

REPORT NOT PUBLISHED



APPLICATION FILED: March 11, 2005
APPLICATION AMENDED: March 17, 2006
APPLICATION AMENDED: May 22, 2006
PLANNING COMMISSION: September 28, 2006
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

September 14, 2006

STAFF REPORT

APPLICATION RZ 2005-LE-010

LEE DISTRICT

APPLICANT: Eastwood Properties, Inc.

PRESENT ZONING: R-1

REQUESTED ZONING: R-8

PARCEL(S): 91-1 ((1)) 14, 15, 16, 17

ACREAGE: 2.55 ACRES

DU/AC: 5.9 du/ac (with on-site SWM/BMP)
5.5 du/ac (with on-site SWM/BMP)

OPEN SPACE: 20%

PLAN MAP: Residential; 5-8 du/ac

PROPOSAL: To rezone 2.55 acres from the R-1 District to the R-8 District to permit development of a maximum of 15 single-family attached dwelling units.

Waivers and Modifications:

Waiver of minimum district size requirement

Modification of minimum rear yard requirement of 20 feet with a 30 degree angle of bulk plane, to allow a 15 foot rear yard with a 20 degree bulk of plane.

Modification of the transitional screening requirement to the single-family detached development along the southern property line in favor of the landscaping shown on the plan.

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

Waiver of the barrier requirement along the southern property line in favor of the landscaping shown on the plan.

Modification of the transitional screening requirement to the single-family detached property along the western property line in favor of the landscaping shown on the plan.

Waiver of the barrier requirement along the western property line in favor of that shown on the plan.

Modification of the minimum length requirement for a turn lane.

Waiver 600 foot Maximum Private Street Length Requirement.

STAFF RECOMMENDATIONS:

Staff recommends denial of RZ 2005-LE-010, however, should the Board of Supervisors approve RZ 2005-LE-010, it should be subject to the proffers contained in Appendix 1 of this staff report.

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

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

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

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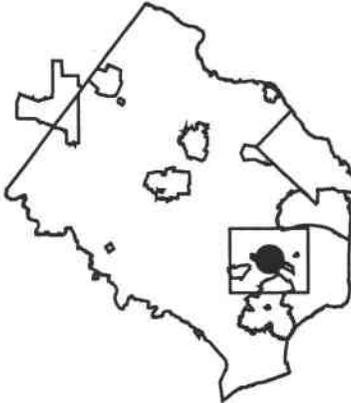


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

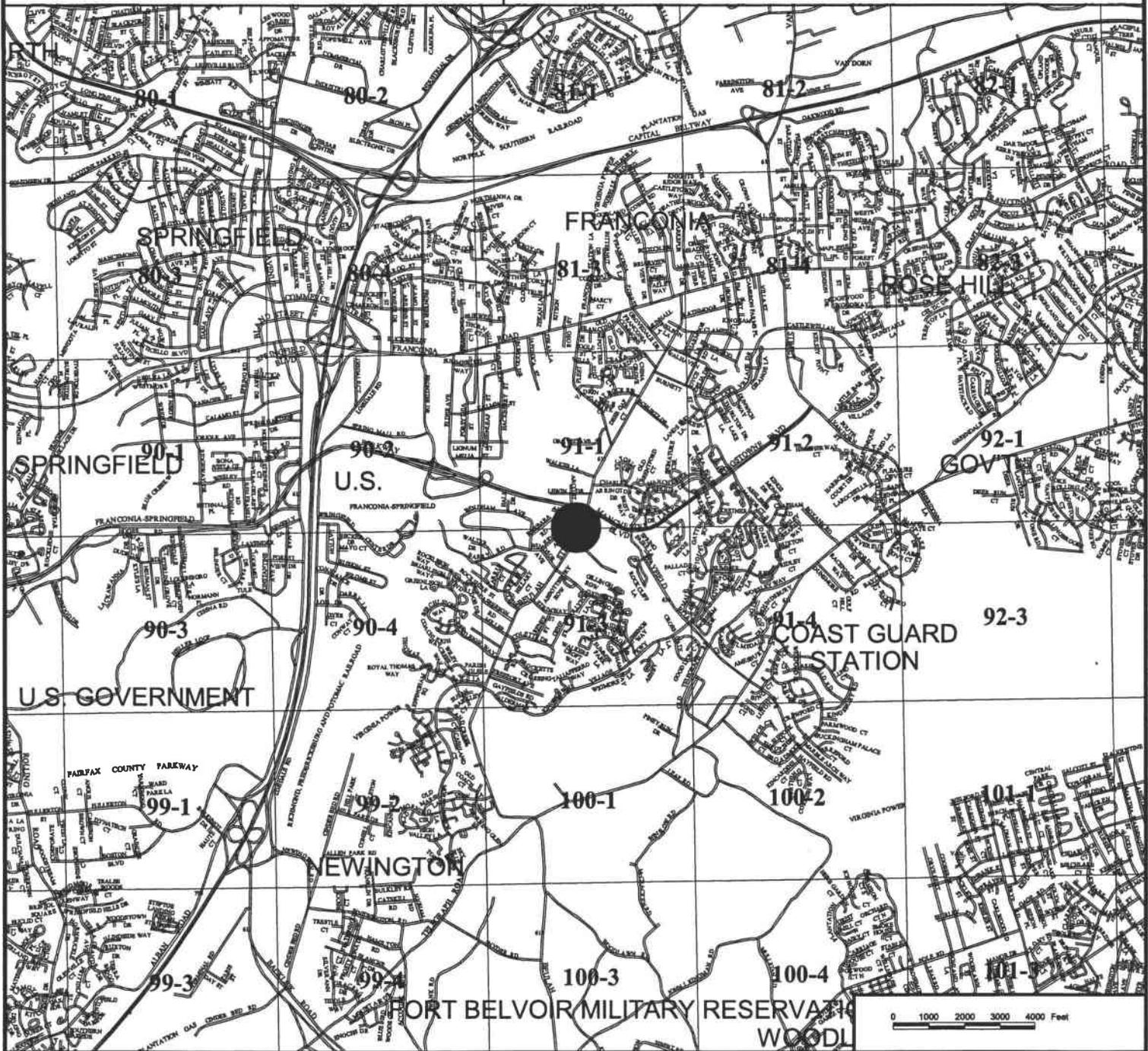
Rezoning Application

RZ 2005-LE-010

Applicant: EASTWOOD PROPERTIES, INC.
Accepted: 03/11/2005- AMENDED 03/17/2006 05/22/2006
Proposed: RESIDENTIAL



Area: 2.55 AC OF LAND; DISTRICT - LEE
Located: SOUTHWEST CORNER OF BEULAH ROAD AND ALFORTH AVENUE
Zoning: FROM R- 1 TO R- 8
Overlay Dist:
Map Ref Num: 091-1- /01/ /0014 /01/ /0015 /01/ /0016 /01/ /0017



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RZ 2005-LE-010

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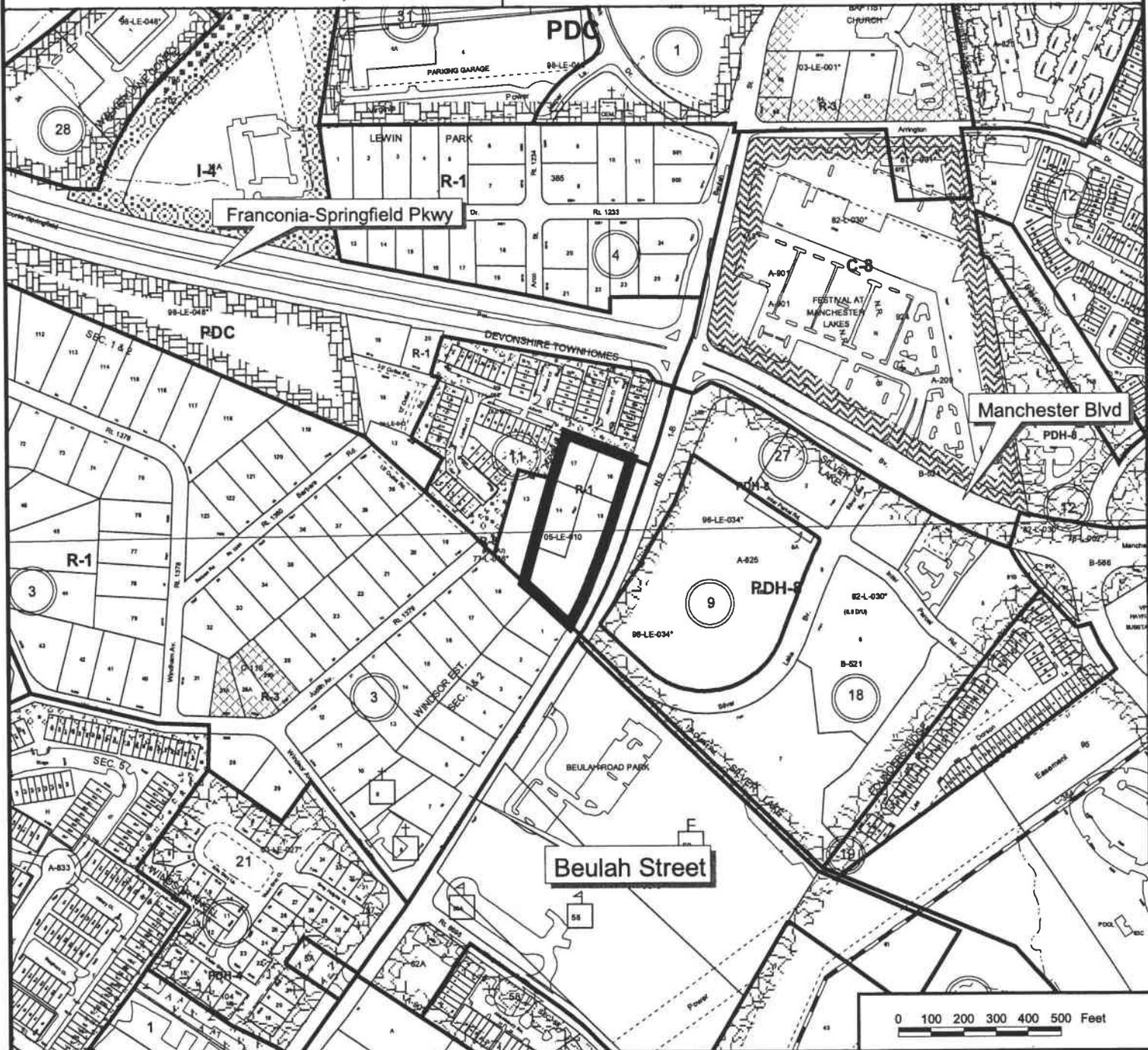
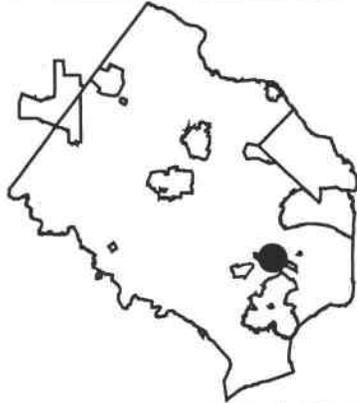
Area: 2.55 AC OF LAND; DISTRICT - LEE

Located: SOUTHWEST CORNER OF BEULAH ROAD AND ALFORTH AVENUE

Zoning: FROM R-1 TO R-8

Overlay Dist:

Map Ref Num: 091-1- /01/ /0014 /01/ /0015 /01/ /0016
/01/ /0017



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

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant, Eastwood Properties, Inc., is seeking to rezone 2.55 acres from the R-1 (Residential, one dwelling unit/acre) District to the R-8 District to permit development of 15 single-family attached dwelling units at a density of 5.9 dwelling units per acre (du/ac). The proposed development would include twenty percent open space and proposes private streets within the development providing access each dwelling unit.

The application proposes that stormwater management/best management practices requirements will be achieved by upgrading the existing pond constructed for the adjacent Devonshire Townhomes subdivision located off the subject site. As an option if the site plan for the off-site pond improvements is not approved, the applicant has provided an alternative layout with an on-site pond to provide detention. The alternative plan would allow development of a maximum of 14 single-family attached dwellings at a density of 5.5 dwelling units per acre

A reduced copy of the GDP is included in the front of this report. The applicant's draft Proffers are included in Appendix 1. The applicant's affidavit and statement of justification can be found in Appendices 2-3, respectively.

Waivers and Modifications Requested:

Waiver of minimum district size requirement

Modification of minimum rear yard requirement of 20 feet with a 30 degree angle of bulk plane, to allow a 15 foot rear yard with a 20 degree bulk of plane.

Modification of the transitional screening requirement to the single-family detached development along the southern property line in favor of the landscaping shown on the plan.

Waiver of the barrier requirement along the southern property line in favor of the landscaping shown on the plan.

Modification of the transitional screening requirement to the single-family detached property along the western property line in favor of the landscaping shown on the plan.

Waiver of the barrier requirement along the western property line in favor of that shown on the plan.

Modification of the length requirement for a turn lane.

Waiver 600 foot Maximum Private Street Length Requirement.

LOCATION AND CHARACTER

Site Description:

The 2.55 acre application property is located on the western side of Beulah Street approximately two hundred feet (200') south of its intersection with the Franconia Springfield Parkway. The property lies adjacent to the Devonshire Town homes subdivision to the north and west. All of the parcels in this application contain homes. The existing dwelling on parcel 14 was constructed in 1942, the existing dwelling on parcel 15 was constructed in 1934, and the existing dwellings on parcels 16 & 17 were constructed in 1940. Each of the houses has an area of maintained lawn and landscape plantings around the dwelling units.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan Map
North	Single Family Attached (Devonshire Town homes)	R-8	5-8 du/ac
South	Single Family Detached (Windsor Estates Sec. 1 & 2)	R-1	1-2 du/ac
East	Vacant (Board of Supervisors) (Future Fairfax County Library)	PDH-8	5-8 du/ac
West	Single Family Detached (Devonshire Town homes)	R-8	5-8 du/ac
West	Single Family Detached	R-1	5-8 du/ac

BACKGROUND

RZ/FDP 2004-LE-043

RZ/FDP 2004-LE-043, which has been filed by the same applicant on property located to the west of the subject property, is also scheduled to be heard by the Planning Commission on September 28, 2006. RZ/FDP 2004-LE-043 is located on Tax Map Parcel 91-1 ((1)) 12, 18, 19, and 20 and is proposed to be developed with 18 single family attached dwelling units, also in a townhouse layout (Appendix 13).

Devonshire Townhomes, with 57 single-family attached dwelling units at a density of 8.0 du/ac, was zoned to the R-8 District pursuant to the approval of RZ 77-L-088, and is located between the two application properties. The applicant proposes to reconstruct an existing stormwater management facility serving Devonshire Townhomes to serve both of these proposed developments and Devonshire

Townhomes. A copy of the proffered development plan for Devonshire Townhomes is contained in Appendix 4 along with a copy of a proffer interpretation regarding the proposed expansion of the stormwater management pond at Devonshire Townhomes. The interpretation dated, January 5, 2006 notes that the proffered generalized development plan for Devonshire Townhomes did not show a stormwater management facility and that the proffers required that stormwater management be provided on site. The interpretation also states that the proposed expanded stormwater management pond is in substantial conformance with the proffers accepted in conjunction with the approval of RZ 77-L-088. The interpretation also addresses an issue of parking on a version of the GDP which has been revised. The parking is no longer shown on the GDP, therefore that issue has been resolved.

The subject application has been amended twice since the original application acceptance date of March 11, 2005. The first amendment of the application occurred on March 17, 2006 when the applicant changed the original request to rezone to the PDH-8 District to a request to rezone to the R-8 District. The second amendment occurred on May 22, 2006 when the property on Tax Map 91-1 ((1)) 13 (*parcel 13*) was removed from the application.

COMPREHENSIVE PLAN PROVISIONS

- Plan Area:** IV
- Planning District:** Springfield Planning District
- Planning Sector:** Beulah Community Planning Sector (S9)
- Plan Map:** Residential, 5-8 du/ac
- Plan Text:** No site specific Plan text for the subject parcels

The Beulah Planning Sector contains stable residential neighborhoods. Infill development should be of a compatible use, type, and density and in accordance with the guidance provided by the Policy Plan Use Objective 8 and 14.

ANALYSIS

Conceptual/Final Development Plan (Reduction at front of staff report)

- Title of GDP:** Beulah Street/Taylor Property
- Prepared By:** Charles P. Johnson & Associates, Inc.
- Original and Revision Dates:** March 9, 2004, as revised through August 29, 2006

GDP (Beulah Street/Taylor Property)	
Sheet #	Description of Sheet
1 of 10	Cover sheet (including Sheet Index, General Notes & Vicinity Map)

GDP (Beulah Street/Taylor Property)	
Sheet #	Description of Sheet
2 of 10	Existing Conditions Plan
3 of 10	Proposed Site Layout of the Property (GDP)
4 of 10	Conceptual Landscape Plan & Proposed Tree Cover Calculations
5 of 10	Existing Vegetative Cover Map (EVM)
6 of 10	Preliminary Drainage Divide Maps
7 of 10	Preliminary Outfall Analysis & Onsite Drainage Divide Maps
8 of 10	Exhibits – Future interparcel connections, Typical Unit, Typical Noise Wall Detail, Typical Privacy Fence Detail
9 of 10	Overall exhibit - Beulah Taylor and Beulah Gorham applications
10 of 10	GDP Alternate Layout with onsite SWM & BMP

The following features are depicted on the proposed GDP:

- Vehicular Access.* All streets within the proposed development will be privately maintained streets. The GDP shows a fifty foot (50') taper and a two hundred and fifty foot (250') right turn lane to be provided on the southbound side of Beulah Street to provide access to the site, opposite and slightly north of the intersection of Beulah Street and Silver Lake Boulevard. Vehicular travel throughout the site is handled by a main private road which runs from Beulah Street to a dead end near the northern boundary of the site, near Alforth Avenue. The area of the private street near Alforth Avenue, labeled Parcel A is reserved for future road improvements for a possible interparcel connection to Alforth Avenue. Vehicles access the dwelling units via two private streets which intersect the main private street and run between the lots and dead end approximately twenty feet (20') west of the future Beulah Street right-of-way. The private roads within the development will be twenty four feet (24') in width.
- Site Layout.* The application property is shown to be redeveloped with fifteen (15) single-family attached dwelling units. Lots #1 through 8 will be located along either side of a privately maintained street, with four dwellings located on each side of the street. Lots #9 through 15 will be located on either side of another privately maintained street with four dwellings being located on the south side of the street and three dwellings on the north side.

Recreational facilities in the form of a 1,200 square foot area tot lot and a gazebo will be located on the southern portion of the property, to the south of lots #1 through 4. Along the eastern portion of the site, the proposed dwelling units will be set back only twenty-five feet (25') from the proposed future Beulah Street right-of-way at lot #4; the minimum lot setback shown is twelve feet (12') at lot #4. There are fifteen foot (15') wide shared utilities easements that encompass approximately two feet (2') of the rear yards of all the proposed

lots. The open space area shown between the future Beulah Street right-of-way and the existing right-of-way ranges in width from approximately 5 to 38 feet and is dedicated for future road improvements. Once the right-of-way is dedicated, the open space area along the Beulah Street boundary of the application property will be a minimum of 12- feet in width at lot #4.

- *Pedestrian Access.* The existing five foot sidewalk along the Beulah Street frontage of the site will be removed to provide a right turn lane into the proposed development. A proposed five-foot (5') wide concrete sidewalk is shown along the periphery of the site along Beulah Street from the entrance to the site to approximately 235 feet north of the entrance. Internal pedestrian access will be provided via a sidewalk along the east side on the main private street running through the site. The sidewalk is five feet (5') wide from the entrance of the site at Beulah Street to the intersection with the first street within the development, providing access to the proposed tot lot and gazebo, as well as lots #1 through 8. The sidewalk is four feet (4') wide along the east side of the main private street throughout the rest of the site.
- *Lot Layout.* The notes state the average lot area is 2,227 square feet. The minimum lot area shown is 1,716 square feet and the maximum lot area shown is 2,775 square feet. The typical lot layout and landscaping detail on Sheet 4 shows a twenty two foot (22') wide lot with a two car driveway. The minimum front yard is eighteen feet (18') to accommodate the parking of vehicles in the driveway. Thirty three foot (33') wide lots are shown on the end units to the west. The minimum rear yard is fifteen feet (15'). Ground cover/perennials and ornamental trees are shown in the front yard of all the units and additional medium evergreen shrubs are shown in the yards of the end units.
- *Parking.* Each lot is to have two parking spaces in the driveway and two spaces within a garage. The draft proffers include language prohibiting the conversion of garages to uses other than parking. In addition, ten (10) parking spaces are provided along the western side of the main private street near its terminus at the northern portion of the application property.
- *Stormwater Management/BMP.* The application proposes that SWM/BMP requirements will be achieved by upgrading the existing pond constructed for the adjacent Devonshire Townhomes development, located off the subject site. The GDP shows modifications to the existing pond size and volume, including the limits of clearing and grading and proposed topography, to accommodate the additional storage volumes. The draft proffers state that the site plans for dry pond to be reconstructed off-site will be approved and bonded prior to final site plan approval for the proposed development.
- *Open Space and Landscaping.* There is open space area along the southern property line of the subject site in the form of a modified transitional screening to the single-family detached development south of the site. This area is shown to be planted with Shade and Ornamental trees and a fifty inch (50") Oak tree is

shown to be saved in this area. An open space/transitional screening area is shown along western property line abutting the single family detached lot (parcel 13). The landscaped area along the western property line is approximately fifteen feet (15'). The applicant has requested a modification of the twenty-five feet (25') transitional screening requirement in this area. Additional open space is shown along the northern boundary of the site, from north of the end of the main private street to the proposed future Beulah Street right-of-way, behind lots #13 through 15 and along the eastern boundary of the site, along the east side of lots #4, 5, 12, and 13. The area shown between the future Beulah Street right-of-way and the existing right-of-way ranges in width from approximately 5 to 38 feet and is dedicated for future road improvements. Once the right-of-way is dedicated, the open space area along the Beulah Street boundary of the application property will be a minimum of 12- feet in width at lot #4.

- *Tree Preservation.* The only tree save shown on the GDP consists of a fifty inch (50") Oak tree, which is shown to be saved along the southern property line of the subject site abutting the single-family detached development.
- *Amenities:* The amenities shown on the GDP are recreational facilities in the form of a proposed 1,200 square foot tot lot and a gazebo located in the open space are shown south of lots #1 through 4.

Land Use Analysis

The application proposes to develop the site with 15 single family attached dwelling units at a density of 5.9 du/ac. The Comprehensive Plan map shows the site as planned for residential development at a density of 5-8 dwelling units per acre. The parcels are not subject to any site specific Comprehensive Plan text. At a proposed density of 5.9 du/ac, the proposed development is consistent with the use and density recommended by the Comprehensive Plan.

Residential Development Criteria

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. The following is an evaluation of how the subject application addresses the Residential Development Criteria. For the complete Residential Development Criteria text, see Appendix 15.

Site Design (Development Criterion #1)

This Criterion requires that the development proposal address consolidation goals in the plan, further the integration of adjacent parcels, and not preclude adjacent parcels from developing in accordance with the Plan.

The application property consists of four parcels each containing single family detached dwellings. The application does not satisfy the goal of consolidation, as there is one remaining parcel (parcel 13) to the west of the subject property, zoned R-1, and consisting of a single family detached dwelling. The abutting properties to the north and west, have been developed in accordance with the 5-8 du/ac recommendation of the Comprehensive Plan and are zoned R-8. The GDP shows the existing single family detached dwelling on parcel 13, which is planned for residential development at 5-8 du/ac surrounded by developments actually developed at the 5-8 dwelling unit density.

The property to the east (across Beulah Street) is also subject to the 5-8 du/ac recommendation and is zoned PDH-8. The abutting properties to the south have been developed in accordance with the 1-2 du/ac recommendation of the Comprehensive Plan, are zoned R-1 and are within the Windsor Estates subdivision. The proposed development of the subject site will integrate the development with the adjacent properties to the north and west, by upgrading the existing stormwater management pond currently serving Devonshire Town homes to also serve both of the development proposed pursuant to RZ/FDP 2004-LE-043 and this proposed development, and providing for possible future interparcel access to Alforth Avenue in coordination with the future grade separated interchange at the intersection of Franconia-Springfield Parkway and Beulah Street. However, since the proposed development is not a full consolidation of developable properties, it results in an R-1 zoned property with a single family detached dwelling being surrounded by townhouse developments to the east and west, with inadequate buffering and screening and no certainty of how that parcel will develop in the future; this criterion has not been met.

The development should provide for a logical design with appropriate relationships within the development, including appropriately oriented units and usable yards. Access should be provided to transit facilities where available, and utilities should be identified to the extent possible.

The proposed layout has small lots (average of 2,227 square feet). Lots #1 through 8 will be located along either side of a privately maintained street with four dwellings located on each side of the street. Lots #9 through 15 will be located on either side of another privately maintained street with four dwellings being located on the south side of the street and three dwellings on the north side. The proposed dwelling unit on lot #4 will be set back only twenty five feet (25') from the proposed future Beulah Street, with lot setback of only twelve feet (12'). Approximately two feet (2') of the rear yards of lots #1 through 4 and 13 through 15 are encumbered by a fifteen foot (15') shared utilities easement. As a result, the usable yard area for these rear yards is approximately 13 feet. The minimum rear yard requirement for the R-8 District is twenty feet (20'). The fifteen foot (15') shared utilities easement in the open area between lots #5 through 8 and lots #9 through 12 also encumbers those rear yards, resulting in usable rear yard areas of approximately 13 feet. The thirteen feet (13') rear yard provided as a result, does not satisfy the goal of providing usable yards.

Staff is not supportive of the reduction of the minimum rear yard request, as staff believes there are alternative designs/layouts that would allow for the 20' rear yard requirement to be met. (i.e.; using alternative unit types or reorienting some of the units, or reducing the number of proposed dwelling units).

The modified transitional screening to the single-family detached dwelling to the south on the GDP shows a fifty inch (50") oak tree to be preserved along the southern property line along with Shade and Ornamental trees to be planted in that area. The closest dwelling to the southern property line is 110' to the northeast of the property line. Additionally, this area (Parcel C) has been reserved for future road improvements.

Open space should be useable, accessible, and integrated with the development. Appropriate landscaping should be provided.

There is a requirement of 20% open space in the R-8 District; the applicant has provided 20%. There is open space area along the southern property line of the subject site in the form of a modified transitional screening strip to the single-family detached development south of the site and single family detached dwelling to the west of the site. Additional open space area is shown along the northern boundary of the site, from north of the end of the main private street to the proposed future Beulah Street right-of-way, behind lots #13 through 15 and along the eastern boundary of the site, along the east side of lots #4, 5, 12, and 13. The open space area shown between the proposed future Beulah Street right-of-way and the existing right-of-way is dedicated for future road improvements. The only areas of usable open space shown on the GDP are shown south of lots #1 through 4, and consist of a proposed 1,200 square foot tot lot and a gazebo.

As noted, the only areas of usable open space within the development is the area consisting of the tot lot and gazebo, all of the additional open space provided is in the form of strips located along the periphery of the site.

Neighborhood Context (Development Criterion #2)

While developments are not expected to be identical to their neighbors, this Criterion states that they should fit in the fabric of the area, especially at the interface between the two.

