, into an unnamed tributary of Big Rocky Run. The southwest portion of the project area contains Resource Protection Area associated with the tributary.

Access



Access to the property is currently provided by a gravel driveway, which traverses three parcels. The gravel driveway begins at the terminus of Walney Park Drive, a paved public road; the terminus contains a temporary cul-de-sac bulb. The parcel contiguous to the cul-de-sac bulb has an area of 21,457-square foot (sf) and is owned by the applicant. The applicant proposes that this parcel be dedicated as public right-of-way to allow public access to the development. The remaining two parcels are owned by adjacent homeowners associations. These parcels have recorded ingress/egress easements for access to the current residence.

Walney Park Drive Terminus (view to the southeast)



Surrounding Area Description			
Direction	Use	Zoning	Comprehensive Plan Recommendation
North	Residential; ingress-egress easement	PDH-2	Residential at 1-2 du/ac
East	Residential; Ingress-egress easement	R-2	Residential at 1-2 du/ac
South	Residential; Open space; RPA	R-2	Residential at 1-2 du/ac; Public Parks; and Private Open Space
West	Residential	R-1	Residential at 1-2 du/ac

BACKGROUND

RZ 2000-SU-008 was approved by the Board of Supervisors on June 26, 2000; Proffer #28 reserved a 21,457 sf parcel for future dedication of right-of-way for the extension of Walney Park Drive. The applicant recently purchased this parcel for access to the project site. (The previous owner of the outparcel, Edgemoor Investment Group, LLC, declared bankruptcy in 2009. Taxes on the parcel were delinquent since that time. No one claimed the parcel in bankruptcy proceedings; with no identified successor company, the status of the parcel was unclear until the purchase by the applicant. The deed for the property was recorded on August 12, 2013, in Deed Book 23330 at Page 839.)

To the east of the 21,457-square foot right-of-way property are two additional outparcels owned by the adjacent homeowner associations. Originally, these parcels were also anticipated for public street purposes, as described in Proffer #7 of PCA 79-S-022, which was approved on May 18, 1998 for the Parkside Manor development to the east. However, RZ 1999-SU-030 was subsequently approved on October 25, 1999 for the area immediately south of these ingress-egress parcels (The Preserve at Wynmar), without regard to a public street connection in this area. Single-family detached lots and dwellings have since been developed at the expected location of the street connection. The applicant is seeking approval from the adjacent homeowner associations to modify the terms of the existing ingress/egress easements to allow pedestrian access to the project's common open space.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	III
Planning District:	Bull Run
Planning Sector:	BR-3 – Flatlick
Plan Map:	Residential at 1-2 du/ac
Plan Recommendation:	

FAIRFAX COUNTY COMPREHENSIVE PLAN, 2013 Edition, AREA III, Bull Run Planning District, Amended through 4-9-2013, BR3-Flatlick Community Planning Sector, Page 57.

Land Use Recommendations

2. “Land generally located between Poplar Tree Road, the Cabells Mill Subdivision and Ellanor C. Lawrence Park, Stringfellow Road, and I-66 is planned for residential use at 1-2 dwelling units per acre. This density is compatible with the density of existing residential development in the area. This area is also part of a planned low density transition area between higher density development planned for Centreville and Fairfax Center.”

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan features the Big Rocky Run Stream Valley Trail, which is designated as a Major Paved Trail, approximately 400 feet to the southeast of the subject property. Connections to the stream valley are provided through various trails from the nearby residential developments.

PLAN DESCRIPTION

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

Title:	Jennell Property
Prepared By:	Charles P. Johnson & Associates, Inc.
Original and Revision Dates:	April 29, 2013, as revised through December 20, 2013
Number of Pages:	12

Site Layout: The CDP/FDP depicts the development of seven single-family detached dwellings on a 3.7-acre parcel at a density of 1.97 du/ac. The minimum proposed lot size is 9,900 sf, with an average lot size of 10,700 sf.

Vehicular Access: As previously discussed, access is proposed from Walney Park Drive to the west. The applicant would remove the existing temporary cul-de-sac and extend and construct a public street to the project site. The public portion of the extended Walney Park Drive would be 24 feet wide and would terminate in a cul-de-sac, with a radius of 30 feet. Note 16 of the CDP/FDP indicates that the applicant requests a modification to the standard cul-de-sac radius, which is 45 feet. If the Virginia Department of Transportation were to not accept the proposed cul-de-sac into the public road system, staff proposes a development condition allowing an enlargement of the cul-de-sac without the need for an amendment to the FDP.

From the public cul-de-sac, a private street would continue into the proposed development. The north-south portion of this street would be 30 feet wide and would accommodate on-street parking. The east-west portion of the private street would be 24 feet wide.

Parking: The Zoning Ordinance requires three spaces for single-family detached dwelling units with frontage on a private street. The applicant proposes 21 parking spaces, or three per each of the seven dwellings, including two 8-1/2 x 18-foot parking spaces in each driveway. The north-south portion of the private street would also accommodate on-street parking on the west side.

Pedestrian Access: The applicant has proposed an extension of the existing sidewalk, which is located on the south side of (existing) Walney Park Drive, to the project site. The proposed sidewalk is five feet wide. It would pass in front of the existing homes on Walney Park Drive before crossing the road to the north side. From there, the sidewalk would continue to the east of the proposed cul-de-sac and into the project site. Additionally, the applicant proposes a short trail connection from the Walney Park Drive sidewalk to an adjacent homeowners association property and trail.

Within the project site, a five-foot wide sidewalk would extend on the east side of the north-south segment of the private street. Sidewalks are proposed on both sides of the east-west segment of the private street. A five-foot wide asphalt trail would loop from the southeastern terminus of the private street, through the ingress-egress easement, and to the proposed cul-de-sac at the entry to the development, where it would connect with the five-foot wide concrete sidewalk.

A connecting sidewalk and trail would pass through the central open space. It would start as a concrete sidewalk on the west side of the proposed development. After a series of stairs within the open space, the path would continue as a wood chip trail to the asphalt trail on the east side of the development.

In addition to the trail as shown on the CDP/FDP, which would be built through the ingress-egress easement, the applicant proposes various trail alternatives in Proffer #7 and Sheets 11 and 12 of the CDP/FDP. The applicant proposes that

the trail alternative chosen be built in coordination with the surrounding homeowner associations and in conformance with the exhibits. Three options are depicted, which include i) the trail as shown on Sheets 4, 5, 6, and 8 of the CDP/FDP; ii) a trail from the cul-de-sac to the central open space; and iii) no trail within the ingress-egress easements, although the applicant would be responsible for the removal of the gravel driveway and the replanting of the area. In the event that the homeowner associations do not agree with any of the three construction options described in the proffers and depicted in the CDP/FDP, the applicant would contribute \$15,486 to the Sully District Trail Fund.

Open Space, Tree Preservation, and Landscaping: The applicant proposes 35% of the property as open space. A portion of the open space would be located in the center of the development. Several existing trees would be preserved in this area. Another portion of the open space would be contained within the southern portion of the site, which features primarily early successional trees, including Virginia Pine and Eastern Redcedar. Most of these forest-grown Virginia Pines would be removed to preclude these trees from later becoming blow-down hazards. The applicant has proposed supplemental seedling plantings within these early successional areas. Areas of bottomland forest within and adjacent to the RPA would be preserved. Additional plantings would be placed throughout the development, as depicted on the Landscape Plan, including 20 feet of landscaped buffering along the western boundary line. Sheet 5 of the CDP/FDP provides details regarding the landscape plan. Proffers to protect and preserve trees through a tree preservation plan, walk-throughs, conformance to the limits of clearing and grading, fencing, root pruning, and monitoring are provided.

Stormwater Management: There are currently no stormwater controls on the site. A stormwater management pond is proposed on the southern portion of the site. A closed storm sewer system would collect most of the runoff from the site and the proposed off-site right-of-way and send the water into the pond. Normal flows from the proposed pond would outfall into the existing closed storm sewer system provided in "The Preserve at Wynmar, Sec. 1." Runoff from a small portion of the site would flow to the stream to the southwest. Stormwater flows from the site are calculated to be reduced below pre-development levels and the total phosphorus removal is calculated at 52.68%.

ANALYSIS

COMPREHENSIVE PLAN

Land Use Analysis

The Comprehensive Plan recommendation for the subject property is Residential use at 1 to 2 dwelling units per acre (du/ac). Surrounding densities are 1.95 du/ac to the north (PDH-2), 1.95 du/ac to the east (R-2), and 2.38

du/ac to the south (R-2). To the west is a 5-acre lot, zoned R-1, with a single-family detached house.

The Comprehensive Plan states that the “high end” of the density range is defined as the base level of the density range plus 60% of the density range in a particular Plan category. In this instance, the high end of the density range would be 1.6 du/ac (Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Land Use – Appendix, Amended through 2-12-2013, Page 30).

With the exception of the contiguous parcel immediately to the west, the proposed density of 1.97 du/ac is consistent with the surrounding residential development and with the recommended density range of the Comprehensive Plan.

Residential Development Criteria (Appendix 4)

New residential development is expected 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.” The following criteria are to be used in evaluating zoning requests for new residential development.

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.

- **Consolidation:** The project site is surrounded primarily by developed residential parcels, along with a 5-acre residential parcel immediately to the west. The applicant has been unable to consolidate the 5-acre parcel at this time. However, in the event that the adjacent 5-acre parcel were to redevelop, the applicant has included a potential interparcel access to it and proffered to the future connection. Such an access may ultimately result in a loop road serving both the proposed development and the 5-acre parcel. Additionally, the applicant has proffered to the reservation of Parcel B, along the western property boundary, for future driveway connections to incorporate with the adjacent 5-acre parcel.
- **Layout:** The proposed rezoning includes seven lots. The minimum proposed lot size is 9,900 sf, with an average lot size of 10,700 sf. All of the lots would access the proposed private street. Sheet 1 of the CDP/FDP provides a lot typical. The proposed maximum height for the single-family detached dwellings is 35 feet. Sheet 1 contains notes regarding extensions into

required yards and decks, which would be regulated in accordance with Sect. 2-412 of the Zoning Ordinance.

- Open Space, Landscaping, and Amenities: The applicant proposes 35% of the property as open space. A portion of the open space would be located in the center of the development. Several existing trees would be preserved in the area. Additional open space would be contained within the southern portion of the site, which features primarily early successional trees. Most of these trees would be removed to preclude these trees from later becoming blow-down hazards and the area revegetated with seedling plantings. Areas of bottomland forest within and adjacent to the RPA would be preserved. Additional plantings would be placed throughout the development, including 20 feet of landscape buffering along the western boundary line, adjacent to the 5-acre residential parcel. One residential lot would be placed along the western boundary.

