



APPLICATION ACCEPTED: March 21, 2014
APPLICATION AMENDED: July 6, 2015
PLANNING COMMISSION: March 9, 2016
BOARD OF SUPERVISORS: TBD

County of Fairfax, Virginia

February 23, 2016

STAFF REPORT ADDENDUM

APPLICATION RZ/FDP 2014-LE-008

LEE DISTRICT

APPLICANT:	PHD Associates, L.L.C.
PRESENT ZONING:	R-1
REQUESTED ZONING:	PDH-3
PARCEL:	90-4 ((1)) 17
SITE AREA:	15.33 acres
DENSITY:	2.28 du/ac
PLAN MAP:	Residential; 3 – 4 du/ac
PROPOSAL:	To rezone from the R-1 District to the PDH-3 District to permit the development of 35 single-family attached dwellings at a density of 2.28 du/ac.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2014-LE-008 subject to the execution of proffers consistent with the proffers contained in Attachment 1.

Staff recommends approval of FDP 2014-LE-008, subject to the proposed development conditions contained in Attachment 3.

Mike D. Van Atta

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

Staff recommends approval of a modification of the requirements of PFM Section 7-0406.8A to allow a minimum 30-foot pavement radius within the cul-de-sac terminating the extension of Thomas Grant Drive.

Staff recommends approval of a modification of the transitional screening and barrier requirements along all sides of the application property in favor of the existing landscaping as shown on the CDP/FDP.

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

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

The approval of this application does not interfere with, abrogate or annul any easements, 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:\mvanat\Applications\RZ_FDP 2014-LE-008 PHD\Staff Report\Staff Report Addendum



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

Rezoning Application

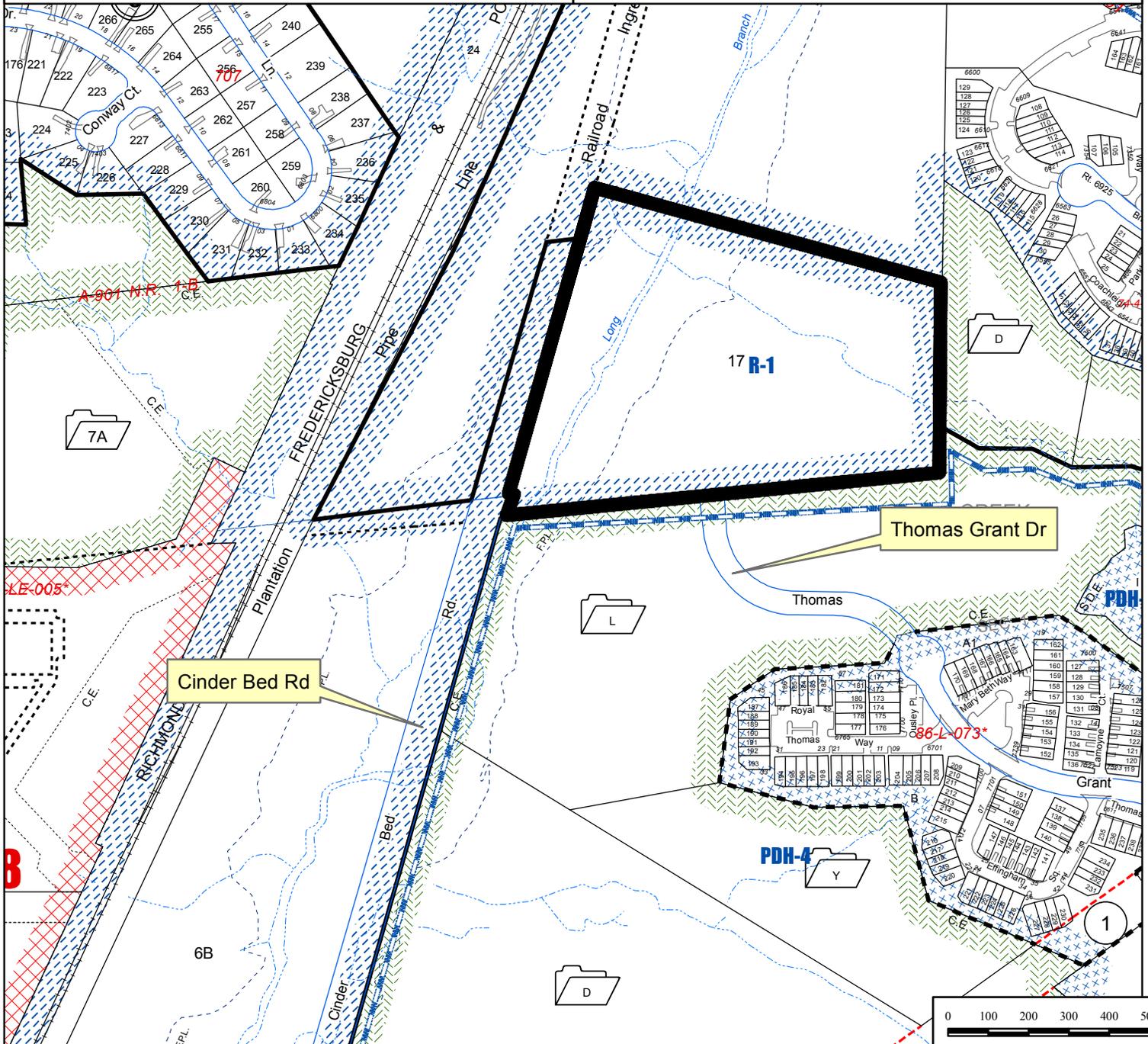
RZ 2014-LE-008

Applicant: PHD ASSOCIATES, L.L.C
Accepted: 03/21/2014
Proposed: RESIDENTIAL
Area: 15.33 AC OF LAND; DISTRICT - LEE
Zoning Dist Sect:
Located: EAST SIDE OF CINDER BED ROAD AT ITS NORTHERN TERMINUS
Zoning: FROM R- 1 TO PDH- 3
Overlay Dist:
Map Ref Num: 090-4- /01/ /0017

Final Development Plan

FDP 2014-LE-008

Applicant: PHD ASSOCIATES, L.L.C
Accepted: 03/21/2014
Proposed: RESIDENTIAL
Area: 15.33 AC OF LAND; DISTRICT - LEE
Zoning Dist Sect:
Located: EAST SIDE OF CINDER BED ROAD AT ITS NORTHERN TERMINUS
Zoning: PDH- 3
Overlay Dist:
Map Ref Num: 090-4- /01/ /0017

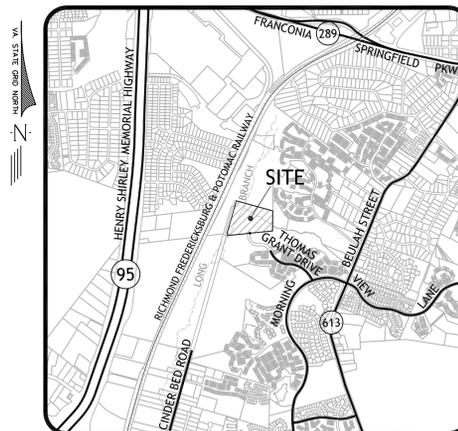


LONG BRANCH PROPERTY

CONCEPTUAL DEVELOPMENT PLAN FINAL DEVELOPMENT PLAN (CDP/FDP)

Lee District
Fairfax County, Virginia

DECEMBER 11, 2013
FEBRUARY 10, 2014
JUNE 17, 2014
AUGUST 7, 2014
SEPTEMBER 23, 2014
OCTOBER 20, 2014
NOVEMBER 12, 2014
APRIL 29, 2015
JULY 6, 2015
JANUARY 15, 2016
FEBRUARY 5, 2016



VICINITY MAP
SCALE 1"=2000'

SHEET INDEX

- 1 COVER SHEET
- 2 NOTES & DETAILS
- 3 EXISTING CONDITIONS MAP
- 4 EXISTING VEGETATION MAP
- 5 CDP/FDP LAYOUT
- 6 FCPA LAND CONVEYANCE EXHIBIT
- 7 LANDSCAPE PLAN
- 8-9 PRELIMINARY BMP ANALYSIS
- 10 PRELIMINARY SWM ANALYSIS
- 11 ADEQUATE OUTFALL ANALYSIS
- 12 ILLUSTRATIVE
- 13 AMENITIES PLAN

APPLICANTS:

PHD ASSOCIATES, LLC
42395 RYAN ROAD, SUITE 112-614
ASHBURN, VIRGINIA 20148
(703) 723-2505

CIVIL ENGINEER:



ATTORNEY:

WALSH COLUCCI LUBELEY & WALSH PC
2200 CLARENDON BLVD.
THIRTEENTH FLOOR
ARLINGTON, VIRGINIA 22201-3359
(703) 528-4700 FAX: (703) 525-3197

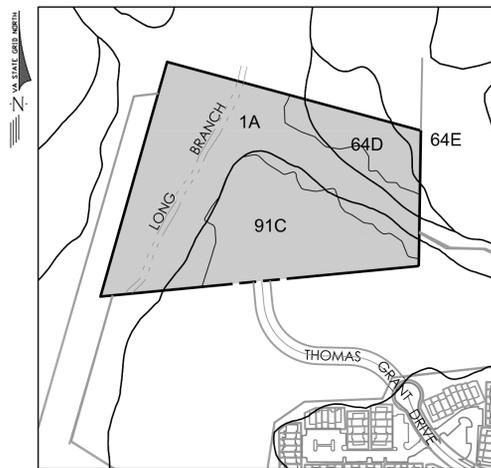


GENERAL NOTES

- ALL REFERENCES HEREIN TO ZONING ORDINANCE SHALL REFER TO THE FAIRFAX COUNTY ZONING ORDINANCE. ALL REFERENCES HEREIN TO PROPERTY, PARCEL OR SITE SHALL REFER TO THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS LOCATED IN THE LEE DISTRICT, ON FAIRFAX COUNTY TAX MAP 90-4 ((1)) 17, AND IS OWNED BY JEAN MARY O'CONNELL NADER.
- THE PROPERTY IS CURRENTLY ZONED R-1 AND IS PROPOSED TO BE REZONED PDH-3.
- THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A FIELD RUN BOUNDARY SURVEY OF THIS PROPERTY PERFORMED BY URBAN, LTD. IN AUGUST, 2013.
- THE TOPOGRAPHY SHOWN HEREON IS AT TWO FOOT CONTOUR INTERVAL, BASED ON A FIELD SURVEY PERFORMED BY URBAN, LTD. IN OCTOBER, 2013.
- BASED UPON COUNTY MAPPING THERE ARE FLOODPLAINS AND RESOURCE PROTECTION AREAS LOCATED ON THE PROPERTY.
- ALL KNOWN EASEMENTS 25 FEET OR MORE IN WIDTH ON THE PROPERTY ARE SHOWN HEREIN.
- THERE ARE NO AREAS WITHIN THE PROPOSED DEVELOPED AREA THAT HAVE SCENIC ASSETS OR NATURAL FEATURES WORTH PROTECTING AND PRESERVING.
- THERE ARE NO KNOWN GRAVE OR BURIAL SITES ON THIS PROPERTY.
- ACCORDING TO THE COUNTYWIDE TRAILS PLAN, THERE IS ONE MINOR TRAIL PROPOSED ON THE PROPERTY. AN 8 FOOT WIDE ASPHALT TRAIL EXISTS ALONG THE EASTERN SIDE OF LONG BRANCH, SOUTH OF THE SUBJECT PROPERTY.
- THE USE AND DENSITY OF THE PROPOSED DEVELOPMENT CONFORMS TO THE RECOMMENDATIONS OF THE FAIRFAX COUNTY COMPREHENSIVE PLAN. THE PROPERTY IS LOCATED WITHIN THE SPRINGFIELD PLANNING DISTRICT (AREA IV) AND THE NEWINGTON COMMUNITY PLANNING SECTOR (S6). IT IS PLANNED FOR RESIDENTIAL USE AT 3 TO 4 DWELLING UNITS PER ACRE.
- THE PROPOSED DEVELOPMENT WILL NOT POSE ANY ADVERSE EFFECT ON ADJACENT OR NEIGHBORING PROPERTIES.
- SPECIAL AMENITIES WILL INCLUDE PRESERVATION OF THE EQC / RPA. CONSTRUCTION OF A PUBLIC 10 FOOT WIDE ASPHALT TRAIL ALONG LONG BRANCH, A TOT LOT AND LAWN PLAY AREA, A COMMUNITY GATHERING AREA, AND A COMMUNITY BACKYARD AND ADULT FITNESS AREA.
- THE PROJECT IS ANTICIPATED TO BE DEVELOPED IN A SINGLE PHASE.
- A PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT DATED OCTOBER 18, 2013 HAS BEEN PREPARED BY ECS MID-ATLANTIC, LLC.
- A GEOTECHNICAL INVESTIGATION FOR THIS SITE HAS BEEN COMPLETED BY ENGINEERING CONSULTING SERVICES (ECS) DATED JUNE 12, 2015 ENTITLED "LONG BRANCH REPORT OF SUBSURFACE EXPLORATION AND GEOTECHNICAL ENGINEERING".
- WETLANDS SHOWN HEREIN WERE DELINEATED BY WSSI, INC. (WETLAND STUDIES AND SOLUTIONS, INC.) AS SHOWN IN "WATERS OF THE U.S. DELINEATION AND RESOURCE PROTECTION AREA EVALUATION MAP, THOMAS GRANT PROPERTY" DATED AUGUST 5, 2013.
- THE PROPOSED DEVELOPMENT WILL CONFORM TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS EXCEPT AS MAY BE SPECIFIED OTHERWISE.
- PUBLIC WATER AND SEWER SHALL BE PROVIDED BY EXTENSION OF EXISTING SERVICE ON AND ADJACENT TO THE PROPERTY. SOLID WASTE REMOVAL SHALL BE PROVIDED BY PRIVATE CONTRACTORS.
- ALL PROPOSED UTILITIES, INCLUDING ELECTRIC, SHALL BE PLACED UNDERGROUND.
- PARKING WILL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11 OF THE ZONING ORDINANCE.
- HOUSE FOOTPRINTS SHOWN ARE ILLUSTRATIVE AND APPROXIMATE. THE SIZE AND CONFIGURATION OF THESE FOOTPRINTS MAY BE REVISED PROVIDED THAT THE MINIMUM SETBACKS TO THE PERIPHERY AND REQUIRED AMOUNT OF OPEN SPACE ARE NOT DIMINISHED.
- PURSUANT TO SECTION 16-403 OF THE ZONING ORDINANCE, MINOR MODIFICATIONS INCLUDING THE LIMITS OF CLEARING AND GRADING, LANDSCAPED OPEN SPACE AND LOCATIONS OF SIDEWALKS, UTILITIES, RECREATIONAL AMENITIES AND STORM WATER MANAGEMENT FACILITIES MAY OCCUR WITH FINAL SITE ENGINEERING WITHOUT REQUIRING AN AMENDMENT TO THIS CDP/FDP.
- LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF ARTICLE 13 AND THIS CDP/FDP.
- SUBJECT TO MARKET CONDITIONS, IT IS ANTICIPATED THAT CONSTRUCTION OF THE PROPOSED DEVELOPMENT WILL COMMENCE AS SOON AS ALL NECESSARY COUNTY APPROVALS AND PERMITS ARE OBTAINED.
- STORMWATER MANAGEMENT FACILITIES WILL CONFORM TO ALL DPWES AND PFM REQUIREMENTS. APPLICANT RESERVES THE RIGHT TO ADD ADDITIONAL BIORETENTION FACILITIES AND/OR OTHER LOW IMPACT DEVELOPMENT MEASURES IF DEEMED REQUIRED AT TIME OF FINAL ENGINEERING.
- PRIVATE STREETS AND SURFACE PARKING AREAS NOT WITHIN PRIVATE DRIVEWAYS ARE TO BE LOCATED ON COMMON HOMEOWNERS ASSOCIATION (HOA) PROPERTY AND WILL BE OWNED AND MAINTAINED BY THE HOA.
- BASED UPON THE PHASE I SITE INVESTIGATION, THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS PARTS 116.4, 302.4 AND 355; ALL HAZARDOUS WASTE AS SET FORTH IN COMMONWEALTH OF VIRGINIA DEPARTMENT OF WASTE MANAGEMENT REGULATIONS WR 672-10-1-VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS; AND/OR PETROLEUM PRODUCTS AS DEFINED IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 260; TO BE GENERATED, UTILIZED, STORED, TREATED AND/OR DISPOSED OF ON-SITE.

SOILS MAP

SCALE 1"=300'



SOILS RATINGS

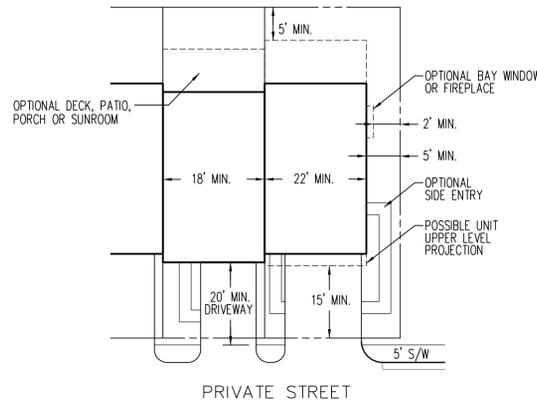
SOIL I.D. NUMBER	SERIES NAME	SUBSURFACE DRAINAGE	FOUNDATION SUPPORT	SLOPE STABILITY	ERODIBILITY	INFILTRATION SUITABILITY	GEOTECHNICAL ² REPORT REQD.
1A	ALBANO SILT LOAM	POOR-W,S	POOR-B,W,C	MODERATE	LOW	POOR-W,S	YES
64D	JACKLAND AND HAYMARKET SOILS (STONY)	POOR-P,C,S	POOR-P,C,B	LOW	MEDIUM	POOR-C,P,S	YES
64E	JACKLAND AND HAYMARKET SOILS (STONY)	POOR-P,C,S	POOR-P,C,B	LOW	MEDIUM	POOR-C,P,S	YES
91C	SASSAFRAS-MARUMSCO COMPLEX	POOR-P,C,S	POOR-U,P,C,B	LOW-MOD.	HIGH	POOR-P,C,U	YES

SOILS NOTES:

- SOILS INFORMATION AND MAPPING PROVIDED BY THE OFFICIAL 2011 FAIRFAX COUNTY SOIL MAPS.
- FINAL GEOTECHNICAL REPORT REQUIRED AT TIME OF SITE PLAN.

TYPICAL SFA LOT DETAIL

N.T.S.



TYPICAL LOT/UNIT NOTES:

- THE TYPICAL LOT DETAILS ARE INTENDED TO ESTABLISH MINIMUM YARD AREAS AND SETBACKS. THE FOOTPRINTS SHOWN ARE ILLUSTRATIVE AND MAY NOT REPRESENT THE ACTUAL FOOTPRINT. ALTERNATIVE FOOTPRINTS MAY BE USED.
- EXTENSIONS INTO MINIMUM REQUIRED YARDS NOT SPECIFIED BELOW SHALL BE GOVERNED BY ARTICLE 2-412 OF THE ZONING ORDINANCE.
- MINIMUM DRIVEWAY LENGTH IS 20 FEET, MEASURED FROM FACE OF GARAGE DOOR TO EDGE OF SIDEWALK.
- BAY WINDOWS AND FIREPLACES MAY EXTEND UP TO 3 FEET INTO ANY MINIMUM REQUIRED YARD BUT NOT CLOSER THAN 2 FEET TO ANY SIDE LOT LINE.
- DECK MODIFICATIONS MAY INCLUDE BUT ARE NOT LIMITED TO: LATTICE WORK, PERGOLAS, TRELLISES AND OVERHANGING PLANTER BOXES.
- ENTRY STAIRS, STOOPS, CANOPIES AND/OR PORCHES MAY EXTEND UP TO 5 FEET INTO YARDS BUT NOT CLOSER THAN 2 FEET TO ANY SIDE LOT LINE.
- ENCLOSED PORCHES / SUNROOMS MAY EXTEND INTO REAR YARDS BUT NOT CLOSER THAN 5 FEET FROM THE REAR LOT LINE AND MAY NOT PROJECT BEYOND THE SIDE OF THE HOUSE.
- ANY UNCOVERED BALCONIES IN THE FRONT MAY PROJECT UP TO 8 FEET FROM THE FACADE
- A PRIVACY YARD OF AT LEAST 200 SQUARE FEET SHALL BE PROVIDED FOR EACH UNIT.
- END UNITS TO ACCOMMODATE A TWO-CAR GARAGE.

ZONING AND AREA TABULATIONS

TOTAL SITE AREA	=	667,743 S.F. OR 15.3293 AC.
DEDICATION FOR THOMAS GRANT DRIVE		
CUL-DE-SEC:	=	0.10 AC +/-
DEDICATION FOR PARKLAND TO FCPA:		
OUTSIDE RPA:	=	0.75 AC +/-
WITHIN RPA:	=	9.80 AC +/-
TOTAL PARKLAND DEDICATION:	=	10.55 AC +/-
* DUE TO FLOODPLAINS & MARINE CLAYS COMPRISING OVER 30% OF THE SUBJECT SITE, ARTICLE 2-308(2) OF THE FAIRFAX COUNTY ZONING ORDINANCE APPLIES, WHERE...		
* 30% OF GROSS SITE AREA IS CALCULATED AT FULL DENSITY.		
* PERCENTAGE OF ENVIRONMENTALLY SENSITIVE AREAS OUTLINED IN ARTICLE 2-308(2) MINUS 30% IS CALCULATED AT HALF DENSITY. IN THIS CASE, 74% - 30% = 44%.		
* REMAINING PERCENTAGE OF GROSS SITE AREA IS CALCULATED AT FULL DENSITY. IN THIS CASE, 26%.		
EXISTING ZONING	=	R-1
PROPOSED ZONING	=	PDH-3
* ALLOWABLE DENSITY:		
30% OF GROSS SITE	=	4.5988 AC x 4 DU/AC = 18.3952 DU
44% OF GROSS SITE	=	6.7449 AC x 4 DU/AC = 26.9796 x 50% = 13.4898 DU
26% OF GROSS SITE	=	3.9856 AC x 4 DU/AC = 15.9424 DU
TOTAL ALLOWABLE DENSITY	=	47.8274 DU OR 3.12 DU/AC
PROPOSED DENSITY	=	35 SFA UNITS/15.3293 AC = 2.28 DU/AC
MINIMUM LOT AREA	=	NONE, MIN. 200 S.F. PRIVACY YARD REQ'D.
MINIMUM LOT WIDTH	=	NONE
MINIMUM YARD SETBACKS:		
FRONT YARD	=	15 FEET
SIDE YARD	=	5 FEET
REAR YARD	=	5 FEET
PROPOSED UNIT HEIGHT	=	35 FEET MAXIMUM
OPEN SPACE REQUIRED	=	20% OR 3.07 AC.
OPEN SPACE PROVIDED	=	±78% OR ±11.89 AC.
ACTIVE REC. AREA PROVIDED	=	±24,000 S.F.
(TOT LOT, SITTING AREA & COMMUNITY GATHERING AREA = ±11,000 SF)		
(COMMUNITY BACKYARD & ADULT FITNESS AREA = ±13,000 SF)		

PARKING TABULATIONS

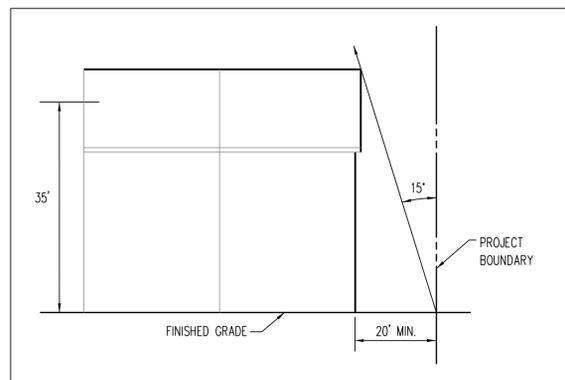
TOTAL NUMBER OF UNITS	=	35
PARKING SPACES REQUIRED	=	95 SPACES (2.70 SPACES PER UNIT)
PARKING SPACES PROVIDED:		
GARAGE (1 SPACE, INTERIOR UNITS)	=	25 SPACES
GARAGE (2 SPACES, END UNITS)	=	20 SPACES
OFF-STREET (GUESTS)	=	±21 SPACES
SUBTOTAL	=	±66 SPACES
DRIVEWAY (1 SPACE, INTERIOR UNITS)	=	25 SPACES
DRIVEWAY (2 SPACES, END UNITS)	=	20 SPACES
TOTAL SPACES PROVIDED	=	111 SPACES (3.17 SPACES PER UNIT)
(AN ADDITIONAL 30 PUBLIC SPACES ARE AVAILABLE ON ONE SIDE OF THOMAS GRANT DRIVE)		

REQUESTED WAIVERS/MODIFICATIONS

- MODIFICATION OF SECTION 7-0406.8A OF THE PUBLIC FACILITIES MANUAL TO ALLOW A MINIMUM 30 FOOT DRIVEWAY RADIUS WITHIN THE CUL-DE-SAC TERMINATING THOMAS GRANT DRIVE IN ORDER TO MINIMIZE CLEARING AND GRADING.

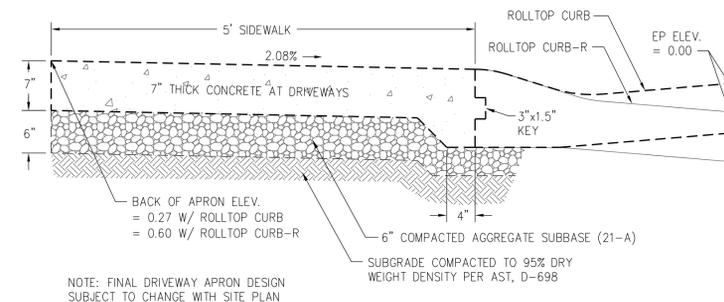
ANGLE OF BULK PLANE

N.T.S.



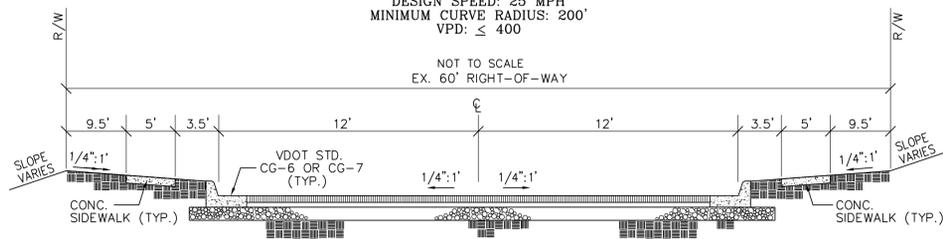
DRIVEWAY ENTRANCE WITH 5' SIDEWALK DETAIL

N.T.S.



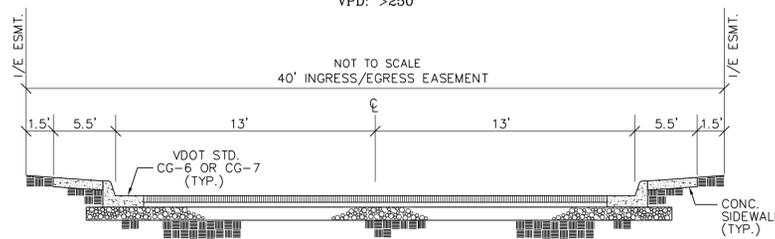
TYPICAL CROSS SECTION 26' PRIVATE STREET - PARKING ONE SIDE

DESIGN SPEED: 25 MPH
MINIMUM CURVE RADIUS: 200'
VPD: ≤ 400



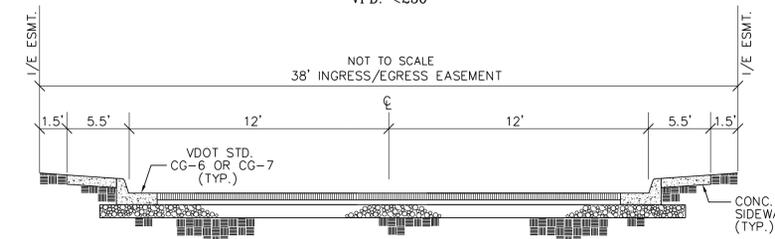
TYPICAL CROSS SECTION 26' PRIVATE STREET - NO PARKING

VPD: >250



TYPICAL CROSS SECTION 24' PRIVATE STREET - NO PARKING

VPD: <250



- GENERAL NOTES:**
- FINAL PAVEMENT DESIGN TO OCCUR WITH CONSTRUCTION PLANS AND PROFILES.
 - SEE PLAN VIEW FOR ACTUAL SIDEWALK LOCATIONS.



