



FAIRFAX COUNTY

APPLICATION FILED: June 12, 2003
PLANNING COMMISSION: November 20, 2003
BOARD OF SUPERVISORS: Not yet scheduled

V I R G I N I A

November 6, 2003

STAFF REPORT

APPLICATION RZ 2003-LE-027

LEE DISTRICT

APPLICANT: Pulte Home Corporation

PRESENT ZONING: R-1 (5.45 acres)
C-5 (3.56 acres)

REQUEST: PDH-4

PARCEL: 91-3 ((1)) 5, 6 (zoned C-5)
91-3 ((1)) 2, 3, 4 (zoned R-1)
91-3 ((3)) 30 (zoned R-1)

ACREAGE: 9.01 acres

DENSITY: 4.23 du/ac

OPEN SPACE: 30%

PLAN MAP: Residential; 1-2 du/ac with option for
3-4 du/ac

PROPOSAL: The applicant is requesting to rezone the property from the R-1 and C-5 District to the PDH-4 District to permit the construction of 34 new single-family detached dwellings.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2003-LE-027 and the Conceptual Development Plan, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2003-LE-027, subject to the approval of RZ 2003-LE-027 and the Conceptual Development Plan.

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

Staff recommends approval of a variance in accordance with Par. 8 of Sect. 16-401 to permit a noise wall located in the front yard to be a maximum height of seven (7) feet.

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.

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.



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

Rezoning Application

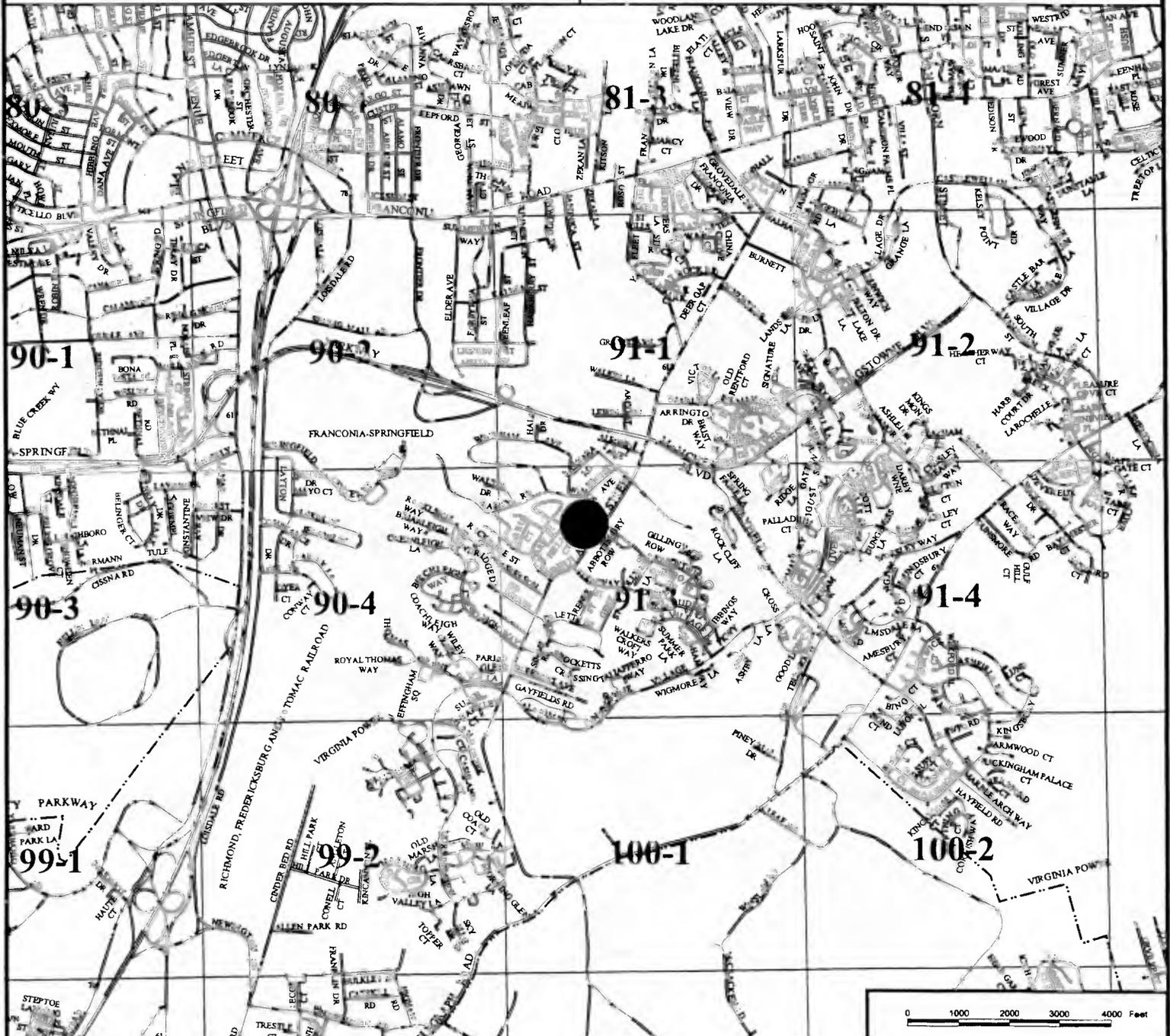
RZ 2003-LE-027

Final Development Plan

FDP 2003-LE-027

Applicant: PULTE HOME CORPORATION
Filed: 06/12/2003
Area: 9.01 AC OF LAND; DISTRICT - LEE
Proposed: RESIDENTIAL DEVELOPMENT
Located: SOUTHWEST QUADRANT OF THE INTERSECTIONS OF BEULAH STREET AND WINDSOR AVENUE
Zoning: FROM C-5 TO PDH-4,
FROM R-1 TO PDH-4
Overlay Dist:
Map Ref Num: 091-3- /01/ /0002 /01/ /0003 /01/ /0004 /01 /0005 /01/ /0006 /03/ /0030

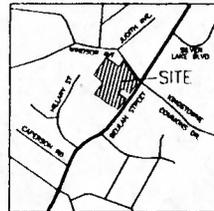
Applicant: PULTE HOME CORPORATION
Filed: 06/12/2003
Area: 9.01 AC OF LAND; DISTRICT - LEE
Proposed: RESIDENTIAL DEVELOPMENT
Located: SOUTHWEST QUADRANT OF THE INTERSECTIONS OF BEULAH STREET AND WINDSOR AVENUE
Zoning: PDH-4
Overlay Dist:
Map Ref Num: 091-3- /01/ /0002 /01/ /0003 /01/ /0004 /01 /0005 /01/ /0006 /03/ /0030



Pulte/Beulah Street

Lee District Fairfax County, Virginia

Conceptual Development Plan/Final Development Plan



VICINITY MAP
SCALE: 1" = 1000'

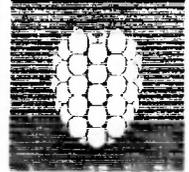
Applicant:
Pulte Home Corporation
10600 Arrowhead Drive, Suite 225
Fairfax, VA 22030

Sheet Index

1. COVER SHEET
2. CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN
3. NOTES AND DETAILS

Pulte/Beulah Street
Conceptual Development Plan/
Final Development Plan

February 5, 2003
Rev. June 5, 2003
Rev. August 15, 2003
Rev. September 26, 2003
Rev. October 15, 2003
Rev. October 31, 2003



Dawberry &
Davis LLC

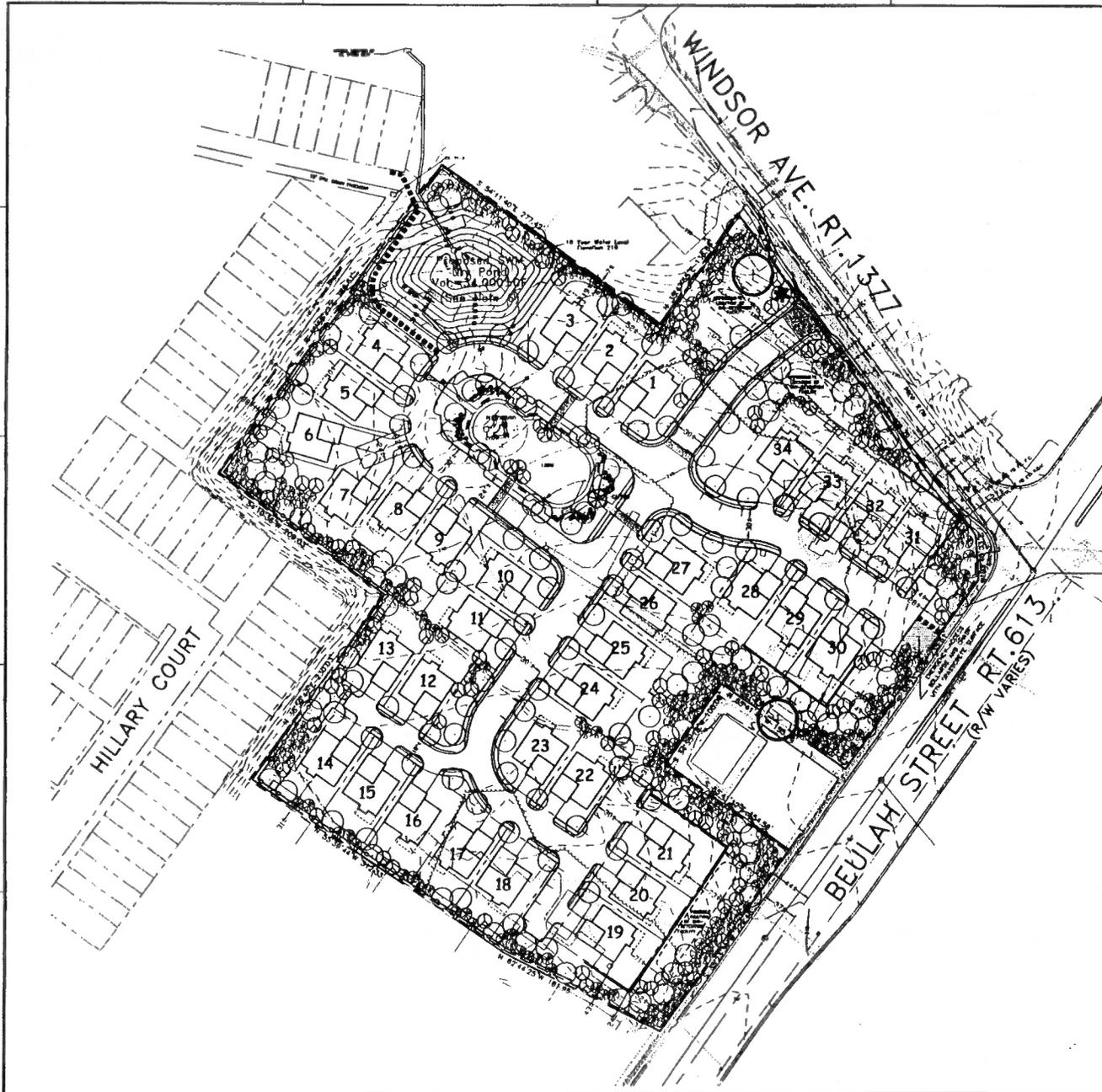
2000 W. WASHINGTON BLVD
FLOOR 10, SUITE 1000
FALLS CHURCH, VA 22034
TEL: 703.261.1111
WWW.DAWBERRY.COM



Rev. October 31, 2003
Rev. October 15, 2003
Rev. September 26, 2003
Rev. August 15, 2003
Rev. June 5, 2003
February 5, 2003

REVISION DATE

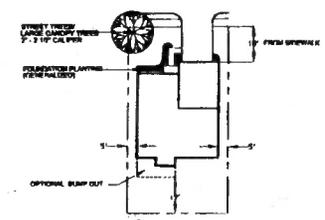
M-10422



Tabulation

EXISTING ZONING	C-5 and R-4
PROPOSED ZONING	PDH-4
TOTAL LAND AREA	9.816 AC
PROPOSED NUMBER OF DWELLING UNITS	34
MAXIMUM PERMITTED DENSITY	4.00 DU/AC
PROPOSED DENSITY	3.37 DU/AC
MAXIMUM BUILDING HEIGHT	35 FT
PARKING SPACES PROVIDED	88
PARKING SPACES PROVIDED	164*
DRIVEWAY VOLUMES	38
ON STREET VISITORS	38
OPEN SPACE REQUIREMENT (OSR)	1.896 AC
OPEN SPACE PROVIDED (OSP)	2.196 AC

*SEE NOTE 14

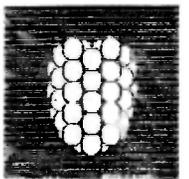


Typical Lot 1"=30'

- Setbacks:
- Front Yard: 18' from Sidewalk
 - Side Yard: 5'
 - Rear Yard: 19'
- * on corner lot, only applicable to driveway front yard

Legend

- ⊕ EXISTING TREE TO BE PRESERVED
- PROPOSED LARGE DECIDUOUS TREE (2 - 2 1/2" CAL.)
- ⊗ PROPOSED ORNAMENTAL TREE (1 - 1 1/2" CAL.)
- PROPOSED EVERGREEN TREE (7' - 8' HT.)
- PROPOSED EVERGREEN SHRUB (3' - 4' HT.)
- LIMITS OF EXISTING VEGETATION
- EXISTING SANITARY SEWER
- - - EXISTING WATER MAIN
- LIMITS OF CLEARING AND GRADING
- 7' BOARD-ON-BOARD FENCE
- * PROPOSED ENTRANCE FEATURE
- PROPOSED 5' TRAIL
- PROPOSED NOISE BARRIER 7' HT. (MAX)



Dewberry & Davis LLC
 1000 JAMES HUTTON BLVD
 ARLINGTON, VA 22202
 PHONE: (703) 486-8800
 FAX: (703) 486-8801
 WWW.DDBD.COM

**PULTE/
 BEULAH STREET
 CONCEPTUAL/FINAL
 DEVELOPMENT PLAN**
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE

No.	DATE	BY	Description
8	10/21/03	gch	
4	10/15/03	gch	
3	08/28/03	gch	
2	08/19/03	gch	
1	06/05/03	gch	

DRAWN BY: gch
 APPROVED BY: lom
 CHECKED BY: lom
 DATE: 07/05/03

**PULTE/
 BEULAH STREET
 CONCEPTUAL/FINAL
 DEVELOPMENT PLAN**

PROJECT NO. M-10422

NOTES

1) THE PROPERTY THAT IS THE SUBJECT OF THIS CONCEPTUAL DEVELOPMENT PLAN (CDP) IS LOCATED ON THE FAIRFAX COUNTY ZONING MAP AS R-1 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100) (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) 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2) THE LAND AREA OF THIS CDP IS APPROXIMATELY 8.1 ACRES.

3) THE BOUNDARY INFORMATION SHOWN HEREON IS FIELD RISE BY DENVERBY & DAVERILLC.

4) THE TOPOGRAPHY SHOWN HEREON IS FIELD RISE AT TWO (2) FOOT CONTOUR INTERVALS BY DENVERBY & DAVERILLC.

5) THERE IS NO FLOODPLAIN, ENVIRONMENTAL QUALITY CORRIDOR (EOC) OR BIODIVERSITY PROTECTION AREA (BPA) LOCATED ON THE SUBJECT PROPERTY.

6) STORMWATER MANAGEMENT/BEST MANAGEMENT PRACTICES WILL BE PROVIDED BY THE DEVELOPER AS SHOWN UNLESS INDICATED BY OTHER METHODS OR WAIVED BY THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPW). THE VARIATION OF STORMWATER DISTANCE WILL BE CONVEYED TO THE PROPOSED POND IN THE NORTHWEST CORNER OF THE SITE. FROM THE POND, THE WATER WILL BE CONVEYED THROUGH A CLOSED SYSTEM TO AN EXISTING INLET LOCATED WITHIN A STORMWATER TREATMENT ON THE ADJACENT WINDSOR ESTATES PROPERTY. THE POND WILL OBTAIN THE FLOW YEAR FROM A RATE TEST EQUAL TO THE AVAILABLE CAPACITY OF THE EXISTING STORM SEWER SYSTEM. THE POND WILL LEAVE THE EXISTING STRUCTURE WILL NOT RECORD EXISTING DISTANCE OF THAT STRUCTURE.