As discussed earlier in this report, all but one of the abutting properties to the north and west, have been developed in accordance with the 5-8 du/ac recommendation of the Comprehensive Plan and are zoned R-8. The property to the east (across Beulah Street) is also subject to the 5-8 du/ac recommendation and is zoned PDH-8. The abutting properties to the south have developed in accordance with the 1-2 du/ac recommendation of the Comprehensive Plan, are zoned R-1 and are within the Windsor Estates subdivision. The proposed development will integrate the development with the adjacent properties to the north and west, by upgrading the existing stormwater management pond currently serving Devonshire Town homes to also serve both the development proposed pursuant to RZ/FDP 2004-LE-043 and this proposed development, and providing for possible future interparcel access to Alforth

Avenue in coordination with the future grade separated interchange at the intersection of Franconia-Springfield Parkway and Beulah Street. However, the lack of full consolidation of developable properties will leave one remaining R-1 zoned property with a single family detached dwelling being surrounded by townhouse developments to the east and west, with inadequate buffering and screening and no certainty of how that parcel will develop in the future. Therefore, this criterion has not been met.

Environment (Development Criterion #3)

Residential Development Criterion 3 recommends that all rezoning applications for residential development respect the environment. The criterion enumerates several principals that should be addressed: a) natural environmental resources should be preserved, b) existing topographic conditions and soil characteristics should be considered, c) off-site impacts on water quality should be minimized by commitments to state of the art best managements practices and low impact site design techniques, d) the volume and velocity of stormwater runoff should be managed to avoid impacts on downstream properties, e) future and current residents should be protected from the adverse impacts of transportation generated noise, f) any exterior lighting fixtures should minimize neighborhood glare and impacts to the night sky, and g) use site design techniques to achieve energy savings and be designed to encourage and facilitate walking and bicycling.

Preservation of Natural Environmental Resources & Consideration of Existing Topographic Conditions

This site has been previously developed with single family detached dwelling units. The main natural environmental resource is the existing tree on the property which will be addressed below under criterion #4.

Stormwater Management/Best Management Practice & Stormwater Outfalls

The comments of the Environmental and Site Review Division related to this issue are in Appendix 7. The applicant is intending to reconstruct the existing dry pond that serves Devonshire Townhomes to accommodate the detention and water quality requirements for this development and the one proposed pursuant to RZ 2004-LE-043 as an alternative to an on-site facility, if this option can satisfy PFM requirements and can be approved by DPWES. The draft proffers state that the site plans for dry pond to be reconstructed off-site will be approved and bonded prior to final site plan approval for the proposed development.

The application proposes that water quality control requirements will be achieved by upgrading the existing pond constructed for the Devonshire Townhomes located off the subject site. The GDP shows modifications to the existing pond size and volume, including the limits of clearing and grading and proposed topography, to accommodate the additional storage volumes.

The applicant has provided an alternative layout with an on-site pond to provide detention. The proposed proffer language states that the on-site pond option will only be constructed if the site plan for the off-site pond improvements is not approved. The language should be revised to preclude the possibility that the on-site pond can be chosen solely because DPWES disapproves the first submission of the site plan. DPWES recommends the option be determined by the County upon review of the specific reasons for the off-site pond option not being approved initially. This is to ensure that the applicant makes every effort to gain the required approvals to construct the off-site improvements to the Devonshire pond before optioning to provide the on-site pond shown on the alternative layout. The GDP shows an alternative layout on sheet 10, which shows 14 proposed dwelling units an on-site stormwater management/BMP facility in the northeast portion of the site. The alternative layout shows on-site BMP's utilizing Filterra innovative materials. These facilities require separate approval by the Director of DPWES in accordance with the PFM and must be maintained by the HOA. Note 18 on the GDP needs to be revised to replace the "hereby requested" with "will be required", because this request is not subject to approval by the Board with this application.

The application proposes that the water detention requirements will also be achieved through regarding and enlargement of the Devonshire Townhomes pond, within the existing easements. The proposed modification is intended to meet detention requirements for the Devonshire Townhomes, the application property and the property subject to RZ 2004-LE-043.

The proposed changes to the existing stormwater management pond must comply with PFM requirements for rehabilitation of existing dams as the dam was built prior to current design standards. Due to the fact parcel 13 is no longer subject to this application, the applicant is requiring numerous waivers of the current dam standards related to the proposed modification and retrofit of the existing off-site Devonshire pond. The waivers of the PFM requirements are subject to review and approval by the director of DPWES. Action on the waiver must be reviewed on a case by case basis after Board action on this application.

The applicants has indicated that the existing roadside ditch and driveway culverts along Judith Avenue are currently inadequate to convey the required discharge and they will be replaced with a continuous concrete storm sewer to increase capacity of the system. This work must be contained within the right-of-way or additional easements will be required. The applicant must notify the owners of the adjacent properties of the time and duration of the work and must coordinate the construction schedule with the owners. Waivers of PFM requirements will be required to install the storm sewer. The waivers of PFM requirements are subject to review and approval by the Director of DPWES. The draft proffers state that notice will be sent to the owners of land affected by existing stormwater easements where improvements will be made, including along Judith Lane where the pond currently outfalls.

In reference to stormwater management/best management practices, note 18 on the GDP has not been revised to replace the "hereby requested" with "will be required." The proffer language has not been revised to preclude the possibility that the on-site

pond can be chosen solely because DPWES disapproves the first submission of the site plan. Without the suggested revisions, this criterion has not been met.

Traffic Generated Noise

The subject property will be affected by noise from Beulah Street. The adopted Comprehensive Plan recommends that dwelling units not be located where they would be subject to noise levels above 75 dB. The draft proffers adequately address this issue by requiring that a noise study using a methodology acceptable to DPZ be submitted prior to site plan approval for the approval of DPWES and by requiring that no portion of any dwelling units constructed on the site will be within the 75 dB contour and limit the size of the wall to six feet. The draft proffers also state that the wall will be constructed to be architecturally solid from ground up, with no gaps or openings, and the materials used shall be compatible to the color, texture, and type of material used on the exterior façade of the approved units, which may include concrete, masonry products or cement based products or combinations of the same.

The applicant has proposed a draft proffer stating; in order to mitigate interior noise to approximately 45dBA, each dwelling shall have the acoustical attributes set forth in the approved study.

Lighting

The lighting on this property will be required to meet the limitations of Part 9 of Article 14, which addresses outdoor lighting.

Energy Conservation

The draft proffers commit that the dwellings on the property will meet the energy efficiency guidelines of the International Building Code for energy efficient homes, or its equivalent as determined by DPWES.

Due to outstanding stormwater management/best management practices issues noted above, this criterion has not been met.

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

This Criterion states that all developments should take advantage of existing quality tree cover—as preserving existing trees is highly desirable to meet the Public Facilities Manual (PFM) requirements—and that, where feasible, utility crossing should be located so as not to interfere with proposed tree save areas.

Urban Forest Management (Appendix 5)

Much of the vegetation onsite is grassland with some individual trees described as bottomland forest (good condition) on the western and southern edges of the site. The site contains several mature, quality trees which are worthy of preservation, The GDP shows one (1) fifty inch (50") oak tree along the southern property line of the site to be

preserved. The applicant has proffered to submit a tree preservation plan, as part of the first and all subsequent site plan submissions. The utility easements that encumber the rear yards will limit the tree planting in the individual rear yards.

The Urban Forest Management analysis of the application has indicated that the roadwork, a board on board fence along the southern boundary of the site and additional planting proposed within critical root zones will have adverse impacts on the 50" oak proposed to be saved, as well as two (2) off-site trees, and recommends moving the limits of clearing and grading further away from the trunk of this tree to preserve the entire critical root zone of the trees mentioned. Additionally, planting within the critical root zones of the trees mentioned is not recommended and should be limited.

The limits of clearing and grading have not been moved, but the previously proposed board on board fence along the southern boundary of the application property is no longer shown on the GDP. Proposed proffers #7 and #8 referencing the fence should be removed from the proffer statement, as they do not reflect the current.

There are other trees close to the 50" tree proposed to be preserved that are located along the southern boundary. The tree survey proposed in the proffer statement should include all trees along the southern and western property boundary; the currently proposed language only includes the trees along the western property boundary.

With the latest GDP and proffers submitted for this application, this issue has not been addressed. Additionally, adequate space to allow for planting that does not overlap projected 10-year tree cover canopies has not been provided. The applicant should consider using at the most, eight foot (8') high evergreens and 3-3 ½ inch caliper deciduous trees.

Transportation (Development Criterion #5)

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

The applicant has provided a development plan which will consist of three private streets, which is typical in single family attached dwelling unit developments. However, the applicant has proffered to construct these streets pursuant to PFM pavement section standards as to the thickness appropriate for public streets based on the level of vehicular traffic consistent with the development shown on the GDP as determined by DPWES. The applicant has proposed a proffer commitment to establish a fund to be managed by the HOA to provide for the initial maintenance of the private street. The proposed fund amount is \$3,500 and would be paid prior to bond release by the applicant. Previous plans submitted for this application show land area along the Beulah Street frontage of the property to be "reserved" for future road improvements. The plans have been revised and now show the land to be "dedicated" for future road

improvements as a result of the proposed interchange at the intersection of Beulah Street and Franconia Springfield Parkway at the time subdivision plat recordation or upon demand by the County, whichever occurs first. See Appendix 6 for the full transportation analysis.

A five-foot (5') wide concrete sidewalk is shown along the periphery of the site along Beulah Street from the entrance to the site to approximately 235 feet north of the entrance. Internal pedestrian access will be provided via a sidewalk along the east side on the main private street running through the site. The sidewalk is five feet (5') wide from the entrance of the site at Beulah Street to the intersection with the first street within the development, providing access to the proposed tot lot and gazebo, as well as lots #1 through 8. The sidewalk then transitions to four feet (4') wide along the east side of the private street, north to its terminus. The current application provides provide safe pedestrian access throughout the site.

Previous plans submitted for this application showed two grasscrete emergency accesses to the site along the Beulah Street frontage of the site. Fairfax County DOT has requested that those emergency accesses be eliminated. The applicant has revised the GDP accordingly and provided an alternate layout on sheet #10 and proposed a proffer stating that the emergency accesses will only be provided if required at Final Site Plan review. With the revisions, the issue of the emergency accesses has been resolved.

Fairfax County DOT has recommended that the applicant construct the site street to connect to Alforth Avenue. The GDP shows parcel A at the northern portion of the property to be reserved for future road connection to Alforth Avenue. The proffer commitment has been proposed to record an easement to benefit the adjacent Devonshire community at the time of plat recordation; in addition the applicant will escrow funds with Fairfax County equal to the cost of constructing the connection.

Fairfax County DOT has recommended that the applicant reserve land area and escrow for future interparcel connection to parcel 13. The applicant has not proposed an escrow; The applicant has addressed the issue by proposing a proffer stating that at such time that parcel 13 is redeveloped, an access easement will be conveyed to allow access to parcel 13. However staff recommends the access easement be conveyed at the time of plat recordation as the applicant has proposed with Parcel A.

Parcel C at the southern portion of the property is shown to be reserved for future road connection to the development to the south. Until parcel C is dedicated, it will be owned and maintained by the HOA.

A public access easement in a form approved by the County Attorney will be placed on the private streets and sidewalks within the development between Alforth Avenue and Beulah Street.

The applicant requests a modification of the minimum length requirement for a turn Lane along the southbound side of Beulah Street. VDOT has requested that the proposed right turn lane should be at least 250 feet in length with an additional 50'

taper. The applicant has revised the GDP to provide a 250' right turn lane with 50 foot taper to provide vehicular access to the subject site. The proposed modification would help to provide safe access to the site from Beulah Street. A determination is this request will be made at the time of Site Plan review.

The applicant proposes a private street which would be longer than the 600 foot maximum (runs from Beulah Street to a dead end at the northern boundary of the site, near Alforth Avenue). The private street ends at a dead-end near the property's northern property line on parcel "A," and that parcel is proposed to be reserved for future road improvements to provide an interparcel connection to Alforth Avenue. The applicant has proffered to construct all private streets on the site to public street standards. Therefore staff does not object to this waiver request.

With the current proposal, this criterion has been met.

Public Facilities (Development Criterion #6)

Criterion 6 states that the impacts on public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management) should be offset by residential development. Impacts may be offset through the dedication of land, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Specific Public Facilities issues are discussed in detail in Appendices 8-13.

Fairfax County Park Authority (Appendix 9)

The development as originally proposed would be projected to add approximately 40 new residents to the current population of the Lee District. The GDP shows an open space which includes a gazebo and 1,200 square foot tot lot (detail shown on Sheet 4) west of the point of access to the site. To offset the additional impact caused by the proposed development, the cost to provide recreational facilities for the residents of this development while maintaining the current level of service was estimated to be \$10,600 (\$265 per estimated resident). The applicant has proffered to contribute \$10,875 (\$725 per unit) to the Park Authority for park and/or facilities in the area of the application property prior to issuance of the first RUP

Fairfax County Public Schools (Appendix 10)

The proposed development would currently be served by the Lane Elementary, Twain Middle, and Hayfield High Schools. The total number of students generated by this development is projected to be 3 elementary students, 1 middle school students and 2 high school students (6 students total), an increase of 6 students over what would be projected under the current zoning. A contribution of \$45,000 would be appropriate. The applicant has proffered a school contribution of \$2,604.00 per dwelling unit approved on the final site plan (\$2,604 x 15 proposed dwelling units = \$39,060.00).

Fire and Rescue (Appendix 11)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #405, Franconia. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

Sanitary Sewer Analysis

The subject property is located within the Accotink Creek (M6) watershed and would be sewer into the Norman M. Cole Pollution Control Plant. An existing 8 inch line locates in an easement approximately 20 feet from the property is adequate for the proposed use at this time.

Fairfax County Water Authority (Appendix12)

The subject property is located within the Fairfax County Water Authority Service Area. Adequate domestic water service is available at the site from existing 24-inch, and 8-inch mains located at the property.

With respect to the public facility systems relevant to this application, this criterion has been met.

Affordable Housing (Development Criterion #7)

Criterion 7 states that ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. The applicant can elect to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board. Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs.

Given that the proposed residential development does not exceed fifty (50) dwelling units, Part 8 of Article 2 of the Zoning Ordinance does not require that affordable dwelling units be provided. The draft proffers state that a contribution equal to 0.5 percent of the projected sales price for each new dwelling unit on the property will be made to the Housing Trust Fund; therefore this criterion has been met.

Heritage Resources (Development Criterion #8)

Criterion 8 requires a development to address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation.

The Park Authority has indicated that the subject property was subject to an archival review and the area has a high potential for significant historical sites including 19th century African American sites. The Park Authority recommends a Phase I Archaeological Survey be conducted on the subject site. The applicant has proffered to conduct a Phase I archeological study on those area of the application property identified by the Heritage Resources Branch of the Fairfax County Park Authority and provide the results to Heritage resources prior to any land disturbing activities on the site. The proposed proffers state that if warranted by the initial phase I study, a Phase II and/or Phase III will occur. While the applicant has proposed a proffer to conduct the Phase II and/or Phase III if warranted, further clarity is needed on who will be responsible for conducting the Phase II and/or Phase III and to ensure that any studies warranted will occur prior to any land disturbing activities associated with this development. Without further clarity on the issues discussed, this criterion has not been met.

ZONING ORDINANCE PROVISIONS (Appendix 14)

Bulk Standards (R-8)		
Standard	Required	Provided
Min. Dist. Size	5 acres	2.55 acres*
Lot Width	Single-family attached -18 ft.	22 feet (interior lots) 33 feet (end lots)
Building Height	35 feet	35 feet
Front Yard	5 feet	18 feet
Side Yard	10 feet	10 feet
Rear Yard	20 feet	15 feet**
Density	8.0 du/ac	5.9 du/ac
Open Space	20%	20%
Parking Spaces	35 spaces (2.3/du)	70 spaces (4.7/du)

* Waiver of minimum district size requirement requested

** Modification of minimum rear yard requirement requested

Transitional Screening			
Direction	Use	Standard	Provided
North (R-8)	Single Family Attached	n/a	None
South (R-1)	Single Family Detached	25' wide unbroken strip of open space	Modification requested
East (PDH-8)	Vacant	n/a	None
West (R-1)	Single Family Detached	25' wide unbroken strip of open space	Modification requested
West (R-8)	Single Family Attached	n/a	None

		Barrier	
Direction	Use	Standard	Provided
North (R-8)	Single Family Attached	n/a	None
South (R-1)	Single Family Detached	Barrier A – 42” to 48” Block or Brick or Barrier B – 42” to 48” Wood Fence	Waiver requested
East (PDH-8)	Vacant	n/a	None
West (R-1)	Single Family Detached	Barrier A – 42” to 48” Block or Brick or Barrier B – 42” to 48” Wood Fence	Waiver requested
West (R-8)	Single Family Attached	n/a	None

Waivers/Modifications

Waiver: Minimum District Size

Basis: Sect. 9-610

Sect. 9-610 of the Zoning Ordinance states that the Board may approve, either in conjunction with the approval of a rezoning or a special exception, the waiving of the minimum district requirement for an R District, except for cluster subdivisions in the R-3 and R-4 Districts which have a minimum district size of the three and one half (3.5) acres or greater, the minimum lot area and/or width requirements for a C district or the minimum district requirement for the C-9 District, and the minimum district size, lot area and/or width requirements for an I district, but only in accordance with the following:

1. Such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance.
2. It shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties.
3. Such waiver shall be approved only if the remaining provisions of this ordinance can be satisfied.

The proposed development is not a full consolidation of developable properties, and results in an R-1 zoned property with a single family detached dwelling being surrounded by townhouse developments to the east and west, with inadequate buffering and screening and no certainty of how that parcel will develop in the future; this criterion has not been met. While the inclusion of parcel 13 still would not meet the minimum district size requirement for the R-8 District, which is 5 acres, it would help address the issues described above, as there would be no transitional screening and buffer requirements to the Devonshire Townhomes development to the west. Therefore staff recommends denial of this waiver request.

Modification: Transitional Screening (South) **Basis:**Par. 3 of Sect. 13-304

Par. 3 states that transitional screening may be modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques. The adjacent development to the south of the subject site is a single-family detached development, which would require the applicant to provide a twenty five foot (25') wide transitional screening area. Due to the upgrading of the exiting storm water management pond on the Devonshire Town homes site, the applicant requests a modification of this requirement along the single-family detached development along the southern property line in favor of the landscaping shown on the GDP. The GDP shows a fifty inch (50") oak tree to be preserved along the southern property line along with Shade and Ornamental trees to be planted in that area. There are other trees close to the 50" tree proposed to be preserved that are located along the southern boundary. The Urban Forest Management Division has indicated that the tree survey proposed in the proffer statement should include all trees along the southern and western property boundary; the currently proposed language only includes the trees along the western property boundary. Without additional preservation, staff is not supportive of this modification request.

Waiver: Barrier**Basis:** Sect. 13-304

The applicant requests a waiver of the barrier requirement along the single-family detached development along the southern property line. The GDP shows a fifty inch (50") oak tree to be preserved along the southern property line along with Shade and Ornamental trees to be planted in that area. The closest dwelling to the southern property line is 100' to the northeast of the property line. Additionally, this area (Parcel C) has been reserved for future road improvements. Given these circumstances, staff recommends that the requested modification be approved.

Modification: Transitional Screening (West) **Basis:**Par. 5 of Sect. 13-304

Par. 5 states transitional screening and barriers may be waived or modified where the adjoining land is designated in the adopted comprehensive plan for a use which would not require the provision of transitional screening between the land under site plan and the adjoining property. The adjacent development to the west of the subject site is a single-family detached development, which would require the applicant to provide a twenty five foot (25') wide transitional screening area. The proposed development is not a full consolidation of developable properties, it results in an R-1 zoned property with a single family detached dwelling being surrounded by townhouse developments to the east, and west, with approximately fifteen feet (15') of transitional screening and no barrier provided. Staff feels that the screening and buffering proposed is inadequate; therefore staff is not supportive of this modification.

Waiver: Barrier**Basis: Sect. 13-304**

The applicant requests a waiver of the barrier requirement along the single-family detached property along the western property line. The adjacent development to the west of the subject site is a single-family detached development, which would require the applicant to provide 42-48 inch barrier. The proposed development is not a full consolidation of developable properties, it results in an R-1 zoned property with a single family detached dwelling being surrounded by townhouse developments to the east, and west, with approximately fifteen feet (15') of transitional screening and no barrier provided. Staff feels that the screening and buffering proposed is inadequate. Staff could only support this waiver request if a wider buffer area was provided and that area was heavily planted.

Waiver: Minimum Yard Requirement**Basis: Sect. 9-613**

Sect. 9-613 states that The Board may approve, either in conjunction with the approval of a rezoning or a special exception, the waiving of the minimum lot width, minimum yard and/or privacy yard requirements or single family attached dwelling units. Such waiver may be approved only if it will further the intent of the Ordinance, and the intent and implementation of the adopted comprehensive plan and their adopted policies. The R-8 District requires a twenty foot (20') minimum rear yard per the Zoning Ordinance. The current application proposes fifteen foot (15') rear yards for all the dwelling units. Additionally, approximately two feet (2') of the rear yards are shown to be encumbered by a fifteen foot (15') utilities easement, resulting in approximately thirteen feet (13') of usable rear yard area. Staff is not supportive of the reduction of the minimum rear yard request because staff believes there are alternative designs/layouts that would allow for the 20' rear yard requirement to be met. (i.e.; using alternative unit types or reorienting some of the units, or reducing the number of proposed dwelling units).

CONCLUSIONS AND RECOMMENDATIONS**Staff Conclusions**

The applicant is seeking to rezone 2.55 acres from the R-1 District to the R-8 District; to permit development of 15 single-family attached dwelling units at a density of 5.9 dwelling units per acre (du/ac), with twenty percent (20%) open space and all private streets within the development. The Comprehensive Plan map shows the entire site as planned for residential development at a density of 5-8 dwelling units per acre. The parcels are not subject to any site specific Comprehensive Plan text. At a proposed density of 5.9 du/ac, the proposed development is consistent with the density recommended by the Comprehensive Plan. Except for parcel 13, all but one of the abutting properties to the north and west, have been developed in accordance with the 5-8 du/ac recommendation of the Comprehensive Plan and are zoned R-8. The property to the east (across Beulah Street) is also subject to the 5-8 du/ac recommendation and is zoned PDH-8. The abutting properties to the south have been developed in accordance with the 1-2 du/ac recommendation of the Comprehensive Plan, are zoned R-1 and are within the Windsor Estates subdivision. The proposed

development of the subject site does not meet the goals of consolidation identified in the Residential Development Criteria and will not fully integrate the development with the adjacent properties to the north and west. The proposed development is not a full consolidation of developable properties, and results in an R-1 zoned property with a single family detached dwelling being surrounded by townhouse developments to the east and west, with inadequate buffering and screening.

The proposed dwelling unit on lot #4 will be set back only twenty five feet (25') from the proposed future Beulah Street right-of-way, with lot setback of only twelve feet (12').

The applicant has requested a modification of the minimum rear yard requirement for the R-8 District, which is 20 feet, to allow rear yards of 15 feet, which are encumbered by a portion of a shared utilities easement resulting in approximately thirteen feet (13') of usable rear yard area. The thirteen feet (13') rear yard provided as a result, does not satisfy the goal of providing usable yards. Full consolidation to include parcel 13 would allow for more land area to meet the minimum rear yard requirement as well as address the issues of inadequate screening and buffering along the western boundary of the subject site.

Additionally, as discussed previously, the only areas of usable open space within the development is the area consisting of the tot lot and gazebo, all of the additional open space provided is in the form of strips located along the periphery of the site.

The current layout is in staff's opinion a poor layout which does not satisfy the Residential Development Criteria in terms of providing usable yards, usable open space, and consolidation to further the integration of adjacent parcels. The lack of consolidation also raises concerns about the future development of parcel 13. With parcel 13 not being included in this proposal, the future development of that parcel is uncertain. The applicant has provided a conceptual layout of how that parcel might develop in the future, but without consolidation there is no certainty on the future development of that site.

Numerous issues have been identified in this report, which are still outstanding. In addition, staff believes there are alternative designs/layouts that would satisfy the goals of the Residential Development Criteria. (i.e.; using alternative unit types or reorienting some of the units, or reducing the number of proposed dwelling units).

Staff Recommendations

Staff recommends denial of RZ 2005-LE-010, however, should the Board of Supervisors approve RZ 2005-LE-010, it should be subject to the proffers contained in Appendix 1 of this staff report.

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

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

APPENDICES

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Devonshire Townhomes – Proffers, Proffered GDP, Proffer Interpretation
5. Urban Forest Management Analysis
6. Transportation Analysis
7. Land Use Analysis
8. Storm Water Management Analysis
9. Park Authority Analysis
10. Schools Analysis
11. Fire and Rescue Analysis
12. Water Service Analysis
13. Fairfax County Locator Map & Reduction of CDP/FDP – RZ 2004-LE-043
14. Applicable Zoning Ordinance Provisions Checklist
15. Residential Development Criteria
16. Glossary of Terms

PROFFERS
Eastwood Properties, Inc. – Taylor Property
RZ 2005-LE-010

August 29, 2006

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference No. 91-1-((1))-14, 15, 16, 17 (hereinafter referred to as the "Property") will be in accordance with the following conditions if, and only if, said Rezoning request for the R-8 District is granted. In the event said application request is denied, these proffers shall be null and void. The Owners and the Applicant ("Applicant"), for themselves, their successors and assigns, agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. The Proffered Conditions are:

I. GENERAL

1. Substantial Conformance. Subject to the proffers and the provisions of Article 16 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, the development shall be in substantial conformance with the Generalized Development Plan (GDP), containing ten (10) sheets prepared by Charles P. Johnson & Associates, Inc. dated March 9, 2004 as revised through August 28, 2006.

2. Lot Yield and Configuration. The development shall consist of a maximum of fifteen (15) single-family attached residential units. Except as may be further qualified by these proffered conditions, minor modifications to the building envelopes including house location and sizes may be permitted in accordance with Section 16-403 of the Zoning Ordinance. Extensions

into the minimum rear and side yards including but not limited to decks, bay windows and balconies shall be permitted in accordance with Section 2-412 of the Zoning Ordinance. Notice of this proffer shall be disclosed in the initial sales contract, included in the deed for each lot and noted on the plat for each lot, and shall be included in the Homeowners Association (HOA) documents.

3. Establishment of HOA. Prior to recording the subdivision plat, the Applicant shall establish a Homeowners Association (HOA) for the purpose of establishing the necessary residential covenants governing the design and operation of the approved development and to provide a mechanism for ensuring the ability to complete certain maintenance obligations of these Proffered Conditions and other provisions noted below in these proffers. The HOA documents and sales contract will give notice of the potential future road improvements, use restriction within utility easements, as well as the maintenance and management of HOA owned common areas. To assure the property owners acknowledgement of these proffer commitments the HOA documents will request that first and subsequent property owners sign a document confirming they have read and understand the proffer commitments.

4. Length of Driveways. All driveways serving the approved residential units shall extend outward a minimum of eighteen feet (18') in length from the property line to the garage door.

5. Garages. Any conversion of garages that will preclude the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be disclosed in the HOA Documents and recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the homeowners association, which shall be established, and to the Fairfax County Board of Supervisors.

Prospective purchasers shall be advised of this use restriction, in writing, prior to entering into a contract of sale. The internal area of each garage shall be sized to accommodate two (2) cars.

6. Architecture. The architectural design of the buildings shall be in substantial conformance with the general type, quality and proportion of materials reflected on the elevation shown on sheet 8 of the GDP. The façade of the sides of units facing Beulah Street shall be faced with brick and the windows shall be in substantial conformance with the windows illustrated on the typical interior lot front façade incorporated in the GDP.

7. On-Site Fencing. Subject to DPWES review and approval, a 7 ft. perimeter fence shall be installed along the southern boundary of the subject property. This fence shall be constructed of wood and designed to be as opaque as practical in order minimize light glare projecting from vehicles.