Client
PHD ASSOCIATES, LLC
42395 Ryan Road, Suite 112-614
Ashburn, VA 20148
703.723.2505
Correspondent: Stan Settle, Jr.

Revision / Issue

No.	Description	Date
1.	DPZ Acceptance	12/11/13
2.	First Submission	02/10/14
3.	Second Submission	06/17/14
4.	Third Submission	08/07/14
5.	Fourth Submission	09/23/14
6.	Fifth Submission	10/20/14
7.	Sixth Submission	11/12/14
8.	Seventh Submission	04/29/15
9.	Eighth Submission	07/06/15
10.	Ninth Submission	01/15/16
11.	Tenth Submission	02/05/16

Issue

Date	Description

Project Name
LONG BRANCH PROPERTY
CDP/FDP
Lee District
Fairfax County, Virginia

Drawn By JL **Checked By** DTM

Project No. ZP-2144

Date February 5, 2016

Drawing Title
NOTES AND DETAILS

Scale: AS SHOWN

Drawing Number

2

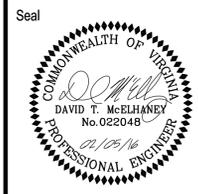
Sheet 2 of 13

Urban, Ltd. - L:\Jobs\Thomas Grant Drive (O'Connell)\Rezoning\02-Notes.dwg [NOTES] February 05, 2016 - 2:35pm jghile

ZP-2144 - LONG BRANCH PROPERTY



7712 Little River Turnpike
Annandale, Virginia 22003
TEL 703.642.8080 FAX 703.642.8251
www.urban-ld.com



Client
PHD ASSOCIATES, LLC
42395 Ryan Road, Suite 112-614
Ashburn, VA 20148
703.723.2505
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9.	Eighth Submission	07/06/15
10.	Ninth Submission	01/15/16
11.	Tenth Submission	02/05/16

Issue

Date	Description

Project Name
LONG BRANCH PROPERTY

CDP/FDP

Lee District
Fairfax County, Virginia

Drawn By JL Checked By DTM

Project No. ZP-2144

Date February 5, 2016

Drawing Title
EXISTING CONDITIONS

Scale: 1"=50'

Drawing Number
3
Sheet 3 of 13



Urban, Ltd. - L:\Jobs\Thomas Grant Drive (O'Connell)\Rezoning\03-ExCond.dwg [CDP] February 05, 2016 - 2:37am jfghle

ZP-2144 LONG BRANCH PROPERTY



Client
PHD ASSOCIATES, LLC
42395 Ryan Road, Suite 112-614
Ashburn, VA 20148
703.723.2505
Correspondent: Stan Settle, Jr.

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Issue	
Date	Description

Project Name
LONG BRANCH PROPERTY

CDP/FDP

Lee District
Fairfax County, Virginia

Drawn By: JL
Checked By: DTM

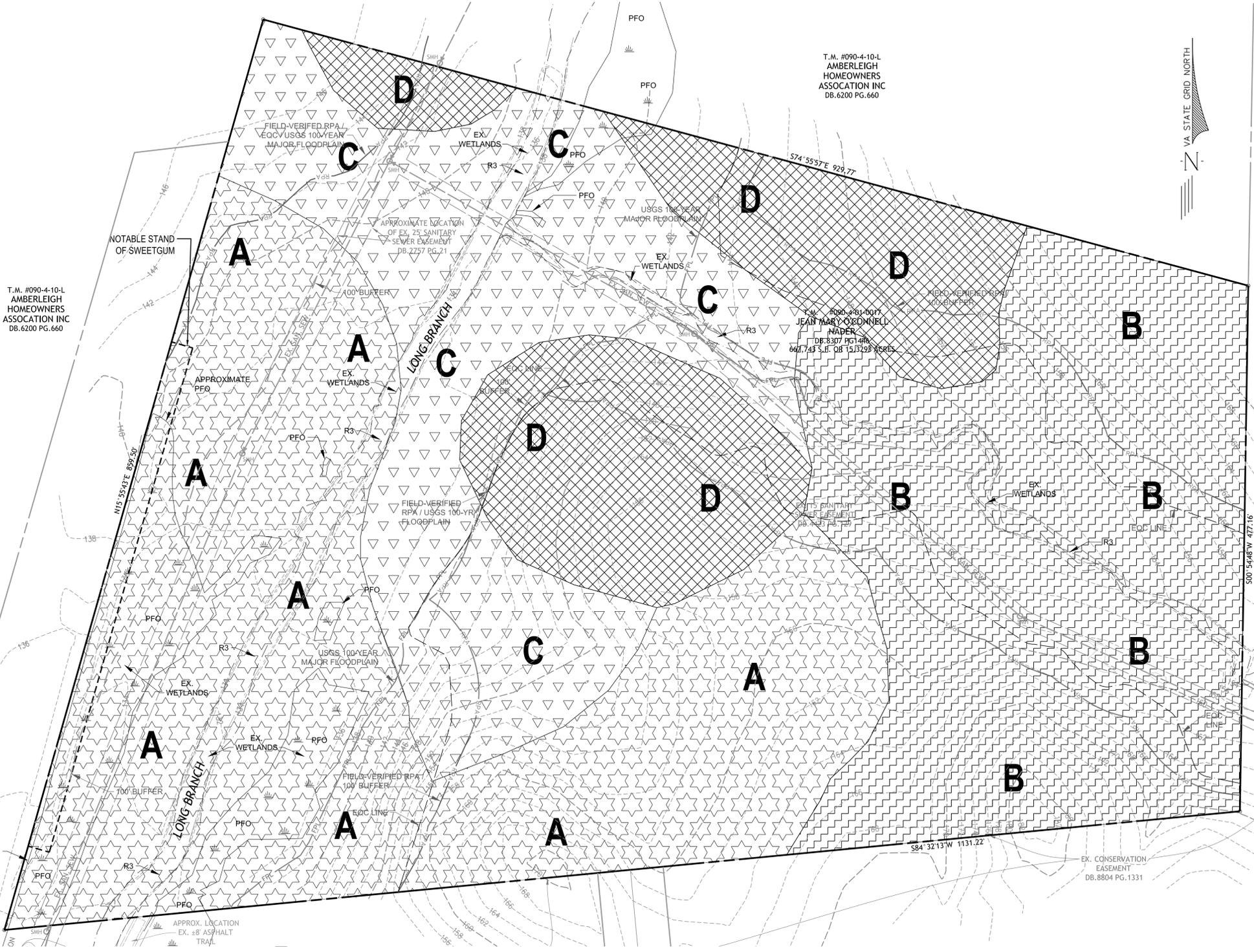
Project No.: ZP-2144

Date: February 5, 2016

Drawing Title
EXISTING VEGETATION MAP

Scale: 1"=50'

Drawing Number
4



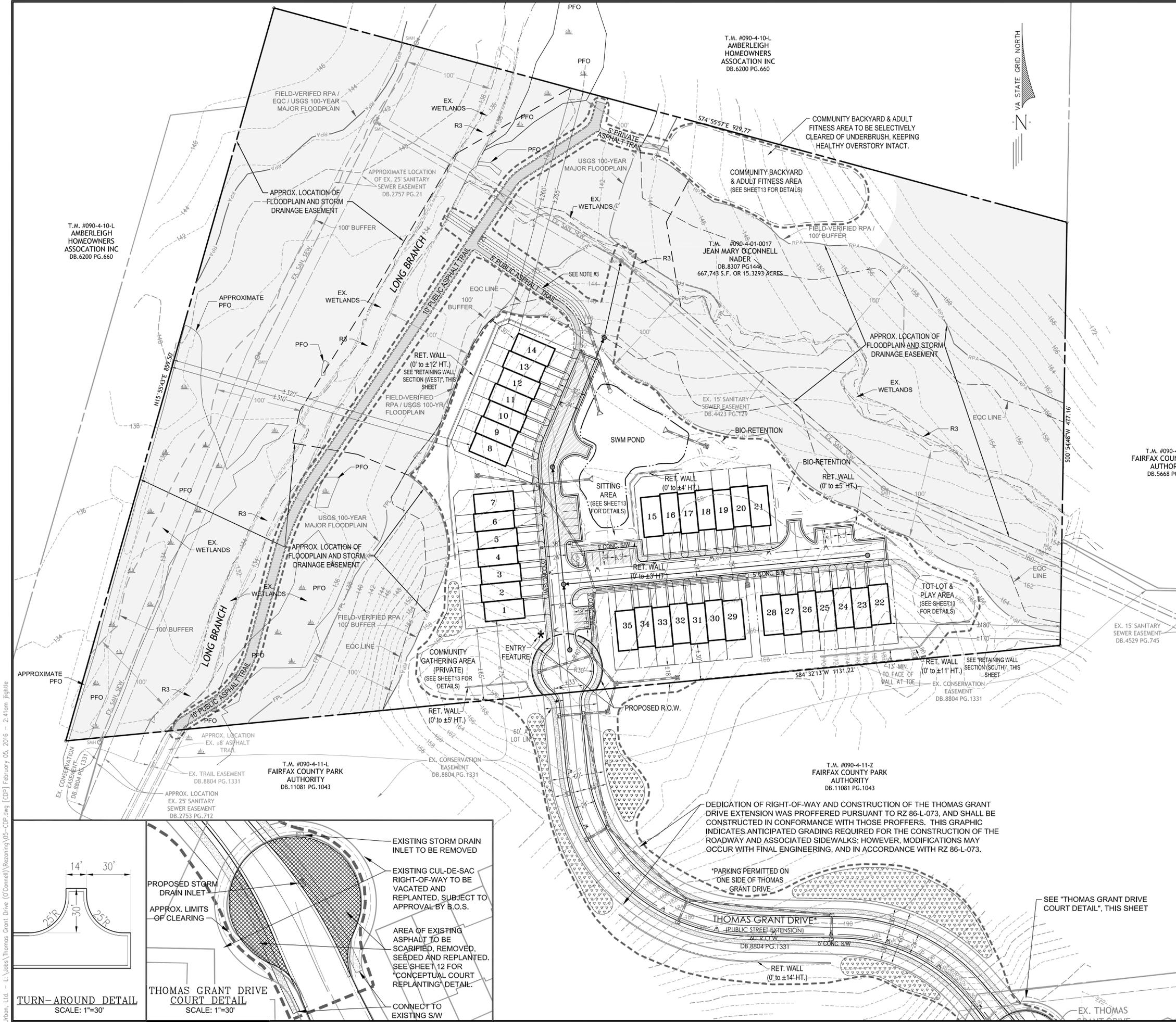
EXISTING VEGETATION SUMMARY

Cover Type	Primary Species	Successional Stage	Condition	Acreage	Comments	Cover Type	Primary Species	Successional Stage	Condition	Acreage	Comments
A Bottomland Forest	Tulip poplar (<i>Liriodendron tulipifera</i>), Sweetgum (<i>Liquidambar styraciflua</i>), White Oak (<i>Quercus alba</i>), Red Maple (<i>Acer rubrum</i>)	Mature	Good	5.55 ac.	This cover type consists primarily of mature Tulip Poplar (<i>Liriodendron tulipifera</i>), Sweetgum (<i>Liquidambar styraciflua</i>), White Oak (<i>Quercus alba</i>) and Red Maple (<i>Acer rubrum</i>) ranging in size from 12-30" DBH. One area to note is the stand of 12-20" DBH Sweetgums on the western side of the property (See Plan). The understory is relatively clear and contains a wide variety of small trees including those found in the canopy as well as Black Cherry (<i>Prunus serotina</i>), American Beech (<i>Fagus americana</i>), and Silky Dogwood (<i>Cornus amomum</i>). Ferns and mosses are sporadic throughout on the ground plane.	C Bottomland Forest	Tulip poplar (<i>Liriodendron tulipifera</i>), White Oak (<i>Quercus alba</i>), Sweetgum (<i>Liquidambar styraciflua</i>), Red Maple (<i>Acer rubrum</i>)	Young	Good	3.18 ac.	This cover type consists primarily of young forest. Tulip poplar (<i>Liriodendron tulipifera</i>) and White Oak (<i>Quercus alba</i>) dominate the canopy (12-20" DBH) while the remainder of the forest is composed of a mixture of smaller trees (3-10" DBH) including Sweetgum (<i>Liquidambar styraciflua</i>), Red Maple (<i>Acer rubrum</i>), American Beech (<i>Fagus americana</i>), Musclemwood (<i>Carpinus Caroliniana</i>) River Birch (<i>Betula niga</i>) and American Holly (<i>Ilex opaca</i>).
B Upland Forest	Tulip poplar (<i>Liriodendron tulipifera</i>), Red Oak (<i>Quercus rubra</i>), White Oak (<i>Quercus alba</i>), Pignut Hickory (<i>Carya glabra</i>)	Mature	Good	4.11 ac.	This cover type is very similar to cover type 'A' however there is a larger abundance of Oaks and Hickory. The canopy consists primarily of Tulip Poplar and Red and White Oaks, while Sweetgum and Pignut Hickory play a secondary role. The understory is relatively clear and contains a variety of small trees (1-4" DBH) including Sweetgum (<i>Liquidambar styraciflua</i>), Red Maple (<i>Acer rubrum</i>) and Musclemwood (<i>Carpinus caroliniana</i>). Small pockets of ferns are scattered throughout this cover type.	D Bottomland Forest	Virginia Pine (<i>Pinus virginiana</i>), Tulip poplar (<i>Liriodendron tulipifera</i>), Sweetgum (<i>Liquidambar styraciflua</i>),	Mature/Young	Poor, Fair	2.49 ac.	This cover type consists of mature, 10-20" DBH, Virginia Pine (<i>Pinus virginiana</i>), Tulip Poplar (<i>Liriodendron tulipifera</i>) (10-20" DBH) and White Oak (<i>Quercus alba</i>) (10-20" DBH). The majority of the Virginia Pine are in poor health or have fallen over creating large gaps in the canopy for young successional trees in the understory. The understory is primarily composed of young Oak trees (<i>Quercus alba</i> , <i>Quercus rubra</i> , <i>Quercus bicolor</i>), Sweetgum (<i>Liquidambar styraciflua</i>), Red Maple (<i>Acer rubrum</i>), Pignut Hickory (<i>Carya glabra</i>), and American Beech (<i>Fagus americana</i>) (1/2" - 6" DBH)



THIS PLAN PREPARED AND/OR APPROVED BY JOHN LIGHTLE, ISA CERTIFIED ARBORIST # MA-5174A

- Notes:
- *dbh = diameter at breast height (trunk measured 4.5 ft. above the ground).
 - Field data collected during site visit on October 25, 2013
 - The entire site is covered with forest which continues off of the property, as a result there is not an existing treeline shown on this plan.



- LEGEND:**
- PROPOSED SANITARY SEWER
 - PROPOSED WATERMAIN
 - PROPOSED STORM DRAIN
 - - - LIMITS OF CLEARING & GRADING (APPROXIMATE LOCATION)
 - ▨ POSSIBLE PERMEABLE PAVERS (LOCATION SUBJECT TO FINAL SOILS REPORT AND FINAL ENGINEERING)
 - APPROXIMATE LOCATION OF LAND AREA TO BE CONVEYED TO FCPA
 - ▤ APPROXIMATE LOCATION OF REFORESTATION AREA (SEE APPROVED PROFFERS FOR DETAILS)

- NOTES:**
1. THE LOCATION OF PROPOSED TRAILS, UTILITY LINES, LOT LINES, SIDEWALKS, RETAINING WALLS AND SWM/BMP FACILITIES IS CONCEPTUAL AND SUBJECT TO ADJUSTMENT WITH FINAL ENGINEERING. THE FINAL LOCATION OF TRAILS AND ASSOCIATED CLEARING AND GRADING WILL BE DETERMINED IN THE FIELD SO AS TO MINIMIZE IMPACT TO SIGNIFICANT TREES.
 2. FIRE LANE SIGNS AND PAINT ARE REQUIRED. FINAL LOCATIONS TO BE DETERMINED AT SITE PLAN REVIEW.
 3. PROPOSED 5' ASPHALT TRAIL TO BE PLACED WITHIN A PUBLIC ACCESS EASEMENT.

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Seal

Client
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703.723.2505
Correspondent: Stan Settle, Jr.

Revision / Issue

No.	Description	Date
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9.	Eighth Submission	07/06/15
10.	Ninth Submission	01/15/16
11.	Tenth Submission	02/05/16

Issue

Date	Description

Project Name
LONG BRANCH PROPERTY

CDP/FDP

Lee District
Fairfax County, Virginia

Drawn By: JL
Checked By: DTM

Project No.: ZP-2144

Date: February 5, 2016

Drawing Title
CDP/FDP LAYOUT

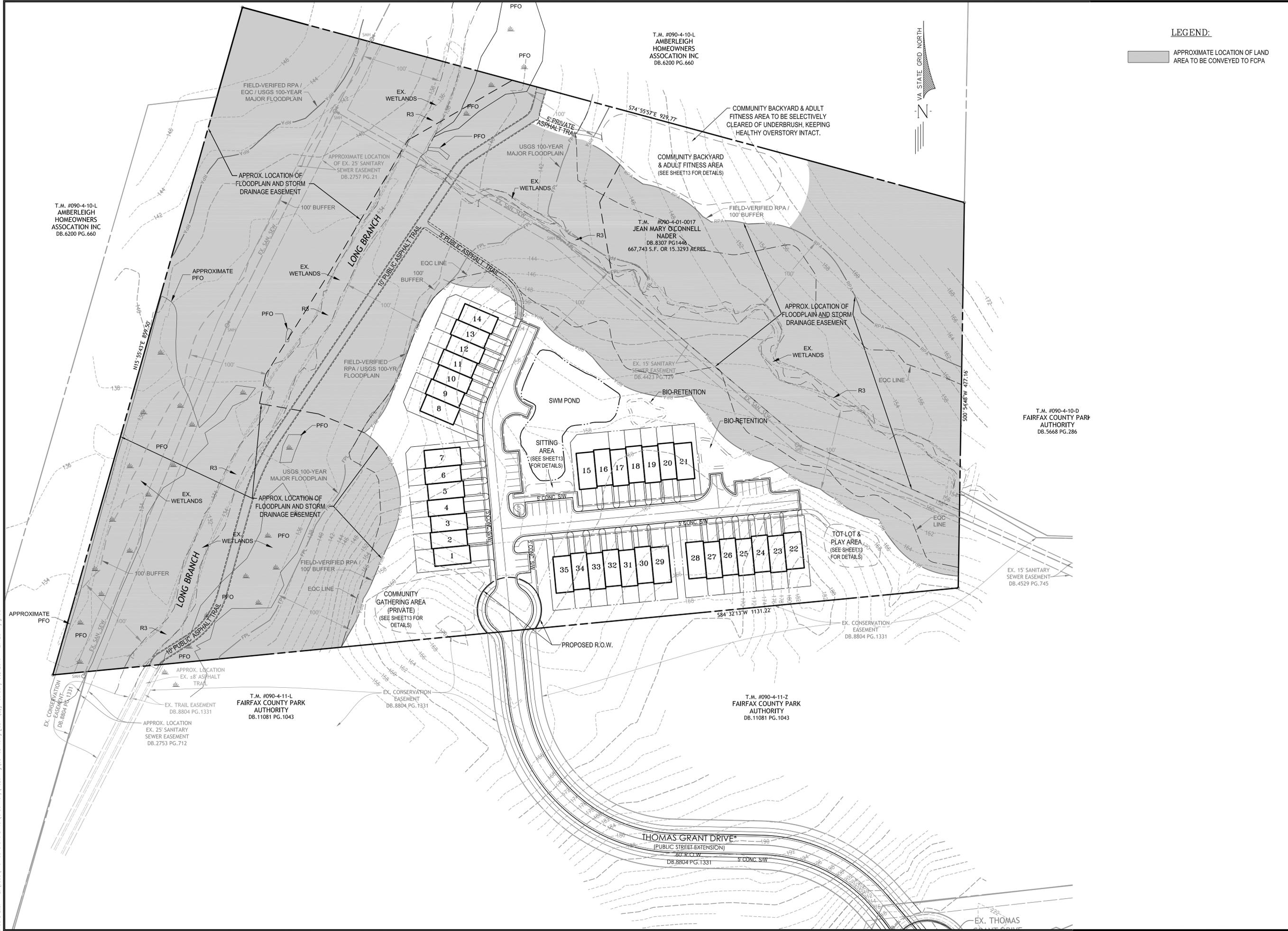
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Drawing Number
5

Sheet 5 of 13

Urban, Ltd. - L:\Jobs\Thomas Grant Drive (O'Connell)\Rezoning\05-CDP.dwg [CDP] February 05, 2016 - 2:41pm jfghile

ZP-2144 LONG BRANCH PROPERTY



T.M. #090-4-10-L
AMBERLEIGH
HOMEOWNERS
ASSOCIATION INC
DB.6200 PG.660

T.M. #090-4-10-L
AMBERLEIGH
HOMEOWNERS
ASSOCIATION INC
DB.6200 PG.660

T.M. #090-4-01-0017
JEAN MARY O'CONNELL
NADER
DB.8307 PG.1446
667,743 S.F. OR 15.3293 ACRES

T.M. #090-4-10-D
FAIRFAX COUNTY PARK
AUTHORITY
DB.5668 PG.286

T.M. #090-4-11-L
FAIRFAX COUNTY PARK
AUTHORITY
DB.11081 PG.1043

T.M. #090-4-11-Z
FAIRFAX COUNTY PARK
AUTHORITY
DB.11081 PG.1043

LEGEND:

APPROXIMATE LOCATION OF LAND AREA TO BE CONVEYED TO FCPA



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Issue

Date	Description

Project Name
LONG BRANCH PROPERTY

CDP/FDP

Lee District
Fairfax County, Virginia

Drawn By: JL
Checked By: DTM

Project No.: ZP-2144

Date: February 5, 2016

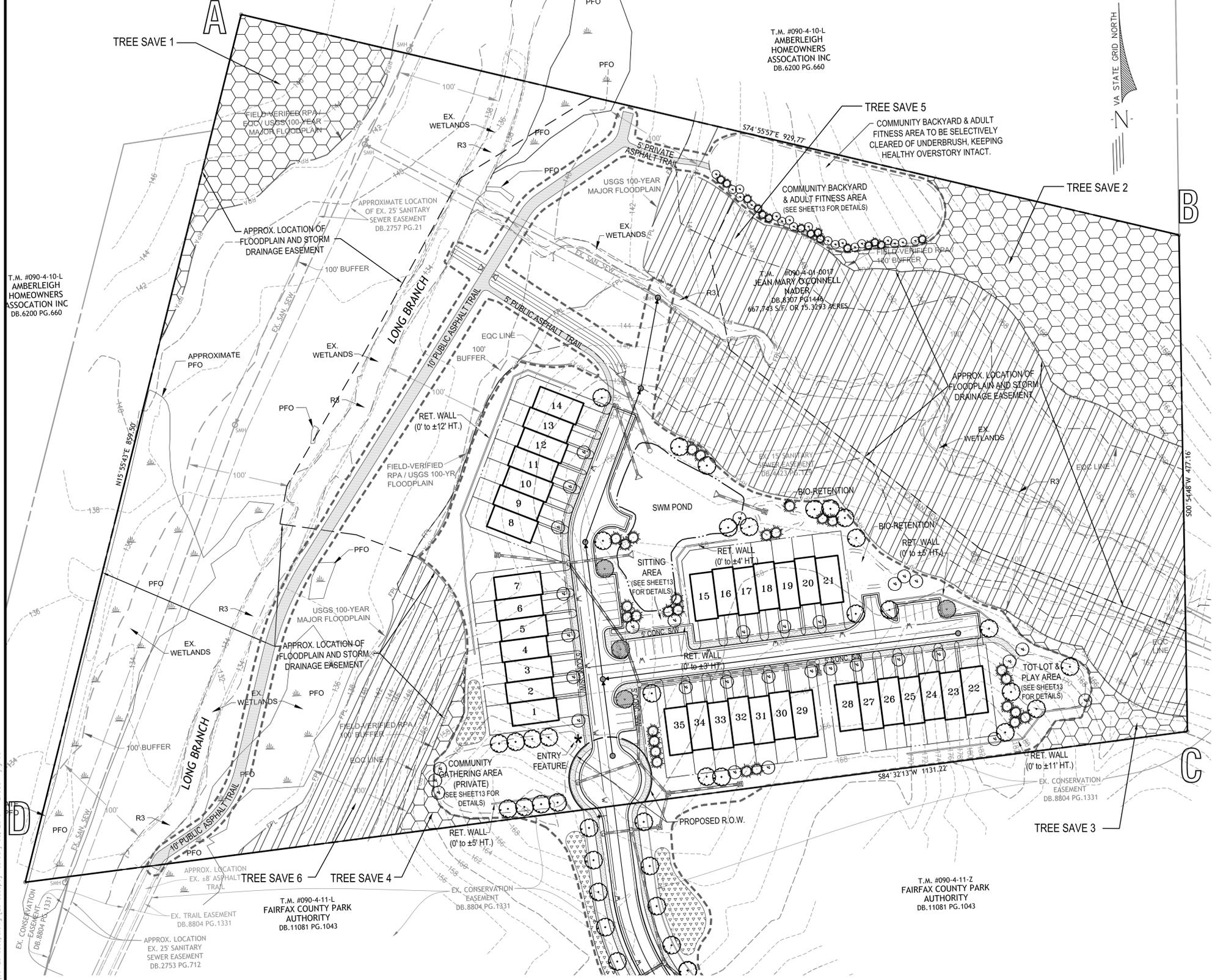
Drawing Title
FCPA
LAND CONVEYANCE
EXHIBIT

Scale: 1"=50'
Drawing Number

6
Sheet 6 of 13

Urban, Ltd. - L:\Jobs\Thomas Grant Drive (O'Connell)\Rezoning\05-CDP.dwg [CDP (2)] February 05, 2016 - 2:42pm jlightle

ZP-2144 - LONG BRANCH PROPERTY



TREE PRESERVATION TARGET CALCULATIONS	
Gross Site Area (s.f.)	667,743
Pre-Development Area of Existing Tree Canopy (s.f.)	667,743
Percentage of Gross Site Area Covered by Existing Tree Canopy	100%
Tree Preservation Target	
10-Year Tree Canopy Requirement Percentage	25%
10-Year Tree Canopy Required (s.f.) (See "10-Year Tree Canopy Calculations" Table)	106,651
Percentage of the 10-Year Tree Canopy Requirement that Should be Met Through Tree Preservation (This is the "Tree Preservation Target")	100%
Area of the 10-Year Tree Canopy Requirement that Should be Met Through Tree Preservation (s.f.)	106,651
Area of the 10-Year Tree Canopy Requirement that Will be Met Through Tree Preservation (s.f.) (See "Tree Preservation Calculations" Table)	236,575
Proposed Percentage of 10-Year Tree Canopy Requirement that Will be Met Through Tree Preservation	222%
Tree Preservation Target met (%)	222% is greater than... 100%
Tree Preservation Target met (s.f.)	236,575 is greater than... 106,651

10-YEAR TREE CANOPY REQUIREMENT CALCULATIONS	
Gross Site Area (s.f.)	667,743
Deduction: Floodplain Dedication (s.f.)	-241,141
Adjusted Gross Site Area (s.f.)	426,602
Zone: PDH-3	
Tree Canopy Required (s.f.)	25% 106,651
10-YEAR TREE CANOPY PROVIDED	
Total Canopy Area Provided Through Tree Preservation (s.f.)	236,575
Total Proposed Canopy Area (s.f.)	12,500
Total Tree Canopy Provided (s.f.)	249,075

TREE PRESERVATION CALCULATIONS				
Tree Preservation Target (%)				100%
Tree Preservation Target (s.f.)				85,320
Tree Preservation:				
Tree Preservation Areas	Cover Type	S.F.	Credit Factor	Total
Tree Save Area 1	Normal	22,100	1.25	27,625
Tree Save Area 2	Normal	35,000	1.25	43,750
Tree Save Area 3	Normal	6,000	1.25	7,500
Tree Save Area 4	Normal	2,500	1.00	2,500
Tree Save Area 5	RPA/Community Area	131,000	1.00	131,000
Tree Save Area 6	RPA	24,200	1.00	24,200
Total Tree Preservation Provided (s.f.)				236,575

TRANSITIONAL SCREENING AND BARRIER CALCULATIONS	
Buffer: Adjacent Use (Group)	Required Transitional Screening / Barrier
North: Buffer A-B Open Space (Amberleigh HOA)	None Required
East: Buffer B-C Open Space (Fairfax Park Authority)	None Required
South: Buffer C-D Open Space (Fairfax Park Authority)	None Required
West: Buffer D-A Open Space (Fairfax Park Authority)	None Required

INTERIOR PARKING LOT LANDSCAPING CALCULATIONS	
Area to be Counted (s.f.)	4,437
Interior Landscaping Required (5%) (s.f.)	222
Interior Landscaping Provided:	
4 Shade Trees at 200 s.f. each	800
Requirement is met...	800 s.f. is greater than... 222

TREE PLANTING CALCULATIONS	
Canopy to be Met Through Tree Planting (s.f.)	-129,925
Air Quality Tree Planting (s.f.)	0
Energy Conservation Tree Planting (s.f.)	0
Water Quality Tree Planting (s.f.)	0
Wildlife Benefits Tree Planting (s.f.)	0
Native Tree Planting (s.f.)	0
Improved Cultivars & Varieties Tree Planting (s.f.)	0
Remaining Tree Planting Area (that does not qualify for higher multipliers) (s.f.)	12,500
Total Tree Planting Canopy Provided (s.f.)	12,500
Offsite Planting Relief Requested?	No
Tree Bank or Tree Fund?	No
Canopy Area Requested to be Provided Through Offsite Tree Banking or Tree Fund (s.f.)	0
Amount to be Deposited into the Tree Preservation and Planting Fund	\$0.00

PLANT SCHEDULE				
Botanical Name	Common Name	Size	Type	Remarks
Cat. IV Deciduous Trees				
Quercus phellos	Willow Oak	2" Cal.	B & B	Uniform branching pattern
Tilia americana	American Linden	2" Cal.	B & B	Uniform branching pattern
Ulmus americana 'Valley Forge'	Valley Forge American Elm	2" Cal.	B & B	Uniform branching pattern
Cat. II Deciduous Trees				
Amelanchier arborea	Downy Serviceberry	2" Cal.	B & B	Multi-stem, Min. 3 heavy stems
Cercis canadensis	Redbud	2" Cal.	B & B	Multi-stem, Min. 3 heavy stems
Magnolia virginiana	Sweetbay Magnolia	2" Cal.	B & B	Multi-stem, Min. 3 heavy stems
Cat. II Evergreen Trees				
Cryptomeria japonica	Japanese Cryptomeria	6" Ht.	B & B	Full to ground, Dense
Ilex opaca	American Holly	6" Ht.	B & B	Full to ground, Dense
Juniperus virginiana	Eastern Redcedar	6" Ht.	B & B	Full to ground, Dense

LEGEND

- TREE SAVE AREA OUTSIDE RPA
- TREE SAVE AREA WITHIN RPA
- APPROXIMATE LOCATION OF REFORESTATION AREA (SEE NOTE 3 ON THIS SHEET)
- REFERENCE POINT FOR DENOTING LIMITS OF TRANSITIONAL SCREENING YARDS
- DECIDUOUS SHADE TREE CREDITED TOWARDS INTERIOR PARKING LANDSCAPING
- DECIDUOUS SHADE TREE
- DECIDUOUS ORNAMENTAL TREE
- EVERGREEN TREE

NOTES

- LANDSCAPING LOCATIONS, SIZES, AND SPACING SHOWN IS CONCEPTUAL AND SUBJECT TO ADJUSTMENT AT TIME OF FINAL ENGINEERING. GENERAL DENSITY OF TREES SHOWN AND MINIMUM CANOPY COVERAGE REQUIREMENTS WILL BE PROVIDED.
- THE PLANT SCHEDULE SHOWN HEREIN REPRESENTS A GENERAL PALETTE OF PROPOSED PLANT MATERIAL FOR THE SITE, THOUGH IS NOT INTENDED TO BE FULLY INCLUSIVE OF ALL VARIETIES THAT MAY BE PLANTED. FINAL PLANT LIST SELECTIONS WILL INCLUDE SPECIES LISTED IN PFM 12-0000 TABLE 12.17 OR AS APPROVED BY UFM AT TIME OF SITE PLAN SUBMITTAL.
- CERTAIN AREAS DEPICTED ON SHEET 5 AND THIS SHEET (HATCHED) SHALL BE REFORESTED PER APPROVED PROFFERS FOR THIS APPLICATION.

