



**APPLICATION ACCEPTED:** August 21, 2014  
**PLANNING COMMISSION:** March 19, 2015  
**BOARD OF SUPERVISORS:** TBD

## County of Fairfax, Virginia

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**March 4, 2015**

### **STAFF REPORT**

**SE 2014-DR-057**

### **DRANESVILLE DISTRICT**

**APPLICANT:** Stephen C. Bryan and Sally T. Bryan

**ZONING:** R-1

**LOCATION:** 1318 Rockland Terrace

**PARCEL(S):** 31-1 ((1)) 17D and 18

**ACREAGE:** 5.63 ac

**DENSITY:** 0.71 du/ac

**OPEN SPACE:** 46%

**PLAN MAP:** Residential, 1-2 du/ac

**SE CATEGORY:** Category 6 – Cluster subdivision

**PROPOSAL:** The applicant seeks a Special Exception for a cluster subdivision to permit the development of four single-family detached units.

### **STAFF RECOMMENDATIONS:**

Staff recommends approval of SE 2014-DR-052, subject to development conditions consistent with those contained in Appendix 1.

Bob H. Katai

Staff recommends approval of the waiver minimum district size to 5.63 acres.

It should be noted that it is not the intent of staff to recommend that the Board, in imposing any conditions, 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.

The approval of this Special Exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

O:\bkatai\Bryan\Staff Report and Conditions\00 – Consolidated PDF Staff Report



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

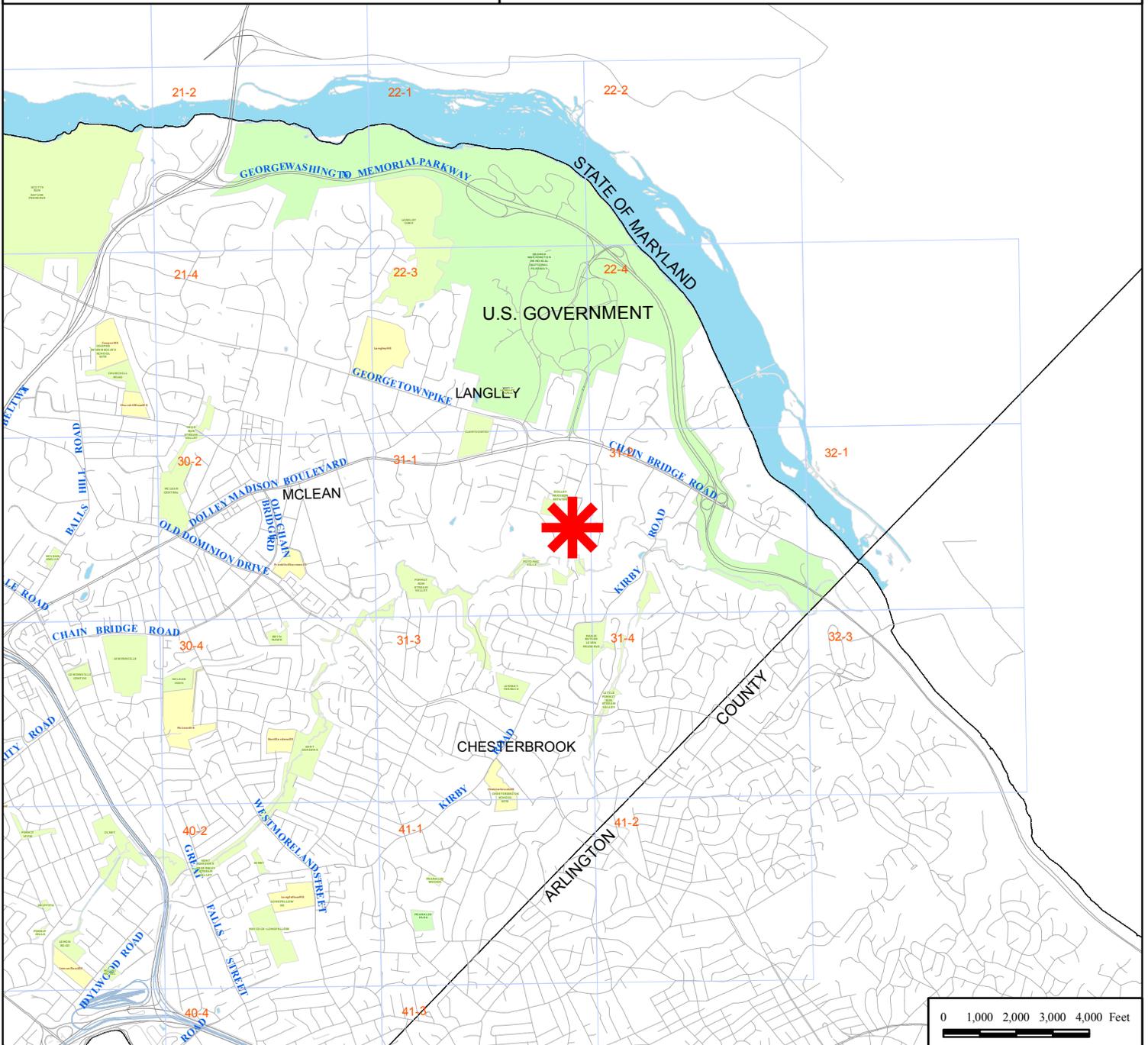
# Special Exception

SE 2014-DR-057

Applicant: STEPHEN C. BRYAN AND SALLY T. BRYAN  
Accepted: 08/21/2014  
Proposed: CLUSTER SUBDIVISION  
Area: 5.63 AC OF LAND; DISTRICT - DRANESVILLE

Zoning Dist Sect: 09-0615  
Located: 1318 ROCKLAND TERRACE, MCLEAN, VIRGINIA 22101

Zoning: R- 1  
Plan Area: 2,  
Overlay Dist:  
Map Ref Num: 031-1- /01/ /0017D /01/ /0018



# Special Exception

SE 2014-DR-057

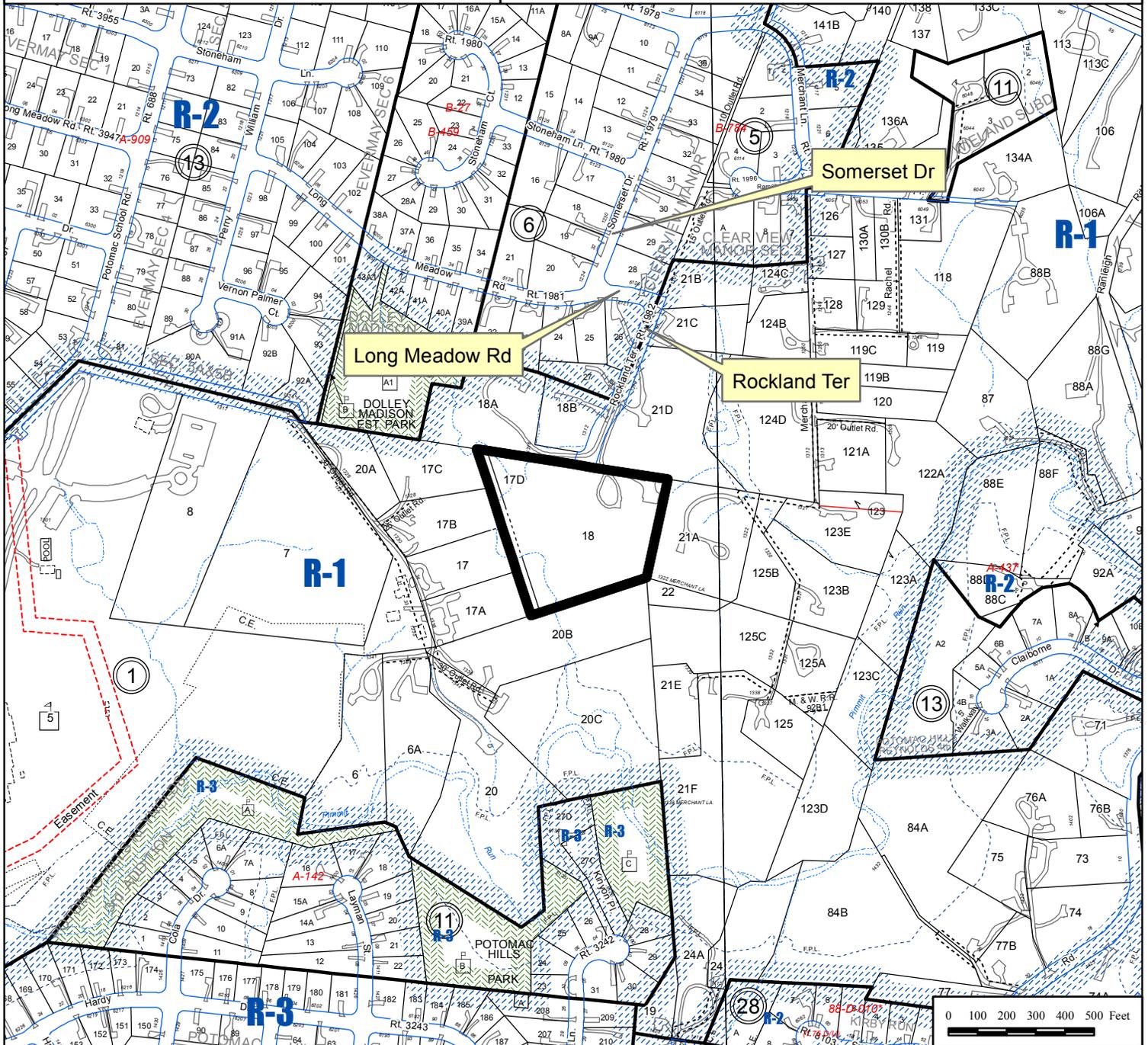


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**GENERAL NOTES:**

1. THE PROPERTY ON THIS PLAN IS SHOWN ON TAX MAP 31-1-(11)-18 AND IS NOW IN THE NAME OF STEPHEN C. BRYAN & SALLY T. BRYAN, RECORDED IN DEED BOOK 10742, PAGE 643, TAX MAP 31-1-(11)-17 AND IS NOW IN THE NAME OF STEPHEN C. BRYAN & SALLY T. BRYAN AS RECORDED IN DEED BOOK 10854, PAGE 581, BOTH AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA.
2. USE: RESIDENTIAL CLUSTER SUBDIVISION - 4 LOTS, CATEGORY 6 SPECIAL EXCEPTION TO PERMIT CLUSTER DEVELOPMENT.
3. ZONING: EXISTING: R-1 PROPOSED: R-1 CLUSTER
4. BOUNDARY AND TOPOGRAPHIC SURVEY SHOWN HEREIN IS BASED ON A FIELD SURVEY BY TRI-TEK ENGINEERING, INC., PERFORMED IN MAY, 2004. CONTOURS SHOWN IN 2 FT. INTERVALS.
5. HORIZONTAL DATUM: VCS 1983 GRID NORTH VERTICAL DATUM: U.S.G.S. MONUMENTS: NGVD 1929.
6. AREA SUMMARY:  
TRACT AREA: 245,459 S.F. OR 5.63498 AC.  
AREA OF LOTS: 123,329 S.F.  
AREA OF OUTLOT A: 117,378 S.F.  
STREET DEVIATION: 4,752 S.F.
7. DENSITY:  
PERMITTED: 1 D.U./ACRE  
PROVIDED: TRACT AREA: 245,459 S.F. OR 5.63498 AC.  
- FLOODPLAIN AREA/ADJACENT STEEP SLOPES >15%: 75,468 S.F.  
- SOIL OF TRACT AREA: 73,638 S.F.  
- AREA IN EXCESS OF 30% 1:50 S.F.  
- AREA IN EXCESS OF 1:10 S.F.  
- SOIL PERMITTED AREA FOR TRACT DENSITY: 244,544 S.F. OR 5.61396 AC.  
- MAX. SITE DENSITY: 1 D.U./1.40 AC. (MAX. 4 LOTS)
8. ZONING CRITERIA:  
MINIMUM DISTRICT SIZE: 10 ACRES  
MINIMUM LOT SIZE: 25,000 S.F.  
MINIMUM LOT WIDTH: NONE (CORNER LOT 125 FT.)  
MAXIMUM BUILDING HEIGHT: 35 FT.  
MINIMUM FRONT YARD: 30 FT. (25 FT. FOR PESTEM LOTS MEASURED TO LOT LINE OR EDGE OF PAVEMENT, WHICHEVER IS GREATER)  
MINIMUM SIDE YARD: 12 FT. BUT A TOTAL OF 40 FT. MINIMUM REAR YARD: 25 FT.
9. COMMON OPEN SPACE:  
REQUIRED: 30% X 245,459 S.F. = 73,638 S.F.  
PROVIDED: 117,378 S.F. OR 48%
10. PARKING:  
REQUIRED: 2 SPACES PER DWELLING UNIT  
PROVIDED: 117,378 S.F. OR 48%
11. THE PROPOSED LOTS ARE TO BE SERVED BY PUBLIC SANITARY SEWER AND PUBLIC WATER SERVICE.
12. ALL EASEMENTS ON THE PROPERTY NOT IDENTIFIED AS "EX" AND ACCOMPANIED BY A DEED BOOK AND PAGE NUMBER ARE PROPOSED EASEMENTS. PLANS IDENTICAL TO THESE EASEMENTS WILL BE SUBMITTED AS PART OF THE SUBDIVISION PLAN PROCESS.
13. THIS PLAN FULLY COMPLIES WITH THE AMENDED CBAY ORDINANCE AS ADOPTED BY THE BOARD OF SUPERVISORS ON JULY 7, 2003 AND MADE EFFECTIVE NOVEMBER 18, 2003.
14. A WATER QUALITY IMPACT ASSESSMENT (WQIA) AND/OR ANY CHEMISPEAK BAY EXCEPTIONS WILL BE PROVIDED IF SUCH ARE DETERMINED TO BE REQUIRED.
15. THIS PLAN IS COMPATIBLE WITH THE ADOPTED COMPREHENSIVE PLAN OF FAIRFAX COUNTY AND ADJACENT JURISDICTIONS.
16. THE PROPOSED DEVELOPMENT IS NOT ANTICIPATED TO HAVE ANY ADVERSE EFFECT ON ADJACENT OR NEIGHBORING PROPERTIES.
17. TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THERE IS NO EVIDENCE OF ANY GRAVE, OBJECT OR STRUCTURE MARKING A PLACE OF BURIAL.
18. TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES THAT ARE TO BE GENERATED, UTILIZED, STORED, TREATED AND/OR DISPOSED OF ON THIS SITE.
19. DEVELOPMENT OF THIS PROJECT SHALL COMMENCE AT SUCH TIME AS APPROPRIATE COUNTY APPROVALS HAVE BEEN OBTAINED AND SUBJECT TO THE DISCRETION OF THE OWNER.
20. THE SITE IS CURRENTLY IMPROVED WITH AN EXISTING DWELLING, OUTBUILDING AND POOL. THE SITE IS PARTIALLY WOODED. THE EXISTING HOME WAS BUILT IN 1956 AND ADDED ON IN 1941. THE OUTBUILDING WAS BUILT IN 1941. THE OWNER RETAINS THE RIGHT TO KEEP AND OR ADD ON TO THE HOUSE AND KEEP THE OUTBUILDING IN THE EVENT A NEW HOME IS NOT CONSTRUCTED.
21. DEVELOPMENT OF THIS SITE SHALL GENERALLY CONFORM TO THE LAYOUT PROPOSED BY THIS PLAN. MINOR DEVIATIONS SHALL BE PERMITTED DUE TO FINAL ENGINEERING DESIGN. AN EXTENSION OF ROCKLAND TERRACE IS PROPOSED TO PROVIDE SITE ACCESS. A SEPARATE PUBLIC IMPROVEMENT PLAN WILL BE PREPARED FOR THE EXTENSION OF THE ROAD.
22. NO TRAILS ARE REQUIRED ON THE SITE PER THE FAIRFAX COUNTY COMPREHENSIVE PLAN. A TRAIL EASEMENT IS PROPOSED TO BE PROVIDED FOR PEDESTRIAN ACCESS FROM ROCKLAND TERRACE TO THE OPEN SPACE OF OUTLOT A COINCIDENTAL WITH THE SANITARY SEWER EASEMENT.
23. LIMITS OF DISTURBANCE TO BE MAINTAINED AS SHOWN WITH THE EXCEPTION OF THAT CLEARING AND GRADING WHICH MAY BE NECESSARY TO FACILITATE UTILITY SERVICES TO THIS PROPERTY AND ADJACENT PROPERTIES.
24. HOUSE FOOTPRINTS SHALL MEET ALL EXISTING SETBACK REGULATIONS AND SHOULD BE LOCATED INSIDE THE LIMITS OF CLEARING AND GRADING. THE FOOTPRINTS SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY CHANGE IN SIZE AND LOCATION ON THE LOT, ALSO, POOLS, PATIOS, DECKS AND ANY OTHER ACCESSORY IMPROVEMENT SHALL BE PERMITTED TO THE EXTENT PERMITTED BY APPLICABLE ORDINANCES OF THE JURISDICTION.
25. LOTS TO BE ADDRESSED OFF ROCKLAND TERRACE, ROUTE 1982.
26. WITH THE EXCEPTION OF THE UTILITY INSTALLATION AND EASEMENTS, OUTLOT A SHALL REMAIN AS UNDISTURBED OPEN SPACE.
27. THERE ARE NO EXISTING UTILITY EASEMENTS IN EXCESS OF TWENTY FIVE (25) FT. IN WIDTH ON THE PROPERTY.
28. THE STREET SECTION IS SHOWN FOR THE EXTENSION OF ROCKLAND TERRACE. DESIGN WAIVERS/EXCEPTIONS MAY BE REQUIRED UPON FINAL ENGINEERING AND SUBJECT TO APPROVAL BY CITY.
29. IN THE EVENT THE FIRE MARSHAL REQUIRES FIRE ACCESS WITHIN THE PRIVATE PIPESTEM DRIVE, THE PAVEMENT WIDTH WILL LIKELY HAVE TO BE INCREASED TO 20 FT. WITH A FIRE DEPARTMENT TURNAROUND.