8. Off-site Fencing. Provided the property owner consents and grants access to Tax Map parcel 91-1-((3))-19, the perimeter fencing on the subject property shall be continued by the Applicant onto the north yard of Tax Map parcel 91-1-((3))-19 at no cost to the property owner as permitted by the Zoning Ordinance. The President of the Windsor Estates Civic Association shall be sent a duplicate copy of the letter(s) requesting permission to install the fencing specified in this proffer. Failed attempts to obtain permission for the installation of the fencing shall be documented in writing and provided to DPWES. Evidence of failed attempts to obtain required permission would include receipts of two certified letters sent to the property owner and also sent to the President of the Windsor Estates Civic Association. If granted consent by the property owner, the fencing will be installed at the same time as the fencing along the perimeter of the subject property is installed. The fencing shall be constructed with the same or compatible materials as those used on the subject property. The height of this fence may vary

based on Zoning Ordinance requirements. The property owner shall be consulted about the fence specifications. Upon completion of the installation of the fencing, maintenance will be the responsibility of the owner of Tax Map 91-1-((3))-19.

II. TRANSPORTATION

9. Inter-parcel Connection to Alforth Avenue. Consistent with that shown on the GDP, Parcel A shall be reserved for a future road connection to Alforth Avenue from the subject property's private street. To facilitate such reservation, at the time of subdivision plat recordation, the Applicant shall record an easement to the benefit of the adjacent Devonshire Community providing future access to Parcel A. Such easement shall be in a form acceptable to the County Attorney. Also at the time of subdivision plat recordation, the Applicant shall escrow funds with Fairfax County equal to the cost of constructing this connection. Such escrow shall be calculated based on the current Unit Price Schedule and shall be approved by DPWES.

A public access easement shall be recorded on the private street within the Application property between Alforth Avenue and Beulah Street providing the residents of the Devonshire Community with access rights should the connection be established. The HOA documents shall include notice of this potential future connection as well the public access easement that will permit access along the private street and sidewalk between Alforth Avenue and Beulah Street.

10. Inter-parcel Connection to Tax Map Parcel 91-1-((1))-13. At such time Tax Map Parcel 91-1-((1))-13 is redeveloped, the Applicant shall convey an access easement to allow access to the subject property's private street. Notwithstanding that shown on the GDP, this connection shall be specifically located at the time of redevelopment of Tax Map Parcel 91-1-((1))-13. As a result, the final location of the connection may change provided that any

relocation shall be in substantial conformance with the GDP. Such easement shall be in a form acceptable to the County Attorney. The HOA documents shall include notice of this potential future connection as well the public access easement that will permit access along the private street and sidewalks.

11. Inter-parcel Connection to the South. As shown as Parcel C on the GDP, land will be reserved for future dedication to construct a possible future public road connection to Tax Map Parcels 91-3-((3))-1, 18. This land shall be dedicated upon demand by Fairfax County when a public road connection is made available on Tax Map Parcels 91-3-((3))-1, 18 at which time Parcel C may become a public street. Until the dedication is made, Parcel C shall be owned and maintained by the HOA. The maintenance obligations associated with this land as well as the requirement for future dedication for a road connection shall be disclosed in the HOA documents. Given that a possible future interparcel connection to the south may not be in the form of a public street, the necessary public access easement required by Proffer 12 below shall stipulate that future residents to the south may access the private streets within this community.

12. Public Access Easement. A public access easement in a form approved by the County Attorney shall be placed on the private streets and sidewalks within the approved development between Alforth Avenue and Beulah Street.

13. Right-of-Way Dedication for Beulah Street Widening. The Applicant shall dedicate right-of-way, identified as Parcel B on the GDP, for the future widening of Beulah Street. This area shall be dedicated at the time of subdivision plat recordation at no cost to the County in fee simple to the Board of Supervisors of Fairfax County or upon demand by the County, whichever occurs first. The dedication shall stipulate that the Applicant has the right to install supplemental landscaping on Parcel B. The Applicant shall install supplemental

landscaping on this property prior to the last RUP being issued. The HOA documents shall include information about this dedication as well as the possible future widening of Beulah Street and interchange with the Franconia-Springfield Parkway.

14. Emergency Vehicle Access. In the event it is determined by the Fire Marshall's office and/or DPWES that additional emergency vehicle access is required along the property's eastern edge exiting onto Beulah Road, such access shall be permitted as generally shown on Sheet 10 - Alternative Layout of the GDP. If such emergency vehicle access is required, the Applicant shall diligently pursue constructing such access with grasscrete or other similar porous paving materials.

15. Private Street Maintenance. The private street shall be constructed pursuant to the PFM pavement section standards as to the thickness appropriate for public site streets based on level of vehicular traffic consistent with the development shown on the GDP as determined by DPWES. The HOA Documents shall include provisions for monthly/annual assessments for private street maintenance. All prospective purchasers shall be advised of the existence of the private streets, the potential for future road improvements including connections to both the north and south end of the subject property and improvements along Beulah Street, the associated public access easement and all other associated maintenance obligations required by these Proffered Conditions prior to entering into a contract of sale and such information shall be included in the HOA Documents. The Applicant shall establish a fund to be managed by the HOA to provide for the initial maintenance of this private street. This fund amount shall be \$3,500 and shall be paid prior to bond release by the Applicant.

16. Density Credit. Density credit shall be reserved for the Property as provided by Section 2-308 of the Zoning Ordinance for all dedications described herein and/or as shown

on the GDP or as may reasonably be required by Fairfax County, VDOT or others at the time of site/subdivision plan approvals.

17. Off-Site Improvements/Contributions. As part of the cooperative efforts associated with sharing of the existing stormwater management pond and related infrastructure, the Applicant shall contribute the sum of \$22,000 to the Devonshire HOA prior to the issuance of the first Residential Use Permit (RUP).

III. ENVIRONMENTAL

18. Stormwater Management Facilities and Best Management Practices. The Applicant shall implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property in accordance with the Public Facilities Manual (“PFM”) subject to review and approval by DPWES.

As shown on sheet 3 of the GDP, stormwater management facilities/Best Management Practices (“BMPs”) shall be fulfilled through upgrades/improvements to an existing dry pond, referenced as Pond A1 (associated with the Devonshire Townhomes). Upgrades/improvements to the existing pond shall include all or any combination of the following:

- Reasonable landscape replanting within and surrounding the pond, as approved by DPWES.
- A system of micro-pools within the pond to help increase groundwater recharge, subject to the review and approval of DPWES. Micro-pools and vegetation will be utilized in the final design of the pond to the fullest extent possible in addition to providing SWM and BMP, as long as the required SWM and BMP volumes can also be met.

- Minimization of the use of a concrete trickle ditch in the final pond design so as to increase the overland flow path of water through the pond and allow for greater groundwater recharge and a more natural environment within the pond.

The Applicant shall diligently pursue the upgrades/improvements to the existing Regional Pond A1 described above. For the purpose of this proffer, diligent pursuit shall mean making written request for all necessary permission from Fairfax County to perform work in and around Regional Pond A1 pursuant to existing easements and if such permission is granted, pursuing all necessary engineering approvals from DPWES for the improvements required above.

However, notwithstanding the obligation above, in the event permission to perform work with the existing easements is not obtained or, DPWES does not approve the proposed improvements to the site plan submittal in substantial conformance with sheet 3 of the GDP, the Applicant reserves the right to construct an alternate stormwater management pond as shown on sheet 10 the GDP. In the event this option is exercised the pond area shall be planted with water tolerant plant species to the maximum extent permitted by DPWES.

19. Adequate Outfall/Off-site Improvements. Adequate outfall shall be provided in accordance with the PFM subject to review and approval by DPWES. The Applicant shall diligently pursue such improvements in the form of underground pipes to be installed within the existing ROW along Judith Avenue as shown on sheet 3 and described on sheet 7 of the GDP. Such diligent pursuit shall include filing necessary plans with DPWES and pursuing all necessary off-site temporary or permanent easements. In the event DPWES fails to approve such plans or the Applicant is unable to obtain temporary or permanent easements at no cost beyond routine administrative deed and plat preparation, outfall shall be provided as determined by

DPWES. The Applicant reserves the right to request PFM modifications subject to review and approval by DPWES.

20. Notice for Off-site Improvements. The Applicant shall notify via first class mail, landowners immediately adjacent to any off-site storm water drainage work including the installation of underground pipes along Judith Avenue. The letter shall inform residents of the scope of work for the drainage improvements, projected construction timetable and provide residents with the contact information of the project superintendent. Such notice shall be given thirty (30) days prior to the commencement of work. The Applicant reserves the right to pursue additional temporary or permanent easements for stormwater drainage work along Judith Avenue. Improvements to Judith Avenue are subject to review and approval by DPWES and VDOT. After the pipes are installed underground along Judith Avenue, the Applicant shall replant grass or lay sod on the disturbed off-site easements areas. A PCA will be required if DPWES and VDOT do not approve outfall improvements to Judith Avenue.

21. Landscaping. Landscaping shall be provided in substantial conformance with the landscaping concepts shown on the GDP. If, during the process of site plan review, any new landscaping shown on the GDP cannot be installed, in order to locate utility lines, trails, etc., as determined necessary by the Director, DPWES, then an area of additional landscaping consisting of trees and/or plant materials of a type and size consistent with that displaced, shall be substituted at an alternate location on the site, as determined by the UFM. In accordance with PFM, native or recommended species shall be used in all landscaped areas as approved by the UFM.

22. Energy Efficiency. All homes on the Property shall meet the energy efficiency guidelines of the International Building Code for energy-efficient homes, or its equivalent as determined by DPWES, for either gas or electric energy systems as may be applicable.

IV. TREE PRESERVATION

23. Tree Preservation Plan. The Applicant shall submit a Tree Preservation Plan as part of the first and all subsequent site plan submissions to address the preservation of the fifty inch (50”) oak along the southern boundary of the site. The Tree Preservation Plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the UFM. The Tree Preservation Plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of the above noted trees and all trees ten inches (10”) in diameter and greater, and twenty feet (20’) to either side of the limits of clearing and grading along the western boundary. The Tree Preservation Plan shall provide for the preservation of those areas noted above and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

24. Tree Value Determination. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of the fifty inch (50”) oak tree noted above and all trees ten inches (10”) in diameter or greater and having a condition rating of 75 or higher located within twenty feet (20’) of the western property boundary (i.e. the

trees located off-site) as shown on the GDP. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the site plan. The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called “Trunk Formula Method” contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFM.

25. Tree Bonds. In order to provide a remedy for any unintended disruption to trees required to be preserved under these proffers, at the time of site plan approval, the Applicant shall both post a cash bond and a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the previous proffer (herein the “bonded trees”) that die or are dying due to unauthorized construction activities. The letter of credit shall be equal to fifty percent (50%) of the replacement value of the bonded trees. The cash bond shall consist of thirty three percent (33%) of the amount of the letter of credit.

During the time period in which the Tree Bond is required to be held, should unauthorized construction activity cause any bonded trees to die, or be removed, the Applicant shall replace such trees at its expense. The replacement trees shall be selected to provide canopy cover equivalent to those trees that are lost and shall incorporate native species. At the time of approval of the final RUP, the Applicant may request a release of any monies remaining in the cash bond and a reduction in the letter of credit to an amount up to twenty percent (20%) of the total amounts originally committed provided they are in good standing with the tree proffer commitments. Any funds remaining in the letter of credit or cash bond will be released concurrently with the site performance bond release, or sooner, if approved by UFM.

26. Protection of Existing Understory Vegetation and Soil Conditions in Tree Preservation Areas. All tree preservation-related work occurring on Parcels C or D in or adjacent to tree preservation areas shall be accomplished in a manner that minimizes damage to vegetation to be preserved including any woody, herbaceous or vine plant species that occurs in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. During the construction process, removal of vegetation or soil disturbance in tree preservation areas excluding the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, multi-floral rose, etc. shall be subject to the review and approval of UFM.

27. Use of Equipment. The use of motorized equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaws, wheel barrows, rake and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by UFM.

28. Root Pruning and Mulching. The Applicant shall 1) root prune; 2) mulch; and 3) provide tree protection fencing in the form of four foot (4') high, fourteen (14) gauge welded wire attached to six foot (6') steel posts driven eighteen inches (18") into the ground and placed no further than ten feet (10') apart, or other forms of tree protection fencing approved by UFM, DPWES for all tree preservation relevant areas. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets and demolition plan sheets of the site plan submission. The details for these treatments shall be reviewed and approved by UFM, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of eighteen inches (18”).
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- Tree protection fence shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area.
- Immediately, after the phase II E&S activities are complete, mulch shall be applied at a depth of four inches (4”) extending ten feet (10’) inside the undisturbed area without the use of motorized equipment
- An UFM representative shall be informed when all root pruning and tree protection fence installation is complete.

29. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFM, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of the three (3) trees proffered to be preserved and the trees near the western property boundary and such adjustment shall be implemented.

30. Tree Protection Fencing. All trees shown to be preserved on the Tree Preservation Plan shall be protected by tree protection fence. Tree protection fencing of a type permitted by UFM shall be erected prior to the pre-construction conference and shall be installed prior to any clearing and grading activities, including the demolition of any existing structures at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified during the tree preservation walk through with an UFM representative. The installation of all tree protection fence types shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing

vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, UFM and the District Supervisor shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

V. NOISE ATTENUATION

31. Noise Attenuation Measures. As provided in following Proffered Conditions, noise mitigation measures shall be provided to ensure that a maximum exterior noise level of DNL 65dBA shall be achieved for any rear yards for the dwelling units; and that a maximum interior noise level of approximately DNL 45 dBA shall be achieved for any dwelling unit that will be exposed to noise levels in excess of DNL 65 dBA.

32. Noise Study. Prior to site plan approval, the Applicant will submit a noise study using a methodology acceptable to DPZ for review and approval by DPWES based on final site topography. A “noise mitigation” sheet will be provided within any applicable site plan submission. This sheet will include the following information: a graphic illustration of the location, design details, and height of the noise barrier and identifying all building facades for which interior noise mitigation measures will be provided; and a synopsis of the recommendations of the noise study(ies) and how mitigation will be accomplished. There shall be no portion of any dwelling units constructed on the site that is within any area of the site where the projected noise level is above 75 dB; if any portion of any unit is within an area with projected noise levels, the unit shall be relocated in a manner that is in substantial conformance with the proffered GDP or deleted from the site plan.

33. Exterior Noise. In order to achieve compliance with the above maximum exterior noise levels, a noise fence shall be constructed along the side and/or rear yards of units 4, 5, 12, and 13, in the location shown on the GDP, prior to issuance of any RUPs for the impacted units identified in the noise study. The noise fence(s) will be architecturally solid from ground up, with no gaps or openings except for drainage or gates. The noise wall materials shall be compatible to the color, texture and type of material used on the exterior façade of the approved units and may include: concrete, masonry products or cement based products or combinations of the same. The maximum height of the noise barrier from final grade shall not exceed six feet (6').

34. Interior Noise. In order to mitigate interior noise to approximately DNL 45dBA, each dwelling impacted shall have the acoustical attributes set forth in the approved study. Any units requiring mitigation shall be identified on the site plan. Compliance of proposed building materials with these standards shall be demonstrated by the Applicant, to the satisfaction of DPWES, prior to the issuance of building permits for the units.

35. Noise Wall Disclosure. The Applicant shall disclose to all residential purchasers that the development will include a noise wall to reduce transportation generated noise. Maps depicting the location and height of the noise wall and proximity to the individual units will be provided as part of said disclosure at the time of the contract execution for each such initial sale. Notification of the height and location of the noise wall, as well as HOA maintenance responsibility for it, shall also be provided in the HOA documents. The disclosure document/HOA disclosure shall also make it clear to any potential purchaser that the noise barrier may not preclude all perceptible traffic generated noise from the adjoining road surface.

VI. AFFORDABLE HOUSING

36. Housing Trust Fund. At the time of first building permit issuance, the Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one half of one percent (1/2 %) of the projected sales price for each new dwelling unit on the subject Property. The projected sales price shall be determined by the Applicant in consultation with the Fairfax County Department of Housing and Community Development (HCD) and DPWES. The timing and amount of such contribution may be modified based on the adoption of a future amendment to the formula adopted by the Board of Supervisors.

VII. PARKS AND RECREATION

37. Park Authority Contributions Area Wide. The Applicant shall contribute \$725 per dwelling unit to the Fairfax County Park Authority for park purposes and/or facilities in the area of the application property prior to the issuance of the first RUP.

VIII. SCHOOL CONTRIBUTION

38. School Contribution. Prior to approval of the site plan for the approved development, the Applicant shall contribute the sum of \$2,604.00 per dwelling unit, for each dwelling unit approved on the final site plan to the Board of Supervisors for capital improvements to schools serving the Property.

IX. OTHER

39. Signage. No temporary signs (including “popsicle” style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs, which are prohibited, by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant’s representative. The Applicant shall

direct its agents and employees involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.

40. Construction Hours Initial project construction shall only occur between the hours of 7:00 a.m. until 7:00 p.m. Monday through Friday, 8:00 a.m. until 6:00 p.m. on Saturday and shall be prohibited on Sunday. Initial construction is defined as the construction of the site infrastructure and dwelling units. This shall not be applicable to improvements by future homeowners. Construction activities shall not occur on the following holidays (Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas and New Years Day). The construction hours shall be posted on the property. During the development of the site, all contractors shall be informed of the construction hour restrictions.

41. Construction Traffic. Construction traffic shall be prohibited from using Alforth Avenue as an access route to the subject property. With the exception of the installation of the underground stormwater management pipes along Judith Avenue, construction vehicles shall be prohibited from using or parking on Judith Avenue.

42. Construction Notification. Prior to the initial start of construction, the name and phone number of the construction superintendent and associated personnel shall be provided to the President of the Devonshire HOA, the President of the Windsor Estates Civic Association, and the Lee District Supervisor. Those required to be notified by this proffer shall also receive approximately thirty (30) days notice that construction is to commence. A pre-construction meeting shall be held with the residents identified in this proffer to discuss the anticipated project schedule, construction activities and construction related proffer commitments.

43. Historical Marker. A one time contribution in the amount of \$1,600.00 shall be paid to the Franconia Museum for the purchase of a historical marker at Laurel Grove Baptist

Church and adjacent school house within the Lee District. This proffer shall be paid prior to the issuance of the first RUP.

44. Heritage Resources. Prior to any land disturbing activities on the Application Property, Applicant shall conduct a Phase I archaeological study on those areas of the Application Property identified by the Heritage Resources Branch of the Fairfax County Park Authority (“Heritage Resources”) and provide the results of such study to Heritage Resources. The study shall be conducted by a qualified archaeological professional approved by Heritage Resources, and shall be reviewed and approved by Heritage Resources. The study shall be completed prior to site plan approval. If the Phase I study concludes that significant artifacts are present on the Application Property, Heritage Resources shall notify Applicant, in writing within thirty (30) days of the submission of the study results to Heritage Resources, of its desire to conduct additional investigations. If warranted by the initial Phase I survey, as determined by the County Archeologist, subsequent Phase II and/or Phase III evaluation and recovery shall occur, with the scope of work of such potential Phase II and Phase III analyses being subject to review and approval by County Archeological Services. Such Phase II and Phase III evaluation if applicable, shall not be a pre-condition of site plan approval. Applicant shall provide access to the Application Property so that Heritage Resources may conduct additional investigations for a period of two months from the date of notification provided that said investigations shall not interfere with the proposed construction and development schedule of the Application Property or affect the number of lots or lot layout as shown on the GDP. Additional time may be permitted to conduct such investigations if mutually agreed to by the Applicant and Heritage Resources.

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These proffers may be executed in counterparts and the counterparts shall constitute one and the same proffer statement.

EASTWOOD PROPERTIES, INC.
(Contract Purchaser of
Tax Map Nos. 91-1-((1))-14, 15, 16, 17)

By: _____
Name: Richard L. Labbe
Title: President

SHELA AHMADI
(Title Owner of Tax Map No. 91-1-((1))-13)

By: _____

GLADYS LOUISE DODSON
(Title Owner of Tax Map No. 91-1-((1))-14)

By: _____

HEIRS OF DAISY W. TAYLOR and
JOSEPH S. TAYLOR LIFE ESTATE
(Title Owner of Tax Map No. 91-1-((1))-14)

By: _____
Randolph S. Taylor, Administrator

LEONA M. CHILDRESS
(Title Owner of Tax Map No. 91-1-((1))-15)

By: _____

REMI FOGLIARINO
(Title Owner of Tax Map No. 91-1-((1))-17)

By: _____

ELIANE FOGLIARINO
(Title Owner of Tax Map No. 91-1-((1))-17)

By: _____

\3100549.15

REZONING AFFIDAVIT

AUG 28 2006

DATE: _____
(enter date affidavit is notarized)

I, Lisa M. Chiblow, Land Use Planner, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

87043f

in Application No.(s): RZ/ P 2005-LE-010
(enter County-assig. application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application, and, if any of the foregoing is a **TRUSTEE***, each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Eastwood Properties, Inc. Agent: Richard L. Labbe	3050 Chain Bridge Road, Suite 103 Fairfax, VA 22030	Applicant/Contract Purchaser of Tax Map Nos. 91-1-((1))-14, 15, 16, 17
Charles P. Johnson & Associates, Inc. Agents: Paul B. Johnson Allan D. Baken Henry M. Fox, Jr.	3959 Pender Drive, #210 Fairfax, VA 22030	Engineers/Agents

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

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

Rezoning Attachment to Par. 1(a)

DATE: AUG 28 2006
(enter date affidavit is notarized)

87043f

for Application No. (s): RZ 2005-LE-010
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Gladys Louise Dodson	7024 Beulah Street Alexandria, VA 22315	Property Owner of Tax Map No. 91-1-((1))-14
Heirs of Daisy W. Taylor Julia F. McKenzie, Rena T. Dodson, Viola T. Gorham, Edna T. Gorham, Ruby C. Moore, Georgia C. Taylor Randolph L. Taylor, Sr., Administrator	7100 Beulah Street Alexandria, VA 22315	Property Owner of Tax Map No. 91-1-((1))-15
Leona M. Childress	7020 Beulah Street Alexandria, VA 22315	Property Owner of Tax Map No. 91-1-((1))-16
Remi (nmi) Fogliarino Eliane (nmi) Fogliarino	6249 Alforth Avenue Alexandria, VA 22313	Property Owner of Tax Map No. 91-1-((1))-17
McGuireWoods LLP Agents: Gregory A. Riegler Carson Lee Fifer, Jr. Jonathan P. Rak Erika L. Byrd Dean H. Crowhurst David R. Gill Joanna C. Frizzell Mark M. Viani Sheri L. Hoy Lisa M. Chiblow Mary B. Schukraft Lori R. Greenlief	1750 Tysons Boulevard, Suite 1800 McLean, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent (former) Attorney/Agent (former) Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent (former) Planner/Agent
Zimar and Associates, Inc. Agent: Donald E. Zimar	10105-C Residency Road, Suite 207 Manassas, VA 20110	Arborist/Agent
Wyle Laboratories, Inc. Agent: Gary E. Ehrlich	128 Maryland Street El Segundo, CA 90245	Noise Consultant/Agent

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

REZONING AFFIDAVIT
AUG 28 2006

DATE: _____
(enter date affidavit is notarized)

810438

for Application No. (s): RZ '2005-LE-010
(enter County-assigned application number(s))

1(b). The following constitutes a listing** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

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

Eastwood Properties, Inc.
3050 Chain Bridge Road, Suite 103
Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Richard L. Labbe, sole shareholder

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

Richard L. Labbe, President/Secretary/Treasurer

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

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

Rezoning Attachment to Par. 1(b)

DATE: AUG 28 2006
(enter date affidavit is notarized)
RZ/ ' 2005-LE-010

87043f

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

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

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
Charles P. Johnson
Paul B. Johnson

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Charles P. Johnson, CAO Charles P. Johnson, II, Secretary/Treasurer
Paul B. Johnson, President David M. O'Bryan, Vice President
James R. Thren, Vice President

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Zimar and Associates, Inc.
10105-C Residency Drive, Suite 207
Manassas, VA 20110

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Donald E. Zimar, sole shareholder

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
None

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

Rezoning Attachment to Par. 1(b)

DATE: AUG 28 2006
(enter date affidavit is notarized)
RZ 2005-LE-010

870438

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Wyle Laboratories, Inc.
128 Maryland Street
El Segundo, CA 90245

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
None

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
George (nmi) Melton, CEO, President
Craig (nmi) Smith, CFO
Drexel (nmi) Smith, VP
Robert (nmi) Houser, VP

=====

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

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

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

=====

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

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

REZONING AFFIDAVIT

DATE: AUG 28 2006
(enter date affidavit is notarized)

870 43X

for Application No. (s): RZ 2005-LE-010
(enter County-assigned application number(s))

1(c). The following constitutes a listing** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Equity Partners of McGuireWoods LLP

Ames, W. Allen, Jr.
Anderson, Arthur E., II
Anderson, Donald D.
Andre-Dumont, Hubert
Aucutt, Ronald D.
Bagley, Terrence M.
Baril, Mary Dalton
Barnum, John W.

Barr, John S.
Beane, John C.
Becker, Scott L.
Becket, Thomas L.
Beil, Marshall H.
Belcher, Dennis I.
Bell, Craig D.
Boland, J. William

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

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 28 2006
(enter date affidavit is notarized)

87043X

for Application No. (s): RZ/ 2005-LE-010
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

- | | |
|-------------------------------|--------------------------|
| Brown, Thomas C., Jr. | Douglass, W. Birch, III |
| Burke, John W., III | Dyke, James Webster, Jr. |
| Burrus, Robert L., Jr. | Edwards, Elizabeth F. |
| Busch, Stephen D. | Evans, David E. |
| Cabaniss, Thomas E. | Feller, Howard (nmi) |
| Cacheris, Kimberly Q. | Fennebresque, John C. |
| Cairns, Scott S. | Fifer, Carson Lee, Jr. |
| Capwell, Jeffrey R. | Foley, Douglas M. |
| Carter, Joseph C., III | Fox, Charles D. IV |
| Cason, Alan C. | France, Bonnie M. |
| Cogbill, John V., III | Franklin, Stanley M. |
| Costan, James M. | Freedlander, Mark E. |
| Cromwell, Richard J. | Freye, Gloria L. |
| Culbertson, Craig R. | Fuhr, Joy C. |
| Cullen, Richard (nmi) | Germaise, Susan L. |
| Cutchins, Clifford A., IV | Getchell, E. Duncan, Jr. |
| de Cannart d'Hamale, Emmanuel | Gibson, Donald J., Jr. |
| De Ridder, Patrick A. | Glassman, Margaret M. |
| Deem, William W. | Glickson, Scott L. |
| Dickerman, Dorothea W. | Gold, Stephen (nmi) |
| Dillon, Lee Ann | Goldstein, Philip (nmi) |
| DiMattia, Michael J. | Goodall, Larry M. |
| Dimitri, James C. | Gordon, Alan B. |
| | Grandis, Leslie A. |

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 28 2006
(enter date affidavit is notarized)

870438

for Application No. (s): RZ '2005-LE-010
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Greenberg, Richard T.

Grieb, John T.

Harmon, Jonathan P.

Harmon, T. Craig

Harmon, Yvette (nmi)

Hartsell, David L.

Hayden, Patrick L.

Hayes, Dion W.

Heberton, George H.

Isaf, Fred T.

Iselin, Benjamin B.

Jackson, J. Brian

Jarashow, Richard L.

Kanazawa, Sidney (nmi)

Katsantonis, Joanne (nmi)

Keefe, Kenneth M., Jr.

Keenan, Mark L.

Kidder, Jacquelyn F.