7) THE LIMITS OF CLEARING AND GRADING SHOWN ON THE GRAPHIC ARE PRELIMINARY AND SUBJECT TO MINOR MODIFICATION IN CONFORMANCE WITH THE PROPOSALS AT THE TIME OF FINAL ENGINEERING.

8) THE FOOTPRINTS OF THE STRUCTURES SHOWN HEREON MAY BE MODIFIED IN ACCORDANCE WITH THE PROVISIONS OF PAR 3 OF SECT. 15-204 AND PAR 4 OF SECT. 15-205 OF THE ZONING ORDINANCE SO LONG AS THE OPEN SPACE REPRESENTED IN THE TABULATION AND THE DIMENSIONS OF THE PERIPHERAL LOT LINES ARE NOT DIMINISHED. THE SIZE AND SHAPE OF THE BUILDINGS ARE PRELIMINARY AND MAY VARY, AND THE EXACT LOCATIONS OF THE BUILDINGS MAY CHANGE AS A RESULT OF FINAL ENGINEERING, ARCHITECTURAL DESIGN AND/OR FINAL DEVELOPMENT PROGRAM REQUIREMENTS. THE LOCATION OF SIDEWALKS, TRAILS AND UTILITIES SHOWN ON THE GRAPHIC ARE PRELIMINARY, AND MINOR MODIFICATIONS MAY OCCUR WITH FINAL ENGINEERING AND DESIGN.

9) THE DENSITY AND BUILDING HEIGHTS PRESENTED IN THE TABULATION ARE TO BE CONSIDERED MAXIMUMS. THE APPLICANT RESERVES THE RIGHT TO DEVELOP A LARGER NUMBER OF UNITS FROM THE TOTAL REPRESENTED IN THE TABULATION, AND THE BUILDING FOOTPRINTS AND ASSOCIATED PARKING LAYOUTS MAY BE MODIFIED ACCORDINGLY. ADDITIONAL PARKING SPACES MAY BE PROVIDED WHERE THE BUILDING FOOTPRINTS ARE REDUCED, OMITTED OR MODIFIED SO LONG AS THEY DO NOT REDUCE THE AMOUNT OF OPEN SPACE REPRESENTED IN THE TABULATION.

10) IT IS TO BE UNDERSTOOD THAT A PORTION OF THE PLAT AREA ISHOWN AS OPEN SPACE, TREE LINE, BUFFER OR BOUNDARY, FUNCTIONAL BOUNDARY, SETBACK AREA, PATH, TRAIL, PLANTER, FENCE OR WALL AND LIGHT STANDARDS NOT REPRESENTED ON THE GRAPHIC MAY BE PROVIDED.

11) A DETAILED LANDSCAPE PLAN WILL BE SUBMITTED IN CONNECTION WITH THE DEVELOPMENT PROGRAM THAT WILL BE IN SUBSTANTIAL CONFORMANCE WITH THE LANDSCAPING FEATURES REPRESENTED HEREON AND IN THE PROPOSAL. THE PROPOSED LANDSCAPING ALONG THE PUBLIC STREETS IS CONTINGENT UPON VARIOUS DEPARTMENTS OF TRANSPORTATION (DOT) APPROVAL.

12) APPROVAL BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPW) IS REQUIRED FOR PRIVATE STREETS WHICH EXCEED 40 FEET IN WIDTH AS PROVIDED FOR IN PAR 3 OF SECT. 15-202 OF THE ZONING ORDINANCE.

13) A STATEMENT OF THE PUBLIC IMPROVEMENTS THAT MAY BE PROPOSED VIA DEDICATION AND/OR CONSTRUCTION, AND AN ESTIMATE OF THE TIMING FOR PROVIDING SUCH IMPROVEMENTS WILL BE SPECIFIED IN THE PROPOSAL.

14) THE PROPOSED DEVELOPMENT WILL BE REVIEWED BY PUBLIC WORKS AND WATER THAT CURRENTLY EXISTS WILL BE EXTENDED TO THE PROPERTY.

15) PARKING SPACES WILL BE PROVIDED AS GENERALLY SHOWN ON THE GRAPHIC. THE NUMBER OF PARKING SPACES MAY BE INCREASED OR DECREASED FROM THAT NUMBER REPRESENTED IN THE TABULATION SO LONG AS THE NUMBER OF SPACES REMAINS PROPORTIONAL TO THE TABULATED NUMBER OF UNITS AS THAT REPRESENTED REPRESENTED IN THE TABULATION AND THE MINIMUM NUMBER OF SPACES IS PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11 OF THE ZONING ORDINANCE. THE CURRENT PARKING TARIFFATION REPRESENTED HEREON IS FOR EACH TWO-CAR GARAGE UNIT (TWO IN THE GARAGE/TWO IN THE DRIVEWAY) PLUS TWENTY (20) IN-OUT STREET VISITOR SPACES.

16) THE NUMBER AND LOCATION OF HANDICAP PARKING SPACES WILL BE DETERMINED AT THE TIME OF SITE PLAN SUBMISSION AND WILL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11 OF THE ZONING ORDINANCE.

17) IT IS CURRENTLY ANTICIPATED THAT THE CONSTRUCTION OF THE PROPOSED DEVELOPMENT WILL COMMENCE AS SOON AS ALL NECESSARY COUNTY APPROVALS AND PERMITS ARE OBTAINED. HOWEVER, THIS MAY CHANGE WITH MARKET CONDITIONS.

18) THERE ARE FOUR (4) DWELLING UNITS, ONE OF WHICH WAS CONSTRUCTED IN 1971 AND THE REMAINING THREE (3) IN THE 1980 TIMEFRAME; AND ONE (1) OUTBUILDING LOCATED ON THE PROPERTY, ALL OF WHICH WILL BE CONSIDERED AS PART OF THE DEVELOPMENT PROJECT. THERE IS NO HISTORIC OR ARCHITECTURAL VALUE TO THESE STRUCTURES.

19) TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING MAJOR UTILITY FACILITIES THAT HAVE A WIDTH OF TWENTY (20) FEET OR MORE LOCATED ON THE SUBJECT PROPERTY.

20) TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO GRAVES LOCATED ON THE SUBJECT PROPERTY.

21) TO THE BEST OF OUR KNOWLEDGE, THE USES REPRESENTED HEREON WILL NOT OPERATE, UTILIZE, STORE, TREAT AND/OR DISPOSE OF ANY HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 48, CODE OF FEDERAL REGULATIONS PARTS 116.4, 102.4, AND 355. ANY HAZARDOUS WASTE AS SET FORTH IN CONCOMPARABLE OF VIRGINIA DEPARTMENT OF WASTE MANAGEMENT VS 27.1 - VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS, AND/OR ANY PETROLEUM PRODUCTS AS DEFINED IN TITLE 48, CODE OF FEDERAL REGULATIONS, PART 260.

22) THE SUBJECT PROPERTY IS LOCATED WITHIN THE NEWMISTEN COMMUNITY PLANNING DISTRICT, BRINDLE PLANNING DISTRICT IN AREA IV. THE PROPERTY IS PLANNED FOR RESIDENTIAL USE AT ONE (1) TO TWO (2) DWELLING UNITS PER ACRE WITH AN OPTION OF THREE (3) TO FOUR (4) DWELLING UNITS PER ACRE WITH AN OPTION OF THREE (3) TO FOUR (4) DWELLING UNITS PER ACRE WITH CONFORMANCE AND ACCESS VIA WINDSOR AVENUE. THE PROPOSED PLAN IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN.

23) THERE ARE NO COMPREHENSIVE PLAN TRAILS ADJACENT TO THE SUBJECT PROPERTY.

24) GIVEN THE PROPOSED DEVELOPMENT PROGRAM OF SINGLE-FAMILY DETACHED DWELLING UNITS, THERE WILL BE NO ADVERSE IMPACT ON ADJACENT OR NEIGHBORING PROPERTIES.

25) GIVEN THE RELATIVELY SMALL SIZE OF THE PROPOSED DEVELOPMENT, NO PUBLIC FACILITIES ARE REQUIRED OTHER THAN ROAD IMPROVEMENTS ON THE WINDSOR AVENUE FRONTAGE AND WILL BE IN SUBSTANTIAL CONFORMANCE WITH THE LOCATION AND DESIGN.

26) A STATEMENT THAT CONFIRMS THE OWNERSHIP OF THE PROPERTY AND THE APPLICANT'S INTEREST IN SAME IS SUBMITTED IN A SEPARATE ASSOCIATED DOCUMENT.

27) THE SPECIFIC LOCATION OF SITE LIGHTING WILL BE DETERMINED AT THE TIME OF FINAL ENGINEERING. HOWEVER, WHEN INSTALLED, SUCH LIGHTING WILL CONFORM TO THE ESTABLISHED LIGHTING STANDARDS SPECIFIED IN ARTICLE 14 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

28) IF IT IS UNDERSTOOD THAT THE DIMENSIONS OF ALL INTERNAL ROOMS MAY CHANGE PROVIDED THEY CONFORM TO THE STANDARDS SPECIFIED IN THE PUBLIC FACILITIES MANUAL AND/OR VDOT REQUIREMENTS AND THE GENERAL LOCATION AS SHOWN HEREON.

29) EXCEPT WHERE NOTED OTHERWISE, TO THE BEST OF OUR KNOWLEDGE, THE PROPOSED DEVELOPMENT CONFORMS TO ALL CURRENT APPLICABLE LAND DEVELOPMENT ORDINANCES, REGULATIONS AND ADOPTED STANDARDS.



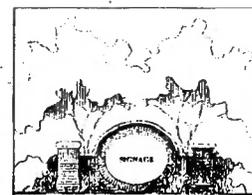
SOILS MAP
Scale: 1" = 500'
NOTE: SOILS IDENTIFICATION FOR THIS SITE IS BLANK ON THE FAIRFAX COUNTY SOILS IDENTIFICATION MAPS
SOURCE: COUNTY OF FAIRFAX SOILS IDENTIFICATION MAPS



TYPICAL STREET LIGHT (FULL CUT-OFF)
(SEE NOTE #25)



TYPICAL FENCE ACTIVE RECREATION AREA



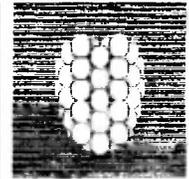
ENTRY FEATURE



ARCHITECTURAL ELEVATIONS
NOT TO SCALE



ARCHITECTURAL ELEVATIONS
NOT TO SCALE



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PULTE/ BEULAH STREET CONCEPTUAL/FINAL DEVELOPMENT PLAN

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA



KEY PLAN

SCALE AS NOTED

No.	DATE	BY	Description
8	10/31/03	gph	
4	10/15/03	gph	
3	09/24/03	gph	
2	08/18/03	gph	
1	06/05/03	gph	

DESIGNED BY: gph
APPROVED BY: lpm
CHECKED BY: lpm
DATE: 07/05/03

PULTE/ BEULAH STREET NOTES AND DETAILS

PROJECT NO. M-10422



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

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant, Pulte Home Corporation, is requesting to rezone the subject property from the R-1 District (Residential; 1 du/ac) and the C-5 District (Commercial; Neighborhood Retail Commercial District) to the PDH-4 (Planned Development Housing; 4 du/ac) for the construction of 34 new single-family detached homes at a density of 3.77 du/ac.

The applicant is requesting a waiver of the 600 foot maximum length of private streets.

The applicant is also requesting a variance in accordance with Par. 8 of Sect. 16-401 to permit a noise wall located in the front yard to be a maximum height of seven (7) feet.

The applicants draft proffers, affidavit, and Statement of Justification are contained in Appendices 1-3 respectively.

LOCATION AND CHARACTER

Site Description:

The subject property consists of 7 parcels totaling 9.01 acres, located in the southwest quadrant of the intersection of Beulah Street and Windsor Avenue. There are four existing dwelling units, one of which was constructed in 1925 and three that were constructed in the 1940s, as well as five outbuildings, on the site, all of which will be demolished as part of the development process. Exclusive of the area with structures on it, the site is mostly wooded. The site's topography is sloped, and is elevated compared with the surrounding properties.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single-family Detached Residential (Windsor Estate Subdivision) and Church (Franconia Pentecostal Free Will Baptist)	R-1	Residential; 1-2 du/ac

SURROUNDING AREA DESCRIPTION			
South	Commercial (Mr. Clean)	C-5	Retail and other uses
	Commercial (Nalls Nursery)	R-1	Residential; 4-5 du/ac
East	Commercial (7-11);	C-5	Retail and other uses
	Single-family Detached	R-1	Residential; 1-2 du/ac
	Residential; Institutional (Kindercare)	PDH-8	Residential; 3-4 du/ac
West	Single-family Attached Residential (Windsor Park)	R-8	Residential; 8-12 du/ac

BACKGROUND

On November 19, 2002 the Board of Supervisors approved an amendment to the Fairfax County Comprehensive Plan (APR Item 02-IV-5S) through the 2002 South County Cycle Area Plans Review (APR) process to allow for the option of developing the subject property at 3-4 dwelling units an acre (the amended plan text can be found in the subsequent section).

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	IV
Planning District:	Springfield Planning District
Planning Sector:	Newington Community Planning Sector (S6)
Plan Map:	Residential; 1-2 du/ac (See text below for Residential 3-4 du/ac option.)
Plan Text:	

In the Fairfax County Comprehensive Plan, Area IV Volume, 2003 Edition, Springfield Planning District as amended through February 10, 2003, Newington Community Planning Sector (S6), "Recommendations, Land Use," pages 68, the Plan states:

- "10. Parcels 91-3 ((1)) 2, 3, 4, 5, 6; ((3)) 29, 30 to the west of Beulah Street and south of Windsor Avenue are planned for residential use at 1-2 dwelling units per acre. As an option these parcels may be considered for residential use at 3-4 dwelling units an acre provided that the parcels are consolidated and access is provided via Windsor Avenue."

ANALYSIS

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

Title of CDP/FDP:	Pulte/Beulah Street
Prepared By:	Dewberry & Davis LLC
Original and Revision Dates:	February 5, 2003; as revised through October 31, 2003

The combined CDP/FDP consists of three (3) sheets:

- **Sheet 1 of 3:** cover sheet; includes applicant information, vicinity map, and sheet index.
- **Sheet 2 of 3:** illustrates proposed site layout including landscaping, and site tabulations for density, parking, and open space, and provides a typical lot layout illustration, and a legend.
- **Sheet 3 of 3:** includes general notes, soils map, and includes an illustration of the proposed active recreation area, and images of proposed typical street lights, the typical fence for the proposed active recreation area, and the proposed entry feature; provides illustrations of typical building elevations for the front of the proposed houses.

The applicant's proposal includes the following features:

- Thirty-four (34) new single-family detached dwelling units. New homes will include 2-car garages and minimum 18' driveways, to accommodate a total of four parking spaces per unit. Twenty-eight (28) additional visitor parking spaces will be located on the internal streets of the development.
- The development will be accessed via Windsor Avenue, with the internal circulation consisting of one main 30 foot wide spine road running north and south. A loop road exists to the west of the spine road which has an open space island containing an active recreation area, including a playground and gazebo. A road extension to the east of the spine road is provided. At the southern terminus of the spine road, two road extensions running east and west are provided. All roads within the development will be private roads.
- Proposed dwellings are oriented internal to the development with no units fronting onto Beulah Street or Windsor Avenue. Additional landscaping consisting of street trees along the internal streets of the development, as well as screening landscape along all other boundaries of the property, will be provided.
- Frontage improvements, including curb and gutter and the addition of a right turn lane, is proposed along the western side of Windsor Avenue.