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

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

This information is required under the following Zoning Ordinance paragraphs:  
Special Permits (8-011 2 J & L) Special Exceptions (8-011 2 J & L)  
Cluster Subdivisions (8-015 10 & 11) Commercial Reutilization Districts (8-022 2A (12) & (14))  
Development Plans (PRC District (18-202 3 & 4)) PRC Plan (18-203 1E & 1G)  
FDX P Districts (except PRC) (18-202 1F & 1Q) Amendments (18-202 10F & 10I)

1. Plat at a minimum scale of 1"=50' (unless it is depicted on one sheet with a minimum scale of 1"=100').
2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, kite outlets, energy dissipation devices, and stream stabilization measures as shown on Sheet 3.
3. Provide:  
Facility Name/Type: On-site area served (acres) Off-site area served (acres) Drainage area (sq) Footprint area (sq) Storage Volume (cu) If pond, dam height (ft)  
MFL TRENCHES (ft) 2.03 2.03 4.200 15,400  
Total 2.03 2.03 4.200 15,400
4. On-site drainage channels, outfalls and pipe systems are shown on Sheet 3. Pond inlets and outlet pipe systems are shown on Sheet 3. A.
5. Maintenance access roads (paths) to stormwater management facility(ies) are shown on Sheet 3. Type of maintenance access road surface noted on the plan is ASPHALT, IMPACT, GRAVEL, GRAVE, etc.
6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet 3. A.
7. A "stormwater management narrative" which contains a description of how detention and best management practices requirements will be met is provided on Sheet 3. A.
8. A description of the existing conditions of each numbered site outlined downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet 3. A.
9. A description of how the outlet requirements, including contributing drainage areas of the Public Facilities Manual will be satisfied is provided on Sheet 3. A.
10. Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheets 3. A & 3. B.
11. A submission waiver is requested for: N/A
12. Stormwater management is not required because: N/A

**MODIFICATIONS/WAIVERS**

- THE SITE CONFORMS TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS OF FAIRFAX COUNTY, EXCEPT THE FOLLOWING:
1. A WAIVER OF SECTION 8-303.6 TO ALLOW UNDERGROUND DETENTION FACILITIES IN RESIDENTIAL DEVELOPMENTS. THIS PLAN PROPOSES THE USE OF INFILTRATION FACILITIES WITH PERFORATED PIPES OR STORMWATER STORAGE/CHAMBER (OR APPROVED EQUAL) PLASTIC CHAMBERS TO PROVIDE EXTRA STORAGE VOLUME IN THE ON-LOT TRENCHES. SEE DETAIL ON SHEET 3. WE WILL WORK WITH DMPS TO DESIGN AND PROVIDE MEASURES TO RESTRICT ACCESS SUCH THAT THE FACILITIES POSE NO SAFETY OR ENVIRONMENTAL RISKS. ADDITIONALLY, THE EXTRA VOLUME PROVIDED BY THESE CHAMBERS WILL ALLOW FOR MORE MANAGEABLE TRENCH SIZES, MINIMIZING POTENTIAL FUTURE MAINTENANCE COSTS TO THE HOMEOWNERS.
  2. A WAIVER OF SECTION 8-303.7 TO ALLOW ON-LOT SWM/BMP FACILITIES FOR SUBDIVISIONS OF LESS THAN SEVEN (7) LOTS. THIS SUBDIVISION IS FOUR LOTS AND ON-LOT CONTROLS ARE SUBJECT TO SECTION 8-610 TO WAIVE THE MINIMUM DISTRICT SIZE TO THAT OF THE PROPOSED PROPERTY.

**STORMWATER MANAGEMENT/RETENTION COMPUTATIONS:**

THE 0.51 ACRES OF OFFSITE DISTURBANCE (FOR EXTENSION OF ROCKLAND TERRACE) HAS BEEN INCLUDED IN THE CALCULATIONS FOR DETENTION FOR THIS DEVELOPMENT:

AREA = 5.63 AC (ONSITE) + 0.51 AC (ROCKLAND TERRACE) = 6.14 AC

PRE-DEVELOPMENT RUNOFF: 0=CIA  
 $C = ((0.71 * 0.9) * (0.54 * 0.5)) / 6.14 = 0.37$   
 $Q_1 \text{ @ } 24 \text{ HR} = 0.37 * 4.68 \text{ IN/HR} * 6.14 \text{ AC} = 9.29 \text{ CFS}$   
 $Q_2 \text{ @ } 24 \text{ HR} = 0.37 * 5.42 \text{ IN/HR} * 6.14 \text{ AC} = 12.31 \text{ CFS}$   
 $V_2 \text{ @ } 24 \text{ HR} = 0.37 * 0.65 \text{ "/2"} * 6.14 \text{ AC} = 0.1290 \text{ AC-FT}$

POST-DEVELOPMENT RUNOFF: 0=CIA  
 $C = ((1.39 * 0.9) * (0.70 * 0.5)) / 6.14 = 0.43$   
 $Q_1 \text{ @ } 24 \text{ HR} = 0.43 * 4.09 \text{ IN/HR} * 6.14 \text{ AC} = 10.79 \text{ CFS}$   
 $Q_2 \text{ @ } 24 \text{ HR} = 0.43 * 5.42 \text{ IN/HR} * 6.14 \text{ AC} = 14.31 \text{ CFS}$   
 $V_2 \text{ @ } 24 \text{ HR} = 0.43 * 0.65 \text{ "/2"} * 6.14 \text{ AC} = 0.1490 \text{ AC-FT}$

INCREASE DUE TO DEVELOPMENT:  
 $Q_1 \text{ @ } 24 \text{ HR} = 10.79 \text{ CFS} - 9.29 \text{ CFS} = 1.50 \text{ CFS}$   
 $Q_2 \text{ @ } 24 \text{ HR} = 14.31 \text{ CFS} - 12.31 \text{ CFS} = 2.00 \text{ CFS}$   
 $V_2 \text{ @ } 24 \text{ HR} = 0.1490 \text{ AC-FT} - 0.1290 \text{ AC-FT} = 0.0200 \text{ AC-FT}$

RUNOFF TO INFILTRATION TRENCHES (100% INFILTRATION):  
 $Q_1 \text{ @ } 24 \text{ HR} = (0.49) * (4.09 \text{ IN/HR}) * (2.03 \text{ AC}) = 4.07 \text{ CFS}$   
 $Q_2 \text{ @ } 24 \text{ HR} = (0.49) * (5.42 \text{ IN/HR}) * (2.03 \text{ AC}) = 5.39 \text{ CFS}$

RELEASE FROM SITE:  
 POST-DEVELOPMENT RUNOFF - RUNOFF TO INFILTRATION TRENCHES  
 $Q_1 \text{ @ } 24 \text{ HR} = 10.79 \text{ CFS} - 4.07 \text{ CFS} = 6.72 \text{ CFS}$   
 $Q_2 \text{ @ } 24 \text{ HR} = 14.31 \text{ CFS} - 5.39 \text{ CFS} = 8.92 \text{ CFS}$

AS THE RELEASE RATES FROM THE SITE IN BOTH THE 2-HR AND 10-HR, 24 HOUR STORM EVENTS IS LESS THAN THE PRE-DEVELOPMENT RUNOFF FROM THE SITE, IT IS OUR OPINION THAT DETENTION REQUIREMENTS FOR THIS DEVELOPMENT HAVE BEEN MET.

**STORMWATER MANAGEMENT/BMP FACILITIES GENERAL NOTES:**

STORMWATER CALCULATIONS FOR THIS PROJECT UTILIZE THE RATIONAL METHOD AND THE RAINFALL INTENSITIES AND RAINFALL DEPTHS ARE PER NOAA ATLAS 14 PARTIAL DURATION TIME SERIES FOR THE 24-HOUR STORM. NOAA ATLAS 14 DATA USED IS SUMMARIZED BELOW:

INTENSITY (IN/HR)	1-YEAR	2-YEAR	10-YEAR
	3.40	4.09	5.42
DEPTH (IN)	0.57	0.68	0.90

THE SWM/BMP FACILITIES PROPOSED (INFILTRATION FACILITIES) BY THIS PLAN EXCEED THE MINIMUM REQUIRED REDUCTION IN PHOSPHORUS POLLUTION LOADING GENERATED BY THE PROJECT.

IN THE EVENT THAT CONDITIONS ON SITE DO NOT PERMIT THE USE OF THE ABOVE REFERENCED SWM/BMP TYPES OR REQUIRES A MODIFICATION IN THE NUMBER AND/OR TYPE OF PROPOSED FACILITIES, THE OWNER RESERVES THE RIGHT TO REMOVE AND/OR SUPPLEMENT ALTERNATIVE SWM/BMP OPTIONS (INCLUDING NUTRIENT OFFSET CREDITS) TO ADDRESS THE ONSITE REQUIREMENTS.

FULL DESIGN OF THE PROPOSED INFILTRATION TRENCHES, INCLUDING SITE SPECIFIC DETAILS AND COMPUTATIONS, SHALL BE PROVIDED AT THE TIME OF FINAL ENGINEERING.

**STORMWATER DRAINAGE/OUTFALL NARRATIVE:**

STORMWATER RUNOFF DRAINS FROM THE SITE DISTURBANCE TO TWO SEPARATE OUTFALLS, ONE TO THE WEST (OUTFALL A) AND ONE TO THE EAST (OUTFALL B).

OUTFALL A: RUNOFF TO OUTFALL A TRAVELS TO THE WEST THROUGH THE SITE INTO THE ONSITE INFILTRATION FACILITIES PROPOSED BY THIS PLAN. RUNOFF NOT CONTROLLED BY ONSITE INFILTRATION FACILITIES FLOWS OVERLAND OR THROUGH PROPOSED CLOSED CURB STORM SEWER PIPE UNTIL IT DISCHARGES INTO THE BED AND BANKS OF AN UNNAMED TRIBUTARY OF PIAMT RUN, IN THE PIAMT RUN WATERSHED.

CHANNEL PROTECTION: THE 2-YEAR, 24 HOUR STORM WAS CHECKED WHICH CONFIRMED NON-EROSIVE VELOCITIES IN THE CHANNEL. SEE SHEET 3 FOR COMPUTATIONS AND CROSS SECTIONS. AS SUCH, THE MAXIMUM 1-YEAR STORM RELEASE WAS ANALYZED AGAINST THE PREDEVELOPMENT CONDITION PER 124-4-4.8.3.C. SEE CALCULATIONS BELOW:

$Q_{max} \text{ dev} \leq L.F. * (Q_{pre} * R_{wvel}) / R_{wvel}$   
 $L.F. = 0.8 \text{ (AREA } > 1.0 \text{ AC)}$   
 $Q_{pre} = 9.29 \text{ CFS}$   
 $R_{wvel} = (0.40) * (3.40 \text{ IN/HR PER NOAA ATLAS 14 CHART}) * (3.14 \text{ AC}) = 4.3 \text{ CFS}$   
 $R_{wvel} = (0.40) * (5.42 \text{ IN/HR PER NOAA ATLAS 14}) * (150,716 \text{ SF}) = 2,854 \text{ CFS}$   
 $R_{wvel} = R_{wvel} - R_{wvel} \text{ (REDUCTION BY SF. TRENCHES PER WQIA)}$   
 $R_{wvel} = ((0.50) * (0.57 \text{ IN PER NOAA ATLAS 14}) * (150,716 \text{ SF})) - 2,807 \text{ CFS} = 3,579 \text{ CFS} - 2,807 \text{ CFS} = 772 \text{ CFS}$   
 $Q_{max} \text{ dev} \leq 0.8 * (4.71 \text{ CFS} * 2,854 \text{ CFS}) / (3,579 \text{ CFS}) = 3.02 \text{ CFS}$

$Q_{dev} = Q_1 \text{ (PRE-DEV)} - Q_1 \text{ (POST-DEV)}$   
 $Q_{dev} = ((0.50) * (3.40 \text{ IN/HR PER NOAA ATLAS 14}) * (3.14 \text{ AC})) - ((0.40) * (3.40 \text{ IN/HR}) * (2.03 \text{ AC})) = 5.88 \text{ CFS} - 3.08 \text{ CFS} = 2.80 \text{ CFS}$   
 $AS \text{ } Q_{max} \text{ (2.50 CFS)} \leq Q_{dev} \text{ (2.80 CFS)}, \text{ CHANNEL PROTECTION CRITERIA HAVE BEEN MET.}$

THE POINT OF COMPLIANCE FOR CHANNEL PROTECTION REVIEW IS WHERE THE ONSITE STORM SEWER DISCHARGES INTO THE UNNAMED TRIBUTARY (THE POINT WHERE THE SITE'S CONTRIBUTING DRAINAGE AREA (3.46 AC) JOINS ANOTHER CHANNEL, THAT IS AT LEAST 50 FEET FROM THE SITE (118 AC)). THE LIMIT OF ANALYSIS IS 150 DOWNSTREAM OF THIS POINT PER COUNTY CODE 124-4-4.8.6.C. CROSS SECTIONS ARE PROVIDED ON SHEET 4 VERIFYING CHANNEL ADEQUACY IN ACCORDANCE WITH CODE SECTION 124-4-4.8. AS SUCH, THIS OUTFALL IS DEEMED ADEQUATE AS PER COUNTY CODE 124-4-4.4.

FLOOD PROTECTION: THE 10-YEAR STORM EVENT WAS ANALYZED AND FOUND TO BE CONTAINED WITHIN THE EXISTING CHANNEL, BED AND BANKS PERTAINING TO 124-4-4.1.1. SEE CROSS SECTION AND COMPUTATIONS ON SHEET 4 FOR MORE DETAILS.

THE POINT WHERE THE UNNAMED TRIBUTARY JOINS PIAMT RUN IS THE LIMIT OF ANALYSIS FOR THIS OUTFALL REVIEW PER COUNTY CODE 124-4-4.8.5.6 (THE POINT WHERE THE SITE'S CONTRIBUTING DRAINAGE AREA (3.28 AC) IS LESS THAN 1.0% OF THE TOTAL WATERSHED AREA (34609 AC)). CROSS SECTIONS ARE PROVIDED ON SHEET 4 VERIFYING THE ADEQUACY OF THIS CHANNEL IN ACCORDANCE WITH CODE SECTION 124-4-4.2 FOR FLOOD PROTECTION. AS SUCH, THIS OUTFALL IS DEEMED ADEQUATE AS PER COUNTY CODE 124-4-4.4.

OUTFALL B: THE REMAINDER OF THE SITE DRAINS TO THE NORTH VA SHEET FLOW FROM THE REAR OF LOT 1 AT LOCUS LESS THAN PREDEVELOPMENT. AS SUCH, THIS OUTFALL IS DEEMED ADEQUATE PER COUNTY CODE 124-4-4.4. SEE COMPUTATIONS BELOW.

PRE-DEVELOPMENT:	POST-DEVELOPMENT:
DA = 0.25 AC	DA = 0.16 AC
Q <sub>1</sub> = 0.87 CFS	Q <sub>1</sub> = 0.65 CFS
Q <sub>2</sub> = 0.87 CFS	Q <sub>2</sub> = 0.39 CFS
Q <sub>3</sub> = 1.16 CFS	Q <sub>3</sub> = 0.52 CFS

AS SUCH, IT IS OUR OPINION THAT ADEQUATE OUTFALL REQUIREMENTS FOR THIS SITE HAVE BEEN MET AT BOTH SITE OUTFALLS.

**STORMWATER MANAGEMENT/RETENTION NARRATIVE:**

THE STORMWATER MANAGEMENT/RETENTION TRENCHES PROPOSED FOR THE SUBJECT PROPERTY ARE ON-LOT INFILTRATION TRENCHES WHICH WILL BE PRIVATELY MAINTAINED AND WILL PROVIDE CONTROLS FOR THE LOTS SERVED/OVERALL DEVELOPMENT.

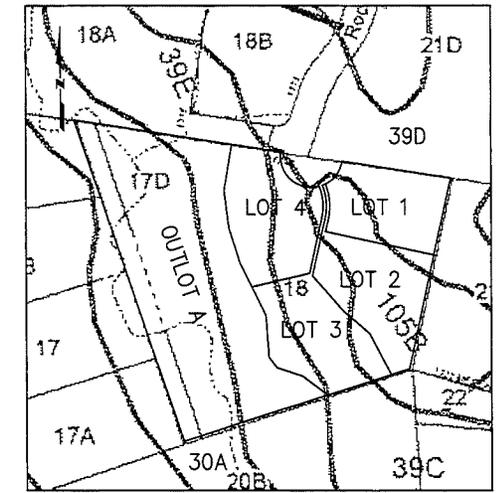
CALCULATIONS OF THE PRE- AND POST-DEVELOPMENT SITE RESULT IN AN INCREASE IN RUNOFF DUE TO THIS DEVELOPMENT (SEE COMPUTATIONS THIS SHEET). INFILTRATION TRENCH LOCATIONS ARE PROPOSED ON THE RESIDENTIAL LOTS TO DETAIN AND INFILTRATE THIS INCREASED RUNOFF. FIELD INSPECTIONS BY S&S INC. AND A PRELIMINARY REPORT PROVIDED, DATED NOV. 20, 2014 VERIFY THE SOILS WILL SUPPORT THESE TYPES OF FACILITIES (COPY PROVIDED AS ATTACHMENT TO THIS SUBMISSION).