King, Sally Doubet

King, Donald E.

Kittrell, Steven D.

Kratz, Timothy H.

Krueger, Kurt J.

La Fratta, Mark J.

Lawrie, Henry deVos, Jr.

Lieberman, Richard E.

Little, Nancy R.

Long, William M.

Mack, Curtis, L.

Manning, Amy B.

Marianes, William B.

Marshall, Gary S.

Marsico, Leonard J.

Martin, George Keith

Martinez, Peter W.

Mason, Richard J.

Matthews, Eugene E. III

McArver, R. Dennis

McCallum, Steven C.

McElligott, James P.

McElroy, Robert G.

McFarland, Robert W.

McGuigan, Philip P.

McGuire, Mark J.

McIntyre, Charles Wm.

McMenamin, Joseph P.

McRill, Emery B.

Melson, David E.

Menges, Charles L.

Menson, Richard L.

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 28 2006
(enter date affidavit is notarized)

870438

for Application No. (s): RZ/ 2005-LE-010
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Michels, John J., Jr.
Milton, Christine R.
Mulroy, Thomas R.
Murphy, Sean F.
Newman, William A.
Nunn, Daniel B., Jr.
Oakey, David N.
O'Grady, Clive R. G.
O'Grady, John B.
O'Hare, James P.
Oostdyk, Scott C.
Padgett, John D.
Pankey, David H.
Parker, Brian K.
Pellegrini, John B.
Plotkin, Robert S.
Price, James H., III
Pristave, Robert J.
Pusateri, David P.
Rak, Jonathan P.
Rappaport, Richard J.
Reid, Joseph K., III
Ricciardi, James P.
Richardson, David L.
Riegle, Gregory A.
Rifken, Lawrence E.

Riley, James B., Jr.
Riopelle, Brian C.
Robertson, David W.
Robinson, Stephen W.
Rogers, Marvin L.
Rohman, Thomas P.
Rosen, Gregg M.
Russell, Deborah M.
Rust, Dana L.
Samuels, Lawrence R.
Satterwhite, Rodney A.
Schewel, Michael J.
Schill, Gilbert E., Jr.
Sellers, Jane Whitt
Senica, John L.
Serritella, William D.
Shelley, Patrick M.
Sippelle, Keith A.
Skinner, Halcyon E.
Slone, Daniel K.
Smith, James C., III
Smith, Stuart (nmi)
Spahn, Thomas E.
Spitz, Joel H.
Stallings, Thomas J.
Starkman, Gary L.

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 28 2006
(enter date affidavit is notarized)

870428

for Application No. (s): RZ. ' 2005-LE-010
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

- Steen, Bruce M.
- Stein, Marta A.
- Stone, Jacquelyn E.
- Strickland, William J.
- Summers, W. Dennis
- Suzumoto, Mark L.
- Swartz, Charles R.
- Tarry, Samuel L., Jr.
- Thornhill, James A.
- Tirone, Joseph G.
- Van der Mersch, Xavier G.
- Van Etten, David B.
- Vick, Howard C., Jr.
- Walker, Howard W.
- Walker, J. Tracy, IV
- Walsh, James H.
- Wangard, Robert E
- Watts, Stephen H., II
- Wells, David M.
- Werlin, Leslie M.
- Westwood, Scott E.
- Whittemore, Anne Marie
- Williams, Steven R.
- Williamson, Mark D.
- Wilson, Ernest G.
- Wood, R. Craig
- Young, Kevin J.
- Younger, W. Carter
- Zirkle, Warren E.

These are the only equity partners in the above-referenced firm

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

Rezoning Attachment to Par. 1(c)

DATE: AUG 28 2006
(enter date affidavit is notarized)

87043X

for Application No. (s): RZ/ ' 2005-LE-010
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

(Former Equity Partners)

Aaronson, Russell T.
Adams, Robert T.
Baran, Barbara (nmi)
Bart, Hollis Gonerka
Blanco, Jim L.
Bracey, Lucius H. Jr.
Broaddus, William G.
Burkholder, Evan A.
Casey, James J.
Courson, Gardner G.
Cranfill, William T.
Crystal, Jules I.
den Hartog, Grace R.
Di Cioccio, Stephen J.
Dudley, Waller T.
Ezell, Sandra Giannone
Flemming, Michael D.
Gillece, James P., Jr.
Mark L. Gordon
Grimm, William K.
Hampton, Glen W.
Harrington, James T.
Hodes, Scott (nmi)
Howard, Marcia Morales

Johnston, Barbara Christie
Joslin, Rodney D.
Kane, Richard F.
King, Michael H.
King, William H., Jr.
Klenk, Timothy C.
Lee, John Y.
Lutter, Paul A.
Nizio, Francis (nmi)
Page, Rosewell II (nmi)
Pelton, Russell M.
Pickens, B. Andrew, Jr.
Sable, Robert G.
Schoeneberger, Keith P.
Smith, Stephen R.
Sterling, David F.
Stroud, Robert E.
Tetzlaff, Theodore R.
Tashjian-Brown, Eva S.
Valeta, Peter J.
Waddell, William R.
Williams, Stephen E.
Yorke, John B.

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

REZONING AFFIDAVIT

AUG 28 2006

DATE: _____
(enter date affidavit is notarized)

870438

for Application No. (s): _____ RZ, 2005-LE-010 _____
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

REZONING AFFIDAVIT

DATE: AUG 28 2006
(enter date affidavit is notarized)

870438

for Application No. (s): RZ/ 2005-LE-010
(enter County-assigned application number(s))

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

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

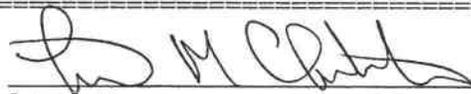
Carson Lee Fifer, Jr., (McGuireWoods) donated in excess of \$100 to Supervisor Michael Frey.

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

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

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

WITNESS the following signature:



(check one)

Applicant

Applicant's Authorized Agent

Lisa M. Chiblow, Land Use Planner

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

Subscribed and sworn to before me this 28th day of August 2006, in the State/Comm. of Virginia, County/City of Fairfax.


Notary Public

My commission expires: 11/30/2009

Revised Statement of Justification
RZ/FDP 2005-LE-010, Eastwood Properties, Inc. – Beulah Street/Taylor Property
Tax Map Reference 91-1-((1)), Parcels 14-17
May 5, 2006

I. Overview

The subject application is filed on behalf of Eastwood Properties, Inc. (the "Applicant"). The application requests rezoning approval to permit a 2.56 acre property to be rezoned from the R-1 to the R-8 Zoning District so as to permit a maximum development of fifteen (15) new single family attached units. The proposed density is 5.9 dwelling units per acre. As described in more detail below, both the nature and intensity of the proposed development is in conformance with the Comprehensive Plan recommendation of 5-8 dwelling units per acre and is compatible with the established character in the area. All neighboring parcels are planned for similar densities.

II. Compliance with Residential Development Criteria

The development fully complies with the Residential Development Criteria contained in Appendix 9 of the land use element of the Comprehensive Plan.

1. Site Design

(a) Consolidation. The application consolidates four (4) lots.

(b) Layout. The proposed layout offers easy and convenient access to the open space amenities.

(c) Landscaping. The proposed landscaping is substantial and strategically located. Wherever possible, landscaping is placed at the edges of the community to improve the transition to the established development. In addition, the Applicant is planting supplemental landscaping along the area of land being dedicated for the future widening of Beulah Road in association with the Beulah Road/Franconia-Springfield Parkway interchange construction. Although some or all of this landscaping may be removed in the future, there is no schedule for the interchange construction. In the meantime, this area will be landscaped.

2. Neighborhood Context. The proposed development is consistent with the established context in terms of the use and intensity of the proposed development. The size of the proposed lots and the orientation of the dwellings are compatible with the established development pattern on surrounding properties.

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Department of Planning & Zoning
MAY 12 2006
Zoning Evaluation Division

3. Environment.

(a) Environmental Resources: To the best of the Applicant's knowledge, there are no streams, wetlands or significant environmental features worthy of preservation on the site.

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

4. Stormwater Management Stormwater management for the site is anticipated to be accommodated using an existing regional dry pond, referenced as Regional Pond A1 (associated with the Devonshire Townhomes) as shown on sheet 3 of the GDP. This pond was designed prior to any requirements for BMP quality control of water.

Alternative Option. In the event that DPWES deems the proposed improvements to Regional Pond A1 inadequate or existing stormwater management easement expansions are not feasible to service the new development, the Applicant reserves the right to construct another stormwater management pond as shown on sheet 10 of the GDP as the alternative layout. The construction of a new pond would result in a lesser number of units. In both alternatives, this rezoning request will provide stormwater management measures for the drainage area. Both alternatives will include planting of water tolerant plant species in the pond area to the maximum extent permitted by DPWES.

Off-site Drainage Improvements. There are currently problems with the existing drainage outfall resulting in flooding along Judith Avenue that this rezoning application will solve. The Applicant has already worked extensively with the residents along Judith Avenue to devise a drainage improvement plan satisfactory to the residents who abut the existing drainage ditch that floods. The primary solution to the existing outfall inadequacy will be the installation of an underground drainage pipe extending from the dry pond to the existing sewer pipe along further down Judith Avenue towards Windsor Avenue. Drainage from individual lots along the east side of Judith Avenue will be accommodated with a combination of sewer inlets and a drainage culvert under a driveway. This rezoning will facilitate solutions to stormwater management problems with the cost burden carried by the Applicant.

5. Tree Preservation. The vast majority of the property is cleared. The Applicant intends to preserve the 50" oak tree located along the southern property boundary.

6. Transportation. The application honors the non-motorized recommendations of the Comprehensive Plan by providing sidewalks throughout the community and appropriate connections to existing pedestrian systems serving the area. The Applicant also recognizes the Comprehensive Plan recommendation for roadway improvements in the area. Approximately ½ an acre of land along the Beulah Road frontage will be dedicated to the County for the future widening of the Beulah Road in

association with the Beulah Road/Franconia-Springfield Parkway interchange construction. The site design allows for a future access connection to the two (2) parcels located to the south referenced as Tax Map Numbers 91-3-((3))-1 - 18 should they redevelop. Provisions for this future connection as a public road could be useful in limiting future curb cuts along Beulah Road. In addition, there is a future connection reserved from the subject property to Alforth Avenue in the event the Beulah Road/Springfield-Franconia Parkway interchange is constructed and the connection to Beulah Road for the Devonshire Community to the north is closed.

7. Public Facilities. Through proffers, the Applicant will commit appropriate funds to offset school and park impacts in accordance with the requirements for the same contained in the Zoning Ordinance and/or procedural methodologies adopted by the Board of Supervisors.

8. Affordable Housing. Through proffers, the Applicant will commit one half of one percent of the projected sales price of the new homes to the Housing Trust Fund in accordance with the recommendations of the residential development criteria.

III. Waivers and Modifications. The following is a description of the waivers and modifications requested:

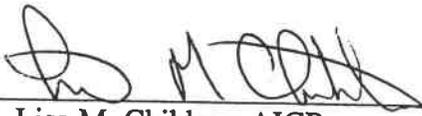
- Along the southern property boundary, a modification of the transitional screen requirement in favor of the landscaping shown on the GDP is requested as well as a waiver from the barrier requirement. The justification for this modification and waiver is to preserve an existing fifty inch (50") oak tree located on the southern property boundary line as well as a second mature tree located just off-site along the southern property boundary. In addition, the property has a Comprehensive Plan designation which would not require the provision of transitional screening between the two properties.
- A waiver of Article 10-104(3)(B) of the Zoning Ordinance for a noise barrier in the front yard in excess of four feet (4') is requested. This noise barrier will double as a six foot (6') privacy fence. The barrier is needed to provide noise attenuation from Beulah Road.
- A waiver of the 600 ft. maximum private street length is requested. A private street is preferred over a public street (which has no length specifications) because it is more narrow, therefore taking up less impervious space.
- A waiver of the minimum district size is requested and is justified since this is an infill lot.

IV. Conclusion.

The proposed development is in conformance with the Comprehensive Plan and the Residential Development Criteria. For all the aforementioned reasons, the Applicant respectively requests approval of this rezoning request.

Respectfully submitted,

McGuire Woods LLP

By: 

Lisa M. Chiblow, AICP
Land Use Planner



County of Fairfax, Virginia

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

January 5, 2006

Gregory A. Riegler
 McGuireWoods LLP
 1750 Tysons Boulevard, Suite 1800
 McLean, VA 22102-4215

Re: Interpretation of Proffered Conditions Governing Devonshire Community (RZ 77-L-088)

Dear Mr. Riegler:

This is in response to your letters dated October 27, 2005, and December 1, 2005, requesting an interpretation of the proffers accepted by the Board of Supervisors with the approval of RZ 77-L-088 on August 1, 1978. As I understand it, you are proposing the construction of approximately 13 additional parking spaces for residents of the Devonshire Townhouse development along Alforth Avenue, construction of a private road serving the pending Eastwood Properties rezoning, as generally shown on the CDP/FDP for the Eastwood Properties rezoning RZ/FDP 2005-LE-010, and modifications to the existing stormwater management pond serving the Devonshire Community, which is jointly located on the Devonshire property and the property subject to rezoning application RZ/FDP 2005-LE-010. Your questions are whether the proposed modifications are in substantial conformance with the rezoning referenced above. This determination is based on your letter and attached materials which include the rezoning approval letter from the Clerk to the Board of Supervisors and adopted ordinance dated August 14, 1978, the description of parcels "B" and "C" of the land of Otis Gorham and Parcel 1 of the land now or formerly Al Golden and Simon Wolfman, and the proffers and development plan accepted with RZ 77-L-088, and the CDP/FDP entitled "Beulah Street / Taylor Property" which is dated March 9, 2004 as revised through October 26, 2005, and prepared by Charles P. Johnson & Associates, Inc. Copies of your letter and relevant attachments and the proffers are attached.

The first question, as I understand it, is whether the construction of approximately 13 additional parking spaces for residents of The Devonshire Townhouse development along Alforth Avenue is in substantial conformance with RZ 77-L-088. The CDP/FDP entitled "Beulah Street / Taylor Property" submitted with RZ/FDP 2005-LE-010 shows 13 spaces along the south side of Alforth Avenue. A portion of the parking spaces is located offsite on the Devonshire property and a portion of the spaces is located within the pending Eastwood development within a proposed parking easement.

It is my determination that the construction of approximately 13 additional parking spaces for residents of the Devonshire Townhouse development along Alforth Avenue would be in substantial conformance with the proffers and development plan provided that all of the parking spaces are provided on the Devonshire Townhouse property, which may require that they be angled and that they do not negatively impact traffic flow along Alforth Avenue. Additionally, the four western most parking spaces will have to be removed at such time that interparcel access is provided from the proposed Eastwood development to Alforth Avenue. (Final determination on the location of the additional parking spaces will be made by DPWES)

The second question is whether the proposed construction of a private road serving the Eastwood Properties rezoning located on land presently owned by Devonshire, as generally shown on the CDP/FDP for the pending

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

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 Integrity * Teamwork * Public Service

Gregory Riegle
Page Two

Eastwood Properties rezoning, is in substantial conformance with RZ 77-L-088. The CDP/FDP shows a private street from Beulah Street to a dead end at the northern boundary of the site, near Alforth Avenue. A portion of this private street extends offsite to the north onto the Devonshire property.

It is my determination that the construction of a private road serving the Eastwood Properties rezoning located on land owned by Devonshire, as generally shown on the CDP/FDP for the pending Eastwood Properties rezoning, would be in substantial conformance with the proffers and development plan provided that an offsite ingress/egress easement is granted over that area by the owners of the Devonshire property.

The third question is whether the proposed modifications to the existing stormwater management pond serving the Devonshire Community is in substantial conformance with RZ 77-L-088. The CDP/FDP submitted with RZ/FDP 2005-LE-010 shows an upgraded stormwater management pond in the western portion of the pending Eastwood development, with the remainder of the stormwater management pond located on the adjacent Devonshire subdivision.

It is my determination that the proposed modifications to the existing stormwater management pond, as generally shown on the CDP/FDP for pending rezoning RZ/FDP 2005-LE-010, is in substantial conformance with the proffers and development plan. The approved Devonshire development plan (RZ 77-L-088) does not show the stormwater management pond; however the proposed pond will be subject to subdivision plan review and approval by DPWES.

These determinations have been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact St.Clair Williams at (703) 324-1290.

Sincerely,

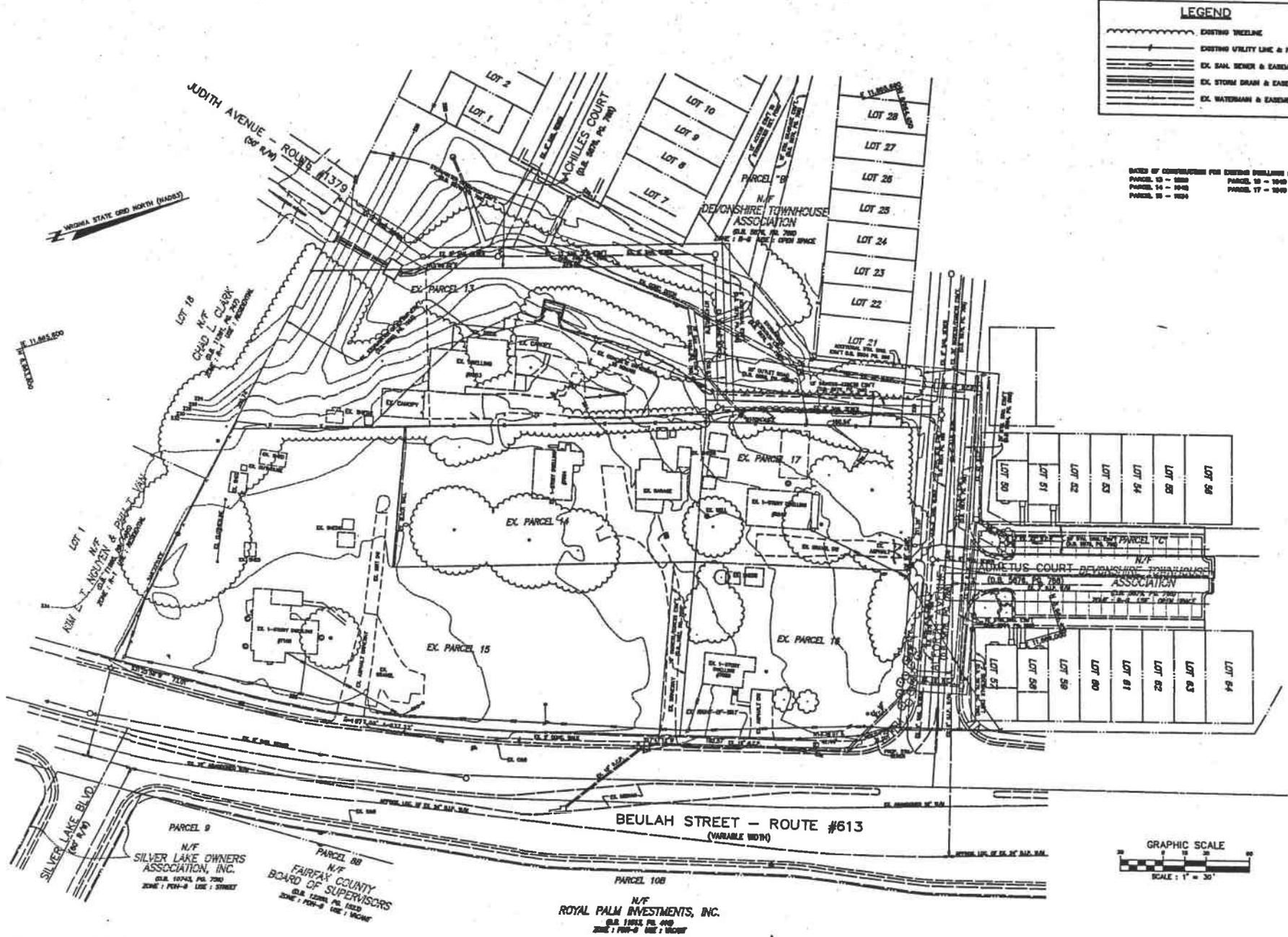


Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

BAB/MAG/O:\SWILLI\Proffer Interpretations\Devonshire Proffers\Devonshire Interp ltr- Final.doc

Attachments: A/S

cc: Dana Kauffman, Supervisor, Lee District
Rodney L. Lusk, Planning Commissioner, Lee District
Leslie Johnson, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: RZ 77-L-088, RZ/FDP 2005, LE -010, Imaging, Reading File



LEGEND

	EXISTING TREE LINE
	EXISTING UTILITY LINE & POLE
	EX. SAN. SEWER & EASEMENT
	EX. STORM DRAIN & EASEMENT
	EX. WATERMAIN & EASEMENT

BASED ON CONSTRUCTION FOR EXISTING BUILDINGS:
 PARCEL 13 - 1920
 PARCEL 14 - 1940
 PARCEL 15 - 1924
 PARCEL 16 - 1940
 PARCEL 17 - 1940

EXISTING CONDITIONS PLAN

**BEULAH STREET/
TAYLOR PROPERTY**

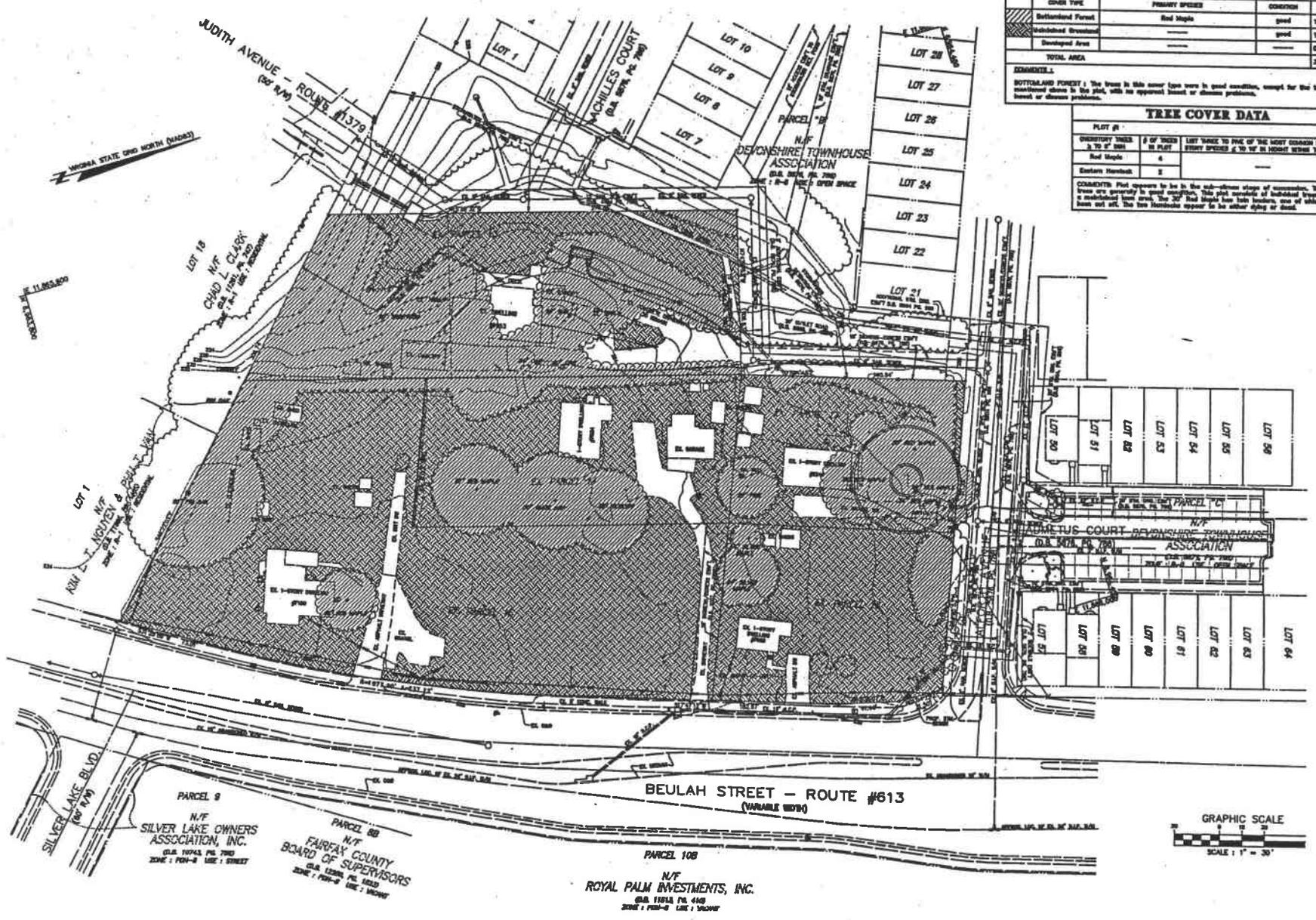
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA



ENG. DATE: REVISIONS: PREPARED BY: APPROVAL: **CPJ**
 Charles P. Johnson & Associates, Inc.
 PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
 1000 WOODBINE BLVD. SUITE 200 FAYETTEVILLE, VA 22030
 TEL: 540-345-1234 FAX: 540-345-1235

PROJECT NO.	103-508-202
DATE	03-20-2012
SHEET NO.	2
TOTAL SHEETS	6
SCALE	1" = 30'
PROJECT NAME	BEULAH STREET PROPERTY
CLIENT	ROYAL PALM INVESTMENTS, INC.
DESIGNER	CPJ
CHECKED BY	
DATE	

RZ 05-LE-010



COVER TYPE SUMMARY

COVER TYPE	PRIMARY SPECIES	CONDITION	AREA
Disturbed Forest	Red Maple	good	1,180 Ac
Undisturbed Woodland		good	1,700 Ac
Developed Area			0,400 Ac
TOTAL AREA			3,280 Ac

REMARKS: 1. DISTURBED FOREST: The trees in this cover type were in good condition, except for the trees mentioned above in the plot, with no apparent insect or disease problems.

TREE COVER DATA

PLANT #	QUANTITY TREES 4 TO 8" DBH	# OF TREES IN PLOT	LIST TREES TO EDGE OF THE MOST OPENED LOT - 4 TO 8" DBH	LIST TREES 4 TO 8" DBH IN HEIGHT WITHIN THE PLOT
Red Maple	2			
Eastern Hemlock	2			

COMMENTS: Plot appears to be in the sub-urban stage of succession. The trees are generally in good condition. This plot consists of individual trees within a disturbed forest area. The 2" Red Maple has two leaders, one of which has been cut off. The two Hemlocks appear to be either dying or dead.

EXISTING VEGETATION MAP
**BEULAH STREET/
 TAYLOR PROPERTY**
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



PREPARED BY: CHARLES P. JOHNSON & ASSOCIATES, INC.
 10000 WOODBURN ROAD, SUITE 100
 FALLS CHURCH, VIRGINIA 22034
 PHONE: (703) 441-1111
 FAX: (703) 441-1112
 E-MAIL: CPJ@CPJASSOCIATES.COM
 WWW: WWW.CPJASSOCIATES.COM

CPJ
 ASSOCIATES



TREE LOCATIONS ARE APPROXIMATE AND HAVE NOT BEEN FIELD-SURVEYED

DATE	5/9
SHEET	9
FILE NO.	22-200-720

RZ 05-LE-010

STORMWATER MANAGEMENT AND BMP NARRATIVE

STORMWATER MANAGEMENT AND BMP REQUIREMENTS WILL BE PROVIDED FOR THE SUBJECT SITE, DEVELOPING TOWNHOMES, AND THE FUTURE DEVELOPMENT OF THE BELLAH/CORHAM SITE TO THE NORTH BY MODIFYING THE EXISTING DEVELOPING TOWNHOMES DRY POND.