Staff of the Fairfax County Park Authority (FCPA) reviewed the application (See Appendix 9). Based on an average single-family detached household size in the Bull Run Planning District, the development is expected to add 20 new residents to the Sully Magisterial District. In accordance with Article 6 of the Zoning Ordinance, open space and recreational features are required within Planned Development Housing Districts. The minimum expenditure for park and recreational facilities is set at \$1,700 per non-Affordable Dwelling Unit (non-ADU). FCPA recommended that any portion of this amount not spent on-site be conveyed to FCPA for recreational facility construction at one or more of the park sites in the service area of the development. Most or all of these funds are anticipated to be used for recreational amenities on-site. As a result, FCPA is not compensated for increased demands caused by residential development for other recreational facilities that FCPA must provide. To offset additional impacts caused by the proposed development, FCPA requests a fair share contribution of \$893 per new resident with any residential rezoning application to offset impacts to park and recreation service levels, for a total fair-share contribution of \$17,860.

Additionally, staff noted the inclusion of a sitting area and trail, but continues to recommend the inclusion of scale-appropriate, specific recreational elements, such as a tot lot or fitness station, which may offer an additional benefit to future residents.

In response to staff comments, the applicant proposes a proffer (Proffer #7) regarding on-site recreation facilities. Proposed on-site facilities include trails and sitting areas. In the event that the proposed facilities do not have sufficient value, the applicant proposes contributions to achieve the overall proffered amount of \$1,700 per unit for the seven proposed dwellings.

Proposed off-site facilities include additional trails and sitting areas on property owned by the adjacent homeowner associations. If the adjacent homeowner associations do not agree to the construction of these facilities on their

properties, as previously described, the applicant proposes a contribution of \$15,486 to the Sully District Trail Fund.

Based on the features described above, the application satisfies Criterion #1.

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.*

With the exception of the 5-acre parcel to the west, the project site is generally surrounded by residential uses similar in density to those proposed by the applicant. The applicant has proposed a 20-foot landscape buffer as a transition along the western boundary and placed only one lot adjacent to the 5-acre parcel. A reforestation easement along the southern project boundary would provide a transition to the adjacent residences. The applicant's central open space and the common areas owned by the adjacent homeowner associations provide transitions to the adjacent residences along the east and north project boundaries.

By means of tree preservation areas, supplemental plantings, the bulk and mass of the proposed dwellings, and the orientation of the dwellings, the proposed project is generally consistent with the lots and dwellings along the north, east, and south boundaries. Although the density of the development differs from the 5-acre residential parcel to the west, the 20-foot wide buffer strip would help screen the project site from the adjacent parcel in the short term; ultimately, the proffers have provided for integration with this parcel, when it redevelops. Given these factors, the proposal generally satisfies Criterion #2.

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.

- Preservation: The Policy Plan states that developments should conserve natural environmental resources, such as floodplains, stream valleys, Environmental Quality Corridors, Resource Protection Areas (RPAs), woodlands, and wetlands. The project site contains forest resources and RPA. The applicant has incorporated some of these resources into tree preservation areas. These resources are discussed more fully below.
- Slopes and Soils: The majority of the project site generally slopes to the west and south. The applicant has designed the site taking into consideration the existing topographic conditions and soil characteristics. Several retaining walls of two to six feet are envisioned throughout the development to create level development areas while minimizing required grading.
- Water Quality and Drainage: A stormwater management pond is proposed on the southern portion of the site. Stormwater flows from the site are calculated to be reduced below pre-development levels and the total phosphorus removal is calculated at 52.68%.
- Noise: The proposed residences are not in close proximity to a significant source of traffic-generated noise and are surrounded by similar uses. Future residents are unlikely to experience adverse impacts from transportation generated noise.
- Lighting: The Policy Plan states that developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky. The proposed uses would be required to conform to provisions of applicable ordinances, regulations, and standards, including those for lighting.
- Energy Conservation: The proposed Proffer #12 states that the residences shall be designed and constructed to achieve qualification in accordance with one of the following: the ENERGY STAR[®] for Homes program; the National Green Building Standard (NGBS) using the ENERGY STAR[®] Qualified Homes path for energy performance; or the Earth Craft House Program. The applicant proposes that documentation demonstrating compliance with one of these programs would be provided within 30 days after the issuance of a Residential Use Permit (RUP) for each dwelling. Staff recommended that the applicant demonstrate attainment prior to the issuance of a RUP for each dwelling. The applicant proposes a proffer requiring that the testing requirement shall be accomplished and the preliminary inspection report given to the County prior to the issuance of the RUP. Additionally, the applicant proposes that proof shall be provided to the County prior to bond release that all units meet one of the energy conservation certifications.

Based on the details described above, Criterion #3 has been satisfactorily met.

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 are also encouraged.

The draft proffers contain various commitments regarding tree preservation. These include the submission of a tree preservation plan and narrative as part of all site plan submissions, the completion of a tree preservation walk-through, conformance to the limits of clearing and grading, the installation of tree preservation fencing, root pruning, and monitoring.

The plans and proffers were reviewed by the Urban Forest Management Division (UFM). UFM recommendations included the following (see Appendix 5):

- Protect the interior tree save areas within a single continuous tree protection fence, rather than several smaller tree protection areas;
- Correct the discrepancies between the preservation plan and the tree inventory; and
- Correct the distances for the inventorying of trees on either side of the limits of clearing and grading in the proffers.

The applicant revised the plans and proffers to address these concerns.

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.

The Virginia Department of Transportation reviewed the project and had the following comments and recommendations (Appendix 6):

- Construct Walney Park Drive to a width of 29 feet, to allow parking on one side;
- Show the buffer strip width between the sidewalk and the face of the curb along Walney Park Drive;
- Provide a permanent turn-around consistent with VDOT standard width, radii, and right-of-way dedication at the site entrance; and
- Extend storm sewer and water line easements to the property line.

The Fairfax County Department of Transportation (FCDOT) reviewed the project and had the following comments and recommendations (Appendix 7):

- FCDOT supports the extension of Walney Park Drive with a 24-foot wide cross section. Parking would be allowed on one side if Average Daily Traffic is less than 2,000 vehicles per day;
- FCDOT supports a sidewalk on the north side of Walney Park Drive. It is expected that a sidewalk would be constructed on the south side of the road in conjunction with any redevelopment of the adjacent 5-acre parcel;
- The pedestrian crossing as depicted on the plans is the preferred location, as it provides better visibility and safety for pedestrians than further east, where the public and private streets intersect; and
- The applicant should include language in the proffers for future interparcel access to Tax Map # 44-4 ((1)) 15, should that property be redeveloped.

In accordance with the Road Design Manual (Appendix B(1)) of the VDOT Secondary Street Acceptance Requirements, residential subdivision streets with curb and gutter, Average Daily Traffic up to 2,000 vehicles per day, and parking on one side, will have a minimum width of 24 feet. Given that the development is expected to generate a maximum of approximately 70 vehicle trips per day, and given the presence of forest resources along the south boundary of the Walney Park Drive extension, staff recommends that a roadway width of 24 feet be used for Walney Park Drive.

Additionally, the applicant proposes a modification to the cul-de-sac width to 30 feet. Given that the proposed development includes a turnaround at the terminus of the private road, staff recommends a modification to the cul-de-sac radius, as proposed, to avoid redundancy with the Y-shaped turnaround; to reduce the impervious cover; and to limit the encroachment of the cul-de-sac into Lot 1.

Staff notes that the proposed proffers include language regarding interparcel access to Tax Map # 44-4 ((1)) 15.

Staff has requested that the applicant update the plan to include a label for the buffer width along Walney Park Drive and to extend storm sewer and water line easements to the property line. With the exception of these plan annotations, Criterion #5 has been satisfactorily met.

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.

The applications were reviewed by the Department of Facilities and Transportation Services of the Fairfax County Public Schools (FCPS) (see Appendix 8). The project site is served by Poplar Tree Elementary School (ES),

Rocky Run Middle School (MS), and Chantilly High School (HS). If development occurs within the next six years, Poplar Tree ES is projected to have surplus capacity, Rocky Run MS is projected to be at capacity, and Chantilly HS is projected to be over capacity. The project is expected to result in a net increase of two students above the current by-right number of students. Based on the approved Residential Development Criteria, a proffer contribution of \$10,488 per new student is recommended to offset the impact of the student growth on the surrounding schools. FCPS staff recommended that the proffer contribution be directed toward schools in the Cluster VII or to schools in the Chantilly High School Pyramid at the time of site plan or building permit approval. Staff also recommended an escalation clause to 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. Staff also recommended that the developer proffer to provide notice to FCPS when development is likely to occur or when a site plan has been filed with the County.

In response, the applicant proposes a proffer (Proffer #8) stating that, prior to the issuance of the first building permit, a schools contribution of \$20,976 shall be made for capital improvements or capacity enhancements to schools within the Chantilly High School Pyramid. Additionally, the applicant has proposed an escalation clause (Proffer #9), such that contributions shall be adjusted upward or downward based on the percentage change in the annual rate of inflation using the Consumer Price Index for urban customers.

Staff feels that the criterion has been addressed.

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.

The applicant may elect to fulfill this criterion by providing affordable units that are required by the ADU Ordinance. Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the BOS, 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.

Additionally, On May 20, 1991, the BOS adopted a residential cash proffer formula. This BOS action provides an incentive for rezoning applicants who do

not fall within the requirements of the Affordable Dwelling Unit (ADU) Ordinance to provide a cash contribution to affordable housing through the rezoning process. In order to fulfill this criterion, rezonings at the high end of the planned density range would contribute one percent of the aggregate sales prices or total development cost (for rental properties) to the Housing Trust Fund. The high end of the density 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 1 to 2 du/ac, would be considered as 1.6 du/ac and above. An application that proposes a density that is below the high end of the density range would contribute one-half of one percent of the aggregate sales prices or total development cost (for rental properties).

The applicant includes a proffer (Proffer #29) regarding contributions to Habitat for Humanity of Northern Virginia or the Fairfax County Housing Trust Fund, at the direction of the Sully District Supervisor. The applicant proposes that, at the time each residential lot is issued a building permit, the applicant shall contribute \$4,000 for the new dwelling unit on that respective lot. The contributions equate to one-half percent of the projected sale price of the dwelling units. The applicant also proposes additional contributions of one-half percent of that portion of the actual sales price above \$800,000.

While the proposed proffer does not technically meet the letter of the BOS policy, staff believes the intent of Criterion #7 has been satisfied.

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.