- Emergency access is provided in the eastern portion of the property to allow an emergency vehicular connection between the proposed development and Beulah Street. The emergency access would be a grasscrete surface fitted with bollards and a chain.
- A five (5) foot wide asphalt or concrete pedestrian connection is shown adjacent to the emergency access to allow for pedestrian access to Beulah Street. A five (5) foot wide sidewalk will be constructed within the Windsor Road and Beulah Road right-of-way adjacent to the site. Four (4) foot wide sidewalks will be provided throughout the development. A five (5) foot wide trail will be provided in the northern portion of the site adjacent to the proposed stormwater management pond. This trail will provide a pedestrian connection between the proposed development and the adjacent Windsor Park townhome community.
- An enhanced extended stormwater management facility (dry pond) is to be located in the northwestern portion of the site, between proposed Lots 3 and 4 and will be landscaped to the maximum extent feasible. Up to three bio-retention areas will be located within the common open space areas flanking the Windsor Avenue entrance and/or along Beulah Street. The bioretention areas will be landscaped as permitted by the PFM and will be maintained by the homeowners' association (HOA).
- Noise mitigation is proposed for the protection of the rear yards that are near Beulah Street via solid wood privacy fences, or other solid wall/fence configuration not to exceed a height of 7 feet.
- A fence seven feet in height, which is board-on-board construction, is also provided along the northern and northwestern property line, adjacent to Windsor Park and adjacent to Windsor Estates, and along the southern property line, adjacent to the C-5 zoned property. To provide a buffer between the development and the 7-11 store, the portions of the site that are adjacent to the 7-11 will be heavily landscaped with deciduous, evergreen and ornamental trees.

Land Use Analysis

The subject property is planned for Residential at 1-2 du/ac, with an option for 3-4 du/ac. The overall density of 3.77 du/ac on the site falls within the planned use and density recommendations of the Comprehensive Plan. The option for density at 3-4 du/ac is subject to access being provided via Windsor Avenue and consolidation of parcels 91-3 ((1)) 2, 3, 4, 5, 6; ((3)) 29, 30. The proposed development will be accessed via Windsor Avenue, and parcels 91-3 ((1)) 2, 3, 4, 5, 6; ((3)) 30 are consolidated with this application. Parcel 29 has not been included in the proposed development as it contains a dwelling built in 1984 and is part of the Windsor Estate Subdivision. The issue of consolidation will be discussed in more detail under the Residential Development Criteria Analysis.

(See Appendix 13 for the complete Residential Development Criteria text, as discussed further in the analyses below:)

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.

Development Criterion #1; Site Design (DC1) requires that the development proposal should address consolidation goals in the plan, further the integration of adjacent parcels, and not preclude adjacent parcels from developing in accordance with the Plan. The applicant has consolidated 6 properties on the west side of Beulah Street between Windsor Avenue and Hillary Court for a total of 9.01 acres. The plan language calls for the consolidation of 7 properties in this area to include Lot 29. Lot 29 is not included in this application. Because the properties immediately surrounding the application property to the north (Lots 28 and 29) are currently developed with newer single-family detached dwellings and are a part of the Windsor Estates Subdivision fronting on to Windsor Avenue, Staff believes that the consolidation of Lot 29 is not crucial to the proposed development. The property to the west of the proposed development is a townhome community. The small commercial property immediately south of the proposed development (Parcel 7) could be consolidated with the R-1 property further to the south (Nalls Nursery), which is planned for 4-5 dwelling units per acre, if that site ever redeveloped. The parcel to the east, parcel 5A, which contains a 7-11 store, provides a convenient service to the residents of the area. Staff believes that the unconsolidated parcels in the vicinity of the proposed development have not been precluded from future development in accordance with the Comprehensive Plan.

The development should provide for a logical design with appropriate relationships among the various parcels of the development, including yards, streets, open space, and other dwelling units. The units within this proposed development are oriented to the internal roads. With the exception of Lots 10, 12, 23, and 27 where the rear of the unit faces the side of another unit, the rear of the units face the periphery of the site and landscape screening has been provided between rear lot lines and the property boundaries. The minimum distance between the sides of the dwelling unit and the lot line is five (5) feet. The proposed rear yards are a minimum of 19 feet; however, decks or patios may be permitted in the rear yard, but will not be any closer than five (5) feet from the rear lot line. Decks on all units will be permitted at grade.

Pedestrian access to surrounding properties will be provided, with a pedestrian connection to the Windsor Park townhome community, and a pedestrian connection to Beulah Street. Sidewalks will be provided throughout the development and sidewalks would be constructed along the site's Windsor Avenue and Beulah Street road frontage.

DC1 also requires that open space be usable, accessible, and integrated with the development. Appropriate landscaping should be provided, as should amenities such as benches, recreational amenities, and special design treatments. 20% open space is required in the PDH-4 district. The development is providing 30% open space and has an active recreation area centrally located on-site within the development. The active recreation area may include, but not be limited to a community gathering area with gazebo, outdoor seating, playground and/or tot-lot equipment, and play area fencing. Enhanced pavement treatment (brick paver) walkways will be provided across the loop road into the active play area. An enhanced pavement treatment (brick paver) walkway will also be provided at the entrance to the development. Street trees and foundation landscaping will be provided in front of the homes, and landscape screening will be provided at the periphery of the entire site.

Development Criterion #2; Neighborhood Context (DC2) states that, while developments are not expected to be identical to their neighbors, they should fit in the fabric of the adjacent community. The proposed lot and house sizes, while smaller than the two remaining single family detached houses located to the north on Windsor Avenue (Lots 28 and 29), as well as the associated Windsor Estate Subdivision, the proposed development provides a transition between the Windsor Estates Subdivision and the Windsor Park townhome community located to the west of the proposed development. Furthermore, the proposed units are oriented with rear yards facing rear yards to give the appearance of larger lots.

Development Criterion #3; Environment (DC3) (See Appendix 4) requires that developments conserve natural environmental features to the extent possible, account for soil conditions, and protect current and future residents from noise and lighting impacts. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts. With the exception of two large trees at the periphery of the site, the applicant will clear and grade the entire site. It would be highly desirable to preserve additional existing trees which are scattered throughout the site.

If required by DPWES, the applicant has committed to submit a geotechnical study and to implement any recommendations of the Geotechnical Review Board. Typical street lights are illustrated on the CDP/FDP and will conform to the established lighting standards set forth in the zoning ordinance. The applicant has committed to provide noise analysis to DPWES and DPZ for review and to provide the appropriate noise mitigation for indoor and outdoor noise above the permitted levels. Based on a preliminary noise analysis, noise walls along Beulah Street are proposed to protect those rear yards that are exposed to highway noise, which would not exceed a height of 7 feet.

An enhanced extended stormwater management facility (dry pond) is proposed in the northern portion of the site, between proposed lots 3 and 4 and will be landscaped to the maximum extent feasible. A minimum of two and a maximum of three bioretention areas will be located within the common open space areas

flanking the Windsor Avenue entrance and/or along Beulah Street. The bioretention ponds will be landscaped as permitted by the PFM and will be maintained by the HOA. To minimize off-site impacts from stormwater runoff during the construction phase, the applicant will construct a diversion dike along the northern and western periphery to direct drainage to the future stormwater pond. The applicant has also committed to maintain the on-site topography in the vicinity of proposed Lots 4 -14 and the stormwater management facility (adjacent to Windsor Park) until necessary to grade for construction of Lots 4-14 and for the SWM facility.

Development Criterion # 4; Tree Preservation (DC4) *states that developments should take advantage of existing quality tree cover, that preserving existing trees is highly desirable, and that utility crossings should be located, where feasible, so as not to interfere with proposed tree save areas.* Two existing trees will be preserved on the site, while the rest of the site will be cleared. Additional tree save would be highly desirable especially at the southern periphery of the site. The applicant has proffered to provide landscape as shown on the CDP/FDP, which includes street trees and screening landscape at the periphery of the site.

Development Criterion # 5; Transportation (DC5) *(See Appendix 5) requires that developments provide safe and adequate access to the surrounding road network, that transit and pedestrian travel should be encouraged, and that interconnection of streets should be encouraged. In addition, alternative street designs may be appropriate where conditions merit.* The applicant is proposing to construct a private street within the development that is accessed via Windsor Avenue. The internal road network is conducive to easy circulation within the development. Improvements are proposed along the Windsor Avenue frontage of the site including curb and gutter and the addition of a right turn lane. The applicant has also committed to install countdown pedestrian signals at the intersection of Beulah Street and Windsor Avenue to facilitate pedestrian movements at this intersection. However, it should be noted that the applicant has proffered that the cost of the pedestrian signals shall be deducted from the \$28,620 contribution toward public facilities in the vicinity of the site. With the development of the site, a five (5) foot wide sidewalk will be provided within the Windsor Road and Beulah Street right-of-way adjacent to the site and four (4) foot wide sidewalks will be provided throughout the development. A five (5) foot wide trail is proposed in the northern portion of the site adjacent to the proposed stormwater management pond. This trail would provide a pedestrian connection between the proposed development with the adjacent Windsor Park townhome community, and a five (5) foot wide asphalt or concrete pedestrian connection adjacent to the vehicular emergency access will be provided to allow for pedestrian access to Beulah Street. A second pedestrian connection to Beulah Street just west of the 7-11 store is desirable to provide the units in the western portion of the site convenient access to Beulah Street.

Public Facilities Analyses (Appendices 6 through 11)**Fairfax County Park Authority** (Appendix 6)

The proposed development is projected to add approximately 108 residents to the current population of the Lee District. The required contribution for P-Districts per the Zoning Ordinance is \$955 per dwelling unit. Therefore, with this proposal a contribution of \$32,470 is required. The applicant is proposing to provide an active recreation area on site which may include, but not be limited to a community gathering area with a gazebo, outdoor seating, playground and/or tot-lot equipment, and play area fencing. The applicant has committed to contribute any remaining funds from the \$955 per unit not spent on site to the Fairfax County Park Authority. In order to offset the additional impact for athletic fields, etc. caused by the proposed development, the Park Authority recommended that the applicant provide an additional \$28,620 for recreational facility development at one or more of the sites located within the service area of this development. The applicant has only proffered the required \$955 per unit for park purposes. The applicant has proffered the additional requested \$28,620 to the Board of Supervisors to be used for public facilities needs in the vicinity of the application property.

Fairfax County Public Schools (Appendix 7)

The proposed development would be served by Lane Elementary School, Hayfield Middle School, and Hayfield High School. Hayfield Middle and Hayfield High exceed capacity through the 2007-2008 school year. The Fairfax County Public Schools memo was based on 34 attached single family units. The numbers have been revised to reflect 34 detached single family units. The proposed zoning would generate a total of 15 students, which is 13 students above the existing zoning. An appropriate contribution range would be \$97,500 to \$112,500. Fairfax County Public Schools requested a contribution of \$112,500. The applicant has committed to contribute \$97,500 to the Board of Supervisors to offset the cost of the additional students.

Fire and Rescue (Appendix 8)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #37, Kingstowne. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

Sanitary Sewer Analysis (Appendix 9)

The application property is located in the Accotink Creek (M6 Watershed). It would be sewerred into the Noman M. Cole, Jr. Pollution Control Plant. Based on current and committed flow, there is excess capacity in the plant at this time. However, availability of treatment capacity will depend on the current rate of construction and the timing for development of this site.

Fairfax County Water Authority (Appendix 10)

The subject property is located within the Fairfax County Water Authority Service Area. Adequate domestic water service is available to the site.

Utilities Planning and Design (Appendix 11)

There are no downstream complaints on file relevant to this proposed development, and no downstream deficiencies are identified in the Fairfax County Master Drainage Plan.

Development Criteria #6: Public Facilities (DC6) states that development impacts on the public facilities systems should be identified, analyzed, and offset. Two public facilities impacts were identified for this project: schools, and parks. The applicant has proffered to contribute \$7,500 per student based on the 13 students generated over the existing zoning for a total contribution of \$97,500 for schools in the area of the property. The Park Authority requested an additional recreation contribution of \$28,620. The applicant has proffered that this additional contribution be utilized for public facilities in the vicinity and has proffered that the cost of the pedestrian signal at Beulah Street and Windsor Avenue be deducted from this contribution. Staff believes that the pedestrian signal should be a separate commitment under the transportation development criteria.

Development Criteria #7: Affordable Housing (DC7)

The applicant has proffered to a contribution of ½% of the sales price of the dwelling units to the Housing Trust Fund, in accordance with County policy.

Development Criterion # 8: Heritage Resources (DC8) requires a development to address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation. No significant heritage resources have been identified with this proposal.

ZONING ORDINANCE PROVISIONS (Appendix 12)**Waivers and Modifications**

The following waivers and modifications are requested with this application:

- A waiver of the 600 foot maximum length of private streets.

The applicant is proposing internal private streets that will be greater than 600 feet in length. Staff supports the requested waiver.

The proffers state that these streets will be constructed to public street standards and the maintenance obligations have been disclosed in the HOA documents as well as in the initial contracts of sale.

- A variance in accordance with Par. 8 of Sect. 16-401 to permit a noise wall located in the front yard to be a height greater than four (4) feet (a maximum height of seven (7) feet).

The applicant is proposing a series of noise mitigation walls which would just protect the outdoor areas needed, such as rear yards, from the noise along Beulah Street. Staff believes this technique is preferable to one long solid noise structure. However, these walls could potentially need to be up to 7 feet high to accomplish the required mitigation. However, the walls will be setback from Beulah Street and will be screened with landscaping. Therefore, staff supports the requested Variance to allow a seven foot high fence in the front yard.

Maximum Density/Bulk Regulations

The maximum density permitted in the PDH-4 District is 4 du/ac. The applicant's proposed development is 3.77 du/ac. In the PDH-4 District there are no minimum lot size requirements or minimum yard requirements for single-family detached dwellings, except that the application is subject to the standards set forth in Part 1 of Article 16, as described further below. The required open space is 20%, and the applicant is proposing to provide 30%.

OTHER ZONING ORDINANCE REQUIREMENTS

P-District Standards

The requested proposal must comply with, among others, the Zoning Ordinance provisions found in Section 16-101, General Standards, and Section 16-102, Design Standards.

Section 16-101- General Standards

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

The proposed PDH-4 development at a density of 3.77 du/ac would not exceed the density permitted by the Comprehensive Plan of 3-4 du/ac. While lot sizes are smaller than the single-family detached lots to the north, the proposed development is at a lower density than the townhouse development to the west, and the proposed development has been designed in such a way as to be compatible by maintaining a single-family detached character along Windsor Avenue and Beulah Street. The proposed development provides a transition from the higher density developments to the west and the lower density residential to the north. Adequate public facilities are available to serve the property. Therefore, staff believes that this standard has been satisfied.

General Standard 2 states that the design should result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district. Development under the PDH-4 zoning district permits a greater level of flexibility for development of a planned community for the purpose of preserving natural features and providing a greater level of quality design and amenities than might be provided with a conventional zoning district. With the exception of two large trees at the periphery of the site, the applicant will clear and grade the entire site. It would be highly desirable to preserve additional existing trees scattered throughout the site. The application property represents an infill development which located on odd shape site, and the proposed development accommodates those constraints. The development is enhanced with street trees and foundation landscaping will be provided in front of the homes, and landscape screening will be provided at the periphery of the entire site both on individual lots and within open space areas. Furthermore, an active recreation area is provided on-site, which may include, but not be limited to a community gathering area with gazebo, outdoor seating, playground and/or tot-lot equipment, and play area fencing. Furthermore, enhanced pavement treatment (brick paver) walkways will be provided across the loop road into the active play area as well as at the entrance to the development. The applicant has proposed a functional site design with reasonable minimum yards and open space to the rear of each property. Therefore, this standard has been satisfied.

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.

There is approximately 30% open space provided on-site (which exceeds the requirement of 20%), and includes periphery landscape and an active recreation area. The only natural feature on site is existing trees. Staff believes the applicant could work to preserve some of the existing tress.

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. The proposed residential development results in the consolidation of over 9 acres. The remaining unconsolidated parcels in the vicinity include the C-5 zoned dry cleaning establishment to the west which is a sufficient size for consolidation with the property further west which is zoned R-1 and planned for 4-5 dwelling acres per unit, and is thus not hindered by the proposed development. The two unconsolidated parcels to the northwest contain recently built single family dwellings and are part of the Windsor Estate Subdivision. Staff believed consolidation of these two parcels was not crucial and would not preclude the use of these lots under the existing zoning. Therefore, this standard has been satisfied.

