



# County of Fairfax, Virginia

*To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County*

April 30, 2014

David R. Gill  
McGuire Woods LLP  
1750 Tysons Boulevard, Suite 1800  
Tysons Corner, VA 22102

RE: Rezoning Application RZ 2013-PR-007

Dear Mr. Gill:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on April 29, 2014, granting Rezoning Application RZ 2013-PR-007 in the name of EYA Development, LLC. The Board's action rezones certain property in the Providence District from the I-5 District to the PDH-30 District to permit residential development with an overall density of 22.11 du/ac, approval of the conceptual development plan, waiver of open space requirements, waiver of minimum district size and waiver #561-WPFM-005-1 to permit the location of underground storm water management facilities in a residential area. The subject property is located in the N.E. quadrant of the intersection of Eskridge Road and Merrifield Town Center, on approximately 1.07 acres of land, [Tax Map 49-3 ((1)) 87, 88 and 89B], subject to the proffers dated April 2, 2014.

Please note that on April 3, 2014, the Planning Commission approved Final Development Plan Application FDP 2013-PR-007, subject to the development conditions dated October 23, 2013.

**The Board also:**

- Waived Section 6-107, Part 1 of the Zoning Ordinance, requiring a minimum district size of two acres for a PDH District.
- Modified Section 2-505 of the Zoning Ordinance to permit structures to encroach within the corner lot limitations, as depicted on the CDP/FDP.

---

**Office of the Clerk to the Board of Supervisors**  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

- Modified Section 6-107, Part. 2, of the Zoning Ordinance, requiring 200 square foot privacy yards for single-family attached dwellings, in favor of roof-top terraces.
- Modified Section 6-110 of the Zoning Ordinance, to allow 36 percent open space, as shown on the plan, in lieu of the 45 percent requirement for a PDH-30 District.
- Modified Section 10-104 of the Zoning Ordinance to allow an 8-foot maximum fence height in side and rear yards, as indicated on CDP/FDP.
- Modified the Comprehensive Plan streetscape sections and bulk requirements for Merrifield Suburban Center, in favor of the typical sections shown on plan.
- Modified Section 17-201 of the Zoning Ordinance to accept the proposed improvements, as shown on the CDP/FDP, as satisfying all immediate streetscape, trail, or interparcel connection requirements at site plan stage.
- Approved Waiver request #561-WPFM-005-1, to allow underground Storm Water Management facilities in a residential development, per Section 6-0303.8 of the Public Facilities Manual (PFM), as conditioned in Attachment A of the proposed development conditions.
- Directed the Director of the Department of Public Works and Environmental Services (DPWES) to modify the Tree Preservation Target, per Section 12-0508 of PFM, in favor of proposed vegetation shown on the CDP/FDP.
- Directed the Director of the DPWES to modify Section 12-0510.4E(5) of PFM, to allow a reduction of 8-foot planting width to 5.5-feet with 2.5-foot cantilevered sidewalk, as shown in select areas of FDP.
- Directed the Director of the DPWES to modify Section 7-0502 of PFM to permit 20-foot alleys, as indicated on CDP/FDP, in areas with no parking.

Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

April 30, 2014

Cc: Chairman Sharon Bulova  
Supervisor Linda Smyth, Providence District  
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration  
Barbara Berlin, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Thomas Conry, Dept. Manager – GIS - Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Transportation Planning Division  
Donald Stephens, Transportation Planning Division  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
Jill Cooper, Executive Director, Planning Commission  
Hahay Rawat, Coordinator, Facilities Planning/Fairfax County Public Schools  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 29th day of April, 2014, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 2013-PR-007**

**WHEREAS**, EYA Development, LLC, filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the I-5 District to the PDH-30 District, and

**WHEREAS**, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

**WHEREAS**, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

**NOW, THEREFORE, BE IT ORDAINED**, that that certain parcel of land situated in the Providence District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the PDH-30 District, and said property is subject to the use regulations of said PDH-30 District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., 15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

**BE IT FURTHER ENACTED**, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcel.

GIVEN under my hand this 29th day of April, 2014.



Catherine A. Chianese  
Clerk to the Board of Supervisors



**ESKRIDGE REALTY (E & A), LLC**

**RZ/FDP 2013-PR-007  
PROFFERS**

**April 2, 2014**

Pursuant to Section 15.202303(a) of the Code of Virginia, 1950, as amended, the property owner who is the Applicant in this rezoning proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference – 49-3-((1))-87, 88, 89B (hereinafter referred to as the “Property”) shall be in accordance with the following conditions if, and only if, said rezoning request for the PDH-30 District is granted by the Board of Supervisors of Fairfax County, Virginia (the “Board”). In the event said application request is denied or the Board’s approval is overturned by a court of competent jurisdiction, these proffers shall be null and void. The Owners and the Applicant (“Applicant”), for themselves, their successors and assigns, agree that these proffers shall supersede any and all previously approved proffers or Special Exception conditions and shall be binding on the future development of the Property unless modified, waived, or rescinded in the future by the Board, in accordance with applicable County and State statutory procedures. The proffered conditions are:

**I. GENERAL**

1. **Substantial Conformance.** Subject to the Proffers and the provisions of Sections 6-200 and 6-400 and Article 16 of the Zoning Ordinance, the Property shall be developed in substantial conformance with the Conceptual Development Plan/Final Development Plan (“CDP/FDP”) dated February 21, 2013, and revised through August 16, 2013 consisting of 17 Sheets, and prepared by VIKA Virginia, LLC and Lessard Group, and as further modified by these proffered conditions. This project is designed to be integrated into the

existing Merrifield Town Center Rezoning (latest approval as of the date of these proffers is PCA/FDPA 2005-PR-041-3 and also referred to as “Mosaic”), specifically from both an aesthetic and functional perspective, as an additional phase of the townhouse development approved for Parcels I and J. To that end this Property may also be referred to as “Parcel K” reflecting this intent.

2. **Minor Modifications.** Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the approved CDP/FDP described above encompassing the application Property may be permitted due to final architectural and engineering design, as determined by the Zoning Administrator.
3. **Density Credit.** All intensity/density attributable to land areas dedicated and/or conveyed at no cost to the Board or any other public entity pursuant to these proffers (including, without limitation, the dedications referenced below) shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and is hereby reserved to the Property.
4. **Escalation.** The amounts of each cash contribution set forth in these Proffers shall adjust on a yearly basis (but not to exceed 3% increase for any given calendar year) from the base year of 2013, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, U.S. Department of Labor, for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the “CPI”).
5. **Decks. Decks (including all attached flower boxes, trellises, lattice work and similar embellishments), bay windows, patios, chimneys, areaways, stairs and stoops, mechanical equipment and other similar appurtenances may encroach into minimum**

yards as depicted on the "lot typical" as shown on the CDP/FDP and as permitted by Section 2-412 and Article 10 of the Zoning Ordinance. The restrictions and limitations of this proffer shall be disclosed to purchasers prior to contract ratification and further disclosed in the homeowners association (HOA) documents. The HOA documents required above shall further stipulate that all decks be of a unified design subject to future modifications as determined by the HOA. In addition, all prospective purchasers shall be notified of the applicable County requirements as they pertain to matters of permitting and related construction requirements.

## II. HOMEOWNERS' ASSOCIATIONS

6. **Homeowners' Associations.** Prior to record plat approval, the Applicant shall establish a Homeowners Association (HOA) in accordance with Sect. 2-700 of the Zoning Ordinance for the purpose of, among other things, establishing the necessary residential covenants governing the use and operation of common open space, stormwater management facilities, implementation of a Transportation Demand Management (TDM) program and other common facilities of the approved development and to provide a mechanism for ensuring the ability to complete the maintenance obligations and other provisions noted in these proffer conditions within the Property, except and to the extent that those obligations are assumed by the UOA.
7. **HOA subject to Umbrella Owners' Association (UOA).** As part of the effort to integrate this Parcel K into the existing townhome community on Parcels I and J and the larger Merrifield Town Center Rezoning, prior to issuance of the first RUP on the Property, the Applicant shall demonstrate that the HOA is a member of the UOA required to be established by the Merrifield Town Center Rezoning.

8. **Dedication to an HOA.** At the time of record plat recordation, open space, common areas, private roadways, and amenities not otherwise conveyed or dedicated to the County shall be dedicated to the HOA/UOA (as appropriate based on the agreement between the HOA and UOA) and shall be maintained by the same.
9. **Disclosure.** Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicants of the land use and parking restraints imposed by the proffers and/or approved parking reduction(s) as well as the TDM program, maintenance responsibility for the private roadways; guest parking spaces; painted walkways; stormwater management facilities; common area landscaping and any other open space amenities and shall acknowledge receipt of this information in writing. The initial deeds of conveyance and HOA and/or UOA governing documents, as applicable, shall expressly contain these disclosures.
10. **HOA/UOA Maintenance Obligations.** The Applicant, and then the subsequent HOA and/or UOA, shall have maintenance responsibilities that shall include, but not necessarily be limited to the following:
  - A. Maintenance of private streets, all sidewalks, park area, open-space, stormwater management facilities, recreational facilities and other common areas within the Application Property, including standard cleaning and lawn/landscaping maintenance and removal of snow from streets and all sidewalks (including VDOT sidewalks) within the Application Property. The HOA and/or UOA shall incorporate into its lawn maintenance contracts a prohibition against mowing with gas-powered equipment on Code Red days.
  - B. Repair of surfaces and site furnishings.

- C. Replacement of dead, dying, or diseased trees and landscaping within the Property with the same size and similar species as originally approved on the landscape plan.
- D. The TDM Program. As discussed below, the respective HOA and/or UOA documents shall specify the maintenance obligation as set forth herein with regard to participation in the Mosaic TDM Plan as applicable to the Property. Purchasers shall be advised in writing prior to entering into a contract of sale, and in the HOA/UOA documents, that the HOA/UOA shall be responsible, respectively, for such obligations.

### III. LAND USE

11. **Lot Yield and Uses.** The development shall consist of a maximum of twenty-five (25) single-family attached dwelling units.

### IV. PARKING

12. **Parking Tabulations.** Parking spaces shall be provided in accordance with the "Parking Tabulations" listed on Sheets C-2 of the CDP/FDP. The Applicant may establish surface parking spaces to be located along Merrifield Town Center generally as shown on the CDP/FDP (the "Parallel Spaces"). The Parallel Spaces are part of the total number of required parking spaces to be provided with the Proposed Development. One (1) of the Parallel Spaces shall be assigned for the exclusive use of the one-car garage unit shown on the CDP/FDP as Unit #9 to ensure all units will have exclusive access to two parking spaces (the "Assigned Space"). Except for this Assigned Space, the Applicant may restrict the use of those Parallel Spaces through appropriate signage or such other means as the Applicant determines for use as guest parking spaces specifically for visitors to these single family attached units. The Applicant may utilize such Parallel Spaces along

Merrifield Town Center to meet the parking requirements, so long as such spaces are striped and meet the dimension requirements of the PFM and are in the location shown on the CDP/FDP, subject to receiving approval of any necessary waivers and/or modifications.

13. **Parking Reduction/Agreement.** Notwithstanding the above, the Applicant may request a parking reduction or approval of a shared parking agreement pursuant to Article 11 of the Zoning Ordinance. Any modification of the required parking as approved by such parking reduction or agreement may be accommodated without requiring a PCA, CDPA or FDPA, provided that the location of the parking remains in substantial conformance with that depicted on the CDP/FDP.

14. **No Garage Conversion/Use of Garage.** Any conversion of garages or use of garages that precludes the parking of vehicles within the garage is prohibited. All garbage and/or recycling receptacles must be stored within a garage or beneath the face of the building unless such items are within twenty-four (24) hours of being collected. A covenant setting forth these restrictions shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA and the Board of Supervisors. These restrictions shall also be disclosed in the HOA documents. Prospective purchasers shall be advised of these use restrictions, in writing, prior to entering into a contract of sale.

Further in order to encourage the efficient use of garage space, an exhibit depicting the most efficient use of the garage space including delineation, with dimensions, of the parking spaces along with how storage areas can be accommodated shall be provided to prospective purchases prior to entering into a contract of sale.

Further the Applicant shall install prior to occupancy of the eight (8) “tandem parking” units, infra-red electronic parking system, rumble strips, wheel stops or other similar measures within the garage space to assist future owners in accommodating parking their vehicles within the garage space.

Prior to issuance of the first RUP, the Applicant shall provide a website with a video demonstrating how to park within the tandem garages and tips on how to organize the garage space to best utilize the space (such as locations for hanging bicycles or providing shelving) and shall provide a link to such video to each owner prior to occupancy. This website video shall also be provided to the HOA in format to allow the HOA to circulate its members to circulate on an annual basis.

#### **V. TRANSPORTATION – GENERAL**

15. **Right-of-Way Dedication.** All road right-of-way (“ROW”) dedicated in conjunction with these proffers and/or as depicted on the CDP/FDP shall be conveyed to the Board of Supervisors in fee simple at the time of recordation of the final record plat for the contiguous development area, or upon written demand by Fairfax County and/or VDOT, which occurs first. All ROW dedication shall be subject to the “Density Credit” proffer in Proffer 3, regarding reservation of development intensity to the resident of the Property.
16. **Definition of “Construct”.** For the purposes of these proffers, “construct” shall mean that the committed road improvement is open to public traffic use whether or not formally accepted into the State road system.
17. **Private Streets.** All private streets shall be constructed with materials and depth of pavement consistent with public street standards in accordance with the Fairfax County

Public Facilities Manual (“PFM”) as may be approved by DPWES, except to the extent DPWES may approve a modified section. The above construction standard shall not apply to parking spaces. The Applicant and/or successor HOA/UOA shall be responsible for the maintenance of all private streets on the Property.

18. **Off-Site Private Alley Easement.** A public access easement in a form acceptable to Fairfax County shall be provided over the Existing Private Alley between the Property and Parcel E as shown on the CDP/FDP. Such easement shall be recorded prior to record plat approval.
19. **Service Alleys.** The private alleys shown on the CDP/FDP which provide service and access to the rear of the townhomes shall be constructed by the Applicant consistent with the sections shown on the CDP/FDP and prior to the issuance of the initial RUP on the Property. The Applicant shall provide a public Emergency Vehicle Access easement in a form acceptable to Fairfax County over such private alleys at the time of record plat approval.
20. **Retaining and Screening Fence.** As shown on the CDP/FDP, a retaining wall and screening fence shall be constructed along the north property boundary. Such wall/fence shall be in substantial conformance with the maximum height, design, and pattern distribution shown on the CDP/FDP. Further, the color palette utilized for the screening fence shall consist of a minimum of two (2) colors from the color exhibit attached hereto as **Exhibit A.**
21. **Bus Stop Facilities.** If deemed necessary by FCDOT, the Applicant shall provide an easement for a future bus stop to be located along the Application Property’s frontage on Eskridge Road in a final location coordinated with and approved by FCDOT prior to

site/subdivision plan approval. The easement shall be recorded prior to site/subdivision plan approval. If FCDOT determines that such a bus stop is not necessary, then this proffer shall be deemed satisfied.

22. **Traffic Signal Easement.** If deemed necessary by FCDOT, the Applicant shall provide an easement for a traffic signal at the corner of Eskridge Road and Merrifield Town Center in a final location coordinated with and approved by FCDOT prior to site/subdivision plan approval. Such easement shall be located on common association property and not on any future single-family attached lot. The easement shall be recorded prior to site/subdivision plan approval. If FCDOT determines that such an easement is not necessary, then this proffer shall be deemed satisfied.

## VI. PEDESTRIAN AND BICYCLE CIRCULATION SYSTEM

23. **Crosswalks across Merrifield Town Center.** The Applicant shall provide pedestrian cross-walks in the locations shown on the CDP/FDP across Merrifield Town Center Drive to integrate the Property into Parcels I and J. Such cross-walks shall be constructed prior to issuance of the first RUP for the Property.
24. **Re-scarify Southeast Corner of Eskridge Road and Merrifield Town Center.** Prior to issuance of the first building permit on the Property, the Applicant shall re-scarify and landscape the southeast corner of Eskridge Road and Merrifield Town Center in substantial conformance with that shown on the CDP/FDP, including the appropriate curb radius, subject to review and approval by DPWES and FCDOT.
25. **Bicycle Storage/Rack.** At least two (2) bicycle racks consistent in design with the street furniture installed in the Merrifield Town Center Rezoning and Parcels I and J shall be installed on the Property in the general location shown on the CDP/FDP prior to issuance

of the first building permit for a townhome on the Property. Such rack may be relocated in the future to other publicly accessible areas on the Property or Parcels I or Parcel J.