THIS PLAN PREPARED AND/OR APPROVED BY JOHN LIGHTLE, ISA CERTIFIED ARBORIST # MA-5174A

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DAVID T. McELHANEY
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PROFESSIONAL ENGINEER

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Issue

Date	Description

Project Name
LONG BRANCH PROPERTY
CDP/FDP
Lee District
Fairfax County, Virginia

Drawn By: JL
Checked By: DTM

Project No.: ZP-2144
Date: February 5, 2016

Drawing Title
LANDSCAPE PLAN

Scale: 1"=50'
Drawing Number

Urban, Ltd. - L:\Jobs\Thomas Grant Drive (O'Connell)\Rezoning\06-Landscape\06-Landscape.dwg [Landscape] February 05, 2016 - 2:56pm jlightle

ZP-2144 - LONG BRANCH PROPERTY

PRELIMINARY BMP NARRATIVE:

BMP REQUIREMENTS FOR THE SITE ARE BEING MET THROUGH THE POTENTIAL USE OF BIO-RETENTION FACILITIES, PERVIOUS PAVEMENT AREAS, AND AN EXTENDED DETENTION POND (FACILITY F1). THE FACILITIES UTILIZED ON THIS SITE SHALL BE IN COMPLIANCE WITH SECTION 9VAC25-870-65 OF THE VIRGINIA STATE CODE FOR WATER QUALITY AND THE LATEST VERSION OF THE FAIRFAX COUNTY PFM.

BMP REQUIREMENTS FOR THE PROPOSED ROAD IMPROVEMENTS LOCATED OFFSITE HAVE ALREADY BEEN ACCOUNTED FOR WITH A PREVIOUS APPLICATION (PLAN #: 7818-DS-01). WITH THE PREVIOUS APPLICATION, THE BMP COMPUTATIONS FOR THE OVERALL SITE INCLUDED THE FUTURE ROAD EXTENSION LAND USE. THE SITE WAS PROFFERED TO DEDICATE THE RIGHT-OF-WAY FOR THE ROAD EXTENSION, THEREFORE, THEY INCLUDED THE ROAD LAND USE WITH THE BMP COMPUTATIONS. SINCE THE BMP REQUIREMENTS WERE PREVIOUSLY SATISFIED, IT HAS NOT BEEN INCLUDED IN THE BMP ANALYSIS WITH THIS APPLICATION.

PER SECTION 124-4-3.A OF THE COUNTY CODE, THE PRELIMINARY BMP COMPUTATIONS FOR THE SUBJECT SITE WERE COMPLETED USING THE 2013 DEQ VIRGINIA RUNOFF REDUCTION METHOD (VRRM) SPREADSHEET. THE COMPUTATIONS SHOW THAT THE TOTAL PHOSPHORUS LOAD REDUCTION REQUIRED FOR THIS SITE DEVELOPMENT IS 1.17 LBS PER YEAR. WITH THE BMP FACILITIES PROPOSED WITH THIS APPLICATION, THE TOTAL LOAD REDUCTION WILL BE SATISFIED PER SECTION 124-4-2 OF THE COUNTY CODE. PRELIMINARY COMPUTATIONS CAN BE FOUND ON SHEET 09.

FINAL COMPUTATIONS AND BMP LOCATIONS ARE SUBJECT TO CHANGE DURING FINAL ENGINEERING.

PRELIMINARY BMP FACILITY NOTES:

- PERVIOUS PAVEMENT TREATMENT AREA HAS BEEN SIZED AND SHOWN IN ACCORDANCE WITH THE 2013 DEQ STORMWATER MANAGEMENT REGULATIONS, AND DESIGN SPECIFICATIONS. PER THE 2013 VIRGINIA DCR STORMWATER DESIGN SPECIFICATION NO. 7, THE CONTRIBUTING EXTERNAL DRAINAGE AREA SHALL NOT EXCEED 2.5 TIMES THE SURFACE AREA OF THE PERVIOUS PAVEMENT (2.5:1 RATIO). OTHER DRAINAGE AREA THAT FLOWS TOWARDS THE PERVIOUS PAVEMENT WILL BE COLLECTED USING AN OVERFLOW STORM INLET, AND HAS NOT BEEN INCLUDED IN THE BMP COMPUTATIONS.
- BIORETENTION FACILITIES HAVE BEEN SIZED PER THE 2013 VIRGINIA DCR STORMWATER DESIGN SPECIFICATION NO. 9. EACH OF THE FACILITIES HAVE BEEN SHOWN AS A LEVEL 2 DESIGN PER TABLE 9.4 OF THE DCR DESIGN SPECIFICATION. THE ADDITIONAL SURFACE AREA OF THE BIORETENTION FACILITY HAS BEEN ACCOUNTED FOR WITH THIS APPLICATION PER THE LEVEL 2 DESIGN CRITERIA.
- THE POTENTIAL EXTENDED DETENTION FACILITY HAS BEEN SIZED PER THE 2013 VIRGINIA DCR STORMWATER DESIGN SPECIFICATION NO. 15. THE FACILITY HAS BEEN SHOWN AS A LEVEL 1 DESIGN PER TABLE 15.1 OF THE DCR SPECIFICATION.
- AREAS AND CALCULATIONS SHOWN WITH THIS APPLICATION ARE FOR PRELIMINARY PURPOSES ONLY. THEY ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING.

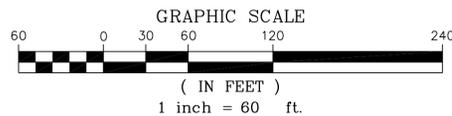
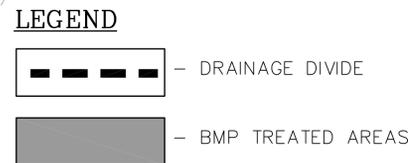
MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

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

This information is required under the following Zoning Ordinance paragraphs:
 Special Permits (9-011 2J & 2L) Special Exceptions (9-011 2J & 2L)
 Cluster Subdivision (9-615 1G & 1N) Commercial Revitalization Districts (9-622 2A (12) & (14))
 Development Plans PRC District (16-302 3 & 4L) PRC Plan (16-303 1E & 1O)
 FDP P Districts (except PRC) (16-502 1F & 1Q) Amendments (18-202 10F & 10I)

- 1. Plat is at a minimum scale of 1"=50' (unless it is depicted on one sheet with a minimum scale of 1"=100').
- 2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, site outfalls, energy dissipation devices, and stream stabilization measures as shown on Sheet 8.
- 3. Provide:

Facility Name/ Type & No.	On-site area served (acres)	Off-site area served (acres)	Drainage area (acres)	Footprint area (sf)	Storage Volume (cf)	If pond, dam height (ft)
F1 (EXTENDED DETENTION)	±6.43	±4.15	±6.43	±10,500	20,000 OR MORE	±8 FT
<hr/>						
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Totals						
- 4. Onsite drainage channels, outfalls and pipe systems are shown on Sheet 8.
Pond inlet and outlet pipe systems are shown on Sheet 8.
- 5. Maintenance access (road) to stormwater management facility(ies) are shown on Sheet 5, 8.
Type of maintenance access road surface noted on the plat is ASPHALT (asphalt, geotext, gravel, etc.).
- 6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet 7.
- 7. A 'stormwater management narrative' which contains a description of how detention and best management practices requirements will be met is provided on Sheet 8-11.
- 8. A description of the existing conditions of each numbered site outfall extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet 11.
- 9. A description of how the outfall requirements, including contributing drainage areas of the Public Facilities Manual will be satisfied is provided on Sheet 11.
- 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.
- 11. A submission waiver is requested for _____.
- 12. Stormwater management is not required because SEE SHEET 10 AND 11 FOR ADDITIONAL INFORMATION.



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 CDP/FDP
 Lee District
 Fairfax County, Virginia

Drawn By: JL
 Checked By: DTM

Project No. ZP-2144

Date February 5, 2016

Drawing Title
PRELIMINARY BMP ANALYSIS

Scale: 1"=50'

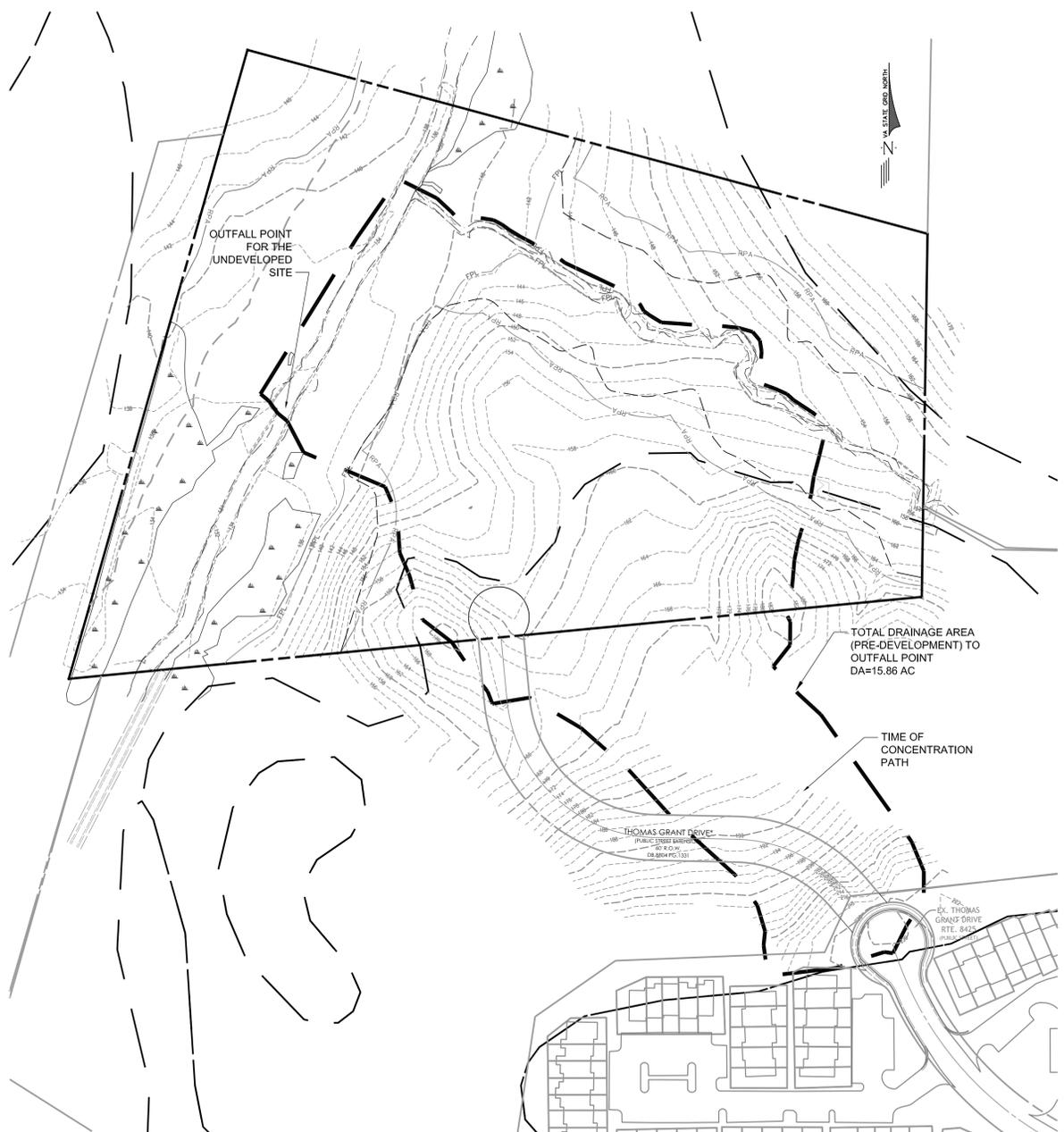
Drawing Number

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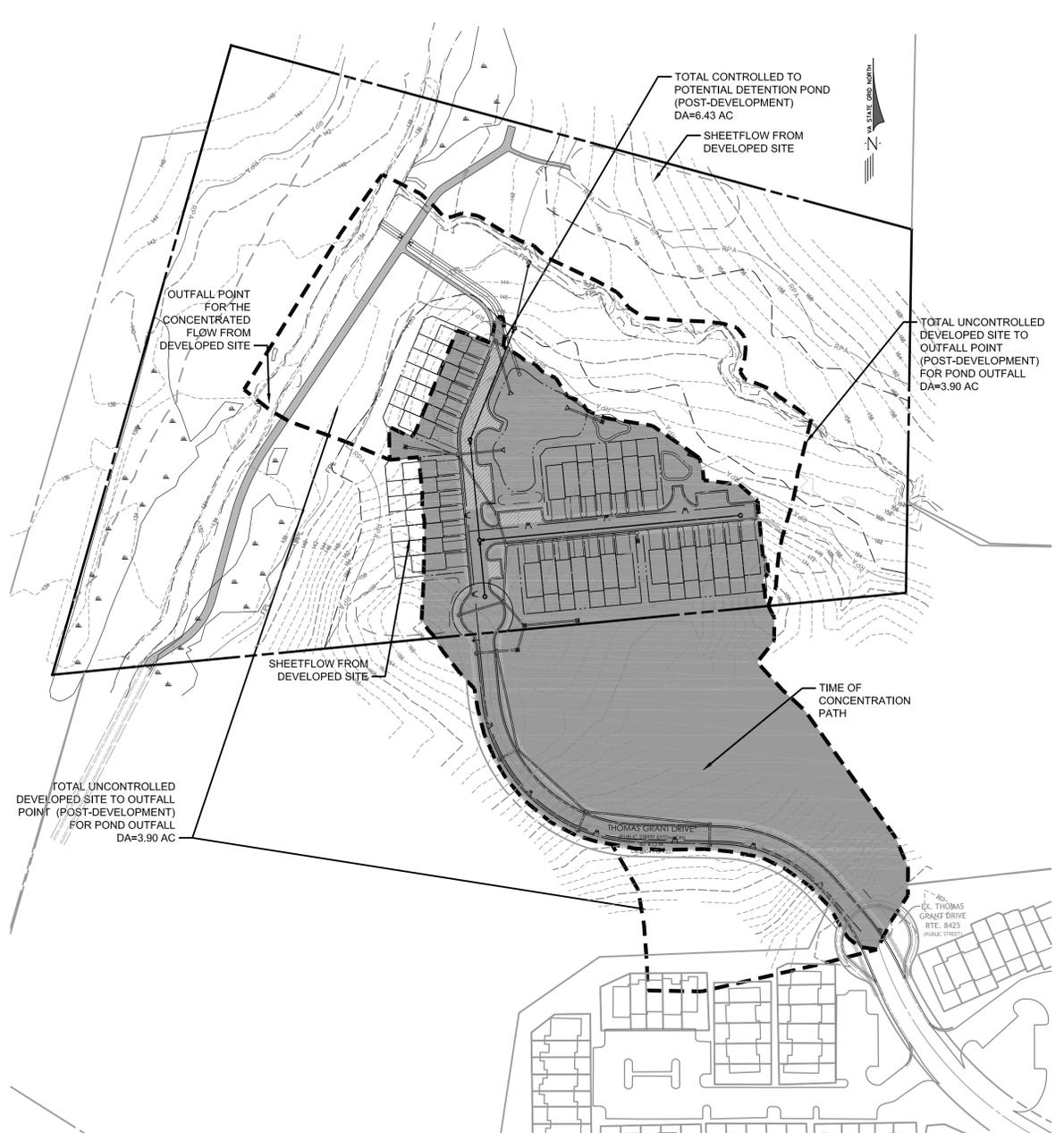
Sheet 8 of 13

Urban, Ltd. - L:\Jobs\Thomas Grant Drive (O'Connell)\Rezoning\07-BMP Analysis.dwg [SWM-BMP] February 05, 2016 - 3:06pm jfjgile

ZP-2144 LONG BRANCH PROPERTY

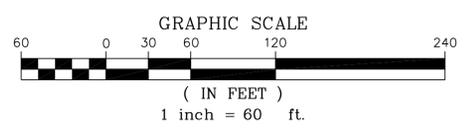


EXISTING SWM DIVIDE
SCALE: 1"=80'



PROPOSED SWM DIVIDE
SCALE: 1"=80'

- LEGEND**
-  - PROPOSED DRAINAGE DIVIDE TO POND OUTFALL
 -  - AREA DRAINING TO POND
 -  - EXISTING DRAINAGE DIVIDE TO POND OUTFALL



PRELIMINARY SWM NARRATIVE:

THE SITE AREA IS APPROXIMATELY 15.33 ACRES AND IS A COMBINATION OF HYDROLOGIC GROUP C & D SOILS (SEE SHEET 2 OF THE PLANS). THE MAJORITY OF THE SITE CONSISTS OF RPA, WITH A SMALL DEVELOPABLE AREA AVAILABLE ON-SITE AS SHOWN WITH THIS APPLICATION. AS CURRENTLY PROPOSED, THERE IS ONE POINT OF CONCENTRATED DISCHARGE FROM THE DEVELOPED SITE, WHICH OUTFALLS DIRECTLY INTO THE NATURAL STORMWATER CONVEYANCE SYSTEM OF THE MAJOR FLOOD PLAIN (LONG BRANCH). APPROXIMATELY 1,782 ACRES DRAIN TO LONG BRANCH AT THE DISCHARGE POINT (SEE ADEQUATE OUTFALL SHEET FOR ADDITIONAL INFORMATION). THE CONCENTRATED FLOW FROM THE SITE WILL BE DISCHARGED DIRECTLY INTO THE NATURAL STORMWATER CONVEYANCE SYSTEM OF THE MAJOR FLOODPLAIN VIA AN ADEQUATELY DESIGNED CHANNEL. THE CONCENTRATED OUTFALL THEN LEAVES THE SITE BOUNDARY VIA THE NATURAL STORMWATER CONVEYANCE SYSTEM KNOWN AS LONG BRANCH.

AT THE CONCENTRATED OUTFALL POINT, A POTENTIAL DETENTION POND (FACILITY F1) WILL BE UTILIZED IN ORDER TO REDUCE THE 1-YEAR POST DEVELOPMENT PEAK RUNOFF RATE FROM THE SITE TO BELOW THE PEAK RUNOFF RATE FOR THE SITE IN GOOD FORESTED CONDITION. THE POND WILL ALSO DETAIN THE 2-YEAR AND 10-YEAR STORM EVENTS IN ORDER TO REDUCE THE PEAK FLOW BACK TO PRE-DEVELOPMENT CONDITIONS. THE SWM POND IS CURRENTLY SIZED FOR SWM ASSUMING NO INFILTRATION, HOWEVER, THAT IS SUBJECT TO CHANGE BASED ON FINAL ENGINEERING.

PRELIMINARY SWM ANALYSIS FOR THE CONCENTRATED FLOW CREATED BY THE DEVELOPED SITE (FACILITY F1):

AS STATED IN THE NARRATIVE, THE POTENTIAL DETENTION POND (FACILITY F1) WILL BE ANALYZED WITH THE INTENTIONS OF REDUCING THE 1-YEAR POST DEVELOPMENT PEAK RUNOFF RATE FROM THE SITE TO BELOW THE PEAK RUNOFF RATE FOR THE SITE IN GOOD FORESTED CONDITION.

IN ACCORDANCE WITH PFM SECTION 6-0203.4A(2), THE OUTFALL POINT WILL BE ANALYZED WITH THE RELEASE RATE BASED ON THE DEFINED SITE AREA IN GOOD FORESTED CONDITION. EXISTING AND PROPOSED DRAINAGE DIVIDES FOR THE OUTFALL POINT HAVE BEEN PROVIDED ON THIS SHEET IN ORDER TO DEMONSTRATE THE PRE AND POST DEVELOPMENT PEAK RUNOFF AREAS.

USING THE EQUATION REFERENCED IN SECTION 124-4-4.B.3.a OF THE COUNTY CODE, THE ALLOWABLE PEAK FLOW RATE FOR THE 1-YEAR STORM AT THE OUTFALL POINT OF THE DEVELOPED SITE IS EQUAL TO 25.12 CFS. FACILITY F1 HAS BEEN SIZED WITH THIS PLAN IN ORDER REDUCE THE DEVELOPED PEAK

FLOW RATE FOR THE 1-YEAR STORM TO BELOW GOOD FORESTED CONDITION. PER THE FAIRFAX COUNTY PFM AND THE COUNTY CODE, THIS WILL SATISFY THE RELEASE RATE REQUIREMENTS FOR THE SITE.

PRELIMINARY BORINGS HAVE BEEN PERFORMED IN THE LOCATION OF THE POTENTIAL EXTENDED DETENTION POND (FACILITY F1), AND THE AVERAGE INFILTRATION RATE CALCULATED WAS 15.25 INCHES PER HOUR. ADDITIONAL BORINGS WILL BE PERFORMED IN THIS AREA IN ACCORDANCE WITH THE FAIRFAX COUNTY PFM AND THE COUNTY CODE IF INFILTRATION IS TO BE UTILIZED.

PER SECTION 124-4-4.D, DETENTION WILL BE PROVIDED FOR THE 2-YEAR AND 10-YEAR STORM EVENTS IN ORDER TO REDUCE THE PEAK FLOW TO BELOW PRE-DEVELOPMENT CONDITIONS AT THE OUTFALL POINT.

IN ACCORDANCE WITH THE REQUIREMENTS OUTLINED IN SECTIONS 124-4-4.B AND 124-4-4.D OF THE COUNTY CODE, THE RELEASE RATE REQUIREMENT WILL BE SATISFIED. ADDITIONAL CALCULATIONS WILL BE INCLUDED WITH THE FINAL SITE PLAN.

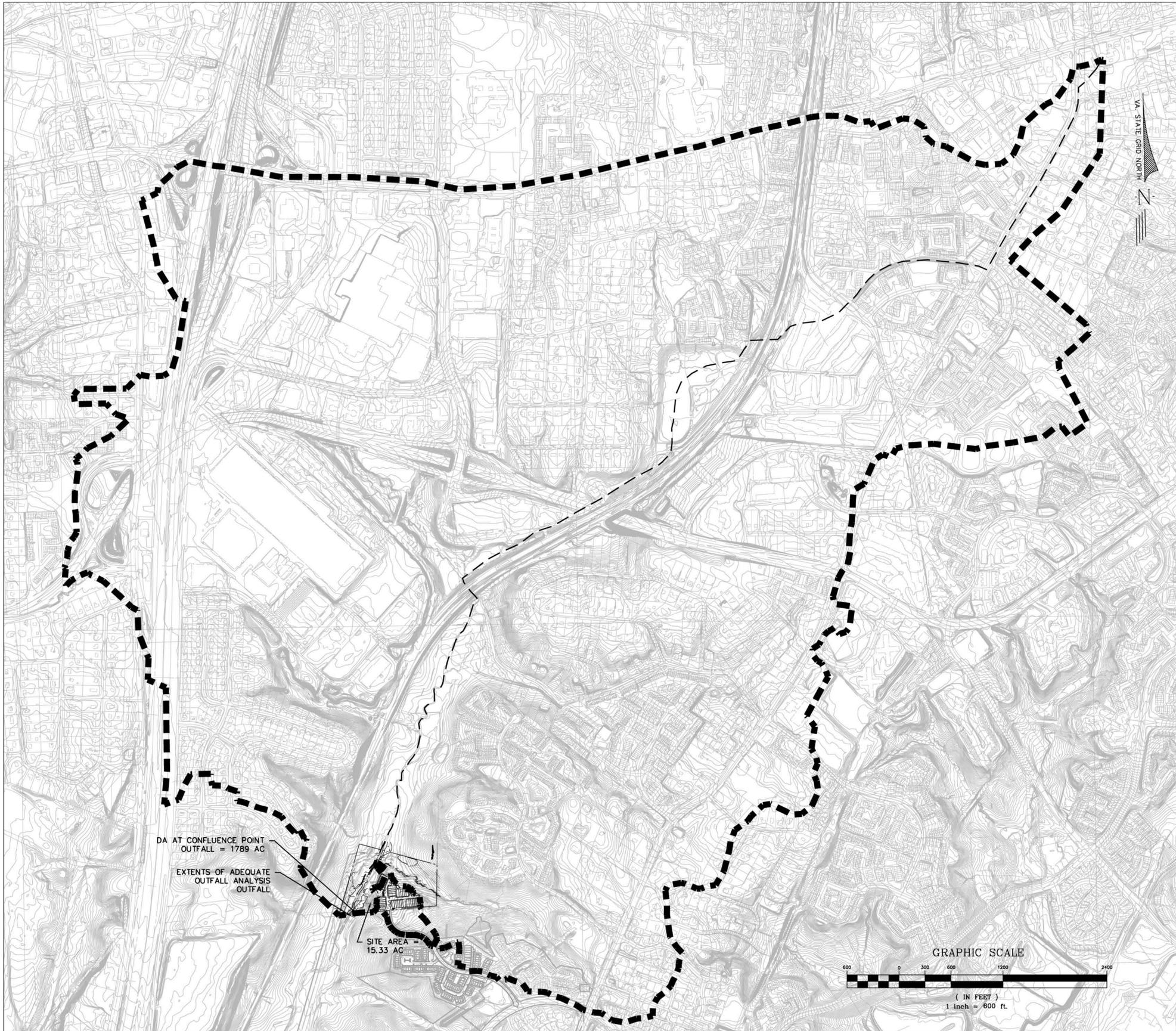
SHEET FLOW FROM THE DEVELOPED SITE:

A PORTION OF THE DEVELOPED SITE IS CURRENTLY PROPOSED TO SHEET FLOW IN TO THE NATURAL STORMWATER CONVEYANCE SYSTEM KNOWN AS LONG BRANCH. THE ADDITIONAL STORMWATER RUNOFF PRODUCED FROM THE DEVELOPED SITE IS MINIMAL, AND PER SECTION 124-4-4.E, THE INCREASE IN RUNOFF WILL NOT CAUSE OR CONTRIBUTE TO EROSION, SEDIMENTATION, OR FLOODING OF DOWN GRADIENT PROPERTIES. THEREFORE, THERE IS NO DETENTION REQUIREMENTS FOR THE PROPOSED SHEET FLOW FROM THE DEVELOPED SITE.