EXISTING SITE CHARACTERISTICS

Category	Value	Unit
Developing Townhomes	26580 SF	0.674 Ac
Belлах/Corham Property	11190 SF	0.254 Ac
Future Development	89900 SF	2.048 Ac
Total Area	127470 SF	2.976 Ac

Category	Value	Unit
Open Space	0.2	0.5%
Impervious	0.59	1.6%
Water	0.16	0.4%
Other	0.12	0.3%

Category	Value	Unit
Open Space	0.52	1.2%
Impervious	0.34	0.8%
Water	0.12	0.3%
Other	0.02	0.05%

Category	Value	Unit
Open Space	0.68	1.5%
Impervious	0.14	0.3%
Water	0.16	0.4%
Other	0.02	0.05%

Category	Value	Unit
Open Space	0.58	1.3%
Impervious	0.14	0.3%
Water	0.16	0.4%
Other	0.02	0.05%

BY MODIFYING THE EXISTING DEVELOPING POND, THE APPROXIMATE 5-YEAR AND 10-YEAR DISCHARGES FROM THE POND WILL BE 11.31 C.F.S. AND 20.05 C.F.S. RESPECTIVELY, WHICH IS LESS THAN THE ALLOWABLE DISCHARGES SHOWN ABOVE, AND THEREFORE ADEQUATE. THE APPROXIMATE 3-YEAR WATER SURFACE ELEVATION AND VOLUME IS 222.36 AND 38732 C.F. AND THE 10-YEAR WATER SURFACE ELEVATION AND VOLUME IS 223.84 AND 42303 C.F. THE TOP OF DAM ELEVATION IS TO BE SET AT APPROXIMATELY 224.0.

BMP'S FOR THE BELLAH/TAYLOR PROPERTY AS WELL AS DEVELOPING TOWNHOMES AND THE FUTURE BELLAH/CORHAM SITE WILL BE PROVIDED BY MODIFYING THE EXISTING DEVELOPING TOWNHOMES POND (DIT POND) RECEIVE A 40% REMOVAL RATE). THE POND CAPTURES 2.31 AC (C=0.83) OF CHUTE AREA, LEO AC (C=0.83) OF CHUTE AREA FROM THE BELLAH/CORHAM SITE, 4.83 AC (C=0.83) OF CHUTE AREA FROM THE DEVELOPING TOWNHOMES SITE, AND 4.89 AC (C=0.84) OF OFFSITE AREA. THE OFFSITE AREA IS ASSUMED TO BE FULLY DEVELOPED AND HAS BEEN INCLUDED IN PHOSPHORUS REMOVAL CREDIT IN ACCORDANCE WITH PFA REQUIREMENTS. THE TOTAL PHOSPHORUS REMOVAL FOR THE DRAINAGE TO THE POND IS APPROXIMATELY 690, WHICH IS GREATER THAN THE REQUIRED 40%. THEREFORE POND REQUIREMENTS HAVE BEEN SATISFIED.

OUTFALL NARRATIVE

THE SITE HAS TWO OUTFALLS TO THE NORTHWEST TOWARD THE OFFSITE DEVELOPING TOWNHOMES POND (A1) AND THE SOUTHWEST TOWARDS LOTS 1 AND 18 (A2). THE FLOW FROM THE POND OUTFALLS INTO A ROADSIDE DITCH ALONGSIDE JUDITH AVENUE. THE FLOW GOES THROUGH A SERIES OF DRIVEWAY CULVERTS AND BEFORE ENTERING A PIPED STORM SEWER SYSTEM NEAR THE INTERSECTION OF JUDITH AVENUE AND WINDSOR AVENUE. THE PIPED STORM SEWER SYSTEM CROSSES UNDERNEATH WINDSOR AVENUE AND CONVEYS THE FLOW TO THE WEST. THE PIPED STORM SEWER SYSTEM THEN CONTINUES TO FLOW TO THE WEST ON THE SOUTHERN SIDE OF BARRY ROAD AND DISCHARGES INTO A LARGE CONCRETE DITCH. THE CONCRETE DITCH CONTINUES TO FLOW TO THE WEST UNTIL IT OUTFALLS INTO A WELL-DEFINED, STABILIZED NATURAL CHANNEL. THE NATURAL CHANNEL IS NATURALLY DISCHARGED INTO LONG BRANCH AT WHICH POINT THE SITE IS 0.3% OF THE DRAINAGE AREA. THE PRE-DEVELOPMENT AND POST-DEVELOPMENT FLOW COMPARISON FROM THE SITE AND OUTFALL ANALYSIS IS SHOWN BELOW.

PRE-DEVELOPMENT FLOWS:

At AREA= 2.78 Ac, I=0-0.37	Q ₅ = 0.37*2.78*0.45 = 0.46 C.F.S.
Q ₁₀ = 0.37*2.78*0.72 = 0.91 C.F.S.	
At AREA= 5.96 Ac, I=0-0.37	Q ₅ = 0.37*5.96*0.45 = 1.00 C.F.S.
Q ₁₀ = 0.37*5.96*0.72 = 1.61 C.F.S.	

POST-DEVELOPMENT FLOWS:

At AREA = 2.31 Ac, I=0-0.89	Q ₅ = 0.89*2.31*0.45 = 0.93 C.F.S.
Q ₁₀ = 0.89*2.31*0.72 = 1.52 C.F.S.	
At AREA= 6.25 Ac, I=0-0.33	Q ₅ = 0.33*6.25*0.45 = 0.93 C.F.S.
Q ₁₀ = 0.33*6.25*0.72 = 1.50 C.F.S.	

THE DEVELOPMENT OF THE SITE WILL RESULT IN REDUCED FLOW OFFSITE FROM A2. THE INCREASED FLOW FROM A1 TO DEVELOPING POND WILL BE MITIGATED BY ALTERING THE EXISTING DRY POND WILL PROVIDE BMP'S AND SWF FOR THE SUBJECT SITE, DEVELOPING TOWNHOMES, AND THE FUTURE BELLAH/CORHAM SITE TO THE NORTH (SEE SWF & BMP NARRATIVE ABOVE).

JUDITH AVENUE ROADSIDE DITCH AND CULVERT ANALYSIS

THE ROADSIDE DITCH AND CULVERT SYSTEM ALONGSIDE JUDITH AVENUE, WHERE THE SWF/BMP POND AND SOME OFFSITE AREA OUTFALL HAS BEEN ANALYZED FOR THE 10-YEAR STORM. AS A RESULT OF THIS ANALYSIS IT DOES NOT APPEAR THAT THE CULVERT AND ROADSIDE DITCH SYSTEM ALONG THE SOUTHERN SIDE OF JUDITH AVENUE IS ADEQUATE TO HANDLE THE 10-YEAR FLOWS DISCHARGING INTO IT. THEREFORE IT APPEARS THAT THE DITCH ALONG JUDITH AVENUE MAY NEED TO BE REPLACED WITH A TRAPEZOIDAL CONCRETE CHANNEL AND THE EXISTING DRIVEWAY CULVERTS IN FRONT OF LOTS 16, 17, & 18 REPLACED WITH PIPES LARGE ENOUGH TO HANDLE TO FLOWS WITHIN THE CHANNEL. THE RECOMMENDED CONCRETE SECTION AND CULVERT REPLACEMENT, SHOWN ON SHEET 02, IS TO BE RESTRICTED BY THE JUDITH AVENUE RIGHT OF WAY AND NO DISTURBANCE OR DISRUPTION OUTSIDE OF THE RIGHT OF WAY IS ANTICIPATED.

PIPED STORM SEWER ANALYSIS

THE FLOW ENTERS A PIPED STORM SEWER SYSTEM AT EX. STA. 4, LOCATED WITHIN THE ROADSIDE DITCH ALONG JUDITH AVENUE. THE SYSTEM WAS ANALYZED FOR THE 10 YEAR STORM BY USING MANNING'S EQUATION TO FIND THE PIPE CAPACITY AND COMPARED THE CAPACITY TO THE APPROXIMATE FLOWS ENTERING THE UPSTREAM END OF THE PIPE SECTION IN QUESTION (SEE CLOSED STORM SEWER SYSTEM ANALYSIS CHART). CONSIDERING THE EXISTING STORM SEWER SYSTEM IS ADEQUATE.

CLOSED STORM SEWER OUTFALL ANALYSIS

STRUCTURE	TO	FROM	PIPE SIZE (IN)	PIPE SLOPE (%)	PIPE CAPACITY (C.F.S.)	APPROXIMATE FLOW THROUGH PIPE (C.F.S.)
EX 4	EX 4	EX 4	42" x 37"	1.40%	43	37
EX 4	EX 4	EX 4	42" x 37"	2.20%	43	37
EX 4	EX 4	EX 4	36" x 30"	0.40%	216	184
EX 130	EX 129	EX 131	30" x 24"	0.72%	262	
EX 129	EX 128	EX 130	30" x 24"	1.11%	278	
EX 128	EX 127	EX 129	30" x 24"	1.27%	288	
EX 127	EX 126	EX 127	30" x 24"	1.65%	348	
EX 126	EX 125	EX 126	30" x 24"	0.40%	216	250
EX 125	EX 124	EX 125	30" x 24"	1.10%	278	
EX 124	EX 123	EX 124	30" x 24"	0.85%	243	260
EX 123	EX 122	EX 123	30" x 24"	0.95%	254	
EX 122	EX 121	EX 122	30" x 24"	0.94%	252	
EX 121	EX 120	EX 121	30" x 24"	0.94%	252	
EX 120	EX 119	EX 120	30" x 24"	0.94%	252	

NOTE: ALL FLOWS ARE APPROXIMATE PIPE SIZES TAKEN FROM THE WACORP ESTATES STORM DRAINAGE IMPROVEMENTS PLAN, COWBERRY, HEADQUARTERS DRIVE WINDSOR PARK #3 BUILT PLAN, AND JOHN CHILDS & ASSOCIATES WACORP PARK PLANS.

CONCRETE DITCH ANALYSIS

THE EXISTING PIPED STORM SEWER SYSTEM DISCHARGES INTO A CONCRETE DITCH. THE 10 YEAR STORM IS CONTAINED WITHIN THE CONCRETE DITCH AS SHOWN IN THE CROSS-SECTION COMPARISON BELOW.

SECTION D-C: AREA = 107 AC, I = 0 = 0.8
 Q₅ = 0.8*107*0.45 = 393 C.F.S.
 Q₁₀ = 0.8*107*0.72 = 604 C.F.S.

SECTION E-F: AREA = 588 AC, I = 0 = 0.8
 Q₅ = 0.8*588*0.45 = 208 C.F.S.
 Q₁₀ = 0.8*588*0.72 = 324 C.F.S.

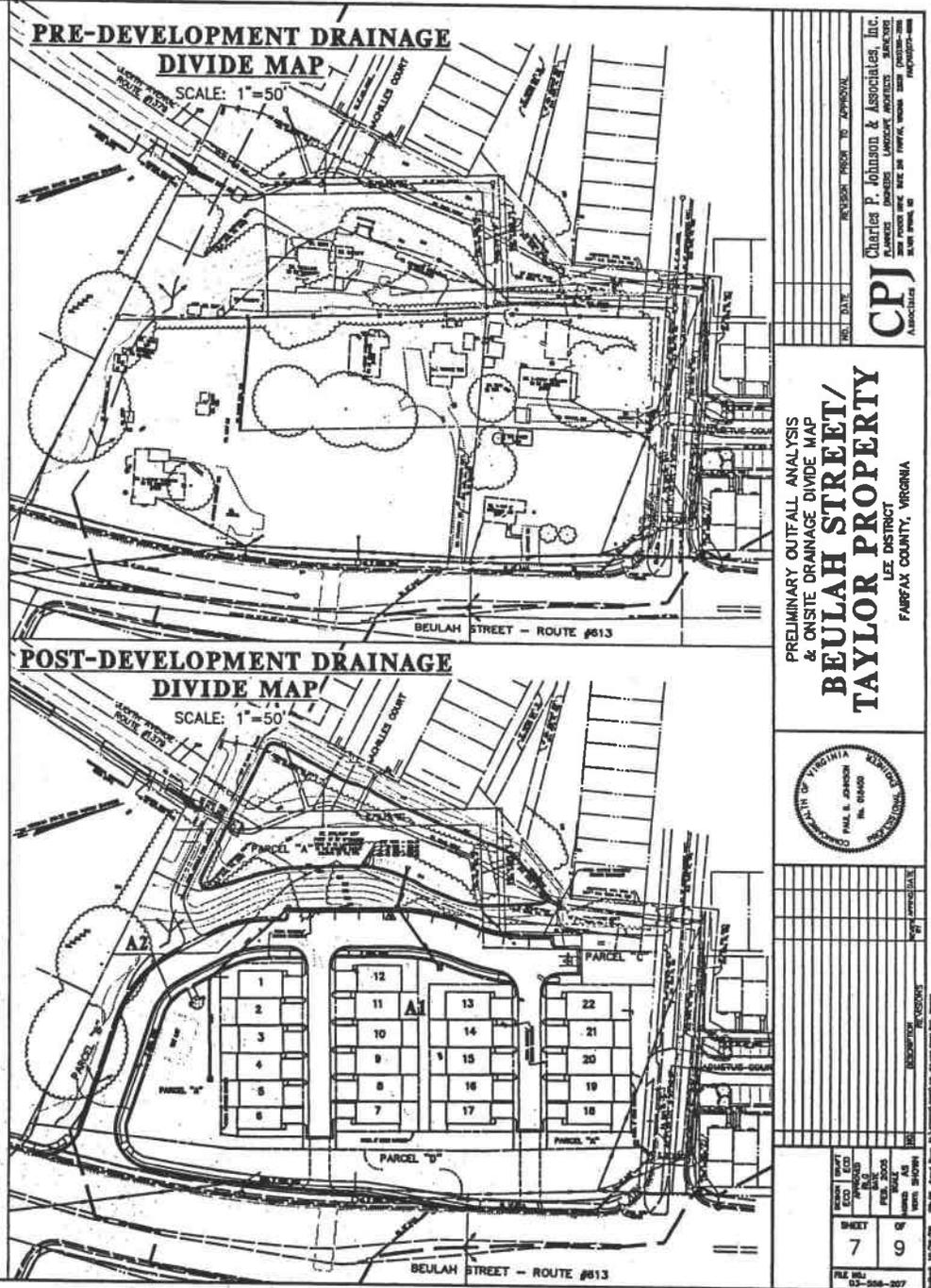
Structure	Top	Bottom	Flow	Depth	Velocity	Area	Volume	Time
Concrete Ditch	222.36	222.36	11.31	1.0	1.0	1.0	1.0	1.0

NATURAL CHANNEL OUTFALL ANALYSIS

THE EXISTING CONCRETE DITCH OUTFALLS INTO A WELL-DEFINED, NATURAL TRIBUTARY OF LONG BRANCH LOCATED WITHIN AN ADOPTED FLOOD PLAN. THE SITE IS APPROXIMATELY 1.7% OF THE STREAM'S WATERSHED. DUE TO RELATIVE INSIGNIFICANCE OF THE SITE AREA IN COMPARISON TO THE OVERALL WATERSHED OF THE STREAM AND THE FACT THAT DEVELOPMENT OF THE SITE WILL NOT INCREASE THE FLOW TO THE STREAM, THE DEVELOPMENT OF THE SITE WILL HAVE NO ADVERSE IMPACTS ON THE STREAM. ONCE THE STREAM OUTFALLS INTO LONG BRANCH, THE SITE IS APPROXIMATELY 0.3% OF THE OVERALL WATERSHED AREA.

OUTFALL ANALYSIS CONCLUSION

BASED UPON THE FOREGOING ANALYSIS, IT IS THE ENGINEER'S OPINION THAT AN ADEQUATE OUTFALL EXISTS FOR THIS PROJECT.



PRELIMINARY OUTFALL ANALYSIS & ON-SITE DRAINAGE DIVIDE MAP

BEULAH STREET/ TAYLOR PROPERTY

LEE DISTRICT
 FARMFAX COUNTY, VIRGINIA

Charles P. Johnson & Associates, Inc.
 ENGINEERS ARCHITECTS SURVEYORS
 10000 WOODBURN ROAD, SUITE 200
 FARMFAX COUNTY, VIRGINIA 22031

DATE: 03/20/03

PROJECT: PRELIMINARY OUTFALL ANALYSIS & ON-SITE DRAINAGE DIVIDE MAP

SHEET 7 OF 9

FILE NO. 03-058-207

RZ 05-LE-010

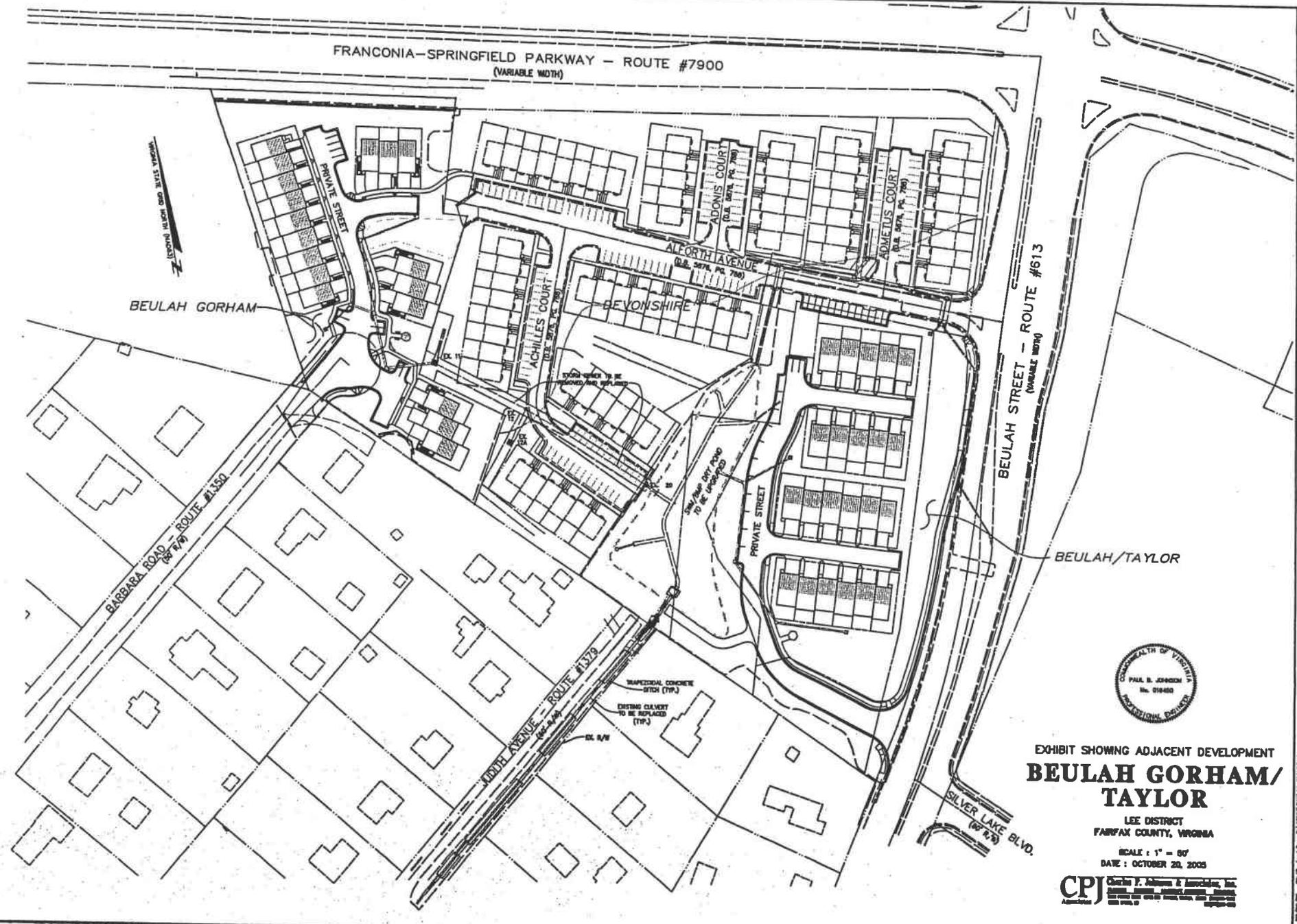


EXHIBIT SHOWING ADJACENT DEVELOPMENT
**BEULAH GORHAM/
 TAYLOR**

LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

SCALE : 1" = 80'
 DATE : OCTOBER 20, 2005

CPJ Charles P. Johnson & Associates, Inc.
 ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS
 10000 WOODBURN ROAD, SUITE 200, FALLS CHURCH, VA 22044
 (703) 441-1000

McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215
Phone: 703.712.5000
Fax: 703.712.5050
www.mcguirewoods.com

Lisa M. Chiblow
Direct: 703.712.5364

McGUIREWOODS

RECEIVED
Department of Planning & Zoning

DEC 02 2005

Zoning Evaluation Division

Land Use and Development
lchiblow@mcguirewoods.com

December 1, 2005

St. Clair Williams
Planner II
Department of Planning & Zoning
12055 Government Center Parkway
Suite 800
Fairfax, VA 22305

Re: Pending Interpretation of Proffered Conditions Governing the Devonshire Community

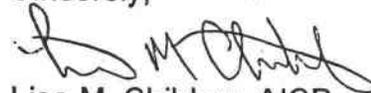
Dear St. Clair:

The purpose of this letter is to supplement an interpretation request for RZ 77-L-088 submitted by Gregory Riegle on October 27, 2005 (copy attached). As a follow up to our recent conversations regarding the same subject, I am requesting confirmation that the modifications to the existing stormwater management pond jointly located on the Devonshire Community property and also located on the property currently being rezoned as RZ 2005-LE-010 is in substantial conformance with RZ-77-L-088.

The modifications to the existing Devonshire dry pond will manage stormwater and BMP requirements for the Devonshire Community and two properties currently being rezoned as RZ 2005-LE-010 and RZ 2004-LE-043. Other than slight changes to the depth of the pond, there are no changes to the general shape or configuration of the portion of the pond within the Devonshire property, and reshaping of the outer boundary occurs entirely within the land associated with the pending rezoning.

If you have any questions or require further information, please do not hesitate to contact me at (703) 712-5364.

Sincerely,



Lisa M. Chiblow, AICP
Land Use Planner

December 1, 2005
Page 2

CC: Regina Murray
Gregory A. Riegler

\\REA\290139.1

McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215
Phone: 703.712.5000
Fax: 703.712.5050
www.mcguirewoods.com

Gregory A. Riegler
Direct: 703.712.5360

McGUIREWOODS

griegler@mcguirewoods.com
Direct Fax: 703.712.5211

October 27, 2005

Regina Coyle
Department of Planning & Zoning
12055 Government Center Parkway
Suite 800
Fairfax, VA 22035

Re: Interpretation of Proffered Conditions Governing Devonshire Community

Dear Regina:

This is a follow-up to our recent discussions regarding the above-described matter. As you know, I represent Eastwood Properties, Inc., ("Eastwood") which is in the process of rezoning lands adjacent to the existing community commonly known as Devonshire (RZ-2005-LE-010). Devonshire was rezoned in the 1970's and is governed by proffer conditions accepted by the Board of Supervisors in the approval of rezoning RZ 77-L-088 (copy attached).

As increasingly is the case in Fairfax County, we have a situation where the property being rezoned by Eastwood, by necessity, will have certain physical and functional relationships with the existing Devonshire community. As examples, the properties will share certain stormwater management infrastructure and ultimately, depending on the timing and nature of future road improvements, may at some point, be interdependent in terms of certain access and interparcel relationships. Additionally, not unlike circumstances seen in other townhouse communities throughout Fairfax County, the residents of Devonshire have expressed a desire for additional parking spaces. As the Eastwood rezoning application is adjacent to Devonshire, we have agreed to explore opportunities to provide additional parking for the benefit of the Devonshire residents.

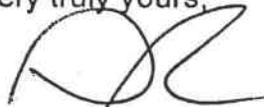
Based on these collective facts and circumstances, we are requesting an interpretation of the proffer conditions governing Devonshire to confirm that the installation of approximately 13 additional parking spaces is in conformance with the governing approvals. Similarly, we are also requesting confirmation of the portion of the private road serving the Eastwood rezoning can be located on existing lands owned by Devonshire, as generally shown in the CDP/FDP for the Eastwood rezoning. For ease of reference, I have highlighted each of these areas on a drawing attached to this letter.

The private street that has a small area "co-located" on the Devonshire property is ultimately intended to serve as a point of ingress and egress to Devonshire if and when Alforth Drive is closed in connection with the construction of a planned interchange with Beulah Street and the Fairfax County Parkway. It is also relevant to recognize that, at present, the same area of land is encumbered by recorded public access easements and road infrastructure that presently serves an existing single-family dwelling that would be removed as part of Eastwood's proposed project. In this context, the proposed location of a small portion of a private street over the same land area creates no impacts or diminishment of open space that is any different from that existing today.

Concerning the additional parking spaces, we can find no restriction or prohibition in the governing zoning approvals that would prohibit this type of arrangement. In fact, the governing approvals do not commit the site to specific open space tabulations, nor are they specific with respect to road design and configuration issues. When the existing configurations of the internal streets within Devonshire are compared to the rezoning approval, it is apparent that the County has already determined that, as to street configurations, reasonable interpretive flexibility exists under the governing approvals. This circumstance should be no different.

On receipt, if you have any questions or have any questions or require any additional information, please do not hesitate to let me know.

Very truly yours,



Gregory A. Riegle

GAR/pwy

Enclosure

cc: Dick Labbe
Jeff McKay

\\REA\285828.1

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030

August 14, 1978

Mr. H. Kendrick Sanders
10560 Main Street
Fairfax, Virginia 22030Re: Rezoning Application
No. 77-L-088

Dear Mr. Sanders:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at its meeting on August 1, 1978, granting, as proffered, Rezoning Application No. 77-L-088 in the name of Thomas A. Cozzo, Trustee, to rezone certain land in Lee District from RE-1 District to RT-10 District on subject parcels: 91-1((1))22 & Part 18 on 8.36 acres.

Very truly yours,

Ethel Wilcox Register
Clerk to the Board

EWR/mg

cc: Mr. Patteson
Mr. Yates
Mr. Knowlton
Mr. Beales
Mr. Hendrickson

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Massey Building at Fairfax, Virginia on the 1 day of August, 1978, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
(PROPOSAL NO. 77-L-088)

WHEREAS, Thomas A. Cozzo, Trustee filed in proper form, an application requesting the zoning of a certain parcel of land hereinafter described, from RE-1 District to RT-10 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 Lee District, and more particularly described as follows: See attached legal description.

Be, and hereby is, zoned to the RT-10 District, and said property is subject to the use regulations of said RT-10 District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., § 15.1-491(a), which conditions are incorporated in the Zoning Ordinance as it affects 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 1 day of August, 1978.