## VII. TRANSPORTATION DEMAND MANAGEMENT PROGRAM

26. **Transportation Demand Management – Relationship to Mosaic.** Pursuant to Proffer IX of the Merrifield Town Center Rezoning, the Mosaic which includes Parcels I and J, are subject to a comprehensive proffer related to Transportation Demand Management (TDM), including the creation of a TDM program intended to ensure a substantial reduction in the number of single occupant vehicle trips generated by that development beyond the 15% reduction identified in the Comprehensive Plan (the “Mosaic TDM Plan”). Given the relatively low number of units (no more than 25) associated with this application, it is not efficient for this Property to create a stand-alone TDM program. Therefore the intent of this proffer is to integrate Parcel K into the larger Mosaic TDM Plan in order to maximize the residential trip reduction associated with the Property. Unless specifically noted, to the extent these Proffers and the Mosaic TDM Plan proffer conflict, these proffers shall control.
27. **Role of UOA.** As discussed herein, the Property shall become part of the UOA, which is ultimately responsible for implementing the Mosaic TDM Plan. As such, the Property shall be subject to the Mosaic TDM Plan to the extent the Mosaic TDM Plan proffer requirements apply to the UOA, including but not limited to participation in funding the Mosaic TDM Plan as required by that proffer and the funding of the shuttle service to the Property as if it were part of the Mosaic. Participation in the UOA and the larger Mosaic TDM Plan shall be disclosed in the HOA documents and to every purchaser prior to their purchase of a lot.

28. **Definitions.** Unless otherwise noted in these proffers, the definitions contained in the Mosaic TDM Plan (Proffer IX.2.) shall control and have the same meaning as used herein.
29. **Role of Trip Reduction Goals.** The Mosaic TDM Plan incorporates a number of phased trip reduction goals for both office and residential development based on the availability of shuttle service and/or an area-wide circulator. As applied to the Property and consistent with the Mosaic TDM Plan, the objective of these TDM proffers shall be to reduce the number of baseline vehicle trips generated by the residential uses on the Property during weekday peak hours as set forth below. The number of vehicle trips generated and reduced shall be measured consistent with the Mosaic TDM Plan thus the goal for this Parcel K shall be as follows: Residential Goals. *Phase 1 -Pre-shuttle 7%; Phase 2-Post-shuttle/Pre-build out 13%; Phase 3- Post-shuttle/Post build out 26%; Phase 4- Post-shuttle/Post Areawide circulator 30%.* These TDM Reduction Goals shall remain in place until such time as the Applicant Control Period ends for the Mosaic TDM Plan as such is defined therein.
30. **TDM Plan Elements Applicable to Parcel K.** In order to achieve the trip reduction goals above, the Applicant shall, at minimum, implement the following TDM Plan elements, and may include other elements of the Mosaic TDM Plan:
- A. Prior to issuance of the first initial RUP on the Property, a one-time contribution of \$1,000 towards the establishment of an Areawide circulator to link uses within the Merrifield Suburban Center and Mosaic.
  - B. Pre-wiring of all units for internet access.

- C. Integrate a targeted-marketing program with Parcels I and J for residential sales that encourages and attracts TDM-oriented people such as one car or no-car individuals and families to live on the property, as well as targeting nearby office/retail workers.
  - D. Prior to issuance of a RUP, the Applicant shall distribute to all initial licensed residents fare media such as a SmarTrip card with a face value of \$25 in order to encourage/incentivize residents to utilize mass transit instead of single occupant vehicles.
  - E. The Applicant shall encourage all residents to participate in Annual Surveys conducted by the Mosaic Program Manager (the "PM").
  - F. The Applicant shall make a one-time contribution to the Mosaic Remedy fund in the amount of \$1,375 prior to the issuance of the first initial RUP for the Property.
  - G. The Applicant shall make a one-time TDM penalty contribution to the HOA in the amount of \$1,500 prior to the issuance of the last initial RUP for the Property.
31. **Interim TDM Elements.** Besides future participation in the Mosaic TDM Plan as part of the UOA and incorporation of the specific elements above, prior to issuance of the first initial RUP on this Parcel K, the Applicant shall demonstrate to FCDOT that the Property has been integrated into the Mosaic TDM Plan Components to the extent that such Mosaic TDM Plan Components (see Proffer IX.4 of the Mosaic TDM proffer) have been implemented as of the date of the first initial RUP request.
32. **FCDOT Modification of TDM Plan.** Even though the goal is to achieve an integrated TDM Plan with the Mosaic TDM Plan, there are elements in the administration of a unified TDM plan that may not be achievable or be applicable to both properties. In such

an event, the Applicant may seek a written determination from FCDOT for alternative administration of the Mosaic TDM Plan as applied to the Property with the intent of meeting the trip reduction goal stated above for at least the Property.

33. **Trip Counts.** In order to measure the Property's achievement of those residential goals outlined in proffers above, the HOA shall undertake a trip count no earlier than one (1) year after the issuance of the final initial RUP for the Property. Such count shall be coordinated with the Mosaic PM and to the extent possible occur on the same date as those counts conducted for Mosaic. The count shall be conducted on a Tuesday, Wednesday or Thursday during a non-holiday week when area public schools are in session. The results of the trip count shall be submitted to FCDOT and the Mosaic PM within 30 days of completion for their review and comment.

If the results of the trip count referenced above show the applicable goal for the Property has been met (as appropriate based on the status of the Mosaic TDM Plan) then no additional trip counts shall be necessary and the HOA shall continue to implement the TDM program in its normal course and as part of its participation in the UOA.

If the results of the trip count referenced above show the applicable goal for the Property has not been met, then the HOA shall meet with FCDOT and the Mosaic PM within two weeks following submission of the trip counts to discuss additional incentives/remedies that might be implemented on the Property. In such event, a second count will be conducted one year following the initial trip counts and submitted to FCDOT and the Mosaic PM within 30 days. If the second count reveals the applicable goal has not yet been met then the HOA shall pay to the County, the penalty contribution referenced in Proffer 29.G above. The HOA shall, in such event, continue to work with

the Mosaic PM to achieve the goals outlined above but no additional traffic counts, remedy fund contributions, or penalties fund contributions shall be required of the Property beyond those identified by these proffers.

## VIII. ENVIRONMENTAL

34. **Stormwater Management Facilities and Best Management Practices.** Stormwater management shall be provided as generally depicted on the CDP/FDP and as approved by DPWES if required at the time of site/subdivision plan approval (see Sheet C-7). The stormwater management techniques may include but are not limited to the following: underground detention vault, permeable pavement, infiltration trench, vegetated swale, filtera systems, or bay filters or other such technique permitted under the PFM and as approved by DPWES. The Applicant shall utilize pervious (jointed) pavers and amended soils (as such are defined in the PFM) in the locations shown on the CDP/FDP. All such facilities shall be located in a manner that is in substantial conformance with the CDP/FDP. Consistent with the BMP Narrative on Sheet C-7, at a minimum the Property shall achieve a reduction of 20% of phosphorous loading.

In addition, even though the PFM requires no additional detention is required as the Property is reducing the existing impervious area, consistent with the Stormwater Narrative on Sheet C-7, through a combination of runoff reduction due to the reduction in the impervious area on the site and the proposed underground detention facility and other stormwater management techniques, the Applicant anticipates a significant improvement in stormwater volume. At a minimum, at the time of site/subdivision plan approval, the Applicant shall demonstrate a reduction in the impervious area over existing conditions sufficient to support a 600 CF runoff reduction pursuant to the appropriate PFM

calculations. In addition to such runoff reduction, the Applicant shall further enhance stormwater detention on the site by installation of an underground stormwater vault of sufficient capacity to detain, at a minimum and notwithstanding potentially smaller detention shown on the CDP/FDP, 500 CF in accordance with the PFM. Such vault shall be installed prior to issuance of the first RUP for the Property. If warranted by final engineering, minor modifications to the size, location and configuration of the underground vault may be made in connection with site/subdivision plan approval. Adequate outfall shall be demonstrated in accordance with the PFM as determined by DPWES.

35. **Stormwater Management and BMP Maintenance.** After establishing the HOA and/or UOA, the Applicant shall provide the HOA and/or UOA and all future homeowners with written materials in the form of a manual describing the proper maintenance of any approved stormwater management facilities, including the need for inspections, cleaning and general maintenance in accordance with County guidelines and the manufacturer's guidelines. The Applicant shall establish an escrow for the HOA and/or UOA to provide for the future maintenance of such improvements as well as a contribution towards a reserve fund for the future replacement of the underground facility which will receive annual deposits from the HOA and/or UOA based on initial construction costs. The amount of such escrow shall be approved by DPWES.

36. **Lighting.** All on-site outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.

#### **IX. LANDSCAPING AND OPEN SPACE**

37. **Minimum Open Space.** As depicted on the CDP/FDP, a minimum of 36 percent open space shall be provided in accordance with Zoning Ordinance requirements.
38. **Landscape Design.** Landscaping shall be generally consistent with the quality, quantity and the locations shown on CDP/FDP Sheets L-1 to L-3. Actual types, quantities and species of vegetation shall be determined pursuant to more detailed landscape plans submitted at the time of the first and all subsequent submissions of the site plan, for review and approval by Urban Forest Management. Such landscape plans shall provide tree coverage and species diversity consistent with the PFM criteria, as determined by Urban Forest Management. Landscaping shown on the CDP/FDP may be modified, if in substantial conformance with that shown on the CDP/FDP as approved by the Zoning Administrator and Urban Forest Management, to allow for final engineering considerations, such as final utility locations, low impact development facilities, sight distance requirements and other requirements. The Applicant shall coordinate the location of any utilities within open space areas to allow sufficient planting depth for trees and other landscaping as shown on the CDP/FDP. As a priority, where reasonably feasible as determined by Urban Forestry Management, DPWES, the Applicant shall install water, sanitary sewer and storm sewer utility lines within the street network to avoid conflicts with open space areas and streetscape elements shown on the CDP/FDP.
39. **Tree Size.** All shade trees provided as a part of the streetscape shall be a minimum of 3 to 3.5 inches in caliper at the time of planting; all new flowering trees shall be a minimum of 2 inch caliper at the time of planting; and all new evergreen trees shall be a minimum of eight (8) feet in height at the time of planting, subject to the review and approval of the Urban Forester as shown on the CDP/FDP.

40. **Non-invasive Plant Materials.** Only non-invasive plant materials, including street trees, shall be used within the streetscape and open space areas, subject to approval by the County Urban Forest Management Division. Further, the intent is to match the species and plant materials utilized on Parcels I and J, thus the Applicant shall utilize similar plant species for comparable planting types (e.g. shrubs, street trees etc.) to create an integrated landscape design.
41. **Pedestrian Access Easement Over Pocket Park.** The Applicant shall grant a pedestrian access easement over those specific open space areas identified on the CDP/FDP as "Pocket Park." Such right of access shall be subject to the right of the Applicant and the successor HOA, as applicable, to establish reasonable rules and regulations pertaining to hours of public access, maintenance and repairs.

#### **X. UTILITIES**

42. **Underground Utilities.** The Applicant shall coordinate with utility companies (gas, power, telephone, cable etc.) to co-locate utilities where reasonably feasible. To the extent possible and as permitted by the applicable utilities companies, the Applicant shall place all utilities serving the Property underground. Upon request by the Applicant, the Zoning Administrator may waive/modify the requirement to place utilities underground without approval of a PCA upon a determination that such requirement (a) is infeasible or impractical or (b) would require the Applicant to secure easements or consents from third-parties that, despite having been diligently pursued by the Applicant, are not available.

#### **XI. RECREATIONAL FACILITIES**

43. **On-Site Amenities and Facilities for Residents.** Pursuant to Paragraph 2 of Section 6-110 and Paragraph 2 of Section 16-404 of the Zoning Ordinance, the Applicant shall expend a minimum of \$1,700.00 per single family attached unit for on-site recreation facilities. Prior to final bond release for the Proposed Development, the balance of any funds not expended on-site and/or for the construction of the on-site Pocket Park, shall be contributed to the Fairfax County Park Authority ("FCPA") for the provision of recreation facilities located in proximity to the Property.
44. **On-Site Pocket Park.** An on-site open space amenity area identified at the "Pocket Park" shall be provided on the Property as shown on the CDP/FDP to provide recreational opportunities for future residents of Parcels I, J and K and the larger Mosaic Rezoning. For purposes of these proffers the "Pocket Park" shall be all of the common area, including sidewalks, shown on the CDP/FDP between Buildings 2, 3 and 4 (an area approximately 142' x 60'). It shall include special landscape treatments, pavement treatments, outdoor seating, bike racks and other elements shown on the CDP/FDP and in the general locations shown on the CDP/FDP. In the future, the design of this Pocket Park may be modified as deemed appropriate by the Applicant or HOA provided, at a minimum, an equivalent level of street furniture and landscaping is provided. This area shall be retained in ownership by the Applicant or successor HOA/UOA, however the residents of Parcels I, J and K shall have access to such park. The Applicant/HOA/UOA shall reserve to the right to restrict access for special events or out of security and/or safety concerns for a limited duration necessary to accommodate such issues. Such Pocket Park shall be completed prior to issuance of a RUP for the first townhome.

45. **Recreational Cooperation with Mosaic.** In addition to the above commitment, prior to the issuance of the first RUP, the Applicant and/or the successor HOA shall submit a written request to the UOA and/or appropriate property owner requesting that the future residents of Parcel K have access to active recreational facilities located in the multi-family residential buildings in Mosaic in a similar manner to the access rights for the existing townhomes on Parcel I and J. It shall be the sole discretion of the UOA and/or such property owner as to the appropriate terms, if any, to allow such access.
46. **Providence District Recreation Contribution.** In addition to the above commitments, prior to issuance of the first RUP, the Applicant shall contribute \$5,000 to Nottoway Nights to support their programs and activities.

## **XII. SCHOOL CONTRIBUTION**

47. A contribution of \$125,856 (12 students X \$10,488 = \$125,856) shall be made to the Board of Supervisors for transfer to Fairfax County Public Schools (FCPS) and designated for capital improvements directed to the schools that service the subject property. The contribution shall be made at the time of, or prior to, issuance of site plan approval. Following approval of this Application and prior to the Applicant's payment of the amount set forth in this Proffer, if Fairfax County should increase the contribution per student, the Applicant shall increase the amount of the contribution for that phase of development to reflect the then-current contribution. In addition, notification shall be given to FCPS when construction is anticipated to commence to assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

## **XIII. URBAN DESIGN**

48. **Architectural Treatments.** The architectural treatment of the subject property is intended to incorporate the elements of the surrounding "Merrifield Town Center" development. Specifically, the architectural treatment shall mirror that already established for Parcels I and J through the use of unifying and similar elements, such as materials, textures, color patterns and distributions, window treatments, decorative details, lighting, landscaping, and roof pitches. Materials shall be brick, Fiber-Cement "Hardie-Panel" and Fiber-Cement "Hardie-Trim." The railings will be painted steel.
49. **Building Elevations.** The architectural design of single family attached dwellings shall be consistent with the quality of the elevations shown on Sheets A-1 and A-2 of the CDP/FDP. The Applicant reserves the right to revise the elevations as a result of final architectural and engineering design, provided the quality of design remains consistent with those shown, as determined by DPWES.
50. **Street Furniture.** All street furniture, including garbage cans, benches and lamp posts, shall be consistent, both in terms of materials and design, with the existing street furniture in Merrifield Town Center and to those used in Parcels I and J. Further, such street furniture shall be consistent in quality and character with the illustrative examples included in the CDP/FDP.
51. **Green Building Principles.** The following green building commitment shall apply to the single-family attached uses shown on the CDP/FDP. For this green building commitment, the applicant shall utilize one of the choices identified below (LEED for Homes or Earthcraft). Further, in addition to the choices identified herein, the Applicant may submit an alternative third party certification for the single-family attached uses shown on the CDP/FDP that meets the substantive intent of the choices identified below.

Such alternative third party certification must be reviewed and approved by DPZ prior to construction that utilizes such alternative certification.

A. If the Applicant selects the LEED for Homes option, the approval of the 1<sup>st</sup> Single Family attached Residential Use Permit, the Applicant will post a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$4,000 per unit based on an average square footage of 2,000 per unit. This escrow will be in addition to and separate from other bond requirements and will be released as a total sum, and not an individual dwelling unit basis, upon demonstration of attainment of certification for each dwelling unit, by the U.S. Green Building Council, under the current version at the time of project registration with the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design for Homes (LEED® for Homes) rating system. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that each dwelling unit has attained LEED certification will be sufficient to satisfy this commitment. If the applicant fails to provide documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification for each dwelling unit within one year of issuance of the final RUP, a proportion of the escrow related to the number of units failing to achieve certification will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the Applicant provides to the Environment and Development Review Branch of DPZ, within one year of issuance of the final RUP, documentation demonstrating that

LEED certification for any dwelling unit(s) has not been attained but that the dwelling unit(s) has been determined by the U.S. Green Building Council to fall within three points of attainment of LEED certification, 50% of the escrow proportionate to the dwelling unit(s) failing to achieve certification will be released to the applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the Applicant fails to provide, within one year of issuance of the final RUP for the building, documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification or demonstrating that any dwelling unit(s) has fallen short of certification by three points or less, the entirety of the escrow proportionate to the dwelling units failing to achieve certification will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environment and Development Review Branch of DPZ, that USGBC completion of the review of the LEED certification for any dwelling unit(s) application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the proffered time frame shall be extended until such time as evidence is obtained, and no release of escrowed funds shall be made to the Applicant or to the County during the extension. The time frame may also be extended as determined appropriate by the Zoning Administrator.