PRELIMINARY SWM NOTE:

THE SWM APPROACH, AREAS AND CALCULATIONS SHOWN WITH THIS APPLICATION ARE FOR PRELIMINARY PURPOSES ONLY. THEY ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING.

Urban, Ltd. - L:\Jobs\Thames Grant Drive (0\Concept)\Revised\02-04\Helding [OUTFALL (2)] February 05, 2016 - 3:14pm - jlight



LEGEND
 - - - - - DRAINAGE DIVIDE

PRELIMINARY OUTFALL NARRATIVE:

THERE IS ONE POINT OF CONCENTRATED DISCHARGE FROM THE SITE, WHICH IS THE NATURAL STORMWATER CONVEYANCE LOCATED AT THE PROPERTY BOUNDARY. THE OUTFALL FROM THE DEVELOPED SITE IS LOCATED NEAR THE NORTHERN PROPERTY LINE, DOWNSTREAM OF POTENTIAL DETENTION POND. THIS CONCENTRATED DISCHARGE OUTFALLS INTO A NATURAL STORMWATER CONVEYANCE SYSTEM KNOWN AS LONG BRANCH, WHICH FLOWS THROUGH THE SITE FROM THE NORTHERN PROPERTY LINE TO THE SOUTHERN PROPERTY LINE. THE REMAINDER OF THE SHEET FLOWS INTO THE NATURAL STORMWATER CONVEYANCE SYSTEM. IN ACCORDANCE WITH SECTION 124-4-4 OF THE COUNTY CODE, ONLY THE CONCENTRATED OUTFALLS HAVE BEEN ANALYZED FOR ADEQUATE CHANNEL AND FLOOD PROTECTION.

APPROXIMATELY 6.43 ACRES ARE DISCHARGED INTO THE POTENTIAL DETENTION POND (FACILITY F1), WHICH IS THEN RELEASED INTO THE NATURAL STORMWATER CONVEYANCE SYSTEM OF LONG BRANCH VIA A PROPOSED ADEQUATELY DESIGNED DITCH. THE DRAINAGE AREA WITHIN LONG BRANCH AT THE POINT AT WHICH LONG BRANCH LEAVES THE SITE IS APPROXIMATELY 1,789 AC, AND BASED ON THE LAND AREA, THE DEVELOPMENT SITE'S CONTRIBUTING DRAINAGE AREA IS LESS THAN 1% OF THE TOTAL WATERSHED AREA. PER SECTION 124-4-4.B.5.a OF THE COUNTY CODE, THE LIMITS OF THE ADEQUATE OUTFALL ANALYSIS IS AT THIS POINT.

PRELIMINARY OUTFALL ANALYSIS FOR FACILITY F1:

PER SECTION 124-4-4 OF THE COUNTY CODE, CHANNEL PROTECTION AND FLOOD PROTECTION ARE TO BE ADDRESSED WITH THE ADEQUATE OUTFALL ANALYSIS WITHIN FAIRFAX COUNTY.

SECTION 124-4-4.B.3.a OF THE COUNTY CODE STATES THAT WHEN OUTFALLING INTO A NATURAL STORMWATER CONVEYANCE SYSTEM, THE CHANNEL PROTECTION REQUIREMENT OF ADEQUATE OUTFALL MAY BE SATISFIED BY REDUCING THE 1 YEAR POST-DEVELOPMENT PEAK FLOW RATE AT THE OUTFALL POINT TO BELOW THE PEAK FLOW RATE CALCULATED USING GOOD FORESTED CONDITION.

SECTION 124-4-4.C OF THE COUNTY CODE STATES IN ORDER TO PROVIDE ADEQUATE FLOOD PROTECTION, THE POST DEVELOPMENT PEAK FLOW FOR THE 10 YEAR, 24 HOUR STORM MUST BE CONTAINED WITHIN THE CONFINES OF THE NATURAL STORMWATER CONVEYANCE SYSTEM. THE NATURAL STORMWATER CONVEYANCE SYSTEM IS DEFINED AS THE "MAIN CHANNEL OF A NATURAL STREAM AND THE FLOOD-PRONE AREA ADJACENT TO THE MAIN CHANNEL." SINCE THERE IS 100-YEAR FLOODPLAIN LOCATED AROUND THE CHANNEL, THE CONFINES OF THE CONVEYANCE SYSTEM WILL INCLUDE THE FLOODPLAIN AREA.

CONCENTRATED OUTFALL POINT FROM DEVELOPED SITE:

CHANNEL PROTECTION:

IN ACCORDANCE WITH THE EQUATION REFERENCED IN SECTION 124-4-4.B.3.a OF THE COUNTY CODE, AND THE USE OF THE DETENTION METHOD FOR THE 1-YEAR STORM FOR THE POTENTIAL DETENTION POND (FACILITY F1), THE ALLOWABLE PEAK FLOW RATE AT THE OUTFALL POINT IS 49.36 CFS. FACILITY F1 HAS BEEN SIZED WITH THIS APPLICATION IN ORDER TO REDUCE THE PEAK FLOW RATE FROM THE SITE BACK TO BELOW GOOD FORESTED CONDITION. IN ACCORDANCE WITH CHAPTER 124 OF THIS COUNTY CODE, THE CHANNEL PROTECTION REQUIREMENT FOR THIS OUTFALL WILL BE SATISFIED WITH THE USE OF THIS FACILITY. ADDITIONAL CALCULATIONS AND CROSSECTIONS WILL BE INCLUDED WITH THE FINAL SITE PLAN. SEE STORMWATER MANAGEMENT SHEET FOR ADDITIONAL INFORMATION REGARDING THE PRELIMINARY INFILTRATION FACILITY.

FLOOD PROTECTION:

PER PFM SECTION 6-0804, THE ANDERSON FORMULA HAS BEEN USED IN ORDER TO CALCULATE THE PEAK FLOW FOR THE LONG BRANCH WATERSHED. THE PRELIMINARY PEAK FLOW RATE FOR THE DRAINAGE AREA IS CALCULATED TO BE 42035 CFS FOR THE 10-YEAR, 24 HOUR STORM. AFTER ANALYZING THE PEAK FLOW AT THE POINT OF ANALYSIS, IT WAS FOUND THAT THE 10-YEAR PEAK FLOW IS CONTAINED WITHIN THE CONFINES OF THE NATURAL STORMWATER CONVEYANCE SYSTEM.

IN ACCORDANCE WITH THE REQUIREMENTS OUTLINED IN SECTION 124-4-4.C OF THE COUNTY CODE, THE FLOOD PROTECTION REQUIREMENT WILL BE SATISFIED. ADDITIONAL CALCULATIONS AND CROSSECTIONS WILL BE INCLUDED WITH THE FINAL SITE PLAN.

PRELIMINARY OUTFALL NOTE:

AREAS AND CALCULATIONS SHOWN WITH THIS APPLICATION ARE FOR PRELIMINARY PURPOSES ONLY. THEY ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING.



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 Ashburn, VA 20148
 703.723.2505
 Correspondent: Stan Settle, Jr.

Revision / Issue		
No.	Description	Date
1.	DPZ Acceptance	12/11/13
2.	First Submission	02/10/14
3.	Second Submission	06/17/14
4.	Third Submission	09/07/14
5.	Fourth Submission	09/23/14
6.	Fifth Submission	10/20/14
7.	Sixth Submission	11/12/14
8.	Seventh Submission	04/29/15
9.	Eighth Submission	07/06/15
10.	Ninth Submission	01/15/16
11.	Tenth Submission	02/05/16

Issue	
Date	Description

Project Name
LONG BRANCH PROPERTY

CDP/FDP
 Lee District
 Fairfax County, Virginia

Drawn By: JL
 Checked By: DTM

Project No. ZP-2144

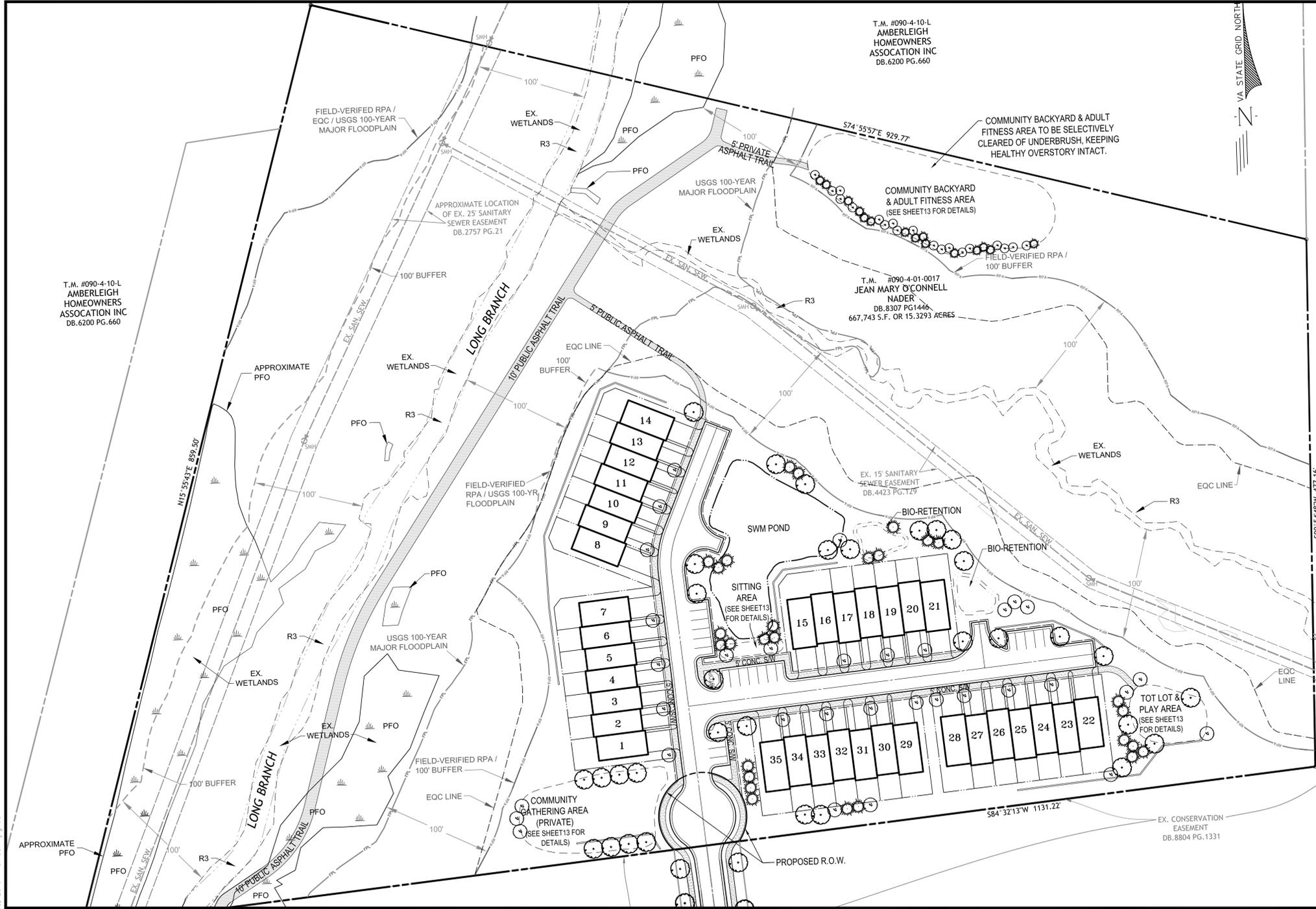
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Drawing Title
ADEQUATE OUTFALL ANALYSIS

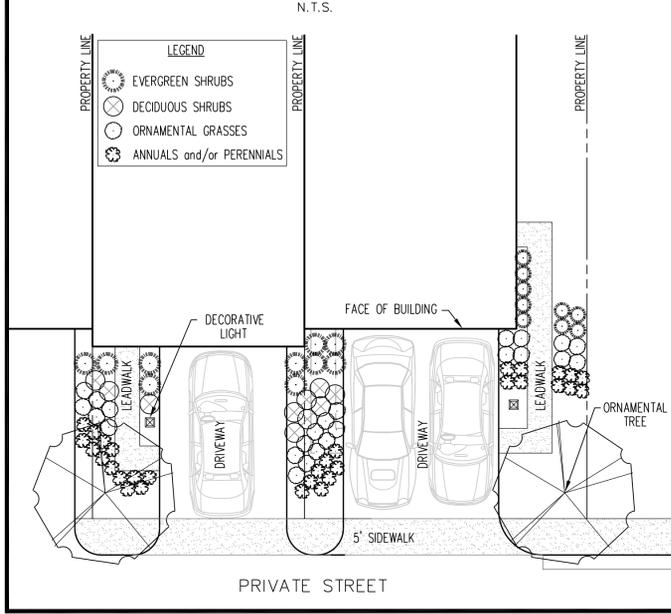
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Drawing Number
11
 Sheet 11 of 13

ZP-2144 LONG BRANCH PROPERTY

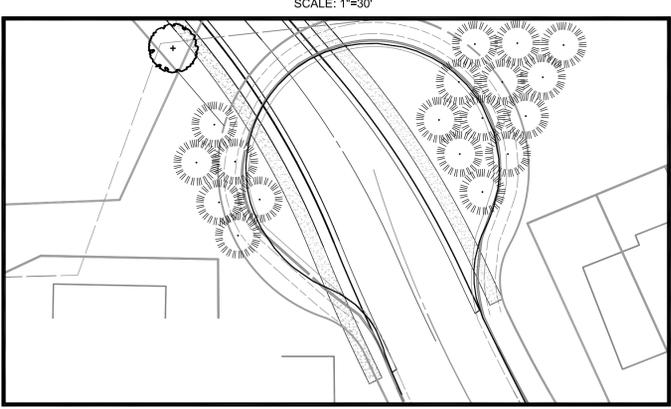


CONCEPTUAL LOT DETAIL



THESE DETAILS ARE CONCEPTUAL AND REPRESENT THE GENERAL APPEARANCE, QUALITY OF DESIGN AND MATERIALS PROPOSED. REFINEMENT AND REVISION MAY OCCUR WITH FINAL DESIGN DEVELOPMENT AND ENGINEERING. WALKWAY AND SIDEWALK MATERIAL MAY BE BRICK, CONCRETE, ASPHALT, OR STAMPED ASPHALT. FINAL LOCATION OF ELEMENTS INCLUDING PLANT MATERIAL AND PAVING MAY BE ADJUSTED SUBJECT TO TOPOGRAPHY, LOCATION OF UTILITIES, ARCHITECTURAL FEATURES AND OTHER CONSTRAINTS.

CONCEPTUAL COURT REPLANTING



CONCEPTUAL ARCHITECTURALS*



* CONCEPTUAL ARCHITECTURAL IMAGES SHOWN FOR ARCHITECTURAL REPRESENTATION ONLY, NOT FOR LANDSCAPING. FOR LANDSCAPING CONCEPT, REFER TO "CONCEPTUAL LOT DETAIL", THIS SHEET.

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Seal
 COMMONWEALTH OF VIRGINIA
 DAVID T. McELHANEY
 No. 022048
 01/05/16
 PROFESSIONAL ENGINEER

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Issue	
Date	Description

Project Name
LONG BRANCH PROPERTY
 CDP/FDP

Lee District
 Fairfax County, Virginia

Drawn By
 J/L

Checked By
 D/TM

Project No. ZP-2144

Date February 5, 2016

Drawing Title
ILLUSTRATIVE

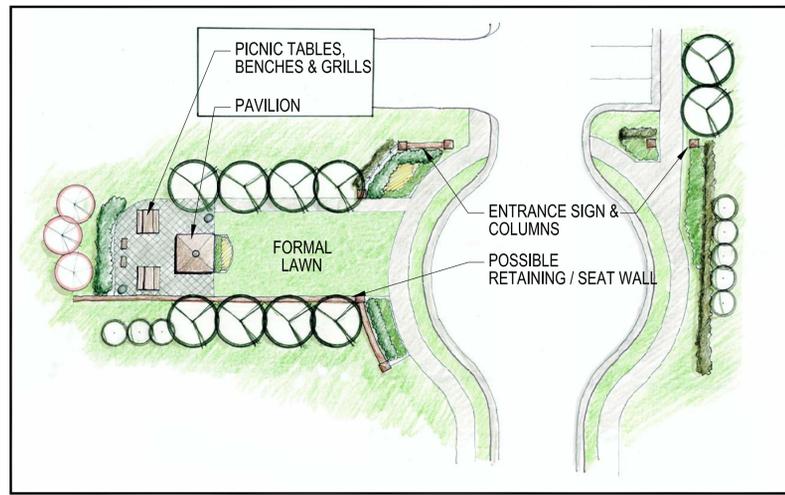
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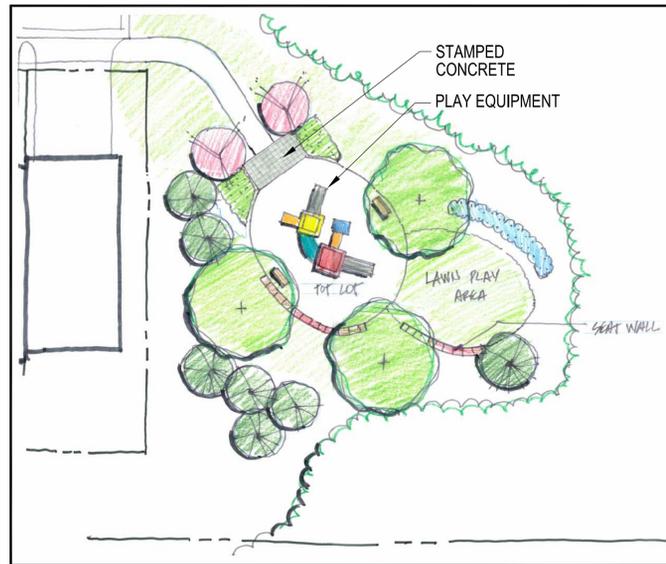
12
 Sheet 12 of 13

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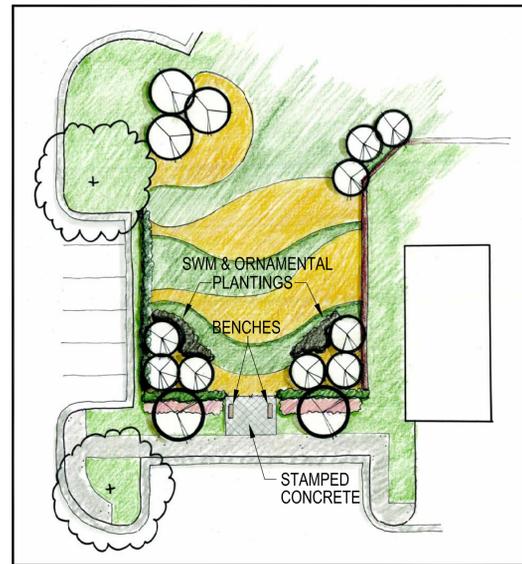
ZP-2144 LONG BRANCH PROPERTY



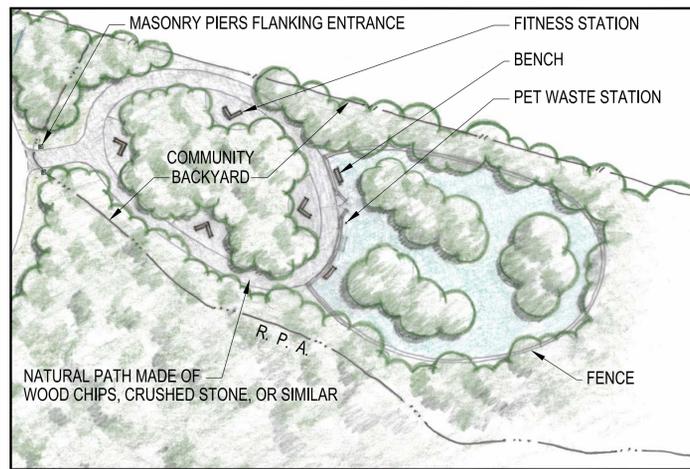
A COMMUNITY GATHERING AREA
N.T.S.



B TOT LOT & PLAY AREA
N.T.S.



C SITTING AREA
N.T.S.



D COMMUNITY BACKYARD & ADULT FITNESS AREA
N.T.S.

THESE RENDERINGS ARE CONCEPTUAL AND REPRESENT THE GENERAL APPEARANCE, QUALITY OF DESIGN AND MATERIALS PROPOSED. REFINEMENT AND REVISION MAY OCCUR WITH FINAL DESIGN DEVELOPMENT AND ENGINEERING. WALKWAY AND SIDEWALK MATERIAL MAY BE BRICK, CONCRETE, ASPHALT, OR STAMPED ASPHALT. FINAL LOCATION OF ELEMENTS INCLUDING PLANT MATERIAL, SITE FURNITURE AND PAVING MAY BE ADJUSTED SUBJECT TO TOPOGRAPHY, LOCATION OF UTILITIES AND OTHER ENGINEERING CONSTRAINTS.



1 BENCH
N.T.S.



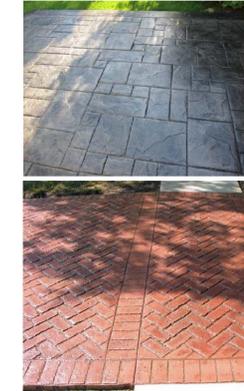
2 PLAY EQUIPMENT
N.T.S.



3 PICNIC TABLE
N.T.S.



4 FITNESS STATIONS
N.T.S.



5 STAMPED CONCRETE
N.T.S.



6 GRILL
N.T.S.



7 RETAINING WALLS / MASONRY SEAT WALL
N.T.S.



8 MASONRY PIER
N.T.S.



9 PET WASTE STATION
N.T.S.



10 STREET LAMP
N.T.S.



11 PAVILION
N.T.S.

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11.	Tenth Submission	02/03/16

Issue	
Date	Description

Project Name
LONG BRANCH PROPERTY

CDP/FDP

Lee District
Fairfax County, Virginia

Drawn By: JL
Checked By: DTM

Project No. ZP-2144

Date: February 5, 2016

Drawing Title
AMENITIES PLAN

Scale: N.A.

Drawing Number

13
Sheet 13 of 13

THIS SHEET FOR ILLUSTRATIVE PURPOSES ONLY

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ZP-2144 - LONG BRANCH PROPERTY

BACKGROUND

The applicant, PHD Associates, L.L.C., requests approval of a rezoning of approximately 15.33 acres from the R-1 District to the PDH-3 District to permit the development of 35 single-family attached dwellings at a density of 2.28 dwelling units per acre (du/ac). A staff report for this application was published on November 18, 2014. Staff recommended approval of the originally filed application (RZ/FDP 2014-LE-008) to rezone the site from the R-1 District to the PDH-4 District for the development of 38 single-family attached dwellings. Prior to the scheduled Planning Commission public hearing, the application was indefinitely deferred. Since then, the application was reactivated and was amended to include a new applicant (PHD Associates, L.L.C.) and a revised zoning district request (PDH-3).

DISCUSSION

The applicant has revised the Conceptual/Final Development Plan (CDP/FDP), titled "Long Branch Property," submitted by Urban, Ltd consisting of 13 sheets dated December 11, 2013 as revised through February 5, 2016. This new CDP/FDP proposes 35 single-family attached dwellings and carries forward many of the elements that were worked out during the previous review of the application, including trail connections, bio-retention rain gardens, and the dedication of environmentally sensitive land to the Park Authority. The applicant has redesigned the site layout and increased the amount of open space and active recreation space on site. Figures 1 and 2 below show the previously proposed layout and the revised layout for comparison. In addition, the applicant is no longer proposing an underground vault for stormwater management. A list of the major revisions to the plan in order to accommodate the new layout is also provided below:

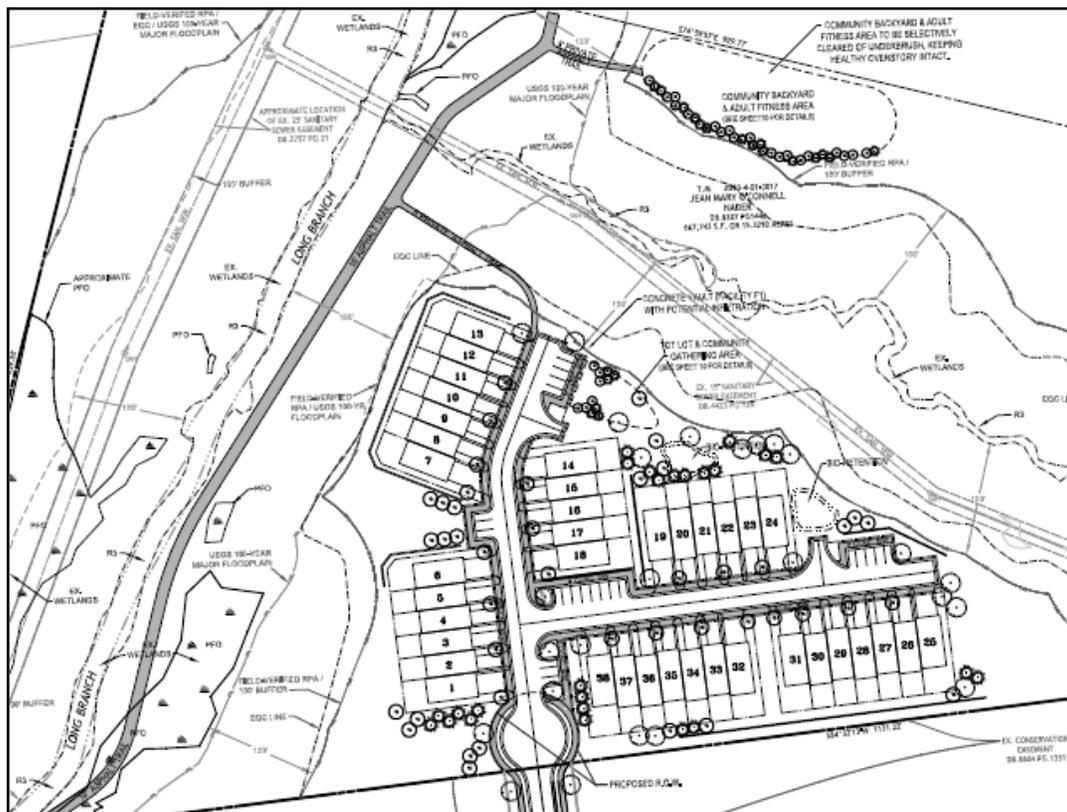


Figure 1: Previously proposed layout

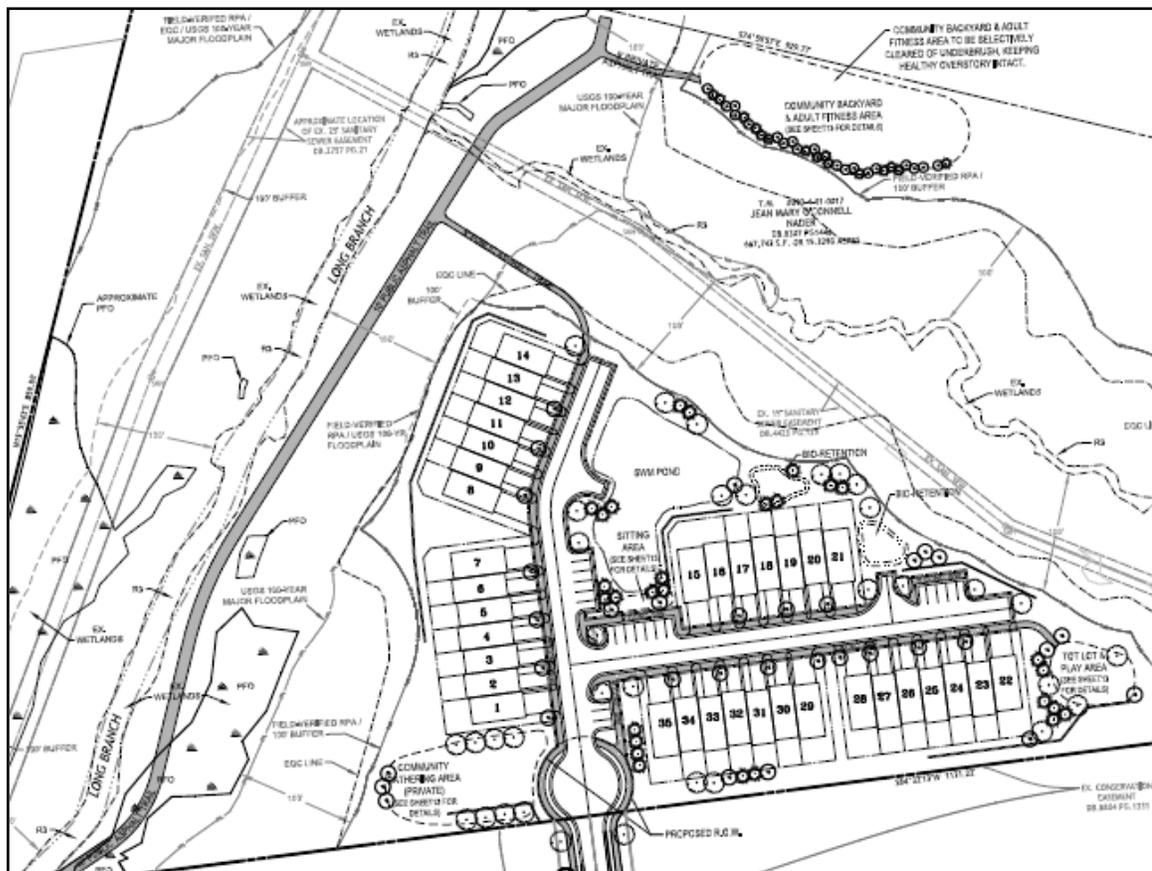


Figure 2: Revised layout

- Density** (Sheet 2 of the CDP/FDP): The revised CDP/FDP proposes to rezone the site from the R-1 District to the PDH-3 District instead of rezoning the property to the PDH-4 District. The revised application reduces the number of proposed units from 38 to 35, resulting in a new proposed density of 2.28 du/ac instead of 2.48. Per Sect. 2-308, the maximum allowed density onsite is 3.12 du/ac.
- Layout** (Sheet 5 of the CDP/FDP): The layout of the site has been revised in order to accommodate a proposed stormwater management pond (rather than the previously proposed underground stormwater management facility) and the reduction of units. The stick of five townhomes previously proposed to the east of the north-south private street has been removed (Units 14-18 on the previous CDP/FDP), with one unit being relocated to the stick of townhomes to the northwest of the onsite cul-de-sac (Units 1-6 on the previous CDP/FDP), and one unit being relocated to the stick of townhomes north of the east-west private street (Units 19-25 on the previous CDP/FDP). The CDP/FDP also shows minor revisions to the layout of the guest parking and community open space (which are discussed in further detail later in this report). In addition, the limits of clearing and grading no longer encroach into the RPA.