Ethel Wilcox Register
Ethel Wilcox Register
Clerk to the Board

Springfield Associates, Inc. PLANNERS ENGINEERS SURVEYORS
5700 HANOVER AVENUE • P. O. BOX 707 • SPRINGFIELD, VIRGINIA 22150 • 451-3100

CARL H. HELLWIG CLS
GEORGE W. HELLWIG PE CLS
HERMAN L. COURSON CLS
WINNANT C. MCINTY PE CLS
VILIS UPENIERS PE CLS
CALVIN R. ALLEN CLS
DONALD E. RUPARD CLS
CONSULTANTS
ROBERT R. KIM CLS
RAYMOND E. ROBERTSON PE CLS

February 9, 1978

DESCRIPTION OF PARCELS "B" AND "C" OF THE
LAND OF OTIS GORHAM AND PARCEL 1 OF
THE LAND NOW OR FORMERLY AL GOLDEN AND
SIMON WOLFMAN
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

Beginning at a point in the westerly line of Beulah Street (Route # 613), said point also being in the northerly line of the land of Eddie T. Childress; and running thence with said line of Childress and continued with the lines of the land of Howard N 63° 21' 50" W, 245.58 feet, and S 23° 35' 45" W, 153.54 feet to a point in the northerly line of the land of Appielona Dodson;

thence with the lines of the said Dodson N 68° 54' 50" W, 109.93 feet; and S 21° 12' 35" W, 278.43 feet to a point in the northerly line of Section One, Windsor Estates Subdivision;

thence with said line of Section One, Windsor Estates N 40° 38' 00" W, 294.42 feet to a point in the easterly line of the land of Kattie Louise Gorham;

thence with the lines of the said Gorham N 34° 57' 30" E, 115.66 feet; and N 49° 09' 51" W, 119.42 feet to a point in the southeasterly line of Parcel "A" of the land of Otis Gorham;

thence with the said line of Parcel "A" N 32° 35' 53" E, 203.54 feet to a point in the southerly line of Parcel "B" of the land of the said Otis Gorham;

thence with said line of Parcel "B" N 68° 03' 07" W, 30.17 feet to a point in the easterly line of the land of Nellie E. Dodson;

thence with said line of Nellie E. Dodson N 21° 56' 53" E, 221.10 feet,
and N 68° 03' 07" W, 55.52 feet to a point in the southerly line of Lewin
Park subdivision;

thence with said line of Lewin Park subdivision S 78° 44' 10" E, 424.41
feet, and S 74° 06' 46" E, 342.47 feet to a point in the aforesaid westerly
line of Beulah Street (Route # 613);

thence with said line of Beulah Street (Route # 613) S 22° 44' 56" W,
409.48 feet to the beginning,

containing 8.366 acres.

Attachment 2

Rezoning Application 77-L-088, Thomas E. Cozzo

The following conditions are proffered as part of the application in accordance with the provisions of Section 15.1-491, Code of Virginia.

- 1. Limit the number of dwelling units to 67 or a maximum of eight units per acre. No unit shall encroach in the 25 foot screening buffer.
- 2. On Beulah Street, dedicate right of way to 45 feet from the center line and construct road widening with the face of curb set 35 feet from the centerline.
- 3. Dedicate right of way for the proposed Springfield Bypass as shown on the development plan dated July 3, 1978.
- 4. Install screening and/or construct where feasible, berms compatible with the proposed development, parallel and adjacent to the proposed right of way of the Springfield Bypass to reduce the noise within the 150 foot wide noise impact area.
- 5. Provide a trail along Beulah Street and the Springfield By-pass alignment subject to specifications in the current county-wide trail plan, provided that the same do not result in loss of any required screening area or dwelling units.
- 6. Provide on site detention/retention subject to DEM approval.
- 7. Incorporate into the site design the two existing oak trees within the center site area, if pinpointed by the Environmental Branch of OCP and would have no impact on the current development plan.
- 8. Submit the final site plan to the plan to the planning commission for review and approval.

Paul E. Johnson

Owner

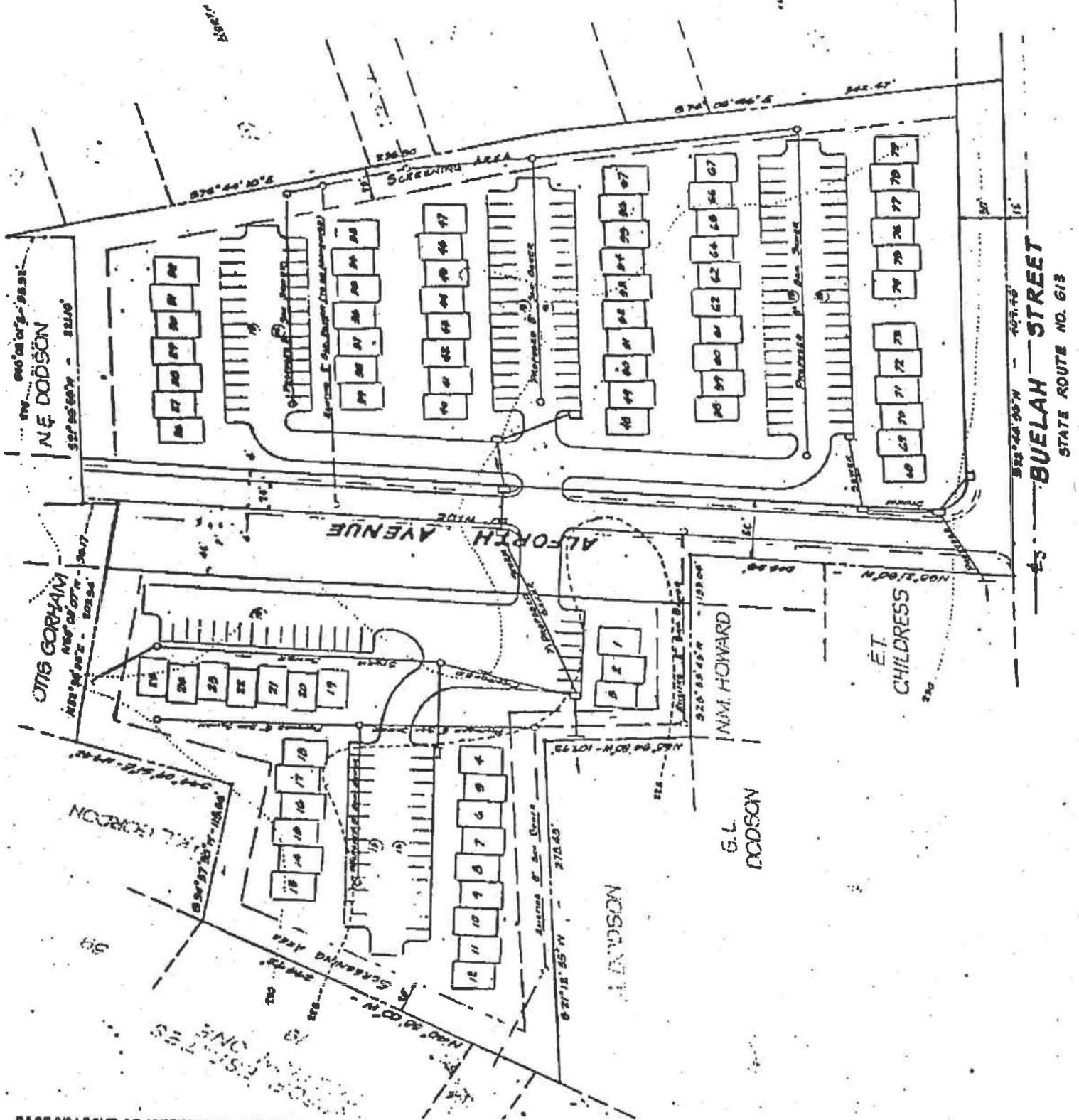
Paul E. Johnson

Owner

Thomas E. Cozzo

Owner

Appendix





County of Fairfax, Virginia

MEMORANDUM

August 21, 2006

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Ineke Dickman, Urban Forester II
Forest Conservation Section, UFM

SUBJECT: Beulah Street/Taylor Property, RZ 2005-LE-010

RE: Your request for assistance dated August 8, 2006

Urban Forest Management staff has reviewed the proffers dated July 21, 2006 and the GDP stamped as received by the County on August 11, 2006 for the above referenced property. UFM is repeating some of the comments made in our June 19, 2006 memo since no changes were made as a result of these comments and recommendations.

- 1. Comment:** Almost the entire site is proposed to be cleared with the exception of a small portion of the critical root zone of a 50" oak on the southern boundary line and portions of the critical root zone of two off-site trees. The roadwork, board on board fence and additional planting proposed within the critical root zones will have an adverse impact on these trees.

Recommendation: Evaluate the possibility of moving the limits of clearing and grading further away from the trunk of this tree to preserve the entire critical root zone of this as well as the off-site trees. Per PFM 12-0402.1 no grading shall take place within the critical root zone of trees to be preserved. Planting within the critical root zones of these trees is not recommended and should be limited. Only small shrubs with shallow root systems should be planted within the critical root zone of these large trees. The Proffer language #8 and 9 addresses a board on board fence along this property boundary, which also could affect the oak and several off-site trees. We recommend that language be added to the proffer that specifies digging of the holes for the posts with an airspade to avoid the large anchoring roots of trees close to the boundary. The distance between the fence posts might have to be adjusted to preserve the supporting roots of these trees. Same is true for the fence toward lot 19. There are several co-owned trees or trees that are located very close to the property boundary that will be affected by a fence in that location.

- 2. Comment:** Some of the proposed landscaping has significant overlap, and is tightly packed in the available space to meet the tree cover requirements. The PFM does not allow trees planted with significant overlap to satisfy Article 13 of the Zoning

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



Ordinance requirements. In addition very large sizes are specified to meet the tree cover. Ten foot high evergreens and 3" caliper deciduous trees are difficult to obtain and their chance of surviving in an urban setting is much lower than smaller trees. If the plan specifies this size tree, UFM will make sure at bond release that that size tree is planted.

Recommendation: Provide adequate space for proposed planting and do not overlap projected 10-year tree cover canopies. Consider using at most 8' high evergreens and 2" caliper deciduous trees.

- 3. Comment:** Proffer IV 23 Tree Preservation: There are other trees close to the 50" tree proposed to be preserved that are located off-site along the southern property boundary. In this proffer, the tree survey should include all trees along the southern and western property boundary.

Recommendation: Add "and southern" in between "western" and "boundary".

- 4. Comment:** Proffer IV 24 Tree Value Determination: same issue as in comment 3.

Recommendation: Add "and southern" in between "western" and "property boundary".

Please call if you have any questions.

AID/
UFMID #: 117020

cc: RA File





County of Fairfax, Virginia

MEMORANDUM

DATE: August 23, 2006

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

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

FILE: 3- 4 (RZ 2005-LE-010)

SUBJECT: Transportation Impact Addendum # 2

REFERENCE: RZ 2005-LE-010; Eastwood Properties- Taylor Property
Traffic Zone: 1503
Land Identification Map: 91-1 ((01)) 13-17

DATE: August 24, 2006

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised development plan dated May 18, 2006 and proffers dated July 21, 2006.

This review indicates that:

- The Generalized Development Plan (GDP) should be consistent with the proffers referencing right-of-way dedication for the Beulah Street widening. Specifically, the GDP should demonstrate right-of-way "dedication."
- The applicant should eliminate the proposed emergency accesses.
- The applicant should construct the site street to connect to Alforth Avenue.
- The applicant should reserve land area and escrow for future interparcel connection to the hold-out lot.

AKR/ak w:\ADRZ2005LE010EastwoodProp

cc: Michele Brickner, Acting Director, Office of Site Development Services, DPW & ES

Fairfax County Department of Transportation
12055 Government Center Parkway, Suite 1034
Fairfax, VA 22035-5500
Phone: (703) 324-1100 TTY: (703) 324-1102
Fax: (703) 324 1450
www.fairfaxcounty.gov/fcdot



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

FILE: 3- 4 (RZ 2005-LE-010)

SUBJECT: Transportation Impact Addendum

REFERENCE: RZ 2005-LE-010; Eastwood Properties- Taylor Property
Traffic Zone: 1503
Land Identification Map: 91-1 ((01)) 13-17

DATE: October 31, 2005

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised development plan plotted on date of October 7, 2005 and draft proffers dated October 20, 2005.

This review indicates that:

X The following transportation issues identified in this department's report of July 15, 2005 and various new issues have not been resolved.

The department has reviewed the subject application and offers the following comments:

- The applicant previously proffered to dedicate right-of-way along their site for the planned Franconia-Springfield Parkway Intersection. This commitment should be incorporated into the new proffer language.
- A portion of the applicant's private street nearest parcel "C" is not on site. The applicant should provide an enlarged plan of this subject area deleting the unnecessary layers.
- The ingress/ egress easement along the private street should align with the private street near Parcel C. It appears the subject easement may have to be extended east to include the future road connection.

Barbara A. Byron
October 31, 2005
Page two

- The proposed parking spaces should be eliminated on the turnaround stub on the private street near lot # 22.
- The applicant should provide the ingress/ egress easement to Alforth Avenue and provide the escrow to complete construction improvements to Alforth Avenue.
- The applicant should provide for a floating ingress/ egress easement along parcel B at lots 1 & 18, for ultimately a 32-ft. wide road extension to the south.
- The applicant should escrow for the above improvement for the 32-ft. wide road improvement.
- The proposed right lane, per VDOT's request should be at 250-ft. in length with an additional 50-ft taper.
- The applicant should provide a reserve fund for future repairs for the on-site private street.

AKR/ak w:\ADRZ2005LE010EastwoodProp

cc: Michele Brickner, Acting Director, Office of Site Development Services, DPW & ES

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

FILE: 3- 4 (RZ 2005-LE-010)

SUBJECT: Transportation Impact

REFERENCE: RZ 2005-LE-010; Eastwood Properties
Traffic Zone: 1503
Land Identification Map: 91-1 ((01)) 13-17

DATE: July 15, 2005

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plans stamp dated July 1, 2005 by Professional Engineer Paul B. Johnson.

The applicant requests to rezone the subject property from the R-1 district to the PDH-8 district and to develop 21 single-family detached homes.

The department has reviewed the subject application and offers the following comments:

- The applicant through various plan revisions has resolved the site's main issue by proffering the right-of-way dedication per the Fairfax County's Comprehensive Plan for the planned Franconia-Springfield Parkway Interchange.
- Other outstanding issues relate to the HOA documents and the applicant's escrow to establish a fund for the future on-site private street maintenance and repairs.

AKR/ak w:\RZ2005LE010EastwoodProp

cc: Michele Brickner, Acting Director, Office of Site Development Services, DPW & ES



County of Fairfax, Virginia

MEMORANDUM

DATE July 26, 2006

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

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

SUBJECT: Comprehensive Plan Land Use Analysis: RZ 2005-LE-010
Eastwood Properties, Inc.

This addendum, prepared by Jennifer Bonnette, is based on staff's review of the revised rezoning application and Generalized Development Plan dated March 9, 2004, as revised through May 18, 2006.

BACKGROUND

The Comprehensive Plan Land Use Analysis dated July 29, 2005, found that the application did not conform to Policy Plan recommendations concerning infill development because it would have adversely impacted the surrounding community and was poorly designed. The proposed access road to the site from Beulah Street would have negatively impacted the adjacent single family homes because inadequate screening or barriers were provided. The screening along Beulah Street was too limited and ineffective to sufficiently buffer the adjacent single family attached units (townhouses). In addition, no buffer was proposed for the single family residence on Parcel 13 that would have been redeveloped in Phase II. Moreover, the Phase I units would not have benefited from visitor parking and landscaped open space areas until Phase II developed, of which there was no guarantee that phase would occur. Finally, greater consideration for tree preservation onsite and protection of off site trees from clearing and grading were not provided.

DISCUSSION

The applicant has altered the original submission from a PDH-8 to an R-8 development on a consolidated property of 4 parcels rather than the original 5 parcels. Parcel 13 has been removed from the application, thus creating a single family residential parcel surrounded on three sides by townhouses. The application depicts how the parcel could potentially redevelop

Department of Planning and Zoning
Planning Division
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with townhouses, but since this parcel is no longer included in the application, there is less likelihood that the parcel will be redeveloped or incorporated into the proposed development.

The number of townhouses proposed on the smaller site (Phase I in the previous application submission) has been reduced from 21 units to 15, which is one unit less than that proposed in Phase I previously. An overall density of 5.9 dwelling units per acre (du/ac) is proposed, which is less than the previous density of 6.3 du/ac. Despite the reduction in density, the site layout provides neither adequate buffering of the development from Beulah Road nor Parcel 13. Not only are the townhouses adjacent to Beulah Road too close to the right of way, but they require a 6 foot fence rather than the customary 4 foot fence to mitigate noise. Likewise the applicant has proposed only an approximately 10 foot wide buffer separating Parcel 13 from parking spaces and a private street serving the development. However, an approximately 35 to 40 foot wide buffer and 7 foot high fence are now proposed to separate the site's private street from the existing residential community to the south. Additionally, one existing mature tree along the southern boundary of the property and a second mature tree just off-site of the same boundary are to be preserved.

Based on the foregoing discussion, staff maintains that the proposed development is not in conformance with the land use recommendations of the Comprehensive Plan.

PGN: JRB



County of Fairfax, Virginia

MEMORANDUM

DATE: August 17, 2006

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM:  Jeremiah Stonefield, Chief Stormwater Engineer
Site Review East, Environmental and Site Review Division
Land Development Services, DPWES

SUBJECT: Rezoning Application Review, RZ 2005-LE-010, Eastwood Properties, Inc.,
Conceptual/Final Development Plan - Beulah Street/Taylor Property, dated
August 10, 2006 (CDP/FDP), and draft Proffers dated July 21, 2006, Tax Map
#091-1-01-0014 thru 0017 (Property), Lee District

We have reviewed the referenced submission and offer the following comments related to stormwater management:

Chesapeake Bay Preservation Ordinance (CBPO)

There are no Resource Protection Areas on the Property.

The applicant indicates that water quality control will be achieved by upgrading the existing detention pond constructed for the Devonshire Townhomes located off the subject site. The applicant has shown modifications to the pond size and volume, including the limits of clearing and grading and proposed topography, to accommodate the additional storage volumes.

The applicant has shown an alternative layout with on-site BMP's utilizing Fiterra innovative facilities. These facilities require separate approval by the Director of DPWES in accordance with PFM 6-0402.4 and must be maintained by the HOA. Note 18 on the C/FDP must be revised to replace the "hereby requested" with "will be required."

Floodplain Regulations

There are no regulated floodplains on the Property.

Downstream Drainage Complaints

There are no relevant drainage complaints on file downstream of the subject Property.

Stormwater Detention

The applicant has proposed to regrade and enlarge the size of the Devonshire Townhomes pond within existing easements to provide water quality control as well as detention for this site, the Devonshire Townhome site. The proposed changes to the existing stormwater management pond must comply with the Public Facilities Manual (PFM) for the rehabilitation of existing dams as the dam was built prior to current design standards.



As a result of the removal of lot 13 from the application, the applicant is faced with requiring numerous waivers of the current dam standards related to the proposed modification and retrofit of the existing, entirely off-site, Devonshire pond. The waivers of PFM requirements are subject to review and approval by the Director of DPWES. Action on the waiver must be reviewed on a case by case basis after Board action on the rezoning application.

The applicant has shown an alternative layout with on-site pond to provide detention. The proffers state that the on-site pond option will be constructed if the site plan for the off-site pond improvements is not approved. The language should be revised to preclude the possibility that the on-site option can be chosen solely because DPWES disapproves the first submission of the site plan. We recommend the option be determined by the county upon review of the specific reason(s) why the off-site pond option was not initially approved.

Site Outfall

The applicant has indicated that the existing roadside ditch and driveway culverts along Judith Avenue are currently inadequate to convey the required discharge and has indicated that he will replace them with a continuous concrete storm sewer to increase the capacity of the system. This work must be contained within the right-of-way or additional easements will be required. Regardless of whether additional easements or permissions are required, the applicant must notify the owners of the adjacent properties of the time and duration of the work, and shall coordinate the construction schedule with the owners. The applicant has indicated waivers of PFM requirements will be required to install the storm sewer. The waivers of PFM requirements are subject to review and approval by the Director of DPWES.

Additional Comments

Please Note: The Board of Supervisors amended the PFM, ZO and Subdivision Ordinance effective February 7, 2006, concerning stormwater management, outfalls, drainage divides and notices. The applicant should be advised that the construction plans for the project will be subject to the amended requirements.

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

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES
Valerie Tucker, Chief Stormwater Engineer, Site Review East, ESRD, DPWES
Zoning Application File (3173-ZONA-001-8)



FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM



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

FROM: *Sandy Stallman for*
Lynn S. Tadlock, Director
Planning and Development Division

DATE: June 23, 2006

SUBJECT: RZ/FDP 2005-LE-010-3
Beulah Street/ Taylor Property
Tax Map Number: 91-1 ((1)) 13-17

BACKGROUND

The Park Authority staff has reviewed the amended proposed Development Plan dated May 19, 2006, for the above referenced application. The Park Authority provided comments on April 13, 2006 and May 3, 2005 for previous plans submitted for this development. The current plan shows 15 single family attached units (6 units less than in the March 13, 2006 plan). This development will add approximately 40 new residents to Lee District. Based on the smaller number of residents, the comments show a reduced contribution to the Park Authority for park recreational facility development.

COMPREHENSIVE PLAN CITATIONS

1. Park Services and New Development (The Policy Plan, Parks and Recreation Objective 4, p. 6)

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

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

Policy b: “Mitigate the cumulative impacts of development that exacerbate or create deficiencies of Community Park facilities in the vicinity. The extent of facilities, land or contributions to be provided shall be in general accordance with the proportional impact on identified facility needs as determined by adopted County standards. Implement this policy through

application of the Criteria for Assignment of Appropriate Development Intensity.”

2. **Heritage Resources** (The Policy Plan, Heritage Resources Objective 3, page 4)
“Protect significant historical resources from degradation or damage and destruction by public or private action.”

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

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

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

4. **Heritage Resources** (Area IV, Springfield Planning District, Beulah Community Planning Sector, Character, p. 88)

“This sector contains older neighborhoods and some open space. Such areas have a high potential for heritage resources. Of particular interest is Parcel 91-1 ((1)) 11 and the older neighborhoods along Beulah Street and north of Fleet Drive.”

ANALYSIS AND RECOMMENDATIONS

Recreational Impact:

In order to offset the additional impact caused by the proposed development, the applicant should provide \$10,600 (\$265 per estimated resident) to the Park Authority for recreational facility development at one or more of our sites located within the service area of this development.

Heritage Resources:

The property is along the west side of Beulah Road, where several historic house sites have been recorded. The property has been lightly developed with older residences. The area has a high potential for significant historical archaeological sites including 19th century African American sites. Such sites, if present, would be particularly significant.

The Park Authority recommends the property be subject to a Phase I archaeological survey, using a Scope of Work approved by the Cultural Resource Management and Protection Section of the Park Authority. Phase I shovel test sampling should be at an interval no greater than 40 feet. If any archaeological resources are determined to be potentially significant then a Phase II assessment and, if necessary, Phase III data recovery should be

performed in accordance with a Scope approved by the Cultural Resource Management and Protection Section. All archaeological reports produced as a result of Phase I, II or III studies should be submitted for approval to the Park Authority Cultural Resource Management & Protection Section (Attention: Liz Crowell) within 30 days of the study or survey completion.

cc: Cindy Messinger, Director, Resource Management Division
Chron Binder
File Copy

**Fairfax County Public Schools
Office of Facilities Planning Services**

TO: Fairfax County Department of Planning & Zoning
Zoning Evaluation Division

FROM: Gary Chevalier, Director
Office of Facilities Planning Services

SUBJECT: Schools Impact Analysis – Revised
RZ 2005-LE-010, Eastwood Properties, Inc.

DATE: June 20, 2006

MAP: 91-1((1)) 14-17
Planning Unit 1833 – Cluster V

ACREAGE: 2.55 acres

REQUEST: Rezone from R-1 to R-8 in order to develop 15 single family attached (townhouse) units.

The following information is submitted in response to your request for a revised school impact analysis based on changes in unit type and density for the referenced application.

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

School Name and Number	Grade Level	9/30/05 Capacity	9/30/05 Membership	2006-2007 Membership	Memb/Cap Difference 2006-2007	2010-2011 Membership	Memb/Cap Difference 2010-2011
Lane 1127	K-6	831	677	699	144	655	176
Hayfield 1180	7-8	1100	759	819	346	832	268
Hayfield 1180	9-12	2125	1695	1510	688	1567	558

*2006-2007 Membership based on revised Spring projection updates from the Office of Facilities Planning Services

- II. The proposed application could increase or reduce projected student membership as shown in the following analysis:

School Level	Proposed Zoning R-8 Single Family Attached (Townhouse)			Existing Zoning R-1 Single Family Detached			Total Student Increase/Decrease
	Units	Ratio	Students	Units	Ratio	Students	
K-6	15	x.210	3	2	x.244	0	3
7-8	15	x.053	1	2	x.070	0	1
9-12	15	x.109	2	2	x.159	0	2
						Total	6

Comments: Based on the approved proffer guidelines, the 6 students generated by this application would justify a \$45,000 proffer for schools (6 students x \$7,500 per student). It is noted that the suggested proffer amount does not reflect the updated proffer formula since this application was initially submitted and reviewed by FCPS in 2005. The foregoing information does not take into account the potential impacts of pending or future proposals that could affect the same schools.

Source: FY 2007-2011, Facilities Planning Services Office Preliminary Enrollment Projections
Note: Five-year projections are those currently available and will be updated yearly. School attendance areas are subject to yearly review.



County of Fairfax, Virginia

MEMORANDUM

DATE: September 5, 2006

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

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

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application RZ 2005-LE-010 and Final Development Plan FDP 2005-LE-010

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #405, Franconia
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Proudly Protecting and
Serving Our Community

Fire and Rescue Department
4100 Chain Bridge Road
Fairfax, VA 22030
703-246-2126
www.fairfaxcounty.gov



Fairfax Water

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

C. David Binning
Director
(703) 289-6325
Fax (703) 289-6382

June 28, 2006

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

Re: RZ 06-LE-010

Dear Ms. Byron:

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

1. The property is located within the Fairfax Water service area.
2. Adequate domestic water service is available at the site from existing 8-inch and 24-inch water mains located at the property. See the enclosed water system map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the Engineering Firm.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.
4. Due to the limited detail of these plans, Fairfax Water is not able to provide comprehensive comments with regard to existing and proposed water facilities. Fairfax Water will review for conformance with Fairfax Water's Design Standards Manual and Standard Details upon submittal of final site plans.

If you have any questions regarding this information please contact me at (703) 289-6302.