## **LEED-AP**

The applicant will include a LEED®-accredited professional as a member of the design team. The LEED-accredited professional will work with the team to incorporate sustainable design elements and innovative technologies into the project with a goal of having the project attain LEED certification. At the time of subdivision plan submission, the applicant will provide documentation to the Environment and Development Review Branch of DPZ demonstrating compliance with the commitment to engage such a professional.

## **Checklist**

The applicant will include, as part of the 1<sup>st</sup> Single Family Attached Residential Use Permit submission and building plan submission, a list of specific credits within the most current version of the US Green Building Council's Leadership in Energy and Environmental Design for Homes (LEED® for Homes) rating system that the applicant anticipates attaining. A professional engineer or licensed architect will provide certification statements at the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED certification of the project.

## **Green Building Manual**

Prior to approval of the final RUP, the Applicant will provide to the Environment and Development Review Branch of DPZ a letter from a LEED®-accredited professional certifying that a green building maintenance reference manual has been prepared for use by future residents, that this manual has been written by a LEED-accredited

professional, that copies of this manual will be provided to all future residents and that this manual, at a minimum:

- provides a narrative description of each green building component, including a description of the environmental benefits of that component and including information regarding the importance of maintenance and operation in retaining the attributes of a green building;
- provides, where applicable, product manufacturer's manuals or other instructions regarding operations and maintenance needs for each green building component, including operational practices that can enhance energy and water conservation;
- provides, as applicable, either or both of the following: (1) a maintenance staff notification process for improperly functioning equipment; or (2) a list of local service providers that offer regularly scheduled service and maintenance contracts to assure proper performance of green building-related equipment and the structure, to include, where applicable, the HVAC system, water heating equipment, water conservation features, sealants, and caulks; and
- provides contact information that building occupants can use to obtain further guidance on each green building component; and
- the Applicant will, prior to approval of the final RUP, provide an electronic copy of the manual in pdf format to the Environment and Development Review Branch of the Department of Planning and Zoning.

**B. EarthCraft:**

If the Applicant selects the EarthCraft option, prior to issuance of the first RUP for a proposed building, the Applicant shall provide documentation to DPWES and DPZ that the building has been awarded certification in accordance with the EarthCraft House Program.

#### **XIV. AFFORDABLE HOUSING**

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

#### **XV. OTHER**

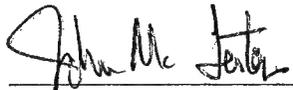
53. **Temporary Signs.** No temporary signs (including "Popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on- or off-site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

54. **Future Comprehensive Sign Plan.** At this time no additional permanent signage is proposed on the Property, except for wayfinding and parking signage. Such minor signage shall be consistent in design with that established for Parcel I and J. In the future if permanent signage is desired to be installed, such signage shall only be permitted pursuant to approval of a comprehensive sign plan that is consistent, both in terms of the design of the signs and number, location, and area of the signs, with the applicable approved comprehensive sign plan for Mosaic, if any. If possible, such a future comprehensive sign plan shall be formally incorporated into a larger comprehensive sign plan for the entirety of the Property and Mosaic.
55. **Unreasonable Delay.** Upon demonstration by the Applicant that, despite diligent efforts by the Applicant, provision of an improvement set forth in these proffers has been unreasonably delayed by others or by circumstances beyond the control of the Applicant, the Zoning Administrator may agree to a later date for the completion of each such improvement.
56. **Administrative Review.** Concurrent with the submission to DPWES of site plans, and any major inserts or revisions to said site plans, the Applicant shall submit copies of the same to the Providence District Supervisor and Planning Commissioner for the purpose of administrative review and comment.
57. **Successors and Assigns.** Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest, developer(s) of the site or any portion of the site, and the respective Homeowners' Associations described in Proffer XVI.

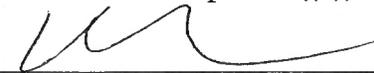
58. **Counterparts**. To facilitate execution, this Proffer Statement may be executed in as many counter-parts as may be required. It shall not be necessary that the signature on behalf of all the parties to the Proffer Statement appear on each counterpart-part of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.

**[SIGNATURES ON FOLLOWING PAGES]**

**EYA DEVELOPMENT LLC**  
(Contract Purchaser/Applicant  
of Tax Map 49-3 ((1)) 87, 88, 89B)

By:   
John M. Lester  
Title: Senior Vice President

**ESKRIDGE REALTY (E&A) LLC**  
(Title Owner of Tax Map 49-3 ((1)) 87, 88, 89B)

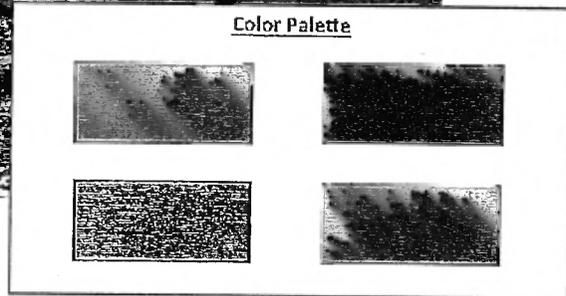
By: 

William C. Caldwell

Its: Managing Director



Exhibit A





## APPROVED DEVELOPMENT CONDITIONS

FDP 2013-PR-007

October 23, 2013

If it is the intent of the Planning Commission to approve FDP 2013-PR-007, located at 2941 Eskridge Road, in conjunction with the rezoning of Tax Parcels 49-3((1))-87,88 and 89B, from I-5 to the PDH-30 District, pursuant to Sect. 16-402 of the Fairfax County Zoning Ordinance, staff recommends that the Commission condition the approval by requiring conformance with the following development conditions, as well as the conditions associated with stormwater management facilities waiver request #561-WPFM-005-1, which are included as Attachment A to these conditions.

1. Any building permit submitted pursuant to this Conceptual Final Development Plan (FDP) shall be in substantial conformance with the approved CDP\FDP Plan entitled "Merrifield Town Center, Parcel K", consisting of seventeen sheets and prepared by VIKA Virginia, LLC, which is dated February 21, 2013, as revised through August 16, 2013, and these conditions. Minor modifications to the approved CDP\FDP may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
2. Any streetscape modifications that are required by DPWES at the time of site plan review shall meet the intent of both the CDP/FDP and Fairfax County's "Merrifield Streetscape Design Manual" (dated June 2008) and may include additional amenities, fixtures or landscaping that are in substantial conformance with those resources, and in harmony with the neighboring Mosaic townhome development.
3. The minimum setback distance for Building 2 from the east property line shall be 7-feet (as depicted graphically on the plan), and not 5-feet (as labeled).
4. In order to avoid any potential issues with locating private parking spaces off-site, the proposed on-street parallel parking spaces on Merrifield Town Center shall be located entirely within the applicant's original property boundary, as shown on the CDP/FDP, which will result in approximately one (1) to two (2) feet of excess pavement between the travel lane and edge of the parking spaces, due to an existing gap between the roadway and property line.
5. At the time of site plan review, DPWES shall allow reasonable modification of the proposed park layout, as required to accommodate the proposed permeable paving BMP on the sloped site. If DPWES determines that the installation of the proffered permeable paving BMP is not technically feasible, due to soil conditions onsite or topographical constraints that would not be reasonable to overcome, the applicant shall be allowed to substitute an alternative approved BMP system(s), as needed, to contribute towards the proffered 20% phosphorus reduction target.
6. Additional amenities may be included in the final park design, to include recreational features, public art, seating elements, or other similar facilities that would serve the public, as approved by DPWES at the time of site plan review.

7. Signage not requiring a permit, per Sect. 12-103 of the Ordinance, shall be allowed, until such time as this property applies for a CSP.
8. The proposed retaining wall/screening fence along the north property line may be removed in the future in coordination with an approved redevelopment plan for the adjacent parcels to the north which provides for a compatible development to be incorporated into the Town Center.
9. Silva Cells<sup>™</sup> or similar approved technology shall be utilized in the modified planting areas shown on the CDP/FDP along Merrifield Town Center, in order to accommodate a full 5-foot sidewalk cantilevered over the planting areas for the proposed street trees, as approved by UFMD
10. The reconstruction of the curb radius on the south side of Merrifield Town Center, at Eskridge Road, shall be subject to the acquisition of all necessary easements, as well as review and approval from VDOT.
11. The proposed crosswalk on Merrifield Town Center at Eskridge Road shall be designed and marked to VDOT standards.

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

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Building Permits through established procedures.

# MERRIFIELD TOWN CENTER PARCEL K

## REZONING/CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN

RZ/CDP/FDP 2013-PR-007  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

FEBRUARY 21 2013  
REV. MAY 16 2013  
REV. JULY 17 2013  
REV. AUGUST 16 2013

### SHEET INDEX

#### CIVIL

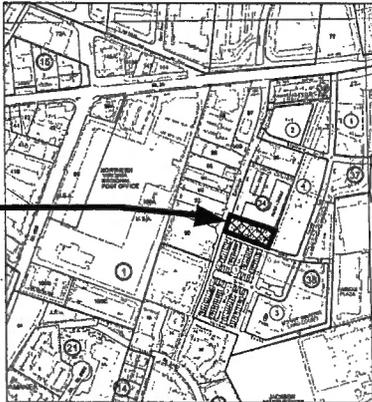
- C-1 COVER SHEET
- C-2 NOTES AND TABULATIONS
- C-3 EXISTING CONDITIONS PLAN
- C-4 CONCEPTUAL & FINAL DEVELOPMENT PLAN
- C-5 CIRCULATION PLAN
- C-6 SWM PLAN
- C-7 SWM PLAN AND COMPUTATIONS
- C-8 SWM AND DUTIFALL PLAN
- C-9 EXISTING VEGETATION MAP
- C-10 ROUGH GRADING EXHIBIT

#### ARCHITECTURAL

- A-1 BUILDING ELEVATIONS
- A-2 BUILDING ELEVATIONS

#### LANDSCAPE

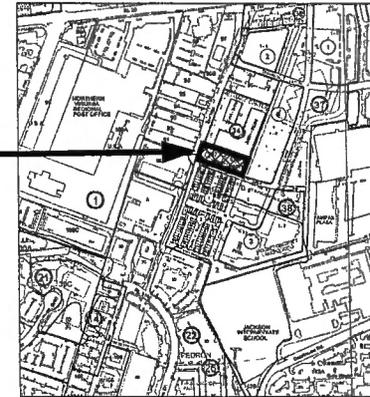
- L-1 LANDSCAPE PLAN
  - L-2 TYPICAL STREET SECTIONS
  - L-2A ADJACENT DEVELOPMENT STREET SECTIONS (FOR INFORMATION ONLY)
  - L-3 LANDSCAPE NOTES AND DETAILS
  - L-4 SITE FURNISHING AND STREETSCAPE DETAILS
- 17 TOTAL SHEETS INCLUDING ALPHA-NUMERIC SHEETS



AREA SUBJECT  
TO CDP/FDP

VICINITY MAP  
SCALE: 1"=500'

TM NO. 49-3 ((01)) PARCELS 87, 88 & 89B



AREA SUBJECT  
TO CDP/FDP

SOIL MAP  
SCALE: 1"=500'  
SOIL TYPE CLASSIFICATIONS:  
85 - URBAN LAND

### ENGINEER/LANDSCAPE ARCHITECT

VIVA VIRGINIA, LLC  
890 GREENSBORO DRIVE  
SUITE 200  
TYSONS, VIRGINIA 22102  
CONTACT: MR. F. CHRISTOPHER CHAMPAGNE, P.E.  
(703) 442-7800

### ARCHITECT

LESSARD DESIGN  
852 LEESBURG PIKE  
SUITE 700  
VIENNA, VIRGINIA 22182  
CONTACT: MR. JACK MCLAURIN  
(571) 830-1830

### TRANSPORTATION

WELLS & ASSOCIATES, INC.  
11441 ROBERTSON DRIVE, SUITE 201  
MANASSAS, VIRGINIA 20109  
CONTACT: ROBIN ANTONUCCI  
(703) 365-9262

### APPLICANT

EYA  
4800 HAMPDEN LANE  
SUITE 300  
BETHESDA, MARYLAND 20814  
CONTACT: MR. JACK LESTER  
(301) 634-8600

### ATTORNEY

MOGUREWOODS  
1750 TYSONS BOULEVARD  
SUITE 1800  
TYSONS, VA 22102  
CONTACT: MR. DAVID GILL  
(703) 712-5000

### OWNER

ESKRIDGE REALTY (B&A) LLC  
122 MAIN ST.  
SUITE 1000 C/O EDENS LP  
ATTN: PROP. MGMT.  
COLUMBIA, SC 29201  
CONTACT: GEORGE SHARPE  
(811) 347-3261