- **Parking** (Sheets 2 and 5 of the CDP/FDP): The street parking spaces along the north-south private street have been relocated just north of the intersection of the two private streets. Because of the reduction of units, only 95 parking spaces are required. The amount of provided parking has decreased from 124 parking spaces to 111 parking spaces (45 garage spaces, 45 driveway spaces, and 21 street spaces).
- **Stormwater** (Sheets 8-11 of the CDP/FDP): Under the proposed new layout, underground stormwater management facilities are no longer proposed. Instead, stormwater management will be accommodated via an extended detention dry pond located to the north of Units 15-21 where the community gathering area and tot lot were proposed with the previous CDP/FDP. The dry pond has been designed to provide detention for the 1-year, 24 hour storm event, as well as the 2-year and 10-year storm events. Water quality is still proposed to be achieved by bio-retention facilities and pervious pavement.
- **Open Space** (Sheets 2 and 13 of the CDP/FDP): With the revised layout, the amount of open space onsite has been increased from 50.7 percent to 78.0 percent, and the amount of active recreation area has been increased from 16,350 square feet to 24,000 square feet. The Community Gathering Area and Tot Lot and Play Area have been relocated and revised to accommodate the dry pond. The Community Gathering Area, which consists of a formal lawn, pavilion and picnic/grill area, has been relocated west of the onsite cul-de-sac. The Tot Lot and Play Area, consisting of a playground and lawn area, has been relocated to the east of the townhomes at the terminus of the east-west private street. A small seating area with ornamental plantings has also been added, which will be located adjacent to the dry pond. The Community Backyard and Adult Fitness Area located towards the northern edge of the site remains unchanged.
- **Transitional Screening and Barrier Modification:** As stated in the updated UFM memo (Appendix 9), the land surrounding the application property is zoned R-5 to the north, east, and west, and is zoned PDH-4 to the south. As such, transitional screening Type 1 (unbroken strip of open space a minimum of 25 feet wide) and a Type A or B barrier (42-48 inch wall or fence) is required. However, all of the adjacent land exists as and is proffered to remain as open space. In addition, staff does not support the construction of a wall or fence within the RPA. Therefore, staff recommends approval of the applicant's requested modification to the transitional screening and barrier requirements on all sides of the property to that shown on the CDP/FDP, which consists of forested open space.

The major changes to the proffers from those in the staff report are listed below. All changes to the previously proposed proffers are reflected in the blacklined set of proffers in Attachment 2.

- **Proffer #3:** Proffer #3B specifies that the 5-foot wide asphalt trail

connecting the townhome area to the 10-foot wide north-south asphalt trail will be a public trail. Proffer #3C specifies that the 5-foot wide asphalt trail connecting the Community Backyard and Adult Fitness Area to the 10-foot wide north-south asphalt trail will be a private trail.

- **Proffer #4:** Proffer #4C has been added to state that areas of disturbance, as identified on the CDP/FDP, shall be restored with native vegetation.
- **Proffer #6:** Proffer #6 has been revised to reflect the use of a dry pond for stormwater management, and to clarify that the stormwater management facilities have been designed to detain the two- and ten-year storm events along with the one-year storm event. Proffer #6B has been added to include measures to preclude erosion in the proposed outfall channel. Proffer #6F has been added to ensure that the engineered plans to implement the proposed stormwater measures are provided to the Planning Commission for review.
- **Proffer #7:** The required P-District onsite recreational contribution has been decreased from \$64,000 to \$63,000. This amount reflects a decrease in the proposed number of units and the increased required rate within the Zoning Ordinance.
- **Proffer #8C:** The previously-proffered fair share contribution toward parks has been decreased from \$99,123 to \$91,297.50 to reflect the decrease in the proposed number of units.
- **Proffer #12B:** The seed reserve fund for the HOA has been decreased from \$19,000 to \$17,500 to reflect the decrease in the proposed number of units.
- **Proffer #13:** The public schools contribution has been decreased from \$86,600 to \$82,243 to reflect the decrease in the proposed number of units. The updated formula of \$11,749 per new student has been incorporated into this proffer.
- **Proffer #15:** Proffer #15C has been added to ensure that the geotechnical study will be provided to the Planning Commission for review.
- **Proffer #19:** Proffer #19 has been revised to:
 - Include a payment in the amount of \$13,500 to the adjacent Island Creek community for a safety officer or traffic guard during construction activity on public school days;
 - Ensure that side streets are not utilized by construction vehicles;
 - Ensure that a certified building inspector will perform a pre-

construction survey of the homes and property located at Tax Map 90-4 ((11)) (1) 163-171 and 181-187 prior to the commencement of construction;

- Provide a General Liability Policy in the amount of \$4.65 million to insure any property damage caused to off-site homes or property by construction activity;
- Ensure that no portable bathroom facilities are permitted on Island Creek property; and
- Ensure that all slope stabilization features are certified by a geotechnical engineer and that a geotechnical engineering company representative is on site during any grading activities that involve cut and fill of structural soils;

CONCLUSION AND RECOMMENDATIONS

Conclusion

The applicant seeks approval of a revised CDP/FDP that permits development of 35 single-family attached dwellings located off of two new private streets. The revised CDP/FDP provides a decreased density, revised stormwater management, and increased recreation space than that of the previous CDP/FDP. Therefore, staff finds that with the changes shown on the CDP/FDP and the proposed proffers, the application continues to be in conformance with the Comprehensive Plan and the applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of RZ 2014-LE-008 subject to the execution of proffers consistent with the proffers contained in Attachment 1.

Staff recommends approval of FDP 2014-LE-008 subject to the development conditions contained in Attachment 3.

Staff recommends approval of a modification of the requirements of PFM Section 7-0406.8A to allow a minimum 30-foot pavement radius within the cul-de-sac terminating the extension of Thomas Grant Drive.

Staff recommends approval of a modification of the transitional screening and barrier requirements along all sides of the application property in favor of the existing landscaping as shown on the CDP/FDP.

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

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

ATTACHMENTS

1. Draft Proffers
2. Blacklined Proffers (compares the current proffers to those contained in the previously-published staff report)
3. Proposed Development Conditions
4. Updated Affidavit
5. Updated Statement of Justification
6. Updated Environmental Analysis
7. Updated Transportation Analysis
8. Updated Stormwater Analysis
9. Updated Urban Forest Management Analysis
10. Updated Geotechnical Analysis
11. Updated Park Authority Analysis
12. Updated Fairfax County Public Schools Analysis

PROFFERS
PHD Associates, LLC

RZ 2014-LE-008

February 18, 2016

Pursuant to Section 15.2-2303(A), *Code of Virginia*, (1950 as amended) and subject to Section 18-204 of the Zoning Ordinance of Fairfax County (1978, as amended), the property owners and Applicant, for themselves, their successors and/or assigns (herein referred to as the “Applicant”), hereby proffer that the development of the parcel under consideration and shown on the 2016 Fairfax County Tax Maps as TM 90-4 ((1)) 17 (the “Property”), shall be in accordance with the following conditions if, and only if, Rezoning application RZ 2014-LE-008 (this “Rezoning”) is granted.

1. Development Plan.
 - A. Development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (“CDP”/“FDP”) prepared by Urban, Ltd., consisting of 13 sheets, dated December 11, 2013, as revised through February 5, 2016.
 - B. Notwithstanding that the CDP/FDP is presented on 13 sheets, it shall be understood that the proffered portion of the CDP shall be the entire plan shown on Sheet 5 relative to the number and location of points of access, the maximum number and type of dwelling units, the general amount and location of dedications, the amount and location of open space, and the general location and arrangement of the buildings. The Applicant shall conform strictly to the limits of clearing and grading on the Property as shown on the FDP, subject to allowances for the installation of utilities as determined necessary by the Director of the Department of Public Works and Environmental Services (“DPWES”), as described herein. If it is determined necessary to install utilities in areas protected by the limits of clearing and grading as shown on the FDP, they shall be located in the least disruptive manner necessary as determined by the Urban Forestry Management Division (“UFMD”), DPWES without the need for a proffered condition amendment and/or an amendment to the CDP/FDP. A replanting plan shall be developed and implemented, subject to approval by UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities. All retaining walls shall be constructed within the limits of clearing and grading as shown on the FDP, and shall not be subject to allowances that may otherwise be permitted by DPWES, in coordination with the Department of Planning and Zoning (“DPZ”). The Applicant has the option to request a Final Development Plan Amendment (“FDPA”) for elements other than the CDP elements from the Planning Commission for all or a portion of the CDP/FDP in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance with respect to the remaining elements.

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- C. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the FDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to adjust the locations and lengths of retaining walls as may be required pursuant to final design and/or the recommendations of the Geotechnical Review Board; however, the general location of the retaining walls will remain in the areas shown on the FDP, and in no instance shall the retaining wall adjustment result in the location of a retaining wall above grade on private lots, or encroach into the limits of clearing and grading as indicated on the CDP/FDP.

2. Transportation

A. Thomas Grant Drive

- (1) The Applicant shall construct an extension of Thomas Grant Drive within the existing 60-foot wide right-of-way located between 2014 TM 90-4 ((11)) L and Z to the Virginia Department of Transportation (“VDOT”) standards (the “Thomas Grant Drive Extension”). The centerline of the Thomas Grant Drive extension shall be located approximately 30 feet from the existing edge of right of way, pavement shall be a minimum of 24 feet in width (as measured from face of curb to face of curb), and curb and gutter shall be provided on both sides of the Thomas Grant Drive Extension. As provided in Proffer 23 of RZ 86-L-073, the Applicant may utilize necessary ancillary grading and temporary construction easements adjacent to the existing Thomas Grant Drive Extension right-of-way at no additional cost to the Applicant (the “Necessary Ancillary Grading and Temporary Construction Easements”).
- (2) The Applicant shall dedicate in fee simple to the Board of Supervisors at the time of subdivision plat approval the right-of-way (“ROW”) area for the proposed cul-de-sac where the Applicant shall terminate the Thomas Grant Drive Extension (the “New Cul-de-Sac”). The New Cul-de-Sac shall have an approximately 30 foot radius to the curb and an approximately 40 foot radius to the right-of-way line as shown on the CDP/FDP. The five foot wide sidewalk within this ROW area shall be one (1) foot from the right-of-way line.
- (3) The Thomas Grant Drive Extension and the New Cul-de-Sac shall be constructed to VDOT standards as may be amended/modified and open for public use, but not necessarily accepted by VDOT for maintenance, prior to the issuance of the first Residential Use Permit (“RUP”) for the Property. The Applicant shall diligently pursue VDOT acceptance of the Thomas Grant Drive Extension and the New Cul-de-Sac for secondary street maintenance in accordance with the process outlined in VDOT’s Secondary Street Acceptance requirements.

- (4) The existing Thomas Grant Drive cul-de-sac shall be scarified and replaced with a typical local street cross section including curb and gutter, and shall be constructed to VDOT standards as may be amended/modified and open for public use, but not necessarily accepted by VDOT for maintenance, prior to the issuance of the first RUP for the Property.

B. Private Streets.

- (1) The private streets shown in the CDP/FDP shall be constructed of materials and depth of pavement consistent with the Public Facilities manual ("PFM") standards for public streets.
- (2) Initial purchasers shall be advised of the requirement to maintain private streets and estimated costs prior to entering into a contract of sale. This requirement to maintain the private streets as constructed and the estimated maintenance costs shall be included in the homeowners' association ("HOA") documents prepared for the Property, and shall be recorded among the land records of Fairfax County
- (3) A public access and emergency vehicle access easement, in a form acceptable to the Office of the County Attorney, shall be provided over all private streets and sidewalks at the time of subdivision plat approval.

3. Trails and Sidewalks.

- A. The Applicant shall construct a public 10-foot wide Type 1 Asphalt Trail within the Long Branch Floodplain/Resource Protection Area ("RPA") (the "Long Branch Trail") as shown on the CDP/FDP prior to the issuance of the first RUP for the Property.
- B. The Applicant shall construct a public 5-foot wide asphalt trail from the Long Branch Trail to the area adjacent to Lot 14 as shown on the CDP/FDP prior to the issuance of the first RUP for the Property.
- C. The Applicant shall construct a private 5-foot wide asphalt trail from the Long Branch Trail to the private Community Backyard and Adult Fitness Area as shown on the CDP/FDP prior to the issuance of the first RUP for the Property. This private trail shall be maintained by the Property's HOA. Signage marking the Community Backyard and Adult Fitness Area as "Private" may be installed on the Property near its intersection with the Long Branch Trail.
- D. The Applicant shall construct 5-foot wide concrete sidewalks along both sides of the Thomas Grant Drive Extension as shown on the CDP/FDP. The sidewalks shall connect to the existing sidewalks adjacent to TM 90-4 ((11)) 170 and 171-176. The sidewalks along the Thomas Grant Drive Extension shall be public sidewalks located within the Thomas Grant Drive Extension ROW and shall be constructed prior to the issuance of the first RUP for the Property.

- E. The Applicant shall construct 5-foot wide sidewalks within the Property's Common Areas as shown on the CDP/FDP. All sidewalks within the Property shall be located within an ingress-egress easement, shall be constructed concurrent with adjacent development of units within the Property, and shall ultimately connect to the public asphalt trail described in Proffer 3B in the vicinity of Lot 14 as shown on the CDP/FDP. The ingress-egress easement shall be recorded at record plat approval.

4. Landscape Plan.

- A. A landscape plan that shows, at a minimum, landscaping in conformance with the landscape design shown on Sheet 7 of the CDP/FDP shall be submitted concurrently with the first submission, and all subsequent submissions, of the site plan for review and approval of UFMD, DPWES. The landscape plan shall include detailed streetscape and open space landscaping, and shall include native, non-invasive species to provide the greatest habitat benefit for wildlife. Said plan shall be coordinated with and approved by the Urban Forester. Street trees along the Thomas Grant Drive Extension and all deciduous trees shall be a minimum of 2 to 2.5 inch caliper at the time of planting. All evergreen trees shall be a minimum of 6 feet high at the time of planting. All landscaping and streetscaping along the Thomas Grant Drive Extension shall be installed prior to the issuance of the first RUP for the Property. The Applicant shall provide maintenance and replacement of landscaping as necessary until final Bond Release, at which point the maintenance of all landscaping on the Property shall be the HOA's responsibility.
- B. A Conceptual Court Replanting landscape graphic is provided on Sheet 12 of the CDP/FDP that depicts evergreen trees both inside and outside of the existing cul-de-sac of Thomas Grant Drive. This landscaping is depicted, and shall be installed, to mitigate the potential impact of vehicle headlights on the Island Creek residents in the vicinity of the existing cul-de-sac; however, this landscaping may only be installed with the consent of the Island Creek Board of Directors. If the Island Creek Board of Directors does not consent to the installation of this landscaping, then this proffer shall be satisfied with the provision of a certified check in the amount of \$2,000.00 to the Island Creek Board of Directors, which funds may, but are not obligated to, be used to provide alternative measures to mitigate the potential impact of vehicle headlights.
- C. In addition to what is shown on the landscape plan, areas of disturbance as identified on the CDP/FDP shall be restored with native vegetation to the degree practical and adaptable to site conditions, in coordination with UFM. Plantings shall consist of a mixture of overstory trees, understory trees, and shrubs. The density of overstory trees shall be a minimum of 100 seedlings per acre. The density of understory trees shall be a minimum of 200 seedlings per acre. The density of shrubs shall be a minimum of 1,089 plants per acre.

5. Tree Preservation.

- A. The Applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist, Registered Consulting Arborist, or a Licensed Landscape Architect and shall be subject to the review and approval of UFMD, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 15 feet to either side of the limits of clearing and grading (the “Tree Inventory”). 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 CDP/FDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. 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.

- B. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 12 inches in diameter or greater located on the Property that are inventoried to be saved within 15 feet to either side of the limits of clearing and grading as identified on the Tree Inventory as provided with the Tree Preservation Plan. These trees and their value shall be identified on the Tree Inventory provided with the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called “Trunk Formula Method” contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the “Bonded Trees”) that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 25% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of

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equivalent size, species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

- C. The Applicant shall retain the services of a certified arborist or landscape architect and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying 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. Clearing, grading and construction shall strictly conform to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFM, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.
- E. All trees shown to be preserved on the tree preservation plan shall be protected by temporary tree protection fencing. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to a six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

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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 supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. At least 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 corrected, as determined by the UFMD, DPWES.

- F. The Applicant shall root prune as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
- (1) Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - (2) Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - (3) Root pruning shall be conducted with the supervision of a certified arborist.
 - (4) An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
- G. The demolition of all existing features and structures within areas protected by the limits of clearing and grading as shown on the CDP/FDP shall be done by hand without heavy equipment and conducted in a manner that does not impact individual trees and/or groups of trees that are to be preserved.
- H. During any clearing or tree/vegetation/structure removal a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, 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.

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6. Stormwater Management/Best Management Practices/Low Impact Development ("LID") Techniques.
 - A. Stormwater Management ("SWM") and Best Management Practices ("BMP") shall be provided in a combination of one (1) SWM detention pond, at least two (2) bio-retention facilities, and other supplemental Low Impact Development ("LID") measures designed to detain the one-year storm in accordance with Section 124-4-4.B. of the County Code and the two- and ten year storm events in order to provide a release rate equivalent to pre-development conditions per Section 124-4-4.D of the County Code. The sizes, locations and types of SWM and BMP facilities shall be as generally shown on the CDP/FDP, but may be revised at time of Site Plan as allowed and required by the Public Facilities Manual.
 - B. As part of the site plan, the Applicant shall analyze the on-site outfall to Long Branch with the objective of precluding erosion in the proposed channel. Measures to preclude erosion may include a rock step pool configuration, log drop pools, rip-rap lining, EC-3 lining or a combination of these features. The Applicant shall determine which features to install subject to the review and approval of DPWES.
 - C. Prior to initial subdivision plat approval for the Property, the Applicant shall establish an account (the "LID Maintenance Account") to be used for the ongoing maintenance of the LID Facilities on the Property. The LID Maintenance Account shall be an interest bearing account held by a financial institution authorized to do business in Virginia. As applicable, a line item for ongoing maintenance of the LID Facilities shall be included in the budget(s) for any HOA established, and the fees collected for such purposes by the HOA shall be deposited in the LID Maintenance Account annually. The HOA documents that establish and control the HOA shall provide that the LID Maintenance Account shall not be eliminated as a line item in the HOA's budget, and that funds in the LID Maintenance Account shall not be utilized for purposes other than to fund the maintenance of the LID Facilities.
 - D. Prior to initial subdivision plat approval, the Applicant shall make an initial contribution to the LID Maintenance Account in an amount equal to the estimated cost for the maintenance of the LID Facilities, for a period of ten years, which is \$10,000.00 (at \$1,000.00 per year) for LID maintenance. This contribution amount shall be adjusted on a yearly basis from the base year of 2016 and change effective each January 1 thereafter, based on changes in the Consumer Price Index for all urban consumers (not seasonally adjusted) ("CPI-U"), both as permitted by Virginia State Code.
 - E. Prior to final bond release, the Applicant shall submit a copy of a LID Maintenance Manual (the "Manual") to DPWES that has been prepared by the Applicant for use by the HOA. A copy of the Manual shall also be provided to the HOA. The Manual, at a minimum, shall provide the following: (a) a graphic depiction of the location of the drainage sheds and all LID Facilities on the Property; (b) a narrative explaining in non-technical terms the reasons why it is important for the HOA to

properly maintain the LID Facilities; (c) a copy of the proffers requiring funding and contracting for the maintenance of the LID Facilities; and (d) any product manufacturer's manuals or other instructions, where applicable.

- F. Prior to site plan approval, a copy of the engineered plans to implement the stormwater management measures described herein, including the improvements to the outfall channel, shall be forwarded to the Planning Commission for review to ensure compliance with these proffered commitments. Said review shall occur within 30 days of submission to the Planning Commission, or as soon thereafter as practical.

7. Recreational Facilities.

- A. Pursuant to Paragraph 2 of Section 6-409 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall provide a minimum expenditure of \$1,800.00 per developed unit (\$63,000.00 for 35 units) at the time of RUP issuance for each dwelling unit for the development of recreational facilities within the Property. Recreational facilities shall include, but are not limited to: a fenced Community Backyard (cleared of understory vegetation; however, mature trees that are 12 inches or greater in diameter and in healthy condition are to be retained, and the forest floor is to be kept seeded with grass or other stabilizing vegetation or mulch, as necessary, to prevent the forest floor from becoming unusable for passive recreational use), an Adult Fitness Area (masonry piers will flank the private trail to demark this area as a private amenity area; understory vegetation will be cleared; however, mature trees that are 12 inches or greater in diameter are to be retained; and fitness stations will be installed), a tot lot and lawn play area (including a benches, play equipment and masonry seating walls), and a community gathering area (with a roofed pavilion, stamped concrete plaza, picnic tables, seating walls and grills,) as generally shown on Sheet 13 of the CDP/FDP. Lighting of the Community Back Yard and Adult Fitness Area shall not be permitted. The Applicant reserves the right to install additional recreational/play equipment, gazebos, benches, tables, and trash cans, or to install alternative surface material such as mulch, stone dust or decomposed granite in lieu of grass within Community Gathering Area and the Community Back Yard/Adult Fitness Area, without the need for an interpretation or approval of a PCA/Conceptual Development Plan Amendment ("CDPA") or FDPA.
- B. Should the HOA seek to dedicate the Community Back Yard and/or the Adult Fitness Area to the Fairfax County Park Authority ("FCPA") in the future, then the FCPA shall be allowed to modify or remove the Community Back Yard and/or the Adult Fitness Area and to amend the trail easement to permit public access and maintenance without the need for a Proffered Condition Amendment, CDPA or FDPA.

8. Park Authority.

- A. Approximately 10.58 acres +/- of the Application Property shall be dedicated to the FCPA for public park purposes as depicted on Sheet 6 of the CDP/FDP prior to Final Bond Release, or earlier if mutually agreed upon by the Applicant and the FCPA (the "Park Dedication Property"). The value of the Park Dedication Property shall not be deducted from the contribution proffered in 8.C. below. Approximately 9.32 acres of the Park Dedication Property is the entirety of the RPA areas and approximately 1.26 acres of the Park Dedication Property is located outside of the RPA areas.
- (1) In accordance with 2-1102.4A of the Public Facilities Manual ("PFM"), final acceptance of the Park Dedication Property by FCPA will depend on the state of the land, if in a satisfactory condition, or a condition comparable to the one that pertained at the time of rezoning approval.
 - (2) In accordance with 2-1102.4B of the PFM, as part of its Pre-Dedication Acceptance Process, and in accordance with Va. Code § 15.2-5707, as amended, should the Park Dedication Property be found disturbed or disrupted (i.e., erosion from construction activities, or debris, on the site), the Applicant shall be required to take reasonable corrective actions, as outlined by FCPA, prior to FCPA assuming title. Any debris or waste that may currently be located on the Park Dedication Property shall be removed by the Applicant prior to dedication.
- B. As specified in Proffer 3A, the Applicant shall construct a public 10-foot wide Type 1 Asphalt Trail within the Long Branch Floodplain/RPA (the "Long Branch Trail") as shown on the CDP/FDP prior to the issuance of the first RUP for the Property. In order to minimize site disturbance, the proposed trail within any designated tree save area shall be field located in consultation with UFMD, DPWES. If dedication of the Park Dedication Property has not yet occurred at the time of subdivision plat approval, then the Applicant shall record a public access easement over the trail at the time of subdivision plat approval. This public access easement may be removed at the time of the dedication of the Park Dedication Property at the election of the FCPA.
- C. Prior to the issuance of the first RUP, the Applicant shall contribute \$893.00 per new resident that is generated pursuant to this rezoning application to the Fairfax County Park Authority, which is \$91,297.50 based on the construction of 35 single family detached homes.
- D. The Applicant shall replant the areas within the Necessary Ancillary Grading and Temporary Construction Easements in accordance with Sect. 12-0516.3 of the Public Facility's Manual, which requires that the disturbed area be restored to a condition similar to its natural state and that native species suitable for the proposed site conditions be provided approximating the species composition existing prior to clearing.