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 available. As demonstrated in the public facilities analysis, adequate public facilities infrastructure is generally available to support the proposed development. Therefore, 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 property will be accessed from Windsor Avenue. The entrance is set back sufficiently from the intersection of Windsor Avenue with Beulah Street. The internal circulation pattern provides convenient access to all proposed residences. Pedestrian walkways are provided internally, along the Beulah Street and Windsor Avenue road frontage, from the development to Beulah Street and to the adjacent Windsor Park townhome community. Staff believes 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 PDH-4 District is the R-4 District. The bulk standards for the R-4 District include front yard setbacks of 30 feet, side yard setbacks of 10 feet, and rear yard setbacks of 25 feet. The proposed setbacks of units of this development are front yards of 18 feet, side yard setbacks of 5 feet, and rear yard setbacks of 19 feet. In addition to those minimum provided setbacks, the applicant will provide screening landscape at the periphery of the site, as well as a board-on-board fence on the northern, southern and western boundary.

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 open space provided is approximately 30%, which exceeds the requirement of 20%. The applicant is providing 4 parking spaces on each residential parcel, with 28 additional visitor parking spaces available on-street.

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 the same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities. The applicant is proposing to construct a private street within the development that would be accessed via Windsor Avenue which exceeds the maximum length for a private street of 600 feet and is therefore requesting a waiver of the 600 foot limitation on the maximum length of private streets. The applicant is also providing an emergency vehicular access via Beulah Street which will be a grasscrete surface fitted with bollards and a chain. The applicant will provide improvements to the Windsor Avenue site frontage, including a right turn lane. Furthermore, a five (5) foot wide sidewalk will be constructed within the Windsor Road and Beulah Road right-of-way adjacent to the site and four (4) foot wide sidewalks will be provided throughout the development. A five (5) foot wide trail will be provided in the northern portion of the site adjacent to the proposed stormwater management pond. This trail will provide a pedestrian connection between the proposed development and the adjacent Windsor Park townhome community. Additionally, a five (5) foot wide asphalt or concrete pedestrian connection will be provided adjacent to the emergency access to allow for pedestrian access to Beulah Street. A second pedestrian connection to Beulah Street located just west of the 7-11 store would be desirable. This connection will provide the units in the western portion of the site convenient access to Beulah Street. Staff believes this standard has been satisfied.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff believes that the tree save proposed with this application could be enhanced. Furthermore, it would be desirable for a second pedestrian access to be provided on-site just west of the 7-11 store to provide for a pedestrian connection to Beulah Street for the residents in the western portion of the development. Overall, staff believes the proposed application is in conformance with the Comprehensive Plan as well as satisfies the applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of RZ 2003-LE-027 and the Conceptual Development Plan, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2003-LE-027, subject to Board of Supervisor's approval of RZ 2003-LE-027 and the conceptual development plan.

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

Staff recommends approval of a variance in accordance with Par. 8 of Sect. 16-401 to permit a noise wall located in the front yard to be a maximum height of seven (7) feet.

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. Affidavit
3. Statement of Justification
4. Environmental Analysis
5. Transportation Analysis
6. Fairfax County Park Authority
7. Fairfax County Public Schools
8. Fire and Rescue
9. Sanitary Sewer Analysis
10. Fairfax County Water Authority
11. Stormwater Planning Analysis
12. Zoning Ordinance Provisions
13. Residential Development Criteria
14. Glossary

PROFFERS
PULTE HOME CORPORATION – BEULAH STREET
RZ 2003-LE-027

OCTOBER 31, 2003

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, the owners and the undersigned applicant, for both themselves, their successors and assigns, (hereinafter collectively referred to as the (“Applicant”) filed for a rezoning on property identified on Fairfax County Tax Map 91-3 ((1)) 2-6 and 91-3 ((3)) 30 (hereinafter referred to as the “Application Property”) hereby agree to the following proffers, provided that the Board of Supervisors (hereinafter referred to as the “Board”) approves the rezoning of the Application Property to the PDH-4 Zoning District.

1. CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN (“CDP/FDP”)

Development of the Application Property shall be in substantial conformance with the CDP/FDP prepared by Dewberry & Davis, LLC, dated February 2003, as revised through October 31, 2003.

2. MINOR MODIFICATION

Pursuant to Paragraph 4 of Section 16-403 and Section 18-204 of the Ordinance, minor modifications from the CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the internal lot lines of the proposed subdivision at time of subdivision plan submission based on final house locations and building footprints as shown on the CDP/FDP, provided that such changes are in substantial conformance with the CDP/FDP.

3. TRANSPORTATION

- a. The private streets shown on the CDP/FDP shall be constructed of materials and with a pavement depth consistent with the Public Facilities Manual (“PFM”) standards for public streets. Initial purchasers shall be advised of the requirement to maintain private streets/pipestems and estimated costs prior to entering into a contract of sale. This requirement to maintain the private streets/pipestems as constructed and the estimated maintenance costs shall be included in the homeowners’ association (“HOA”) documents prepared for the Application Property.
- b. The Applicant shall construct a five (5)-foot wide sidewalk within the Windsor Avenue ROW and Beulah Street ROW to PFM standards, as shown on the CDP/FDP, prior to the issuance of the first (1st) Residential Use Permit (“RUP”).
- c. The Applicant shall construct four (4) foot wide sidewalks within the Application Property as shown on the CDP/FDP. Each four (4) foot wide sidewalk segment shall be constructed prior to the issuance of a RUP for the abutting home. All internal sidewalk

construction shall be completed prior to final bond release.

- d. A five (5) foot wide asphalt or concrete pedestrian connection to Beulah Street shall be constructed as shown on the CDP/FDP, prior to the issuance of the twenty-seventh (27th) RUP.
- e. A pedestrian connection shall be constructed between the Application Property and the Windsor Park Subdivision, in the location as generally shown on the CDP/FDP, prior to the issuance of the twenty-seventh (27th) RUP, with permission of the Windsor Park Board of Directors.
- f. The Applicant shall construct frontage improvements along the western side of Windsor Avenue, including the addition of a right turn lane, curb and gutter. The improvements will extend a maximum of 30 +/- feet from the existing centerline, and shall be constructed within dedicated Right-of Way, as approved by VDOT and DOT, and as shown on the CDP/FDP.

4. **STORMWATER MANAGEMENT/BEST MANAGEMENT PRACTICES**

- a. The Applicant shall provide a storm water management pond and Best Management Practices on the Application Property in the location(s) as shown on the CDP/FDP, subject to DPWES approval. A minimum of two (2) and a maximum of three (3) bio-retention areas shall be located within the common open space areas flanking the Windsor Avenue entrance and/or along Beulah Street.
- b. The storm water management facility shall be an enhanced extended facility, and shall be landscaped to the maximum extent feasible, as determined by the Urban Forestry Division, pursuant to the policy adopted by the Board of Supervisors, using native or other desirable hydrophilic vegetation species.
- c. The innovative BMP measures shown on the CDP/FDP are bioretention facilities. Other innovative BMP measures may be substituted as determined by DPWES. The proposed stormwater management pond and bioretention facilities shall be landscaped as permitted by the Public Facilities Manual, and approved by DPWES and the Urban Forester. Any innovative BMP measures shall be maintained by the Homeowners Association in accordance with procedures established for innovative BMPs as determined by DPWES. Said maintenance responsibility shall be incorporated in an agreement to be reviewed and approved by the Fairfax County Attorney's office. Purchasers shall be advised in writing prior to entering into a contract of sale that the homeowners association shall be responsible for the maintenance of all the innovative BMP measures. The homeowners association documents shall specify that the homeowners association is responsible for

the maintenance of the innovative BMP measures. Further, the developer shall establish an initial reserve fund for future maintenance of innovative BMP measures in the amount of \$3,000 with the Homeowners Association, prior to the conveyance of the first dwelling unit on the Property.

If the proposed innovative BMP measures are not approved by DPWES and alternative stormwater management measures are required which affect the site design, the Applicant shall request an administrative interpretation of site design modifications. If such modifications are deemed by the Zoning Administrator as too extensive to be granted an administrative approval, the Applicant shall file a proffered condition amendment.

- d. Vegetation and topography that is damaged or altered during construction of the proposed outfall structure within the Windsor Park Subdivision shall be replaced and repaired, in accordance with a private agreement with the Windsor Park Board of Directors, to the extent possible, prior to final bond release.

5. EROSION CONTROL

- a. The on-site topography in the vicinity of proposed Lots 4 - 14 shall remain undisturbed, to the extent possible, until necessary to grade for construction of homes on proposed Lots 4 - 14 and/or the SWM facility in the vicinity of the northwestern periphery.
- b. As part of the placement of perimeter sediment control measures, and concurrent with the clearing and grading of the Application Property for the construction of the subdivision improvements and homes along the northwestern periphery, the Applicant shall construct a temporary diversion dike along the northern and western periphery (adjacent to proposed Lots 4 through 9, and the Windsor Park Subdivision), and as approved by the Department of Public Works and Environmental Services ("DPWES"), to direct drainage to the future SWM pond during construction. Construction may include the installation of temporary or permanent storm drainage structures. All temporary facilities shall be removed at the issuance of the final residential use permit for the Application Property.

6. GEOTECHNICAL STUDY

- a. Prior to subdivision plan approval, if required by DPWES, and in accordance with the provisions of the Public Facilities Manual, the Applicant shall submit a geotechnical study of the Application Property to the Geotechnical Review Board and shall incorporate appropriate engineering practices as recommended by the Geotechnical Review Board and DPWES into the design to alleviate potential structural problems,

to the satisfaction of DPWES. The recommendations of the Geotechnical Review Board shall be implemented.

7. CONSTRUCTION ACTIVITIES, BUILDING STANDARDS AND SIGNAGE

- a. All construction activities related to the construction of homes on the Subject Property shall occur on-site. Construction activities shall include the parking of construction or associated vehicles, which shall not be permitted along Windsor Avenue's right-of-way, except during the construction of improvements to that right-of-way.
- b. All homes on the Application Property shall comply with the Council of American Building Officials ("CABO") Model Energy Code for energy efficient homes or its equivalent for either electric or gas energy systems, as applicable.
- c. All homes shall contain a two (2)-car garage, and each lot shall contain a driveway that measures a minimum of eighteen (18) feet in length from the garage to the inside edge of the sidewalk.
- d. Facades of the units shall be in substantial conformance to those shown on Sheet 3 of the CDP/FDP. The Applicant shall provide a minimum of eighty percent (80%) brick or stone on the fronts of all units, exclusive of windows, doors, shutters, and trim.
- e. There shall be a minimum side yard setback of five (5) feet. No encroachments (other than fencing) shall be permitted within five (5) feet of any side lot line, including bay windows and chimneys. For "corner-lot" homes (proposed Lots 1, 10, 12, 18, 22, 23, 27 and 34), the side yard shall be considered that yard which does not have a driveway located within it.
- f. There shall be a minimum rear yard setback for the primary structure of nineteen (19) feet.
- g. Decks and/or patios shall be permitted in any rear yard; however, they shall not be permitted closer than five (5) feet to the rear property line and shall only be permitted at grade, with the exception of Lots 1, 31, 32, 33 and 34, on which the homes may be constructed with three (3) exposed levels at the rear and shall be permitted to construct decks and associated appurtenances (such as stairs) from the second (2nd) level of the home. Where homes are constructed with three (3) exposed levels at the rear, no deck or associated appurtenances shall be permitted to extend from the third (3rd), or top, level of the home.

- h. A fence, which is seven (7) feet in height, and which is board-on-board construction, shall be installed along the northwestern property line, adjacent to the Windsor Park Subdivision prior to final bond release. The existing Windsor Park fence shall be removed at the Applicant's expense prior to installation of the new fence, with the permission of the Windsor Park Board of Directors. In order to prevent a situation where there may be two (2) fences within close proximity to each other, in no instance will the new seven (7) foot high fence be constructed where permission is not obtained from the Windsor Park Board of Directors to remove the existing Windsor Park fence. If permission to remove the existing fence cannot be obtained from the Windsor Park Board of Directors after two (2) notification attempts by Certified Mail, the requirement to install this seven (7) foot high fence shall be considered fulfilled.
- i. A fence, which is seven (7) feet in height, and which is board-on-board construction, shall be installed adjacent to the C-5 zoned property along the southern property line, as generally shown on the CDP/FDP.
- j. A fence, which is seven (7) feet in height, and which is board-on-board construction, may be located along the northern and northwestern property lines abutting the single family dwelling units in Windsor Estates (Tax Map 91-3 ((3)) 28 and 29), as generally shown on the CDP/FDP.
- k. The type and quality of entry features, lighting, fencing, recreational equipment and pavement enhancements (brick pavers) shall be in substantial conformance to those details shown on Sheet 3 of the CDP/FDP. Lighting shall comply with Article 14, Outdoor Lighting Standards.

8. LANDSCAPING

- a. A Landscaping plan shall be submitted with the first (1st) Subdivision Plan for review and approval by the Urban Forester. Landscaping shall be as depicted on the CDP/FDP, and shall be in substantial conformance with the quality and quantity of landscaping depicted on the CDP/FDP, as determined by the Urban Forestry Division. The Applicant shall endeavor to utilize 90% native plant species as defined by the Public Facilities Manual.
- b. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing, consisting of four (4) foot high, 14 gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no farther than ten (10) feet apart, shall be placed at the limits of clearing and grading as shown on the CDP/FDP. The tree protection fencing shall be

made clearly visible to all construction personnel. The tree protection fencing shall be installed prior to the performance of any clearing and grading activities on the site. All tree preservation activities, including installation of tree protection fencing, shall be performed under the supervision of a Project Arborist. Prior to the commencement of any clearing or grading on the site, the Project Arborist shall verify in writing that the tree protection fencing has been properly installed.

- c. Deterrent vegetation (such as thorny shrubs and vines) shall be planted on Windsor Park Subdivision's open space within a three (3) foot-wide strip adjacent to the proffered board-on-board fence prior to final bond release, with permission of the Windsor Park Board of Directors.

9. NOISE ATTENUATION

- a. Prior to final Subdivision Plan approval, the Applicant shall provide a revised noise analysis based on final site grades and future traffic volumes on Beulah Street, projected to the year 2020, to DPWES and DPZ for review and approval in accordance with DPZ's established guidelines for such noise analysis. The noise analysis shall utilize standard measures to evaluate noise, and shall demonstrate that exterior noise levels for both ground and upper story levels of any unit does not exceed DNL 75 dBA and that exterior noise within the privacy yards and outdoor recreational areas are reduced to below DNL 65 dBA.
- b. For privacy yards, back yards and outdoor recreation areas exposed to noise levels above DNL 65 dBA, solid wood privacy fences, or other solid wall/fence configurations that are solid from the ground up, with no gaps or openings, shall be utilized as a sound attenuation measure. These fences shall conform to Zoning Ordinance regulations and shall not exceed seven (7) feet in height adjacent to Beulah Street and Windsor Avenue. Based on the study in Paragraph (a) above, the Applicant shall demonstrate to DPWES and DPZ satisfaction that the fences are of sufficient design and height to adequately shield the impacted areas from the source of the noise.
- c. In order to reduce interior noise to a level of approximately DNL 45 dBA, units within a highway noise impact zone of DNL 65-70 dBA, as ultimately determined by the study in Paragraph (a) above, shall be constructed with the following acoustical treatment measures:
 - 1) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
 - 2) Doors and windows shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any façade exposed to noise levels of DNL

- 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the windows shall have a STC rating of at least 39.
- 3) All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.
- d. In order to reduce interior noise to a level of approximately DNL 45 dBA, units within a highway noise impact zone of DNL 70-75 dBA, as determined by the study in Paragraph (a) above, shall be constructed with the following acoustical treatment measures:
- 1) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 45.
 - 2) Doors and windows shall have a laboratory STC rating of at least 37 unless glazing constitutes more than 20% of any façade exposed to noise levels of DNL 70 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the windows shall have a STC rating of at least 45.
 - 3) All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.
- e. All units that require interior or exterior structural noise attenuation shall be identified on the Subdivision Plan.