**NOTES**

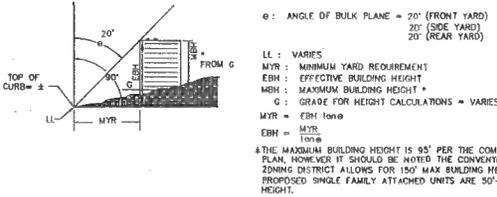
- THE PROPERTY THAT IS THE SUBJECT OF THIS COP/DFP CONSISTS OF THE PARCELS IDENTIFIED ON THE FAIRFAX COUNTY TAX ASSESSMENT MAP AS 44-3 (11) PARCELS 87, 88 & 89B. THE PROPERTY IS CURRENTLY ZONED R-3 AND IS USED AS A METAL RECYCLING CENTER. THE PURPOSE OF THIS APPLICATION IS TO DEVELOP PARCELS 87, 88 & 89B WITH SINGLE FAMILY ATTACHED UNITS UNDER THE PDM-30 DISTRICT. REFER TO THE COVER SHEET FOR OWNER AND APPLICANT INFORMATION.
- THE HORIZONTAL DATUM IS VIRGINIA STATE GRID NORTH.
- THE TOPOGRAPHY SHOWN HEREON WAS FIELD VERIFIED BY VRA, INC. AND THE CONTOUR INTERVAL IS TWO (2) FEET.
- THE BOUNDARY INFORMATION WAS PREPARED BY VRA, INC.
- THE PROPERTY IS LOCATED WITHIN THE MERRIFIELD SUBURBAN CENTER PLANNING DISTRICT OF THE FAIRFAX COUNTY COMPREHENSIVE PLAN AND IS WITHIN THE MERRIFIELD COMMERCIAL, REHABILITATION AREA.
- PUBLIC WATER AND SANITARY SEWER ARE AVAILABLE AND WILL BE EXTENDED TO SERVE THE DEVELOPMENT.
- STORM WATER MANAGEMENT AND BMP FACILITIES FOR THE PROPOSED DEVELOPMENT WILL BE PROVIDED ON SITE. THE STORM WATER MANAGEMENT SYSTEMS WILL BE CONSTRUCTED AS BELOW GROUND STRUCTURES, OPEN JOINTED (PERVIOUS) PAVEMENT AND UNDER SOIL SOIL AREAS. AN APPROPRIATE STORM DRAINAGE SYSTEM WILL BE PROVIDED IN ACCORDANCE WITH THE PUBLIC FACILITIES MANUAL STANDARDS AND DESIGN CRITERIA OF FAIRFAX COUNTY. A WAIVER OF UNDERGROUND DETENTION IN A RESIDENTIAL AREA WILL BE REVIEWED UNDER A SEPARATE APPLICATION PROPOSED CONCURRENTLY WITH THIS APPLICATION.
- TO THE BEST OF OUR KNOWLEDGE, NO GRAVE SITES OR STRUCTURES MARKING A BURIAL SITE ARE PRESENT ON THE SUBJECT PROPERTY.
- TO THE BEST OF OUR KNOWLEDGE, NO HAZARDOUS OR TOXIC SUBSTANCES ARE KNOWN TO EXIST ON THE SUBJECT PROPERTY. OTHER THAN THOSE SPECIFIED IN THE PHASE 3 ENVIRONMENTAL STUDY PERFORMED BY GEOTECHNIPUS ENGINEERING ON APRIL 21, 2011. ADDITIONALLY, TO THE BEST OF OUR KNOWLEDGE, THE WRES PREPARED HEREON WILL NOT IDENTIFY, LOCATE, SHOW, TRACK, OR ADVISE OF ANY HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS TITLES 116.4, 302.4 AND 302.6; ANY HAZARDOUS WASTE AS SET FORTH IN THE COMMONWEALTH OF VIRGINIA, DEPARTMENT OF WASTE MANAGEMENT 10.070-10 - VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS AND/OR ANY PETROLEUM PRODUCTS AS DEFINED IN TITLE 40, CODE OF FEDERAL REGULATIONS, PART 280.
- THERE ARE SEVERAL SMALL EXISTING STRUCTURES ON THE PARCELS THAT ARE USED AS PART OF A METAL RECYCLING CENTER. THE DATE OF CONSTRUCTION IS UNKNOWN. ALL EXISTING STRUCTURES WILL BE DEMOLISHED PRIOR TO CONSTRUCTION.
- THE ENTIRE SUBJECT PROPERTY IS LOCATED WITHIN AN RMA ZONE, NO FLOOD PLAIN, P.F.A. OR ENVIRONMENTAL QUALITY CORRIDOR CURRENTLY EXIST ON THE PROPERTY. SEE NOTE 2 SHEET 3 FOR FEMA INFORMATION.
- DEVELOPMENT WILL OCCURRE UPON COMPLETION OF ALL REQUIRED FAIRFAX COUNTY PLAN PROCESSING AND APPROVALS. SUBJECT TO HAZARD CONDITIONS.
- THE PROPOSED DEVELOPMENT CONFORMS TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS, WITH THE EXCEPTION OF THE SPECIFICALLY NOTED MODIFICATIONS AND WAIVERS OF THIS SHEET.
- LANDSCAPED OPEN SPACE AREAS SHOWN HEREON MAY BE MODIFIED AT THE TIME OF FINAL SITE PLAN.
- THE BUILDING FOOTPRINTS, STORM WATER MANAGEMENT/BMP STRUCTURES, GARAGES, PLAZAS, PARKS AND PONDS REPRESENTED ARE APPROXIMATE AND ARE SUBJECT TO MODIFICATION WITH THE FINAL SITE PLAN. THESE FEATURES MAY BE ALTERED, MOVED AND INCREASED OR DECREASED IN SIZE OR QUANTITY AT THE TIME THE FINAL SITE PLAN WITHOUT THE NEED TO AMEND THE COP/DFP IN ACCORDANCE WITH SECTIONS 16-403 OF THE ZONING ORDINANCE.
- ADDITIONAL SITE FEATURES AND ACCESSORY USES SUCH AS PLAZAS, GARDENS, FENCING CORNICES, TRELLISES, LIGHTS AND/OR WALLS NOT REPRESENTED HEREON MAY BE PROVIDED.
- THE PROPOSED DEVELOPMENT ON THE SUBJECT PROPERTY WILL NOT POSE ANY ADVERSE EFFECT ON ADJACENT OR NEIGHBORING PROPERTIES.
- A PARKING REDUCTION UNDER THE FAIRFAX COUNTY ZONING ORDINANCE IS REQUIRED AND WILL BE PROVIDED CONCURRENTLY WITH THIS APPLICATION UNDER SECTION 11 OF THE ZONING ORDINANCE.
- SCENAGE WILL BE PROVIDED IN ACCORDANCE WITH THE ZONING ORDINANCE SECTION 12 OR A COMPREHENSIVE SIGN PLAN.
- THERE ARE NO SCENIC ASSETS OR NATURAL FEATURES ON THIS SITE WORTHY OF DELINEATION.
- THERE ARE NO EXISTING MAJOR UTILITY EASEMENTS HAVING A WIDTH OF TWENTY FIVE (25) FEET OR MORE. THERE ARE NO MAJOR UNDERGROUND UTILITY EASEMENTS LOCATED ON THIS SITE.
- MINOR MODIFICATIONS MAY BE MADE WITH THE FINAL SITE PLANS FOR THE SUBJECT PROPERTY PER SECTION 16-403 OF THE ZONING ORDINANCE.
- THE SUBJECT PROPERTY MAY BE SUBDIVIDED IN THE FUTURE FOR THE PURPOSE OF SALE, JOINT VENTURE, OR PHASING. ANY PROPOSED SUBDIVISION MAY BE MODIFIED ADMINISTRATIVELY BY THE DIRECTOR OF DPW EAS WITHOUT REQUIRING MODIFICATION OF THE COP/DFP.
- ACCESSORY AND SECONDARY USES AS IDENTIFIED UNDER ARTICLE 2, ID AND 6 OF THE ZONING ORDINANCE MAY BE PROVIDED WITHOUT REQUIRING MODIFICATION OF THE COP/DFP. THESE ACCESSORY AND SECONDARY USES SHALL BE IN ACCORDANCE WITH SECTION 16-403.
- ALL PRIVATE STREETS SHALL BE DESIGNED TO MEET FPM CRITERIA. THE DESIGN SPEED SHALL BE DETERMINED AT THE TIME OF FINAL SITE PLAN.
- THE LIMITS OF CLEARING AND GRADING SHOWN ON THE COP/DFP ARE PRELIMINARY AND ARE SUBJECT TO MODIFICATION WITH FINAL ENGINEERING. THE DEVELOPMENT OF THE SITE WILL BE IN GENERAL CONFORMANCE WITH THESE LIMITS. FINAL LIMITS OF CLEARING AND GRADING WILL TAKE INTO CONSIDERATION FINAL SITE ENGINEERING AND SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE COUNTY URBAN FORESTER AT THE TIME OF FINAL SITE REVIEW.
- LANDSCAPING AND TREE COVER REQUIREMENTS WILL BE PROVIDED IN ACCORDANCE WITH REQUIREMENTS OF ARTICLE 13 OF THE ZONING ORDINANCE. LANDSCAPING MAY BE MODIFIED WITH FINAL ENGINEERING AND DESIGN, BUT THE QUANTITIES, LEVEL OF QUALITY AND GENERAL CHARACTER WILL REMAIN CONSISTENT WITH THAT SHOWN HEREON AND AS SET FORTH IN THE PROFFERED CONDITIONS. A DETAILED LANDSCAPE PLAN WILL BE SUBMITTED IN CONJUNCTION WITH THE SITE PLANS.
- APPLICANT RESERVES THE RIGHT TO LOCATE A TEMPORARY SALES TRAILER(S) ON THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD IN ACCORDANCE WITH SECTION 10-308 OF FAIRFAX COUNTY ORDINANCE.
- IT IS UNDERSTOOD THAT THE DIMENSIONS OF ALL INTERNAL PRIVATE ROADS MAY CHANGE PROVIDED THEY CONFORM TO STANDARDS SPECIFIED IN THE PUBLIC FACILITIES MANUAL (PFM), AS MAY BE MODIFIED AND AS APPROVED BY DPW. ALL PRIVATE ROADS WILL COMPLY WITH THE PFM STANDARDS.
- ALL OFFSITE EASEMENTS THAT MAY BE REQUIRED WILL BE OBTAINED DURING THE SITE PLAN PROCESS.
- WE RESERVE THE RIGHT TO RESERVE DEEDLY CREDIT FOR ANY PROPOSED DEDICATION AS PERMITTED BY THE FAIRFAX COUNTY ZONING ORDINANCE.
- UPON RECEIVING THE APPLICANT SHALL DILIGENTLY PURSUE SITE PLAN APPROVAL AND CONSTRUCTION.
- EXISTING WELLS ON-SITE WILL BE DEMOLISHED IN ACCORDANCE WITH HEALTH DEPARTMENT STANDARDS.

**DEVELOPMENT TABULATIONS OVERALL**

**SITE AND BUILDING TABULATIONS - PARCEL 1D**

<b>SITE AREA</b>	46,720 SF or 1.07254 acres	
<b>AREA PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES</b>	2,544 SF or 0.0584D acres	
<b>TOTAL AREA FOR DENSITY PURPOSES</b>	49,264 SF or 1.13094 acres (D.B. 19665 PAGE 2025)	
<b>ZONING</b>	Current - I-5	Proposed - PDM-30
<b>MAXIMUM DENSITY PERMITTED</b>	Residential 30 UNITS/ACRE X 1.13094 AC. = 33.93 UNITS	
<b>TOTAL</b>	33 UNITS	
<b>NUMBER OF DWELLING UNITS PROVIDED</b>	Single Family Attached 75 / 1.13094 AC. = 22.105 UNITS/ACRE	
<b>TOTAL</b>	25 UNITS PROPOSED (Single Family Attached)	
<b>AFFORDABLE DWELLING UNITS (ADU) AND WORKFORCE DWELLING UNITS (WDU)</b>	ADU's are not required with fewer than 50 units and WDU's are not intended for sale single family homes.	
<b>MAXIMUM BUILDING HEIGHT</b>	150' Permitted per the zoning ordinance 6-1D1 (R-30)	
<b>95' Per Comprehensive plan</b>	50' +/- Provided	
<b>OPEN SPACE</b>	Required 45%	(46,720 x 0.45) = 21,024 SF (0.4826 AC)
	Provided 36%	(46,720 x 0.36) = 16,819.2 SF (0.39 AC)

**R-30 SINGLE FAMILY ATTACHED BULK PLANE**



**R-30 BULK PLANE ILLUSTRATION**

THERE IS NO ANGLE OF BULK PLANE REQUIREMENT SPECIFIED FOR THE PDM-30 DISTRICT. THIS GRAPHIC DEPICTION OF THE R-30 DISTRICT REQUIREMENT IS FOR REFERENCE ONLY IN CONSIDERATION OF THE DESIGN STANDARD SET FORTH IN PAR. 1 OF SECTION 16-112 OF THE ZONING ORDINANCE. ACTUAL YARDS AND BUILDING HEIGHTS ARE SHOWN ON THE COP.

**PARKING AND LOADING TABULATIONS**

PRODUCT TYPE	UNITS/SGR	SPACE REQUIRED PER RATE	REQUIRED PARKING	PROPOSED PARKING RATE	PROVIDED PARKING
Single Family Attached	25	2.7 per unit	68	2.2 per unit *	55**

Loading Spaces: N/A  
\* A separate parking reduction request will be filed concurrently with this application to reduce the required townhouse (single family attached) parking rate from 2.7 to 2.2 spaces per unit.  
\*\* See note 18 on this sheet.  
\*\*\* It should be noted that not all townhouses have 2 parking spaces, among the 25 units there are a total of 49 parking spaces.

**LANDSCAPING TABULATIONS & NOTES**

SITE AREA = 46,720 SF  
PDM-30 MINIMUM 10-TR CANOPY REQUIREMENT = 10% OF SITE AREA  
REQUIRED 10-TR CANOPY = (46,720 X 0.10) = 4,672 SF OF CANOPY

LANDSCAPE CANOPY PROVIDED PER PLAN  
- CATEGORY 1 (DECIDUOUS: 11 @ 250 SF = 2,750 SF  
- CATEGORY 2 (DECIDUOUS: 10 @ 150 SF = 1,500 SF  
- CATEGORY 3 (DECIDUOUS: 3 @ 100 SF = 300 SF  
- CATEGORY 1 (DECIDUOUS: 3 @ 75 SF = 225 SF

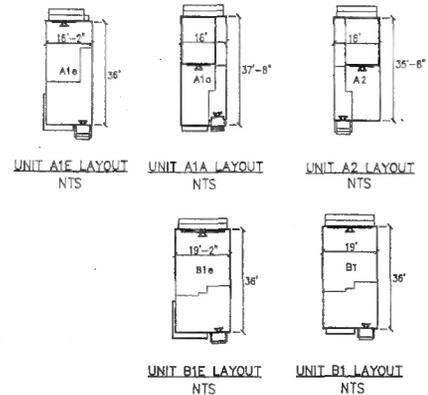
TOTAL 10-TR TREE CANOPY PROVIDED PER PLAN = 4,875 SF (10.63%)

INTERIOR & PERIPHERAL PARKING LOT LANDSCAPING - N/A AS PARKING LOT HAS LESS THAN 20 SPACES.  
TRANSITIONAL SCREENING / BARRIER REQUIREMENT - N/A AS OUR PROPOSED USE IS ZONED THE SAME OR LESS INTENSIVE THAN NEIGHBORING USES AND AS SUCH DOES NOT HAVE A SCREENING OR BARRIER REQUIREMENT UNDER THE ZONING ORDINANCE MANUAL.

**ZONING ORDINANCE MODIFICATIONS REQUESTED**

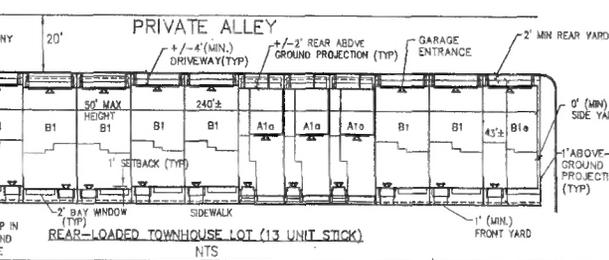
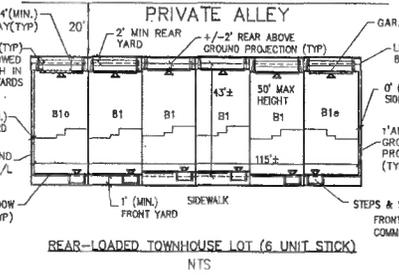
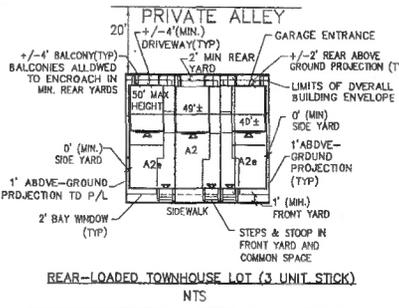
- PURSUANT TO SECTION 6-107.1 OF THE FAIRFAX COUNTY ZONING ORDINANCE, THE APPLICANT REQUESTS A WAIVER OF THE MINIMUM DISTRICT SIZE OF 2 ACRES TO THAT SHOWN ON THESE PLANS.
- PURSUANT TO SECTION 6-107.1 PARAGRAPH 2 OF THE ZONING ORDINANCE, THE APPLICANT REQUESTS A WAIVER OF THE REQUIREMENT FOR A 200 SQUARE FOOT MINIMUM PRIVACY YARD FOR SINGLE FAMILY ATTACHED DWELLINGS.
- A WAIVER AND/OR MODIFICATION OF THE ZONING ORDINANCE SECTION 6-110 (MINIMUM OPEN SPACE) IN FAVOR OF THAT SHOWN ON THESE PLANS AND IN ACCORDANCE WITH SECTION 16-400 OF THE ZONING ORDINANCE.
- A PARKING REDUCTION UNDER THE FAIRFAX COUNTY ZONING ORDINANCE IS REQUIRED AND WILL BE PROVIDED CONCURRENTLY WITH THIS APPLICATION UNDER SECTION 11 OF THE ZONING ORDINANCE.
- MODIFICATION OF 17'-20" TRAILS AND BIKE TRAILS AND THE MERRIFIELD SUBURBAN CENTER COMPREHENSIVE PLAN STRUCTURE SECTIONS IN FAVOR OF THAT SHOWN ON THE COP/DFP APPLICATION.
- THE APPLICANT REQUESTS A MODIFICATION OF ZONING ORDINANCE SECTION 11-201.2 TO PROVIDE ANY FURTHER INTERPACE ACCESS AT THE TIME OF SITE/SUBDIVISION PLAN BEYOND THAT INDICATED ON THE COP/DFP.

**INDIVIDUAL UNIT DIMENSIONS**



**PFM WAIVERS REQUESTED**

- A WAIVER TO ALLOW STORM WATER MANAGEMENT (SWM) AND BEST MANAGEMENT PRACTICES (BMP) TO BE SATISFIED BY UNDERGROUND SYSTEMS FOR THE PROPOSED RESIDENTIAL DEVELOPMENT, AS REQUIRRED BY SECTION 6-100.8 OF THE PFM, WILL BE MADE TO FAIRFAX COUNTY DPW CONCURRENTLY WITH THIS APPLICATION.
- A MODIFICATION OF THE PFM SECTION 7-050.1A TO PERMIT 30 FOOT ELEVATION AND RAMPS FOR VEHICULAR ACCESS AND CIRCULATION IN AREAS INDICATED ON THE COP/DFP WITH NO PARKING.
- A MODIFICATION OF SECTION 12-050.8 OF THE PUBLIC FACILITIES MANUAL FOR THE TREE PRESERVATION TARGET, SEE SHEET C-9 FOR DETAIL REQUISIT.
- A MODIFICATION OF SECTION 12-051.4(2) OF THE PUBLIC FACILITIES MANUAL TO PERMIT A REDUCTION IN THE MINIMUM PARKING WIDTH OF 8 TO A WIDTH OF 5.5 WITH A 2.5 CONVALESCED SIDEWALK FOR THE STREET TREES ALONG MERRIFIELD TOWN CENTER DRIVE.