Staff of the Fairfax County Park Authority (FCPA) reviewed the application and noted the moderate to high potential for Native American archaeological or historical archaeological sites. Staff recommended a Phase I archaeological survey. If significant resources are found, 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.

In response, the applicant proposes a proffer (Proffer # 31) to perform the archaeological investigations, as recommended by staff. Criterion #8 has been satisfactorily met.

Stormwater Management Analysis (Appendix 11)

Stormwater Management staff reviewed the proposal and offered the following comments:

- Resource Protection Area (RPA). Before a subdivision plan can be approved, a site-specific, field-verified RPA delineation will be required (Letter to Industry, July 3, 2008). Additionally, any grading work and land disturbance proposed within the RPA would require a Water Quality Impact Assessment (WQIA). The WQIA can be a part of the subdivision plan (Chesapeake Bay Preservation Ordinance, Sect. 118-4-4).
- Site Outfall. The applicant is proposing a Stormwater Management (SWM)/Best Management Practice (BMP) dry pond. The applicant has provided an outfall narrative. However, additional analysis at critical sections of the outfall are needed. Additionally, the adequacy of the outfall, in terms of capability to convey the combined spillway design flow (extreme flows), low flows (stormwater management functions of the pond), and the 10-year flow currently flowing through the existing storm sewer system, needs to be demonstrated. Staff noted that the PFM outfall requirements of the extent of review and analysis shall be addressed during site plan submission (PFM 6-0203 & 6-0204).
- Dam Breach Analysis. The proposed SWM/BMP pond is immediately upstream of existing residential dwellings (Lots 86 & 87 of The Preserve at Wynmar). A detailed dam breach analysis and an overland relief analysis will need to be shown on the site plan. The engineer needs to provide a conceptual analysis to demonstrate that existing residential dwellings are not within the dam breach inundation zone of the proposed SWM/BMP pond and will not be inundated with the spillway design flood (SDF) flow path. The existing structures need to be outside the flow path of the SDF and dam breach events associated with the proposed pond.
- Reforestation Areas. Reforestation areas shall be designed per PFM requirements. These areas can be used for BMP credit if placed in a Reforestation Easement.
- PFM Update. These comments are based on the 2011 version of the PFM. A new stormwater ordinance and updates to the PFM stormwater requirements are being developed as a result of changes to state code (see 4VAC50-60, adopted May 24, 2011). The subdivision plan for this application may be required to conform to the updated PFM and the new ordinance.

In response to staff comments, the applicant has provided preliminary calculations and stated that the site will be graded to provide overland relief for the 100-year storm event without flooding any downstream buildings. In the event of failure or blockage of the storm drainage system, runoff from the 100-year storm will flow behind Lots 86 and 87 and into the tributary of Big Rocky Run. The Applicant has updated the plans consistent with staff

recommendations.

Health Department Analysis (Appendix 12)

Health Department staff recommended that the existing on-site septic tank and well be properly abandoned prior to approval of the demolition permit being released by the Health Department.

Proffer #11 contains language consistent with these recommendations.

Fire and Rescue Analysis (Appendix 13)

Fire and Rescue Department staff recommended the applicant provide a fire hydrant at the entrance to the property or show the distance to the nearest hydrant. Staff also recommended that the applicant provide the water main size.

The applicant has updated the CDP/FDP to depict the water main size and the location of the fire hydrants.

Sanitary Sewer Analysis (Appendix 14)

The subject property is located within the Big Rocky Run (T-5) watershed and would be sewer into the Upper Occoquan Sewage Authority (UOSA) Treatment Plant. Existing eight-inch lines located in the nearby Bennett Pond Court are adequate for the proposed use.

Fairfax County Water Authority Analysis (Appendix 15)

The subject property is located within the Fairfax County Water Authority service area. Adequate domestic water service is available to the site. Staff noted that, depending on 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.

ZONING ORDINANCE PROVISIONS (See Appendix 16)

P-DISTRICT STANDARDS

The requested rezoning of the 3.7-acre site to the PDH-2 District must comply with the Zoning Ordinance provisions found in Article 6, Planned Development District Regulations, and Article 16, Development Plans, among others.

Article 6

Sect. 6-101 Purpose and Intent

This section states that the PDH District 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 proposes seven single-family detached dwelling units at an overall density of 1.97 du/ac with 35% open space. As referenced in the previous development criteria discussion, staff concludes that the proposed central open space, trails, sitting areas, western buffer, tree preservation areas, future interparcel connections, reforestation areas, and the reservation of Parcel B provide for a high quality site design which will permit future integration of the redeveloped Parcel 15 to the west; staff believes this provides adequate justification for a "P" District and that the proposed development meets the purpose and intent of the PDH District.

Sect. 6-107 Lot Size Requirements

This section states that a minimum of two acres is required for approval of a PDH District. The area of this rezoning application is 3.7 acres. This standard has been satisfied.

Sect. 6-109 Maximum Density

This section states that the maximum density for the PDH-2 District is 2 dwelling units per acre (du/ac). The applicant proposes a density of approximately 1.97 du/ac; therefore, this standard has been satisfied. (Staff notes, that were the applicant to take credit for Parcel B, density would be reduced to 1.89 du/ac.)

Sect 6-110 Open Space

Par. 1 of this section requires a minimum of 20% of the gross area as open space in the PDH-2 District. Par. 2 of this section requires that recreational amenities be provided in the amount of \$1,700/du. The applicant proposes to retain 35% of the site as open space. The applicant also proposes on-site facilities include trails and sitting areas. In the event that the proposed facilities do not have sufficient value, the applicant proposes contributions to achieve the overall proffered amount of \$1,700 per unit for the seven proposed dwellings. Staff concludes that this requirement 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.

As discussed earlier in the Comprehensive Plan analysis section of this report, staff believes that the proposed application has satisfied these recommendations and is therefore, in conformance with the Comprehensive Plan.

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. As previously discussed, the proposal includes 35% open space, which includes a common area in the center of the development and a reforestation area in the southern portion of the site. Staff concludes that the planned development district facilitates the creation of the internal open space with trails and sitting areas; the replanting of the southern forested area; the preservation and buffering of the RPA; and the provision of landscape buffering along the western boundary line, features not typically associated with a conventional residential zoning district surrounded by other residential districts. The applicant has also not included any density credit for the 6,358 sf Parcel B, in order to allow the maximum flexibility to the developer of Parcel 15 to the west, at such time as it redevelops. Proffers also reinforce the intent to incorporate this development as much as possible into the surrounding existing and future developments.

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. As previously mentioned, Sheet 5 of the CDP/FDP provides the landscape plan showing plant schedule and tree canopy calculations, which yield approximately 48,068 square feet of tree canopy, with the majority provided through tree planting. Proffers include details regarding the submission of a tree preservation plan and narrative as part of all site plan submissions, the completion of a tree preservation walk-through, conformance to the limits of clearing and grading, the installation of tree preservation fencing, root pruning, and monitoring. The applicant would preserve trees within the RPA and replant various areas containing Virginia Pine, following the removal of the Virginia Pine. Staff feels 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. With the exception of the 5-acre parcel to the west of the project site, the surrounding properties are developed according to the recommendations of the Comprehensive Plan. The applicant has included a 20-foot wide landscape buffer along the western boundary as a transition to the 5-acre parcel. Additionally, the proposal includes a future connection to the 5-acre parcel along the western boundary, in the event that the 5-acre parcel is rezoned/redeveloped. The applicant has also proffered to construct trail connections to provide linkages between this development and the surrounding subdivisions.

The applicant is proposing to develop the property with all single-family detached dwellings at a 1-2 du/ac density range. The proposal includes 35% open space and compatible building types. An architectural elevation is included on Sheet 10 of the CDP/FDP. The proposed maximum height for the dwelling units is 35 feet and the elevation on the CDP/FDP shows a two-story tall unit. Proposed Proffer #3 states that the architectural design of the proposed dwellings shall generally conform to the character and quality of the illustrative elevation. Additionally, the proposed proffer states that the building materials may be a combination of brick, stone, and siding supplemented with trim and detail features. Dwellings shall incorporate a brick or stone water table on all facades visible from public or private streets.

Staff feels that this standard has been met.

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 are available and the applicant has proffered funds to offset potential impacts to area schools and to provide on-site and off-site amenities. Staff feels that this standard has been 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 CDP/FDP depicts a new private street that enters the site from Walney Park Drive to the west. Sidewalks are provided along Walney Park Drive and the private street. The applicant also proposes a public access easement (see Proffer #18) to be placed on the private street, sidewalks, and trails within the proposed development. Additionally, the applicant proposes off-site trail connections to the surrounding developments, a trail through the central open space, and interparcel connections to the property along the western boundary. Staff feels that this standard has been satisfied.