10. RECREATIONAL FACILITIES

- a. The Applicant shall comply with Paragraph 2 of Section 6-110 of the Zoning Ordinance regarding developed recreational facilities for the residential uses. The Applicant proffers that the minimum expenditure for the recreational facilities shall be \$955.00 per residential unit. The Applicant shall receive credit for the on-site recreational facilities that may include, but not be limited to a community gathering area with a gazebo, outdoor seating, playground and/or tot-lot equipment, and play area fencing. If the minimum expenditure of \$955.00 per residential unit for on-site recreational facilities is not satisfied, as determined by DPWES, then any remaining funds shall be provided to the Fairfax County Park Authority for the provision of recreational facilities in a nearby park.

11. HOUSING TRUST FUND CONTRIBUTION

- a. Prior to the issuance of the first building permit, the Applicant shall contribute a sum equaling one-half (1/2) percent of the aggregate sales prices of units to Fairfax County

Housing and Community Development Housing Trust Fund for Affordable Housing needs within Fairfax County.

12. PUBLIC FACILITIES

- a. At the time of Subdivision Plan approval, the Applicant shall contribute the sum of \$97,500.00 to the BOS in accordance with the School Public Facilities Impact Formula located in Appendix 9 of the Land Use Element of the Policy Plan, for the construction of capital improvements to schools in the vicinity of the Application Property.
- b. Prior to subdivision plat approval, the Applicant shall contribute \$2,900 to the Board of Supervisors for the construction of a "Welcome to Lee District" sign, and shall install this sign.
- c. The Applicant shall install countdown pedestrian signals at the intersection of Windsor Avenue and Beulah Street, to facilitate pedestrian movements between the southwest and southeast corners of that intersection.
- d. The Applicant shall contribute \$28,620.00 to the Board of Supervisors toward public facilities needs in the vicinity of the Application Property (including the cost of the signal(s) specified in 12c), as determined by the citizens and elected officials of the Lee District, prior to Subdivision Plan approval.

13. HOMEOWNERS ASSOCIATION

- a. The Applicant shall establish a homeowners' association for the proposed development to own, manage and maintain open space areas, bio-retention facilities, private streets and recreational equipment and landscaping. The requirement to maintain the private streets and open space areas, bio-retention facilities and recreational equipment shall be included in the HOA documents prepared for the Application Property. Further, the use restriction of garages in Paragraph (b) shall be included in the HOA documents prepared for the Application Property. In accordance with the Virginia Property Owners Association Act, Section 55 Code of Virginia, purchasers shall be advised of these requirements through a disclosure packet that contains the HOA documents prior to entering into a contract of sale.
- b. A covenant shall be recorded which provides that garages shall only be used for a purpose that will not interfere with the intended purpose of garages (e.g., parking of vehicles). This covenant shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the homeowners association, which shall be established, and the Fairfax County Board of Supervisors. Initial purchasers shall be advised of the use restriction

prior to entering into contract of sale.

14. SUCCESSORS AND ASSIGNS

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

15. COUNTERPARTS

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

[SIGNATURES ON FOLLOWING PAGES]

Signature Page
RZ 2002-MV-046

Applicant/Contract Purchaser of Tax Maps 91-3 ((1)) 5, 6 from Title Owners
Applicant/Contract Purchaser of Tax Map 91-3 ((3)) 30 and 91-3 ((1)) 2, 3, 4 from Claude
Wheeler (who is the Contract Purchaser of Tax Map 91-3 ((3)) 30 and 91-3 ((1)) 2, 3, 4
from the Title Owners)

Pulte Home Corporation

By: _____
Name: Steven J. Coniglio, Agent/Attorney-in-Fact

Owner of Tax Maps 91-3 ((3)) 30

Anne D. Delozier, Trustee for the Anne D. Delozier Trust Agreement for the benefit of Anne D. Delozier

By: _____
Name: Stanley F. Settle, Jr., Attorney-in-Fact for Anne D. Delozier, Trustee for the Anne D. Delozier Trust Agreement for the benefit of Anne D. Delozier

Owner of Tax Map 91-3 ((1)) 2

Estate of Samuel & Marie Goff Trustee and Beneficiary: Samuel Odell Goff, Jr.

By: _____
Name: Stanley F. Settle, Jr., Attorney-in-Fact for Estate of Samuel & Marie Goff Trustee and Beneficiary: Samuel Odell Goff, Jr.

Owner of Tax Map 91-3 ((1)) 3

Edna M. Bliss

By: _____
Name: Stanley F. Settle, Jr., Attorney-in-Fact for Edna M. Bliss

Owner of Tax Map 91-3 ((1)) 4

Constance Joy Lowman

By: _____
Name: Stanley F. Settle, Jr., Attorney-in-Fact for Constance Joy Lowman

Owner of Tax Maps 91-3 ((1)) 5 and 6

V.C. Gray, Trustee

Richard A. Gray, Trustee for the V.C. Gray Realty Trust for the benefit of Richard A. Gray, Rita F. Gray, Victor C. Gray, Jr., Gilda M. Gray, Gregory C. Gray

By: _____
Name: Stanley F. Settle, Jr., Attorney-in-Fact for V.C. Gray Realty Trust

[SIGNATURE PAGES END]

SPECIAL POWER OF ATTORNEY

The undersigned, **Anne D. Delozier, Trustee for the Anne D. Delozier Trust** (the "Principal") the party authorized by law to make application for a rezoning of that certain real property located in Fairfax County, Virginia, as more particularly described in the attached Exhibit "A" makes, constitutes and appoints Richard D. DiBella, David Graham, Stanley F. Settle, Jr. and/or Steven Coniglio, and each of them acting independently of the others ("Attorney-in-Fact"), as her true and lawful Attorney-in-Fact and in her name, place and stead giving unto the Attorney-in-Fact, full power and authority to do and perform all acts, and make all representations necessary, without any limitation whatsoever, to make application for the rezoning of the Property, to execute any necessary affidavits, to agree to any proffered conditions pursuant to the application for rezoning and/or site and/or subdivision plan approval, and to enter into and execute any other documents in connection with such rezoning and/or site and/or subdivision plan approval.

The rights, powers and authority of the Attorney-in-Fact herein granted shall commence and be in fully force and effect this 28th day of April, 2003 and remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested, is received at the Planning and or Zoning Office for the County of Fairfax, Virginia, stating that the terms of this power have been revoked or modified.

Anne D. Delozier Trust

Anne D. Delozier
Anne D. Delozier, Trustee
Trustee

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Spotsylvania, to-wit:

The foregoing Special Power of Attorney was acknowledged before me this 28 day of April, 2003, by Barbara D. Brown.

Barbara D. Brown
Notary Public

My Commission Expires: Feb. 29, 2004

MAY 16 2003

EXHIBIT "1A"

SPECIAL POWER OF ATTORNEY

Zoning Evaluation Division

The undersigned, **Samuel Odell Goff, Jr., Executor for the Estate of Marie E. and Samuel O. Goff, Sr.** (the "**Principal**") the party authorized by law to make application for a rezoning of that certain real property located in Fairfax County, Virginia, as more particularly described in the attached Exhibit "A" makes, constitutes and appoints Richard D. DiBella, David Graham, Stanley F. Settle, Jr. and/or Steven Coniglio, and each of them acting independently of the others ("**Attorney-in-Fact**"), as her true and lawful Attorney-in-Fact and in her name, place and stead giving unto the Attorney-in-Fact, full power and authority to do and perform all acts, and make all representations necessary, without any limitation whatsoever, to make application for the rezoning of the Property, to execute any necessary affidavits, to agree to any proffered conditions pursuant to the application for rezoning and/or site and/or subdivision plan approval, and to enter into and execute any other documents in connection with such rezoning and/or site and/or subdivision plan approval.

The rights, powers and authority of the Attorney-in-Fact herein granted shall commence and be in fully force and effect this 15 day of May, 2003 and remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested, is received at the Planning and or Zoning Office for the County of Fairfax, Virginia, stating that the terms of this power have been revoked or modified.

The Estate of Marie E. and Samuel O. Goff, Sr.

Samuel Odell Goff, Jr., Executor
Samuel Odell Goff, Jr., Executor

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Fairfax, to-wit:

The foregoing Special Power of Attorney was acknowledged before me this day of 15/05 2003, by Krishanthi Basnayake.

Krishanthi S. Basnayake
Notary Public

My Commission Expires: 02/28/2007

SPECIAL POWER OF ATTORNEY

The undersigned, EDNA M. BLISS (the "Principal") the party authorized by law to make application for a rezoning of that certain real property located in Fairfax County, Virginia, as more particularly described in the attached Exhibit "A" makes, constitutes and appoints Richard D. DiBella, David Graham, Stanley F. Settle, Jr. and/or Steven Coniglio, and each of them acting independently of the others ("Attorney-in-Fact"), as her true and lawful Attorney-in-Fact and in her name, place and stead giving unto the Attorney-in-Fact, full power and authority to do and perform all acts, and make all representations necessary, without any limitation whatsoever, to make application for the rezoning of the Property, to execute any necessary affidavits, to agree to any proffered conditions pursuant to the application for rezoning and/or site and/or subdivision plan approval, and to enter into and execute any other documents in connection with such rezoning and/or site and/or subdivision plan approval.

The rights, powers and authority of the Attorney-in-Fact herein granted shall commence and be in fully force and effect this 25 day of FEBRUARY, 2003 and remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested, is received at the Planning and or Zoning Office for the County of Fairfax, Virginia, stating that the terms of this power have been revoked or modified.

Edna M. Bliss (SEAL)
Name: Edna Bliss

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Fairfax, to-wit:

The foregoing Special Power of Attorney was acknowledged before me this 25 day of Feb., 2003, by me Wilkison.

[Signature]
Notary Public

My Commission Expires: Commission Expires December 31, 2005

SPECIAL POWER OF ATTORNEY

The undersigned, CONSTANCE JOY LOWMAN (the "Principal") the party authorized by law to make application for a rezoning of that certain real property located in Fairfax County, Virginia, as more particularly described in the attached Exhibit "A" makes, constitutes and appoints Richard D. DiBella, David Graham, Stanley F. Settle, Jr. and/or Steven Coniglio, and each of them acting independently of the others ("Attorney-in-Fact"), as her true and lawful Attorney-in-Fact and in her name, place and stead giving unto the Attorney-in-Fact, full power and authority to do and perform all acts, and make all representations necessary, without any limitation whatsoever, to make application for the rezoning of the Property, to execute any necessary affidavits, to agree to any proffered conditions pursuant to the application for rezoning and/or site and/or subdivision plan approval, and to enter into and execute any other documents in connection with such rezoning and/or site and/or subdivision plan approval.

The rights, powers and authority of the Attorney-in-Fact herein granted shall commence and be in fully force and effect this 25 day of FEBRUARY, 2003 and remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested, is received at the Planning and or Zoning Office for the County of Fairfax, Virginia, stating that the terms of this power have been revoked or modified.

Constance Joy Lowman (SEAL)
Name: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Fairfax, to-wit:

The foregoing Special Power of Attorney was acknowledged before me this 25 day of Feb 2003, by Constance Lowman.

[Signature]
Notary Public

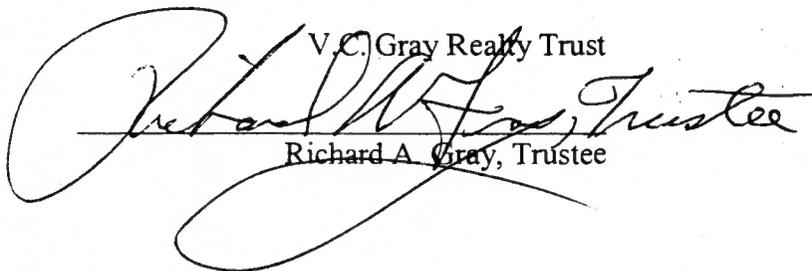
My Commission Expires: My Commission Expires December 31 2005

EXHIBIT "B"

SPECIAL POWER OF ATTORNEY

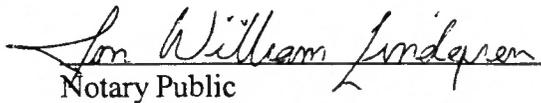
The undersigned, **Richard A. Gray, Trustee for the V.C. Gray Realty Trust** (the "Principal") the party authorized by law to make application for a rezoning of that certain real property located in Fairfax County, Virginia, as more particularly described in the attached Exhibit "A" makes, constitutes and appoints Richard D. DiBella and Stanley F. Settle, Jr., and either of them acting independently of the other, ("**Attorney-in-Fact**"), as his true and lawful Attorney-in-Fact and in his name, place and stead giving unto the Attorney-in-Fact, full power and authority to do and perform all acts, and make all representations necessary, without any limitation whatsoever, to make application for the rezoning of the Property, to execute any necessary affidavits, to agree to any proffered conditions pursuant to the application for rezoning and/or site and/or subdivision plan approval, and to enter into and execute any other documents in connection with such rezoning and/or site and/or subdivision plan approval.

The rights, powers and authority of the Attorney-in-Fact herein granted shall commence and be in fully force and effect this 16th day of April, 2003, and remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested, is received at the Planning and or Zoning Office for the County of Fairfax, Virginia, stating that the terms of this power have been revoked or modified.

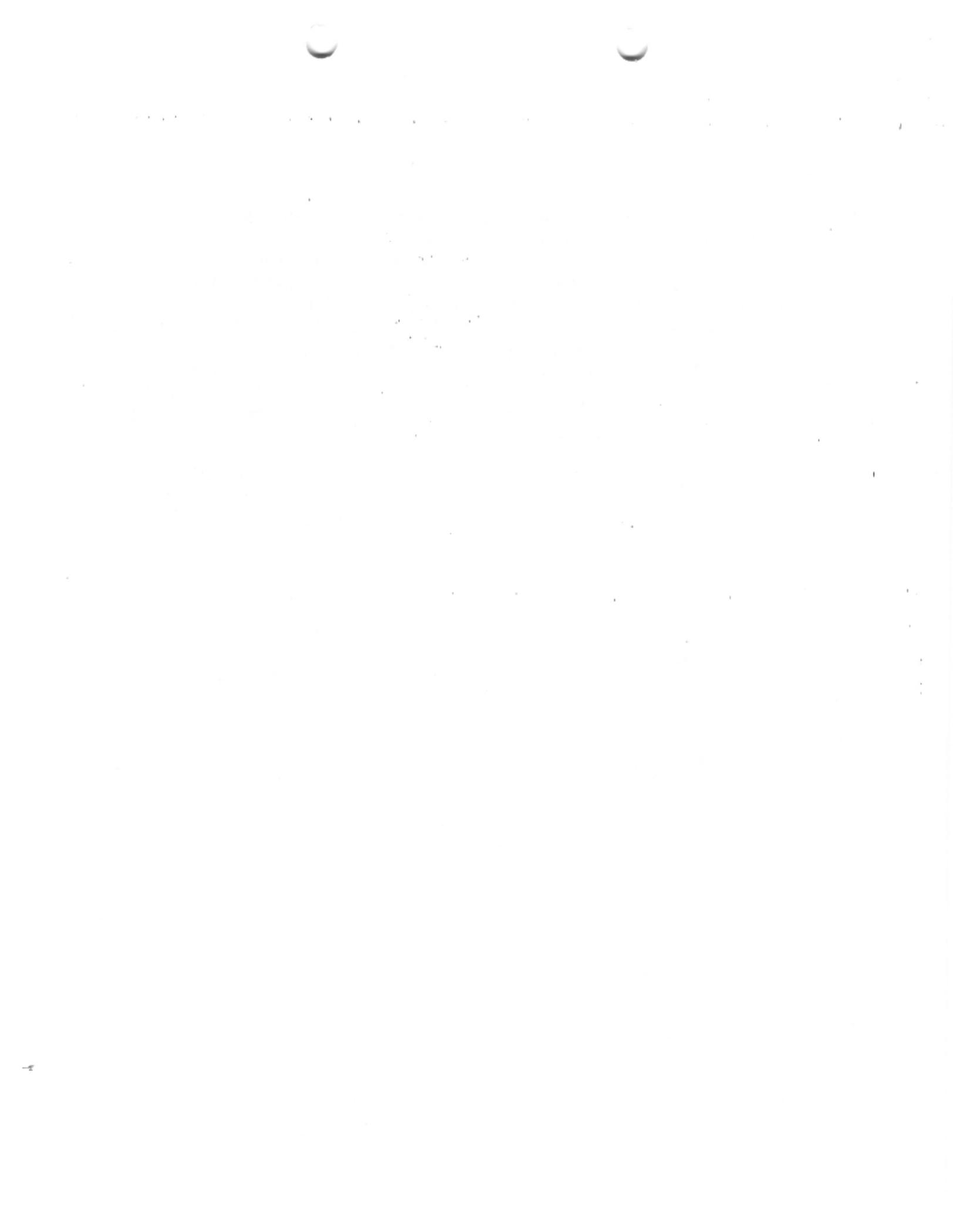

V.C. Gray Realty Trust
Richard A. Gray, Trustee

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF FAIRFAX, to-wit:

The foregoing Special Power of Attorney was acknowledged before me this 16th day of April, 2003, by RICHARD A. GRAY.