9. Architectural Design.

- A. The architectural design of the units shall be generally consistent with the quality of construction and materials as shown on Sheet 12 of the CDP/FDP.
 - (1) All units shall be constructed with a mixture of brick and/or stone, and HardiePlank or other comparable cement board. No vinyl or wood siding shall be used on the building facades.
 - i. A minimum of 50% of calculated area of the front facades of each stick of single family attached homes, excluding the area used for windows, doors and their surrounding moldings shall be comprised of brick and/or stone.
 - ii. Fenestration (including glazing and surrounding moldings) and/or doorways (including glazing, if any, and surrounding moldings) shall comprise a minimum of 25% of the front façade and 20% of rear facades of all units.
 - iii. Fenestration (including glazing and surrounding moldings) and/or doorways (including glazing, if any, and surrounding moldings) shall comprise a minimum of 10% of the side facades of all end units.
 - iv. Facades may include elements such as box bay windows, covered doorways and dormers to create architectural interest and variety.
 - v. A variety of colors, tones, materials and/or articulation shall be provided for the rear façades to provide visual breaks within individual sticks of units.
- B. Decks, patios, porches, sunrooms, balconies, bay windows chimneys, areaways, mechanical equipment and other similar appurtenances may encroach into minimum yards as depicted on the “Typical SFA Lot Detail” and qualified by the “Typical Lot/Unit Notes” contained on the CDP/FDP, and as may also be permitted by Sect. 2-412 and Article 10 of the Zoning Ordinance. The restrictions and limitations of this proffer shall be disclosed to initial purchasers prior to contract ratification and further disclosed in the HOA documents.
- C. The elevations will be refined as a result of final design and engineering so long as the quality of the buildings remains in substantial conformance with those shown on the approved CDP/FDP and the materials are as stated within this proffer.
- D. All visible areas of retaining walls that require a building permit (walls that are 3 feet or greater in height) shall be constructed of or faced with stone, brick, or decorative masonry materials as generally shown on Sheet 13 of the CDP/FDP. Other minor landscaping walls that do not require issuance of a building permit

(walls that are less than 3 feet in height) are permitted in any private yard or common open space location and may be constructed of materials as determined appropriate by the Applicant or HOA.

10. Sustainable Design.

- A. All new dwelling units shall be designed and constructed to achieve one of the following:
 - (1) Certification in accordance with the 2012 National Green Building Standard (NGBS) using the ENERGY STAR® Qualified Homes path for energy performance, as demonstrated through documentation submitted to the Environment and Development Review Branch (“EDRB”) of the Department of Planning and Zoning (“DPZ”) from a home energy rater certified through the Home Innovation Research Labs that demonstrates that each dwelling unit has attained the certification prior to the issuance of the RUP for each dwelling.
 - (2) As an alternative, each new house shall be designed and constructed to achieve certification in accordance with the Earth Craft House Program as demonstrated through documentation provided to DPWES and DPZ prior to the issuance of the RUP for each dwelling.
- B. The Applicant shall offer to provide to each initial purchaser a working rain barrel at the rear of the townhouse unit. Upon installation, the Applicant shall provide documentation to each initial purchaser regarding the benefits of rain barrel use, and the proper use and maintenance of the rain barrel. Information regarding the rain barrels’ use and maintenance shall be specified in the HOA documents.
- C. The Applicant shall certify the entire Property as a National Wildlife Federation Wildlife Habitat prior to final bond release. Information regarding this certification shall be provided to each initial purchaser and shall be specified in the HOA documents.

11. Use of Garages, Driveways and Common Area Parking Spaces.

- A. Any conversion of garages that will preclude the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA and the Board of Supervisors. This restriction shall also be disclosed in the HOA documents. Prospective purchasers shall be advised of this use restriction in writing, prior to entering into a contract of sale.
- B. All driveways shall be a minimum of 20 feet in length as measured outward from the face of the garage door to the edge of sidewalk to ensure that no vehicles will overhang the sidewalk. 1 garage parking space and 1 driveway parking space will

be provided for each single-garage unit (interior units), and two garage parking spaces and two driveway spaces will be provided for each double-garage unit (end units), for a total of 2 or 4 designated parking spaces for each unit. Vehicles parked on individual driveways shall not be permitted to overhang on the Property's sidewalks. This restriction shall be included in the HOA documents prepared for the Property.

- C. No parking of recreational vehicles (RVs), boats or trailers shall be permitted on the Property. This restriction shall be included in the HOA documents prepared for the Property.
- D. The HOA shall have the ability to assign or restrict common parking spaces, following the procedures designated by the State of Virginia for the use of common areas.

12. HOA Responsibilities.

A. Disclosure.

- (1) Prior to entering into a contract of sale, prospective initial purchasers shall be notified in writing by the applicant and shall acknowledge receipt of notification in writing:
 - i. Of the maintenance responsibility for the private streets, sidewalks, private trails, LID Facilities(including pervious pavers and rain gardens, if any, common area and open space amenities, retaining walls, landscaping, rain barrels;
 - ii. That the Property is a Certified Wildlife Habitat and the requirements to retain certification;
 - iii. That no vehicle parked on a private driveway may overhang the abutting sidewalk;
 - iv. That no parking of recreational vehicles (RVs), boats or trailers shall be permitted on the Property; and,
 - v. That any conversion that will preclude the parking of vehicles within garages is prohibited.
- (2) The initial deeds of conveyance and HOA governing documents shall expressly contain these disclosures.
- (3) These disclosures shall also be recorded among the land records of Fairfax County.

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- B. Funding. Prior to site plan approval, the Applicant shall establish and seed a reserve fund for the HOA in the amount of \$250.00 per unit (\$8,750.00 for 35 units). The Applicant shall contribute an additional \$250.00 prior to issuance of a building permit for each individual unit developed on Lots 1-35. In total, the seed reserve fund for the HOA shall be \$500.00 per unit or \$17,500.00, if 35 homes are constructed on the Property.
13. Schools Contribution. At the time of site plan approval the Applicant shall contribute the amount of \$11,749.00 per new student generated by the development of the Property to the Fairfax County Board of Supervisors for the construction of capital improvements to Fairfax County public schools to which the students generated by the Property are scheduled to attend. (7 new students = \$82,243.00). The amount of this contribution shall increase if the County approves an increase to current student ratio or contribution amount prior to the issuance of the first RUP for the Property.
14. Housing Trust Fund Contribution. Prior to the issuance of the first building permit, the Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one-half percent (1/2%) of the value of all of the units approved at the time of site plan on the Property. The percentage shall be based on 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. The projected sales price shall be proposed by the Applicant in consultation with the Fairfax County Department of Housing and Community Development ("HCD") and shall be approved by HCD and DPWES.
15. Geotechnical Review.
 - A. Prior to site plan approval, and in accordance with the provisions of the Public Facilities Manual, the Applicant shall submit a geotechnical study of the Property and the Thomas Grant Drive Extension to the Geotechnical Review Board through DPWES and shall incorporate appropriate engineering practices as recommended by the Geotechnical Review Board and DPWES to alleviate potential structural problems, to the satisfaction of DPWES. The recommendations of the Geotechnical Review Board shall be implemented.
 - B. A copy of the geotechnical study of the Property shall be provided to the Island Creek Property Manager or the Island Creek Community Association President by the civil engineer via email within 3 days of its submission to the Geotechnical Review Board through DPWES.
 - C. Prior to site plan approval, a copy of the geotechnical study of the Property shall be forwarded to the Planning Commission for review to ensure that all Geotechnical Review Board recommendations have been addressed. Said review shall occur within 30 days of submission to the Planning Commission, or as soon thereafter as practical.

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16. **Lighting.** All outdoor lighting on the Property shall be in substantial conformance with that shown on Sheet 13 of the CDP/FDP, in that street lamps will be of high quality and lighting will be directed downward, and shall be in compliance with Part 9 of Article 14, Outdoor Lighting Standards.
17. **Signs.** Signs shall be in conformance with Article 12 of the Zoning Ordinance.
18. **Site Plan Distribution.** A copy of the approved site plan for the Property shall be provided to the Manager of the Island Creek development within 20 working days of its approval. A signature on the transmittal of the site plan to the management company shall be acceptable proof of delivery.
19. **Construction Activity.**
 - A. Prior to commencement of construction on the Property or the Thomas Grant Drive Extension, the Applicant shall provide a certified check in an amount of \$13,500.00, which is equivalent to \$50.00 per public school day that, at the most, construction activity is anticipated to occur to the Island Creek Board of Directors for the services of a Safety Officer or Traffic Guard (Construction should occur within an 18 month period; however, funds are provided to cover a “worst-case” school impact of 270 school days.) Evidence of payment by the Applicant to the Island Creek Board shall satisfy this proffer. The Applicant shall not be responsible for the hiring, supervision or payment of the Safety Officer or Traffic Guard.
 - B. Prior to commencement of construction on the Property, the Applicant shall notify the contractor and its drivers that access to the Property shall be solely by Thomas Grant Drive and that side streets are not to be utilized by construction vehicles. Applicant shall fine the contractor for each verified use of private streets by construction vehicles.
 - C. Prior to commencement of construction on the Property or on the Construction of the Thomas Grant Drive Extension, and only with the owner’s permission, the Applicant shall ensure that a certified building inspector (the “Inspector”) performs a pre-construction survey (the “Survey”) of the homes and property located at TM 90-4 ((11)) (1) 163-171 and 181-187; however, the Survey shall only be conducted with the consent of the property’s owner and shall only be conducted in the presence of the property’s owner.
 - (1) **Notification of request to perform the Survey.**
 - i. A request to perform the Survey shall be sent to each owner of record for the listed properties (as stated in the Fairfax County Department of Tax Assessments Database) via certified mail, return receipt requested (the “Request”). The Request shall explain the reason for the inspection, shall provide email contact information, shall state that the owners of each property shall be given thirty (30)

- days from the postmark date of the Request to permit the Survey of their property (the "Consent"), and shall state that Consent must be provided by the owner via email so that there is written evidence that said Consent was given.
- ii. If the property's owner does not respond within 30 days to the first Request, then a second Request shall be sent to that owner via certified mail, return receipt requested (the "Second Request"). A copy of the Second Request shall be provided to the Lee District Supervisor's office and to DPWES. The Second Request shall explain the reason for the inspection, provide email contact information, state that a second attempt to obtain permission to perform a Survey of a property is being made by this correspondence, and that if Consent to Survey the property is not provided via email within ten (10) days after the postmark of the Second Request, then there shall no longer be an obligation under this proffer to conduct a Survey of that property.
- (2) Subject to receipt of Consent, the Inspector shall document the structural conditions and foundations of the homes, including interior inspection of the basements without removal of paneling and/or sheetrock, to establish existing interior and exterior house structural conditions. A written report with photographs shall be used to establish existing conditions (the "Survey Report").
- i. The owners of the homes being surveyed shall be obligated to disclose to the Inspector at the time of the Survey any existing structural defects of which they are aware, any previous corrective measures that may have been made to these homes, and copies of any permits for interior and/or exterior alterations or additions made to the homes or associated lot.
 - ii. Upon completion of the Survey, the Survey Report shall be provided to and reviewed with each property's owner. Both the Inspector and the property's owner shall sign the Survey Report to verify the accuracy of the Survey. If the property's owner does not agree with the Inspector regarding the Survey Report, then the property's owner shall note their specific disagreement on the Survey Report. If the property's owner refuses to sign the Survey Report, and refuses to note any specific disagreement on the Survey Report, then the Inspector shall specifically note that information on the Survey Report
 - iii. The Applicant shall retain a copy of each Survey Report until final bond release for the development of the Property. In addition, a copy of each Survey Report shall be provided to DPWES.

- D. Insurance. Prior to site plan approval, a General Liability Policy in the amount of \$4.65 million shall be obtained by the Applicant to, among other events, insure against any property damage caused to off-site homes or property by construction activity. As an abutting property owner, the Fairfax County Park Authority may be added as an Additional Insured by a written agreement between the Applicant and the Fairfax County Park Authority. Said insurance policy shall remain in effect until bond release or two years from the issuance of the last RUP on the Property, whichever is longer.
- E. Outdoor construction activities, any associated construction deliveries, any construction related loading or unloading of vehicles, and any construction related trash collection on the Property shall only occur between the hours of 7:00 a.m. and 9:00 p.m., Monday through Saturday, and between the hours of 9:00 a.m. and 9:00 p.m. on Federal Holidays, exclusive of Thanksgiving, Christmas, New Year's Day, Memorial Day, the 4th of July and Labor Day, on which no construction activities shall occur. These hours shall be disclosed to all contractors and sub-contractors who perform work on the Property during site construction, and shall be posted on the Property or within the Thomas Grant Drive Extension in a location visible to all workers in English and in Spanish.
- F. Construction workers shall either park on the Property or on the Thomas Grant Drive Extension during the construction of the improvements on the Property or shall park in a remote location and be shuttled to the Property. Construction workers shall not be permitted to park on the existing Thomas Grant Drive or on any of the Private Streets within Island Creek.
- G. No portable bathroom facilities shall be permitted on Island Creek property.
- H. All construction activities, including silt and dust control, and the use and disposal of any and all possible pollutants such as paint, gas, cement, etc. shall be performed in accordance with the County Code.
- I. All slope stabilization features on plans including, but not limited to, piles, cutoff walls, retaining walls (those walls 3 feet high or more, which require building permits), soil nails, subsurface drains, and granular wedges shall be designed by a professional engineer prior to construction, and certified by a geotechnical engineer after construction. A geotechnical engineering company representative shall be on the construction site during any grading activities that involve cut and fill of structural soils. Written reports shall be prepared by the geotechnical engineering company and submitted to DPWES as required,
- J. Construction Activity Contact Information
- (1) Prior to the commencement of construction on the Property, the Lee District Supervisor and the Presidents or other representatives of the HOAs as requested by the Supervisor shall be provided with the name, title, phone

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number and email address of a person to whom comments and/or complaints regarding construction activities may be directed.

- i. Such correspondence shall be sent by U.S. Mail, return receipt requested and copies of the receipts and responses shall be made available to the County Staff upon request.
 - ii. As an alternative, the contact information detailed above may be provided via email with a request for an acknowledgement that the information was received by the management companies or designated representatives and responses shall be made available to County Staff upon request.
 - (2) In addition, prior to the commencement of construction on the Property, a sign with the contact information specified above shall be posted on the Property and shall be updated and retained on the Property through all construction activities.
 - (3) Responses to comments/complaints shall be provided in an expeditious manner; which is no more than three (3) business days for non-emergency concerns, or within one (1) business day if the concern is of an urgent nature.
20. **Marketing.** The marketing and sales materials for the residential units on the Property shall designate the amenities that are available to the purchasers. No Island Creek amenities shall be mentioned in the Property's marketing and sales materials and the Property shall not be marketed as being part of the Island Creek development.
21. **Zoning Administrator Consideration.** Notwithstanding the foregoing, upon demonstration that despite diligent efforts or due to factors beyond the Applicants' control, proffered improvements such as, but not limited to, transportation, publically accessible park areas, trails and trail connections, and off-site easements have been delayed (due to, but not limited to, an inability to secure necessary permission for utility relocations, VDOT approval, necessary easements and/or site plan approval, etc.) beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of these proffered improvements.
22. **Severability.** If determined appropriate in accordance with the parameters stated in Par. 10D of Sect. 16-402 of the Zoning Ordinance, any of these lots or buildings within the Property may be subject to Proffered Condition Amendments and Final Development Plan Amendments without joinder or consent of the property owners of the other lots within the Property.
23. **Successors and Assigns.** These proffers will bind and inure to the benefit of the Applicant and his/her successors and assigns.

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

{A0697450.DOCX/1 Proffers RZ 2014-LE-008 February 10, 2016 (cIn) 008109.000003}

[SIGNATURES BEGIN ON NEXT PAGE]

PHD Associates, LLC
RZ 2014-LE-008
Signature Sheet

APPLICANT/DEVELOPMENT MANAGER

PHD ASSOCIATES, LLC

By: Richard D. DiBella
Its: Managing Member

[SIGNATURES CONTINUED ON NEXT PAGE]

CONTRACT PURCHASER FROM TITLE OWNER
OF TAX MAP 90-4 ((1)) 17

LONG BRANCH PARTNERS, L.L.C.

By: _____

Andrew J. Somerville III

Its: Manager

[SIGNATURES CONTINUED ON NEXT PAGE]

TITLE OWNER OF TAX MAP 90-4 ((1)) 17

By: _____
Jean Mary O'Connell Nader, Trustee

[SIGNATURES END]

PROFFERS**~~Long Branch Partners~~PHD Associates, LLC****RZ 2014-LE-008****~~November 12, 2014~~February 18, 2016**

Pursuant to Section 15.2-2303(A), *Code of Virginia*, (1950 as amended) and subject to Section 18-204 of the Zoning Ordinance of Fairfax County (1978, as amended), the property owners and Applicant, for themselves, their successors and/or assigns (herein referred to as the “Applicant”), hereby proffer that the development of the parcel under consideration and shown on the ~~2014~~2016 Fairfax County Tax Maps as TM 90-4 ((1)) 17 (the “Property”), shall be in accordance with the following conditions if, and only if, Rezoning application RZ 2014-LE-~~004~~008 (this “Rezoning”) is granted.

1. Development Plan.

- A. Development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (“CDP”/“FDP”) prepared by Urban, Ltd., consisting of ~~413~~ sheets, dated December 11, 2013, as revised through ~~November 12, 2014~~February 5, 2016.
- B. Notwithstanding that the CDP/FDP is presented on ~~413~~ sheets, it shall be understood that the proffered portion of the CDP shall be the entire plan shown on Sheet 5 relative to the number and location of points of access, the maximum number and type of dwelling units, the general amount and location of dedications, the amount and location of open space, ~~the location of the limits of clearing and grading, and the general location and arrangement of the buildings.~~ The Applicant shall conform strictly to the limits of clearing and grading on the Property as shown on the FDP, subject to allowances for the installation of utilities as determined necessary by the Director of the Department of Public Works and Environmental Services (“DPWES”), as described herein. If it is determined necessary to install utilities in areas protected by the limits of clearing and grading as shown on the FDP, they shall be located in the least disruptive manner necessary as determined by the Urban Forestry Management Division (“UFMD”), DPWES without the need for a proffered condition amendment and/or an amendment to the CDP/FDP. A replanting plan shall be developed and implemented, subject to approval by UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities. All retaining walls shall be constructed within the limits of clearing and grading as shown on the FDP, and shall not be subject to allowances that may otherwise be permitted by DPWES, in coordination with the Department of Planning and Zoning (“DPZ”). The Applicant has the option to request a Final Development Plan Amendment (“FDPA”) for elements other than the CDP elements from the Planning Commission for all or a portion of the CDP/FDP in

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accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance with respect to the remaining elements.

- C. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the FDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to adjust the locations and lengths of retaining walls as may be required pursuant to final design and/or the recommendations of the Geotechnical Review Board; however, the general location of the retaining walls will remain in the areas shown on the FDP, and in no instance shall the retaining wall adjustment result in the location of a retaining wall above grade on private lots, or ~~an encroachment~~encroach into the limits of clearing and grading as indicated on the CDP/FDP.

2. Transportation

A. Thomas Grant Drive

- (1) The Applicant shall construct an extension of Thomas Grant Drive within the existing 60-foot wide right-of-way located between 2014 TM 90-4 ((11)) L and Z to the Virginia Department of Transportation (“VDOT”) standards (the “Thomas Grant Drive Extension”). The centerline of the Thomas Grant Drive extension shall be located approximately 30 feet from the existing edge of right of way, pavement shall be a minimum of 24 feet in width (as measured from face of curb to face of curb), and curb and gutter shall be provided on both sides of the Thomas Grant Drive Extension. As provided in Proffer 23 of RZ 86-L-073, the Applicant may utilize necessary ancillary grading and temporary construction easements adjacent to the existing Thomas Grant Drive Extension right-of-way at no additional cost to the Applicant ~~for use of those ancillary grading and temporary construction easements during construction of the Thomas Grant Drive Extension~~ (the “Necessary Ancillary Grading and Temporary Construction Easements”).
- (2) The Applicant shall dedicate in fee simple to the Board of Supervisors at the time of subdivision plat approval the right-of-way (“ROW”) area for the proposed cul-de-sac where the Applicant shall terminate the Thomas Grant Drive Extension (the “New Cul-de-Sac”). The New Cul-de-Sac shall have an approximately 30 foot radius to the curb and an approximately 40 foot radius to the right-of-way line as shown on the CDP/FDP. The five foot wide sidewalk within this ROW area shall be one (1) foot from the right-of-way line.
- (3) The Thomas Grant Drive Extension and the New Cul-de-Sac shall be constructed to VDOT standards as may be amended/modified and open for public use, but not necessarily ~~off bond~~accepted by VDOT for maintenance, prior to the issuance of the first Residential Use Permit

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("RUP") for the Property. The Applicant shall diligently pursue VDOT acceptance of the Thomas Grant Drive Extension and the New Cul-de-Sac for secondary street maintenance in accordance with the process outlined in VDOT's Secondary Street Acceptance ~~requirements~~ requirements.

- (4) The existing Thomas Grant Drive cul-de-sac shall be scarified and replaced with a typical local street cross section including curb and gutter ~~consistent with the typical section of existing Thomas Grant Drive within the Island Creek community~~, and shall be constructed to VDOT standards as may be amended/modified and open for public use, but not necessarily ~~off-bond~~ accepted by VDOT for maintenance, prior to the issuance of the first ~~Residential Use Permit~~ RUP for the Property.

B. Private Streets.

- (1) The private streets shown in the CDP/FDP shall be constructed of materials and depth of pavement consistent with the Public Facilities manual ("PFM") standards for public streets.
- (2) Initial purchasers shall be advised of the requirement to maintain private streets and estimated costs prior to entering into a contract of sale. This requirement to maintain the private streets as constructed and the estimated maintenance costs shall be included in the homeowners' association ("HOA") documents prepared for the Property, and shall be recorded among the land records of Fairfax County
- (3) A public access and emergency vehicle access ~~agreement~~ easement, in a form acceptable to the Office of the County Attorney, shall be provided over all private streets and sidewalks at the time of subdivision plat approval.

3. Trails and Sidewalks.

- A. The Applicant shall construct a public 10-foot wide Type 1 Asphalt Trail within the Long Branch Floodplain/Resource Protection Area ("RPA") (the "Long Branch Trail") as shown on the CDP/FDP prior to the issuance of the first ~~Residential Use Permit~~ RUP for the Property.
- B. The Applicant shall construct a public 5-foot wide asphalt trail from the Long Branch Trail to the area adjacent to Lot ~~1314~~ as shown on the CDP/FDP prior to the issuance of the first ~~Residential Use Permit~~ RUP for the Property. ~~This trail shall be maintained by the Property's homeowners association. A 10-foot wide public access and maintenance easement shall be recorded for this private trail at the time of subdivision plat approval.~~
- C. The Applicant shall construct a private 5-foot wide asphalt trail from the Long Branch Trail to the private Community Backyard and Adult Fitness Area as shown on the CDP/FDP prior to the issuance of the first ~~Residential Use Permit~~ RUP for

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the Property. ~~A 10-foot wide private access and maintenance easement shall be recorded for this~~This private trail ~~at the time of Subdivision plat approval for the use of and maintenance shall be maintained~~ by the Property's ~~homeowner's association~~HOA. Signage marking ~~this trail~~the Community Backyard and Adult Fitness Area as "Private" may be installed ~~adjacent to on the Property near its intersection with~~ the Long Branch Trail.

- D. The Applicant shall construct 5-foot wide concrete sidewalks along both sides of the Thomas Grant Drive Extension as shown on the CDP/FDP. The sidewalks shall connect to the existing sidewalks adjacent to TM 90-4 ((11)) 170 and 171-176. The sidewalks along the Thomas Grant Drive Extension shall be public sidewalks located within the Thomas Grant Drive Extension ROW and shall be constructed prior to the issuance of the first ~~Residential Use Permit~~RUP for the Property.
- E. The Applicant shall construct 5-foot wide sidewalks within the Property's Common Areas as shown on the CDP/FDP. ~~The~~All sidewalks within the Property shall be ~~private~~located within an ingress-egress easement, shall be constructed concurrent with adjacent development of units within the Property, and shall ultimately connect to the public asphalt trail described in Proffer 3B in the vicinity of Lot 1314 as shown on the CDP/FDP. ~~A five-foot wide public access~~The ingress-egress easement shall be recorded on the areas designated for sidewalks and driveways adjacent to Lots 1-13 and 36 to permit access to pedestrians who are traveling between the Long Branch Trail and the Thomas Grant Drive Extension. This public access easement shall connect to the public access easement described in Proffer 3B at record plat approval.

4. Landscape Plan.

- F.A. A landscape plan that shows, at a minimum, landscaping in conformance with the landscape design shown on Sheet 67 of the CDP/FDP shall be submitted concurrently with the first submission, and all subsequent submissions, of the site plan for review and approval of ~~the Urban Forestry Management Division ("UFMD")~~DPWES. The landscape plan shall include detailed streetscape and open space landscaping, and shall include native, non-invasive species to provide the greatest habitat benefit for wildlife. Said plan shall be coordinated with and approved by the Urban Forester. Street trees along the Thomas Grant Drive Extension and all deciduous trees shall be a minimum of 2 to 2.5 inch caliper at the time of planting. All evergreen trees shall be a minimum of 6 feet high at the time of planting. All landscaping and streetscaping along the Thomas Grant Drive Extension shall be installed prior to the issuance of the first ~~Residential Use Permit~~RUP for the Property. The Applicant shall provide maintenance and replacement of landscaping as necessary until final Bond Release, at which point the maintenance of all landscaping on the Property shall be the ~~Homeowners Association's~~HOA's responsibility.

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- B. A Conceptual Court Replanting landscape graphic is provided on Sheet 12 of the CDP/FDP that depicts evergreen trees both inside and outside of the existing cul-de-sac of Thomas Grant Drive. This landscaping is depicted, and shall be installed, to mitigate the potential impact of vehicle headlights on the Island Creek residents in the vicinity of the existing cul-de-sac; however, this landscaping may only be installed with the consent of the Island Creek Board of Directors. If the Island Creek Board of Directors does not consent to the installation of this landscaping, then this proffer shall be satisfied with the provision of a certified check in the amount of \$2,000.00 to the Island Creek Board of Directors, which funds may, but are not obligated to, be used to provide alternative measures to mitigate the potential impact of vehicle headlights.
- C. In addition to what is shown on the landscape plan, areas of disturbance as identified on the CDP/FDP shall be restored with native vegetation to the degree practical and adaptable to site conditions, in coordination with UFM. Plantings shall consist of a mixture of overstory trees, understory trees, and shrubs. The density of overstory trees shall be a minimum of 100 seedlings per acre. The density of understory trees shall be a minimum of 200 seedlings per acre. The density of shrubs shall be a minimum of 1,089 plants per acre.

4.5. Tree Preservation.

- A. The Applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist, ~~Registered Consulting Arborist~~, or a Licensed Landscape Architect and shall be subject to the review and approval of ~~the Urban Forest Management Division (UFMD)~~, UFMD, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within ~~25~~15 feet to either side of the limits of clearing and grading (the “Tree Inventory”). 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 CDP/FDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. 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.

- B. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 12 inches in diameter or greater

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located on the Property that are inventoried to be saved within 2515 feet to either side of the limits of clearing and grading as identified on the Tree Inventory as provided with the Tree Preservation Plan. These trees and their value shall be identified on the Tree Inventory provided with the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 5025% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

- C. The Applicant shall retain the services of a certified arborist or landscape architect and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying 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.

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- D. Clearing, grading and construction shall strictly conform to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFM, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.
- E. All trees shown to be preserved on the tree preservation plan shall be protected by temporary tree protection fencing. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to a six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. At least 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 corrected, as determined by the UFMD, DPWES.

- F. The Applicant shall root prune as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
- (1) Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - (2) Root pruning shall take place prior to any clearing and grading, or demolition of structures.

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- (3) Root pruning shall be conducted with the supervision of a certified arborist.
 - (4) An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
- G. The demolition of all existing features and structures within areas protected by the limits of clearing and grading as shown on the CDP/FDP shall be done by hand without heavy equipment and conducted in a manner that does not impact individual trees and/or groups of trees that are to be preserved.
- H. During any clearing or tree/vegetation/structure removal a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, 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.

5.6. Stormwater Management/Best Management Practices/Low Impact Development ("LID") Techniques.

- ~~A. Stormwater management shall be provided within a concrete underground infiltration vault system in the general location shown on the CDP/FDP (the "Stormwater Management Facility"). The Stormwater Management Facility shall be designed to meet Public Facility Manual requirements unless waived or modified.~~
 - ~~B. Supplementary innovative low impact development ("LID") measures shall be used on the Property, including, but not necessarily limited to, a bio-retention facility (rain garden), grassy swales, and or permeable pavers subject to DPWES approval.~~
- A. Stormwater Management ("SWM") and Best Management Practices ("BMP") shall be provided in a combination of one (1) SWM detention pond, at least two (2) bio-retention facilities, and other supplemental Low Impact Development ("LID") measures designed to detain the one-year storm in accordance with Section 124-4-4.B. of the County Code and the two- and ten year storm events in order to provide a release rate equivalent to pre-development conditions per Section 124-4-4.D of the County Code. The sizes, locations and types of SWM and BMP facilities shall be as generally shown on the CDP/FDP, but may be revised at time of Site Plan as allowed and required by the Public Facilities Manual.
- B. As part of the site plan, the Applicant shall analyze the on-site outfall to Long Branch with the objective of precluding erosion in the proposed channel. Measures to preclude erosion may include a rock step pool configuration, log drop pools, rip-

rap lining, EC-3 lining or a combination of these features. The Applicant shall determine which features to install subject to the review and approval of DPWES.