Sincerely,



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

Enclosures

Cc: Charles P. Johnson Associates (Paul Johnson)

Rezoning Application
RZ 2004-LE-043

Final Development
FDP 2004-LE-043

Applicant: EASTWOOD PROPERTIES, INC.
Filed: 12/16/2004
Area: 2.31 AC OF LAND; DISTRICT - LEE

Proposed: RESIDENTIAL
Located: SOUTH SIDE OF FRANCONIA SPRINGFIELD PARKWAY APPROXIMATELY 1000 FEET WEST OF BEULAH STREET

Zoning: FROM R-1 TO PDH-8

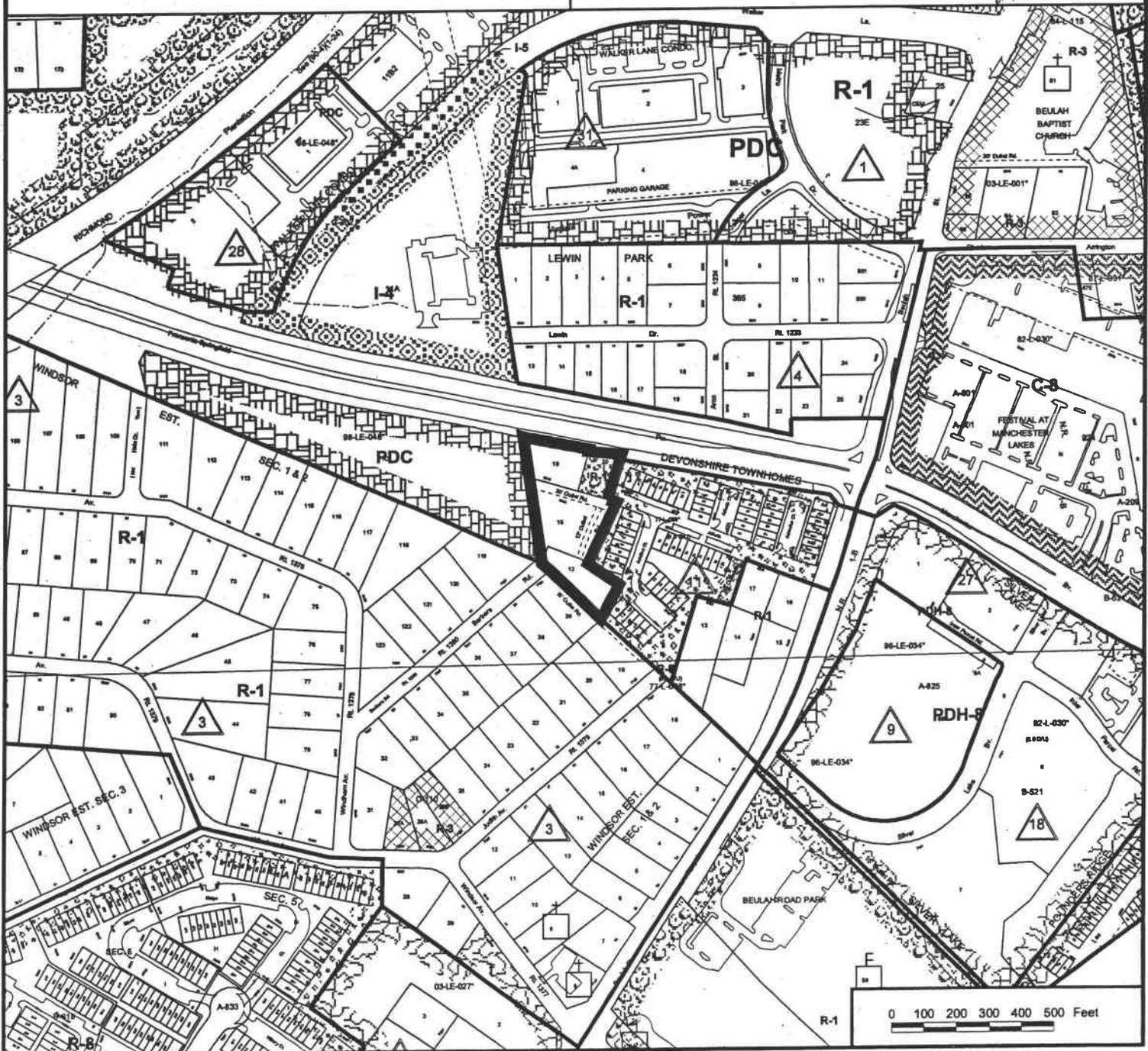
Overlay Dist:
Map Ref Num: 091-1- /01/ /0012 /01/ /0018 /01/ /0019 /01/ /0020

Applicant: EASTWOOD PROPERTIES, INC.
Filed: 12/16/2004
Area: 2.31 AC OF LAND; DISTRICT - LEE

Proposed: RESIDENTIAL
Located: SOUTH SIDE OF FRANCONIA SPRINGFIELD PARKWAY APPROXIMATELY 1000 FEET WEST OF BEULAH STREET

Zoning: PDH-8

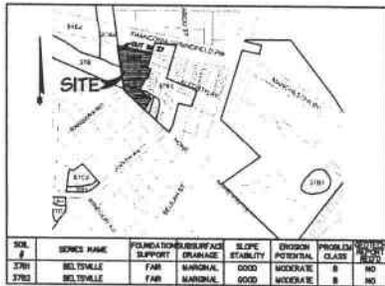
Overlay Dist:
Map Ref Num: 091-1- /01/ /0012 /01/ /0018 /01/ /0019 /01/ /0020



CONCEPTUAL / FINAL DEVELOPMENT PLAN

BEULAH GORHAM

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA
RZ 2004-LE-043

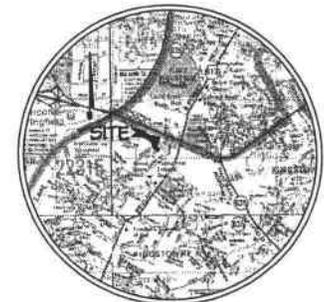


SOILS MAP/DATA

SCALE: 1" = 50'

SOILS MAPPING PROVIDED BY TERRA ENGINEERING SERVICES

- ### NOTES
- THE PROPERTY DEDICATED ON THIS PLAN IS LOCATED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NUMBER 01-10(11) PARCELS 12, 13, 19 & 20. THE SITE IS CURRENTLY ZONED R-1. THE PROPOSED ZONE IS PDH-8.
 - THE PROPERTY HEREON IS CURRENTLY IN THE OWNERSHIP OF:
PARCEL 12 - RAYMOND B. GORHAM, SR. AND RAYMOND B. GORHAM, JR. IN DEED BOOK 8730 AT PAGE 1337
PARCEL 13 - HERB OF ODES DONHAM IN DEED BOOK 813 AT PAGE 1031, DEED BOOK 3879 AT PAGE 390, DEED BOOK 4778 AT PAGE 240, AND DEED BOOK 4321 AT PAGE 387
PARCEL 19 - BELMONT HIGHLANDS IN DEED BOOK 818 AT PAGE 171
PARCEL 20 - FAIRFAX COUNTY BOARD OF SUPERVISORS IN DEED BOOK 7112 AT PAGE 1282
 - BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM A FIELD SURVEY PREPARED BY CHARLES P. JOHNSON & ASSOCIATES, DATED AUGUST 2004. CONTOUR INTERVAL EQUALS TWO FEET UNLESS NOTED OTHERWISE.
 - THERE IS NO 100-YEAR FLOODPLAIN ON-SITE. NO FLOODPLAIN OR DRAINAGE STUDIES ARE REQUIRED FOR THIS PROJECT.
 - THERE ARE NO RESOURCE PROTECTION AREAS (RPAs) OR ENVIRONMENTAL QUALITY CORRIDORS (EQCs) ON-SITE. A WATER QUALITY IMPACT ASSESSMENT WILL NOT BE REQUIRED.
 - TO THE BEST OF OUR KNOWLEDGE, THE SITE HAS NO BIODIVERSITY OR NATURAL FEATURES DESERVING OF PROTECTION AND PRESERVATION.
 - TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO KNOWN GRAVES, OBJECTS, OR STRUCTURES MARKING A PLACE OF BURIAL.
 - TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITY EASEMENTS WIDENING A WIDTH OF 25 FEET OR GREATER, NOR ANY MAJOR UNDERGROUND UTILITY EASEMENTS LOCATED WITHIN THE SITE.
 - ALL EXISTING WELLS ON-SITE ARE TO BE CAPPED AND ABANDONED IN ACCORDANCE WITH HEALTH DEPARTMENT REGULATIONS.
 - SEE SHEET 5 FOR A DESCRIPTION OF EXISTING VEGETATION.
 - EXISTING STRUCTURES ARE TO BE REMOVED.
 - DATES OF CONSTRUCTION FOR THE EXISTING DWELLINGS:
PARCEL 12 - 1943
PARCEL 13 - 1947
PARCEL 19 - 1938
 - TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 114.4, 302.4, AND 303, HAZARDOUS WASTE AS SET FORTH IN COMMONWEALTH OF VIRGINIA / DEPARTMENT OF WASTE MANAGEMENT 16 070-10-1 - VERMEX HAZARDOUS WASTE MANAGEMENT REGULATIONS / OR FOR PETROLEUM PRODUCTS AS DEFINED IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 261; TO BE GENERATED, UTILIZED, STORED, TREATED, AND/OR DISPOSED OF ON-SITE.
 - THERE ARE NO AFFORDABLE DWELLING UNITS (ADUs) REQUIRED FOR THIS PROJECT.
 - THERE ARE NO ZONING OVERLAY DISTRICTS ON THIS SITE.
 - NO DENSITY REDUCTIONS ARE REQUIRED BY ZONING ORDINANCE SECTION 2-302.
 - IN ACCORDANCE WITH THE ADOPTED COMPREHENSIVE PLAN, THE PROPOSED DEVELOPMENT WILL PROVIDE RECREATIONAL DEVELOPMENT AT 7.77 DWELLING UNITS PER ACRE AND WILL CONFORM TO ALL APPLICABLE ORDINANCES, REGULATIONS, AND ADOPTED STANDARDS EXCEPT AS NOTED BELOW:
• A BANDED OF THE PEDESTRIAN TRAIL, REQUIRED ALONG ROUTE 7900
• A MODIFICATION OF THE BANDED REQUIREMENT ALONG ROUTE 7900
• A BANDED TO ALLOW A FENCE GREATER THAN 7' IN HEIGHT ALONG THE SOUTHERN BOUNDARY AND ALONG ROUTE 7900
• A MODIFICATION OF THE TRANSITIONAL SCREENING ALONG ROUTE 7900, IN FAVOR OF THE LANDSCAPING SHOWN
• A MODIFICATION OF THE MINIMUM OUL-DE-SAC RADIUS TO ALLOW A REDUCED-SIZE OUL-DE-SAC
 - PROPOSED PUBLIC IMPROVEMENTS:
A. WATER SERVICE TO BE PROVIDED BY AN EXISTING 8" MAIN LOCATED IN BARBARA ROAD & ALFORTH AVENUE
B. SANITARY SERVICE TO BE PROVIDED BY AN EXISTING 8" MAIN LOCATED ON-SITE
 - PARKING SPACES WILL BE PROVIDED AS GENERALLY SHOWN ON THE CONCEPTUAL/FINAL DEVELOPMENT PLAN. THE NUMBER OF PARKING SPACES MAY BE INCREASED OR DECREASED FROM THAT NUMBER REPRESENTED IN THAT TABLE AS LONG AS THE MINIMUM NUMBER OF SPACES IS PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11 OF THE ZONING ORDINANCE.
 - A CHILDREN'S PLAY AREA IS BEING PROPOSED AS A RECREATIONAL FACILITY WITH THIS DEVELOPMENT.
 - A GAZEBO AND A BEATING AREA ARE PROPOSED AS SPECIAL AMENITIES.
 - A DEVELOPMENT SCHEDULE HAS NOT BEEN DETERMINED AT THIS TIME.
 - SEE SHEET 4 FOR ARCHITECTURAL ELEVATIONS.
 - A TRAIL IS REQUIRED ALONG ROUTE 7900 FOR THIS PROJECT PER THE FAIRFAX COUNTY TRAILS PLAN. (SEE NOTE 17 REGARDING BANDED)
 - PARCEL "A" WILL BE CONVEYED TO A HOMEOWNERS ASSOCIATION FOR OWNERSHIP AND MAINTENANCE.
 - MINOR MODIFICATIONS TO THE BUILDING FOOTPRINTS, LOT AREAS, DRAINAGE, UTILITY LAYOUT, AND LIMITS OF CLEARING AND GRADING MAY OCCUR WITH THE FINAL ENGINEERING DESIGN, IN SUBSTANTIAL CONFORMANCE WITH THE CONCEPTUAL/FINAL DEVELOPMENT PLAN, PROVIDED SUCH ARE IN ACCORDANCE WITH THE MINOR MODIFICATIONS PROVIDED IN SECTION 16-403 OF THE ZONING ORDINANCE.
 - STORMWATER MANAGEMENT AND BEST MANAGEMENT PRACTICES WILL BE PROVIDED WITH RZ 2004-LE-043, UNLESS AN EXPANDED POND ON TAX MAP 01-10(11) AND 01-10(11) IS PROVIDED ON THE EXPANDED POND ON TAX MAP 01-10(11) AND 01-10(11) DOES NOT PROVIDE STORM AND RUNOFF FOR THIS SITE, THEN STORM AND RUNOFF WILL BE PROVIDED ON-SITE, AS SHOWN ON SHEET 6 OF 8.



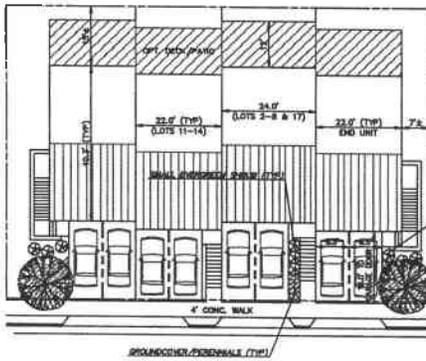
VICINITY MAP

SCALE: 1" = 500'
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SITE TABULATIONS

TYPE	AREA
LOT AREA	34,388 ± (0.788 Ac)
PARCEL "A"	86,881 ± (1.289 Ac)
RIGHT-OF-WAY DEDICATION (ROUTE 7900)	4,031 ± (0.093 Ac)
RIGHT-OF-WAY DEDICATION (BARBARA RD.)	8,834 ± (0.134 Ac)
TOTAL	100,802 ± (2.310 Ac)

	REQUIRED	PROVIDED
NUMBER OF UNITS	---	16 SINGLE-FAMILY ATTACHED
DENSITY	8 DU/AC (MAX)	7.77 DU/AC
MINIMUM LOT AREA	N/A	1,673 ± ±
AVERAGE LOT AREA	N/A	1,850 ± ±
MAXIMUM BUILDING HEIGHT	N/A	40' ±
SETBACKS	N/A	SEE PLAN
OPEN SPACE	25% (0.88 Ac)	38% (0.81 Ac) ±
PARKING	2.3 SPACES/UNIT (37 TOTAL)	81 SPACES ON 4.8/UNIT (38 GARAGE SPACES + 43 DRIVEWAY SPACES + 9 PARKING BAY SPACES)



TYPICAL LOT LAYOUT & LANDSCAPING

SCALE: 1" = 15'



DEVELOPER
EASTWOOD PROPERTIES
3000 CHAM BRIDGE ROAD
SUITE 103
FAIRFAX, VIRGINIA 22030
(703) 383-8111

TABLE OF CONTENTS

- COVER SHEET
- CONCEPTUAL/FINAL DEVELOPMENT PLAN
- CONCEPTUAL LANDSCAPE PLAN
- ARCHITECTURAL ELEVATIONS
- EXISTING VEGETATION MAP
- CUTFILL/EMBANKMENT ANALYSIS
- EXISTING SHOWING ADJACENT DEVELOPMENT
- ALTERNATE LAYOUT WITH EXISTING STAY/IMP. POND

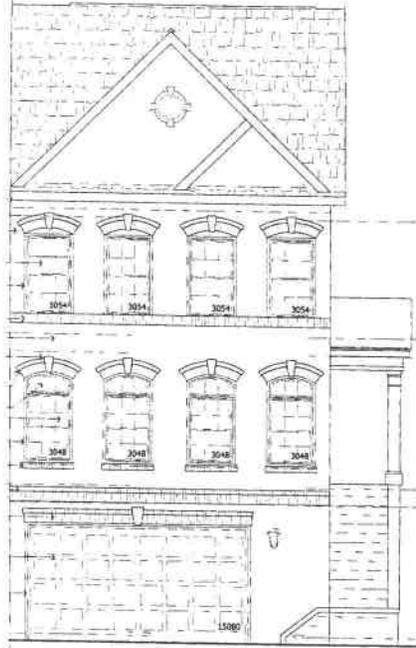
CPJ Charles P. Johnson & Associates, Inc.
Associates
LICENSED PROFESSIONAL ENGINEER
200 FERRIS BLVD. SUITE 200 FERRIS, VIRGINIA 22030
570-338-1000

DATE: DECEMBER 10, 2004
REVISED: FEBRUARY 17, 2005
MAY 5, 2005
JULY 20, 2005
SEPTEMBER 14, 2005
OCTOBER 20, 2005

NOVEMBER 18, 2005
DECEMBER 7, 2005
JANUARY 23, 2006
APRIL 21, 2006

SHEET 1 of 9

BEULAH GORHAM



TYPICAL END UNIT



TYPICAL INTERIOR UNIT

ARCHITECTURAL ELEVATIONS

BEULAH GORHAM

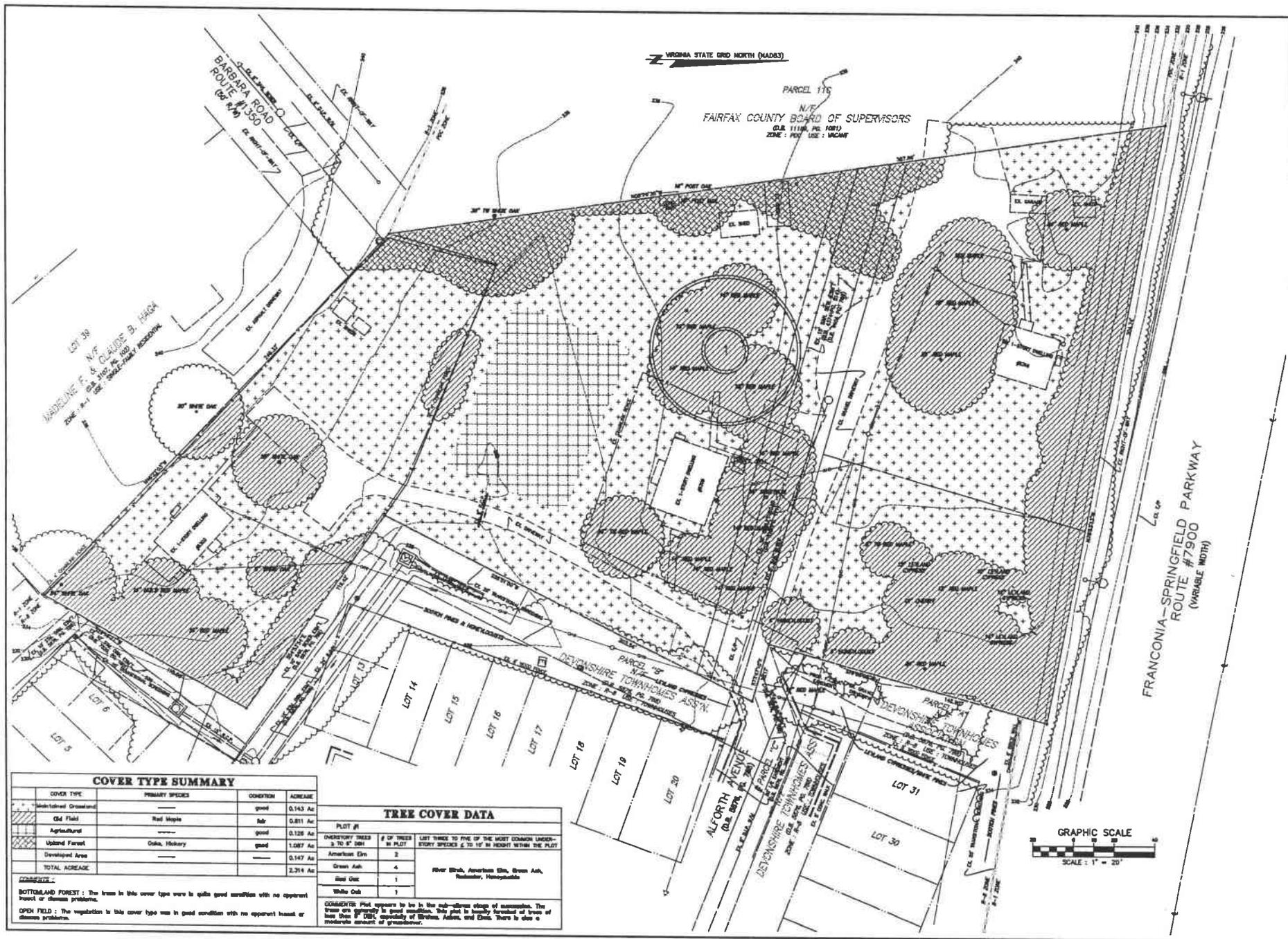
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA



NO. DATE REVISION FROM TO APPROVAL
CPJ Associates
 Charles P. Johnson & Associates, Inc.
 PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
 3000 POWER BLVD. SUITE 201 FARMAS, VIRGINIA 22031
 (703) 427-7000

PROJ. NO. 04-503-204
 SHEET 4 OF 6
 DATE JULY 2005
 DRAWN BY [blank]
 CHECKED BY [blank]
 REVISIONS [blank]
 08/17/05 Paul E. Johnson, Inc. - 04-503-204

RZ 2004-LE-043



VIRGINIA STATE GRID NORTH (NAD83)

PARCEL 175
 N/E
 FAIRFAX COUNTY BOARD OF SUPERVISORS
 O.R. 11188, PG. 1081
 ZONE - PLOT USE - UCMAY

FRANCONIA-SPRINGFIELD PARKWAY
 ROUTE #7900
 (VARIABLE WIDTH)



COVER TYPE SUMMARY			
COVER TYPE	PRIMARY SPECIES	CONDITION	ACREAGE
Multi-faceted Grassland	—	good	0.143 Ac
Old Field	Red Maple	fab	0.851 Ac
Agricultural	—	good	0.126 Ac
Upland Forest	Oaks, Hickory	good	1.087 Ac
Developed Area	—	—	0.147 Ac
TOTAL ACREAGE			2.314 Ac

TREE COVER DATA			
PLOT #1	# OF TREES IN PLOT	LOT THREE TO FIVE OF THE MOST COMMON UNDER-STORY SPECIES 6 TO 10' IN HEIGHT WITHIN THE PLOT	
Overstory Trees 9 TO 50'	2	American Elm	2
Green Ash	4	River Birch, American Elm, Green Ash, Red maple, Hemlock	
Red Oak	1		
White Oak	1		

BOTTOMLAND FOREST: The trees in this cover type were in quite good condition with no apparent insect or disease problems.

OPEN FIELD: The vegetation in this cover type was in good condition with no apparent insect or disease problems.

COMMENTS: Plot appears to be in the sub-urban edge of succession. The trees are generally in good condition. This plot is heavily forested of trees of less than 10' canopy of Spruce, Alder, and Elm. There is also a moderate amount of grassland.

EXISTING VEGETATION MAP

BEULAH GORHAM

LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



DESIGN	DATE	BY
PROJECT	DATE	BY
REVISION	DATE	BY
SCALE	DATE	BY
SHEET	OF	
5	9	

FILE NO: 04-503-205

REV. DATE REVISION FROM TO APPROVAL
 Charles P. Johnson & Associates, Inc.
 PLANNING ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
 200 PARKWAY DRIVE SUITE 200 FAIRFAX, VIRGINIA 22030
 (703) 261-1100 FAX (703) 261-1101

RZ 2004-LE-043

STORMWATER MANAGEMENT AND BMP NARRATIVE

STORMWATER MANAGEMENT AND BMP REQUIREMENTS WILL BE PROVIDED VIA AN UPGRADE TO AN EXISTING DETENTION FACILITY LOCATED IN THE DEVONSHIRE TOWNHOMES DEVELOPMENT. THE LOCATION OF THE FACILITY IS SHOWN ON SHEET 7A. THE UPGRADE TO THE EXISTING POND WILL OCCUR EITHER WITH THE FINAL PLANS FOR THIS PROJECT OR WITH THE ASSOCIATED BEULAH TAYLOR PROJECT. PRELIMINARY DATA FOR THE POND IS INCLUDED IN AND REFERENCE IS MADE TO THE REGIONS APPLICATION (02-05-LE-010).

OUTFALL NARRATIVE

THE SITE OUTFALLS IN TWO DIRECTIONS; TO THE NORTH TOWARD FRANCONIA-SPRINGFIELD PARKWAY (A2) AND TO THE EAST TOWARD DEVONSHIRE TOWNHOMES (A1). THE FLOW FROM A2 OUTFALLS TO THE NORTH INTO A WELL-DEFINED DITCH ALONG FRANCONIA-SPRINGFIELD PARKWAY AND THEN CONNECTS TO THE WEST IN A CLOSED CONDUIT STORM SEWER. THE FLOW FROM THE REST OF THE SITE DISCHARGES INTO THE EXISTING DEVONSHIRE TOWNHOMES CLOSED STORM SEWER SYSTEM. THIS CLOSED STORM SEWER SYSTEM DISCHARGES INTO THE EXISTING DEVONSHIRE TOWNHOMES DRY POND (THIS FACILITY WILL BE UPGRADED). THE EXISTING DEVONSHIRE TOWNHOMES POND OUTFALLS INTO A ROADSIDE DITCH ALONGSIDE JUDITH AVENUE. THE FLOW THEN GOES THROUGH A SERIES OF DIVERGENT CULVERTS BEFORE ENTERING A PIPED STORM SEWER SYSTEM NEAR THE INTERSECTION OF JUDITH AVENUE AND WINDSOR AVENUE. THE PROPOSED IMPROVEMENTS TO THE DEVONSHIRE POND, HOWEVER, ALSO INCLUDE PROPOSED IMPROVEMENTS TO THE OUTFALL ALONG JUDITH AVENUE. SEE BEULAH TAYLOR PRIORITY PLAN. THESE IMPROVEMENTS CALL FOR THE FLOW FROM THE POND TO OUTFALL INTO A TRAPEZOIDAL CONCRETE DITCH WITH A PROPOSED FABRICATED GRADE TOP. THE FIRST DRIVEWAY OFF OF JUDITH AVENUE, THE PROPOSED STORM SEWER SYSTEM THEN TIES INTO EXISTING STORM STRUCTURE #4. FROM HERE THE PIPED STORM SEWER SYSTEM CROSSES UNDERNEATH WINDSOR AVENUE AND CONVEYS THE FLOW TO THE WEST. THE PIPED STORM SEWER SYSTEM THEN CONTINUES TO WEST ON THE SOUTHERN SIDE OF BARRY ROAD AND DISCHARGES INTO A LARGE CONCRETE DITCH. THE CONCRETE DITCH CONTINUES TO FLOW TO THE WEST UNTIL IT OUTFALLS INTO A WELL-DEFINED, STABILIZED NATURAL CHANNEL. THE NATURAL CHANNEL ULTIMATELY DISCHARGES INTO LONG BRANCH. AT WHICH POINT THE SITE IS 0.2% OF THE DRAINAGE SHED. THE PRE-DEVELOPMENT AND POST-DEVELOPMENT FLOW COMPARISON FROM THE SITE AND OUTFALL ANALYSIS IS SHOWN BELOW.

PRE-DEVELOPMENT FLOWS

- A1: AREA= 1.811 AC.; C=0.30
Q_p = 0.30*1.811*0.43 = 2.38 C.F.S.
Q_w = 0.20*0.90*0.27 = 0.01 C.F.S.
- A2: AREA= 0.488 AC.; C=0.30
Q_p = 0.488*0.30*0.43 = 0.63 C.F.S.
Q_w = 0.488*0.35*0.27 = 1.27 C.F.S.

THE FLOW FROM A2 WILL NOT ADVERSELY IMPACT THE DOWNSTREAM PROPERTIES.

DEVONSHIRE TOWNHOMES CLOSED CONDUIT STORM SEWER ANALYSIS

POST-DEVELOPMENT FLOWS FROM THE SITE WILL OUTFALL INTO THE EXISTING DEVONSHIRE TOWNHOMES CLOSED CONDUIT STORM SEWER SYSTEM. THE STORM LINES INFLUENCE BY THE DEVELOPMENT OF THE SITE HAVE BEEN ANALYZED, AS SHOWN BELOW.