**VIVA**  
CORPORATE PLANNERS & LANDSCAPE ARCHITECTS & SURVEYORS & ENVIRONMENTAL DESIGN  
VIVA ARCHITECTS LLC  
10400 BIRCHMOUNT DRIVE, SUITE 200  
DUBLIN, VIRGINIA 22024  
(703) 442-7888 FAX (703) 771-2137  
WWW.VIVA-VA.COM

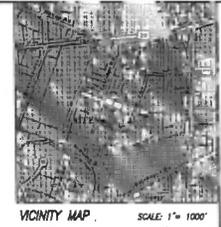
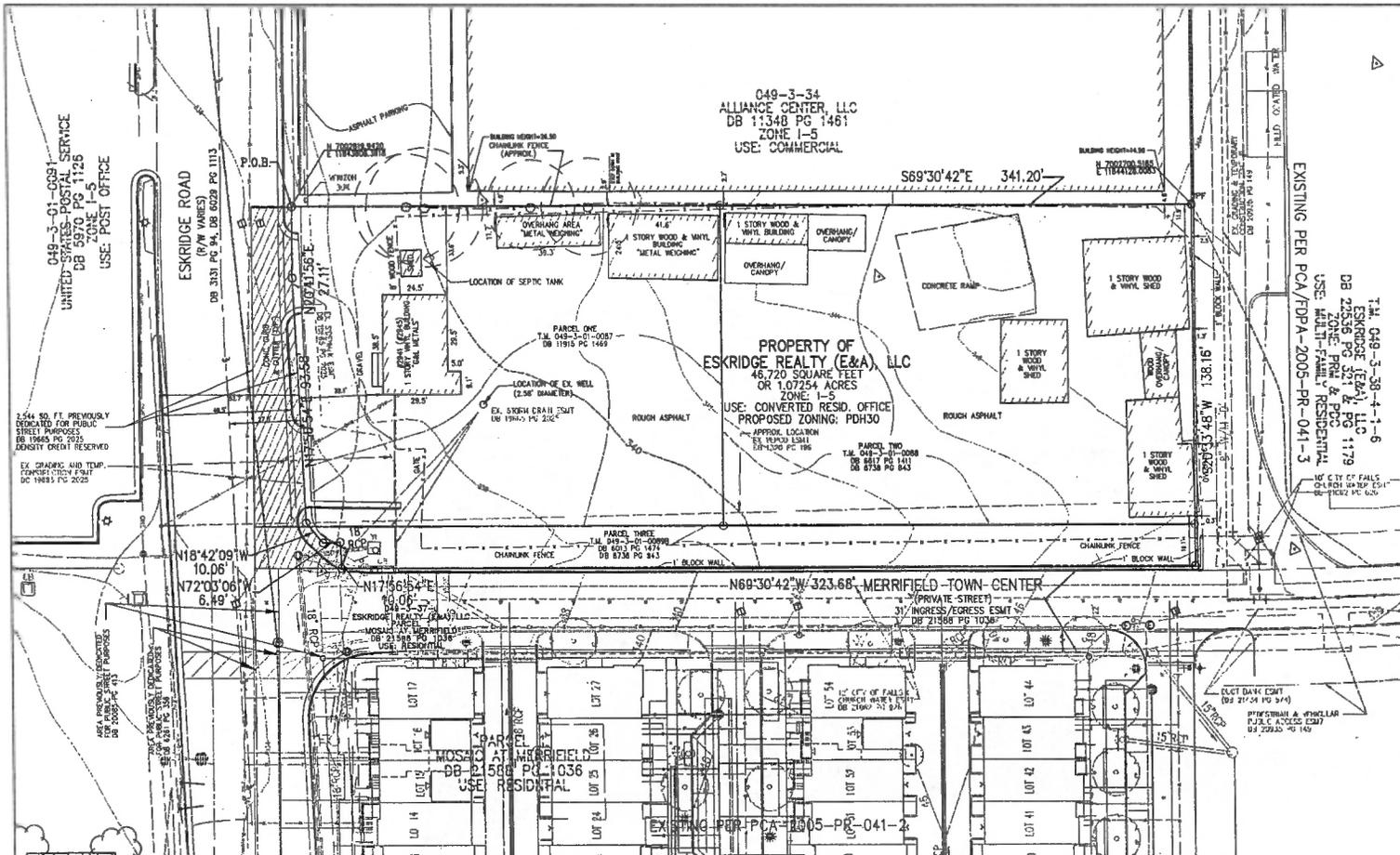
**MERRIFIELD TOWN CENTER  
PARCEL K  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA**

**NOTES AND  
TABULATIONS**

**VIVA REVISIONS**

NO.	DATE	DESCRIPTION
1	8/16/2013	4TH SUB: 8/16/2013
2	7/17/2013	3RD SUB: 7/17/2013
3	5/18/2013	2ND SUB: 5/18/2013
4	2/7/2013	DATE: 2/7/2013

SCALE: AS SHOWN  
PROJECT FILE NO. VM575A5  
SHEET NO. C-2



**WVKA**  
 CONSULTING ENGINEERS & ARCHITECTS  
 11400 WILSON BLVD., SUITE 200  
 FARMINGTON, VIRGINIA 22031  
 (703) 441-1000  
 WWW.WVKA.COM

**LEGAL DESCRIPTION:**

BEING ALL OF THE LAND ACCORDING BY ESKRIDGE REALTY (E&A), LLC AS RECORDED IN DEED BOOK 22803 AT PAGE 1792 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING FOR THE SALE AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ESKRIDGE ROAD, RIGHT-OF-WAY VARIES, AS RECORDED IN DEED BOOK 2131, AT PAGE 84, IN DEED BOOK 8075, AT PAGE 1111 AND DEED BOOK 1985 AT PAGE 3025, ALL AMONG THE AFORESAID LAND RECORDS, THENCE LEAVING SAID LASTERLY RIGHT-OF-WAY LINE OF ESKRIDGE ROAD AND TURNING WITH THE SOUTHERLY PROPERTY LINE OF ALLIANCE CENTER, LLC AS RECORDED IN DEED BOOK 11368 AT PAGE 1461, AMONG THE AFORESAID LAND RECORDS THE FOLLOWING COURSE AND DISTANCE:

1. SOUTH 89°30'42" EAST, 341.20 FEET TO AN IRON PIPE FOUND, SAID IRON PIPE LYING ON THE WESTERLY PROPERTY LINE OF PARCEL CE MOSAIC AT MERRIFIELD, AS RECORDED IN DEED BOOK 21588 AT PAGE 1036, AMONG THE AFORESAID LAND RECORDS, THENCE RUNNING WITH THE SAID WESTERLY PROPERTY LINE OF PARCEL CE THE FOLLOWING COURSE AND DISTANCE.
2. SOUTH 20°33'48" WEST, 138.16 FEET TO A POINT LYING ON THE NORTHERLY PROPERTY LINE OF PARCEL 1 MOSAIC AT MERRIFIELD, (MERRIFIELD TOWN CENTER, PRIVATE STREET), AS RECORDED IN DEED BOOK 21588, AT PAGE 1036, AMONG THE AFORESAID LAND RECORDS, THENCE RUNNING WITH THE SAID NORTHERLY PROPERTY LINE OF PARCEL 1 THE FOLLOWING COURSE AND DISTANCE.
3. NORTH 89°30'42" WEST, 323.88 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF THE AFORESAID ESKRIDGE ROAD, THENCE RUNNING WITH THE SAID EASTERLY LINE OF ESKRIDGE ROAD THE FOLLOWING FIVE (5) COURSES AND DISTANCES.
4. NORTH 17°58'54" EAST, 10.89 FEET TO A POINT; THENCE
5. NORTH 72°03'08" WEST, 6.48 FEET TO A POINT; THENCE
6. NORTH 18°42'09" WEST, 16.06 FEET TO A POINT; THENCE
7. NORTH 17°58'54" EAST, 83.58 FEET TO A POINT; THENCE
8. NORTH 20°41'58" EAST, 27.11 FEET TO THE POINT OF BEGINNING, AND CONTAINING 46,720 SQUARE FEET OR 1.07254 ACRES OF LAND AND BEING MORE PARTICULARLY SHOWN ON A PLAT DATED "CERTIFIED PLAT", PROPERTY OF ESKRIDGE REALTY, LLC, PREPARED BY WKA VIRGINIA, LLC AND DATED FEBRUARY 6, 2013.

**MERRIFIELD TOWN CENTER**  
**PARCEL K**  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

**EXISTING**  
**CONDITIONS PLAN**

**TITLE REPORT NOTE:**

TITLE COMMITMENT FURNISHED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, FILE NO. 38130 WITH AN EFFECTIVE DATE OF MARCH 17, 2011 HAS BEEN INCORPORATED INTO THIS SURVEY.

THE FOLLOWING ITEMS ARE LISTED IN SCHEDULE B - PART 2, EXCEPTIONS OF SAID TITLE COMMITMENT

- ITEM 4 EASEMENT GRANTED CHESAPEAKE AND POTOMAC TELEPHONE COMPANY DATED DECEMBER 18, 1917, RECORDED IN DEED BOOK G-8, PAGE 87, (CANNOT BE SHOWN HEREON - MAY AFFECT THE SUBJECT PROPERTY, BLANKET IN NATURE)
- ITEM 5 EASEMENT GRANTED CHESAPEAKE AND POTOMAC TELEPHONE COMPANY DATED DECEMBER 18, 1917, RECORDED IN DEED BOOK H-8, PAGE 378, (CANNOT BE SHOWN HEREON - MAY AFFECT THE SUBJECT PROPERTY, BLANKET IN NATURE)
- ITEM 6 EASEMENT GRANTED CHESAPEAKE AND POTOMAC TELEPHONE COMPANY DATED JULY 15, 1919, RECORDED IN DEED BOOK T-8, PAGE 248, (CANNOT BE SHOWN HEREON - MAY AFFECT THE SUBJECT PROPERTY, BLANKET IN NATURE)
- ITEM 7 EASEMENT GRANTED VIRGINIA ELECTRIC AND POWER COMPANY DATED APRIL 7, 1955, RECORDED IN DEED BOOK 1320, PAGE 194, (APPROXIMATE LOCATION SHOWN HEREON)
- ITEM 8 EASEMENT GRANTED THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, DATED SEPTEMBER 21, 2007, RECORDED NOVEMBER 20, 2007, IN DEED BOOK 1965, PAGE 2025, (SHOWN HEREON)

**AREA TABULATION:**

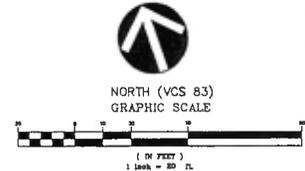
TM 049-3-01-0087	19,701 SQUARE FEET OR 0.45237 ACRES
TM 049-3-01-0088	21,780 SQUARE FEET OR 0.50000 ACRES
TM 049-3-01-0098	5,239 SQUARE FEET OR 0.12027 ACRES
<b>TOTAL</b>	<b>46,720 SQUARE FEET OR 1.07254 ACRES</b>
AREA PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES (DB 19955 PG 2025)	2,544 SQUARE FEET OR 0.05840 ACRES
<b>TOTAL AREA FOR DENSITY PURPOSES</b>	<b>49,264 SQUARE FEET OR 1.13094 ACRES</b>

**NOTES:**

1. THE SUBJECT PROPERTIES SHOWN HEREON ARE IDENTIFIED ON FAIRFAX COUNTY TAX ASSESSMENT MAP AS NO. 049-3-01-0087, 049-3-01-0088 AND 049-3-01-0098 AND ARE ZONED I-5.
2. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE X-1 (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN) AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM), FAIRFAX COUNTY, VIRGINIA UNINCORPORATED AREAS, COMMUNITY PANEL NUMBER 515255-0079-B, DATED MARCH 5, 1990.
3. THE PLAT OF THE PROPERTY SHOWN HEREON IS REFERENCED TO NAD83 (COGS NAD83POD: 2002.0000) / VIRGINIA COORDINATE SYSTEM (4501 V) USING THE FOLLOWING NGS CORN STATIONS: 2201 89 MARS 1 CORN AND PD NO. 018977.
4. THE SUBJECT PROPERTY HAS DIRECT VEHICULAR ACCESS TO AND FROM A DEDICATED ROADWAY (ESKRIDGE ROAD) AS SHOWN HEREON OR THE SUBJECT PROPERTY HAS INDIRECT VEHICULAR ACCESS TO IT BY MEANS OF MERRIFIELD TOWN CENTER (PRIVATE STREET) ACCESS (WIDENING) IN DEED BOOK 21588 AT PAGE 1036.
5. EXCEPT AS SHOWN HEREON, THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, ENCROACHMENTS, OVERLAPPING OR IMPROVEMENT ENCUMBRANCES OR INDEMNITIES AS SHOWN HEREON.
6. THE AREA OF THE SUBJECT PROPERTY AND THE RESPECTIVE PARCELS THEREOF AS SHOWN HEREON IS CORRECT.
7. COMMON BOUNDARY LINES WITH THE SUBJECT PROPERTY AND ADJOINING BOUNDARIES ARE CONTIGUOUS, WITH NO GAPS, GORES OR OVERLAPS, UNLESS NOTED OTHERWISE HEREON.
8. WELL LOCATION PROVIDED BY FAIRFAX COUNTY HEALTH DEPARTMENT RECORDS RESEARCH. EXISTING WELL AND SEPTIC TANK LOCATIONS SHOWN HEREON PER FIELD SURVEY PERFORMED ON 08/23/2011.

**LEGEND**

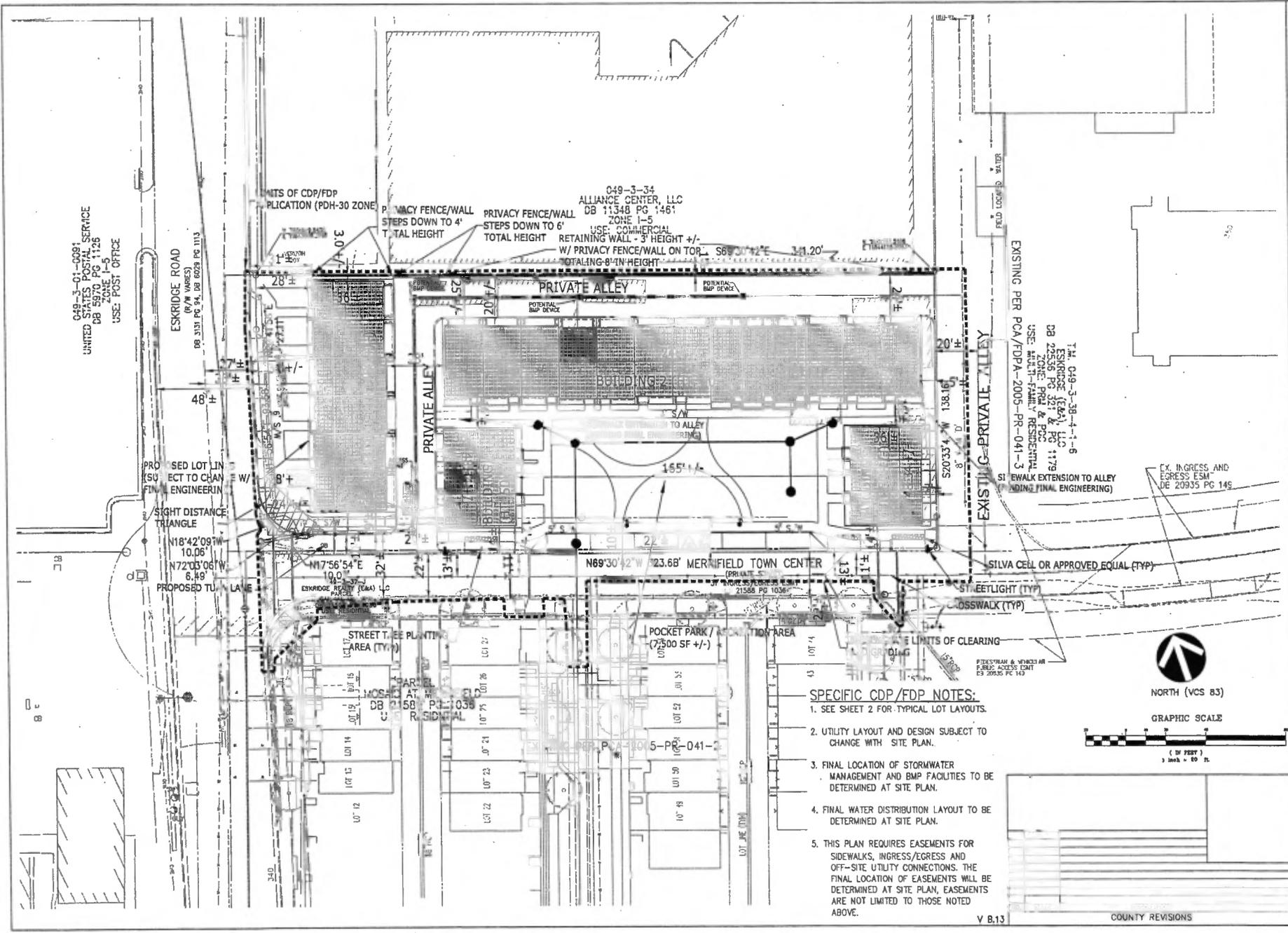
	BUILDING LINE		SANITARY CLEANOUT		CONC. .... CONCRETE
	CABLE TELEVISION CONDUIT		STORM DRAIN MANHOLE		C&B ..... CURB AND BUTTER
	ELECTRICAL CONDUIT		TRAFFIC CONTROL POLE		BUILD. .... BUILDING
	EDGE OF PAVEMENT		TREE		STR. .... STREET
	FENCE LINE		CABLE TELEVISION PEDESTAL		ELTR. .... ELECTRICAL TRANSFORMER
	NATURAL GAS CONDUIT		UNKNOWN UTILITY MANHOLE		EASMT. .... EASEMENT
	OVERHEAD WIRES		WATER MANHOLE		RVEP. .... RELIEF VALVE ELECTRIC PIPE
	TELEPHONE/COMMUNICATIONS CONDUIT		WATER METER		COMP. .... COMPUTER METAL PIPE
	PROPERTY LINES		WATER VALVE		BLRL. .... BUILDING RESTRICTION LINE
	OVERHEAD WIRES		LIGHT POLE		R.O.W. .... RIGHT-OF-WAY
	PUBLIC UTILITIES EASEMENTS		SIGN POST		REC. .... RECORD INFORMATION
	SANITARY SEWER CONDUIT		WOOD POST		H.C. .... HYDROCARBON PIPE
	STORM DRAIN CONDUIT		INLETS		
	WATER CONDUIT		CURB INLET		