AS SUCH, IT IS OUR OPINION THAT STORMWATER MANAGEMENT/RETENTION REQUIREMENTS FOR THIS SITE HAVE BEEN MET.

**OVERLAND RELIEF NARRATIVE:**

OVERLAND RELIEF FOR THE SITE IS PROVIDED THROUGH THE RESIDENTIAL DRIVEWAYS AND YARDS TO THE ON-LOT INFILTRATION FACILITIES. INFILTRATION TRENCH LOCATIONS ARE TYPICALLY DESIGNED WITH A SWAMP TO ALLOW WATER TIME TO INFILTRATE INTO THE STONE CHAMBER. IN THE EVENT THAT THE ONSITE STORM SEWER SYSTEM (THE INFILTRATION FACILITIES) BECOME IMPASSABLE DUE TO CLOGGING IN A 100-YR EVENT, WATER WILL POND IN THE LOCALIZED SWAMP AREAS AND IF OVERHELMED, WILL OUTFLOW THROUGH THE EMERGENCY WERS ULTIMATELY DRAINING TO THE WEST, OVERLAND INTO THE BED AND BANKS OF PIAMT RUN.

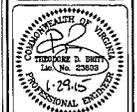
AS SUCH, IT IS OUR OPINION THAT OVERLAND RELIEF REQUIREMENTS FOR THE SITE HAVE BEEN MET.



**SOILS MAP**  
SCALE: 1" = 100'

LOT NO.	SOIL TYPE
LOT 1	39D, 105B
LOT 2	39C, 39D, 105B
LOT 3	39C, 39E, 105B
LOT 4	39C, 39E, 105B
OUTLOT A	30A, 39C

**TRI-TEK ENGINEERING**  
CIVIL ENVIRONMENTAL LAND PLANNING SURVEYING  
690 Center Street Suite 300  
Herndon, Virginia 20170  
W: (703) 481-5900  
F: (703) 481-5901  
Info@tritekinc.com



**BRYAN PROPERTY**  
UNASSAILABLE DISTRICT

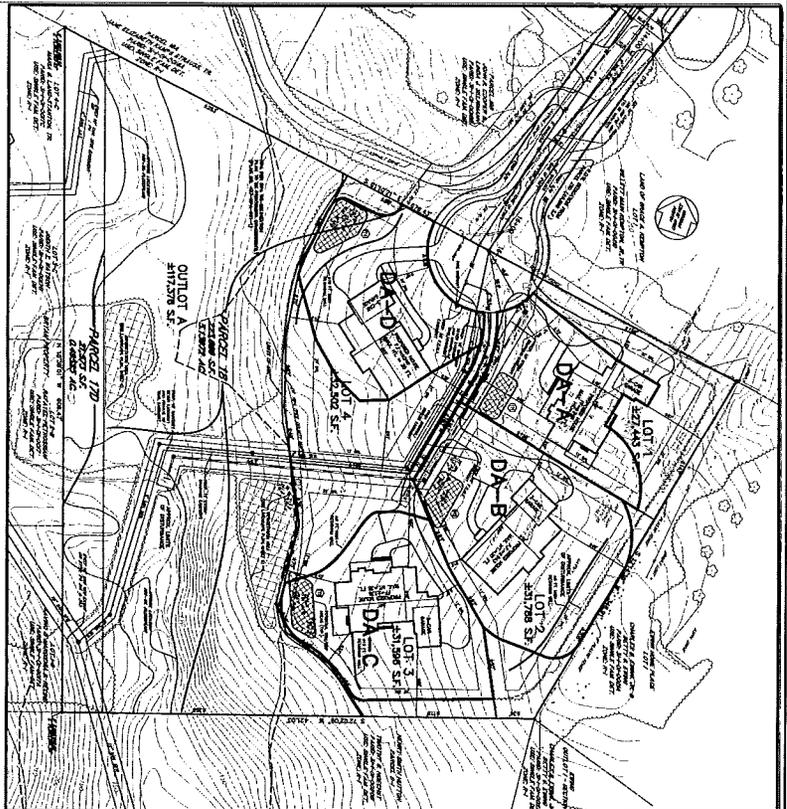
**GENERAL NOTES**

DATE	REVISION	BY	DATE
08/14/14	PER COUNTY COMMENTS		
11/19/14	PER COUNTY COMMENTS		
01/21/15	PER COUNTY COMMENTS		
02/10/15	PER COUNTY COMMENTS		

PLAN JOB DATE: 08/05/14  
CO. JOB SHEET: 2 OF 2







BMP/SIM AREA MAP  
SCALE: 1"=50'

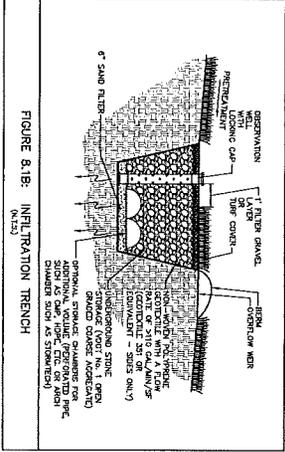


FIGURE 8.11B: INFILTRATION TRENCH  
SCALE: 1"=12"

SITE DATA

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WATER QUALITY COMPLIANCE

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DATE	REVISION
08.14.14	PER COUNTY COMMENTS
11.19.14	PER COUNTY COMMENTS
01.05.15	PER COUNTY COMMENTS
01.29.15	PER COUNTY COMMENTS

**STORMWATER  
MANAGEMENT &  
BMP COMPUTATIONS**

**BRYAN PROPERTY**  
BRUNESVILLE DISTRICT  
FAIRFAX COUNTY, VIRGINIA



**TRITEK ENGINEERING**  
CIVIL, ENVIRONMENTAL, LAND PLANNING, SURVEYING  
680 Oakleaf Street  
Suite 305  
Hampton, Virginia 23706  
P: (703) 481-5900  
F: (703) 481-5800  
www.tritekengineering.com





## **DESCRIPTION OF THE APPLICATION**

The applicants, Stephen C. Bryan and Sally T. Bryan, request approval of SE 2014-DR-057 in order to permit a cluster residential development on 5.63 acres of land at the terminus of Rockland Terrace. The subject property includes areas impacted by floodplains and adjoining slopes in excess of 15 percent (30.75 percent of the property). In accordance with Sect. 2-308 of the Zoning Ordinance, the maximum permitted density is therefore based on 5.61 acres. The applicant is proposing to create four single-family detached residential lots with 2.79 acres of open space. The proposed density will be 0.71 dwelling per acre. The lots will obtain access from an extension of Rockland Terrace. The site is zoned R-1 (one dwelling unit per acre).

A reduced copy of the Special Exception (SE) Plat is included at the front of this report. The proposed development conditions, the Applicants' Affidavit and the Statement of Justification are contained in Appendices 1, 2, and 3, respectively.

### **Waivers and Modifications**

The applicant requests a waiver of the minimum district size, established by Par. 1 of Sect. 3-105 of the Zoning Ordinance, from 10 to 5.63 acres.

## **LOCATION AND CHARACTER**

### **Location**

The application site is located south of Chain Bridge Road and north of Pimmit Run in the Dranesville District. The site is accessed from Chain Bridge Road via Merchant Lane, then through a series of local residential streets, leading to Rockland Terrace, which terminates as a public street approximately 300 feet north of the site. The roadway continues onto the site as a shared, privately maintained street and finally a driveway. The Potomac School is located approximately a quarter mile to the southwest of the site.

### **Site Description**

The application site consists of two parcels of land, Parcel 18 (5.14 acres) and Parcel 17D (0.49 acres). Parcel 17D is a narrow, 36-foot wide lot that extends along the entire western boundary of the subject property. While it appears that this lot was right-of-way for a roadway, it does not provide access to adjoining parcels and is not encumbered with access easements.

The site is developed with a two-story, single family residence that is accessed via a private roadway extending from Rockland Terrace. The dwelling, constructed in 1852, was remodeled and expanded in 1949 and is presently occupied. The eastern portion of the site, in the vicinity of the residence, is landscaped. Adjoining areas have been cleared and utilized as pasture. An unnamed tributary associated with Pimmit Run traverses in a north-south direction along the western boundary of the property. This stream valley, and its related 100-year floodplain, Resource Protection Area (RPA), and Environmental Quality Corridor (EQC), encompass approximately 2.79 acres of the

western portion of the site. This area is primarily characterized by steeply sloping terrain covered with turf grass and dense, deciduous vegetation.

The site slopes generally from east to west, with the highest point adjoining the existing residence, near the northeast corner (250 feet in elevation) and the lowest point being in the stream channel, near the southwest corner (174 feet in elevation). In some areas of the site, the slopes exceed 70 percent. The stream channel and its adjoining steep slopes comprise approximately 30 percent of the site. As such, the development is subject to a density penalty per Sect. 2-308 of the Zoning Ordinance.

Immediately surrounding the subject site are properties zoned R-1 and developed with single-family residences on lots ranging in size from one to 2.5 acres. Within 200 feet to the north are properties that zoned are R-2 with single-family residences on half-acre lots.



Figure 1: Site and Surrounding Development

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan Map
North	Residential	R-1, R-2	Residential, 1-2 du/acre
East	Residential	R-1	Residential, 1-2 du/acre
South	Residential	R-1	Residential, 1-2 du/acre
West	Residential	R-1	Residential, 1-2 du/acre

## BACKGROUND

There are no previously accepted rezoning applications or proffers associated with the subject property.

## COMPREHENSIVE PLAN PROVISIONS

<b>Plan Area:</b>	Area II
<b>Planning District:</b>	McLean Planning District
<b>Planning Sector:</b>	M3 Kirby Community Planning Sector
<b>Plan Map:</b>	Residential 1-2 du/ac
<b>Plan Text:</b>	

The Plan does not contain any specific recommendations for the subject property. However, it notes that infill development should be of compatible use, type and intensity per Fairfax County Policy Plan Land Use Objectives 8 and 14 (provided in full below). The Plan Land Use Map recommends that the subject property be developed with residential properties at a density of one to two dwelling units per acre.

***Objective 8: Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.***

*Policy a. Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur.*

*Policy b. Discourage commercial development within residential communities unless the commercial uses are of a local serving nature and the intensity and scale is compatible with surrounding residential uses.*

*Policy c. Discourage the consolidation of residential neighborhoods for redevelopment that is incompatible with the Comprehensive Plan.*

*Policy d. Implement programs to improve older residential areas of the county to enhance the quality of life in these areas.*

*Policy e. Encourage land owners within residential conservation and revitalization areas to contribute to the funding of these efforts.*

***Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses.***

*Policy a. Locate land uses in accordance with the adopted guidelines contained in the Land Use Appendix.*

*Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.*

*Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening.*

*Policy d. Employ a density transfer mechanism to assist in establishing distinct and compatible edges between areas of higher and areas of lower intensity development, to create open space within areas of higher intensity, and to help increase use of public transportation at Transit Station Areas.*

*Policy e. Stabilize residential neighborhoods adjacent to commercial areas through the establishment of transitional land uses, vegetated buffers and/or architectural screens, and the control of vehicular access.*

*Policy f. Utilize urban design principles to increase compatibility among adjoining uses.*

*Policy g. Consider the cumulative effect of institutional uses in an area prior to allowing the location of additional institutional uses.*

*Policy h. Utilize landscaping and open space along rights-of-way to minimize the impacts of incompatible land uses separated by roadways.*

*Policy i. Minimize the potential adverse impacts of the development of frontage parcels on major arterials through the control of land use, circulation and access.*

*Policy j. Use cluster development as one means to enhance environmental preservation when the smaller lot sizes permitted would complement surrounding development.*

*Policy k: Provide incentive for the preservation of EQCs by allowing a transfer of some density potential on the EQC area to less sensitive portions of a site. The development allowed by the increase in effective density on the non-EQC portion of the site should be compatible with surrounding area's existing and/or planned land use. It is expressly intended that in instances of severely impacted sites (i.e. sites with a very high proportion of EQC), density/intensity even at the low end of a range may not be achievable.*

*Policy l: Regulate the amount of noise and light produced by nonresidential land uses to minimize impacts on nearby residential properties.*

## **DESCRIPTION OF THE SPECIAL EXCEPTION (SE) PLAT**

(Copy included at the front of the report)

**Title of SE Plat:** Bryan Property

**Prepared By:** Tri-Tek Engineering, Inc.

**Original and Revision dates:** August 14, 2014 through January 29, 2015

The SE Plat consists of seven sheets:

1. Cover Sheet
2. General Notes
3. Special Exception Plat
4. Drainage Divides and SWM
5. Stormwater Management & BMP Computations
6. Landscape Plans
7. Existing Vegetation Map

### ***Proposed Layout***

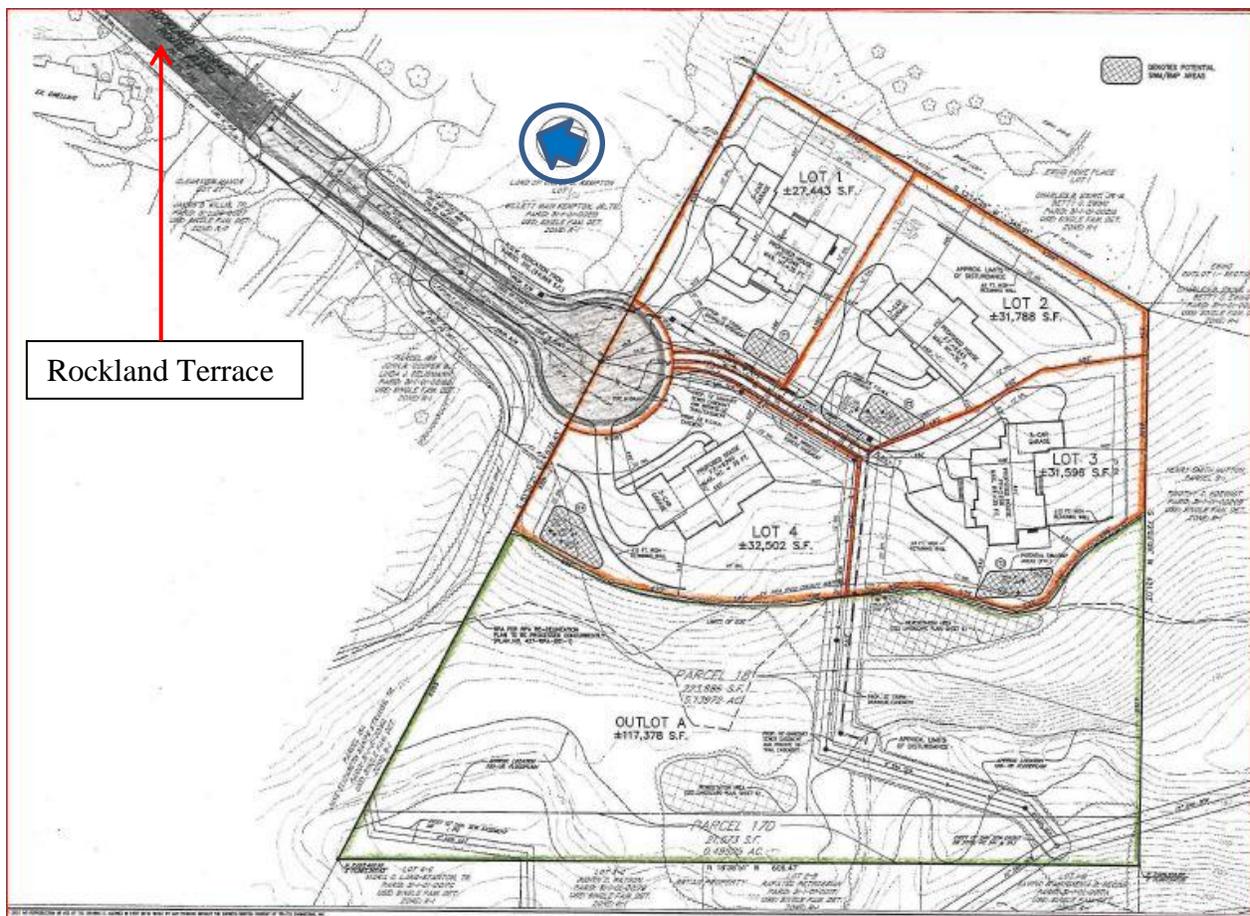


Figure 2: Site Layout

The SE Plat (Figure 2) clusters the four proposed lots in the eastern portion of the site in order to respect the RPA and the EQC. All of the RPA or EQC areas are shown on the SE Plat as a separate outlot that will be owned and maintained in common by the future homeowners. The proposed residential lots average 30,832 square feet in area, with the lots ranging in size from 27,443 to 32,502 square feet. All dwellings will have a minimum 30-foot front yard setback, 25-foot rear yard setback and 12-foot side

yard setback for one side (with a minimum 40 total feet of side yard setback), which meets the regulations of the R-1 Cluster District.