- C. Prior to initial subdivision plat approval for the Property, the Applicant shall establish an account (the "LID Maintenance Account") to be used for the ongoing maintenance of the LID Facilities on the Property. The LID Maintenance Account shall be an interest bearing account held by a financial institution authorized to do business in Virginia. As applicable, a line item for ongoing maintenance of the LID Facilities shall be included in the budget(s) for any HOA established, and the fees collected for such purposes by the HOA shall be deposited in the LID Maintenance Account annually. The HOA documents that establish and control the HOA shall provide that the LID Maintenance Account shall not be eliminated as a line item in the HOA's budget, and that funds in the LID Maintenance Account shall not be utilized for purposes other than to fund the maintenance of the LID Facilities.
- D. Prior to initial subdivision plat approval, the Applicant shall make an initial contribution to the LID Maintenance Account in an amount equal to the estimated cost for the maintenance of the LID Facilities, for a period of ten years, which is \$10,000.00 (at \$1,000.00 per year) for LID maintenance. This contribution amount shall be adjusted on a yearly basis from the base year of 2016 and change effective each January 1 thereafter, based on changes in the Consumer Price Index for all urban consumers (not seasonally adjusted) ("CPI-U"), both as permitted by Virginia State Code.
- E. Prior to final bond release, the Applicant shall submit a copy of a LID Maintenance Manual (the "Manual") to DPWES that has been prepared by the Applicant for use by the HOA. A copy of the Manual shall also be provided to the HOA. The Manual, at a minimum, shall provide the following: (a) a graphic depiction of the location of the drainage sheds and all LID Facilities on the Property; (b) a narrative explaining in non-technical terms the reasons why it is important for the HOA to properly maintain the LID Facilities; (c) a copy of the proffers requiring funding and contracting for the maintenance of the LID Facilities; and (d) any product manufacturer's manuals or other instructions, where applicable.
- F. Prior to site plan approval, a copy of the engineered plans to implement the stormwater management measures described herein, including the improvements to the outfall channel, shall be forwarded to the Planning Commission for review to ensure compliance with these proffered commitments. Said review shall occur within 30 days of submission to the Planning Commission, or as soon thereafter as practical.

6.7. Recreational Facilities.

- A. Pursuant to Paragraph 2 of Section 6-409 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall provide a minimum expenditure of \$1,~~700~~800.00 per developed unit (~~\$64,600~~63,000.00 for ~~38~~35 units)

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at the time of ~~Residential Use Permit~~RUP issuance for each dwelling unit for the development of recreational facilities within the Property. Recreational facilities shall include, but are not limited to: a fenced Community Backyard (cleared of understory vegetation; however, mature trees that are 12 inches or greater in diameter and in healthy condition are to be retained, and the forest floor is to be kept seeded with grass or other stabilizing vegetation or mulch, as necessary, to prevent the forest floor from becoming unusable for passive recreational use), an Adult Fitness Area (masonry piers will flank the private trail to demark this area as a private amenity area; understory vegetation will be cleared; however, mature trees that are 12 inches or greater in diameter are to be retained; and fitness stations will be installed), a tot lot and lawn play area (including a benches, play equipment and ~~a~~ masonry seating ~~wall~~walls), and a community gathering area (with a roofed pavilion, stamped concrete plaza, picnic tables, seating walls and grills,) as generally shown on Sheet 13 of the CDP/FDP. Lighting of the Community Back Yard and Adult Fitness Area shall not be permitted. The Applicant reserves the right to install additional recreational/play equipment, gazebos, benches, tables, and trash cans, or to install alternative surface material such as mulch, stone dust or decomposed granite in lieu of grass within Community Gathering Area and the Community Back Yard/Adult Fitness Area, without the need for an interpretation or approval of a PCA/Conceptual Development Plan Amendment (“CDPA”) or FDPA.

- B. Should, ~~for some reason~~, the HOA seek to dedicate the Community Back Yard and/or the Adult Fitness Area to the Fairfax County Park Authority (“FCPA”) ~~at some point~~ in the future, then the FCPA shall be allowed to modify or remove the Community Back Yard and/or the Adult Fitness Area and to amend the trail easement to permit public access and maintenance without the need for a Proffered Condition Amendment, CDPA or FDPA.

~~7. Park Authority Dedications, Contributions, and Replanting of the Necessary Ancillary Grading and Temporary Construction Easement Areas~~

8. Park Authority.

- A. Approximately 10.~~6758~~ acres +/- of the Application Property shall be dedicated to the FCPA for public park purposes as depicted on Sheet ~~5A6~~ of the CDP/FDP prior to Final Bond Release, or earlier if mutually agreed upon by the Applicant and the FCPA (the “Park Dedication Property”). The value of the Park Dedication Property shall not be deducted from the contribution proffered in 8.C. below. Approximately ~~9.4132~~ acres of the Park Dedication Property is the entirety of the RPA areas and approximately 1.26 acres ~~+/-~~ of the Park Dedication Property is located outside of the RPA areas.
- (1) In accordance with 2-1102.4A of the Public Facilities Manual (“PFM”), final acceptance of the Park Dedication Property by FCPA will depend on

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the state of the land, if in a satisfactory condition, or a condition comparable to the one that pertained at the time of rezoning approval.

- (2) In accordance with 2-1102.4B of the PFM, as part of its Pre-Dedication Acceptance Process, and in accordance with Va. Code § 15.2-5707, as amended, should the Park Dedication Property be found disturbed or disrupted (i.e., erosion from construction activities, or debris, on the site), the Applicant shall be required to take reasonable corrective actions, as outlined by FCPA, prior to FCPA assuming title. Any debris or waste that may currently be located on the Park Dedication Property shall be removed by the Applicant prior to dedication.

- B. As specified in Proffer ~~3-A, 3A~~, the Applicant shall construct a public 10-foot wide Type 1 Asphalt Trail within the Long Branch Floodplain/RPA (the “Long Branch Trail”) as shown on the CDP/FDP prior to the issuance of the first ~~Residential Use Permit~~RUP for the Property. In order to minimize site disturbance, the proposed ~~trail~~trail within any designated tree save area shall be field located in consultation with UFMD, DPWES. If dedication of the Park Dedication Property has not yet occurred at the time of subdivision plat approval, then the Applicant shall record a public access easement over the trail at the time of subdivision plat approval. This public access easement may be removed at the time of the dedication of the Park Dedication Property at the election of the FCPA.
- C. Prior to the issuance of the first RUP, the Applicant shall contribute \$893.00 per new resident that is generated pursuant to this rezoning application to the Fairfax County Park Authority, which is ~~\$99,123.00~~91,297.50 based on the construction of ~~3835~~ single family detached homes.
- D. The Applicant shall replant the areas within the Necessary Ancillary Grading and Temporary Construction Easements in accordance with Sect. 12-0516.3 of the Public Facility’s Manual, which requires that the disturbed area be restored to a condition similar to its natural state and that native species suitable for the proposed site conditions be provided approximating the species composition existing prior to clearing.

8.9. Architectural Design.

- A. The architectural design of the units shall be generally consistent with the quality of construction and materials as shown on Sheet 12 of the CDP/FDP.
- (1) All units shall be constructed with a mixture of brick and/or stone, and HardiePlank or other comparable cement board. No vinyl or wood siding shall be used on the building facades.
- i. A minimum of 50% of calculated area of the front facades of each stick of single family attached homes, excluding the area used for

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windows, doors and their surrounding moldings shall be comprised of brick and/or stone.

ii. Fenestration (including glazing and surrounding moldings) and/or doorways (including glazing, if any, and surrounding moldings) shall comprise a minimum of 25% of the front façade and 20% of rear facades of all units.

iii. Fenestration (including glazing and surrounding moldings) and/or doorways (including glazing, if any, and surrounding moldings) shall comprise a minimum of ~~20~~10% of the side facades of all end units.

~~iii~~iv. Facades may include elements such as box bay windows, covered doorways and dormers to create architectural interest and variety.

~~iv~~v. A variety of colors, tones, materials and/or articulation shall be provided for the rear façades to provide visual breaks within individual sticks of units.

- B. Decks~~,~~ patios, porches, sunrooms, balconies, bay windows chimneys, areaways, mechanical equipment and other similar appurtenances may encroach into minimum yards as depicted on the “Typical SFA Lot Detail” and qualified by the “Typical Lot/Unit Notes” contained on the CDP/FDP, and as may also be permitted by Sect. 2-412 and Article 10 of the Zoning Ordinance. The restrictions and limitations of this proffer shall be disclosed to initial purchasers prior to contract ratification and further disclosed in the HOA documents.
- C. The elevations will be refined as a result of final design and engineering so long as the quality of the buildings remains in substantial conformance with those shown on the approved CDP/FDP and the materials are as stated within this proffer.
- D. All visible areas of retaining walls that require a building permit (walls that are 3 feet or greater in height) shall be constructed of or faced with stone, brick, or decorative masonry materials, ~~or shall be constructed~~ as a rock gravity wall generally shown on Sheet 13 of the CDP/FDP. Other minor landscaping walls that do not require issuance of a building permit (walls that are less than 3 feet in height) are permitted in any private yard or common open space location and may be constructed of materials as determined appropriate by the Applicant or ~~homeowner’s association~~ HOA.

9.10. Sustainable Design.

- A. All new dwelling units shall be designed and constructed to achieve one of the following:

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- (1) ~~Certification in accordance with the 2012 National Green Building Standard (NGBS) using the ENERGY STAR® Qualified Homes path for energy performance, as demonstrated through documentation submitted to the Environment and Development Review Branch (“EDRB”) of the Department of Planning and Zoning (“DPZ”) from a home energy rater certified through the Home Innovation Research Labs that demonstrates that each dwelling unit has attained the certification prior to the issuance of the Residential Use Permit (“RUP”)~~ for each dwelling.
 - (2) As an alternative, each new house shall be designed and constructed to achieve certification in accordance with the Earth Craft House Program as demonstrated through documentation provided to DPWES and DPZ prior to the issuance of the RUP for each dwelling.
- B. The Applicant shall offer to provide to each initial purchaser a working rain barrelsbarrel at the rear of ~~eachthe~~ townhouse unit ~~and~~. Upon installation, the Applicant shall provide documentation to each initial purchaser regarding the benefits of rain barrel use, and the proper use and maintenance of the rain barrel. Information regarding the rain barrels’ use and maintenance shall be specified in the ~~homeowners’ association~~HOA documents.
- C. The Applicant shall certify the entire Property as a National Wildlife Federation Wildlife Habitat prior to final bond release. Information regarding this certification shall be provided to each initial purchaser and shall be specified in the ~~homeowners’ association~~HOA documents.
- ~~D. Prior to the issuance of site plan approval, the Applicant shall submit a plan to DPWES for the diversion of Construction and Demolition Debris waste from landfills and into recycling with a goal of achieving 50% recycling, repurposing and reuse efficiency, not including soils exported offsite. Repurposing and/or reuse of waste materials may include incineration of residual materials after mechanized processing by a Materials Recovery Facility.~~

10.11. Use of Garages, Driveways and Common Area Parking Spaces.

- A. ~~Any conversion of garages that will preclude the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA and the Board of Supervisors. This restriction shall also be disclosed in the HOA documents. Prospective purchasers shall be advised of this use restriction in writing, prior to entering into a contract of sale.~~
- B. All driveways shall be a minimum of 20 feet in length as measured outward from the face of the garage door to the edge of sidewalk to ensure that no vehicles will overhang the sidewalk. 1 garage parking space and 1 driveway parking space will be provided for each single-garage unit (interior units), and two garage parking

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spaces and two driveway spaces will be provided for each double-garage unit (end units), for a total of 2 or 4 designated parking spaces for each unit. Vehicles parked on individual driveways shall not be permitted to overhang on the Property's sidewalks. This restriction shall be included in the ~~homeowner's association~~ HOA documents prepared for the Property.

- C. No parking of recreational vehicles (RVs), boats or trailers shall be permitted on the Property. This restriction shall be included in the ~~homeowners' association~~ HOA documents prepared for the Property.
- D. The ~~Homeowners Association~~ HOA shall have the ability to assign or restrict common parking spaces, following the procedures designated by the State of Virginia for the use of common areas.

11.12. HOA Responsibilities.

A. Disclosure.

- (1) Prior to entering into a contract of sale, prospective initial purchasers shall be notified in writing by the applicant and shall acknowledge receipt of notification in writing:
 - i. ~~Of the maintenance responsibility for the private streets, sidewalks, private trails, SWM/BMP facilities—LID Facilities~~(including pervious pavers and rain gardens, if any) ~~to~~ ^{the} common area and open space amenities, retaining walls, landscaping, rain barrels;
 - ii. That the Property is a Certified Wildlife Habitat and the requirements to retain certification;
 - iii. That no vehicle parked on a private driveway may overhang the abutting sidewalk;
 - iv. That no parking of recreational vehicles (RVs), boats or trailers shall be permitted on the Property; and,
 - v. That any conversion that will preclude the parking of vehicles within garages is prohibited.
- (2) The initial deeds of conveyance and HOA governing documents shall expressly contain these disclosures.
- (3) These disclosures shall also be recorded among the land records of Fairfax County.

- B. Funding. Prior to site plan approval, the Applicant shall establish and seed a reserve fund for the HOA in the amount of \$250.00 per unit (~~\$9,5008,750.00~~ for ~~3835~~

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units). The Applicant shall contribute an additional \$250.00 prior to issuance of a building permit for each, individual unit developed on Lots 1-~~38~~35. In total, the seed reserve fund for the HOA shall be \$500.00 per unit or ~~\$19,000~~17,500.00, if 35 homes are constructed on the Property.

~~12.13.~~ 13.13. Schools Contribution. At the time of site plan approval the Applicant shall contribute the amount of ~~\$10,825~~11,749.00 per new student generated by the ~~Application~~development of the Property to the Fairfax County Board of Supervisors for the construction of capital improvements to Fairfax County public schools to which the students generated by the Property are scheduled to attend. (~~87~~ new students = ~~\$86,600~~82,243.00). The amount of this contribution shall increase if the County approves an increase to current student ratio or contribution amount prior to the issuance of the first RUP for the Property.

~~13.14.~~ 14.14. Housing Trust Fund Contribution. Prior to the issuance of the first building permit, the Applicant shall contribute to the Fairfax County Housing Trust Fund ("~~HTF~~") the sum equal to one-half percent (1/2%) of the value of all of the units approved at the time of site plan on the Property. The percentage shall be based on 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. The projected sales price shall be proposed by the Applicant in consultation with the Fairfax County Department of Housing and Community Development ("~~HCD~~") and shall be approved by HCD and DPWES.

15. Geotechnical Review.

- A. Prior to site plan approval, and in accordance with the provisions of the Public Facilities Manual, the Applicant shall submit a geotechnical study of the ~~Application~~ Property and the Thomas Grant Drive Extension to the Geotechnical Review Board through DPWES and shall incorporate appropriate engineering practices as recommended by the Geotechnical Review Board and DPWES to alleviate potential structural problems, to the satisfaction of DPWES. –The recommendations of the Geotechnical Review Board shall be implemented.
- B. A copy of the geotechnical study of the Property shall be provided to the Island Creek Property Manager or the Island Creek Community Association President by the civil engineer via email within 3 days of its submission to the Geotechnical Review Board through DPWES.
- C. Prior to site plan approval, a copy of the geotechnical study of the Property shall be forwarded to the Planning Commission for review to ensure that all Geotechnical Review Board recommendations have been addressed. Said review shall occur within 30 days of submission to the Planning Commission, or as soon thereafter as practical.

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~~14.16.~~ Lighting. All outdoor lighting on the Property shall be in substantial conformance with that shown on Sheet 13 of the CDP/FDP, in that street lamps will be of high quality and lighting will be directed downward, and shall be in compliance with Part 9 of Article 14, Outdoor Lighting Standards.

~~15.17.~~ Signs. Signs shall be in conformance with Article 12 of the Zoning Ordinance.

~~18.~~ Site Plan Distribution. A copy of the approved site plan for the Property shall be provided to the Manager of the Island Creek development within 20 working days of its approval. A signature on the transmittal of the site plan to the management company shall be acceptable proof of delivery.

~~16.19.~~ Construction Activity.

A. Prior to commencement of construction on the Property or the Thomas Grant Drive Extension, the Applicant shall provide a certified check in an amount of \$13,500.00, which is equivalent to \$50.00 per public school day that, at the most, construction activity is anticipated to occur to the Island Creek Board of Directors for the services of a Safety Officer or Traffic Guard (Construction should occur within an 18 month period; however, funds are provided to cover a “worst-case” school impact of 270 school days.) Evidence of payment by the Applicant to the Island Creek Board shall satisfy this proffer. The Applicant shall not be responsible for the hiring, supervision or payment of the Safety Officer or Traffic Guard.

B. Prior to commencement of construction on the Property, the Applicant shall notify the contractor and its drivers that access to the Property shall be solely by Thomas Grant Drive and that side streets are not to be utilized by construction vehicles. Applicant shall fine the contractor for each verified use of private streets by construction vehicles.

C. Prior to commencement of construction on the Property or on the Construction of the Thomas Grant Drive Extension, and only with the owner’s permission, the Applicant shall ensure that a certified building inspector (the “Inspector”) performs a pre-construction survey (the “Survey”) of the homes and property located at TM 90-4 ((11)) (1) 163-171 and 181-187; however, the Survey shall only be conducted with the consent of the property’s owner and shall only be conducted in the presence of the property’s owner.

(1) Notification of request to perform the Survey.

i. A request to perform the Survey shall be sent to each owner of record for the listed properties (as stated in the Fairfax County Department of Tax Assessments Database) via certified mail, return receipt requested (the “Request”). The Request shall explain the reason for the inspection, shall provide email contact information, shall state that the owners of each property shall be given thirty (30)

- days from the postmark date of the Request to permit the Survey of their property (the "Consent"), and shall state that Consent must be provided by the owner via email so that there is written evidence that said Consent was given.
- ii. If the property's owner does not respond within 30 days to the first Request, then a second Request shall be sent to that owner via certified mail, return receipt requested (the "Second Request"). A copy of the Second Request shall be provided to the Lee District Supervisor's office and to DPWES. The Second Request shall explain the reason for the inspection, provide email contact information, state that a second attempt to obtain permission to perform a Survey of a property is being made by this correspondence, and that if Consent to Survey the property is not provided via email within ten (10) days after the postmark of the Second Request, then there shall no longer be an obligation under this proffer to conduct a Survey of that property.
- (2) Subject to receipt of Consent, the Inspector shall document the structural conditions and foundations of the homes, including interior inspection of the basements without removal of paneling and/or sheetrock, to establish existing interior and exterior house structural conditions. A written report with photographs shall be used to establish existing conditions (the "Survey Report").
- i. The owners of the homes being surveyed shall be obligated to disclose to the Inspector at the time of the Survey any existing structural defects of which they are aware, any previous corrective measures that may have been made to these homes, and copies of any permits for interior and/or exterior alterations or additions made to the homes or associated lot.
- ii. Upon completion of the Survey, the Survey Report shall be provided to and reviewed with each property's owner. Both the Inspector and the property's owner shall sign the Survey Report to verify the accuracy of the Survey. If the property's owner does not agree with the Inspector regarding the Survey Report, then the property's owner shall note their specific disagreement on the Survey Report. If the property's owner refuses to sign the Survey Report, and refuses to note any specific disagreement on the Survey Report, then the Inspector shall specifically note that information on the Survey Report
- iii. The Applicant shall retain a copy of each Survey Report until final bond release for the development of the Property. In addition, a copy of each Survey Report shall be provided to DPWES.

D. Insurance. Prior to site plan approval, a General Liability Policy in the amount of \$4.65 million shall be obtained by the Applicant to, among other events, insure against any property damage caused to off-site homes or property by construction activity. As an abutting property owner, the Fairfax County Park Authority may be added as an Additional Insured by a written agreement between the Applicant and the Fairfax County Park Authority. Said insurance policy shall remain in effect until bond release or two years from the issuance of the last RUP on the Property, whichever is longer.

A-E. Outdoor construction activities, any associated construction deliveries, any construction related loading or unloading of vehicles, and any construction related trash collection on the Property shall only occur between the hours of 7:00 a.m. and 9:00 p.m., Monday through Saturday, and between the hours of 9:00 a.m. and 9:00 p.m. on Federal Holidays, exclusive of Thanksgiving, Christmas, New Year's Day, Memorial Day, the 4th of July and Labor Day, on which no construction activities shall occur. These hours shall be disclosed to all contractors and sub-contractors who perform work on the Property during site construction, and shall be posted on the Property or within the Thomas Grant Drive Extension ~~Right-of-Way~~ in a location visible to all workers in English and in Spanish.

B-F. Construction workers shall either park on the Property or on the Thomas Grant Drive Extension during the construction of the improvements on the Property or shall park in a remote location and be shuttled to the Property. Construction workers shall not be permitted to park on the existing Thomas Grant Drive or on any of the Private Streets within Island Creek.

G. No portable bathroom facilities shall be permitted on Island Creek property.

C-H. All construction activities, including silt and dust control, and the use and disposal of any and all possible pollutants such as paint, gas, cement, etc. shall be performed in accordance with the County Code.

I. All slope stabilization features on plans including, but not limited to, piles, cutoff walls, retaining walls (those walls 3 feet high or more, which require building permits), soil nails, subsurface drains, and granular wedges shall be designed by a professional engineer prior to construction, and certified by a geotechnical engineer after construction. A geotechnical engineering company representative shall be on the construction site during any grading activities that involve cut and fill of structural soils. Written reports shall be prepared by the geotechnical engineering company and submitted to DPWES as required.

D-J. Construction Activity Contact Information

- (1) Prior to the commencement of construction on the Property, the Lee District Supervisor and the Presidents or other representatives of the ~~homeowners associations~~ HOAs as requested by the Supervisor shall be provided with the

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name, title, phone number and email address of a person to whom comments and/or complaints regarding construction activities may be directed.

- i. Such correspondence shall be sent by U.S. Mail, return receipt requested and copies of the receipts and responses shall be made available to the County Staff upon request.
- ii. As an alternative, the contact information detailed above may be provided ~~to~~ via email with a request for an acknowledgement that the information was received by the management companies or designated representatives and responses shall be made available to County Staff upon request.

- (2) In addition, prior to the commencement of construction on the Property, a sign with the contact information specified above shall be posted on the Property and shall be updated and retained on the Property through all construction activities.
- (3) Responses to comments/complaints shall be provided in an expeditious manner; which is no more than three (3) business days for non-emergency concerns, or within one (1) business day if the concern is of an urgent nature.

20. Marketing. The marketing and sales materials for the residential units on the Property shall designate the amenities that are available to the purchasers. No Island Creek amenities shall be mentioned in the Property's marketing and sales materials and the Property shall not be marketed as being part of the Island Creek development.

17-21. Zoning Administrator Consideration. Notwithstanding the foregoing, upon demonstration that despite diligent efforts or due to factors beyond the Applicants' control, proffered improvements such as, but not limited to, transportation, publically accessible park areas, trails and trail connections, and off-site easements have been delayed (due to, but not limited to, an inability to secure necessary permission for utility relocations, VDOT approval, necessary easements and/or site plan approval, etc.) beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of these proffered improvements.

18-22. Severability. If determined appropriate in accordance with the parameters stated in Par. 10D of Sect. 16-402 of the Zoning Ordinance, any of these lots or buildings within the Property may be subject to Proffered Condition Amendments and Final Development Plan Amendments without joinder or consent of the property owners of the other lots within the Property.

19-23. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and his/her successors and assigns.

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

{A0697450.DOCX/1 Proffers RZ 2014-LE-008 February 10, 2016 (c/n) 008109.000003}

[SIGNATURES BEGIN ON NEXT PAGE]

PHD Associates, LLC~~Long Branch Partners, LLC~~

RZ 2014-LE-008

Signature Sheet

APPLICANT/DEVELOPMENT MANAGER

PHD ASSOCIATES, LLC

By: Richard D. DiBella

Its: Managing Member

[SIGNATURES CONTINUED ON NEXT PAGE]

~~PHD Associates, LLC~~ ~~Long Branch Partners, LLC~~

RZ 2014-LE-008

Signature Sheet

CONTRACT PURCHASER FROM TITLE OWNER
OF TAX MAP 90-4 ((1)) 17

LONG BRANCH PARTNERS, L.L.C.

By: _____

Andrew J. Somerville III

Its: Manager

[SIGNATURES CONTINUED ON NEXT PAGE]

~~PHD Associates, LLC Long Branch Partners, LLC~~

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Signature Sheet

TITLE OWNER OF TAX MAP 90-4 ((1)) 17

By: _____
Jean Mary O'Connell Nader, ~~Successor~~ Trustee
~~under the Land Trust Agreement dated October 16, 1992~~

[SIGNATURES END]

DEVELOPMENT CONDITIONS

February 23, 2016

FDP 2014-LE-008

If it is the intent of the Planning Commission to approve Final Development Plan FDP 2014-LE-008 for residential development located at Tax Map 90-4 ((1)) 17, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions. These conditions are in addition to the proffered commitments approved with RZ 2014-LE-008.

1. Any plan submitted pursuant to this final development plan shall be in substantial conformance with the approved CDP/FDP entitled "Long Branch Property," prepared by Urban, Ltd. and dated December 11, 2013 as revised through February 5, 2016, and these conditions. Minor modifications may be permitted pursuant to Sect. 16-402 of the Zoning Ordinance.

REZONING AFFIDAVIT

DATE: January 21, 2016
 (enter date affidavit is notarized)

124854h

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

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

in Application No.(s): RZ/FDP 2014-LE-008
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
<ul style="list-style-type: none"> PHD Associates, LLC Agents: Richard D. DiBella Mark W. Hamer Jeffrey K. Parsigian 	42395 Ryan Road, Suite 112/614 Ashburn, VA 20148	<ul style="list-style-type: none"> Applicant/Development Manager
<ul style="list-style-type: none"> Long Branch Partners, L.L.C. Agents: Edwin W. Lynch, Jr. Andrew J. Somerville III (a/k/a Andrew J. Somerville) 	P.O. Box 1607 Lorton, VA 22199	<ul style="list-style-type: none"> Contract Purchaser from Title Owner

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

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

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

124854h

Rezoning Attachment to Par. 1(a)

DATE: January 21, 2016
 (enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2014-LE-008
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
• Jean Mary O'Connell Nader, Successor Trustee under the Land Trust Agreement dated 10/16/92 f/b/o Anthony Miner O'Connell, R. Pierre Shevenell (formerly Sheila Ann O'Connell[deceased]), and Jean M. O'Connell Nader, both individually and as Trustee of a Trust, created under the Last Will and Testament of Harold A. O'Connell dated April 11, 1974 f/b/o Jean M. O'Connell Nader, Anthony Miner O'Connell, and R. Pierre Shevenell (formerly Sheila Ann O'Connell [deceased])	c/o Elizabeth V.C. Morrough 4020 University Drive, #300 Fairfax, VA 22030	• Title Owner of Tax Map 90-4 ((1)) 17
• Urban Engineering & Associates, Inc. t/a Urban Ltd. Agents: David T. McElhaney Alvis H. Hagelis John (nmi) Lightle	7712 Little River Turnpike Annandale, Virginia 22003	Engineers/Agent
• M.J. Wells & Associates, Inc. Agents: Robin L. Antonucci William F. Johnson Lester E. Adkins III	1420 Spring Hill Road, Suite 610 McLean, Virginia 22102	Transportation Consultant/ Agent
• Wetland Studies and Solutions, Inc. Agents: Michael S. Rolband Mark W. Headly Beth A. Clements Boyd S. Sipe	5300 Wellington Branch Drive, #100 Gainesville, Virginia 20155	Environmental Consultant/Agent

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

124854h

Rezoning Attachment to Par. 1(a)

DATE: January 21, 2016
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number (s))

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

NAME	ADDRESS	RELATIONSHIP(S)
(enter first name, middle initial, and last name)	(enter number, street, city, state, and zip code)	(enter applicable relationships listed in BOLD above)
Walsh, Colucci, Lubeley & Walsh, P.C. (f/k/a Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.)	2200 Clarendon Boulevard Suite 1300 Arlington, Virginia 22201	Attorneys/Planners/Agent
Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson (former) M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Jonathan D. Puvak (former) Andrew A. Painter Matthew J. Allman Jeffrey R. Sunderland ● Robert D. Brant Elizabeth D. Baker Inda E. Stagg Elizabeth A. Nicholson (former) Amy E. Friedlander		Attorney/Agent Attorney/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.
Whitlock Dalrymple Poston & Associates, Inc.	10621 Gateway Boulevard, Suite 200 Manassas, VA 20110	Engineer/Agent
Agent: Robert F. Scheller		
SettleLand LLC	42395 Ryan Road, Suite 112/614 Ashburn, VA 20148	Consultant/Agent
Agent: Stanley F. Settle Jr.		
ECS Mid-Atlantic, LLC Agents:	14026 Thunderbolt Place, Suite 100 Chantilly, Virginia 20151	Geotechnical Consultant/Agent
Paul D. Agutter ● Teresa E. Levisay		

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

Rezoning Attachment to Par. 1(a)

DATE: January 21, 2016
(enter date affidavit is notarized)

124854h

for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
• Blankingship & Keith, P.C.	4020 University Drive, #300 Fairfax, VA 22030	Attorneys/Agent for Title Owner
• Agents: Sarah E. Hall Gifford B. Hampshire		Attorney/Agent Attorney/Agent

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

• *Information added.*

REZONING AFFIDAVIT

DATE: January 21, 2016
(enter date affidavit is notarized)

124854 h

for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Long Branch Partners, L.L.C.
P.O. Box 1607
Lorton, VA 22199

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Managers: Edwin W. Lynch, Jr., Andrew J. Somerville III (a/k/a Andrew J. Somerville)
Members: Occoquan Land, LC, Somerville Management Group, Inc.