**WKA REVISIONS**

NO.	DATE	BY	REVISION

SCALE: 1"=20'  
 PROJECT/FILE NO. VNS75AS  
 SHEET NO. C-3



049-3-01-0091  
 UNITED STATES POSTAL SERVICE  
 DB 5970 PG 1125  
 USE: POST OFFICE

ESKRIDGE ROAD  
 (W/A VARIES)  
 DB 3311 PG 94, DB 6029 PG 1113

PROPOSED LOT LINE  
 SUBJECT TO CHANGE  
 ENGINEERING  
 SIGHT DISTANCE TRIANGLE  
 N18°42'09"TW 10.06'  
 N72°03'06"TW 6.49'

UNITS OF CDP/FDP  
 APPLICATION (PDH-30 ZONE)

PRIVACY FENCE/WALL  
 STEPS DOWN TO 4' TOTAL HEIGHT

PRIVACY FENCE/WALL  
 STEPS DOWN TO 6' TOTAL HEIGHT

049-3-34  
 ALLIANCE CENTER, LLC  
 DB 11348 PG 1461  
 ZONE L-5  
 USE: COMMERCIAL  
 RETAINING WALL - 3' HEIGHT +/-  
 W/ PRIVACY FENCE/WALL ON TOP  
 TOTALING 8'-IN HEIGHT

PRIVATE ALLEY

PRIVATE ALLEY

EXISTING PRIVATE ALLEY

EXISTING PER PCA/FDPA-2005-PR-041-3  
 USE: ADULT FAMILY RESIDENTIAL  
 T.M. 049-3-38-4-1-1-6  
 ESKRIDGE ROAD, LLC  
 DB 25328 PG 271 & PG 1179  
 USE: ADULT FAMILY RESIDENTIAL

SI SIDEWALK EXTENSION TO ALLEY  
 (ENGINEERING)

EX. INGRESS AND EGRESS ESM  
 DE 20935 PG 149

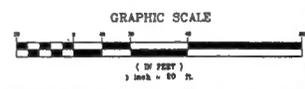
N69°30'42"W / 23.66' MERRIFIELD TOWN CENTER

POCKET PARK / PLAZA AREA  
 (7,500 SF +/-)

**SPECIFIC CDP/FDP NOTES:**

1. SEE SHEET 2 FOR TYPICAL LOT LAYOUTS.
2. UTILITY LAYOUT AND DESIGN SUBJECT TO CHANGE WITH SITE PLAN.
3. FINAL LOCATION OF STORMWATER MANAGEMENT AND BMP FACILITIES TO BE DETERMINED AT SITE PLAN.
4. FINAL WATER DISTRIBUTION LAYOUT TO BE DETERMINED AT SITE PLAN.
5. THIS PLAN REQUIRES EASEMENTS FOR SIDEWALKS, INGRESS/EGRESS AND OFF-SITE UTILITY CONNECTIONS. THE FINAL LOCATION OF EASEMENTS WILL BE DETERMINED AT SITE PLAN, EASEMENTS ARE NOT LIMITED TO THOSE NOTED ABOVE.

PERESTRAM & WENZEL INC  
 8000 ACCESS DR  
 CS 20530 PG 143



**MERRIFIELD TOWN CENTER  
 PARCEL K  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA**

**CONCEPTUAL &  
 FINAL DEVELOPMENT  
 PLAN**

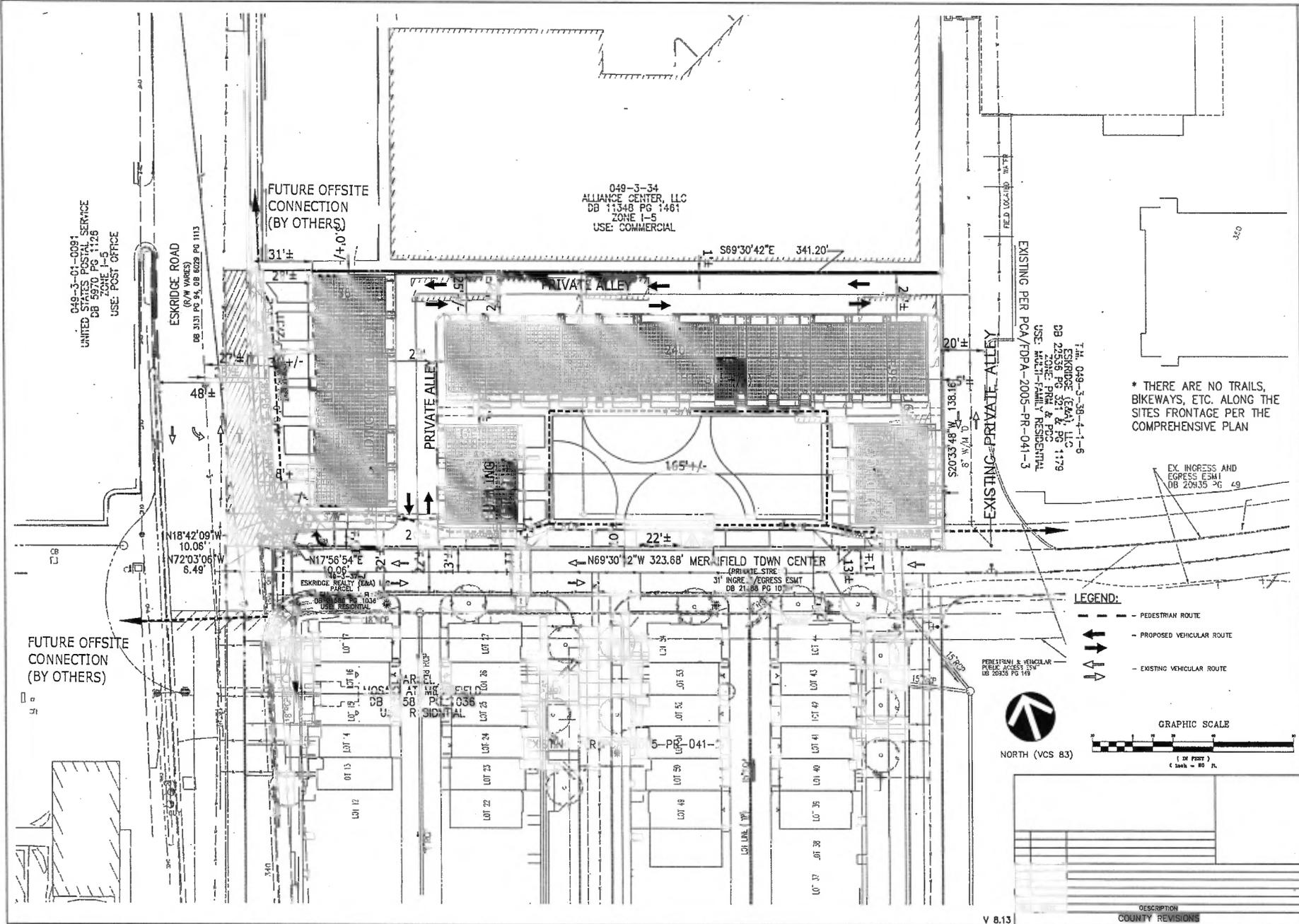
**WKA REVISIONS**

DATE	BY	REVISION
02/27/14	JMS	REV 01
03/11/14	JMS	REV 02
03/11/14	JMS	REV 03
03/11/14	JMS	REV 04
03/11/14	JMS	REV 05
03/11/14	JMS	REV 06
03/11/14	JMS	REV 07
03/11/14	JMS	REV 08
03/11/14	JMS	REV 09
03/11/14	JMS	REV 10
03/11/14	JMS	REV 11
03/11/14	JMS	REV 12
03/11/14	JMS	REV 13
03/11/14	JMS	REV 14
03/11/14	JMS	REV 15
03/11/14	JMS	REV 16
03/11/14	JMS	REV 17
03/11/14	JMS	REV 18
03/11/14	JMS	REV 19
03/11/14	JMS	REV 20
03/11/14	JMS	REV 21
03/11/14	JMS	REV 22
03/11/14	JMS	REV 23
03/11/14	JMS	REV 24
03/11/14	JMS	REV 25
03/11/14	JMS	REV 26
03/11/14	JMS	REV 27
03/11/14	JMS	REV 28
03/11/14	JMS	REV 29
03/11/14	JMS	REV 30
03/11/14	JMS	REV 31
03/11/14	JMS	REV 32
03/11/14	JMS	REV 33
03/11/14	JMS	REV 34
03/11/14	JMS	REV 35
03/11/14	JMS	REV 36
03/11/14	JMS	REV 37
03/11/14	JMS	REV 38
03/11/14	JMS	REV 39
03/11/14	JMS	REV 40
03/11/14	JMS	REV 41
03/11/14	JMS	REV 42
03/11/14	JMS	REV 43
03/11/14	JMS	REV 44
03/11/14	JMS	REV 45
03/11/14	JMS	REV 46
03/11/14	JMS	REV 47
03/11/14	JMS	REV 48
03/11/14	JMS	REV 49
03/11/14	JMS	REV 50

SCALE: 1"=20'  
 PROJECT/FILE NO.: VMS75AS  
 SHEET NO.: C-4

V B.13

COUNTY REVISIONS



049-3-01-0091  
 UNITED STATES POSTAL SERVICE  
 DB 5970 PG 1128  
 ZONE I-5  
 USE: POST OFFICE

ESKRIDGE ROAD  
 (R/W MARKS)  
 DB 3131 PG 54, DB 6029 PG 1113

049-3-34  
 ALLIANCE CENTER, LLC  
 DB 11348 PG 1461  
 ZONE I-5  
 USE: COMMERCIAL

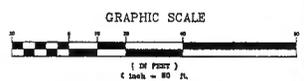
1.M. 049-3-38-4-1-6  
 ESKRIDGE REALTY (E&A)  
 DB 2222 PG 1179  
 ZONE I-5  
 USE: MULTIFAMILY RESIDENTIAL  
 EXISTING PER PCA/FOPA-2005-PR-041-3

\* THERE ARE NO TRAILS,  
 BIKEWAYS, ETC. ALONG THE  
 SITES FRONTAGE PER THE  
 COMPREHENSIVE PLAN

EX INGRESS AND  
 EGRESS ESMT  
 DB 20435 PG 49

**LEGEND:**

- - - PEDESTRIAN ROUTE
- - - PROPOSED VEHICULAR ROUTE
- - - EXISTING VEHICULAR ROUTE

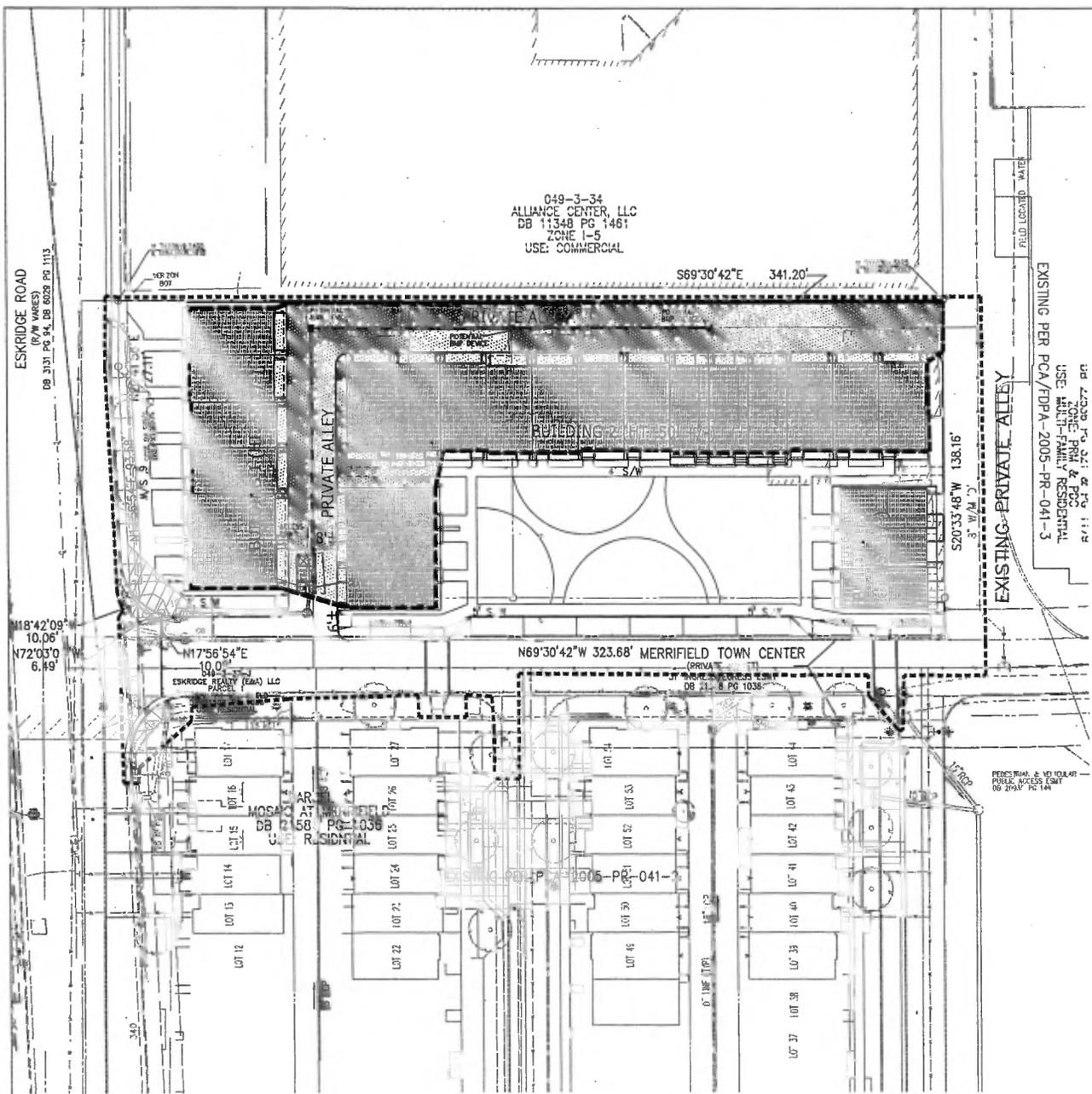


**VIA**  
 ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS • SURVEYORS • PHOTOGRAMMETRISTS  
 100 W. WOODS, LLC  
 4100 GREENSBORO DRIVE, SUITE 300 • TOWN CENTER, WOODRUFF, VIRGINIA 22102  
 (703) 444-7800 • FAX (703) 781-2797  
 WWW.VIAA.COM

MERRIFIELD TOWN CENTER  
 PARCEL K  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

CIRCULATION PLAN

DES.	JLS	DWN	KY
SCALE:	1"=20'		
PROJECT/FILE NO.	VMS75AS		
SHEET NO.	C-5		



049-3-34  
 ALLIANCE CENTER, LLC  
 DB 11348 PG 1461  
 ZONE I-5  
 USE: COMMERCIAL

EXISTING PER PCA/FDPA-2005-PR-041-3  
 USE: MULTI-FAMILY RESIDENTIAL  
 ZONE: P1 & POC  
 R 111 6.1 6.2 6.3 6.4 6.5 6.6 6.7 6.8

**MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS**

The following information is required to be shown or provided in all zoning applications, or a waiver request of the submission requirement with justification shall be attached. Note: Waivers will be acted upon request. Failure to adequately address the required submission information may result in a delay in processing the application.