Section 16-102 Design Standards

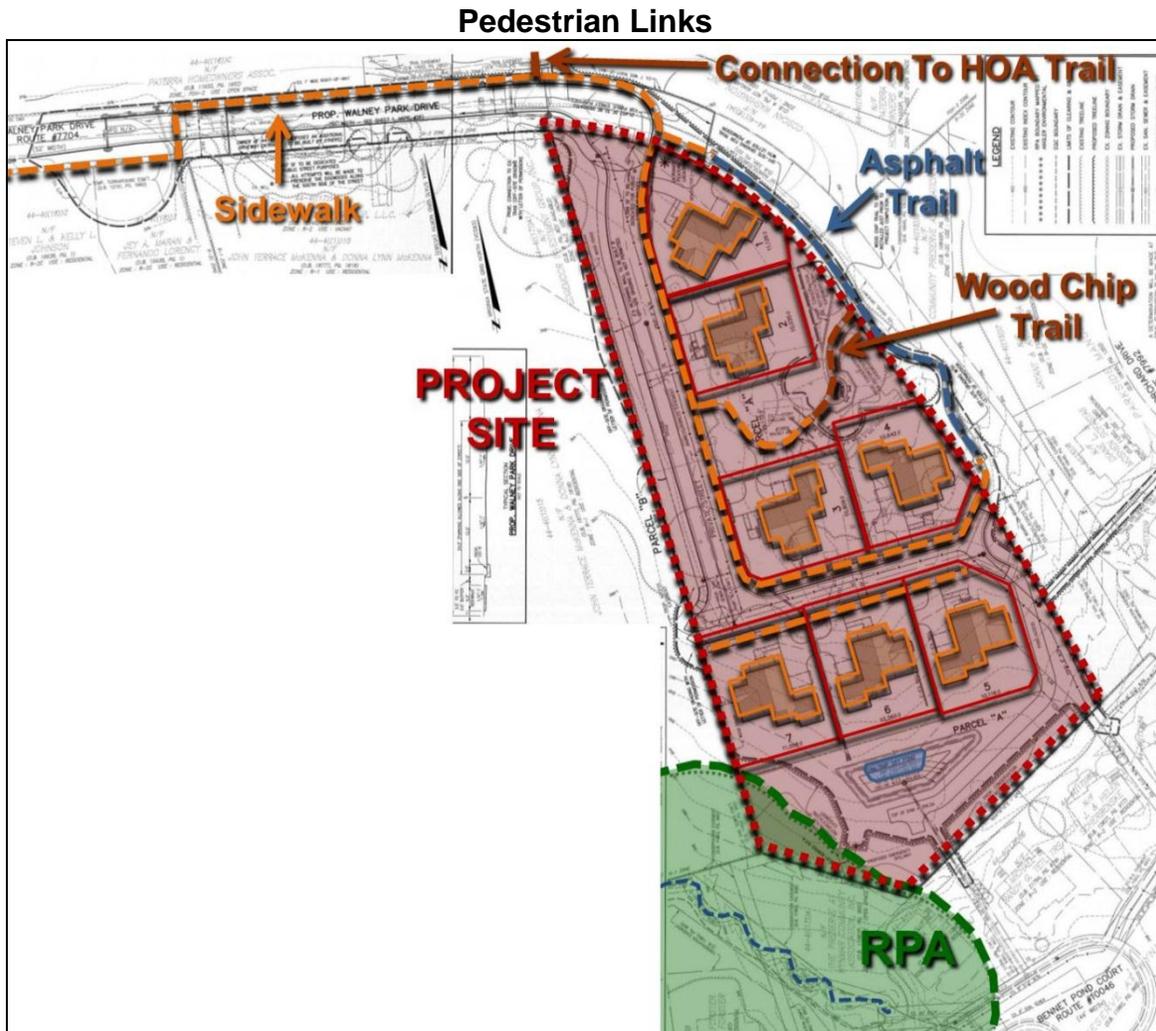
Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. The most similar conventional zoning district to the applicant's proposal is the R-2 District, which requires minimum yards of 35 feet (front); 15 feet (side); and 25 feet (rear); with an average lot area of 12,000 sf. The applicant's PDH-2 development proposes 20-foot minimum front yards, seven-foot minimum side yards, 20-foot minimum rear yards, and an average lot size of 10,700 square feet. Areas for rear patios and covered front porches are shown on the proposed lot typical.

While the proposal does not meet the requirements of the R-2 District, staff feels that the proposal complements development on adjacent properties with tree preservation, open space, buffers, and lot design. With these commitments, staff feels that the proposal meets the Comprehensive Plan recommendations and complements the existing surrounding developments, which generally include a mixture of R-2 and PDH-2 Zoning Districts.

Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments. The CDP/FDP depicts 35% of the site remaining as open space, which is comprised of tree preservation areas, landscaped buffers, common open space, and walkways. A minimum of 21 parking spaces would be provided within the development, with room for additional on-street parking spaces on the west side of the private street for guest parking. Staff feels 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. An L-shaped private street is proposed to serve the development, which would include a 30-foot wide section running north-south and a 24-foot wide section running east-west. In addition, 5-foot wide sidewalks are provided along the north side of Walney Road, the east side of the private drive (north-south section), and both sides of the private road (east-west section), which would link the proposed development to the surrounding developments. The applicant also proposes a trail through the central open space, which connects with a trail loop from the southeastern terminus of the private road and sidewalk. The applicant has

proffered to provide public access easements along all internal connections. Staff feels that this standard has been met.



Water Supply Protection Overlay District (WS) (PFM 7-808)

The Water Supply Protection Overlay District requires that developments provide water quality control measures designed to reduce by one-half the projected phosphorus runoff pollution for the proposed use.

The applicant proposes to fulfill the requirements of the Zoning Ordinance.

WAIVERS AND MODIFICATIONS

Tree Preservation Target

Sect. 12-0508.3 of the PFM states that the Director may approve a deviation from the site's Tree Preservation Target when meeting the Target would require

the preservation of trees that do not meet standards for health and structural condition and other vegetation and risk management requirements of the Public Facilities Manual.

The quality of the vegetation in the southern portion of the site consists primarily of forest-grown, early successional trees, including Virginia pine, which is prone to blow-down from wind. Accordingly, the applicant is requesting a deviation from the tree preservation target pursuant to Sect. 12-0508 of the PFM. Given the above conditions, staff supports the deviation request in favor of the proposed plantings as shown on the CDP/FDP.

Cul-De-Sac Radius

Sect. 7-0100 of the PFM states that all streets should be constructed and surfaced in accordance with the standards set for in the PFM. Plate #7-7 depicts a standard cul-de-sac radius of 45 feet.

The applicant proposes a cul-de-sac radius of 30 feet in order to avoid redundancy with the Y-shaped turnaround at the end of the private street. A smaller cul-de-sac will result in a reduction of impervious cover of approximately 3,200 sf and limit the encroachment of the cul-de-sac into Lot 1. The Office of the Fire Marshall found that the Y-shaped turnaround was adequate for emergency vehicles. Staff supports the modification request in favor of the 30-foot radius cul-de-sac, as shown on the CDP/FDP.

Private Street Length

Sect. 11-302 of the Zoning Ordinance states that no private street in a residential development that is to be owned and maintained by a nonprofit organization as provided for in Part 7 of Article 2 shall exceed 600 feet in length unless approved by the Director.

The proposed private street is approximately 630 feet long. The proposal includes an interparcel access to the property along the western boundary, after approximately 400 feet. The connection has the potential to ultimately create a looped road with two access points onto Walney Park Drive. Given the above conditions, staff supports the modification request in favor of the private street, as shown on the CDP/FDP.

Sidewalks

Sect. 8-0102 of the PFM requires that, for subdivisions containing lots averaging less than 25,001 square feet, a sidewalk shall be constructed on both sides of all streets in these subdivisions, including all reverse or side frontage lots and open space. When the peripheral boundary of the subdivision is contiguous to an existing or planned street, a sidewalk shall be constructed on the side of the street abutting the subdivision boundary.

The applicant proposes a modification of the PFM to allow the construction of sidewalks shown on the CDP/FDP to be located on one side of the extension of Walney Park Drive and on one side of the north-south section of the private street.

Sect. 8-0101.4 states that, in lieu of the required construction of a sidewalk, an alternative trail may be constructed as approved by the Director. The alternative trail shall be generally located parallel to the existing or proposed roadway and be located fully within the dedicated right-of-way of the street. Sect. 8-0101.5 states that sidewalks may be omitted on one side of the street where that side clearly cannot be developed and where there are no existing or anticipated uses that would generate pedestrian trips on that side of the street.

The applicant is proposing a sidewalk only on the north side of Walney Park Drive to avoid grading conflicts between the roadway and the adjacent 5-acre property. A sidewalk would not be needed along the western boundary of the project site, as this area functions only as a landscape buffer. Additionally, the applicant proposes trails along the ingress-egress easements, pending approval from the adjacent homeowner associations that own these parcels. The applicant also proposes a short trail link from the Walney Park Drive sidewalk to an adjacent homeowner association trail. These trail connections would allow additional circulation within the area. Staff supports sidewalks on only one side of Walney Park Drive and the north-south section of the private street.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant proposes to rezone the subject property from the R-1 District to the PDH-2 District to construct seven single-family detached dwelling units at an overall density of 1.97 dwelling units per acre (du/ac). The proposed density is in accordance with the Comprehensive Plan range. In staff's opinion, the proposed lots are compatible with the adjacent parcels, the lot configuration adequately protects on-site resources, and the proposed development fits into the context of the neighborhood. In general, staff finds that the application meets the residential development criteria and the general and design standards for a planned district.

Recommendations

Staff recommends approval of RZ 2013-SU-010, subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDP 2013-SU-010 subject to the proposed development conditions in Appendix 2.

Staff recommends approval of the deviation to the tree preservation target, in favor of the measures shown on the proposed plat and as proffered.

Staff recommends that the Board of Supervisors approve a modification of the Zoning Ordinance to allow a private street to exceed 600 feet, as shown on the CDP/FDP.

Staff recommends that the Board of Supervisors direct the Director of the Department of Public Works and Environmental Services (DPWES) to approve a modification of the Public Facilities Manual (PFM) to allow construction of a cul-de-sac with a radius of 30 feet, as shown on the CDP/FDP.

Staff recommends that the Board of Supervisors direct the Director of the Department of Public Works and Environmental Services (DPWES) to approve a modification of the Public Facilities Manual (PFM) to allow construction of sidewalks on one side of the north-south section of the private street and the extension of Walney Park Drive, 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 recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Draft Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Comprehensive Plan Residential Development Criteria
6. Urban Forest Management Analysis
7. VDOT - Transportation Analysis
8. FCDOT – Transportation Analysis
9. Fairfax County Park Authority Analysis
10. Stormwater Management Analysis
11. Health Analysis
12. Fairfax County Public Schools Analysis
13. Fire and Rescue Analysis
14. Sanitary Sewer Analysis
15. Fairfax County Water Authority Analysis
16. Zoning Ordinance Provisions
17. Glossary

PROFFER STATEMENT**December 23, 2013****RZ/FDP 2013-SU-010
Christopher Land, LLC**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned Owner/Applicant, in this rezoning proffers that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 44-4 ((1)) 18 (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-2 Zoning District is granted. In the event said rezoning request is denied, these Proffered Conditions shall be null and void. The Owner/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) titled "Jennell Property", prepared by Charles P. Johnson & Associates, Inc. consisting of Twelve (12) sheets, dated April 29, 2013 as revised through December 20, 2013 and further modified by these proffered conditions.
2. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers, which may become occasioned as a part of final architectural and/or engineering design, may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Section 16-403 of the Zoning Ordinance. Additionally, except as may be further qualified by these proffered conditions, minor modifications to the building envelopes including footprints, lot areas, dimensions, utility layouts and limits of grading and clearing and house location may be permitted in accordance with Section 16-403 of the Zoning Ordinance as long as such changes do not materially decrease the amount of open space, the building set backs are not violated on the CDP/FDP's typical lot layout, and the limits of clearing and grading are adhered to on the perimeter of the property. As shown on the typical lot layout in the CDP/FDP, under no circumstances shall the houses be less than 12' apart.

3. Architectural Design. The building elevations prepared by Devereaux & Associates, P.C., shown on Sheet 10 of the CDP/FDP, are provided to illustrate the architectural theme and design intent of the residential dwellings. The architectural design of the proposed dwellings shall generally conform to the character and quality of these illustrative elevations, but the Applicant reserves the right to modify these elevations and revise architectural ornamentation based on final architectural design.