### ***Vehicular and Pedestrian Circulation***

The proposed lots will be accessed by improvement of the existing private roadway extension of Rockland Terrace. This roadway will be improved to VDOT standards and terminate as a new cul-de-sac that will be constructed at the northern boundary of the property. In addition to the on-site roadway construction and right-of-way dedication for the southern half of the cul-de-sac, this roadwork will require off-site roadway construction and right-of-way dedication from the adjoining property owner to the northeast [Tax Map No. 31-1 ((1)) 01-21D]. The applicant has executed a written agreement with the affected property owner for dedication of the necessary right-of-way. The proposed subdivision implementing the SE Plat cannot proceed without the concurrent street improvements. The four proposed lots will obtain access via driveways emanating from the cul-de-sac. Lots 2 and 3 will share a common driveway constructed over the pipe-stem portions of their lots.

The applicant has requested that VDOT allow the proposed 20-foot wide roadway (with six-foot wide shoulders) section to be accepted into the State system. Given the anticipated low amount of traffic, VDOT has previously indicated that such an allowance would be granted. In keeping with the rural character of the surrounding development, the Rockland Terrace extension is not planned to have adjoining sidewalks. The SE Plat shows a 10-foot wide private trail easement over the sanitary sewer easement that traverses the property from the head of the cul-de-sac to the streambed of the tributary of Pimmit Run. While this trail would provide access to the streambed, it would not connect to any existing trail.

### ***Parking***

The SE Plat shows all dwellings as having three-car garages with at least three parking spaces in the driveways. In addition, as street parking will not be available, additional private residential parking can be accommodated by supplemental parking pads and widened driveway sections as shown on the SE Plat.

### ***Landscape and Open Space***

The proposal's 46 percent (2.79 acres) open space meets the minimum required 30 percent open space for the application site. This open space area is comprised of RPA and EQC. The EQC includes all of the RPA, plus additional area comprised of the slopes to the immediate west of Lots 4 and 3. The SE Plat's Landscape Plan, contained on Sheet 6, shows the proposed landscaping, including the two disturbed areas of the open space that will be revegetated. The existing trees in the open space will be preserved. Additional plantings will be provided between the residential sites and along those perimeter boundary areas where vegetation enhancement is warranted by insufficient existing forest cover.

### ***Stormwater Management***

An unnamed tributary with a drainage area of approximately 114 acres runs along the western edge of the site from north to south, and flows into Pimmit Run. The runoff from the subject property flows into this tributary. As shown on Sheet 5 of the SE Plat, stormwater will be accommodated by individual infiltration trenches located on each of the proposed lots.

## **STAFF ANALYSIS**

### **Land Use**

The proposed cluster development must meet the Guidelines for Cluster Development and the Residential Development Criteria, both contained within the Policy Plan of the Comprehensive Plan.

### **Guidelines for Cluster Development** (Appendix 11)

The preservation of open space, the protection of environmentally sensitive lands, the provision of opportunities for active and passive recreation, the reduction of the impact of stormwater runoff and erosion, the achievement of high quality design, and the provision of efficient development are fundamental to the preservation of quality of life, the primary goal of Fairfax County's policies and priorities. Cluster development is one tool that may be used to further this goal. The following criteria will be considered when reviewing a cluster subdivision:

- 1. Individual lots, buildings, streets and parking areas should be designed and situated to minimize disruption to the site's natural drainage and topography.*

The proposed development's layout has been designed to respect the RPA and EQC, where much of the site naturally drains as sheet flow. The proposed layout clusters the lots away from the RPA and EQC and towards the relatively flatter areas of the site that is mostly cleared of trees.

- 2. Environmental Quality Corridor (EQC) lands should be preserved and should be dedicated to the county whenever such dedication is in the public interest.*

The proposed layout preserves the EQC as common open space. No lot is proposed within the EQC boundary. The EQC is not delineated as open space on the Comprehensive Plan and does not adjoin other public open space. Therefore, staff does not believe that dedication of the property's EQC to the county is in the public interest.

- 3. Site design should take advantage of opportunities to preserve high quality open space or to provide active or passive recreation and should be sensitive to surrounding properties, in order to be compatible with and to complement surrounding development.*

The proposed layout has been designed to protect open space on the western portion of the site, along the tributary to Pimmit Run. This area, which consists of RPA and EQC lands, furthers the creation of a contiguous open space corridor along this tributary. The private trail shown on the SE Plat will provide future residents the opportunity to access the open space and the streambed. The trail would not connect to any existing trails. Staff encouraged the applicant to record a public easement over the trail to provide a link to the Pimmit Run Trail should the missing trail segments be secured in the future. Due to the proposed trail being partially located on a private driveway and in close proximity to the residences, the applicant has been reluctant to do so.

4. *No cluster development should be considered when the primary purpose of the clustering is to maximize density on the site.*

The purpose of the cluster development for this proposal is to respect the RPA and EQC and to create high-quality, contiguous open space. This cluster development does not increase the site's potential density. The proposed density of the site is 0.71 dwellings per acre, which falls below the maximum density of one dwelling unit per acre permitted by the zoning. (Factoring the site's environmental constraints, floodplains, does not significantly affect the maximum permitted density.) The applicant submitted a by-right layout to demonstrate the number of lots that could be created without utilizing the cluster provisions. The by-right demonstration layout showed four larger, standard R-1 lots, two of which extended in the EQC, as permitted by the by-right provisions. Clearly, the use of the cluster provisions, with its allowances for smaller lots, allowed the applicant to remain outside of the RPA/EQC and not receive an increase in density.

### **Residential Development Criteria (Appendix 12)**

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, being responsive to historic heritage, contributing to the provision of affordable housing, and being responsive to the unique, site specific considerations of the property. Accordingly, all zoning requests for new residential development are evaluated based on the following eight criteria:

1. Site Design

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

The Comprehensive Plan states that the subject property should be developed with residential development between the range of 1 - 2 du/ac. The proposed plat is consistent with this recommended density. As previously noted, the proposed

cluster layout preserves an EQC/RPA along a stream channel. Preservation of these types of corridors maintains their effectiveness as travel ways for wildlife. Given the topography of the area and the existing road system, the proposed plat will not preclude adjacent parcels from development in accordance with the Plan. The lots to the north, east, and west have already been developed to the planned densities or have alternative accesses readily available. The lot to the south [Tax Map No. 31-1 ((1)) 01-20B], has the potential to subdivide; however, a further southerly extension of Rockland Terrace would promote building sites in close proximity to the EQC in both properties.

The site is immediately surrounded by residential communities of similar character in all directions (zoned R-1 with single-family detached dwellings). Two hundred feet north of the subject property are communities that are zoned R-2 with half-acre lots.

The proposed development of four single-family detached houses will be compatible with the surrounding area and the site

## 2. Neighborhood Context

*The Neighborhood Context Development Criterion requires the development proposal to fit into the fabric of the community as evidenced by an evaluation of the bulk/mass/orientation of proposed dwelling units, lot sizes, architectural elevations/materials, and changes to existing topography and vegetation in comparison to surrounding uses.*

In staff's opinion, the proposal is compatible with the surrounding neighborhood context. The eastern portion of the site will be adequately buffered with existing trees and proposed trees, and the adjacent community to the west will be separated by at least a 200-foot wide open space along an unnamed tributary to Pimmit Run. With the proposed units facing interior to the new cul-de-sac, off-site visibility is greatly minimized. The proposed lot sizes for the application site (30,832 square feet on average) are slightly smaller in size to surrounding adjoining lots, which range in size from approximately 43,562 to 136,386 square feet. Though some trees are being removed to allow for the development of the property, the applicant is exceeding the tree canopy requirement, primarily through preservation of trees outside of the development area and the provision of new plantings in the development area.

## 3. Environment

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

***Environmental Analysis*** (Appendix 4)

Due to the stream channel that traverses the western portion of the site, that area is designated as a minor floodplain and RPA. There is also an EQC, which includes all of the RPA as well as additional, adjoining lands. None of the lots encroach into the RPA/EQC areas.

Disturbance within the RPA/EQC will be limited to the extension of a sewer line and a storm drainage outfall. As both facilities must be located in a manner that would allow them to take advantage of gravity flow, their locating options are limited. The sanitary line is an allowed use in the RPA under the Chesapeake Bay Preservation Ordinance (CBPO) Sect. 118-5-2(b). The outfall pipe is an allowed use in the RPA under CBPO Sect. 118-5-2(a). Prior to approval of these RPA incursions, a Water Quality Impact Assessment will be required as part of the Site Plan Review of this project. The applicant is planning to revegetate two areas within the RPA/EQC that are disturbed/cleared which may enhance water quality benefits of the RPA buffer. Further, staff encourages the applicant to work with the Urban Forestry Management Division of DPWES in order to augment the proposed landscaping plan in areas of the EQC which are currently developed as turf.

In support of the County's green building policy, the applicant should commit to the attainment of Earthcraft House or the 2012 National Green Building Standard (formerly known as NAHB National Green Building Certification) using the Energy Star Qualified Homes path for energy performance. Development condition language has been provided addressing these policy recommendations.

***Stormwater Management Analysis*** (Appendix 5)

According to the applicant's stormwater narrative and outfall analysis, adequate stormwater detention will be provided and sufficient outfall capacity exists to accommodate the runoff generated by the proposed lots. The stormwater system will consist of individual infiltration trenches located on each of the lots. Such individual lot facilities are not normally allowed within subdivisions, unless specifically approved by the Director of DPWES in writing in accordance with Public Facilities Manual (PFM) Sect. 6-1307.2A. Infiltration trenches may be a viable means for providing the required stormwater detention for the site provided a private maintenance agreement, in a form acceptable to the Office of the County Attorney, is completed for each lot. In addition, as the proposed subdivision will create less than eight lots and as the stormwater facilities will be maintained by the individual homeowners, a modification of PFM Sect. 6-0303.7 will be required at time of subdivision review.

Approximately two acres of the site will be treated with the infiltration trenches. The total phosphorus load reduction will be 1.75 lbs. per year, which is 0.23 lbs. per year more than the required phosphorus load reduction of 1.52 lbs. per year. Stormwater detention will be provided to reduce the site peak runoff from the one year storm to a level below the allowable one year flow as established by the

energy balance equation, in accordance with state and county standards. As proposed, approximately 3.63 acres of the site (2.79 acres comprised of open space) will discharge through the open space directly into the tributary.

It is not clear if the infiltration trenches are designed to treat runoff generated from the half of the cul-de-sac that is located within the project site. If the shown system has not been designed to accommodate the stormwater runoff, then an additional facility will need to be provided. Likewise, an off-site facility will be required to treat the runoff generated from the northern half of the cul-de-sac as well as the other off-site roadway extensions of Rockland Terrace. These facilities, and any related easements, will be required to be shown on public infrastructure plan for the on- and off-site road work.

With the RPA/EQC areas protected and preserved as common area open space, and with implementation of staff proposed development conditions requiring substantial conformance with the SE Plat (including stormwater management and landscaping) and compliance with green building standards for the proposed dwellings, the Environmental Criterion is satisfied.

#### 4. Tree Preservation and Tree Cover Requirements

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

##### **Urban Forest Management Analysis** (Appendix 6)

Staff's earlier concerns regarding tree preservation targets and 10-year tree canopy requirements have been addressed by the applicants. Given the nature of the tree cover on the site, staff believes that development conditions can be instrumental in assuring adequate tree preservation and landscaping throughout the development process. Further, staff encourages the applicants to follow these development conditions as guidelines for the off-site work related to the extension of Rockland Terrace.

With the implementation of the staff-proposed development conditions imposing sound tree preservation and clearing and grading practices, the Tree Preservation and Tree Cover Requirements Criterion is satisfied.

#### 5. Transportation (Appendix 7)

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

Access to the proposed four lots will be provided by the extension of Rockland Terrace and the construction of a cul-de-sac as that street's new terminus. Most of the street improvements and the northern half of the cul-de-sac will be located off-site, north of the project site.

Both the Fairfax County Department of Transportation (FCDOT) and Virginia Department of Transportation (VDOT) submitted comments on the application. Staff anticipates that the traffic impacts associated with the proposed dwelling units are minimal and can be accommodated within the existing neighborhood street system. The proposed improvements will bring the extended portion of Rockland Terrace up to public roadway standards with VDOT-acceptable travel lanes, six-foot wide shoulders, and a 45-foot radius cul-de-sac. The proposed subdivision cannot proceed without these roadway improvements and the related underlying right-of-way dedication. Therefore, a development condition requiring that the roadway improvements and right-of-way dedication occur concurrently with development of the subdivision has been provided.

During a community meeting, the neighborhood residents raised concerns regarding impacts related to early morning construction traffic. To address these concerns, the applicants provided the following condition language which staff is including in the recommended conditions, in addition to the construction-related conditions imposed on other in-fill applications:

*While construction is in progress, construction related vehicle traffic shall not commence prior to 7:00 am. The Applicant shall communicate these requirements to all construction vehicle drivers in both English and Spanish.*

Lastly, as previously mentioned, the first 150 feet of the private, on-site trail is co-terminus with the shared driveway for Lots 2 and 3. Staff is recommending a condition that would require written notification of the private trail so as to inform all of the future homeowners of the path's location through the common open space, down to the streambed.

With the implementation of the staff-proposed development conditions requiring the extension of Rockland Terrace concurrent with development of the proposed subdivision, imposing construction hour and traffic limitations, and requiring notification of the private trail, the Transportation Criterion is satisfied.

#### 6. Public Facilities

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

As stated earlier, the applicant has proposed stormwater measures that, subject to DPWES approval, will provide a tangible benefit to the proposed residents. Specific public facilities issues are discussed below under the individual agency analysis.

**Park Authority Analysis** (Appendix 8)

The Park Authority owns and operates Dolley Madison Park, located approximately 500 feet northwest of the subject property, and therefore requests that all installed landscaping, including temporary and permanent seeding, be non-invasive species to protect the environmental health of the nearby parkland.

(The Park Authority's comment regarding a Phase I archaeological survey is addressed under the Heritage Resources discussion below).

**Fairfax County Public Schools (FCPS) Analysis**

There is no increase in impact to schools from the proposal, as the proposal for four single-family detached dwellings is not a greater density than what is allowable by-right per the Zoning Ordinance.

**Sanitary Sewer and Water Service Analysis** (Appendix 9)

The site is located within the Little Pimmit watershed. It will be sewered into the Blue Plains Treatment Plant, which, based on current and committed flows, has excess capacity. Both sanitary sewer and water service connections are available from Rockland Terrace.

With the implementation of the staff-proposed development condition regarding limiting plantings to non-invasive species, the Public Facilities Criterion is satisfied.

**7. Affordable Housing**

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

As the applicant's proposal falls below the 50-unit minimum, the Affordable Dwelling Unit ordinance is not applicable. Noting the relatively small size of this proposal, the applicant has not agreed to provide the requested contribution to the housing trust fund in an amount equal to one-half of one percent of the value of all of the units. Staff continues to encourage the applicant to provide this contribution.

**8. Heritage Resources**

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

**Heritage Resources Analysis** (Appendix 10)

Regarding the site's existing dwelling, initially constructed in 1852, the County's Heritage Resource Specialist concluded that the house did not appear to be of outstanding architectural style and the Dranesville District History Commission

indicated that the house was not of local historical interest. The development plan contains the option to retain the existing residence, which staff welcomes, but the structure does not appear to merit a recommendation for its preservation.

**Park Authority Analysis** (Appendix 8)

The Comprehensive Plan describes the importance of natural and cultural resources. Specific guidance includes, “*any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found.*” (Area II, McLean Planning District, M3 Kirby Community Planning Sector, Heritage Resources, p. 107) Based on these Plan policies, staff is recommending that the applicant conduct a Phase I archaeological survey on the undisturbed portions of the parcel.

With the implementation of the staff-proposed development condition requiring the Phase I archaeological survey, the Heritage Resources Criterion is satisfied.

**ZONING ORDINANCE PROVISIONS** (Appendix 13)

Standard	Bulk Standards (R-1 Cluster)	
	Required R-1 Cluster	Provided
Minimum District Size	10 acres	5.63 acres (waiver requested)
Min. Lot Area	25,000 sf	29,443 sf minimum
Min. Lot Width	N/A	N/A
Max. Building Height	35 ft	35 ft
Front Yard	30 ft	40 ft
Rear Yard	25 ft	66 ft
Side Yard	12 ft, but a total minimum of 40 ft	13 ft, and a total minimum of 40 ft
Open Space	30%	46%
Parking Spaces	2 spaces per residence	3 spaces per residence

No transitional screening or barriers are required as surrounding properties are developed with single family detached dwellings.

## Special Exception Requirements

### General Special Exception Standards (Sect. 9-006)

**General Standard 1** states that *the proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.*

The Comprehensive Plan states that infill development should be of compatible use, type and intensity. The Plan Land Use Map recommends that the subject property be developed with residential properties at a density of one to two dwelling units per acre. The Comprehensive Plan also states that cluster development should be used to preserve open space. In staff's evaluation, the proposed use is in harmony with the recommendations of the Comprehensive Plan.

**General Standard 2** states that *the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.*

As the property is zoned R-1, the proposal for four single-family detached dwellings at a density of 0.71 du/ac remains consistent with the purpose and intent of the R-1 District, which calls for low density single-family detached dwellings.

**General Standard 3** requires that the proposed use *shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.*

The property is adjacent to other residential developments of similar character with similar dwelling and lot sizes. While there are no transitional screening or barrier requirements for the application site, the proposal will provide buffer areas between adjacent developments. Staff believes that the proposal for four single-family detached dwellings will not impact the development of adjacent or nearby land, as the proposed development is harmonious with the surrounding neighborhoods.