This information is required under the following Zoning Ordinance paragraphs:  
 Special Permits (S-011 2.1 & 2.2) Special Exceptions (S-011 2.1 & 2.2)  
 Cluster Subdivision (S-015 1.0 & 1.0) Commercial Reutilization Districts (S-022 2A (1) & (1.0))  
 Development Plans (P-001 2.1 & 2.1) POC Plans (S-003 1E & 1G)  
 P-001-P Districts (except P-001) Amendments (S-002 1F & 1G)

1. P1 is at a minimum scale of 1"=50' (unless it is depicted on one sheet with a minimum scale of 1"=100')

2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading surrounding the stormwater management facility(ies), storm overflow pipe systems and outlet protection, post-sloways, access roads, site outlets, energy dissipation devices, and stream stabilization measures as shown on Sheet C-1.

3. Provide:

Facility Name/Type & Size	On-site area (sq ft)	Off-site area (sq ft)	Drainage area (sq ft)	Footing area (sq ft)	Storage (cu ft)	Inlet (in)	Outlet (in)
SWM VAULT	0.56 AC	0 AC	0.56 AC	150 SF	330 CF	18"	18"
POST-SLOWAY							
Energy Dissipation							
Stream Stabilization							
<b>Total</b>							

4. On-site drainage channels, outfalls and pipe systems are shown on Sheet C-5.  
 Post-outlet and outlet pipe systems are shown on Sheet C-5.

5. Minimum access road(s) to stormwater management facility(ies) are shown on Sheet H/A (STORM VAULTS).  
 Type of maintenance access road surface noted on the plan is: 1/A, 2/A, 3/A, 4/A, 5/A, 6/A, 7/A, 8/A, 9/A, 10/A, 11/A, 12/A, 13/A, 14/A, 15/A, 16/A, 17/A, 18/A, 19/A, 20/A, 21/A, 22/A, 23/A, 24/A, 25/A, 26/A, 27/A, 28/A, 29/A, 30/A, 31/A, 32/A, 33/A, 34/A, 35/A, 36/A, 37/A, 38/A, 39/A, 40/A, 41/A, 42/A, 43/A, 44/A, 45/A, 46/A, 47/A, 48/A, 49/A, 50/A, 51/A, 52/A, 53/A, 54/A, 55/A, 56/A, 57/A, 58/A, 59/A, 60/A, 61/A, 62/A, 63/A, 64/A, 65/A, 66/A, 67/A, 68/A, 69/A, 70/A, 71/A, 72/A, 73/A, 74/A, 75/A, 76/A, 77/A, 78/A, 79/A, 80/A, 81/A, 82/A, 83/A, 84/A, 85/A, 86/A, 87/A, 88/A, 89/A, 90/A, 91/A, 92/A, 93/A, 94/A, 95/A, 96/A, 97/A, 98/A, 99/A, 100/A.

6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet H/A (STORM VAULTS).

7. A stormwater management narrative which contains a description of how detention and best management practices requirements will be met is provided on Sheet C-5 & C-7.

8. A description of the existing conditions of each numbered site outlet extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet C-5.

9. A description of how the outlet requirements, including contributing drainage areas of the Public Facilities Manual will be satisfied is provided on Sheet C-5.

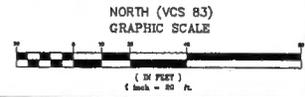
10. Existing topography with minimum contour interval of five (5) feet and a note as to whether it is an arroyo or field run is provided on Sheet C-5.

11. A submission waiver is requested for ALLOW UNDERGROUND SWM VAULT TO SERVE RESIDENTIAL LOTS.

12. Stormwater management is not required because:

**LEGEND**

-  DRAINAGE AREA TO THE SWM VAULT
-  DRAINAGE DIVIDE TO SWM VAULT



**Vika**  
 ARCHITECTS & ENGINEERS  
 1000 W. VIRGINIA AVE.  
 SUITE 200  
 PROVIDENCE, RHODE ISLAND 02902  
 (401) 443-7600 • FAX (401) 761-2267  
 WWW.VIKAI.COM

MERRIFIELD TOWN CENTER  
 PARCEL K  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

STORMWATER  
 MANAGEMENT PLAN

VKA REVISIONS

NO.	DATE	BY	CHKD.	DESCRIPTION
1	02/11/13	JMB	DWN	ISSUED FOR PERMIT

DATE: 02/11/13  
 SCALE: 1"=20'  
 PROJECT/FILE NO.: V8579AS  
 SHEET NO.: C-6





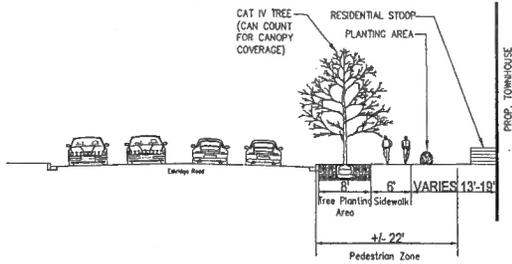




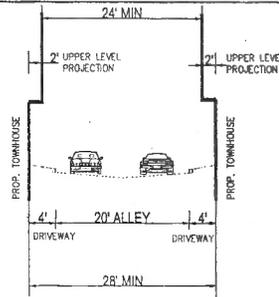




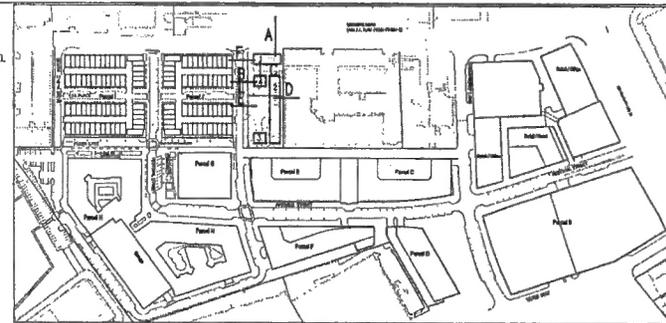




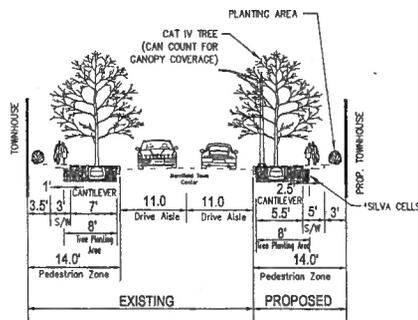
1 SECTION A - ESKRIDGE ROAD ADJACENT TO SUBJECT PROPERTY  
SCALE: NOT TO SCALE



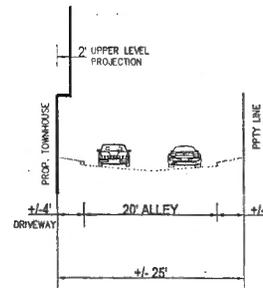
3 SECTION C-PRIVATE ALLEY BETWEEN TOWNHOUSES  
SCALE: NOT TO SCALE



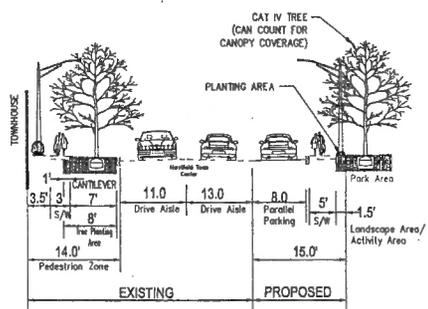
KEY MAP



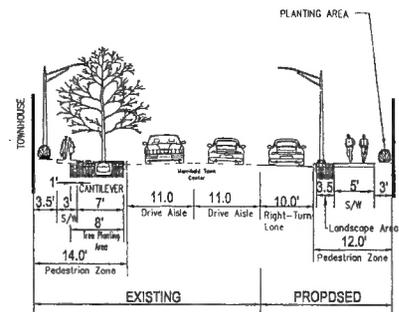
2 SECTION B-MERRIFIELD TOWN CENTER ADJACENT TO SUBJECT PROPERTY  
SCALE: NOT TO SCALE  
\*SILVA CELLS OR APPROVED EQUAL



4 SECTION D-PRIVATE ALLEY BETWEEN TOWNHOUSES AND PROPERTY LINE  
SCALE: NOT TO SCALE



5 SECTION E-MERRIFIELD TOWN CENTER AT PARALLEL PARKING  
SCALE: NOT TO SCALE



6 SECTION F-MERRIFIELD TOWN CENTER AT RIGHT-TURN LANE  
SCALE: NOT TO SCALE

**VKA**  
DESIGNERS & PLANNERS • LANDSCAPE ARCHITECTS • ARCHITECTS • SUSTAINABLE DESIGN  
VKA VIRGINIA, LLC  
810 GEORGETOWN DRIVE, SUITE 200 • TYGON CORNER, VIRGINIA, 22102  
(703) 433-2000  
WWW.VKA.COM

MERRIFIELD TOWN CENTER  
PARCEL K  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

TYPICAL STREET SECTIONS

VKA REVISIONS

4TH SUB: 8/16/2013

3RD SUB: 7/17/2013

2ND SUB: 6/19/2013

DATE: 02/21/2013

DES. JMS OVN JMS

SCALE: AS NOTED

PROJECT/FILE NO. VV6578AS

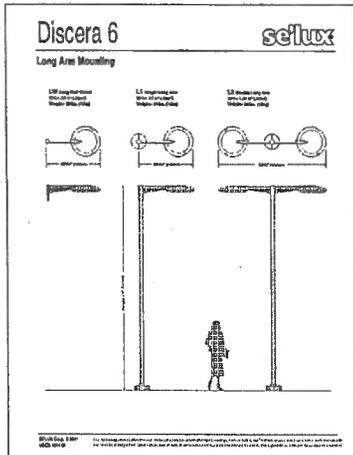
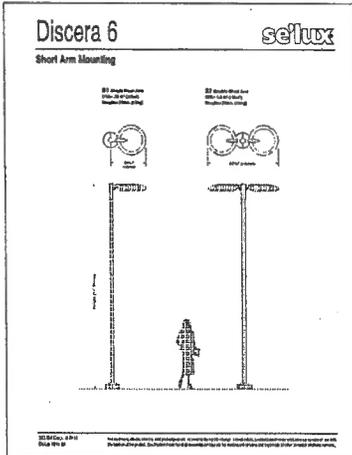
SHEET NO. L-2

NO.	DATE	DESCRIPTION

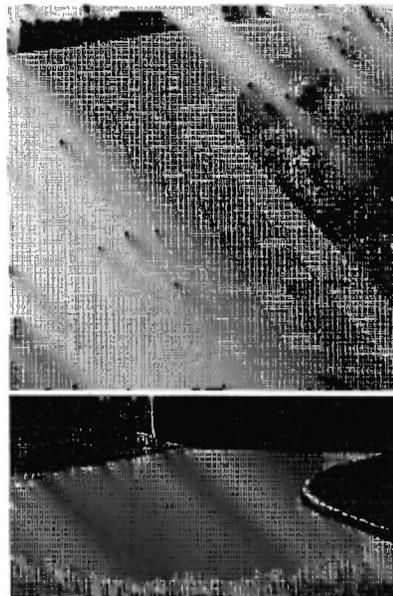
COUNTY REVISIONS



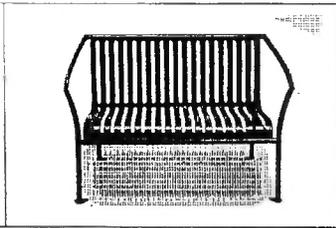
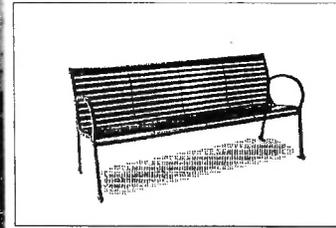




TYPICAL STREET LIGHT



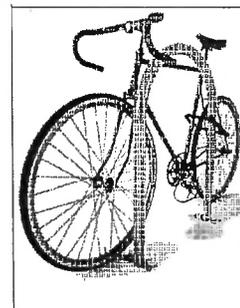
OPEN JOINTED CONCRETE UNIT PAVER  
\* COLOR AND MANUFACTURER TO BE DETERMINED AT FINAL SITE PLAN. TO BE CONSISTENT WITH THAT SHOWN IN MERRIFIELD STREETSCAPE DESIGN MANUAL.



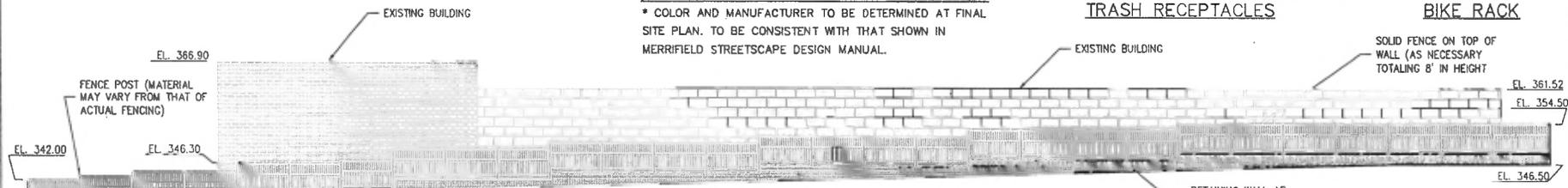
BENCHES



TRASH RECEPTACLES



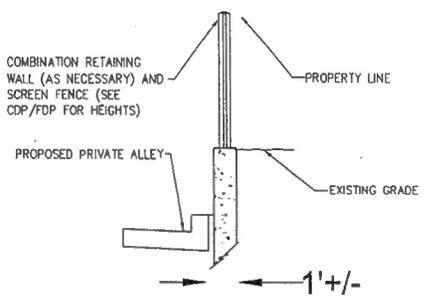
BIKE RACK



NORTHERN BOUNDARY RETAINING WALL AND SCREEN FENCE DETAILS  
SCALE: 1"=10'

- NOTES:**
1. RETAINING WALL TO BE A APPROXIMATELY 3' MAX HEIGHT AND MADE OUT OF CONCRETE OR BLOCK AND FACED WITH STONE/BRICK OR A FINISH RESEMBLING STONE/BRICK
  2. SCREEN FENCE TO BE A TDAL OF 4-8' IN HEIGHT (INCLUDING WALL HEIGHT). SIT ON TOP OF WALL WHERE WALL IS NECESSARY AND BE MADE OF WOOD OR A WOOD-LIKE COMPOSITE MATERIAL AND BE A SOLID BOARD ON BOARD DESIGN. SEE CDP/FDP FOR FENCE HEIGHT LOCATIONS AND TRANSITIONS IN FENCE HEIGHT.

**NOTES:**  
THE PLAN AND IMAGERY SHOWN MAY BE MODIFIED WITH FINAL ENGINEERING AND DESIGN, PROVIDED THAT THE GENERAL DESIGN QUALITY AND CHARACTERISTICS ARE IN SUBSTANTIAL CONFORMANCE WITH THAT SHOWN



**VIVA**  
DESIGNERS • PLANNERS • LANDSCAPE ARCHITECTS • SURVEYORS • ENVIRONMENTAL DESIGNERS  
VIVA VERRINA, LLC  
1810 OLD BRIDGE ROAD, SUITE 200, FAIRFAX COUNTY, VIRGINIA 22031  
(703) 441-7500 • FAX (703) 741-1187  
WWW.VIVA.COM

MERRIFIELD TOWN CENTER  
PARCEL K  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

SITE FURNISHING & STREETSCAPE DETAILS

VIVA REVISIONS

NO.	DATE	DESCRIPTION

DES.	DHW
SCALE:	AS NOTED
PROJECT/FILE NO.	VVB75AS
SHEET NO.	L-4



**COMMERCIAL  
REVITALIZATION AREA**



**COUNTY OF FAIRFAX**  
**Department of Planning and Zoning**  
**Zoning Evaluation Division**  
 12055 Government Center Parkway, Suite 801  
 Fairfax, VA 22035 (703) 324-1290, TTY 711  
[www.fairfaxcounty.gov/dpz/zoning/applications](http://www.fairfaxcounty.gov/dpz/zoning/applications)

APPLICATION No: RZ/FDP 2013-PR-007  
*Name change only* (Assigned by staff)

RECEIVED  
 Department of Planning & Zoning

SEP 04 2013

Zoning Evaluation Division

**APPLICATION FOR A REZONING**  
 (PLEASE TYPE or PRINT IN BLACK INK)

**PETITION**

**TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA**

I (We), EYA Development LLC, the applicant (s) petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by reclassifying from the I-5 District to the PDH-30 District the property described below and outlined in red on the Zoning Section Sheet(s) accompanying and made part of this application.

APPLICATION TYPE(S):	PCA ( )	CDP (X)	FDP (X)	CDPA ( )	FDPA ( )
----------------------	---------	---------	---------	----------	----------

**LEGAL DESCRIPTION:**

See attached				
Lot(s)	Block(s)	Subdivision	Deed Book	Page No.