The building materials shall vary and may be a combination of brick, stone, and siding supplemented with trim and detail features. Dwellings shall incorporate a brick or stone water table on all facades visible from public or private streets. Any facade visible from public or private streets shall vary and may be a combination of brick, stone or cementitious siding supplemented with trim and detail features.

4. Universal Design. Dwelling units shall offer optional features designed with a selection of Universal Design features as determined by the Applicant which may include, but not be limited to, a seat in the Master Bath shower where possible, emphasis on lighting in stairs and entrances, lever door hardware, slip resistant flooring, optional hand-held shower heads at tubs and showers, and optional front-loading washers and dryers.
5. Parcel B. Parcel B is a +/- 6,358 square foot area of land that shall be dedicated to the future Homeowner's Association. This area is reserved for future driveway connections and/or development rights of Fairfax Tax Map 44-4 ((1)) 15, if/when that property is developed in the future, and has not been included in the density calculations for this rezoning. The Homeowners Association may be compensated for any connections or development rights it deems to be appropriate to convey. If any landscaping is removed from this Parcel as part of the redevelopment of the adjacent property, that property owner must replace the landscaping on the Jennell Property's Open Space area or another area that the Homeowner's Association deems appropriate.
6. Blasting. If blasting is required, the Applicant shall ensure that blasting is done pursuant to Fairfax County Fire Marshal requirements and all safety recommendations of the same, including without limitation, the use of blasting mats. In addition, the Applicant shall:
 - A. Retain a professional consultant, to perform a pre-blast survey of each occupied structure or building, to the extent that any of these structures are located within two hundred and fifty (250) feet of the property line of the Application Property and within two hundred and fifty (250) feet of any off-site blasting area;

- B. Prior to any blasting being done, the Applicant shall provide written confirmation to DPWES that the pre-blast survey has been completed and provide a copy of the survey to Fairfax County upon request. The blasting survey shall be deemed complete no later than thirty (30) days after notice to owners;
- C. Require the blasting consultant to request access to any houses, wells, buildings, businesses, or swimming pools, by notification to owners within two hundred and fifty (250) feet of the property line of the Application Property and within two hundred and fifty (250) feet of any off-site blasting area, if permitted by owner, to determine the pre-blast conditions of these structures. The Applicant's consultant will be required to give a minimum of fourteen (14) days' notice of the scheduling of the pre-blast survey. If an owner does not reply to the Applicant's consultant within the fourteen (14) day notice is given then the owner is deemed to have waived his right to claim any damage from the Applicant's blasting activity. The Applicant shall provide the residents entitled to pre-blast inspections, the name, address and phone number of the blasting contractor's insurance carrier;
- D. The Applicant shall require his consultant to place seismographic instruments prior to blasting to monitor shock waves. The Applicant shall provide seismographic monitoring records to County agencies upon their request;
- E. Notify owners within two hundred and fifty (250) feet of the property line of the Application Property and within two hundred and fifty (250) feet of any off-site blasting area, ten (10) days prior to blasting. No blasting shall occur until such notice has been given;
- F. Upon receipt of a claim of actual damage resulting from said blasting, the Applicant shall cause his consultant to respond within five (5) days of meeting at the site of the alleged damage to confer with the property owner;
- G. The Applicant will require blasting subcontractors to maintain necessary liability insurance to cover the costs of repairing any damages to structures, which are directly attributable to the blasting activity and shall take necessary action to resolve any valid claims in an expeditious matter.

II. RECREATION FACILITIES

7. Recreation Contribution. Pursuant to Sect. 16-404 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall provide recreational facilities to serve the property as shown on the CDP/FDP. Per Sect. 16-404, recreational facilities such as tot lots, gazebos, trails and sitting areas, retaining walls and similar features may be used to fulfill this requirement. The siting and installation of such features shall not interfere with tree save areas. In the event it is demonstrated that the proposed facilities do not have sufficient value, at the time of the issuance of the first Residential Use Permit, the Applicant shall contribute funds in the amount needed to achieve the overall required amount of \$1,700 per unit for the seven (7) homes to be built on the Property.

The Applicant shall construct a 6' wide asphalt trail connection to the Walney Woods subdivision with permission from the Walney Woods HOA. The applicant shall remove the existing gravel driveway serving the property and either an install a 5' wide asphalt and concrete trail and 2 sets of benches as shown on the CDP/FDP with permission from the Parkside Manor and Walney Woods HOAs ("HOAs") which own that land or options B or C shown on Sheets 11 and 12 of the CDP/FDP. If permission is not granted by the HOAs then the Applicant's requirement to install these items shall be waived without the need for a proffer interpretation, proffer condition amendment or modification of the CDP/FDP and the Applicant shall contribute \$15,486.00 to the Sully District trail fund.

III. SCHOOLS

8. Contribution. Prior to the issuance of the first Building Permit, a contribution of \$20,976 shall be made to Fairfax County to be transferred to the Fairfax County School Board to be utilized for capital improvements or capacity enhancements to schools within the Chantilly High School pyramid which serves the Property.

IV, ESCALATION

9. Escalation. All monetary contributions required by these proffers shall be adjusted upward or downward based on the percentage change in the annual rate of inflation with a base year of 2014, and change effective each January 1 thereafter, as calculated by referring to the Consumer Price Index for all urban customers (CPI-U), (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics occurring subsequent to the date of final site plan approval and up to the date of payment. In no event

shall an adjustment increase exceed the annual rate of inflation as calculated by the CPI-U.

V. CONSTRUCTION HOURS

10. Construction Hours. Construction shall occur between the hours of 7:00 a.m. until 7:00 p.m. Monday through Friday, 8:00 a.m. until 6:00 p.m. on Saturday and 9:00 a.m. until 6:00 p.m. on Sunday. Construction activities shall not occur on the holidays of Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas, Easter, and New Year's Day. The construction hours shall be posted on the property. The allowable hours of construction as specified in this proffer shall be listed within any contract with future sub-contractors associated with construction on the site.

VI. SEPTIC TANK / WELL ABANDONMENT

11. Abandonment. The existing septic tank and well shall be properly abandoned as required by the Fairfax County Health Department prior to the approval and issuance of the demolition permit for the existing single family detached residential unit.

VII. ENERGY CONSERVATION

12. Energy Star Qualification. The dwelling units shall be constructed to achieve one of the following:
 - A. Qualification in accordance with ENERGY STAR[®] (version 3.0) or Homes, as demonstrated through documentation submitted to the Environment and Development review Branch of the Department of Planning and Zoning (DPZ) and from a home energy rater certified through the Home Innovation Research Labs that demonstrates that each dwelling unit has attained the certification within thirty (30) days after the issuance of the Residential Use Permit (RUP) for each dwelling; or
 - B. Certification in accordance with the National Green Building Standard (NGBS) using the ENERGY STAR[®] (version 3.0) Qualified Homes path for energy performance, as demonstrated through documentation submitted to the Environment and Development review Branch of the Department of Planning and Zoning (DPZ) and from a home energy rater certified through the Home Innovation Research Labs that demonstrates that each dwelling unit has attained the certification within thirty (30) days after the issuance of the Residential Use Permit (RUP) for each dwelling; or

- C. Certification in accordance with the Earth Craft House Program, as demonstrated through documentation provided to DPWES and DPZ within thirty (30) days the issuance of the RUP for each dwelling.

Certification testing shall be accomplished prior to the issuance of a RUP for each dwelling. The Certification testing requirement shall be met by e-mailing the building inspector, the preliminary inspection report of the third party inspector prior to the issuance of the RUP. Prior to Bond Release, the Applicant shall show proof to DPWES that all units met one of the conditions A-C.

VIII. GARAGE CONVERSION

- 13. Garage Conversion. Any conversion of garages that will preclude the parking of vehicles within the garage shall be prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA and the Board of Supervisors. This restriction shall also be disclosed in the HOA documents. Prospective purchasers shall be advised of this use restriction, in writing, prior to entering into a contract of sale.

VIX. HOME OWNERS ASSOCIATION

- 14. Establishment of HOA. Prior to record plat approval, the Applicant shall establish a Homeowners Association (HOA) in accordance with Sect. 2-700 of the Zoning Ordinance for the purpose of, among other things, establishing the necessary residential covenants governing the design and operation 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. Tax Map 44-4 ((1)) 15 shall be permitted to join the HOA at such time as it develops.
- 15. Dedication to HOA. At the time of subdivision plat recordation, open space, common areas, private streets, fencing, and amenities not otherwise conveyed or dedicated to the County shall be dedicated to the HOA and maintained by the same. The HOA reserves the right to grant easements for any purpose on the common areas as the HOA deems necessary.
- 16. Best Management Practice ("BMP") Maintenance. After establishing the HOA, the Applicant shall provide the HOA with written materials describing proper maintenance of the approved BMP facilities.
- 17. Disclosure. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicant of the maintenance responsibility for the streets, storm water management facilities, common area landscaping

and any other open space amenities and shall acknowledge receipt of this information in writing. The homeowner association covenants shall contain clear language delineating the tree save areas as shown on the CDP/FDP. The covenants shall prohibit the removal of the trees except those trees which are dead, diseased, noxious or hazardous and shall outline the maintenance responsibility of the homeowners association and individual homeowners. The initial deeds of conveyance and HOA governing documents shall expressly contain these disclosures. The HOA documents shall stipulate that a reserve fund to be held by the HOA be established for the private street maintenance. The Applicant shall be responsible for placing the sum of \$14,000 in such reserve fund prior to the issuance of the first Residential Use Permit (the "RUP") for the proposed single family dwelling units.

18. Public Access Easement. A public access easement in a form approved by the County Attorney shall be placed on the private streets, sidewalks and trails within the approved development. The requirements of this proffer condition shall be disclosed in the HOA documents.
19. Potential Interparcel Access. The applicant or the future homeowners association shall permit the recording a public or private access easement to permit future connection of the private street to the adjacent property identified as Tax Map 44-4 ((1)) 15 at a location mutually acceptable to both parties. At such time, the applicant shall reserve for future dedication the 41-foot wide area designated on the CDP/FDP as a "Future Connection to Adjacent Property" easement. The future connection and expansion are to be provided by others. However, the Property owner of Tax Map 44-4 ((1)) 15 shall be responsible for removing any landscaping or retaining walls on the property necessary to accommodate the construction by others, and replacing the landscaping elsewhere on the property.

X. STORMWATER MANAGEMENT

20. Stormwater Management. Subject to review and approval by DPWES, stormwater management ("SWM") and Best Management Practice ("BMP") measures for the Property shall be provided in a Dry Pond and shall be developed in accordance with the PFM, unless waived or modified by DPWES. The stormwater management system shall be reviewed for adequacy by DPWES at the time of site plan review; if any inadequacies are identified, appropriate corrective measures shall be employed to the satisfaction of DPWES, prior to final site plan approval.