**General Standard 4** states that *the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*

Currently, Rockland Terrace, a public street, terminates at the point where it diverges into several meandering, private driveways. The applicant proposes to extend Rockland Terrace and construct a cul-de-sac as its termination point. In keeping with the semi-rural nature of the neighborhood, six-foot wide shoulders instead of sidewalks are proposed along the roadway. These improvements will provide pedestrian and vehicular access that will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. This standard is satisfied.

**General Standard 5** requires *that landscaping and screening be provided in accordance with the provisions of Article 13.*

The proposal exceeds the 10-year tree canopy requirement, and there are no transitional screening or barrier requirements. Therefore, the application meets this standard.

**General Standard 6** requires that *open space be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.*

The site is within the R-1 Zoning District, which requires 30 percent open space for cluster developments. The proposal meets this requirement with a total of 46 percent open space.

**General Standard 7** requires that *adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements are proposed to be in accordance with the provisions of Article 11.*

As detailed in the Analysis section of this report, adequate utility and drainage facilities will be provided to serve the proposed development. The proposal exceeds the parking requirements and there are no loading requirements. This standard is satisfied.

**General Standard 8** requires that *signs be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.*

Signage will be maintained as required by Article 12 of the Zoning Ordinance.

#### Provisions for a Cluster Subdivision (Sect. 9-615)

1. *In the R-1 Zone, the Board may approve a cluster subdivision either in conjunction with the approval of a rezoning or a special exception. This section of ordinance then lists the submittal requirements of a cluster subdivision application, including the plat's required information; a stormwater management narrative; and delineation of floodplains and environmental quality corridors, limits of clearing, existing vegetation, proposed landscaping and screening, existing utility easements, trails required by the comprehensive plan, and any burial sites; and appropriate professional seals and signatures.*

This application requests a special exception for a cluster subdivision on property that is zoned R-1. The application included the requisite plat and information.

2. It shall be demonstrated by the applicant that the location, topography and other physical characteristics of the property are such that cluster development will:
  - A. Preserve the environmental integrity of the site by protecting and/or promoting the preservation of features such as steep slopes, stream valleys, desirable vegetation or farmland, and either
    - (1) Produce a more efficient and practicable development, or
    - (2) Provide land necessary for public or community facilities.

- B. Be in accordance with the adopted comprehensive plan and the established character of the area. To accomplish this end, the cluster subdivision shall be designed to maintain the character of the area by preserving, where applicable, rural views along major roads and from surrounding properties through the use of open space buffers, minimum yard requirements, varied lot sizes, landscaping or other measures.

The proposed lots are clustered in the eastern portion of the site which is developed with a single family dwelling, related landscaping, and pastures. None of the proposed lots extend into the site's environmentally sensitive areas located in the western portion of the site, which contains a stream valley, its adjoining steep slopes, and forestland. These areas, identified as Resource Protection Areas (RPA) and Environmental Quality Corridors (EQC) will be preserved as common open space. The open space will be owned and maintained by the development's homeowner's association.

3. In no case shall the maximum density specified for the applicable district be increased nor shall other applicable regulations or use limitations for the district be modified or changed; provided, however, the Board may approve a modification to the minimum lot size and/or minimum yard requirements when it can be concluded that such a modification(s) is in keeping with the purpose of this Section and the applicable zoning district. No lot shall extend into a floodplain and adjacent slopes in excess of fifteen (15) percent grade or Resource Protection Area unless approved by the Board based on a determination that:
  - A. The particular floodplain and adjacent slopes in excess of fifteen (15) percent grade or Resource Protection Area, by reason of its size or shape, has no practical open space value, and
  - B. The amount of floodplain and adjacent slopes in excess of fifteen (15) percent grade or Resource Protection Area on the lot is minimal, and
  - C. The lot otherwise meets the required minimum lot area specified for the district in which located.

As discussed earlier in the Analysis portion of this report, the use of clustering does not increase the maximum density permitted on the subject property. The proposed lots, ranging in size from 27,443 to 32,502 square feet, comply with the minimum lot size requirement (25,000 square feet) for a cluster subdivision lot in the R-1 district. As shown on the SE Plat, all minimum yard requirements will be met. No lots extend into the floodplain and adjacent slopes in excess of fifteen percent grade or into the RPA. Additionally, all proposed lots are located outside of the EQC.

4. Upon Board approval of a cluster subdivision, a cluster subdivision plat may be approved in accordance with the plat approved by the Board, the provisions of this Section and the cluster subdivision provisions presented in the zoning district regulations.

The applicant intends to submit the subdivision plat subsequent to the approval of this special exception.

5. In the R-C District, in addition to Par. 2 above, the applicant shall demonstrate that the cluster subdivision and the use of its open space is designed to achieve runoff pollution generation rates no greater than would be expected from a conventional R-C District subdivision of the property.

This provision is not applicable to the R-1 zoned property of this application.

### **Waivers/Modifications**

- Waiver of the minimum district size, required by Par. 1 of Sect. 3-106 of the Zoning Ordinance, from 10 to 5.63 acres.

Par. 1 of Sect. 3-106 of the Zoning Ordinance requires a minimum of 10 acres for cluster subdivisions in the R-1 zoning district. As discussed in the above Analysis, although the subject property is only 5.63 acres, staff believes that the applicant has satisfied the necessary guidelines, criteria, and requirements. Therefore, staff does not object to this waiver.

## **CONCLUSION AND RECOMMENDATIONS**

### **Conclusion**

The application seeks approval of a Special Exception for a cluster subdivision to permit the development of four single-family detached residential lots. Staff finds SE 2014-DR-057 to be in harmony with the Comprehensive Plan and in conformance with all applicable provisions of the Zoning Ordinance with the implementation of the proposed development conditions contained in Appendix 1 of the Staff Report.

### **Staff Recommendations**

Staff recommends approval of SE 2014-DR-057 subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a waiver of the minimum district size, required by Par. 1 of Sect. 3-106 of the Zoning Ordinance, from 10 to 5.63 acres.

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

The approval of this special exception amendment does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

## **APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Environmental Analysis
5. Stormwater Management Analysis
6. Urban Forest Management Analysis
7. Transportation (FCDOT and VDOT) Analysis
8. Park Authority Analysis
9. Sanitary Sewer and Water Service Analysis
10. Heritage Resources Analysis
11. Guidelines for Cluster Development
12. Residential Development Criteria
13. Zoning Ordinance Provisions
14. Glossary

**PROPOSED DEVELOPMENT CONDITIONS****SE 2014-DR-057****March 4, 2015**

If it is the intent of the Board of Supervisors to approve SE 2014-DR-057 located at 1318 Rockland Terrace [Tax Map 31-1 ((1)) 17D, and 18 to permit a cluster subdivision pursuant to Sect. 3-104 and 9-615 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Plat, as qualified by these development conditions.
3. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled *Special Exception Plat, Bryan Property*, prepared by Tri-Tek Engineering, Inc., dated June 5, 2014 as revised through January 29, 2015, consisting of seven sheets and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.
4. Prior to record plat approval, a Homeowners' Association (HOA) shall be established in accordance with Sect. 2-700 of the Zoning Ordinance for the purpose of, among other things, establishing the necessary residential covenants governing the use and operation of common open space and other facilities of the approved development and to provide a mechanism for ensuring the ability to complete the maintenance obligations, including an estimated budget for such common maintenance items.
5. Prior to entering into a contract of sale, home purchasers shall be notified in writing by the Applicant, or its successors or assigns, of maintenance responsibility for the common open space areas and any other common maintenance amenities and shall acknowledge receipt of this information in writing. The initial deeds of conveyance and Home Owners' Association (HOA) governing documents shall expressly contain these disclosures.
6. Prior to entering into a contract of sale, home purchasers shall be notified in writing by the Applicant, or its successors or assigns, of the existence and location of the private trail and permission to use the private trail and shall acknowledge receipt of this information in writing. The initial deeds of conveyance and HOA governing documents shall expressly contain these disclosures.

7. The offer of dedication and public infrastructure plan supporting the off-site road improvements for the extension of Rockland Terrace shall be filed concurrently with the project's subdivision plan. The extension of Rockland Terrace shall be constructed to public road standards in accordance with VDOT *Road Design Manual*, Appendix B-1. Securing the necessary right-of-way to complete the extension of Rockland Terrace shall be the responsibility of the applicant.
8. The individual lots shall be served by BMP facilities as shown on the SE Plat in accordance with the new stormwater regulations effective July 2014. The BMP facilities, infiltration trenches, and their appurtenant structures must be privately maintained and private maintenance agreements will be executed prior to the issuance of the subdivision permit.
9. All Applicant-installed landscaping, including temporary and permanent seeding, shall be non-invasive species to protect the environmental health of the nearby parkland. The HOA is encouraged to adopt restrictions on the planting of invasive species.
10. Prior to any land disturbance or prior to subdivision approval, whichever occurs first, the applicant shall have a Phase I archaeological survey conducted on the undisturbed portions of the parcel. The completed survey (one hard copy, one digital copy) shall be provided to the Park Authority's Resource Management Division.
11. In support of energy conservation and green building techniques; the Applicant, in consultation with the Environment and Development Review Branch (EDRB) of Department of Planning and Zoning (DPZ), shall seek certification for this development from one of the following programs that offers third party review of "green building" or energy efficient measures. The Applicant shall have sole discretion to choose the program that will be utilized.
  - A. Certification in accordance with the Earth Craft House Program as demonstrated through documentation provided to DPWES and EDRB prior to the issuance of a RUP; or
  - B. Certification in accordance with the National Green Building Standard (NGBS) using the ENERGY STAR® Qualified Homes path for energy performance, as demonstrated through documentation submitted to DPWES and EDRB from a home energy rater certified through Home Innovation Research Labs that demonstrates that the dwelling unit has attained the certification prior to the issuance of the RUP for each dwelling.
12. The following landscaping procedures shall be followed to assure adequate tree preservation.
  - A. Invasive Plant Management Plan: An Invasive Plant Management Plan shall be submitted as part of the first and all subsequent subdivision plan submissions to

address how invasive plants will be managed at levels that do not endanger the long-term ecological functionality of vegetation within tree preservation areas, subject to the review and approval of the Urban Forest Management Division, DPWES.

- B. Tree Preservation: A Tree Preservation plan shall be submitted for review and approval as part of the first and all subsequent subdivision plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a Certified Arborist or Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater located within the first 25 feet of the undisturbed area from the limits of clearing and grading and the first 10 feet from the limits of clearing in the disturbed area shown on the SE Plan for the entire site.

The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE Plan 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 any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

- C. Tree Preservation Walk-Through: The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's Certified Arborist or Registered Consulting Arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made, if any, to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
- D. Limits of Clearing and Grading: The limits of clearing and grading shall be strictly adhered to as shown on the SE Plan, subject to allowances specified in these development conditions and for the installation of utilities and/or trails as

determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SE Plan, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

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

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

- F. Root Pruning: The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the submitted plan. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
  - 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.

- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

- G. Site Monitoring: During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as per specific development conditions and as approved by the UFMD. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction and demolition work adjacent to any vegetation to be preserved, tree preservation efforts and landscape installation, in order to ensure conformance with all tree preservation and landscaping development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.
- H. Landscaping Plan: Site plans or subdivision plans submitted for the development shall include a landscape plan as generally shown on the SE Plan. Tree species and planting sites are set forth on the SE Plan, subject to revision as may be approved by the Urban Forest Management Division (UFMD).

Prior to installation of plants to meet requirements of the approved landscape plan, the Contractor/Developer shall coordinate a pre-installation meeting on site with the landscape contractor and a representative of the County Urban Forest Management Division (UFMD). Any proposed changes to the location of planting, size of trees/shrubs, and any proposed plant substitutions for species specified on the approved plan shall be reviewed at this time and must be approved prior to planting. The installation of plants not specified on the approved plan, and not previously approved by UFMD, may require submission of a revision to the landscape plan or removal and replacement with approved material, prior to bond release. UFMD shall be contacted (703-324-1770) a minimum of three (3) days prior to the meeting on site.

- I. Reforestation Planting in the RPA: In reforestation areas within the RPA, the soil throughout the area shall be amended with 3-6 inches of organic matter and thoroughly tilled to a depth of 12-inches before planting. Tree seedlings and shrubs shall be planted in contiguous mulched beds. The mulched bed shall consist of a minimum of 2 inches of organic mulch that shall be placed on the topsoil layer at final grade. Plant stock, seedlings and shrubs shall be planted with 4-foot tall tubes or other means necessary to protect from deer browsing. Planting of nursery stock, tree seedlings, woody shrubs and woody seed mix must be well established prior to release of the conservation deposit. The conservation deposit will be held for a minimum of two years after the initial installation of the plantings and returned to the Applicant thereafter.

13. While construction is in progress, construction related vehicle traffic shall not commence prior to 7:00 am. The Applicant shall communicate these requirements to all construction vehicle drivers in both English and Spanish.
14. During development of the subject site, the telephone number of the site superintendent that shall be present on-site during construction shall be provided to the Dranesville District Supervisor's Office.
15. Outdoor construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and 8:00 a.m. and 5:00 p.m. on Saturdays. No outdoor construction activities shall be permitted on Sundays or on federal holidays. The site superintendent shall notify all employees and subcontractors of these hours of operation and shall ensure that the hours of operation are respected by all employees and subcontractors. Construction hours shall be posted on-site in both English and Spanish. The Applicant shall provide updated construction schedules to the adjacent HOAs and the Dranesville Supervisors Office. This development condition applies to the original construction only and not to future additions and renovations by homeowners.

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

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special exception shall not be valid until this has been accomplished.

The approval of this special exception does not interfere with abrogate or amend any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**SPECIAL EXCEPTION AFFIDAVIT**DATE: January 20, 2015  
(enter date affidavit is notarized)I, Matthew J. Allman, attorney/agent, do hereby state that I am an  
(enter name of applicant or authorized agent)

126761 b

(check one)       applicant  
                          applicant's authorized agent listed in Par. 1(a) belowin Application No.(s): SE 2014-DR-057  
(enter County-assigned application number(s), e.g. SE 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 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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
· Stephen C. Bryan and Sally T. Bryan	281 Golden Woods Court Great Falls, VA 22066-4152	Applicant/Title Owners of Tax Map 31-1 (1) 17D and 18
· Artisan Builders III, LLC  Agents: Mitchell J. Racoosin Richard H. Ellis · Stephen G. Yeonas, Jr.	6862 Elm Street, Suite 410 McLean, Virginia 22101	Contract Purchaser of Tax Map 31-1 (1) 17D and 18
· Tri-Tek Engineering, Inc.  Agents: Theodore D. Britt Kevin E. Murray · Brian R. Thomas	690 Center Street, Suite 300 Herndon, Virginia 20170	Engineer/Agent

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

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

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

**Special Exception Attachment to Par. 1(a)**

DATE: January 20, 2015

126761 b

(enter date affidavit is notarized)

for Application No. (s): SE 2014-DR-057

(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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Walsh, Colucci, Lubeley & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Andrew A. Painter Matthew J. Allman Jeffrey R. Sunderland Elizabeth D. Baker Inda E. Stagg Elizabeth A. Nicholson (former) Amy E. Friedlander	2200 Clarendon Boulevard Suite 1300 Arlington, Virginia 22201	Attorneys/Planners/Agent  Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney*/Agent Planner/Agent Planner/Agent Planner/Agent Planner/Agent

\*Admitted in New York and California. Admission to Virginia Bar pending.

Wetland Studies and Solutions, Inc. Agents: Michael S. Rolband Mark W. Headly Beth A. Clements	5300 Wellington Branch Drive, #100 Gainesville, Virginia 20155	Environmental Consultant/Agent
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(check if applicable)  There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: January 20, 2015
(enter date affidavit is notarized)

126761 b

for Application No. (s): SE 2014-DR-057
(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:

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Wendy A. Alexander, David J. Bomgardner, G. Evan Pritchard, M. Catharine Puskar, Former Shareholders:
E. Andrew Burcher, Thomas J. Colucci, John E. Rinaldi, Kathleen H. Smith, Michael D. Lubeley, Martin D. Walsh
Michael J. Coughlin, Peter M. Dolan, Jr., Lynne J. Strobel, Garth M. Wainman,
Jay du Von, William A. Fogarty, Nan E. Walsh
John H. Foote, H. Mark Goetzman,
Bryan H. Guidash, Michael J. Kalish,
J. Randall Minchew, Andrew A. Painter,

(check if applicable) [✓] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit 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.