Notary Public

My Commission Expires: 30 April 2007



To: *Bette Crane*
6-23-03

REZONING AFFIDAVIT

DATE: May 7, 2003
(enter date affidavit is notarized)

I, Inda E. Stagg, agent, 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

in Application No.(s): _____
(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)
Pulte Home Corporation	10600 Arrowhead Drive, Suite 225 Fairfax, Virginia 22030	Applicant/Contract Purchaser of Tax Map 91-3 ((1)) 5, 6 from Title Owners; Contract Purchaser of Tax Map 91-3 ((3)) 30 and 91-3 ((1)) 2, 3, 4 from Claude A. Wheeler
Agents: Stanley F. Settle, Jr. Steven J. Coniglio Richard D. DiBella Jon W. Lindgren		
Steven J. Coniglio and Richard D. DiBella, Agents and Attorneys-in-Fact for Pulte Home Corporation		

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

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

Rezoning Attachment to Par. 1(a)

DATE: May 7, 2003
 (enter date affidavit is notarized)

for Application No. (s): _____
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Claude A. Wheeler	P.O. Box 30148 Alexandria, Virginia 22310	Contract Purchaser of Tax Map 91-3 ((3)) 30 and 91-3 ((1)) 2, 3, 4
Anne D. Delozier, Trustee for The Anne D. Delozier Trust Agreement for the benefit of Anne D. Delozier	14268 S. River Road Woodford, Virginia 22580	Title Owner of Tax Map 91-3 ((3)) 30
Stanley F. Settle, Jr. and Richard D. DiBella, Steven J. Coniglio and David R. Graham, Agents and Attorneys-in-Fact for Anne D. Delozier		
Estate of Samuel & Marie Goff Trustee and Beneficiary: Samuel Odell Goff, Jr.	7200 Beulah Street Alexandria, Virginia 22315	Title Owner of Tax Map 91-3 ((1)) 2
Stanley F. Settle, Jr. and Richard D. DiBella, Agents and Attorneys-in-Fact for the Samuel Odell Goff, Jr.		
Edna M. Bliss	7204 Beulah Street Alexandria, Virginia 22315	Title Owner of Tax Map 91-3 ((1)) 3
Stanley F. Settle, Jr. and Richard D. DiBella, Steven J. Coniglio and David R. Graham, Agents and Attorneys-in-Fact for Edna M. Bliss		

(check if applicable)



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

Rezoning Attachment to Par. 1(a)

DATE: May 7, 2003
 (enter date affidavit is notarized)

for Application No. (s): _____
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Constance Joy Lowman	7208 Beulah Street Alexandria, Virginia 22315	Title Owner of Tax Map 91-3 ((1)) 4
Stanley F. Settle, Jr. and Richard D. DiBella, Steven J. Coniglio and David R. Graham, Agents and Attorneys-in-Fact for Constance Joy Lowman		
V. C. Gray, Trustee Richard A. Gray, Trustee for the V. C. Gray Realty Trust for the benefit of Richard A. Gray, Rita F. Gray, Victor C. Gray, Jr., Gilda M. Gray, Gregory C. Gray	4421 Neptune Drive Alexandria, Virginia 22309	Title Owners of Tax Map 91-3 ((1)) 5, 6
Stanley F. Settle, Jr. and Richard D. DiBella, Agents and Attorneys-in-Fact for the V.C. Gray Realty Trust		
Geotechnical Consulting & Testing, Inc. Agents: Emad E. Saadeh Abdallah A. Adas	8551 Sudley Road Manassas, Virginia 22110	Geotechnical Engineer/Agent
Wetland Studies and Solutions, Inc. Agent: Michael S. Rolband	1408-N Sullyfield Circle Chantilly, VA 22021	Environmental Consultant/Agent

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

Rezoning Attachment to Par. 1(a)

DATE: May 7, 2003
(enter date affidavit is notarized)for Application No. (s): _____
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Thunderbird Archeological Associates, Inc. Agent: Kimberly A. Snyder	126 East High Street Woodstock, Virginia 22664	Archeologist/Agent
Dewberry & Davis LLC Agent: Lawrence A. McDermott	8401 Arlington Boulevard Fairfax, Virginia 22031	Engineers/Planners/Agent
M. J. Wells & Associates, LLC Agents: Martin J. Wells Robin L. Antonucci	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ Agent
Walsh, Colucci, Lubeley, Emrich & Terpak, PC Agents: Martin D. Walsh Lynne J. Strobel Keith C. Martin M. Catharine Puskar William J. Keefe	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
	Timothy S. Sampson Elizabeth D. Baker Susan K. Yantis Inda E. Stagg Shannon M.P. Johnson	

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

REZONING AFFIDAVIT

DATE: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s):
(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)
Pulte Home Corporation
10600 Arrowhead Drive, Suite 225
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)

Pulte Diversified Companies, Inc.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title. e.g. President,

Vincent J. Frees, Dir., VP, Contrlr Ralph S. Raciti, V. Pres. Amy E. Fagan, Asst. Sec. (Ltd)
Mark J. O'Brien, Director Bruce E. Robinson, VP, Treas, Asst. Sec. James Fonville (nmi), Asst. Sec.
John R. Stoller, Director, VP, Sec. Robert P. Schafer, VP-Finance Nancy H. Gawthrop, Asst. Sec.
Robert J. Halso, Pres. John R. Stoller, VP, Secretary Kevin Martin (nmi), Asst. Sec.(Ltd)
Calvin R. Boyd, Asst. Sec. Thomas W. Bruce, Asst. Sec.(Ltd) Colette R. Zukoff, Asst. Secretary
Gregory M. Nelson, VP, Asst. Sec. Norma J. Machado, Asst. Sec. (Ltd) Marla G. Zwas, Asst. Sec.
Maureen E. Thomas, Asst. Sec. Sheryl Palmer(nmi), Asst. Sec. (Ltd.)

(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: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

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

Pulte Diversified Companies, Inc.
33 Bloomfield Hills Parkway, Suite 200
Bloomfield Hills, Michigan 48304

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)

Pulte Corporation

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. .)

Mark J. O'Brien, Director/President	Gregory M. Nelson, VP/Asst. Secretary	Nancy H. Gawthrop, Asst. Sec.
John R. Stoller, Director/VP/Sec.	Bruce E. Robinson, VP/Treas/Asst. Sec.	Maureen E. Thomas, Asst. Sec.
Vincent J. Frees, VP/Controller	Colette R. Zukoff, Asst. Sec.	Calvin R. Boyd, Asst. Secretary
Norma J. Machado, Asst. Sec (Ltd)		

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

Pulte Corporation
33 Bloomfield Hills Parkway, Suite 200
Bloomfield Hills, MI 48304

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)

William J. Pulte

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

Robert K. Burgess, Chair.of Bd./CEO	John J. Shea, Director	Norma J. Machado, VP, HR Plan& Dev.
Patrick J. O'Meara, Director	Mark J. O'Brien, President/COO	Gregory M. Nelson, VP/Asst. Sec.
Debra Kelly-Ennis, Director	Roger A. Cregg, SVP/CFO	Bruce E. Robinson, VP/Treas.
David N. McCammon, Director	John R. Stoller, GC/SVP/Sec.	Wayne B. Williams, VP
William J. Pulte, Director	Michael A. O'Brien, SVP-Corp Dev.	James P. Zeumer, VP Inv&Corp Comm
Alan E. Schwartz, Director	Ralph S. Raciti, VP, CIO	Vincent J. Frees, VP/Controller
Francis J. Sehn, Director	James Lesinski (nmi), VP-Marktg	David Foltyn (nmi), Asst. Secretary
Michael E. Rossi, Director	D. Kent Anderson, Director	Robert P. Shafer, VP-Finan, VP-Operations
Alan E. Laing, VP-Supply Chain, E-Bus & Cust. Satisfaction		

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

Rezoning Attachment to Par. 1(b)

DATE: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

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

Geotechnical Consulting & Testing, Inc.
8551 Sudley Road
Massasas, Virginia 22110

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)

Emad E. Saadeh

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)

Wetland Studies and Solutions, Inc.
14088-M Sullyfield Circle
Chantilly, Virginia 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Michael S. Rolband, Sole Shareholder

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

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

Rezoning Attachment to Par. 1(b)

DATE: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

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

Thunderbird Archeological Associates, Inc.
126 East High Street
Woodstock, Virginia 22664

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)

William M. Gardner
Joan M. Walker
Kimberly A. Snyder

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)

Dewberry & Davis LLC
8401 Arlington Boulevard
Fairfax, VA 22031

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)

The Dewberry Companies LC, Member
Larry J. Keller, Member
Dennis M. Couture, Member
Steven A. Curtis, Member

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

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

Rezoning Attachment to Par. 1(b)

DATE: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

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

The Dewberry Companies LC
8401 Arlington Boulevard
Fairfax, VA 22031

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)

Sidney O. Dewberry, Member Michael S. Dewberry, Member
Barry K. Dewberry, Member Thomas L. Dewberry, Member
Karen S. Grand Pre, Member

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

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

M. J. Wells & Associates, LLC
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Martin J. Wells & Associates, Inc., Member
Terence J. Miller & Associates, Inc., Member

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

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

Rezoning Attachment to Par. 1(b)

DATE: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

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

Martin J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Martin J. Wells

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)

Terence J. Miller & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Terence J. Miller

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

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

Rezoning Attachment to Par. 1(b)

DATE: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Walsh, Colucci, Lubeley, Emrich & Terpak, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
David J. Bomgardner Thomas J. Colucci James P. Downey Jay du Von
Jerry K. Emrich William A. Fogarty John H. Foote H. Mark Goetzman
Michael D. Lubeley Keith C. Martin J. Randall Minchew John E. Rinaldi
Timothy S. Sampson Lynne J. Strobel Nan E. Terpak Garth M. Wainman
Martin D. Walsh

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

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

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

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

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

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

REZONING AFFIDAVIT

DATE: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s): _____
(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)

None

(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: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s): _____
(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: May 7, 2003
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the filing 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 \$200 or more, with any of those listed in Par. 1 above. **EXCEPT AS FOLLOWS: (NOTE: If answer is none, either "NONE" on line below.)**

Steven J. Coniglio of Pulte Home Corporation donated in excess of \$200 to Supervisor Michael Frey.

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

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

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

WITNESS the following signature:

(check one)

Applicant

Applicant's Authorized Agent

Inda E. Stagg, agent

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

Subscribed and sworn to before me this 7 day of May, 2003, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly A. Klemm

Notary Public

Commissioned as Kimberly A. Klemm

My commission expires: 11/30/2003


**WALSH COLUCCI
LUBELEY EMRICH
& TERPAK PC**

SEP 29 2003

Inda E. Stagg
Land Use Coordinator
(703) 528-4700, ext. 23
istagg@arl.thelandlawyers.com

Zoning Evaluation Division

September 26, 2003

Via Hand Delivery

Barbara A. Byron
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

**Re: Statement of Justification –Beulah Street Consolidation
Pulte Home Corporation (the “Applicant”)
Rezoning Request—C-5 and R-1 to PDH-4 (the “Proposed Rezoning”)
Tax Map 91-3 ((1)) 2, 3, 4, 5, 6 and 91-3 ((3)) 30 (the “Application Property”)**

Dear Ms. Byron:

Please accept this letter as the Statement of Justification for the Proposed Rezoning. Generally, the Applicant is requesting that they be permitted to consolidate six (6) parcels of land that are currently zoned C-5 and R-1, and rezone the 9.01 acre Application Property to the PDH-4 District for the development of 34 single-family detached homes at a density of 3.77 dwelling units per acre. More specific information about the Proposed Rezoning is contained in the following paragraphs.

The Application Property is located within the southwestern quadrant of the intersections of Beulah Street (Route 613) and Windsor Avenue (Route 1377) in the Lee Magisterial District. Currently, there are four (4) dwelling units and five (5) outbuildings located on the Application Property, all of which will be demolished as part of the development process. There is no floodplain or resource protection area located on the Application Property.

Vehicular access to this site is proposed via one (1) entrance from Windsor Avenue. Proposed streets within the development are private. An enhanced pavement treatment (brick paver) is proposed at the entrance to the development. All dwelling units are front-loaded. Deciduous shade trees and sidewalks will be located, generally, along both sides of the private streets and in front of all homes.

A substantial amount of open-space, 30%, is proposed, where 20% is required. A fenced, play area is proposed on the northern portion of the Application Property. This play area contains playground/tot lot equipment, benches, landscaping, a play field, and a gazebo. It is accessible via internal sidewalks and four (4) pavement enhanced (brick paver) crosswalks.

It is submitted that the Proposed Rezoning and the CDP/FDP are in substantial conformance with the recommendations of the Comprehensive Plan (the "Plan"). The Plan was recently amended to permit development of single-family attached homes at a density of two (2) to four (4) dwelling units per acre. The Application Property is located in the Springfield Planning District (Area IV), Newington Community Planning Sector (F6). Specific language applying to this Property states,

"Parcels 91-3 ((1)) 2, 3, 4, 5, 6; ((3)) 29, 30 to the west of Beulah Street and south of Windsor Avenue are planned for residential use at 1-2 dwelling units per acre. As an option these parcels may be considered for residential use at 3-4 dwelling units an acre provided that parcels are consolidated and access is provided via Windsor Avenue."

This language acknowledges that the Plan Map for Parcels 91-3 ((1)) 5 and 6 will change from retail and other uses to residential use at three (3) to four (4) dwelling units per acre. The Proposed Rezoning is in general conformance with the criteria set forth in the Plan in that substantial consolidation has occurred and access is from Windsor Avenue.

The Proposed Rezoning conforms to all of the provisions of applicable ordinances, regulations, and adopted standards, except as addressed by requested waiver below:

- PRIVATE STREETS

Approval by the director of the Department of Public Works and Environmental Services will be requested for private streets which exceed 600 feet in length, as provided for in Paragraph 2 of Section 11-302 of the Ordinance. This is a single-family detached dwelling unit development on relatively narrow lots, in which driveways and parking requirements make the provision of public streets difficult, if not impossible. Safety issues have been considered, and turn-arounds are provided for at the terminus of each street.

The Proposed Rezoning conforms to the provisions of all applicable ordinances, regulations and adopted standards with the exception of the waiver noted above. It does not exceed the density or intensity permitted by the adopted Plan. Further, it provides amenities and site design features that would not be contained within a conventional subdivision.

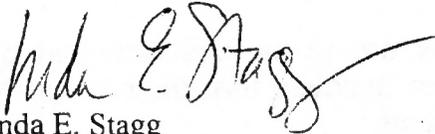
September 26, 2003

Page 3

A discussion of the Proposed Rezoning as it relates to the Residential Development Criteria is contained in a separate document. If you have any questions or require further information in order to review this rezoning application, please do not hesitate to contact me.

Very truly yours,

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



Ina E. Stagg
Land Use Coordinator

IES:cs

Enclosures

cc: Jon Lindgren
Steve Coniglio
Supervisor Dana Kauffman
Planning Commissioner Jack Kelso
Larry McDermott
Martin D. Walsh

**RESIDENTIAL DEVELOPMENT CRITERIA
PULTE HOME CORPORATION—BEULAH STREET ANALYSIS
SEPTEMBER 26, 2003**

Residential Development Criteria have been adopted in order to evaluate zoning requests for new residential development. This document is a summary of Pulte Home Corporation's development proposal as it relates to these criteria.