**TAX MAP DESCRIPTION:**

49-3	1		87, 88, 89B	
Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.	Total Acreage
				1.07 ac.

**POSTAL ADDRESS OF PROPERTY:**

2941 Eskridge Road and 2945 Eskridge Road

**ADVERTISING DISCRIPTION:** (Example - North side of Lee Highway approx. 1000 feet west of its intersection with Newgate Blvd.)

North side of Merrifield Town Center and east of Eskridge Road	
<b>PRESENT USE:</b> General light industrial	<b>PROPOSED USE:</b> Single-family attached
<b>MAGISTERIAL DISTRICT:</b> Providence	<b>OVERLAY DISTRICT (S):</b> Merrifield Commercial Revitalization Area

The name(s) and address(s) of owner(s) of record shall provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representative on official business to enter on the subject property as necessary to process the application.

David R. Gill  
 Type or Print Name  
McGuireWoods LLP, 1750 Tysons Blvd.  
 Address Suite 1800, Tysons, VA 22102

*[Signature]*  
 Signature of Applicant or Agent  
(Work) (703) 712-5039 (Mobile)  
 Telephone Number

Please provide name and telephone number of contact if different from above:

**DO NOT WRITE BELOW THIS SPACE**

Date application accepted: 9/18/13 Fee Paid \$ n/a

*[Signature]*  
 Virginia Ruffner



# RZ 2013-PR-007

## Zoning Application Closeout Summary Report

Printed: 6/19/2014

---

### General Information

---

**APPLICANT:** EYA DEVELOPMENT LLC  
**DECISION DATE:** 04/29/2014  
**CRD:** NO  
**HEARING BODY:** BOS  
**ACTION:** APPROVE  
**STAFF COORDINATOR:** MICHAEL LYNKEY  
**SUPERVISOR DISTRICT:** PROVIDENCE

#### DECISION SUMMARY:

ON APRIL 29, 2014, THE BOARD OF SUPERVISORS VOTED, ON A MOTION BY SUPERVISOR SMYTH, TO APPROVE RZ 2013-PR-007, SUBJECT TO PROFFERS DATED APRIL 2, 2014, AND VOTED TO APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS:

¿ WAIVER OF SECT. 6-107, PART 1 OF THE ZONING ORDINANCE, REQUIRING A MINIMUM DISTRICT SIZE OF 2 ACRES FOR A PDH DISTRICT.

¿ MODIFICATION OF SECT. 2-505 OF THE ZONING ORDINANCE TO PERMIT STRUCTURES TO ENCROACH WITHIN THE CORNER LOT LIMITATIONS, AS DEPICTED ON THE CDP/FDP.

¿ MODIFICATION OF SECT. 6-107, PART 2 OF THE ZONING ORDINANCE, REQUIRING 200 SQUARE FOOT PRIVACY YARDS FOR SINGLE-FAMILY ATTACHED DWELLINGS, IN FAVOR OF ROOF-TOP TERRACES.

¿ MODIFICATION OF SECT. 6-110 OF THE ZONING ORDINANCE, TO ALLOW 36% OPEN SPACE, AS SHOWN ON THE PLAN, IN LIEU OF THE 45% REQUIREMENT FOR A PDH-30 DISTRICT.

¿ MODIFICATION OF SECT. 10-104 OF THE ZONING ORDINANCE TO ALLOW AN 8-FOOT MAXIMUM FENCE HEIGHT IN SIDE AND REAR YARDS, AS INDICATED ON CDP/FDP.

¿ MODIFICATION OF COMPREHENSIVE PLAN STREETSCAPE SECTIONS AND BULK REQUIREMENTS FOR MERRIFIELD SUBURBAN CENTER, IN FAVOR OF THE TYPICAL SECTIONS SHOWN ON PLAN.

¿ MODIFICATION OF SECT. 17-201 OF THE ZONING ORDINANCE TO ACCEPT THE PROPOSED IMPROVEMENTS, AS SHOWN ON THE CDP/FDP, AS SATISFYING ALL IMMEDIATE STREETSCAPE, TRAIL, OR INTERPARCEL CONNECTION REQUIREMENTS AT SITE PLAN STAGE.

¿ WAIVER REQUEST #561-WPFM-005-1, TO ALLOW UNDERGROUND STORM WATER MANAGEMENT FACILITIES IN A RESIDENTIAL DEVELOPMENT, PER SECT. 6-0303.8 OF THE PUBLIC FACILITIES MANUAL (PFM), AS CONDITIONED IN ATTACHMENT A OF THE PROPOSED DEVELOPMENT CONDITIONS.

¿ DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO MODIFY THE TREE PRESERVATION TARGET, PER SECT. 12-0508 OF PFM, IN FAVOR OF PROPOSED VEGETATION SHOWN ON THE CDP/FDP.

¿ DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO MODIFY SECT. 12-0510.4E(5) OF PFM, TO ALLOW A REDUCTION OF 8¿ PLANTING WIDTH TO 5.5¿ WITH 2.5¿ CANTILEVERED SIDEWALK, AS SHOWN IN SELECT AREAS OF FDP.

¿ DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO MODIFY SECT. 7-0502 OF PFM TO PERMIT 20-FOOT ALLEYS, AS INDICATED ON CDP/FDP, IN AREAS WITH NO PARKING.

6/19/2014

**APPLICATION DESCRIPTION:**

RESIDENTIAL

---

**Zoning Information**

---

Existing Zoning		Proposed Zoning		Approved Zoning	
DISTRICT	AREA	DISTRICT	AREA	DISTRICT	AREA
I-5	1.07 ACRES	PDH-30	1.07 ACRES	PDH-30	1.07 ACRES

---

**Tax Map Numbers**

---

0493 ((01)) ( )0088      0493 ((01)) ( )0089 B      0493 ((01)) ( )0087

---

**Approved Land Uses**

---

Zoning District: PDH-30

LAND USE	DU'S	RES LAND AREA	ADU'S	WDU'S	GFA	FAR	NRES LAND AREA
SFA	25	1.07 ACRES					
<b>TOTALS</b>	<b>25</b>	<b>1.07 ACRES</b>					

---

**Approved Waivers/Modifications**

---

- MODIFY ROAD PAVEMENT STANDARDS
- MODIFY FENCE HEIGHT REQUIREMENT
- MODIFY PFM STANDARDS FOR PLANTING WIDTH
- MODIFY MINIMUM OPEN SPACE REQUIREMENT
- MODIFY STREETScape & TRAIL REQUIREMENT
- WAIVE PFM STANDARD FOR UNDERGROUND SWM FACILITY
- DEVIATION FROM TREE PRESERVATION TARGET PERCENTAGE
- MODIFY PRIVACY YARD REQUIREMENT FOR SFA
- MODIFY ADDITIONAL STANDARD 1
- WAIVE MINIMUM DISTRICT SIZE

Approved Proffers

PROFFER STATEMENT DATE: 04-02-2014

PROFFER	DUE	TRIG #	TRIG EVENT	CONTRIB AMT	EXPIR. DTE
OTHER - GENERAL	01-01-0001	0	N/A	\$0	01-01-0001
HOA CONTRIBUTION FOR MAINTENANCE	01-01-0001	0	SUBDIV PLAN	\$0	01-01-0001
BEST MANAGEMENT PRACTICES (BMP)	01-01-0001	0	SITE PLAN	\$0	01-01-0001
HOA ESTABLISH	01-01-0001	0	SUBDIV PLAN	\$0	01-01-0001
HOA NOTIFICATION / DISCLOSURE	01-01-0001	0	DATE-TBD	\$0	01-01-0001
RIGHT OF WAY - DEDICATION	01-01-0001	0	SUBDIV PLAN	\$0	01-01-0001
RETURN PLANS FOR REVIEW (PC / BOS, ETC)	01-01-0001	0	SITE PLAN	\$0	01-01-0001
PROFFERED PLANS	01-01-0001	0	SITE PLAN	\$0	01-01-0001
MINOR MODIFICATION	01-01-0001	0	N/A	\$0	01-01-0001
PARKING	01-01-0001	0	SITE PLAN	\$0	01-01-0001
BUS STOP / SHELTER / MAINTENANCE	01-01-0001	0	ON DEMAND	\$0	01-01-0001
PEDESTRIAN IMPROVEMENTS (CROSSWALKS /BRIDGES /SIGNALS)	01-01-0001	0	RUP	\$0	01-01-0001
HOA CONTRIBUTION FOR MAINTENANCE	01-01-0001	0	RUP	\$0	01-01-0001
RECREATION FACILITIES	01-01-0001	0	RUP	\$0	01-01-0001
STREETSCAPE	01-01-0001	0	SITE PLAN	\$0	01-01-0001
ARCHITECTURE / GREEN BUILDING / LEEDS	01-01-0001	0	BLDG PRMT APRV	\$0	01-01-0001
HOUSING TRUST FUND	01-01-0001	0	RUP	\$0	01-01-0001
SIGNAGE	01-01-0001	0	N/A	\$0	01-01-0001
TRAFFIC SIGNAL WARRANT ANALYSIS / STUDY	01-01-0001	0	ON DEMAND	\$0	01-01-0001
CONTRIBUTION - SCHOOLS	01-01-0001	0	SITE PLAN	\$0	01-01-0001
ARCHITECTURE / BUILDING MATERIALS / COLORS	01-01-0001	0	BLDG PRMT APRV	\$0	01-01-0001
BICYCLE RELATED FACILITIES	01-01-0001	0	RUP	\$0	01-01-0001
OPEN SPACE PERCENTAGE	01-01-0001	0	SUBDIV PLAN	\$0	01-01-0001
DESIGN AMENITIES	01-01-0001	0	SITE PLAN	\$0	01-01-0001
CONTRIBUTION - FCPA / RECREATION	01-01-0001	0	RUP	\$0	01-01-0001
PRIVATE STREET - STANDARDS	01-01-0001	0	SITE PLAN	\$0	01-01-0001
SCARIFY AND REMOVE PAVEMENT / RESTORE VEGETATION	01-01-0001	0	RUP	\$0	01-01-0001
TRANSPORTATION DEMAND MANAGEMENT PROGRAM (TDM)	01-01-0001	0	RUP	\$0	01-01-0001
HOA INCORPORATION INTO ADJACENT HOA	01-01-0001	0	RUP	\$0	01-01-0001
FENCE	01-01-0001	0	SITE PLAN	\$0	01-01-0001
RECREATION FACILITIES	01-01-0001	0	SUBDIV PLAN	\$0	01-01-0001
BUILDING EXPANSION	01-01-0001	0	BLDG PRMT APRV	\$0	01-01-0001
HOA CONTRIBUTION FOR MAINTENANCE	01-01-0001	0	N/A	\$0	01-01-0001
DENSITY / DWELLING UNITS PER ACRE (DU/AC)	01-01-0001	0	SUBDIV PLAN	\$0	01-01-0001
GARAGES - CONVERSION RESTRICTIONS	01-01-0001	0	N/A	\$0	01-01-0001
ACCESS EASEMENTS - TRANSPORTATION	01-01-0001	0	SUBDIV PLAN	\$0	01-01-0001
UTILITIES UNDERGROUND	01-01-0001	0	SITE PLAN	\$0	01-01-0001

6/19/2014



# FDP 2013-PR-007

## Zoning Application Closeout Summary Report

Printed: 6/19/2014

### General Information

**APPLICANT:** EYA DEVELOPMENT LLC  
**DECISION DATE:** 04/03/2014  
**CRD:** NO  
**HEARING BODY:** PC  
**ACTION:** APPROVE  
**STAFF COORDINATOR:** MICHAEL LYSKEY  
**SUPERVISOR DISTRICT:** PROVIDENCE

**DECISION SUMMARY:**

ON APRIL 3, 2014, THE PLANNING COMMISSION VOTED, ON A MOTION BY COMMISSIONER LAWRENCE, TO APPROVE FDP 2013-PR-007, SUBJECT TO DEVELOPMENT CONDITIONS DATED OCTOBER 23, 2013, AND CONDITIONED UPON BOARD APPROVAL OF RZ 2013-PR-007 (WHICH OCCURRED ON APRIL 29, 2014).

**APPLICATION DESCRIPTION:**

RESIDENTIAL

### Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
DISTRICT	AREA	DISTRICT	AREA	DISTRICT	AREA
				PDH-30	1.07 ACRES

### Tax Map Numbers

0493 ((01)) 0088      0493 ((01)) 0089 B      0493 ((01)) 0087

### Approved Land Uses

Zoning District:

LAND USE	DU'S	RES LAND AREA	ADU'S	WDU'S	GFA	FAR	NRES LAND AREA
----------	------	---------------	-------	-------	-----	-----	----------------

TOTALS

---

**Approved Development Conditions**DEVELOPMENT CONDITION STATEMENT DATE: 06-18-2014

---

<u>DEVELOPMENT CONDITION</u>	<u>DUE</u>	<u>TRIG #</u>	<u>TRIG EVENT</u>	<u>CONTRIB</u>	<u>EXPIR DTE</u>
URBAN FORESTRY REVIEW	01-01-0001	0	SITE PLAN	0	01-01-0001
CONDITION - DEVELOPMENT PLAN	01-01-0001	0	SITE PLAN	0	01-01-0001
SETBACKS	01-01-0001	0	SITE PLAN	0	01-01-0001
SWM / BEST MANAGEMENT PRACTICES (BMP)	01-01-0001	0	SITE PLAN	0	01-01-0001
SIGNAGE	01-01-0001	0	N/A	0	01-01-0001
OTHER - GENERAL	01-01-0001	0	N/A	0	01-01-0001
STREETSCAPE	01-01-0001	0	SITE PLAN	0	01-01-0001
PARKING	01-01-0001	0	SITE PLAN	0	01-01-0001
SITE AMENITIES (INCLUDING FURNITURE, ENTRANCE FEATURES)	01-01-0001	0	SITE PLAN	0	01-01-0001
PEDESTRIAN IMPROVEMENTS (CROSSWALKS / BRIDGES / SIGNAL)	01-01-0001	0	SITE PLAN	0	01-01-0001
OFF-SITE IMPROVEMENTS - TRANSPORTATION	01-01-0001	0	SITE PLAN	0	01-01-0001

6/19/2014



FEBRUARY 21, 2013

**DESCRIPTION OF PARCEL ONE, TWO, AND THREE  
THE LAND OF ESKRIDGE REALTY (E&A), LLC  
DEED BOOK 22803 PAGE 1792  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA**

Being all of the land acquired by Eskridge Realty (E&A), LLC as recorded in Deed Book 22803 at page 1792 among the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning for the same at a point on the Easterly Right-of-Way line of Eskridge Road, Right-of-Way varies, as recorded in Deed Book 3131 at Page 94, in Deed Book 6029 at Page 1113 and Deed Book 19665 at Page 2025, all among the aforesaid Land Records; thence leaving said Easterly Right-of-Way line of Eskridge Road and running with the Southerly property line of Alliance Center, LLC as recorded in Deed Book 11348 at Page 1461, among the aforementioned Land Records the following course and distance:

1. South 69°30'42" East, 341.20 feet to an iron pipe found, said iron pipe lying on the Westerly property line of Parcel CE Mosaic at Merrifield, as recorded in deed Book 21588 at Page 1036, among the aforementioned Land Records, thence running with the said Westerly property line of Parcel CE the following course and distance.
2. South 20°33'48" West, 138.16 feet to a point lying on the Northerly property line of Parcel 1 Mosaic at Merrifield, (Merrifield Town Center, Private Street), as recorded in Deed Book 21588 at Page 1036, among the aforementioned Land Records; thence running with the said Northerly property line of Parcel 1 the following course and distance.
3. North 69°30'42" West, 323.68 feet to a point lying on the Easterly Right-of-Way line of the aforementioned Eskridge Road; thence running with the said Easterly line of Eskridge Road the following five (5) courses and distances.
4. North 17°56'54" East, 10.06 feet to a point; thence
5. North 72°03'06" West, 6.49 feet to a point; thence
6. North 18°42'09" West, 10.06 feet to a point; thence
7. North 17°56'54" East, 93.58 feet to a point; thence
8. North 20°41'56" East, 27.11 feet to the point of beginning, and containing 46,720 square feet or 1.07254 acres of land and being more particularly shown on a plat entitled "Certified Plat, Property of Eskridge Realty, LLC" prepared by VIK A Virginia, LLC and dated February 6, 2013.

RECEIVED  
Department of Planning & Zoning  
FEB 22 2013  
Zoning Evaluation Division

X:\DATA\6000-6999\VV6575AS\Letter\6575-EMBREE LOVE LEGAL DESCRIPTION.docx

**VIKA Virginia, LLC**

8180 Greensboro Drive, Suite 200 ✪ Tysons Corner, Virginia 22102 ✪ 703.442.7800 Fax 703.761.2787  
Tysons Corner, VA ✪ Germantown, MD ✪ Washington, DC  
[www.vika.com](http://www.vika.com)