**Special Exception Attachment to Par. 1(b)**

DATE: January 20, 2015  
(enter date affidavit is notarized)

126761 b

for Application No. (s): SE 2014-DR-057  
(enter County-assigned application number (s))

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

Artisan Builders III, LLC  
6862 Elm Street, Suite 410  
McLean, Virginia 22101

**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)

Mitchell Racoosin Living Trust f/b/o      Yeonas & Ellis Homes, LLC, managing  
Mitchell J. Racoosin, managing member      member

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

Yeonas & Ellis Homes, LLC  
6867 Elm Sreet Suite 210  
McLean, Virginia 22101

**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)

Richard H. Ellis, manager/member  
Stephen G. Yeonas, Jr., manager/member

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

**Special Exception Attachment to Par. 1(b)**

DATE: January 20, 2015  
(enter date affidavit is notarized)

126761b

for Application No. (s): SE 2014-DR-057  
(enter County-assigned application number (s))

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

Tri-Tek Engineering, Inc.  
690 Center Street, Suite 300  
Herndon, VA 20170

**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)

Theodore D. Britt  
Kevin E. Murray

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

Wetland Studies and Solutions, Inc.  
5300 Wellington Branch Drive, #100  
Gainesville, Virginia 20155

**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)

Sole Shareholder:  
The Davey Tree Expert Company

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

**Special Exception Attachment to Par. 1(b)**

DATE: January 20, 2015  
(enter date affidavit is notarized)

126761 b

for Application No. (s): SE 2014-DR-057  
(enter County-assigned application number (s))

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

The Davey Tree Expert Company  
1500 N Mantua Street  
Kent, OH 44240

**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)

An employee-owned company with the only shareholder that owns 10% or more is The Reliance Trust Company, as trustee for Davey 401(k) SOP and ESOP. There are in excess of thousands of members in this pension fund, none of whom own 10% or more of The Davey Tree Expert Company.

**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)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: January 20, 2015
(enter date affidavit is notarized)

126761 b

for Application No. (s): SE 2014-DR-057
(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, and number, street, city, state, and zip code)

None

(check if applicable) [ ] The above-listed partnership has no limited partners:

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

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: January 20, 2015  
(enter date affidavit is notarized)

126761b

for Application No. (s): SE 2014-DR-057  
(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:

[x] 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 "Special Exception Attachment to Par. 2" form.

Application No.(s): SE 2014-DR-057  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: January 20, 2015  
(enter date affidavit is notarized)

126761 b

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

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

None

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

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception 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:

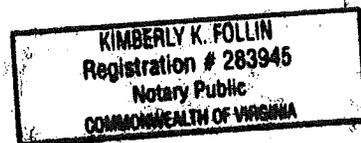
(check one) Matthew J. Allman [ ] Applicant [x] Applicant's Authorized Agent

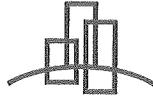
Matthew J. Allman, attorney/agent  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 20 day of January, 2015, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin  
Notary Public

My commission expires: 11/30/2015





Matthew J. Allman  
(703) 528-4700  
mallman@thelandlawyers.com

**WALSH COLUCCI  
LUBELEY & WALSH PC**

RECEIVED  
Department of Planning & Zoning

AUG 13 2014

Zoning Evaluation Division

**REVISED**

August 13, 2014

**Via Hand Delivery**

Barbara C. Berlin, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway, 8th Floor  
Fairfax, Virginia 22035

Re: Application for Category 6 Special Exception  
Stephen C. Bryan and Sally T. Bryan (jointly, the "Applicant")  
1318 Rockland Terrace, McLean, Virginia 22101  
Fairfax County Tax Map Reference: 31-1 ((1)) 17D and 18 (the "Subject Property")

Dear Ms. Berlin:

On behalf of the referenced Applicant, please accept the following as a statement of justification for a Category 6 Special Exception to allow the development of a cluster subdivision on the Subject Property pursuant to §§ 3-104 (6), 9-011, and 9-601 (12) of the Zoning Ordinance of Fairfax County, Virginia (the "Zoning Ordinance").

Containing approximately 245,476 square feet (5.63 acres) between two lots of record, the Subject Property is located in the Dranesville Magisterial District. The Subject Property is located at the southern terminus of Rockland Terrace (Route 1982) and is zoned to the R-1 zoning district pursuant to § 3-100 et seq. of the Zoning Ordinance. The Subject Property is located immediately south of the Clearview Manor and Dolley Madison Estates subdivisions (both zoned to the R-2 zoning district) and immediately north of the Hutton Property subdivision (zoned to the R-1 zoning district).

The Subject Property contains an existing two-story single-family detached residence, a one-story brick outbuilding, an asphalt driveway, and a swimming pool. The main entrance to the dwelling is located in the interior of the Subject Property. Primary access to the Subject Property occurs through Rockland Terrace, which provides access to Dolley Madison Boulevard (Route 123) through one of two routes of residential streets.

ATTORNEYS AT LAW

703 528 4700 ■ WWW.THELANDLAWYERS.COM  
2200 CLARENDON BLVD. ■ SUITE 1300 ■ ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 ■ WOODBRIDGE 703 680 4664

## **I. Zoning Considerations**

The Subject Property is zoned to the R-1 District and is not subject to any prior rezoning or special exception approvals. The R-1 District permits a density of one dwelling unit per acre and permits the development of up to four single-family detached residences on the Subject Property as a matter of right. A conventional by-right development would result in increased impervious surface, inter-parcel access through a public street, a stormwater management pond, reduced open space, substantial elimination of vegetation, and other features that the Applicant believes would not be in keeping with the character of the area. Further, the Subject Property includes environmentally sensitive features that the Applicant believes are worthy of preservation.

In the alternative, the Applicant is proposing a cluster subdivision that will require approval of a special exception. The Applicant proposes a division of the property that will result in four residential lots that will be developed with single-family detached residences. The existing house may be retained or replaced by a new home. The Applicant proposes to extend Rockland Terrace to serve the four lots and will dedicate approximately 4,751 square feet of land in order to effectuate the road extension. The four residential lots will be served via private driveways that will access the improved Rockland Terrace.

As depicted on the special exception plat, the proposed subdivision will preserve approximately 73,894 square feet of the Subject Property as permanent common open space. Maintaining this area as open space allows for the preservation of an existing floodplain, existing vegetation and steep slopes, and an existing undisturbed area between the Subject Property and adjacent properties to the west. Additionally, the cluster subdivision will result in less clearing and grading than would be necessary under a by-right development. These benefits are consistent with the requirements for a cluster subdivision as set forth in the Zoning Ordinance.

## **II. Comprehensive Plan Considerations**

The Subject Property is located in the M3 Kirby Community Planning Sector of the McLean Planning District within Area II of the Fairfax County Comprehensive Plan (the "Plan"). The Kirby Community Planning Sector is primarily developed as stable residential neighborhoods featuring single-family detached residences. While the Plan does not contain any specific recommendations for the Subject Property, it notes that infill development should be of compatible use, type, and intensity per Fairfax County Policy Plan Land Use Objectives 8 and 14. The Plan map further recommends the Subject Property be developed with residential properties at a density of one to two dwelling units per acre.

The proposed cluster subdivision is consistent with the recommendations of the Plan and Plan map. The development proposed on the Subject Property is comprised of single-family detached residences of a size, scale and character that are compatible with other residential developments in the Kirby Community Planning Sector. Moreover, the number of dwelling units conforms to the Plan map's density recommendations. Finally, the substantial preservation

of open space allowed by the cluster subdivision layout enhances the environmental resources of the Subject Property and creates greater screening to the adjacent properties.

### **III. Conformance with § 9-011 (7) – Submission Requirements**

In accordance with the requirements of § 9-011 (7) of the Zoning Ordinance, please accept the following information with regard to the proposed application:

- A. Type of Operation: The Applicant proposes a total of four single-family detached residences on the Subject Property.
- B. Hours of Operation: The proposed special exception is for a residential cluster development; therefore, this standard is inapplicable.
- C. Estimated Number of Patrons/Clients: The proposed special exception is for a residential cluster development; therefore, this standard is inapplicable.
- D. Estimated Number of Employees/Attendants: The proposed special exception is for a residential cluster development; therefore, this standard is inapplicable.
- E. Traffic Impact: The impact of the proposed use on adjacent properties will be minimal. The Applicant's proposal will result in four single-family homes. The anticipated traffic impact from three additional homes is expected to be *de minimus* and it is estimated that the increase in trip generation is approximately ten (10) vehicle trips per home per day. The peak hour of trip generation is expected in the morning between 8:00 a.m. and 9:00 a.m., and in the evening between 5:30 p.m. and 6:30 p.m. when approximately seven (7) vehicles will be entering and exiting the Subject Property. Accordingly, neither pedestrian nor vehicular traffic will create a conflict with existing and anticipated traffic in the neighborhood.
- F. Vicinity/General Area To Be Served By the Use: The proposed special exception is for a residential cluster development; therefore, this standard is inapplicable.
- G. Description of Building Façade/Architecture: Each residence on the Subject Property will be two stories in height and will be designed using architecture compatible with the character of the surrounding neighborhoods. Residential building materials may include brick, stone, siding or a combination thereof.
- H. Hazardous and Toxic Substances: To the best of the Applicant's knowledge; there are no hazardous or toxic substances to be generated, utilized, stored, treated, or disposed of on the Subject Property.

- I. Conformance With Ordinances: The proposed development conforms to the provisions of all applicable ordinances, regulations, adopted standards, and any applicable conditions, except as modified by the special exception plat.

#### **IV. Conformance with § 9-006 – General Standards**

Section 9-006 of the Zoning Ordinance contains application evaluation criteria for approval of special exceptions. Each criterion is listed in bold below, followed by the Applicant's response in italics:

- **§ 9-006 (1) – The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.**

*The Plan notes that the area surrounding the Subject Property is characterized by stable residential neighborhoods consisting predominantly of single-family detached residences. The Plan does not contain any specific recommendations for the Subject Property. However, the Plan says that infill development should be of compatible use, type, and intensity per Fairfax County Policy Plan Land Use Objectives 8 and 14. The Plan Map recommends the Subject Property be developed with residential lots at a range of one to two dwelling units per acre.*

*The Subject Property will be developed with a total of four (4) homes in a cluster subdivision configuration. Given the area of the Subject Property, this development will result in a density of slightly less than one dwelling unit per acre, which is compatible with the surrounding neighborhood and with the low-density residential character contemplated by the Plan. Therefore, this standard is satisfied.*

- **§ 9-006 (2) – The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.**

*The proposed cluster subdivision is permitted as a Category 6 Special Exception use in the R-1 District. The use, as proposed, will be in harmony with the purpose and intent of the R-1 District regulations. Therefore, this standard is satisfied.*

- **§ 9-006 (3) – The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.**

*The proposed use will be located adjacent to other single-family detached residences and will be developed in a manner that is compatible with the residential character of the*

*surrounding neighborhoods. The location, size, and height of the proposed structures as well as the extent of screening, buffering, and landscaping will be compatible with surrounding properties. The special exception plat includes significant open space and vegetation that will provide screening between the Subject Property and adjacent properties. The proposed use is in harmony with the surrounding community; therefore, this standard is satisfied.*

- **§ 9-006 (4) – The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

*The impact of the proposed use on adjacent properties will be minimal. The Applicant's proposal will result in the addition of three net single-family residences. The anticipated traffic impact from the additional homes is expected to be de minimus. Accordingly, neither pedestrian nor vehicular traffic will create a conflict with existing and anticipated traffic in the neighborhood. Therefore, this standard is satisfied.*

- **§ 9-006 (5) – In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.**

*Existing transitional screening and barrier conditions will not be reduced significantly if this application is approved. Currently, the residence on the Subject Property is substantially screened by thick vegetation and trees. While the proposed subdivision will result in the removal of some vegetation, a significant portion of the current open space and vegetation around the perimeter of the Subject Property will be maintained. Additionally, and as depicted on the special exception plat, the proposed subdivision will preserve approximately 73,894 square feet of the Subject Property as permanent common open space. Maintenance of the existing vegetation and tree cover is an advantage associated with the cluster subdivision layout as corresponds to by-right development under the existing R-1 Zoning.*

- **§ 9-006 (6) – Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.**

*Open space shall be provided in accordance with the Zoning Ordinance. As depicted on the special exception plat, the proposed subdivision will preserve approximately 73,894 square feet of the Subject Property as permanent common open space, which constitutes approximately 30% of the total site area.*

- **§ 9-006 (7) – Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.**

*As depicted on the special exception plat, the proposed cluster subdivision will provide for the installation of required utility and drainage facilities. In addition, each new residence will include parking in accordance with the requirements of Article 11 of the Zoning Ordinance. Therefore, this standard is satisfied.*

- **§ 9-006 (8) – Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.**

*No signs are proposed with this application; therefore, this standard is inapplicable.*

#### **V. Conformance with § 9-615 – Provisions for a Cluster Subdivision**

Section 9-615 of the Zoning Ordinance contains application evaluation criteria for approval of a Category 6 cluster subdivision Special Exception. Each criterion is listed in bold below, followed by the Applicant's response in italics:

- **§ 9-615 (2) (A): The cluster subdivision will preserve the environmental integrity of the site by protecting and/or promoting the preservation of features such as steep slopes, stream valleys, desirable vegetation or farmland, and either: (1) Produce a more efficient and practicable development, or (2) provide land necessary for public or community facilities.**

*The Applicant's proposed subdivision will preserve the environmental integrity of the Subject Property by protecting steep slopes, floodplains, and desirable vegetation. Further, while the R-1 District regulations will allow the development of four total residential lots on the Subject Property, the proposed subdivision results in a more efficient and practicable development. The proposed subdivision will result in less clearing and grading than a by-right development, and it will preserve valuable open space and vegetation that provides screening to adjacent properties.*

- **§ 9-615 (2) (B): The cluster subdivision will be in accordance with the adopted comprehensive plan and the established character of the area. To accomplish this end, the cluster subdivision shall be designed to maintain the character of the area by preserving, where applicable, rural views along major roads and from surrounding properties through the use of open space buffers, minimum yard requirements, varied lot sizes, landscaping or other measures.**

*The proposed subdivision will be located adjacent to other single-family detached residences and will be developed in a manner that is compatible with the residential character of the surrounding neighborhoods. The proposed cluster subdivision includes significant open space and vegetation that will provide screening between the Subject Property and adjacent uses. The proposed use is in harmony with the surrounding*

*community, the Plan, and the requirements for cluster subdivisions as established by the Zoning Ordinance.*

- **§ 9-615 (3) – In no case shall the maximum density specified for the applicable district be increased nor shall other applicable regulations or use limitations for the district be modified or changed; provided, however, the Board may approve a modification to the minimum lot size and/or minimum yard requirements when it can be concluded that such a modification(s) is in keeping with the purpose of this Section and the applicable zoning district. No lot shall extend into a floodplain and adjacent slopes in excess of fifteen (15) percent grade or Resource Protection Area unless approved by the Board . . . .**

*The proposed cluster subdivision will not result in an increase in the maximum permissible density and will comply with all applicable lot size and yard requirements. None of the proposed lots will extend into a floodplain. Therefore, the Applicant's proposal satisfies the requirements for cluster subdivisions as established by the Zoning Ordinance.*

- **§ 9-615 (4) – Upon Board approval of a cluster subdivision, a cluster subdivision plat may be approved in accordance with the plat approved by the Board, the provisions of this Section and the cluster subdivision provisions presented in the zoning district regulations.**

*If this application is approved, the Applicant's cluster subdivision plat will be in accordance with the approval granted by the Board, the provisions of this Section, and the cluster subdivision provisions presented in the zoning district regulations. Therefore, this standard is satisfied.*

- **§ 9-615 (5) – In the R-C District, in addition to Par. 2 above, the applicant shall demonstrate that the cluster subdivision and the use of its open space is designed to achieve runoff pollution generation rates no greater than would be expected from a conventional R-C District subdivision of the property.**

*The Subject Property is zoned to the R-1 District. Therefore, this standard is inapplicable.*

## **VI. Conclusion**

The Applicant's proposal represents an opportunity to subdivide the Subject Property in a manner that is compatible with the surrounding area and will be more environmentally sensitive to natural features on the site. The resulting density is at the low end of the planned density range, and the special exception plat illustrates preservation of steep slopes, floodplain, and existing vegetation. Therefore, the Applicant's proposal is in harmony with the

recommendations of the Plan and the requirements for cluster subdivisions as established by the Zoning Ordinance.

I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. Should you have any questions, or require additional information, please do not hesitate to contact me.

Very truly yours,

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



Matthew J. Allman

Enclosures

cc: John W. Foust, Dranesville District Supervisor  
John C. Ulfelder, Dranesville District Planning Commissioner  
Stephen C. Bryan  
Sally T. Bryan  
Lynne J. Strobel  
Andrew A. Painter



# County of Fairfax, Virginia

## MEMORANDUM

DATE: February 5, 2015

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** ENVIRONMENTAL ASSESSMENT for: SE 2014-DR-057  
**Bryan Property**

This memorandum, prepared by Mary Ann Welton, includes citations from Comprehensive Plan that provide guidance for the evaluation of the subject Special Exception application (SE), revised through January 29, 2015. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

### COMPREHENSIVE PLAN CITATIONS:

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

#### Environment

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on pages 7-9, the Plan states:

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

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

- Policy c. Minimize the application of fertilizers, pesticides, and herbicides to lawns and landscaped areas through, among other tools, the development, implementation and monitoring of integrated pest, vegetation and nutrient management plans.
- Policy d. Preserve the integrity and the scenic and recreational value of EQCs....
- Policy l. In order to augment the EQC system, encourage protection of stream channels and associated vegetated riparian buffer areas along stream channels upstream of Resource Protection Areas (as designated pursuant to the Chesapeake Bay Preservation Ordinance) and Environmental Quality Corridors....

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

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on page 10, the Plan states:

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

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

In the Fairfax County Comprehensive, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on page 14 – 17, the Plan states:

**“Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.**

- Policy a: Identify, protect and restore an Environmental Quality Corridor system (EQC).... Lands may be included within the EQC system if they can achieve any of the following purposes:

- Habitat Quality: The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest. This may include: habitat for species that have been identified by state or federal agencies as being rare, threatened or endangered; rare vegetative communities; unfragmented vegetated areas that are large enough to support interior forest dwelling species;

and aquatic and wetland breeding habitats (i.e., seeps, vernal pools) that are connected to and in close proximity to other EQC areas.