XI. TREE PRESERVATION

21. Tree Preservation Plan. 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 ("UFMD"), Department of Public Works and Environmental Services ("DPWES").

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture), located 25 feet outside the limits of clearing and grading and 10 feet inside of the limits of clearing and grading. Trees that are dead or a potential hazard to human health and property which are 12 inches in diameter or greater and located 100 feet outside the limits of clearing and grading and 10 feet within the limits of clearing and grading shall be identified in the inventory as well. The tree preservation plan and narrative shall include all applicable items specified in PFM 12-0501 and 12-0502. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

22. Tree Preservation Walk-Through. The applicant should 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 appointed representative shall walk the limits of clearing a grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying within the tree preservation area 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 associate understory vegetation and soil conditions.

23. Limits of Clearing and Grading. The Applicant shall conform strictly to the

limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these development 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. Five (5) foot wide wood chip trails shall be coordinated and field located with a UFMD representative. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any area protected by the limits of clearing and grading that must be disturbed for such utilities.

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

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing should 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. No grading or construction activities shall occur until the fencing is installed correctly, as determined by UFMD, DPWES.

25. Root Pruning. The Applicant shall root prune as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not 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.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

26. Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant should 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 proffer, 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.

27. Reforestation Plan: A reforestation plan for the areas to be reforested, as designated on the CDP/FDP, shall be submitted concurrently with the first and all subsequent site plan submissions for review and approval by Urban Forest Management Division, and shall be implemented as approved. The plan shall provide seedling plantings that include an appropriate selection of native species based on existing and proposed site conditions to restore the area to a native forest cover type. In addition to the reforestation with seedlings, a minimum of 10 overstory and 10 understory deciduous trees having a minimum one-inch caliper shall be provided. The reforestation plan shall include, but not be limited to the following:

- A. Plant list detailing species, sizes, and stock type of trees and other vegetation to be planted;
- B. Soil treatments and amendments, if necessary;
- C. Methods to reduce deer browse;
- D. Methods to reduce weed competition;
- E. Mulching specifications;
- F. Details and methods of installation;
- G. Maintenance activities (such as weeding and watering);
- H. Mortality threshold; and
- I. Monitoring and replacement schedule.

XII TRANSPORTATION

28. Transportation. The Applicant shall construct the extension of the public street Walney Park Drive to the proposed development. The Applicant will remove the temporary turn around on Tax Map 44-4 ((18)) parcels 1& 2 and establish front yards on both parcels and extend the sidewalk along both parcels. Also the Applicant shall install two (2) Stop signs at the intersection of Walney Park and Autumn Glory with the permission of VDOT.

XIII. AFFORDABLE HOUSING

29. Housing Trust Fund. At the time each residential lot is issued a building permit, the Applicant shall contribute to Habitat for Humanity of Northern Virginia or the Fairfax County Housing Trust Fund, at the direction of the Sully District Supervisor, the sum of four thousand dollars (\$4,000.00) (equal to \$28,000 for seven (7) new dwelling units), which is equal to one half of one percent (1/2%) of the projected sale price for the new dwelling unit on the residential lot subject to the building permit. At the time of transfer to an initial third party purchaser, the Applicant shall contribute an amount equal to one half of one percent (1/2%) of that portion of the actual sale price over \$800,000 (i.e. if the sale price is \$850,000, the 1/2% of \$50,000) to Habitat for Humanity of Northern Virginia or the Fairfax County Housing Trust Fund, at the direction of the Sully District Supervisor.

XIV. SIGNS

30. Signs. Any sign installed by the Applicant shall be in conformance with Article 12 of the Zoning Ordinance.

XV. ARCHAEOLOGICAL STUDY

31. Archaeological Review. At least 30 days prior to any land disturbing activities on the Property and prior to any land-disturbing activities associated with these Proffers on Tax Map 44-4 ((1)) 18, the Applicant shall conduct a Phase I archaeological study on the entire Property and provide the results of such study to the Cultural Resources Management and Protection Section of the Fairfax County Park Authority ("CRMP") for review and approval. The study shall be conducted by a qualified archaeological professional approved by CRMP. No land disturbance activities shall be conducted until this study is submitted to CRMP. If the Phase I study concludes that an additional Phase II study of the Property is warranted, the Applicant shall complete said study and provide the results to CRMP. If the Phase II study concludes that additional Phase III evaluation and/or recovery is warranted, the Applicant shall also complete said work in consultation and coordination with CRMP, however that process shall not be a precondition of site plan approval but rather shall be carried out in conjunction with site construction.

XVI. SUCCESSORS AND ASSIGNS

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

SIGNATURES BEGIN ON THE FOLLOWING PAGE

APPLICANT/CONTRACT PURCHASER OF TAX MAP
44-4 ((1)) 18

CHRISTOPHER LAND, LLC

By: E. John Regan, Jr.
Its: Member

TITLE OWNER OF TAX MAP
44-4 ((1)) 18

By: Marguerite A. Jennell

PROPOSED DEVELOPMENT CONDITIONS

FDP 2013-SU-010

December 24, 2013

If it is the intent of the Planning Commission to approve Final Development Plan FDP 2013-SU-010, located at 13865 Walney Park Drive, and consisting of 3.7 acres, more specifically described as Tax Map 44-4 ((1)) 18, for seven single-family detached dwellings, pursuant to Sect. 6-100 of the Fairfax County Zoning Ordinance, the staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. This Final Development Plan is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Final Development Plan shall be in substantial conformance with the approved Conceptual/Final Development Plan entitled "Jennell Property," consisting of 10 sheets, prepared by Charles P. Johnson & Associates, Incorporated, dated April 29, 2013, and revised through December 20, 2013, and these conditions.
2. If the Virginia Department of Transportation does not approve the proposed 30-foot cul-de-sac modification at the time of site plan review, the cul-de-sac may be enlarged to a radius of 45 feet without the need for an amendment to the Final Development Plan.

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

REZONING AFFIDAVIT

DATE: 19 July 2013
 (enter date affidavit is notarized)

I, E. John Regan, Jr., Member of Christopher Land, LLC (applicant), 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

121264

in Application No.(s): RZ/FDP 2013-SU-010
 (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)
Christopher Land, LLC E. John Regan, Jr., Member W. Craig Havenner, Member	10461 White Granite Dr., Ste. 103 Oakton, Virginia 22124	Applicant, Contract Purchaser
Marguerite A. Jennell	13865 Walney Park Drive Chantilly, Virginia 20151	Title Owner
Tetra Corporation Clark L. Massie, Agent	2653 Black Fir Court Reston, Virginia 20191	Real Estate Broker
Charles P. Johnson & Associates, Inc. Allan D. Baken, Agent Henry M. Fox, Jr., Agent Paul B. Johnson, Agent	3959 Pender Drive, Ste. 210 Fairfax, Virginia 22030	Engineer, Agent

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

REZONING AFFIDAVIT

DATE: 19 July 2013
(enter date affidavit is notarized)

121264

for Application No. (s): RZ/FDP 2013-SU-010
(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)
Christopher Land, LLC
10461 White Granite Dr., Ste. 103
Fairfax, Virginia 22030

DESCRIPTION OF CORPORATION: (check one statement)

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

W. Craig Havenner
E. John Regan, Jr.

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

(check if applicable) [X] There is more corporation information and Par. 1(b) is continued 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: 19 July 2013
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2013-SU-010
(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, Ste. 210
Fairfax, Virginia 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)
Tetra Corporation
2653 Black Fir Court
Reston, Virginia 20191

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)
Clark L. Massie

=====

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: 19 July 2013
(enter date affidavit is notarized)

121264

for Application No. (s): RZ/FDP 2013-SU-010
(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)

(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)

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

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

REZONING AFFIDAVIT

DATE: 19 July 2013
(enter date affidavit is notarized)

121264

for Application No. (s): RZ/FDP 2013-SU-010
(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: 19 July 2013
(enter date affidavit is notarized)

121264

for Application No. (s): RZ/FDP 2013-SU-010
(enter County-assigned application number(s))

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

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

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

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

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

WITNESS the following signature:

(check one) [] Applicant [X] Applicant's Authorized Agent
E. John Regan, Jr., Member
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 19 day of July 2013, in the State/Comm. of Virginia, County/City of Fairfax.

Constance H. Walker
Notary Public

My commission expires:
CONSTANCE H. WALKER, ID No. 127743
NOTARY PUBLIC COMM. OF VIRGINIA
My Commission Expires February 28, 2014

NARRATIVE STATEMENT OF JUSTIFICATION

Pursuant to Section 1/-204 of the Fairfax County Zoning Ordinance, dated August 14, 1978, as amended (the "Ordinance"), Christopher Land, LLC (the "Applicant"), hereby requests approval of a rezoning application from the R-1 to the PDH-2 District as further described below.

The Applicant is the contract purchaser of approximately 3.70 acres in the Sully Magisterial District, which is identified among the Fairfax County tax map records as 44-4- ((1)) parcel 18 (the "Subject Property"). The Subject Property is located on the South side of Walney Park Drive and approximately 650 feet east of the intersection of Autumn Glory Way and is bordered by single-family detached homes. To the North of the Property is a single family detached community known as Walney Woods zoned PDH-2 and developed at a density of 1.95 units to the acre. To the East is a community known as Poplar Tree Estates developed under split zoning districts of PDH-2 and R-2 at a density of 1.95 units to the acre. To the South is a community known as The Preserve at Wynmar, it is zoned R-2 and is developed at a density of 2.38 units per acre. The property to the West has not been redeveloped and is currently zoned R-1. The Applicant proposes a rezoning for residential development that will be compatible with the surrounding areas.

The Subject Property is located within the Sully Planning District of the Area III Comprehensive Plan (the "Plan"); specifically, within the BR3-Flatlick Community Planning Sector. The applicable land use recommendation for the Subject Property states that it is planned for residential use at 1-2 dwelling units per acre. The Applicant is proposing a rezoning of the Subject Property to the PDH-2 District in accordance with the Plan recommendation.

The Applicant proposes a residential community in harmony with the Plan recommendation of one to two dwelling units per acre and compatible with surrounding development. The Applicant has prepared and submitted a conceptual/final development plan (CDP/FDP), which illustrates seven single-family detached dwelling units at a density of 1.97 dwelling units per acre.