- I. Site Design—All rezoning applications are to be characterized by high-quality site design. The Applicant believes that their proposal provides high-quality site design as follows:
 - A. Consolidation—The zoning application includes six (6) parcels of land that encompass all available property in the vicinity that has not been redeveloped, with the exception of two (2) single family detached homes on the northern end of the site.
 - B. Layout—The proposed layout provides logical, functional, and appropriate relationships within the development. Usable yard areas are provided on each lot, and a community gathering area is provided on the northern end of the property.
 - C. Open space—Thirty percent (30%) open space is provided on-site, where twenty percent (20%) is required. Most of this open space is usable and accessible. The primary open space area is located on the northern end of the property. This area is entirely fenced for safety, and contains playground and/or tot lot equipment, benches, a gazebo and a play-lawn. Further, a substantial open space area is located at the entrance to the development to buffer those single family detached uses immediately west of the property's entrance.
 - D. Landscaping—Appropriate landscaping is provided in the open space areas, around the entry feature, along streets, around the stormwater management facility, around the 7-Eleven, and along Beulah Street and Windsor Avenue.
 - E. Amenities— A large play-area is proposed, which contains playground and/or tot-lot equipment, benches, a gazebo and a play-lawn. Sidewalks are provided on both sides of the private streets and in front of every home. The front facades of units will contain a minimum of 80% brick, as proffered. Significant landscaping is provided along the eastern and northern periphery, and around the 7-Eleven store. Special paver treatment is proposed for the vehicular entrance and for the play-area's

crosswalks.

- II. Neighborhood Context—New developments are to fit into the fabric of their adjacent neighborhoods. In this instance, appropriate transitions to abutting adjacent uses have been considered. Although no transitional screening or barriers are required, appropriate setbacks are provided, and landscaping is included, along the periphery of the development. A six (6) to eight (8) foot high board-on-board fence will be located along the shared property line with the Windsor Park subdivision, at their request. Architectural elevations will be equivalent to or superior to those currently located in the area. The Applicant believes that the proposed rezoning will provide a transition between the townhomes to the west, the single-family detached homes to the north, and the commercial uses to the south.
- III. Environment—Rezoning proposals should be consistent with the policies and objectives of the environmental element of the Plan.
 - A. Preservation—There are no EQCs, RPAs, wetlands, or other environmentally sensitive areas on the property. New landscaping will be installed with the concurrence of the urban forester and with an emphasis on native species.
 - B. Slopes and Soils—Soil studies have been performed and have been shown to be adequate for residential development. A geotechnical study has been proffered.
 - C. Water Quality—State of the art best management practices for stormwater management have been provided in the proffers. Bio-retention areas may be located within the common open space on either side of the vehicular entrance.
 - D. Stormwater Management—Stormwater Management will be provided on-site and will be landscaped.
 - E. Noise—It is not anticipated that this development will generate significant transportation generated noise. Noise mitigation has been proffered for those units near Beulah Street.
 - F. Lighting—All lighting on the site will be shielded and directed downward in order to minimize neighborhood glare and impacts to the night sky.

- G. Energy—Street trees will be provided along the sidewalks in order to provide a more pleasant walking and bicycling atmosphere. Further, energy efficient homes will be provided as described in the P-District standards.
- IV. Tree Preservation and Tree Cover Requirements—Because of grading issues, it will not be possible to save large areas of trees within the development itself. However, the development will meet or exceed tree cover requirements, and the Applicant has proffered to endeavor to utilize 90% native plant species.
- V. Transportation—All rezoning applications are to implement measures to address Planned transportation improvements. Applicants are to offset their impacts to the transportation network. To that end, the Applicant has met with VDOT, and has designed the entrance and surrounding road network to their satisfaction.
- VI. Public Facilities—It is anticipated that residential development impacts to the public facilities system will occur. These impacts are to be identified and evaluated during the development review process. It is expected that the Public Facilities' impacts will be satisfied with the acceptance of the proffers.
- VII. Affordable Housing—A contribution to Affordable Housing needs has been provided in the proffers.
- VIII. Heritage Resources—There are no significant cultural, architectural, economic, social, political, or historic heritage sites or structures located on the property.
-
- IX. Density—Density ranges for the area planned for residential development is recommended in the Plan. In this case, the property is planned for commercial uses and residential use at one (1) to two (2) dwelling units per acre with an option for development at three (3) to four (4) dwelling units per acre. The proposed rezoning requests maximum development at 3.77 dwelling units per acre, which is below the range recommended in the Plan.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ/FDP 2003-LE-027
Pulte/Beulah Street

DATE: September 15, 2003

This application proposes to rezone approximately 9.01 acres of land from the R-1 District and the C-5 Zoning Districts to the PDH -4 (Planned Development Housing). The application proposes thirty-four (34) dwelling units with an overall density of 3.77 dwelling units per acre. This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the revised development plan dated August 15, 2003. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS

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

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, pages 5 through 7, states:

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

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements.

- Policy b. Update BMP requirements as newer, more effective strategies become available.
- Policy c. Minimize the application of fertilizers, pesticides, and herbicides to lawns and landscaped areas through, among other tools, the development, implementation and monitoring of integrated pest, vegetation and nutrient management plans.
- Policy d. Preserve the integrity and the scenic and recreational value of stream valley EQCs when locating and designing storm water detention and BMP facilities. In general, such facilities should not be provided within stream valley EQCs unless they are designed to provide regional benefit or unless the EQCs have been significantly degraded. When facilities within the EQC are appropriate, encourage the construction of facilities that minimize clearing and grading, such as embankment-only ponds, or facilities that are otherwise designed to maximize pollutant removal while protecting, enhancing, and/or restoring the ecological integrity of the EQC.
- Policy e. Update erosion and sediment regulations and enforcement procedures as new technology becomes available. Minimization and phasing of clearing and grading are the preferred means of limiting erosion during construction.
- Policy f. Where practical and feasible, retrofit older stormwater management facilities to perform water quality functions to better protect downstream areas from degradation.
- Policy g. Monitor the performance of BMPs.
- Policy h. Protect water resources by maintaining high standards for discharges from point sources.
- Policy i. Monitor Fairfax County's surface and groundwater resources.
- Policy j. Regulate land use activities to protect surface and groundwater resources.
- Policy k. For new development and redevelopment, apply low-impact site design techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following

practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land.
- Encourage the preservation of wooded areas and steep slopes adjacent to stream valley EQC areas.
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes.
- Encourage the use of open ditch road sections and minimize subdivision street lengths, widths, use of curb and gutter sections, and overall impervious cover within cul-de-sacs, consistent with County and State requirements.
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.

- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.
- Encourage shared parking between adjacent land uses where permitted.
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements.

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations.”

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, page 8, states:

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

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

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, pages 9 and 10, states:

“Transportation generated noise impacts the lives of many who live in the County. Some County residents are subjected to unhealthful levels of noise from highway traffic, aircraft operations and railroads, including WMATA's Metrorail ... Federal agencies with noise mitigation planning responsibilities have worked with the health community to establish maximum acceptable levels of exposure (Guidelines for Considering Noise in Land Use Planning and Control). These guidelines expressed in terms of sound pressure levels are; DNL 65 dBA for outdoor activity areas, DNL 50 dBA for office environments, and DNL 45 dBA for residences, schools, theaters and other noise sensitive uses. While the federal guidelines consider all land uses to be compatible with noise levels below DNL 65 dBA, they are not proscriptive as they

relate to local land use decisions. Further, it is known that adverse noise impacts can occur at levels below DNL 65 dBA and that there may be variability among communities in responses to such noise.

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

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

New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA. Because recreation areas cannot be screened from aircraft noise and because adverse noise impacts can occur at levels below DNL 65 dBA, in order to avoid exacerbating noise and land use conflicts and to further the public health, safety and welfare, new residential development should not occur in areas with projected aircraft noise exposures exceeding DNL 60 dBA. Where new residential development does occur near Washington Dulles International Airport, disclosure measures should be provided."

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, page 10, states:

"Increasing urbanization requires that care be taken to reduce unfocused emissions of light and that efforts be made to avoid creating sources of glare which may interfere with residents' and/or travelers' visual acuity.

Objective 5: Minimize light emissions to those necessary and consistent with general safety.

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

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, pages 9 and 10, states:

Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.

Policy a: Limit densities on slippage soils, and cluster development away from slopes and potential problem areas.

Policy b: Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards.”

The Fairfax County Comprehensive Plan, Policy Plan, 2002 Edition, Environment section as amended through August 5, 2002, page 15, states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.

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

ENVIRONMENTAL ANALYSIS

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

Water Quality Best Management Practices: The 9.01-acre subject property is located in the Accotink Creek Watershed. A single stormwater management facility is proposed for the development and is shown in the northwest corner of the subject property. The most recent development plan depicts the pond outfall to be located in a storm drain inlet located on Windsor Avenue. Not much additional information has been provided regarding the proposed future grades onsite, nor has information been provided regarding the future drainage pattern for runoff from the new impervious areas and how that runoff will be directed to the pond. A drainage study should be performed and outfall improvements (including offsite improvements) should be shown on the development plan in order to demonstrate “...that offsite impacts will be mitigated and that all facilities are designed and sized appropriately” as is stipulated in the Residential Development Criteria of the Policy Plan.

The applicant is encouraged to provide a narrative which addresses the drainage plan for the development. The narrative should demonstrate that the offsite impacts will be mitigated, as much as possible. Because the Plan encourages the use of innovative best management practices for new infill development if soils and topographic conditions are suitable, the applicant is also encouraged to look for opportunities to complement the pond with other measures to achieve water quality, such as infiltration trenches, swales or rain gardens.

Highway Noise: A highway noise analysis was performed for Beulah Street (Route 613). The analysis produced the following noise contour projections (note DNL dBA is equivalent to dBA L_{dn}):

65 dBA L_{dn}	225 feet from centerline
70 dBA L_{dn}	105 feet from centerline

Lots 19-21 and lots 27-32 fall within the 65-70 dBA L_{dn} area and therefore may be adversely affected by projected future traffic noise. In order to reduce noise in interior areas to 45 dBA L_{dn} or less, any residential structure that will be located within two hundred twenty-five (225) feet of the centerline of Beulah Street should be constructed with building materials that are sufficient to provide this level of acoustical mitigation.

In order to reduce exterior noise levels in the rear and side yards of lots located at least partially within the projected 65-70-dBA L_{dn} impact area, one or more noise barriers should be provided. The barrier(s) should be of a height sufficient to break all lines of sight between an imaginary plane formed between a line eight feet above the centerline of the highway and a line six feet above the ground in the affected outdoor recreational areas. The barriers should be architecturally solid from ground up with no gaps or openings. A berm, architecturally solid wall, or berm-wall combination can be used as a noise barrier. If desired, the applicant may substitute rear yard privacy fencing for the noise barrier as long as such fencing will meet the above guidelines.

The applicant may pursue other methods of mitigating highway noise if it can be demonstrated through an independent noise study for review and approval by the Department of Public Works and Environmental Services (DPWES), that these methods will be effective in reducing exterior noise levels to 65 dBA L_{dn} or less and interior noise levels to 45 dBA L_{dn} or less.

Lighting: Little detail has been provided by the applicant regarding proposed lighting for this development. To ensure consistency with the Comprehensive Plan policy and the Zoning Ordinance requirements, the applicant should provide more specific information regarding actual lighting for this new residential development. Fully shielded (cutoff) lights, which avoid glare and light trespass on adjacent properties are desirable, as are fixtures which avoid excessive illumination. Regarding signage, the applicant is encouraged to provide internal, moderate illumination or external illumination projecting from the top of the sign downward.

Soil Constraints: The development plan notes that soils for the subject property are not identified on the Fairfax County Soils Map. Staff advises the applicant that Marine Clay and cut and fill conditions are within close proximity of the subject property and such conditions may pose development constraints. Thus, the applicant is encouraged to conduct a geotechnical study to ascertain soil types of the subject property in order to avoid unexpected constraints to development in the future.

Tree Preservation: The subject property is densely vegetated; however, the development plan does not identify any tree preservation areas on the plan. The applicant is encouraged to adhere to the Residential Development Criteria recommendation which stipulates that all residential rezoning proposals should demonstrate preservation of existing trees on site in order to meet tree cover requirements. In addition, the applicant is encouraged to depict utilities and future infrastructure improvements onsite so that designated preservation areas are not disturbed in the development process.

The applicant is encouraged to work with the Urban Forestry Division of DPWES to identify trees on site which are the most suitable for preservation.

TRAILS PLAN

The Countywide Trails Plan Map does not depict any trails immediately adjacent to the subject property and no trails are shown on the development plan, except for those which are located on the interior of the development.

PGN: MAW

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Lindsay Shulenberger, Staff Coordinator
Zoning Evaluation Division, DPZ

DATE: August 12, 2003

FROM: Dane Kielsingard, Urban Forester II
Urban Forestry Division, OSDS

SUBJECT: Pulte Home Corporation RZ 2003-LE-027

RE: Your request received July 29, 2003

This review is based on the Conceptual/Final Development Plan (CDP/FDP) which is stamped as received in the Department of Planning and Zoning on June 5, 2003

Site Description:

The subject property contains five existing residences that are to be removed, and a seven eleven convenience store that is to remain. The remainder of the site is mostly wooded and includes white oak, red oak, chestnut oak, red maple, black gum, and Norway spruce in the sub-climatic to climatic stage in good condition.

1. **Comment:** Preliminary tree cover computations and plant schedule have not been provided.

Recommendation: Provide the preliminary plant schedule and tree cover calculations for this project to ensure that tree cover requirements will be met on this site.

2. **Comment:** The Zoning Ordinance required existing vegetation map (EVM) has not been provided

Recommendation: Provide the required EVM.

3. **Comment:** The CDP/FDP does not show proposed sanitary, storm, or water line easements for this proposed residential development.

Recommendation: Revise the CDP/FDP to accurately reflect all proposed easement line installation to determine if they will impact the proposed landscaping on this plan. Utility lines that are often located at the rear of the lots may preclude the installation of the landscaping as shown on the CDP/FDP.

4. **Comment:** The proposed stormwater management facility (SWM) location will result in clearing of an extensive area of existing vegetation adjacent to the proposed development.

Recommendation: Attempt to refine the SWM pond size requirements and redesign the

pond location to minimize clearing of existing vegetation.

5. **Comment:** The SWM pond currently is shown with minimal landscape planting.

Recommendation: Suggested proffer language to address this issue: "In order to restore a natural appearance to the proposed stormwater management pond, a landscape plan shall be submitted as part of the site plan. The plan shall show the restrictive planting easement for the pond, and landscaping in all areas outside of that restrictive planting easement, to the maximum extent possible in accordance with the planting policies of Fairfax County."

6. **Comment:** The transitional screening type I and barrier requirements do not appear to be met on the southeastern boundary line of the GDP.

Recommendation: Provide the required transitional screening type I and barrier on the southeastern boundary line, or obtain a waiver or modification of this requirement.

7. **Comment:** In the tot lot area behind proposed lots 13-15 there is existing vegetation that should be preserved.

Recommendation: Consider redesigning the tot lot area to provide space for the preservation of this existing vegetation.

8. **Comment:** In the open space wooded area behind lots 1 and 23-26 there is existing vegetation that can and should be preserved.

Recommendation: Consider adjusting the clearing limits in these areas to allow for the preservation of this existing vegetation.

Please contact Dane T. Kielsgard at 703-324-1770 if you have any questions.

DTK/
UFDID# 04-0098

cc: Mary Ann Welton, Environmental Planner, DPZ
Anita Capps, Land Use Planner, DPZ
DPZ file
RA file

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

FROM: Angela Kadar Rodeheaver, Chief *AKR* by *CAA*
Site Analysis Section, DOT

FILE: 3-4 (RZ 2003-LE-027)

SUBJECT: Transportation Impact

REFERENCE: CDP/FDP 2003-LE-027; Pulte Home Corporation
Traffic Zone: 1571
Land Identification Map: 91-3 ((1)) 2 - 6, 91-3 ((3)) 30

DATE: October 29, 2003

The following comments reflect the analyses of the Department of Transportation. These comments are based on the Conceptual/Final Development Plan revised to October 15, 2003 and draft proffers also dated October 15, 2003. The applicant is proposing to develop the site with 34 single family detached residences. The following transportation issues remain unaddressed.