- **Connectivity:** This segment of open space could become a part of a corridor to facilitate the movement of wildlife and/or conserve biodiversity. This may include natural corridors that are wide enough to facilitate wildlife movement and/or the transfer of genetic material between core habitat areas.
- **Hydrology/Stream Buffering/Stream Protection:** The land provides, or could provide, protection to one or more streams through: the provision of shade; vegetative stabilization of stream banks; moderation of sheet flow stormwater runoff velocities and volumes; trapping of pollutants from stormwater runoff and/or flood waters; flood control through temporary storage of flood waters and dissipation of stream energy; separation of potential pollution sources from streams; accommodation of stream channel evolution/migration; and protection of steeply sloping areas near streams from denudation.
- **Pollution Reduction Capabilities:** Preservation of this land would result in significant pollutant reductions. Water pollution, for example, may be reduced through: trapping of nutrients, sediment and/or other pollutants from runoff from adjacent areas; trapping of nutrients, sediment and/or other pollutants from flood waters; protection of highly erodible soils and/or steeply sloping areas from denudation; and/or separation of potential pollution sources from streams.

The core of the EQC system will be the county's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements...:

- All 100 year flood plains as defined by the Zoning Ordinance;
- All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;
- All wetlands connected to the stream valleys; and
- All the land within a corridor defined by a boundary line which is 50 feet plus 4 additional feet for each % slope measured perpendicular to the stream bank. The % slope used

in the calculation will be the average slope measured within 110 feet of a stream channel or, if a flood plain is present, between the flood plain boundary and a point fifty feet up slope from the flood plain. This measurement should be taken at fifty foot intervals beginning at the downstream boundary of any stream valley on or adjacent to a property under evaluation.

Modifications to the boundaries so delineated may be appropriate if the area designated does not benefit any of the EQC purposes as described above. In addition, some disturbances that serve a public purpose such as unavoidable public infrastructure easements and rights of way may be appropriate. Disturbances for access roads should not be supported unless there are no viable alternatives to providing access to a buildable portion of a site or adjacent parcel. The above disturbances should be minimized and occur perpendicular to the corridor's alignment, if practical, and disturbed areas should be restored to the greatest extent possible.

In general, stormwater management facilities should not be provided within EQCs unless they meet one of the following conditions:

- They are consistent with recommendations of a watershed management plan that has been adopted by the Fairfax County Board of Supervisors; or
- They will:
  - Either:
    - Be more effective in protecting streams and better support goals of watershed management plans than stormwater management measures that otherwise would be provided outside of EQCs; or
    - Contribute to achieving pollutant reduction necessary to bring waters identified as impaired into compliance with state water quality standards or into compliance with a Municipal Separate Storm Sewer System (MS4) permit in a manner that would be more effective and/or less environmentally-disruptive than approaches that would be pursued outside of EQCs;

and

- Replace, enhance and/or be provided along with other efforts to compensate for any of the EQC purposes, as described above, that would be affected by the facilities.

When stormwater management facilities within the EQC are determined to be appropriate, encourage the construction of facilities that minimize clearing and grading, such as embankment-only ponds, or facilities that are otherwise designed to maximize pollutant removal while protecting, enhancing, and/or restoring the ecological integrity of the EQC.

The following efforts within EQCs support the EQC policy and should be encouraged:

- Stream stabilization and restoration efforts where such efforts are needed to improve the ecological conditions of degraded streams. Natural channel design methods should be applied to the greatest extent possible and native species of vegetation should be used.
- Replanting efforts in EQCs that would restore or enhance the environmental values of areas that have been subject to clearing; native species of vegetation should be applied.
- Wetland and floodplain restoration efforts.
- Removal of non-native invasive species of vegetation from EQCs to the extent that such efforts would not be in conflict with county ordinances; such efforts should be pursued in a manner that is least disruptive to the EQCs.

Other disturbances to EQCs should only be considered in extraordinary circumstances and only where mitigation/compensation measures are provided that will result in a clear and substantial net environmental benefit. In addition, there should be net benefits relating to most, if not all, of the EQC purposes listed above that are applicable to the proposed disturbances....”

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on page 18, the Plan states:

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

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

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

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on page 19 -21, the Plan states:

**“Objective 13: Design and construct buildings and associated landscapes to use energy water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.**

Policy a. In consideration of other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices may include, but are not limited to:

- Environmentally-sensitive siting and construction of development;
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*);
- Optimization of energy performance of structures/energy-efficient design;
- Use of renewable energy resources;  
Use of energy efficient appliances, heating/cooling systems, lighting and/or other products;
- Application of best practices for water conservation, such as water efficient landscaping and innovative wastewater technologies, that can serve to reduce the use of potable water and/or reduce stormwater runoff volumes;
- Reuse of existing building materials for redevelopment projects;
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris;
- Use of recycled and rapidly renewable building materials;
- Use of building materials and products that originate from nearby sources;
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing

- and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials;
- Reuse, preservation and conservation of existing buildings, including historic structures;
  - Retrofitting of other green building practices within existing structures to be preserved, conserved and reused;
  - Energy and water usage data collection and performance monitoring;
  - Solid waste and recycling management practices; and
  - Natural lighting for occupants.

Encourage commitments to implementation of green building practices through certification under established green building rating systems for individual buildings (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design for New Construction [LEED-NC®] or the U.S. Green Building Council's Leadership in Energy and Environmental Design for Core and Shell [LEED-CS®] program or other equivalent programs with third party certification). An equivalent program is one that is independent, third-party verified, and has regional or national recognition or one that otherwise includes multiple green building concepts and overall levels of green building performance that are at least similar in scope to the applicable LEED rating system.

Encourage commitments to the attainment of the ENERGY STAR® rating where available. Encourage certification of new homes through an established residential green building rating system that incorporates multiple green building concepts and has a level of energy performance that is comparable to or exceeds ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. ...

- Policy c. Ensure that zoning proposals for residential development that are not otherwise addressed in Policy b above will incorporate green building practices sufficient to attain certification under an established residential green building rating system that incorporates multiple green building concepts and that includes an ENERGY STAR Qualified Homes designation or a comparable level of energy performance. Where such zoning proposals

seek development at or above the mid-point of the Plan density range, ensure that county expectations regarding the incorporation of green building practices are exceeded in two or more of the following measurable categories: energy efficiency; water conservation; reusable and recycled building materials; pedestrian orientation and alternative transportation strategies; healthier indoor air quality; open space and habitat conservation and restoration; and greenhouse gas emission reduction. As intensity or density increases, the expectations for achievement in the area of green building practices would commensurately increase....”

## **ENVIRONMENTAL ANALYSIS**

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

### **Environmental Quality Corridor and Resource Protection Area**

The 5.63 acre subject property is situated within the Pimmit Run watershed and it is currently developed with a 2 story house, driveway, accessory structure and swimming pool. An unnamed tributary associated with Pimmit Run traverses in a north south direction along the west/southwest portion of the subject property. The stream valley feature is considered Environmental Quality Corridor (EQC), Resource Protection Area (RPA) and 100 year floodplain. The property is characterized by steeply sloping terrain from the existing home on the northeastern corner and it falls off steeply down to the stream valley on the west/ southwestern boundary. This steeply sloping area between the existing home and the stream valley is characterized by turfgrass and dense deciduous vegetation within the stream valley. Approximately 2.79 acres (slightly less than half) of the 5.63 acre property is considered EQC. Consistent with the EQC policy, staff recommends the entire EQC be protected and preserved as undisturbed common area open space except for the sewer line encroachment.

Staff felt that earlier proposals based on development plans did not promote protection and preservation of the EQC. Portions of the EQC as well as RPA would have been located within residential Lot 3 and Lot 4 based on the August 14, 2014 development plan. The January 5, 2015 development plan was revised resulting in the location of a smaller portion of the EQC in residential Lot 3 and the creation of Outlot B and Outlot C, which contained all EQC. These outlots were proposed to be conveyed to the residential owners of Lot 3 and Lot 4. Outlot B and Outlot C would have essentially served as backyards to the adjoining Lot 3 and Lot 4 and may not have achieved protection and preservation of this portion of the EQC.

The latest development plan dated January 29, 2015 has been revised so that the EQC is entirely located in Outlot A which will be protected and preserved as common area open space. With this change, staff finds the current proposal in conformance with the EQC policy.

### **Stormwater Management Best Management Practices and Adequate Outfall**

The development plan depicts four individual stormwater management facilities on each individual lot. However, it is not clear that anyone of the four facilities is meant to treat runoff generated from the newly created cul-de-sac which is proposed to serve as access for the new subdivision. The stormwater narrative indicates that the trenches are intended to accommodate both the water quality control requirements, as well as the water quantity control requirements for this development. Each individual property owner will be required to provide separate stormwater facility maintenance agreements for each of the proposed new homes. In staff's opinion, fewer facilities meant to treat the entire new subdivision, including the new roadway would serve the development more efficiently.

The outfall narrative further describes that runoff from the subject property discharges north and east of the subject property as well as into the closed storm sewer system in the Middle Valley subdivision. Ultimately runoff from the site flows into the 100 year floodplain of the unnamed tributary to the west of the property and its confluence with Pimmit Run. In the reviewing engineer's opinion the outfall is adequate. Stormwater management/best management practice measures and outfall adequacy are subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

The stormwater management narrative indicates the applicant's intention to meet the permitting requirements of the Stormwater Management Ordinance, Chapter 124 of the Code of Fairfax County which became effective on July 1, 2014.

Staff from the DPWES administers the stormwater management ordinance.

**Tree Preservation/Restoration:** The application property is densely vegetated with predominately deciduous vegetation. Much of the existing vegetation which is located in the stream valley EQC/RPA is proposed to be preserved. The applicant is strongly encouraged to protect the environmentally sensitive EQC/RPA from the land disturbance of the development by installing a super silt fence along the western edge of the lots. The applicant is encouraged to work with the Urban Forestry Management Division (UFMD) of DPWES in order to augment the proposed landscape plan for this proposed development, particularly in the area of the EQC which is currently developed as turf.

**Green Building Practices:** In support of the County's green building policy, the applicant should commit to the attainment of Earthcraft House or the 2012 National Green Building Standard (formerly known as NAHB National Green Building Certification) using the Energy Star Qualified Homes path for energy performance. The applicant has not provided a commitment to certification under Earthcraft House or NGBS using the Energy Star Qualified Homes path for energy performance at this time in support of the County's Green Building Policy.

PGN: MAW



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** February 23, 2015

**TO:** Bob Katai  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Camylyn Lewis, Senior Engineer III (Stormwater)  
North Branch, Site Development and Inspections Division  
Department of Public Works and Environmental Services

**SUBJECT:** Special Exception Application No.: SE 2014 DR 057  
Stephen C. Bryan & Sally T. Bryan  
Special Exception Plat (dated November 19, 2014)  
LDS Project No.: 437-ZONA-001-1  
Tax Map No.: 031-1-01 parcels 0017D and 0018; Dranesville District

The subject application has been reviewed, and the following stormwater management comments are offered at this time:

### Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. The disturbance in the RPA is limited to the sanitary line and a storm drainage outfall. The sanitary line is an allowed use under CBPO 118-5-2(b). The outfall pipe is also an allowed use under CBPO 118-5-2(a); a Water Quality Impact Assessment is required.

### Floodplain

There is unmapped floodplain on the property which will need to be mapped. Approval in writing from the Director for the use (sanitary and storm pipe) in the floodplain will be required with the site plan. The floodplain is minor floodplain and the use can be approved under ZO 2-903.1.

### Downstream Drainage Complaints

There are no relevant drainage complaints on file.

### Site Outfall: Channel Protection Chapter 124-4-4(b)

The applicant provided computations to indicate that the channel and flood protection requirements of 124 could be met. A detailed analysis will be with the site plan.

Department of Public Works and Environmental Services  
Land Development Services, Site Development and Inspections Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



Erin Haley, Staff Coordinator  
Special Permit Application No.: SP 2014-BR-006  
March 21, 2014  
Page 2 of 2

Site Outfall: Flood Protection Chapter 124-4-4(c)

The applicant provided cross sections to indicate that the flood protection requirements could be met. A detailed review will be with the site plan.

Stormwater Detention

The applicant provided computations to indicate that the detention requirements of Chapter 124 could be met.

For subdivisions that create seven lots or less, stormwater management (SWM) may be provided on individual lots and maintained by the respective homeowner subject to the requirements of Public Facilities Manual (PFM) 6-0303.7; a PFM modification is required.

Entry points, they are not considered underground detention. A detail is shown on sheet 5. PFM 6-0303.6.

Water Quality 124-4-2(a)(1) and 124-4-3(a)

The applicant provided a copy of the VRRM spreadsheet which indicates that the phosphorous removal requirements could be met with facilities located on individual lots.

Stormwater Planning Comments

Not applicable

Dam Breach

Not applicable

Miscellaneous

These comments are based on the 2011 version of the Public Facilities Manual (PFM), Chapter 124 of the County code, and the plan revised January 5<sup>th</sup> 2015.

Please contact me at 703-324-1808, if you have any questions or require additional information.

CML/

cc: Shahab Baig, Chief, North Branch, SDID, DPWES  
Zoning Application File



# County of Fairfax, Virginia

APPENDIX 6

## MEMORANDUM

**DATE:** January 14, 2015

**TO:** Bobby Katai, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Craig Herwig, Urban Forester III  
Forest Conservation Branch, DPWES

**SUBJECT:** Bryan Property; SE 2014-DR-057

This review is based on the Special Exception Application, SE 2014-DR-057 and comment response document stamped "Received, Department of Planning and Zoning, January 5, 2015." A site visit was conducted on October 28, 2014.

Comments on the previously submitted SE Application and Plat were provided to DPZ in my memos dated October 28, 2014 and December 8, 2014. All comments in the October 28, 2014 memo have been adequately addressed. The remaining comment is provided to address the proposed road improvements relative to off-site, privately owned trees. Suggested development conditions are included.

1. **Comment:** It is unclear how any off-site, privately owned trees and vegetation will be preserved during the improvements to the road.

**Recommendation:** The recommended tree preservation development conditions should be included for the construction of the road improvements for the site plan as well as the public improvement plan.

2. **Comment:** Given the nature of the tree cover on the site and depending on the ultimate development configuration provided, several development conditions will be instrumental in assuring adequate tree preservation and landscaping throughout the development process.

**Recommendation:** Recommend the following development conditions to ensure effective tree preservation and landscaping:

Tree Preservation: "The Applicant shall submit a Tree Preservation plan as part of the first and all subsequent site plan submissions and road improvements on any public improvement plan submission. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a Certified Arborist

Department of Public Works and Environmental Services

Urban Forest Management Division

12055 Government Center Parkway, Suite 518

Fairfax, Virginia 22035-5503

Phone 703-324-1770, TTY: 711, Fax: 703-653-9550

[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



or Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater within 25 feet within the undisturbed area and 10 feet of the limits of clearing and grading in the disturbed area shown on the SE Plat and for the entire site and proposed road improvements. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE Plan 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 any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.”

Tree Preservation Walk-Through. “The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant’s Certified Arborist or Registered Consulting Arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made, if any, to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.”

Limits of Clearing and Grading. “The Applicant shall conform strictly to the limits of clearing and grading as shown on the SE Plat and proposed road improvements, subject to allowances specified in these development conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SE Plat, and road improvements they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.”



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

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.”

Root Pruning. “The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the submitted subdivision and public improvement plans. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- 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.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.”

Site Monitoring. “During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as per specific development conditions and as approved by the UFMD. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction and



Bryan Property  
SE 2014-DR-057  
January 14, 2015  
Page 4 of 4

demolition work adjacent to any vegetation to be preserved, tree preservation efforts and landscape installation, in order to ensure conformance with all tree preservation and landscaping development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.”

Please feel free to contact me with any questions or concerns.

CSH/

UFMDID #: 196360

cc: DPZ File





# County of Fairfax, Virginia

## MEMORANDUM

DATE: January 27, 2015

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

**FROM:** Michael A. Davis, Acting Chief   
Site Analysis Section, DOT

**SUBJECT:** FCDOT Staff Report for SE 2014-DR-057 Stephen C. Bryan and Sally T. Bryan,  
1318 Rockland Terrace  
Tax Map # 31-1((01))-17D & 18

The following memorandum is FCDOT staff's response to the special exception application, accepted on August 21, 2014. The applicant is proposing a cluster subdivision in R-1 zoning with a plan to permit the construction of four single family houses on the subject property.

The traffic impact associated with these new dwelling units is minimal and can be accommodated within the existing neighborhood infrastructure. The applicant has proposed improvements to bring Rockland Terrace up to public roadway standards. This includes dedication of land for right-of-way purposes, both on and off site. The off-site dedication has been accomplished through an agreement with the property owner(s) impacted by this land transaction.

All concerns raised by FCDOT staff have been substantially addressed and as such, a recommendation for approval of the special exception is supported.

MAD/JCH

Cc: Bob Katai, DPZ



## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030Charlie Kilpatrick  
COMMISSIONER

December 9, 2014

**To:** Ms. Barbara Berlin  
Director, Zoning Evaluation Division

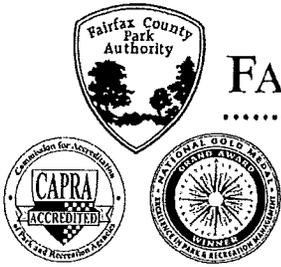
**From:** Noreen H. Maloney  
Virginia Department of Transportation – Land Development Section

**Subject:** SE 2014-DR-057; Bryan Property

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

This office has reviewed the subject application and offers the following comments.