The P District designation provides the flexibility to reduce impervious surface and setbacks, thereby maximizing open space. The proposed residential layout results in approximately thirty five percent (28%) open space on the Subject Property. The open space requirement under R-2 is twenty percent (20%). At 1.97 dwelling units per acre, the proposed density is within the recommendations of the Plan. The proposed density is also an appropriate infill between the single-family homes located to the north, east and south that are zoned to the R-2 or PDH-2 Districts.

In an effort to add more community benefit to our P District request, we have provided an interparcel connection to the undeveloped property to the West of the proposed project.

We also have created Parcel B that could be used in the future by the undeveloped parcel to the West to connect to our proposed private street.

The Applicant's proposed residential layout is compatible in density and scale with the surrounding developments. Surrounding properties are developed with similar use, type, and intensity to the Applicant's proposal. In addition, the Applicant meets the Plan's residential development criteria as follows:

Site Design

A rezoning of the Subject Property to the PDH-2 District will complete the development infill of the area as envisioned by the Plan. Surrounding properties are already zoned and developed residentially in accordance with Plan recommendations. Walney Woods is developed at a density of 1.95 dwelling units per acre, Poplar Tree Estates is developed at a density of 1.95 dwelling units per acre and The Preserve at Wynmar is developed at a density of 2.38 dwelling units per acre. The proposed layout integrates the elements of open space, landscaping, and functional quality design in a residential development that conforms to the Plan recommendations. Approximately thirty five (35%) percent of the Subject Property will be preserved as open space. A sidewalk is provided along Walney Park Drive that connects the sidewalk in the Walney Woods community. The existing sidewalk will be extended into this proposed community to ensure connectivity and a sense of community with the surrounding neighborhoods. Landscaping will be provided on individual lots, as well as within Parcel A and Parcel B. Landscape details have been provided on the CDP/FDP to illustrate the quality and quantity of the proposed vegetation.

Neighborhood Context

The Applicant proposes a residential development that will complete an existing and established residential development pattern. The proposed residential development will be developed with single-family detached homes. This is consistent with the Plan's recommendations. Appropriate setbacks are provided to the adjacent Walney Woods and Popular Tree Estates communities located to the north and east of the Subject Property. Adequate yards are provided for all proposed residential dwelling units, including a minimum front yard of eighteen (18) feet. Sidewalks within the proposed community will be connected to the sidewalk along Walney Park Drive. The Applicant's proposal is compatible with existing surrounding uses. The Applicant proposes an offsite trail along the Eastern perimeter of the property, if given permission by the adjacent homeowners associations. If no permission is granted, then the Applicant shall contribute to the Sully District Trail Fund.

Environment

The Applicant's proposed residential development includes a dry pond on the southern portion of the Subject Property, so as to properly manage runoff from the new development. Issues such as potential noise impacts, lighting, and the use of energy

conservation materials shall be addressed in proffers submitted during the processing of the rezoning application.

Tree Preservation and Tree Cover Requirements.

The Applicant will submit proffers during the processing of the rezoning application to ensure appropriate tree preservation measures that will increase survivability. The remainder of the proposed development's tree cover requirements will be satisfied by plantings, as depicted on the CDP/FDP.

Transportation

The Applicant proposes safe and adequate access to the adjacent road network. An extension of Walney Park Drive will be provided, located to the Northwest side of the Subject Property. The existing temporary bulb cul-de-sac at the end of Walney Park Drive will be removed and a permanent cul-de-sac will be installed on the subject property and adjacent property reserved for public access. The proposed residential development includes the extension of the current sidewalk along Walney Park Drive that will connect the existing sidewalk in the Walney Wood community. Sidewalks within the proposed community will be connected to the sidewalk to be provided along Walney Park Drive. A minimum driveway length of eighteen (18) feet is provided for each single-family home to insure adequate parking on site.

Public Facilities

The proposed residential community may be classified as infill development that will be served by existing adequate public facilities. The Applicant's proposal of Seven (7) single-family detached homes will not have a measurable impact on public facilities. The Applicant will address the issue of a contribution to public schools in accordance with adopted formulas adopted by the Board of Supervisors in the proffers that will be submitted during the processing of the rezoning application.

Affordable Housing

The requirements of the Affordable Dwelling Unit Ordinance do not apply to the Applicant's proposal, as it is less than fifty residential dwelling units. The Applicant will address the issue of a contribution to the Fairfax County Housing Trust Fund in accordance with policies adopted by the Board of Supervisors in the proffers that will be submitted during the processing of the rezoning application.

Heritage Resources

The Applicant is unaware of any heritage resources that may be located on the subject Property. The Applicant has committed to perform an archeological phase 1 on the property prior to any land disturbance.

Summary

The Applicant's proposal meets the objectives of the Plan, which recommend residential development at a density of one to two dwelling units per acres. Further, the Applicant's proposal may be characterized as infill development that is compatible in use, type, and intensity with the surrounding area. The Applicant's proposal will complete an existing and established residential development pattern. Further, the layout and design of the proposed residential developments satisfies the residential development criteria as outlined herein. Lastly, the proposed development may be supported by existing transportation and public facilities.

Applicant: Christopher Land, L.L.C.



By: E. John Regan Jr.
Executive Vice President

Date: 10/18/2013

FAIRFAX COUNTY COMPREHENSIVE PLAN, 2011 Edition, POLICY PLAN, Land Use – Appendix, Amended through 2-12-2013 Pages 24-30

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 forsale 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: October 16, 2013

TO: Joe Gorney, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jay Banks, Urban Forester II
Forest Conservation Branch, UFMD

SUBJECT: Jennell Property RZ/FDP 2013-SU-010

I have reviewed the third submission of the proposed rezone application stamped 'Received, Department of Planning and Zoning on September 25, 2013 and an undated copy of the proposed Proffers. The following comments are based on this review.

The comment below is from the first submission comments and was not adequately addressed.

1. **Comment:** Several discrepancies exist between the Tree Preservation Plan and the Tree Inventory. As an example tree #771 is listed as dead and to be removed on the inventory, however it is illustrated to be saved on the preservation plan.

Recommendation: The applicant should review and correct the information provided on sheets 6 and 7 of 10.

New comments:

2. **Comment:** It is unclear as to where tree protection will be installed for retention of several existing trees on site. Tree protect will need to encircle trees 252, 297, 791, and 793 to fully protect them from construction impacts.

Recommendation: The tree protection should be installed to encircle all of the trees as a group within the center section of the site and the proposed five (5) foot wide wood chip trail will be placed between them later. This will need to be clearly indicated on the plan. Add a proffer stating that the five (5) foot wide wood chip trails shall be coordinated and field located with a UFMD representative.

The comments below pertain to the proposed proffers:

3. **Comment:** Correctly state the required location for identifying dead or hazardous trees inside the limits of clearing and grading.

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



Recommendation: Proffer 20 – Tree Preservation Plan, 3rd paragraph, 3rd sentence, correct *with* to *within*.

4. **Comment:** The reforestation plan should be submitted with the first submission and all subsequent site plan submissions for review and approval by UFMD.

Recommendation: Proffer 26 – Reforestation Plan, 1st paragraph, second sentence, correct *second* to *first*. And 1st paragraph, 5th sentence, correct *provide seedling plantings according to include an appropriate...* to *provide seedling plantings that include an appropriate*.

JSB/

UFMDID #: 182144

cc: DPZ File



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

GREGORY A. WHIRLEY
COMMISSIONER

September 30, 2013

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Alex Faghri
VDOT Land Development

Subject: RZ/FDP 13-SU-010; Jennell Property

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.

VDOT has reviewed the subject application that was received on September 26, 2013 and offers the following comments:

1. The proposed Walney Park Drive should be 29 ft. wide unless no parking is proposed on one side of the street, preferably the side without the sidewalk.
2. The buffer strip width between sidewalk and face of curb should be shown on the plan.
3. Sheet 8 of 10 – Area B5 is missing from the legend.
4. A permanent turn around consistent with VDOT standard width, radii, and right-of-way dedication at site entrance should be provided.
5. Extend storm sewer and water line easements to property line.

If you have any questions, please call me at 703-259-2414.

cc: Ms. Angela Rodeheaver



County of Fairfax, Virginia

MEMORANDUM

DATE: September 16, 2013

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

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

FILE: RZ/ FDP 2013-SU-010

SUBJECT: RZ/ FDP 2013-SU-010: Christopher Land, LLC- Jennell Property
Tax Map: #44-4 ((1)) 18
13865 Walney Park Drive, Chantilly VA

This department has reviewed the subject application including the revised Final Development Plan, dated April 29, 2013 as revised through July 29, 2013, and the proffer statement, dated August 5, 2013, and offers the following comment(s):

- FCDOT supports the Walney Park Road extension as depicted on the plans dated July 29, 2013. This twenty-four (24) foot cross section would allow parking on one side if Average Daily Traffic (ADT) is less than 2000 vehicles per day. The development's internal street width of thirty (30) feet would allow for on street parking on both sides of that roadway segment within the limits of the development.
- FCDOT supports the pedestrian connection on the north side of Walney Park Drive as it would connect the site's internal sidewalks to other adjacent subdivisions to create a unified pedestrian network. While a sidewalk connection on the south side of the roadway is important, it is anticipated this segment be constructed when that parcel is redeveloped.
- The proposed pedestrian crossing as depicted on the revised plan is located in the preferred location as it provides better visibility as opposed to locating it further east and closer to the proposed curve in the roadway where the public and private roadways intersect.
- The applicant should include language in the proffer statement for the proposed future interparcel access to the adjacent parcel TM# 44-4 ((1)) 15 should that property ever be redeveloped. The final location and place should be flexible in nature to allow for adjustments if necessary.

AKR/EAI

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723
www.fairfaxcounty.gov/fcdot





FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

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

DATE: July 9, 2013

SUBJECT: RZ-FDP 2013-SU-010, Jennell Property (Christopher Land, LLC)
Tax Map Number: 44-4((1)) 18

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated May 29, 2013 for the above referenced application. The Development Plan shows 7 new single-family dwelling units on an approximately 3.7 acre site, to be rezoned from R-1 to PDH-2 with proffers. Based on an average single-family household size of 3.30 in the Bull Run Planning District, the development could add 20 new residents (7 new single-family units – 1 existing single-family household x 3.3 = 20) to the Sully Magisterial 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).

ANALYSIS AND RECOMMENDATIONS

Park and Recreation Needs:

There are no parks adjacent to the existing site of the proposed residential development. Existing nearby parks (Ellanor C. Lawrence, Chalet Woods, Pleasant Hill, Poplar Tree, Rocky Run Stream Valley, Flatlick Stream Valley, Greenbriar) meet only a portion of the demand for parkland generated by residential development in the Bull Run Planning District. In addition to public parkland, the recreational facilities in greatest need in this area include rectangle fields,

adult baseball fields, adult softball fields, youth softball fields, basketball courts, playgrounds, and neighborhood dog parks.