1. It is strongly recommended that the commitment to "count-down" pedestrian signals be modified to a commitment to install the signals if permitted by VDOT, rather than a contribution toward the installation of the signals.

Although relatively new to this area, count-down signals are proving to be a significant improvement over the Walk/Don't Walk signals now in use at the intersection.

2. The prior submission delineated a pedestrian connection between residences in the southwest area of the site and the existing sidewalk along Beulah Street (parallel to proposed lot 21), which has been deleted with the current submission. The submission should be modified to re-add the pedestrian connection.

3. Driveway lengths on the Typical Lot sketch are delineated to be +/- 18 feet in length. The typical should be modified to reflect a *minimum* length of 18 feet between the structure and the back of sidewalk.

AKR/CAA

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



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

PHILIP A. SHUCET
COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)
July 18, 2003

THOMAS F. FARLEY
DISTRICT ADMINISTRATOR

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

Re: RZ 2003-LE-027 Pulte Home Corp.
Tax Map # 91-3((01))0002-0006 & 0030
Fairfax County

Dear Ms. Byron:

I have reviewed the above plan submitted on June 27, 2003, and received on July 2, 2003. The following comments are offered:

1. A left turn lane should be provided into the site entrance.
2. The proposed entrance shall be a minimum of 30' wide.
3. Pedestrian facilities and curb and gutter should be provided across the frontage.
4. Windsor Avenue should be widened to provide separate right and left turn lanes at Beulah Street.
5. A 40' wide typical section should be provided across the Windsor Avenue frontage of the site.

If you have any questions, please call me at (703)383-2424.

Sincerely,

A handwritten signature in cursive script that reads 'Kevin Nelson'.

Kevin Nelson
Transportation Engineer

cc: Ms. Angela Rodehaver
fairfaxrezoningRZ2003-LE-027rz1PulteHomeCorp7-18-03BB



FAIRFAX COUNTY PARK AUTHORITY
MEMORANDUM



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

FROM: *LS* Lynn S. Tadlock, Director *Kirk Holey FOR*
 Planning and Development Division

DATE: July 17, 2003

SUBJECT: RZ/FDP 2003-LE-027
 Pulte/Beulah Street
 Tax Map Number: 91-3((1)) 2, 3, 4, 5, 6 and 91-3((3)) 30

BACKGROUND

The Fairfax County Park Authority (FCPA) staff has reviewed the proposed development plan dated June 5, 2003 for the above referenced application. The application is for 34 homes on approximately 9.01 acres. The proposal will add approximately 108 residents to the current population of the Lee District.

COMPREHENSIVE PLAN CITATIONS

1. Park Services and New Development (The Policy Plan, Parks and Recreation Objective 4, p. 180)

“Maximize both the required and voluntary dedication, development, and renovation of lands and facilities for parks and recreation to help ensure an equitable distribution of these resources commensurate with development throughout the County.”

Policy a: “Provide neighborhood park facilities on private open space in quantity and design consistent with County standards; or at the option of the County, contribute a pro-rata share to establish neighborhood park facilities in the vicinity...”

Policy b: “Mitigate the cumulative impacts of development that exacerbate or create deficiencies of Community Park facilities in the vicinity. The extent of facilities, land or contributions to be provided shall be in general

accordance with the proportional impact on identified facility needs as determined by adopted County standards. Implement this policy through application of the Criteria for Assignment of Appropriate Development Intensity.”

2. Heritage Resources (The Policy Plan, Heritage Resources, p. 3)

Objective 1: Identify heritage resources representing all time periods and in all areas of the County.

Policy a: “Identify heritage resources well in advance of potential damage or destruction.”

Objective 2: Maintain a County Register of Historic Sites and a County Register of Archaeological Sites to recognize the value of significant heritage resources for preservation.

Policy a: “Evaluate heritage resources for listing on the County Registers of Historic or Archaeological Sites according to established state and national criteria.”

ANALYSIS AND RECOMMENDATIONS

Recreational Impact:

The residents of this development will need access to outdoor recreational facilities. Typical recreational needs include playground/tot lots, basketball, tennis and volleyball courts and athletic fields. Based on the Zoning Ordinance Sections 6-110 and 16-404, the applicant shall provide \$955 per non-ADU (affordable dwelling unit) residential unit for outdoor recreational facilities to serve the development population. With 34 non-ADUs proposed, the Ordinance-required contribution is \$32,470.

The \$955 per unit funds required by Ordinance offset only a portion of the impact to provide recreational facilities for the new residents generated by this development. Typically, a large portion if not all of the Ordinance-required funds are used for outdoor recreational amenities onsite (such as a tot lot). 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 (such as picnic areas, ball fields, and basketball courts).

In order to offset the additional impact caused by the proposed development, the applicant should provide an additional \$28,620 to the Park Authority for recreational facility development at one or more of our sites located within the service area of this development. The Development Plan currently shows a proposed tot lot. The tot lot can be credited toward the Ordinance required funds. The remainder of the requested contribution (\$61,090 minus the cost of the tot lot) should be dedicated to the FCPA.

Date: 7/9/03

Case # RZ-03-LE-027

Map: 91-3

PU 1370

Acreage: 9.01

Rezoning

From : R-1 To: PDH-4

TO: County Zoning Evaluation Branch (DPZ)

FROM: FCPS Facilities Planning (246-3609)

SUBJECT: Schools Impact Analysis, Rezoning Application

The following information is submitted in response to your request for a school impact analysis of the referenced rezoning application.

I. Schools that serve this property, their current total memberships, net operating capacities, and five year projections are as follows:

School Name and Number	Grade Level	9/30/02 Capacity	9/30/02 Membership	2003-2004 Membership	Memb/Cap Difference 2003-2004	2007-2008 Membership	Memb/Cap Difference 2007-2008
Lane 1127	K-6	886	1176	693	193	749	137
Hayfield 1181	7-8	1100	1395	1384	-284	1540	-440
Hayfield 1180	9-12	2125	2335	2478	-353	2812	-687

II. The requested rezoning could increase or reduce projected student membership as shown in the following analysis:

School Level (by Grade)	Unit Type	Proposed Zoning			Unit Type	Existing Zoning			Student Increase/Decrease	Total Students
		Units	Ratio	Students		Units	Ratio	Students		
K-6	SF	34	X.244	8	SF	9	X.244	2	6	8
7-8	SF	34	X.070	2	SF	9	X.070	1	1	2
9-12	SF	34	X.159	5	SF	9	X.159	1	4	5

Source: FY 2004-2008, Facilities Planning Services Office Enrollment Projections

Note: Five-year projections are those currently available and will be updated yearly. School attendance areas subject to yearly review.

Comments

Based on the approved proffer guidelines the 15 students generated by this rezoning would justify a \$ 112,500 proffer for schools. (15 students x \$ 7,500 per student)

The foregoing information does not take into account the potential impacts of other proposals pending that could affect the same schools.

Heritage Resources:

The western two-thirds of parcel two is wooded and has moderate to high potential for the presence of potentially significant archeological resources. A Phase I archaeological survey should be conducted on the property and if potentially significant archaeological resources are discovered, further archaeological investigations are recommended. FCPA requests that the applicant commit to providing one copy of the Phase I archaeological survey (and any further archaeological investigations) to FCPA's Resource Management Division.

cc: Kirk Holley, Manager, Planning and Land Management Branch
Michael Rierson, Manger, Resource Protection Group, FCPA
Chron Binder
File Copy

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

July 1, 2003

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

FROM: Ralph Dulaney (246-3868)
Planning Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Final Development Plan
FDP 2003-LE-027 and Rezoning Application RZ 2003-LE-027

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #37 Kingstowne.
2. After construction programmed for FY 20___, this property will be serviced by the fire station planned for the _____.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is ___ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

DATE: September 25, 2003

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ_FDP 2003-LE-027

Tax Map No. 091-3- /01/ /2,4,5,6,30

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

1. The application property is located in the ACCOTINK CREEK (M6) watershed. It would be sewer into the Noman M. Cole, Jr. Pollution Control Plant.
2. Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in BEULAH STREET and APPROX. 50 FEET the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other pertinent information or comments:

FAIRFAX COUNTY WATER AUTHORITY

8570 EXECUTIVE PARK AVENUE - P.O. BOX 1500
MERRIFIELD, VIRGINIA 22116-0815

PLANNING AND ENGINEERING DIVISION
C. DAVID BINNING, P.E., DIRECTOR

July 7, 2003

TELEPHONE
(703) 289-6325

FACSIMILE
(703) 289-6382

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

Re: RZ 03-LE-027
FDP 03-LE-027
Water Service Analysis

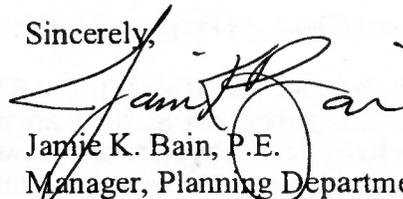
Dear Ms. Byron:

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

1. The property is located within the Fairfax County Water Authority service area.
2. Adequate domestic water service is available at the site from existing 12-inch and 24-inch water mains located at the property. See the enclosed property map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the engineering firm.
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 me at (703) 289-6302.

Sincerely,



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

Enclosures (as noted)

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: 10/28/2003

FROM: Carl Bouchard, Director
Stormwater Planning Division
Department of Public Works & Environmental Services



SUBJECT: Rezoning Application Review

Name of Applicant/Application: Pulte Home Corporation

Application Number: RZ/FDP 2003-LE-027

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

Date Received in SWPD: 7/9/2003

Date Due Back to DPZ: 7/18/2003

Site Information: Location - 091-3-01-00-0002, 3, 4, 5, 6 and 091-3-03-00-0030
Area of Site - 9.01 acres
Rezone from - R-1 to PDH-4
Watershed - Accotink Creek

Stormwater Planning Division (SWPD), Maintenance and Stormwater Management Division (MSMD), and Planning and Design Division (PDD) Information:

I. Drainage:

- MSMD/PDD Drainage Complaints: **There are no downstream complaints on file with PDD, relevant to this proposed development.**
- Master Drainage Plan, proposed projects, (SWPD): **No downstream deficiencies are identified in the Fairfax County Master Drainage Plan.**
- Ongoing County Drainage Projects (SWPD): **None.**
- Other Drainage Information (SWPD): **The SWPD is currently engaged in developing watershed management plans for all areas of the County. As part of this effort, a comprehensive stream physical/habitat assessment was conducted and the data will be available later this year. The results of this assessment may or may not indicate severe stream channel conditions warranting some immediate measures to alleviate existing and/or anticipated future degradation. Please consult with SWPD for additional information as needed.**

II. Trails (PDD):

Yes No Any funded Trail projects affected by this application?

If yes, describe:

Yes No Any Trail projects on the Countywide Trails priority list or other significant trail project issues associated with this property?

If yes, describe:

III. School Sidewalk Program (PDD):

Yes No Any sidewalk projects pending funding approval or on the School Sidewalk Program priority list for this property?

If yes, describe:

Yes No Any funded sidewalk projects affected by this application?

If yes, describe:

IV. Sanitary Sewer Extension and Improvement (E&I) Program (PDD):

Yes No Any existing residential properties adjacent to or draining through this property that are without sanitary sewer facilities?

If yes, describe:

Yes No Any ongoing E&I projects affected by this application?

If yes, describe:

V. Other Projects or Programs (PDD):

Yes No Any Board of Road Viewers (BORV) or Fairfax County Road Maintenance Improvement Projects (FCRMIP) affected by this application?

If yes, describe:

Yes No Any Commercial Revitalization Program (CRP) projects affected by this application?

If yes, describe:

Yes No Any Neighborhood Improvement Program (NIP) projects affected by this application?

If yes, describe:

Other Program Information (PDD): **None.**

Application Name/Number: **Pulte Home Corporation / RZ/FDP 2003-LE-027**

******* SWPD AND PDD, DPWES, RECOMMENDATIONS*******

Note: The SWPD and PDD recommendations are based on the SWPD and PDD involvement in the below listed programs and are not intended to constitute total County input for these general topics. It is understood that the current requirements pertaining to Federal, State and County regulations, including the County Code, Zoning Ordinance and the Public Facilities Manual will be fully complied with throughout the development process. The SWPD and PDD recommendations are to be considered additional measures over and above the minimum current regulations.

DRAINAGE RECOMMENDATIONS (SWPD): Applicant shall ensure that the proposed area allocated to the SWM Dry Pond is sufficient to provide complete detention for the site meeting the requirements of the PFM Section 6-0300.

STREAM PROTECTION STRATEGY (SPS) RECOMMENDATIONS, (SWPD): This site is in the "Watershed Restoration Level II" management category as determined by the Stream Protection Strategy baseline Report 2001. The primary goal of this category is to maintain areas to prevent further degradation and implement measures to improve water quality to comply with regulations and water quality standards. In this regard, this site should be developed with the use of innovative BMPs and a reduction in imperviousness and if appropriate, sections of on site streams that need stabilizing should be restored or stabilized.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

SANITARY SEWER E&I RECOMMENDATIONS (PDD): None.

Yes NOT REQUIRED Extend sanitary sewer lines to the development boundaries on the _____ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works and Environmental Services during the normal plan review and approval process.

Other E&I Recommendations (PDD): None.

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

SWPD and PDD Internal sign-off by:
Planning Support Branch (Ahmed Rayyan) ab
Utilities Design Branch (Walt Wozniak) mg
Transportation Design Branch (Larry Lichter) nc
Stormwater Management Branch (Fred Rose) FR
RS

CEB/RZ/FDP 2003-LE-027

cc: Gordon Lawrence, Coordinator, Office of Safety, Fairfax County Public Schools (only if sidewalk recommendation made)

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS**16-101 General Standards**

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

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

16-102 Design Standards

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

1. In order to complement development on adjacent properties, at all peripheral boundaries of the 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.

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.

September 9, 2002

BOARD OF SUPERVISORS' ADOPTED
PLAN TEXT

Replace Appendix 9 of the Land Use Element of the Policy Plan (Pages 47 through 49) with the following:

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 low-impact site design 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.

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.

5. Transportation:

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

- a) *Transportation Improvements*: Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:
 - Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;

- Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
- Provision of bus shelters;
 - Implementation and/or participation in a shuttle bus service;
 - Participation in programs designed to reduce vehicular trips;
 - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
 - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
 - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
 - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
 - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
 - The number and length of long, single-ended roadways should be minimized;
 - Sufficient access for public safety vehicles should be ensured.
- d) *Streets:* Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities:* Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
 - Connections between adjoining neighborhoods;
 - Connections to existing non-motorized facilities;
 - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;

- An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
- Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
- Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
- Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.

f) *Alternative Street Designs*: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. Public Facilities:

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

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

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

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

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

a) *Dedication of Units or Land*: If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a

maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.

- b) *Housing Trust Fund Contributions*: Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

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

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

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;

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

ROLE OF DENSITY RANGES IN AREA PLANS

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

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

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of-way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted in the zoning district if the site were developed as a conventional subdivision. See 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	PD	Planning Division
ADU	Affordable Dwelling Unit	PDC	Planned Development Commercial
ARB	Architectural Review Board	PDH	Planned Development Housing
BMP	Best Management Practices	PFM	Public Facilities Manual
BOS	Board of Supervisors	PRC	Planned Residential Community
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	SP	Special Permit
DP	Development Plan	TDM	Transportation Demand Management
DPWES	Department of Public Works and Environmental Services	TMA	Transportation Management Association
DPZ	Department of Planning and Zoning	TSA	Transit Station Area
DU/AC	Dwelling Units Per Acre	TSM	Transportation System Management
EQC	Environmental Quality Corridor	UP & DD	Utilities Planning and Design Division, DPWES
FAR	Floor Area Ratio	VC	Variance
FDP	Final Development Plan	VDOT	Virginia Dept. of Transportation
GDP	Generalized Development Plan	VPD	Vehicles Per Day
GFA	Gross Floor Area	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	ZAD	Zoning Administration Division, DPZ
Non-RUP	Non-Residential Use Permit	ZED	Zoning Evaluation Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZPRB	Zoning Permit Review Branch
PCA	Proffered Condition Amendment		