- The proposed typical section of Rockland Terrace should be per the VDOT *Road Design Manual*, Appendix B-1.
- Minimum 6' shoulder should be provided along Rockland Terrace.
- Vehicles per day along Rockland Terrace should be provided.
- The replaced and proposed driveway entrances along Rockland Terrace should be labeled as PE-1 per VDOT's *Road and Bridge Standards*. Culverts should be shown if necessary.



# FAIRFAX COUNTY PARK AUTHORITY

## M E M O R A N D U M

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

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

**DATE:** January 13, 2015

**SUBJECT:** SE 2014-DR-057, Bryan Property  
Tax Map Number(s): 33-1 (91) 17D & 18

### BACKGROUND

The Park Authority staff has reviewed the revised Development Plan dated January 5, 2015, for the above referenced application. The Development Plan shows four new single-family detached dwelling units on a 5.6-acre parcel. Based on an average single-family household size of 2.89 in the McLean Planning District, the development could add 9 new residents (4 new – 1 existing =  $3 \times 2.89 = 9$ ) to the Dranesville Supervisory District.

This memorandum replaces one previously submitted October 20, 2014.

### COMPREHENSIVE PLAN GUIDANCE

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

The M3 Kirby Planning Sector recommendations in the Area II Plan describe the importance of natural and cultural resources. Specific guidance includes, “any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found.” (Area II, McLean Planning District, M3-Kirby Community Planning Sector, Heritage Resources, p. 107)

Finally, text from the Fairfax District chapter of the Great Parks, Great Communities Park Comprehensive Plan echoes recommendations in the Countywide Comprehensive Plan.

## **ANALYSIS AND RECOMMENDATIONS**

### **Park Needs:**

Using adopted service level standards, staff has identified a need for all types of parkland and recreational facilities in this area. Existing nearby parks (Dolley Madison Estates, Potomac Hills) meet only a portion of the demand for parkland generated by residential development in the McLean Planning District. In addition to parkland, the recreational facilities in greatest need in this area include sports courts, athletic fields, and trails.

### **Natural Resources Impact:**

The Park Authority owns and operates Dolley Madison Park near the applicant's property. All landscaping to be installed, including temporary and permanent seed, should be of non-invasive species to protect the environmental health of nearby parkland. Species should also ideally be native to Fairfax County to provide the greatest ecosystem benefit. The following resources are recommended:

- Common invasive plant species in Northern Virginia are included on the following list: <http://alexandriava.gov/uploadedFiles/recreation/parks/InvasiveExoticPlantsThatThreatenParksinAlexandria.pdf>.
- The Invasive Plant Atlas of the United States may include less common species that are not on the above list: <http://www.invasiveplantatlas.org/> (search by type).
- Native alternatives can be found in Native Plants for Conservation, Restoration, and Landscaping, Virginia Piedmont Region (VA DCR): [http://www.dcr.virginia.gov/natural\\_heritage/documents/pied\\_nat\\_plants.pdf](http://www.dcr.virginia.gov/natural_heritage/documents/pied_nat_plants.pdf).

If there is a question as to whether a species is native to Fairfax County, the applicant should check the Digital Atlas of Virginia Flora at <http://vaplantatlas.org/>.

### **Cultural Resources Impact:**

The parcels were subjected to cultural resources review. Aerial photography from 1937 shows structures on parcel 18. The parcel has moderate to high potential to contain Native American archaeological or historical archaeological sites. The Park Authority recommends a Phase I archaeological survey on undisturbed portions of the parcel, including architectural documentation and assessment of any structures more than fifty years old (i.e., pre-1937 structures described above, if still extant). If significant sites are found, Phase II archaeological testing is recommended in order to determine if sites are eligible for inclusion on the National Register of Historic Places. If sites are found eligible, avoidance or Phase III archaeological data recovery is recommended.

At the completion of any cultural resource studies, the Park Authority requests that the applicant provide two copies (one hard copy, one digital copy) of the archaeology report as well as field notes, photographs, and artifacts to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study. Materials can be sent to 2855 Annandale Road Falls Church, VA 20110 for review and concurrence. For artifact catalogues, please include the database in Access <sup>TM</sup> format, as well as digital photography,

architectural assessments, including line drawings. If any archaeological, architectural or other sites are found during cultural resources assessments, the applicant should update files at VDHR, using the VCRIS system.

### **SUMMARY OF RECOMMENDATIONS**

This section summarizes the recommendations included in the preceding analysis section. The Park Authority recommends the following:

- Install only non-invasive species and to the extent possible, locally native plant species, in all landscaping to include temporary and permanent seed
- Conduct a Phase I archaeological survey on undisturbed portions of the parcel, including architectural documentation and assessment of any structures more than fifty years old

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

FCPA Reviewer: Anna Bentley  
DPZ Coordinator: Bob Katai

Copy: Cindy Walsh, Director, Resource Management Division  
Liz Crowell, Manager, Cultural Resource Management & Protection Section  
Bob Katai, DPZ Coordinator  
Chron File  
File Copy

Barbara Berlin  
SE 2014-DR-057, Bryan Property, Revised  
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# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** December 2, 2014

**TO:** Bobby Katai  
Department of Planning and Zoning

**FROM:** Laurie Turkawski, Heritage Resource Specialist   
Department of Planning and Zoning

**SUBJECT:** SE 2014-DR-057 (Stephen C. Bryan and Sally T. Bryan)

Planning Location: Fairfax County Comprehensive Plan, 2013 Edition, Area II, McLean Planning District, Amended through 4-29-2014; Overview, District-wide Recommendations, Heritage Resources, pp. 8-15; M3-Kirby Community Planning Sector, Recommendations, Heritage Resources, p. 107:

“Heritage Resources

The McLean Planning District contains both known and potential heritage resources...

...  
The county Inventory of Historic Sites includes properties which meet certain eligibility criteria and are officially designated by the county's History Commission. In addition to historic, architectural or archaeological significance, property that serves as a focus of community identity and pride may also be recognized. The benefits of designation include public recognition of the structure's significance and enhanced support for preservation...

...  
Prior to any zoning action, the Department of Planning and Zoning should be consulted as to what architectural surveys are necessary to document any on-site cultural resources...”

“Heritage Resources

Any development or ground disturbance in this area, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with County policy, countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archeological resources, the artifacts recovered.”

Background:

The Application for Special Exception indicates the existing house on the property was built in 1852 with later additions. There is no information about the property in DPZ heritage resource files. A 1937 aerial photo shows most of the house already built. A site visit on November 7

Department of Planning and Zoning  
Planning Division  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5509  
Phone 703-324-1380  
Fax 703-324-3056  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



revealed a residence built in several sections. The house does not appear to be of outstanding architectural style. Dranesville District History Commission members were contacted. They knew nothing about the property and were not aware of any particular local historical interest in the residence.

The development plan contains the option to retain the current house, which is welcomed by staff in order to save another historic building in the county. However, there does not appear to be enough significance or interest to recommend that the building not be demolished. Staff is requesting copies of the information backing up the 1852 construction date for our heritage resource files.

**APPENDIX 4****GUIDELINES FOR CLUSTER DEVELOPMENT**

The preservation of open space, the protection of environmentally sensitive lands, the provision of opportunities for active and passive recreation, the reduction of the impact of storm water runoff and erosion, the achievement of high quality design, and the provision of efficient development are fundamental to the preservation of our Quality of Life, the primary goal of Fairfax County's policies and priorities. Cluster development is one tool that may be used to further this goal. The following criteria will be considered when reviewing a cluster subdivision:

1. Individual lots, buildings, streets and parking areas should be designed and situated to minimize disruption to the site's natural drainage and topography.
2. Environmental Quality Corridor (EQC) lands should be preserved and should be dedicated to the county whenever such dedication is in the public interest.
3. Site design should take advantage of opportunities to preserve high quality open space or to provide active or passive recreation and should be sensitive to surrounding properties, in order to be compatible with and to complement surrounding development.
4. No cluster development should be considered when the primary purpose of the clustering is to maximize density on the site.

## **APPENDIX 9**

### **RESIDENTIAL DEVELOPMENT CRITERIA**

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

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

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

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

#### **1. Site Design:**

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

- a) *Consolidation*: Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.
- b) *Layout*: The layout should:
- provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
  - provide dwelling units that are oriented appropriately to adjacent streets and homes;
  - include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
  - provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
  - provide convenient access to transit facilities;
  - Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.
- c) *Open Space*: Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.
- d) *Landscaping*: Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.
- e) *Amenities*: Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

## **2. Neighborhood Context:**

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

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;
- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;

- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

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

### **3. Environment:**

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

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

#### **4. Tree Preservation and Tree Cover Requirements:**

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the county, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas. Air quality-sensitive tree preservation and planting efforts (see Objective 1, Policy c in the Environment section of this document) are also encouraged.

#### **5. Transportation:**

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

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:
  - Capacity enhancements to nearby arterial and collector streets;
  - Street design features that improve safety and mobility for non-motorized forms of transportation;
  - Signals and other traffic control measures;
  - Development phasing to coincide with identified transportation improvements;
  - Right-of-way dedication;
  - Construction of other improvements beyond ordinance requirements;
  - Monetary contributions for improvements in the vicinity of the development.
  
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
  - Provision of bus shelters;
  - Implementation and/or participation in a shuttle bus service;
  - Participation in programs designed to reduce vehicular trips;
  - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
  - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
  
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:

- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
  - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
  - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
  - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
  - The number and length of long, single-ended roadways should be minimized;
  - Sufficient access for public safety vehicles should be ensured.
- d) *Streets*: Public streets are preferred. If private streets are proposed in single-family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities*: Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
  - Connections between adjoining neighborhoods;
  - Connections to existing non-motorized facilities;
  - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
  - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
  - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
  - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
  - Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs*: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

## **6. Public Facilities:**

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

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

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

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

## **7. Affordable Housing:**

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

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

## **8. Heritage Resources:**

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the county or its communities. Some of these sites and structures have been 1) listed in, or determined eligible for listing in, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure or site 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 in, or having a reasonable potential as determined by the county, for meeting the criteria for listing in, the Fairfax County Inventory of Historic 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.

### 9-615 Provisions for a Cluster Subdivision

The Board may approve, either in conjunction with the approval of a rezoning or as a special exception, a cluster subdivision in an R-C, R-E or R-1 District or a cluster subdivision in a R-3 or R-4 District which has a minimum district size of two (2) acres or greater but less than three and one-half (3.5) acres, but only in accordance with the provisions of this section. Special exceptions for cluster subdivisions in the R-2 District and cluster subdivisions in the R-3 or R-4 Districts which have a minimum district size of three and one-half (3.5) acres or greater, that were approved by the Board prior to July 1, 2004, shall remain valid and the cluster subdivisions shall continue pursuant to such special exception approval and any development conditions imposed by such approval. Amendments to such special exceptions for cluster subdivisions in the R-2 District and cluster subdivisions in the R-3 or R-4 Districts which have a minimum district size of three and one-half (3.5) acres or greater, shall be pursued in accordance with the provisions of Sect. 9-014 and the following:

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by twenty-three (23) copies of a plat drawn to designated scale of not less than one inch equals fifty feet (1" = 50'), certified by a professional engineer, land surveyor, architect or landscape architect licensed by the State of Virginia, presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. If the proposal cannot be accommodated on one 24" x 36" sheet at a scale of 1" = 50', a scale of not less than 1" = 100' may be used. If presented on more than one (1) sheet, match lines shall clearly indicate where the several sheets join. Such plat shall contain the following information:
  - A. Boundaries of the entire property, with bearings and distances of the perimeter property lines.
  - B. Total area of the property in square feet or acres.
  - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
  - D. Area of open space in square feet or acres and percent of total area that is open space.
  - E. Type of open space, whether common open space or dedicated open space, and the proposed uses.
  - F. Maximum number of dwelling units proposed, and the density and open space calculations based on Sections 2-308 and 2-309.
  - G. Existing topography with a maximum contour interval of two (2) feet and a statement indicating whether it is air survey or field run.
  - H. Proposed layout of lots, streets and open space.
  - I. Location, where applicable, of recreation areas, parks, schools, and other public or community uses.
  - J. Public right(s)-of-way, indicating names, route numbers and width, any required and/or proposed improvements to the public right(s)-of-way and delineation of the existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of the pavement and to the edge of the right-of-way.

- K. A delineation of all existing structures, and an indication of their date of construction, if known, and whether they will be retained or demolished.
- L. Indication that the property is served by public water and/or sewer or private water and/or septic field.
- M. Designation of minimum lot areas and yards that will be provided on lots adjacent to major thoroughfares and adjacent to the peripheral lot lines of the subdivision.
- N. Approximate location, estimated size of footprint in acres and type of all proposed stormwater management facilities, including the full extent of side slopes, embankments, spillways, dams, and approximate water surface elevation for design storms, if applicable. In addition, a preliminary stormwater management plan that includes information about the adequacy of downstream drainage, including the sufficiency of capacity of any storm drainage pipes and other conveyances into which stormwater runoff will be conveyed. When there is 2500 square feet or more of land disturbing activity on the entire application property, in addition to the above, the preliminary stormwater management plan shall include:
  - (1) A graphic depicting:
    - (a) The approximate footprint of the stormwater management facility and, where applicable, the height of the dam embankment and the location of the emergency spillway outlet for each stormwater management facility.
    - (b) The approximate on-site and off-site areas to be served by each stormwater management facility, along with the acreage draining to each facility.
    - (c) A preliminary layout of all on-site drainage channels, outfalls and pipes, including inlet and outlet pipes within the stormwater management facility.
    - (d) The approximate location or alternative locations, if any, of any maintenance access road or other means of access to the stormwater management facility, and the identification of the types of surfaces to be used for any such road.
    - (e) Proposed landscaping and tree preservation areas in and near the stormwater management facility.
    - (f) The approximate limits of clearing and grading on-site and off-site for the stormwater management facility, storm drainage pipes, spillways, access roads and outfalls, including energy dissipation, storm drain outlet protection and/or stream bank stabilization measures.
  - (2) A preliminary stormwater management narrative setting forth the following:
    - (a) Description of how the detention and best management practice requirements will be met.
    - (b) The estimated area and volume of storage of the stormwater management facility to meet stormwater detention and best management practice requirements.
    - (c) For each watercourse into which drainage from the property is discharged, a description of the existing outfall conditions, including any

existing ponds or structures in the outfall area. The outfall area shall include all land located between the point of discharge from the property that is located farthest upstream, down to the point where the drainage area of the receiving watercourse exceeds 100 times the area of that portion of the property that drains to it or to a floodplain that drains an area of at least 1 square mile, whichever comes first.

(d) Description of how the adequate outfall requirements of the Public Facilities Manual will be satisfied.

- O. Approximate delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
  - P. A plan showing limits of clearing, existing vegetation, and any proposed landscaping and screening, to include existing vegetation to be preserved, and when there is 2500 square feet or more of land disturbing activity, an existing vegetation map.
  - Q. Location of all existing utility easements having a width of twenty-five (25) feet or more.
  - R. Location of all trails required by the adopted comprehensive plan.
  - S. Approximate delineation of any grave, object or structure marking a place of burial if known, and a statement indicating how the proposed development will impact the burial site.
  - T. Seal and signature of professional person preparing the plat.
2. It shall be demonstrated by the applicant that the location, topography and other physical characteristics of the property are such that cluster development will:
- A. Preserve the environmental integrity of the site by protecting and/or promoting the preservation of features such as steep slopes, stream valleys, desirable vegetation or farmland, and either
    - (1) Produce a more efficient and practicable development, or
    - (2) Provide land necessary for public or community facilities.
  - B. Be in accordance with the adopted comprehensive plan and the established character of the area. To accomplish this end, the cluster subdivision shall be designed to maintain the character of the area by preserving, where applicable, rural views along major roads and from surrounding properties through the use of open space buffers, minimum yard requirements, varied lot sizes, landscaping or other measures.
3. In no case shall the maximum density specified for the applicable district be increased nor shall other applicable regulations or use limitations for the district be modified or changed; provided, however, the Board may approve a modification to the minimum lot size and/or minimum yard requirements when it can be concluded that such a modification(s) is in keeping with the purpose of this Section and the applicable zoning district. No lot shall extend into a floodplain and adjacent slopes in

excess of fifteen (15) percent grade or Resource Protection Area unless approved by the Board based on a determination that:

- A. The particular floodplain and adjacent slopes in excess of fifteen (15) percent grade or Resource Protection Area, by reason of its size or shape, has no practical open space value, and
  - B. The amount of floodplain and adjacent slopes in excess of fifteen (15) percent grade or Resource Protection Area on the lot is minimal, and
  - C. The lot otherwise meets the required minimum lot area specified for the district in which located.
4. Upon Board approval of a cluster subdivision, a cluster subdivision plat may be approved in accordance with the plat approved by the Board, the provisions of this Section and the cluster subdivision provisions presented in the zoning district regulations.
  5. In the R-C District, in addition to Par. 2 above, the applicant shall demonstrate that the cluster subdivision and the use of its open space is designed to achieve runoff pollution generation rates no greater than would be expected from a conventional R-C District subdivision of the property.

### GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Abbreviations Commonly Used in Staff Reports

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