LINE NO.	START STA.	END STA.	LENGTH (FT)	AREA (AC)	C	Q _P (CFS)	Q _W (CFS)	PIPE SIZE (IN)	VELOCITY (FPS)	DEPTH (FT)	TIME (MIN)
1	1+00	1+10	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0
2	1+10	1+20	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0
3	1+20	1+30	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0
4	1+30	1+40	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0
5	1+40	1+50	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0
6	1+50	1+60	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0
7	1+60	1+70	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0
8	1+70	1+80	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0
9	1+80	1+90	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0
10	1+90	2+00	100	0.15	0.30	0.02	0.00	18	1.5	1.0	1.0

BASED UPON THIS ANALYSIS IT WILL BE NECESSARY TO UPGRADE 2 SEGMENTS OF PIPE (EX. 11 TO EX. 12 AND EX. 12 TO EX. 20). DUE TO THE SHALLOW DEPTH OF THE EXISTING STORM SEWER, THE UPGRADE IS PROPOSED TO CONSIST OF THE REMOVAL OF THE EXISTING PIPES AND REPLACEMENT IN PLACE WITH A 22" X 34" ELLIPTICAL PIPE (EX. 11-EX. 12) AND A 27" X 42" ELLIPTICAL PIPE (EX. 12-EX. 20). THIS WORK WILL BE DONE WITHIN THE EXISTING EASEMENT.

JUDITH AVENUE ROADSIDE DITCH AND CULVERT ANALYSIS

THE ROADSIDE DITCH AND CULVERT SYSTEM ALONGSIDE JUDITH AVENUE, WHERE THE SWA/BMP POND AND SOME OFFSITE AREA OUTFALL HAS BEEN ANALYZED FOR THE 10-YEAR STORM. AS A RESULT OF THIS ANALYSIS IT DOES NOT APPEAR THAT THE CULVERT AND ROADSIDE DITCH SYSTEM ALONG THE SOUTHERN SIDE OF JUDITH AVENUE IS ADEQUATE TO HANDLE THE 10-YEAR FLOWS DISCHARGING INTO IT. THEREFORE IT APPEARS THAT THE DITCH ALONG JUDITH AVENUE MAY NEED TO BE REPLACED WITH A TRAPEZOIDAL CONCRETE CHANNEL, AND THE EXISTING DIVERGENT CULVERTS IN FRONT OF LOTS 15, 16, 17, & 18 REPLACED WITH PIPES LARGE ENOUGH TO HANDLE TO FLOWS WITHIN THE CHANNEL, OF WITH AN UNDERGROUND CLOSED CONDUIT STORM SEWER SYSTEM, AS PROPOSED WITH THIS PLAN. THE RECOMMENDED CLOSED CONDUIT STORM SEWER SYSTEM IS RESTRICTED BY THE JUDITH AVENUE RIGHT OF WAY, THEREFORE, OFFSITE TEMPORARY GRADING AND CONSTRUCTION EASEMENTS WILL MOST LIKELY BE NEEDED FROM THE PROPERTY OWNERS ADJACENT TO PROPOSED STORM SEWER IMPROVEMENTS ALONG JUDITH AVENUE.

PIPED STORM SEWER ANALYSIS

THE FLOW ENTERS A PIPED STORM SEWER SYSTEM AT EX. STR. 4, LOCATED WITHIN THE ROADSIDE DITCH ALONG JUDITH AVENUE. THE SYSTEM WAS ANALYZED FOR THE 10 YEAR STORM BY USING MANNING'S EQUATION TO FIND THE PIPE CAPACITY AND COMPARING THE CAPACITY TO THE APPROXIMATE FLOWS ENTERING THE UPSTREAM INLET OF THE PIPE. SECTION ANALYSIS CHART THIS BELOW. USING THIS ANALYSIS THE EXISTING STORM SEWER SYSTEM IS ADEQUATE.

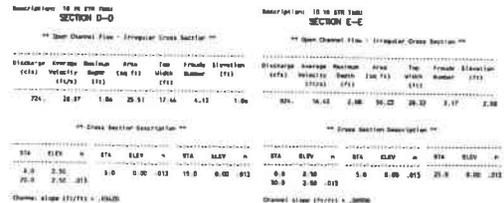
STRUCTURE	PIPE SIZE (IN)	PIPE CAPACITY (C.F.S.)	APPROXIMATE FLOW THRU PIPE (C.F.S.)	
EX. 4	EX. 6	475.27	1.81%	53
EX. 6	EX. 8	425.07	2.30%	62
EX. 8	EX. 10	437.67	0.40%	210
EX. 10	EX. 12	435.67	0.72%	282
EX. 12	EX. 14	430	1.11%	376
EX. 14	EX. 16	420	1.72%	588
EX. 16	EX. 18	400	1.02%	340
EX. 18	EX. 20	380	0.89%	318
EX. 20	EX. 22	360	1.10%	353
EX. 22	EX. 24	340	0.66%	342
EX. 24	EX. 26	320	0.65%	318
EX. 26	EX. 28	300	0.98%	430
EX. 28	EX. 30	280	0.91%	324
EX. 30	EX. 32	260	0.91%	324

NOTE: ALL FLOWS ARE APPROXIMATE PIPE CAPACITY GIVEN PROPOSED C/D AND C/D RATES. STORM DRAINAGE IMPROVEMENTS PLAN, GEDWERTY, NEAL, OIL, & SONS ENGINEERING, P.L.L.C. AND JOHN CHILDS ASSOCIATES ENGINEERING PROFESSIONALS.

CONCRETE DITCH ANALYSIS

THE EXISTING PIPED STORM SEWER SYSTEM DISCHARGES INTO A CONCRETE DITCH. THE 10 YEAR STORM IS CONTAINED WITHIN THE CONCRETE DITCH AS SHOWN IN THE CROSS-SECTION COMPUTATIONS BELOW.

- SECTION D-D: AREA = 187 AC.; C = 0.3
Q_p = 0.3*187*0.43 = 343 C.F.S.
Q_w = 0.2*0.9*0.27 = 0.04 C.F.S.
- SECTION E-E: AREA = 188 AC.; C = 0.3
Q_p = 0.3*188*0.43 = 343 C.F.S.
Q_w = 0.2*0.9*0.27 = 0.04 C.F.S.

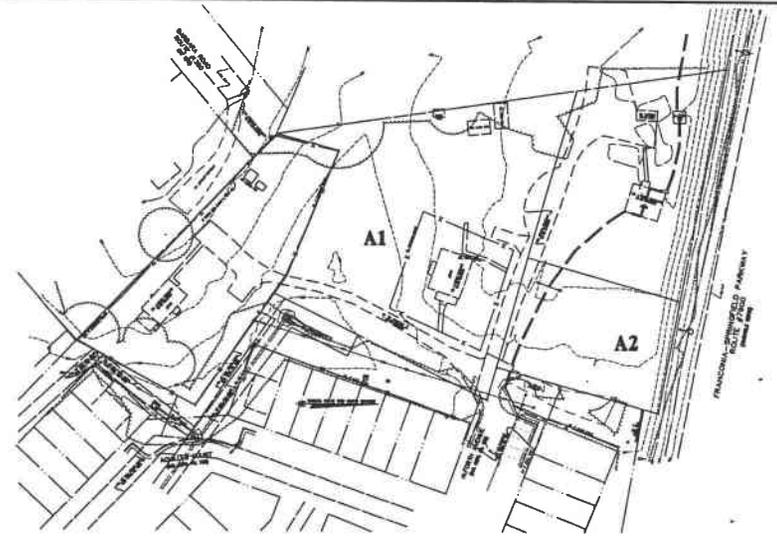


NATURAL CHANNEL OUTFALL ANALYSIS

THE EXISTING CONCRETE DITCH OUTFALLS INTO A WELL-DEFINED, NATURAL TRIBUTARY OF LONG BRANCH LOCATED WITHIN AN ADOPTED FLOOD PLAN. THE SITE IS APPROXIMATELY 1.7% OF THE STREAM'S WATERSHED. DUE TO RELATIVE INSIGNIFICANCE OF THE SITE AREA IN COMPARISON TO THE OVERALL WATERSHED OF THE STREAM AND THE FACT THAT DEVELOPMENT OF THE SITE WILL NOT INCREASE THE FLOW TO THE STREAM, THE DEVELOPMENT OF THE SITE WILL HAVE NO ADVERSE IMPACTS ON THE STREAM. SINCE THE STREAM OUTFALLS INTO LONG BRANCH, THE SITE IS APPROXIMATELY 0.20% OF THE OVERALL WATERSHED AREA.

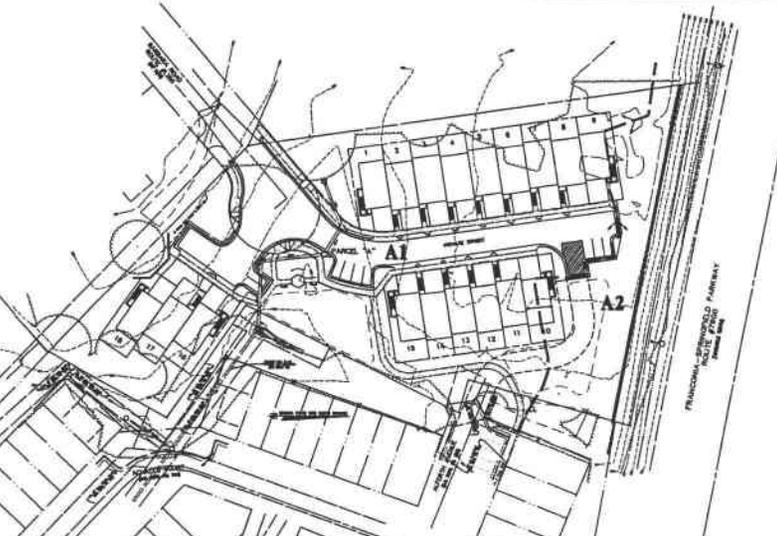
OUTFALL ANALYSIS CONCLUSION

BASED UPON THE FOREGOING ANALYSIS, IT IS THE ENGINEER'S OPINION THAT AN ADEQUATE OUTFALL EXISTS FOR THIS PROJECT.



PRE-DEVELOPMENT DRAINAGE DIVIDE MAP

SCALE: 1"=50'



POST-DEVELOPMENT DRAINAGE DIVIDE MAP

SCALE: 1"=50'

OUTFALL / DRAINAGE ANALYSIS

BEULAH GORHAM

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

REGISTRATION NO. 016400

PAUL B. JOHNSON
PROFESSIONAL ENGINEER

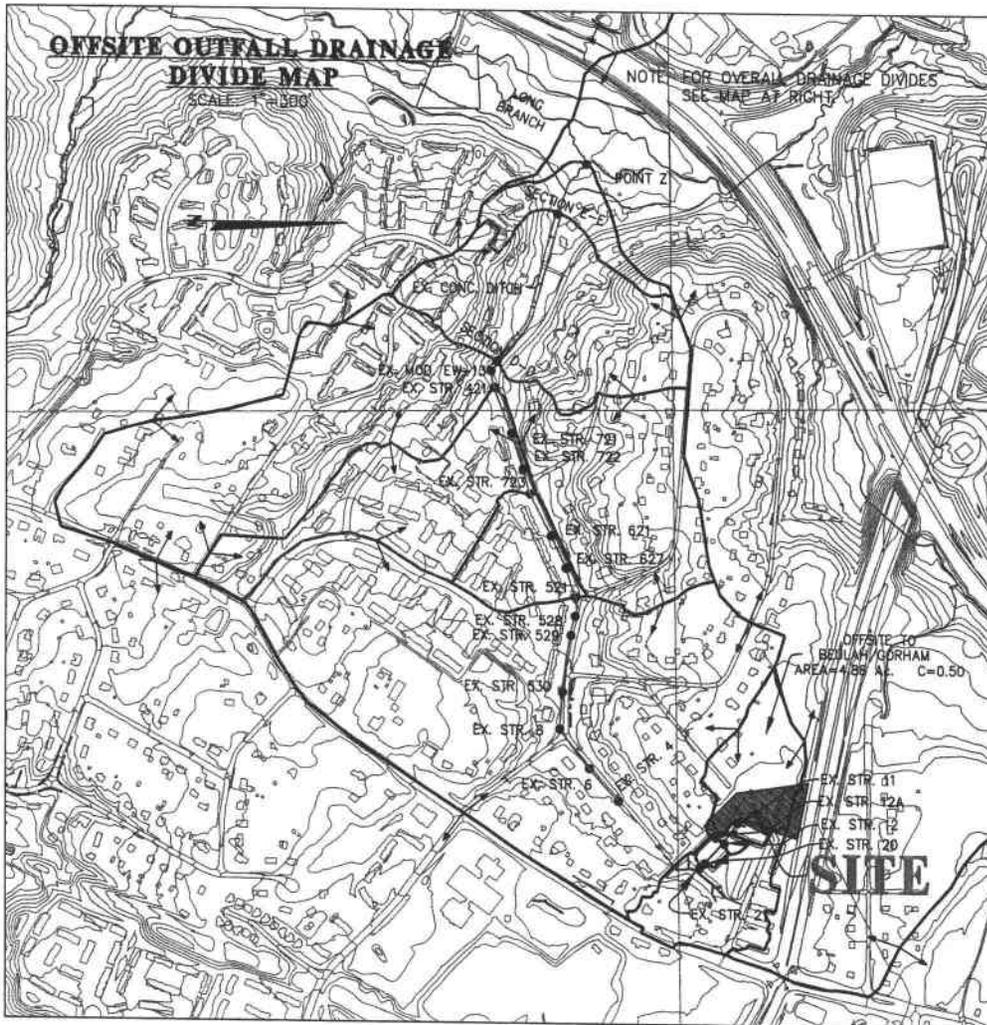
CHARLES P. JOHNSON & ASSOCIATES, INC.
PLANNERS ENGINEERS ARCHITECTS LANDSCAPE ARCHITECTS SURVEYORS
3001 POND CREEK DRIVE SUITE 200 FARM LANE, VIRGINIA 22124
TEL: (703) 438-2000

DATE: 08/18/2004

PROJECT: BEULAH TAYLOR PRIORITY PLAN TO APPROVAL

SHEET NO. 6 OF 6

FILE NO. 04-003-208



TOTAL SITE AREA = 2.31 AC.
 DRAINAGE AREA TO POINT Z = 184 AC.
 (TOTAL SITE AREA / DRAINAGE AREA)*100 = 1.0%
 DRAINAGE AREA TO LONG BRANCH = 1216 AC.
 (TOTAL SITE AREA / DRAINAGE AREA)*100 = 0.2%

EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE AND HAVE NOT BEEN FIELD-SURVEYED!

REVISIONS: FROM TO APPROVAL

CHARLES P. JOHNSON & ASSOCIATES, INC.
 PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
 2000 PINEBARK DRIVE, SUITE 200, FARRAX COUNTY, VIRGINIA 22030-1000
 TEL: 540/338-1100 FAX: 540/338-1101

CPJ
 Associates

OUTFALL / DRAINAGE ANALYSIS

BEULAH GORHAM
 LEE DISTRICT
 FARRAX COUNTY, VIRGINIA

RZ 2004-LE-043

STATE OF VIRGINIA
 FARRAX COUNTY
 PLANNING DEPARTMENT

PROJECT NO.	DATE	BY	CHKD
7	09		

FILE NO. 04-503-307

DATE: 07/20 08:18 Amd Prg: N:\Projects\040503\04-503-307.dwg

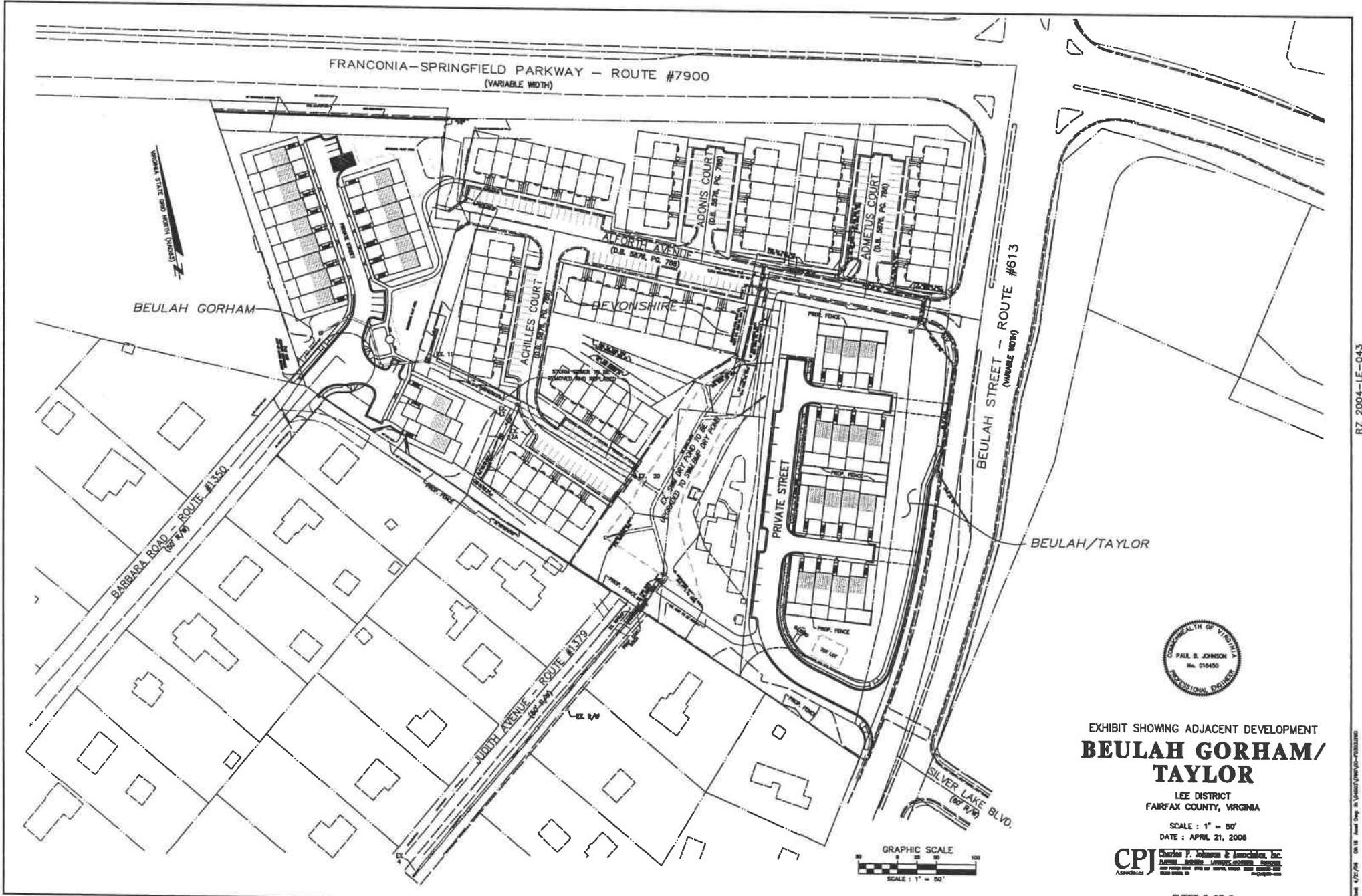


EXHIBIT SHOWING ADJACENT DEVELOPMENT
**BEULAH GORHAM/
 TAYLOR**

LEE DISTRICT
 FARFAX COUNTY, VIRGINIA

SCALE : 1" = 50'
 DATE : APRIL 21, 2006

CPJ Charles F. Johnson & Associates, Inc.
 ASSOCIATES
ARCHITECTS ENGINEERS PLANNERS INTERIORS



SHEET 8 OF 9

RZ 2004-LE-043

Revised: 4/27/06 08:18 AutoCAD: Paul B. Johnson/CPJ/MS-0432838

9-610 Provisions for Waiving Minimum Lot Size Requirements

The Board may approve, either in conjunction with the approval of a rezoning or a special exception, the waiving of the minimum district requirement for an R District, except for cluster subdivisions in the R-3 and R-4 Districts which have a minimum district size of the three and one half (3.5) acres or greater, the minimum lot area and/or width requirements for a C district or the minimum district requirement for the C-9 District, and the minimum district size, lot area and/or width requirements for an I district, but only in accordance with the following:

1. Such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance.
2. It shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties.
3. Such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied.

9-613 Provisions for Waiving Minimum Lot Width, Minimum Yard and Privacy Yard Requirements for Single Family Attached Dwelling Units

The Board may approve, either in conjunction with the approval of a rezoning or a special exception, the waiving of the minimum lot width, minimum yard and/or privacy yard requirements for single family attached dwelling units. Such waiver may be approved only if it will further the intent of the Ordinance, and the intent and implementation of the adopted comprehensive plan and other adopted policies.

13-304 Transitional Screening and Barrier Waivers and Modifications

Transitional screening and barriers may be waived or modified by the Director in any of the following circumstances. The Director may attach conditions to any waiver or modification which would assure that the results of the waiver or modification would be in accordance with the purpose and intent of this Part.

1. Transitional screening and barriers may be waived or modified between uses that are to be developed under a common development plan in the PDC or PRM Districts or a common development or site plan or series of development or site plans within a PRC District when compatibility between uses has been addressed through a combination of the location and arrangement of buildings or through architectural or landscaping treatments.

2. Where the strict provisions of this Part would reduce the usable area of a lot due to lot configuration or size to a point which would preclude a reasonable use of the lot, transitional screening and/or barriers may be waived or modified by the Director where the side of a building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.

3. Transitional screening may be modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.

4. The transitional screening yard width and planting requirements may be reduced as much as two-thirds (2/3) where the developer chooses to construct a seven (7) foot brick or architectural block wall instead of the lesser barrier indicated by the matrix. This wall may be reduced to a height of six (6) feet where the Director deems such a height will satisfy the purpose and intent of this Part.

5. Transitional screening and barriers may be waived or modified where the adjoining land is designated in the adopted comprehensive plan for a use which would not require the provision of transitional screening between the land under site plan and the adjoining property.

6. Transitional screening and barriers may be waived or modified where the adjacent property is zoned to allow a use similar to that of the parcel under site plan.

7. Transitional screening and barriers may be waived or modified where the adjoining property is used for any public purpose other than a school or hospital.

8. Transitional screening and barriers may be waived or modified when the adjoining land is used for a sawmilling operation or for a wayside stand.

9. Transitional screening and barriers may be waived or modified where adjacent residential property is used for any use permitted by the Board of Zoning Appeals or the Board of Supervisors as a special permit or special exception use except nursery schools, day care centers, schools of general and special education.

10. Transitional screening may be waived or modified when the adjoining land is an R district and is used for off-street parking as permitted by the provisions of Sect. 9-609.

11. Transitional screening and barriers may be waived or modified where the subject property abuts a railroad or interstate highway right-of-way, except the Dulles Airport Access Road.

12. The Director may waive or modify the barrier requirements where the topography of the lot providing the transitional screening and the lot being protected is such that a barrier would not be effective.

13. The Director may waive or modify the barrier requirements for single family attached dwelling units where a six (6) foot fence has been provided to enclose a privacy yard on all sides, and such fence is architecturally designed and coordinated with landscaping techniques to minimize adverse impact on adjacent properties.

14. Transitional screening and barriers may be waived or modified for any public use when such use has been specifically designed to minimize adverse impact on adjacent properties.

15. In affordable dwelling unit developments, where the strict application of the provisions of this Article would preclude compliance with the provisions of Part 8 of Article 2, transitional screening and/or barriers may be waived or modified.

16-401 Conceptual Development Plan Approval

1. An application for rezoning to a P district other than the PRC District shall include twenty three (23) copies of a conceptual development plan. A conceptual development plan not filed with the initial submission of the application shall be submitted within sixty (60) days of the acceptance date of the application. Failure to meet this requirement shall change the acceptance date of the application pursuant to Sect. 18-107, may be due cause to delay the processing of the application in accordance with Sect. 18-107, and may be due cause to dismiss the application in accordance with the provisions of Sect. 18-209.

2. In addition to the rezoning application requirements presented in Sect. 18-202, the conceptual development plan shall contain the information required by Sect. 501 below, together with such supplementary data for a particular development that may be deemed necessary by the Zoning Administrator.

3. Upon determination by the Zoning Administrator that the content of the conceptual development plan is complete in accordance with the requirements of Sect. 501 below, the plan and the application shall be submitted for comment and review to appropriate County departments and agencies. Upon completion of such administrative review, the plan and application shall be submitted to the Planning Commission.

4. The Planning Commission shall promptly consider the conceptual development plan and the rezoning application in accordance with the applicable zoning district regulations and shall hold a public hearing thereon.

5. Subsequent to the public hearing, the Planning Commission shall transmit the conceptual development plan and application to the Board, together with its recommendations as to approval or disapproval. The Planning Commission transmittal shall contain specific recommendations on the submission requirements set forth in Par. 1 through 5 of Sect. 501 below.

6. The Board shall consider the conceptual development plan and application for rezoning in accordance with the applicable zoning district regulations and shall hold a public hearing thereon. The Board shall approve, approve with modifications or disapprove the conceptual development plan.

7. In approving a conceptual development plan, the Board may establish such conditions and may require such modifications as shall assure compliance with the standards and regulations of the subject district; and further, the Board may waive or modify subdivision and/or site plan requirements otherwise applicable to the development when such waiver or modification would be in conformance with said standards and regulations.

8. In approving a conceptual development plan, the Board may authorize a variance in the strict application of specific zoning district regulations whenever:

A. Such strict application would inhibit or frustrate the purpose and intent for establishing such a zoning district; and

B. Such variance would promote and comply with the standards set forth in Part 1 above. In no case, however, shall the maximum density provisions under the PDH District and the maximum floor area ratio provisions under the PDC and PRM Districts be varied or modified.

9. In the event the Board shall disapprove the rezoning application, the conceptual development plan shall thereby be deemed to be denied.

10. In the event that the Board shall approve the rezoning application, the Board shall also approve or approve with modifications or conditions the conceptual development plan.

11. Once a conceptual development plan has been approved, all subsequent approvals, uses and structures shall be in substantial conformance with the approved conceptual development plan and any development conditions associated with such approval. Should there be cause for amendment of the conceptual development plan or any portion thereof, such amendment shall be processed as a new submission; provided, however, that the Zoning Administrator may waive any submission requirement if such requirement is not necessary for an adequate review of the conceptual development plan amendment application. A conceptual development plan amendment application may be filed on a portion of the property subject to

an approved conceptual development plan, upon a determination by the Zoning Administrator that the amendment

(a) would not adversely affect the use of the property subject to the conceptual development plan and conditions but not incorporated into the amendment application,

(b) would not inhibit, adversely affect, or preclude in any manner the fulfillment of the conceptual development plan and conditions applicable to the area not incorporated into the amendment application, and

(c) would not increase the overall approved density/intensity for the development. The portion of the conceptual development plan and previously approved conditions which are not subject to the amendment request shall remain in full force and effect.

12. Any development plan approved in conjunction with a PDH or PDC rezoning action prior to May 19, 1975 shall be deemed to be both an approved conceptual and final development plan.

RESIDENTIAL DEVELOPMENT CRITERIA

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

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

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

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

1. Site Design:

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

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.
- b) *Layout:* The layout should:
 - provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
 - provide dwelling units that are oriented appropriately to adjacent streets and homes;

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

2. Neighborhood Context

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

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

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

3. Environment:

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

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

4. Tree Preservation and Tree Cover Requirements:

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

5. Transportation:

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

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

- Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;
 - Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
- Provision of bus shelters;
 - Implementation and/or participation in a shuttle bus service;
 - Participation in programs designed to reduce vehicular trips;
 - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
 - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
 - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
 - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
 - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
 - The number and length of long, single-ended roadways should be minimized;
 - Sufficient access for public safety vehicles should be ensured.
- d) *Streets:* Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities:* Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
 - Connections between adjoining neighborhoods;
 - Connections to existing non-motorized facilities;
 - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
 - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
 - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
 - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;

- Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs:* Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. Public Facilities:

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

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

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

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

7. Affordable Housing:

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

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first

building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

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

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

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

ROLE OF DENSITY RANGES IN AREA PLANS

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

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

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals.

It should not be construed as representing legal definitions.

Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

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

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

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

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

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

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

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

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

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may be function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		