The proposed development is located less than ½ mile from a paved trail head that is linked to the Big Rocky Run Stream Valley.

Onsite Parks:

Although there is a designated onsite sitting area, the CDP/FDP lacks a detailed design sheet for the space. Since the existing grade of the site is fairly level, the applicant should consider further developing the proposed “sitting area” for more specific recreational purposes to be used by its residents, such as a small tot-lot.

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 7 non-ADUs proposed, the Ordinance-required amount to be spent onsite is \$11,900 (7 non-ADUs x \$1,700). 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 \$17,860 (20 new residents x \$893) to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

Cultural Resources Impact:

The Cultural Resource Management and Protection Branch has conducted archival review for the application. The parcel contains no known resources, however it has moderate to high potential to contain Native American sites. The Park Authority recommends a Phase I archaeological survey in order to determine the presence or absence of cultural resources. If significant resources are found, Phase II archaeological testing is recommended in order to determine eligibility for inclusion into the National Register of Historic Places. If sites are found eligible avoidance or Phase II data recovery is recommended.

SUMMARY OF RECOMMENDATIONS

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

Proposed Uses	P-District Onsite Expenditure	Requested Park Proffer Amount	Total
Single-family detached units	\$11,900	\$17,860	\$29,760
Total	\$11,900	\$17,860	\$29,760

In addition, the analysis identified the following major issues:

- Applicant should further develop proposed “sitting area” for specific recreational purposes, such as a tot-lot.
- Applicant should conduct a Phase I archaeological survey in order to determine the presence or absence of cultural resources.

Please note the Park Authority would like to review and comment on proffers and development conditions related to park and recreation issues. We request that draft and final proffers and development conditions 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: Andrea Dorlester/Zeina Ahmed
DPZ Coordinator: Joe Gorney

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



County of Fairfax, Virginia

MEMORANDUM

DATE: July 23, 2013

TO: Joe Gorney, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Aileen M. Santiago, Stormwater Engineer
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning/Final Development Plan Application # RZ/FDP 2013-SU-010, Jennell Property, Christopher Land, LLC; Conceptual/Final Development Plan dated April 29, 2013, LDS Project #9862-ZONA-001-1, Tax Map #044-4-01-0018, Sully District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. Before a subdivision plan can be approved, a site-specific, field-verified RPA delineation will be required. (LTI 08-12). Grading work and land disturbance is proposed within the RPA. The Water Quality Impact Assessment for these disturbances can be a part of the subdivision plan (CBPO 118-4-4).

Water quality controls are required for this development (PFM 6-0401.2A). Applicant proposed to satisfy BMP requirements for this project with an onsite SWM/BMP dry pond and a conservation easement area.

The proposed conservation easement area is encroaching into residential lot #5. For purposes of BMP efficiencies, "open space" in residential areas must be within a perpetually undisturbed HOA, or common area, placed in a conservation easement and without other encumbrances. Conservation easements established for BMP credit must be located within an outlot or common area. (PFM 6-0402.3)

The site is located within the Water Supply Protection Overlay District.

Floodplain

There is no floodplain on the site.



Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). Applicant proposed to satisfy detention requirements for this project with an onsite SWM/BMP dry pond.

Site Outfall

An outfall narrative has been provided. The applicant has identified the point where the drainage area exceeds 100 times the contributing site area (ZO 18-202.10.F(2)(c)). The applicant needs to include additional analysis at critical sections of the outfall. Applicant is proposing a SWM/BMP pond with a combined principal and emergency spillway that will discharge directly into an existing residential development through an existing 15" RCP. The adequacy of the outfall, in terms of capability to convey the combined spillway design flow (extreme flows) in addition to the low flows (stormwater management functions of the pond) and the 10-year flow currently flowing through existing storm sewer system, needs to be demonstrated (ZO 18-202.10.F).

If an existing offsite storm sewer pipe must be replaced to meet outfall requirements, it should be shown within the limits of clearing and grading on the GDP. The replacement of an existing 15" RCP to a 24" RCP, between storm sewer structures B9 and B5, needs to be shown on the GDP.

The PFM outfall requirements of the extent of review and analysis shall be addressed during site plan submission (PFM 6-0203 & 6-0204)

Additional Comment

The proposed SWM/BMP pond within the site is immediately upstream of existing residential dwellings (lot 86 & 87). The existing structures (dwellings and any accessory structure built pursuant to a building permit) need to be shown on the GDP and located outside the flow path of the spillway design flood (SDF) and dam breach events associated with proposed pond.

A detailed dam breach analysis will need to be shown on the site plan, however, the engineer needs to provide a conceptual analysis to demonstrate that existing residential dwellings (lot 86 & 87) are not within the dam breach inundation zone of the proposed SWM/BMP pond and will not be inundated with the SDF flow path. Additional information, including, but not limited to, field surveyed topography, location and elevation of the existing structures should be provided.

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

Joe Gorney, Staff Coordinator
Rezoning/Final Development Plan Application #RZ/FDP 2013-SU-010, Jennell Property
April 29, 2013
Page 3 of 3

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

AS/

cc: Don Demetrius, Chief, Watershed Evaluation Branch, Stormwater Planning Division,
DPWES
Shahab Baig, Branch Chief North, SDID, DPWES
Zoning Application File



County of Fairfax, Virginia

DATE: June 3, 2013

TO: Joe Gorney, 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 2013-SU-010 (Christopher Land, LLC)

After reviewing the application, we have only one comment to be considered. Health Department records indicate that the existing house on 13865 Walney Park Drive (Lot 18) to be demolished is/was served by an onsite sewage disposal system as well as a private well water supply. There are no records on file that the well and septic system were ever properly abandoned. **The septic tank and well will have to be properly abandoned prior to approval of the demolition permit being released by the Health Department.**





FAIRFAX COUNTY
PUBLIC SCHOOLS

Department of Facilities and Transportation Services

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

June 13, 2013

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

FROM: Lee Ann Pender, Director *lap*
Office of Facilities Planning Services

SUBJECT: RZ/FDP 2013-SU-010, Christopher Land LLC

ACREAGE: 3.70 acres

TAX MAP: 44-4 ((1)) 18

PROPOSAL:

The application requests to rezone the site from R-1 to PDH-2 district. This project would develop the site into a subdivision with 7 single family homes. The site currently contains one single family home, a barn, and a chicken coop.

ANALYSIS:

School Capacities

The schools serving this area are Poplar Tree Elementary, Rocky Run Middle and Chantilly High schools. The chart below shows the existing school capacity, enrollment, and projected enrollment.

School	Capacity 2012 / 2017	Enrollment (9/30/12)	Projected Enrollment 2013-14	Capacity Balance 2013-14	Projected Enrollment 2017-18	Capacity Balance 2017-18
Poplar Tree ES	763 / 763	629	599	164	454	309
Rocky Run MS	1,070 / 1,070	1,018	1,050	20	1,078	-8
Chantilly HS	2,583 / 2,583	2,631	2,687	-104	2,761	-178

Capacities based on 2014-2018 Capital Improvement Program (November 2012)

Project Enrollments based on 2012-13 to 2017-18 6-Year Projections (April 2012)

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, Rocky Run is projected to be at capacity and Chantilly is projected to have a capacity deficit. Poplar Tree is projected to have surplus capacity. Beyond the six year projection horizon, enrollment projections are not available.

Capital Improvement Program Projects

Poplar Tree has been identified in the Capital Improvement Program (CIP) as a school with surplus capacity and may be a potential receiving school for new programs. It should also be noted, several elementary schools adjacent to Poplar Tree are projected to have capacity deficits. The unfunded South West County High School in the CIP may provide potential relief to Chantilly.

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.

Existing (Potential By-right)

School level	Single Family Detached ratio	Potential By-right # of units	Existing Student yield
Elementary	.268	3	1
Middle	.085	3	0
High	.178	3	1

2 total

2011 Countywide student yield ratios (August 2012)

Proposed

School level	Single Family Detached ratio	Proposed # of units	Estimated Student yield
Elementary	.268	7	2
Middle	.085	7	1
High	.178	7	1

4 total

2011 Countywide student yield ratios (August 2012)

RECOMMENDATIONS:

Proffer Contribution

A net of 2 new students are anticipated (1 Elementary, 1 Middle and 0 High School). Based on the approved Residential Development Criteria, a proffer contribution of \$20,976 (2 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 VII or to schools in the Chantilly 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.

LAP/gjb

Attachment: Locator Map

cc: Kathy Smith, School Board Member, Sully District
Elizabeth Schultz, School Board Member, Springfield District
Ilryong Moon, Chairman, School Board Member, At-Large
Ryan McElveen, School Board Member, At-Large
Ted Velkoff, School Board Member, At-Large
Jeffrey Platenberg, Assistant Superintendent, Facilities and Transportation Services
Linda Burke, Cluster VII, Assistant Superintendent
Teresa Johnson, Principal, Chantilly High School
Matthew Eline, Principal, Rocky Run Middle School
Sharon Smith Williams, Principal, Poplar Tree Elementary School

Gorney, Joseph

From: Ward, Sandra J.
Sent: Wednesday, July 24, 2013 11:45 AM
To: Gorney, Joseph
Subject: RZ/FDP 2013-SU-010 (Christopher Land, LLC) (Jennell Property)

I have reviewed the plans for the above named project and have the following comments:

1. Provide a fire hydrant at the entrance to the property or show distance to next nearest hydrant.
2. Provide water main size. Submitter may want to confer with FCWA about the length of the dead end pipe.

Plans have been retained for filing purposes.

Sandra Ward
FPE III



County of Fairfax, Virginia

MEMORANDUM

DATE: September 30, 2013

TO: Joe Gorney
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sharad Regmi, P.E.
Engineering Analysis and Planning Branch

SUBJECT: Sanitary Sewer Analysis Report

REF: **Application No. : RZ/FDP 2013-SU-010**
Tax Map No. : 044-4-01-0018

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

- The application property is located in the Big Rocky Run (T-5) watershed. It would be sewer into the Upper Occoquan Sewage Authority (UOSA) Treatment Plant.
- Based upon current and committed flow, there is excess capacity in the UOSA Treatment. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8" inch line located in the Sun Orchard Drive 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.

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

- Other pertinent comments:**





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

June 4, 2013

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

Re: RZ 2013-SU-010
FDP 2013-SU-010
Jennell Property
Tax Map: 44-4

Dear Ms. Berlin:

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

1. The property is currently served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 8-inch water main located in Bennet Pond Court. 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

ZONING ORDINANCE

16-101 General Standards

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

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

16-102 Design Standards

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

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

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		