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

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

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

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Rezoning Attachment to Par. 1(b)

DATE: January 21, 2016
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Urban Engineering & Associates, Inc. t/a Urban Ltd.
7712 Little River Turnpike
Annandale, Virginia 22003

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
J. Edgar Sears, Jr.
Brian A. Sears

=====

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

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 610
Tysons, Virginia 22102

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns 10% or more of any class of stock.

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: January 21, 2016
(enter date affidavit is notarized)

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for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number (s))

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

Michael S. Rolband, Former Sole Shareholder
The Davey Tree Expert Company, Sole Shareholder

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

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

Walsh, Colucci, Lubeley & Walsh, P.C. (f/k/a Walsh, Colucci, Lubeley, Emrich & 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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

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

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

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

Rezoning Attachment to Par. 1(b)

DATE: January 21, 2016
(enter date affidavit is notarized)

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for Application No. (s): RZ/FDP 2014-LE-008
(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 SHAREHOLDER: (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 the 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.

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

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

SettleLand LLC
42395 Ryan Road, Suite 112/614
Ashburn, VA 20148

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 Member: Stanley F. Settle Jr.

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

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

Rezoning Attachment to Par. 1(b)

DATE: January 21, 2016
(enter date affidavit is notarized)

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for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number (s))

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

Whitlock Dalrymple Poston & Associates, Inc.
10621 Gateway Boulevard, Suite 200
Manassas, VA 20110

DESCRIPTION OF CORPORATION: (check one statement)

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

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

A. Rhett Whitlock, G. Andy Dalrymple, Randall W. Poston, J. Eric Peterson, Matthew J. Innocenzi, Robert J. Niber
Whitlock Dalrymple Poston & Associates, Inc. (WDP) ESOP. All employees are eligible plan participants; however, no one employee owns 10% or more of any class of stock.

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

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

Occoquan Land, LC
10501 Furnace Road, Suite 208
Lorton, VA 22079

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)

Edwin W. Lynch, Jr.
Molly C. Lynch

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

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

Rezoning Attachment to Par. 1(b)

DATE: January 21, 2016
(enter date affidavit is notarized)

124854h

for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Somerville Management Group, Inc.
6715 Little River Turnpike, Suite 100
Annandale, VA 22003

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
Andrew J. Somerville III (a/k/a Andrew J. Somerville)

=====

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

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
PHD Associates, LLC
42395 Ryan Road, Suite 112/614
Ashburn, VA 20148

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)
- Managing Members: Richard D. DiBella, Mark W. Hamer, Jeffrey K. Parsigian
- Members: Richard D. DiBella, Mark W. Hamer, Jeffrey K. Parsigian, Rosaleen A. Hance

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: January 21, 2016
(enter date affidavit is notarized)

124854h

for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number (s))

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

ECS Mid-Atlantic, LLC
14026 Thunderbolt Place, Suite 100
Chantilly, Virginia 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Engineering Consulting Services, Ltd., Managing Member

=====

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

=====

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

Engineering Consulting Services, Ltd.
14026 Thunderbolt Place, Suite 100
Chantilly, Virginia 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Henry L. Lucas

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: January 21, 2016
(enter date affidavit is notarized)

124854h

for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number (s))

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

- Blankingship & Keith, P.C.
4020 University Drive, #300
Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

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

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

- John A.C. Keith, Peter S. Everett, Robert J. Stoney, Gifford B. Hampshire, Jeremy B. Root, William H. Casterline, Jr., David Rust Clarke, Wm. Quinton Robinson, William L. Carey, Chidi I. James, David J. Gogal, John F. Cafferky, Mary McGowan, Paul B. Terpak, Elizabeth C. Morrogh, William B. Porter, Mark A. Towery, Laurie L. Proctor

=====

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

=====

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

=====

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

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

REZONING AFFIDAVIT

DATE: January 21, 2016
(enter date affidavit is notarized)

124854h

for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)
None

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

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

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

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

REZONING AFFIDAVIT

DATE: January 21, 2016
(enter date affidavit is notarized)

124854h

for Application No. (s): RZ/FDP 2014-LE-008
(enter County-assigned application number(s))

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

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

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

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

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

None

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

REZONING AFFIDAVIT

DATE: January 21, 2016 (enter date affidavit is notarized)

124854h

for Application No. (s): RZ/FDP 2014-LE-008 (enter County-assigned application number(s))

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

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

Edwin W. Lynch, Jr. contributed in excess of \$100 to Supervisor Pat Herrity.

- William H. Casterline, Jr. of Blankingship & Keith, PC. donated in excess of \$100 to Supervisor Kathy L. Smith.

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

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

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

WITNESS the following signature:

(check one)

[] Applicant

[Signature]

[X] Applicant's Authorized Agent

Lynne J. Strobel, attorney/agent

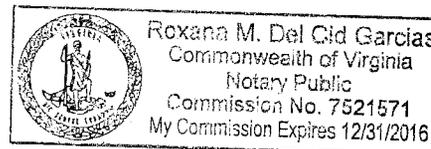
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 21 day of January 2016, in the State/Comm. of Virginia, County/City of Arlington

[Signature] Notary Public

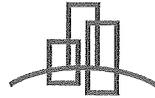
My commission expires: 12/31/2016

Information added



JUL 06 2015

Zoning Evaluation Division



**WALSH COLUCCI
LUBELEY & WALSH PC**

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@thelandlawyers.com

July 6, 2015

Via Hand Delivery

Barbara C. Berlin
Director, Fairfax County DPZ/ZED
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Statement of Justification – Supplemental Information
RZ/FDP 2014-LE-008 (the “Applications”)
Long Branch Partners, L.L.C. and PHD Associates, LLC (the “Applicants”)
TM 90-4 ((1)) 17 (the “Application Property”)

Dear Ms. Berlin:

Please accept this letter to supplement the Statement of Justification for the Applications dated November 3, 2014 that was included in the Staff Report dated November 18, 2014.

Since November 2014, thoughtful consideration was given to the comments received from members of the Lee District Land Use and Transportation Advisory Committee. Even though the staff report recommended approval, the Applicants have made significant revisions to the Applications as follows:

I. Participants

PHD Associates, LLC is the contract purchaser of the Application Property from Long Branch Partners, L.L.C., and these entities are co-applicants in the Applications.

II. Proposal

A. The proposed rezoning application has been amended from the PDH-4 District to the PDH-3 District.

1. The original application proposed a rezoning to the PDH-4 District with a total of 40 dwelling units at 2.61 dwelling units per acre.

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

2. In November 2014, the proposed number of dwelling units was reduced to 38 dwelling units, resulting in 2.48 dwelling units per acre.
3. The rezoning application has been amended to the PDH-3 District. The number of dwelling units has been reduced to 35, resulting in a density of 2.28 dwelling units per acre.

The amended application proposes a less intense zoning district, a 7.89% decrease in requested dwelling units since November 2014, and a 12.5% decrease in requested dwelling units from the original application.

B. Significant revisions have been made to the proposed site layout.

1. All stormwater management is above-ground and is no longer proposed in underground vaults; therefore, a waiver of underground stormwater management detention is no longer requested.
2. Three townhome units were removed and two townhome units have been relocated to accommodate the above-ground stormwater management pond.
3. The Community Gathering Area, Tot-Lot, and Lawn Play Areas have been relocated to accommodate the above-ground stormwater management pond without reducing the quality of the recreational facilities or the land area devoted to the recreational facilities.
4. Open Space has increased to 60% of the Application Property's land area or approximately 9.20 acres, which is an increase of 2.22% from the previously proposed plan. In November 2014, proposed Open Space was 58.7% or approximately 9.0 acres of the Application Property's land area.
5. Active Recreation Area has increased by 36.09% to approximately 22,250 square feet as compared to 16,350 square feet of the Application Property's land area proposed in November 2014.

Statement of Justification – Supplemental Information

July 6, 2015

Page 3 of 4

III. Geotechnical Review

- A. A new geotechnical engineering firm, ECS Mid-Atlantic, LLC, was hired to complete additional subsurface exploration and a geotechnical analysis for the proposed development.
- B. A formal report of Subsurface Exploration and Geotechnical Engineering Analysis, dated June 12, 2015, is available.
 - 1. There were 20 borings performed by the previous Geotechnical Engineer, WDG, and an additional 5 confirmation borings performed by ECS Mid-Atlantic. Infiltration borings were made and infiltration analysis was also conducted. This additional subsurface sampling and laboratory testing is above the standard of care for a typical project of this nature.
 - 2. The June 12, 2015 ECS Mid-Atlantic, LLC analysis recommends construction methods for housing foundations, the stormwater pond embankments and for retaining walls. No specific construction challenges, over and above normal practices in Fairfax County including areas of marine clay soil, were noted.

Should you have any questions regarding the proposed amended Applications, please do not hesitate to contact me.

Very truly yours,

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



Lynne J. Strobel

LJS/ies

cc: Andy Somerville; Long Branch Partners, L.L.C.
Bill Lynch; Long Branch Partners, L.L.C.
Rick DiBella; PHD Associates, LLC
Stan Settle; PHD Associates, LLC
Dave McElhaney; Urban, Ltd.

Statement of Justification – Supplemental Information
July 6, 2015
Page 4 of 4

John Lightle; Urban, Ltd.
Al Hagelis; Urban, Ltd.
Robin Antonucci; Wells + Associates
Lester Adkins; Wells + Associates
Mark Headly and Beth Clements; Wetland Studies and Solutions, Inc.
Inda Stagg; Walsh, Colucci, Lubeley & Walsh, P.C.



County of Fairfax, Virginia

MEMORANDUM

DATE: February 12, 2016

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Denise M. James, Chief
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: RZ/FDP 2014-LE-008
PHD Associates, LLC

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject rezoning application (RZ), Final Development Plan (FDP), revised through January 16, 2016 and proffers revised through February 5, 2016. 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.

DESCRIPTION:

This application seeks approval of a rezoning from R-1 to PDH-3 to develop 35 single-family attached homes at a density of 2.28 dwelling units per acre. The 15.33 acre subject property falls within the Accotink Creek Watershed east of the Interstate 95 and the Richmond Fredericksburg & Potomac Railway. Long Branch Stream Valley and Stream Valley Park traverses the subject property in a north south direction on its west side. The subject property is currently densely vegetated with deciduous bottomland forest species including tulip poplar, white oak, red oak and red maple. Long Branch Resource Protection Area (RPA) and Environmental Quality Corridor (EQC) affect approximately 11 acres (71%) of the 15.33 acre site.

ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

Barbara Berlin
RZ/FDP 2014-LE-008
Page 2

Resource Protection Area/Environmental Quality Corridor: For the application site, it is noted that the RPA is more extensive than the EQC. In some areas of the proposed development, the limits of clearing and grading are immediately adjacent to the RPA. Staff recommends that the proposed limits of clearing and grading adjacent to the RPA be tightened to ensure that there is no encroachment or disturbance into the RPA.

Stormwater Quality Best Management Practices and Outfall Adequacy: The stormwater narrative and the current proposed development layout indicate that water quality and quantity control requirements will be met through the installation of a stormwater detention pond and two smaller bioretention facilities which will be located centrally within the developed portion of the subject property. Regarding outfall adequacy, the primary point of discharge is located near the northern property boundary downstream of the stormwater dry pond. In addition, runoff from the property also flows to Long Branch which serves as a natural conveyance system for this site.

The administration of the Stormwater Management Ordinance, Chapter 124 of the County Code, as well as, adequacy of stormwater management/best management practice (SWM/BMP) facilities and outfall adequacy will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Transportation Generated Noise: Because of the proximity of the site to Interstate 95 and the Richmond, Fredericksburg & Potomac Railway, the applicant commissioned an Acoustical Analysis performed by Phoenix Noise and Vibration, entitled O'Connell Property, Phase I, dated June 27, 2014 to determine if the subject property is affected by transportation generated noise. The analysis concluded that noise levels at the site were found to be 60 decibels or less. Therefore, transportation generated noise is not an issue for this application based upon the Comprehensive Plan guidance for noise attenuation.

Soil Constraints: A Soils Map insert for the subject property is depicted on Sheet 2 of the development plan. This generalized information indicates that the site's parent soils could pose constraints to development. A preliminary geotechnical analysis was performed by Whitlock Dayrmpole Poston & Associates, Inc., dated September 2, 2014. The analysis offers recommendations for appropriate site preparation and building and construction methods which should be implemented to address the soil limitations. The applicant is encouraged to follow the consultant's specific recommendations, as well as any other recommendations offered by the Fairfax County Geotechnical Review Board. To address this issue Proffer 15 commits to provide a geotechnical study of the entire property and the Thomas Grant Drive extension to DPWES and the Geotechnical Review Board prior to site plan submission. Furthermore, the proffer states "the Applicant ... shall incorporate appropriate engineering practices as recommended by the Geotechnical Review Board and DPWES to alleviate potential structural problems, to the satisfaction of DPWES. The recommendations of the Geotechnical Review Board shall be implemented."

Green Building Practices: This application seeks approval for 35 single-family attached homes on 15.33 acres of land at a density of 2.28 dwelling units per acre on land which is proposed to be rezoned from R-1 to the PDH-3 Zoning District. The applicant has provided a proffered commitment for the attainment of Earthcraft House or the 2012 National Green Building

Barbara Berlin
 RZ/FDP 2014-LE-008
 Page 3

Standard (NGBS) using Energy Star Qualified Homes for energy performance. In addition, the applicant has also provided these commitments:

- Certification of the entire property as a National Wildlife Federation habitat;
- A rain barrel for each new home.

Tree Preservation/Restoration: The subject property is vegetated with a dense bottomland forest canopy. Much of the site is environmentally sensitive land and, for that reason, much of the existing canopy will be preserved. The applicant is encouraged to work with the Urban Forestry Management Division of DPWES to protect the existing canopy and tree root systems to avoid damage during the construction process and particularly during the construction of the retaining walls. The applicant has provided an extensive proffered commitment to address tree preservation and tree protection for this application.

DMJ: MAW

COMPREHENSIVE PLAN CITATIONS:

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

The Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, page 7-9 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 k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County’s streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.

- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation. . . .
- Encourage cluster development when designed to maximize protection of ecologically valuable land. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.”

The Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, page 10 states:

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

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

The Fairfax County Comprehensive Plan Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, page 12 states:

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

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

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

The Fairfax County Comprehensive Plan Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, page 12 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. . . .”

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

“Objective 13: Design and construct buildings and associated landscapes to use energy and 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.”



County of Fairfax, Virginia

MEMORANDUM

DATE: February 4, 2016

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Transportation Impact

REFERENCE: RZ 2014-LE-008; Long Branch Partners, LLC
Tax Map: 090-4 ((01)) 0017

This department has reviewed the rezoning plat and the draft proffers revised through January 15, 2016 and January 8, 2016, respectively. We have the following comments.

Staff continues to have concerns over the timing of several proffered improvements at subdivision plat approval, as proposed by the applicant. The applicant has proffered to dedicate the proposed ROW for the cul-de-sac where the Thomas Grant Drive Extension terminates and to record public access easements and emergency vehicle access easements at subdivision plat approval. The proposed ROW and easements boundaries may change at the time of site plan when the proposed development undergoes final engineering and detailed review to ensure that the application meets all standards and Zoning Ordinance requirements. Staff's proposed timing of proffered improvements at site plan approval is potentially a benefit to the applicant in the event that re-recording of easements or ROW boundaries would be needed as a result of site plan changes. We are working with the applicant to resolve the issue.

The proposed ROW for the cul-de-sac at the end of Thomas Grant Drive Extension should include one foot behind the proposed sidewalk for VDOT maintenance purpose.

Finally, all curb ramps should be ADA compliant.

MAD/AY
cc: Michael Van Atta

**DEPARTMENT OF TRANSPORTATION**4975 Alliance Drive
Fairfax, VA 22030**Charlie Kilpatrick**
COMMISSIONER

July 17, 2015

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

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

Subject: RZ/FDP 2014-LE-008; Long Branch 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 3 parking spaces within the throat length of the entrance should be relocated to the private street adjacent to town house #35.
- CG-12 ramps should be shown at the curb returns of the entrance.
- Provide a plan sheet showing engineering detail of the removal of the existing cul-de-sac of Thomas Grant Drive.



County of Fairfax, Virginia

MEMORANDUM

DATE: July 15, 2015

TO: Michael Van Atta
Staff Coordinator, Zoning Evaluation Division
Department of Planning and Zoning

FROM: Bel Pachhai, PE, CFM, Senior Engineer III Bel Pachhai
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application #RZ 2014-LE-008; Final Development Plan #FDP 2014-LE-008; Long Branch Partners, LLC; FDP Plat dated February 10, 2014; Accotink Creek Watershed; LDS Project # 25754-ZONA-001-1; Tax Map #90-4-01-17; Lee District

We have reviewed the subject application based on revised plan and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. RPA delineation for this property shall be submitted separately and shall be approved prior to site plan approval.

Water Quality Impact Assessment may be required and it could be incorporated into the plan. (LTI 06-07)

Floodplain

There is a major flood plain located within the property. A floodplain study shall be submitted separately and approved prior to site plan approval. (PFM 6-1401.1)

Downstream Drainage Complaints

There are no recent downstream drainage complaints on file.

Stormwater Detention

Applicant indicated on sheet#10 the intention to reduce the 1-year post development peak runoff rate from the site to below the peak runoff rate for the site in good forested condition by providing extended detention pond (Facility F1). Stormwater detention for 2 and 10 year 24 hour storm events must be provided if not waived in order to avoid adverse impacts on downstream properties.

Water Quality Control

Applicant stated on sheet #8 that the stormwater quality control requirements will be met for this development by providing permeable pavement (Level 1) and Bioretention Basin (Level 2) Field run soil boring result to is required to ensure water table sufficiently below the ground for

Michael Van Atta, Staff Coordinator
Re-Zoning #RZ 2014-LE-008; Final Development Plan #FDP 2014-LE-008; Long Branch
Partners
LDS Project #25754-ZONA-001-1
Page 2 of 3

the feasibility of these BMPs. Dry detention pond is also proposed with this plan, however no BMP credit is taken from this facility.

In site plan submission, a detail BMP computation must be provided. Furthermore, every effort shall be made to provide BMP more than that of minimum necessary.

Onsite Major Storm Drainage System and Overland Relief

Applicant needs to provide an overland relief narrative and arrows showing runoff flow path of the 100-year storm event. Cross-sections at key locations must be shown on the site plan.

Downstream Drainage System

An outfall narrative has been provided for channel protection. Adequacy of outfall system shall be shown on the site plan. As the applicant is proposed to discharge concentrated stormwater directly into natural channel, compliance with chapter 124-4-4 B (3) is also required.

Drainage Diversion

During the development, the natural drainage divide shall be honored. If natural drainage divides cannot be honored, a drainage diversion justification narrative must be provided. The increase and decrease in discharge rates, volumes, and durations of concentrated and non-concentrated Stormwater runoff leaving a development site due to the diverted flow shall not have an adverse impact (e.g., soil erosion; sedimentation; yard, dwelling, building, or private structure flooding; duration of ponding water; inadequate overland relief) on adjacent or downstream properties. (PFM 6-0202.2A)

Stormwater Planning Comments

This case is located in the Accotink Creek Watershed. Please visit <http://www.fairfaxcounty.gov/dpwes/watersheds/accotinkcreek.htm> for more details.

Dam Breach

None of this property is within the dam breach inundation zone.

Stormwater Management Proffers

Comments on the draft proffers will be provided separately once we receive the draft proffers.

Please contact me at 703-324-1698 if you require additional information.

BP/

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Stormwater Planning
Division, DPWES



Michael Van Atta, Staff Coordinator
Re-Zoning #RZ 2014-LE-008; Final Development Plan #FDP 2014-LE-008; Long Branch
Partners
LDS Project #25754-ZONA-001-1
Page 3 of 3

Don Demetrius, Chief, Watershed Evaluation Branch, SPD, DPWES
Bijan Sistani, Chief, South Branch, SDID, DPWES
Zoning Application File





County of Fairfax, Virginia

MEMORANDUM

DATE: February 17, 2016

TO: Michael Van Atta, Staff Coordinator
Department of Planning and Zoning

FROM: Samantha Wangsgard, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: O'Connell Property; RZ/FDP 2014-LE-008

The following comments are based on a review of the resubmission of the RZ/FDP Application 2014-LE-008 date stamped "Received Department of Planning and Zoning, January 15, 2016."

The Urban Forest Management Division (UFMD) previously provided comments in April, July, August and October, 2014 as well as July of 2015 and February of 2016. While a number of the comments provided in these memos have been addressed, those pertaining to the transitional screening and barrier requirements of Article 13 of the Zoning Ordinance remain unresolved.

Additional research has been provided to the UFMD, by the applicant, through an email received by the Department of Zoning on February 11, 2016. The UFMD has also consulted with the Department of Planning and Zoning to prepare the following comments and recommendations.

1. Comment: Tax Map # 090-4-10-L Amberleigh Homeowners Association, Inc., along the northern and western boundaries of the subject property, is zoned for an R-5 (Private Open Space) use. Therefore, transitional screening type 1, consisting of an unbroken strip of open space a minimum of twenty-five (25) feet wide and planted in accordance with the requirements of ZO 13-303.A(1)-(3) is required along these property boundaries.

Recommendation: The table on Sheet 7 of 13 should be revised to reflect the required transitional screening and a modification should be requested based one or more of the circumstances identified in ZO 13-305. The UFMD would support such a modification, as the land between the proposed buildings and the property line have been specifically designed to minimize adverse impacts as described in ZO 13-305.3.

2. Comment: Tax Map #090-4-10-D Fairfax County Park Authority, along the eastern boundary of the subject property, is zoned for an R-5 (Recreation Facility, Parks, Outdoor) use. Therefore, Transitional screening type 1, consisting of an unbroken strip of open space a minimum of twenty-five (25) feet wide and planted in accordance with the requirements of ZO 13-303.A(1)-(3) is required along this property boundary.

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



O'Connell Property
RZ/FDP 2014-LE-008
February 17, 2016
Page 2 of 2

Recommendation: The table on Sheet 7 of 13 should be revised to reflect the required transitional screening and a modification should be requested based one or more of the circumstances identified in ZO 13-305. The UFMD would support such a modification, as the adjoining property is being used for a public purpose as described in ZO 13-305.7.

3. Comment: Tax Map #090-4-11-Z Fairfax County Park Authority, along the eastern and southern boundary of the subject property, is zoned for a PDH-4 (Vacant) use. Therefore, Transitional screening type 1, consisting of an unbroken strip of open space a minimum of twenty-five (25) feet wide and planted in accordance with the requirements of ZO 13-303.A(1)-(3) is required along these property boundaries.

Recommendation: The table on Sheet 7 of 13 should be revised to reflect the required transitional screening and a modification should be requested based one or more of the circumstances identified in ZO 13-305. The UFMD would support such a modification, as the adjoining property is being used for a public purpose as described in ZO 13-305.7.

4. Comment: Tax Map #090-4-11-L Fairfax County Park Authority, along the southern boundary of the subject property is zoned for a PDH-4 (Vacant) use. Therefore, Transitional screening type 1, consisting of an unbroken strip of open space a minimum of twenty-five (25) feet wide and planted in accordance with the requirements of ZO 13-303.3.A(1)-(3) is required along this property boundary.

Recommendation: The table on Sheet 7 of 13 should be revised to reflect the required transitional screening and a modification should be requested based one or more of the circumstances identified in ZO 13-305. The UFMD would support such a modification, as the adjoining property is being used for a public purpose as described in ZO 13-305.7.

5. Comment: A Barrier B or A consisting of a 42-48 inch wall or solid wood fence or otherwise architecturally solid fence in accordance with the requirements of ZO 13-304.4.A and B may be required by the Director.

Recommendation: Based on the existing vegetation onsite, location of the Resource Protection Area, and adjacent land uses, the UFMD does not recommend the use of a Barrier B or A, and supports the existing vegetation, landscaping, and barriers as shown.

SW/

UFMDID #: 189680

cc: DPZ File



County of Fairfax, Virginia

MEMORANDUM

DATE: September 14, 2015 revised January 29, 2016

TO: Mike Van Atta, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: *UKS* Kanthan Siva, P.E., Staff Coordinator, Geotechnical Review Board (GRB)
Chief Geotechnical Engineer, Site Development and Inspection Division,
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application RZ 2014-LEE-008; Conceptual Development Plan and
Final Development Plan (CDP/FDP);
O'Connell Property, Tax Map Number/s; 090-4 ((1)) 0017; Lee District

The GRB has reviewed the CDP/FDP prepared by Urban, Ltd. (dated July 6, 2015) proposed under re-zoning application number RZ 2014-LE-008 and the geotechnical report (dated June 12, 2015) & response letter (dated November 23, 2015) prepared by EC' Mid-Atlantic, LLC. The CDP/FDP approximately depicts the anticipated layout and conceptual grading for the project. The report is considered preliminary since its field exploration, engineering evaluation, analyses and recommendations were based on the preliminary grading depicted on the CDP.

Based on a review of the preliminary report and CDP/FDP, the GRB feels that the above-referenced re-zoning (project) generally appears feasible from a geotechnical standpoint. Letters from individual GRB members are attached at the end of this memo.

During the final engineering-design and construction phases, there are some issues that should be addressed. The following suggestions are offered:

1. Proffer # 15a, related to the preparation and submission of a final geotechnical report to DPWES, should serve well to everyone. Suggestions and comments from the review of the current preliminary geotechnical report & response letter were issued to the applicant's geotechnical engineer in a January 28, 2016 letter (copy attached at end of this memo) for use in preparing the final report.
2. Proffer #15b states that a copy of the report will be e-mailed to the nearby community within 3 days of submission. It will be good to clarify who (i.e., which consultant) will e-mail the report.



Mike Van Atta, Staff Coordinator
RZ/FDP 2014-LEE-008, O'Connell Property
Page 2 of 2

3. Proffer #15c states that a copy of the report will be forwarded to the Planning Commission prior to site plan approval. If the intent of this proffer is to ensure that the report's and GRB's recommendations have been addressed, a copy of the 2nd-submission site plan (rather than just the approved report) will be more useful for review. But if the intent is to review the report, then it should be forwarded "prior to report approval" instead of "prior to site plan approval".
4. The CDP/FDP anticipates several retaining walls across the project, with some created in new fill and others in cut. Certain types of retaining wall (such as rock gravity mentioned in Proffer 9.D, Amenities Plan, etc.) will require additional excavation for their installation. Hence, the choice of wall-types being proposed for the project should not be too restrictive, and should consider their proximity to nearby property lines, the anticipated grading, etc.
5. The retaining wall proposed along the southeast property line (approximately 12 feet away) has an anticipated height of up to 11 ft. and will mostly be created by excavation. Due to the additional temporary-excavation needed for wall construction and their impact on the survivability of existing vegetation on the adjoining FCPA property, it is recommended that a minimum horizontal separation distance be specified for the southeast wall, either in Proffer #1c and/or modifying note #1 on the CDP/FDP layout (sheet 5 of 13).

Attachments: Response from GRB Member 1
Response from GRB Member 2
Response from GRB Member 3

Fairfax County letter dated January 28, 2016

cc: Jack Weyant, Director, Site Development and Inspections Division, DPWES
Bijan Sistani, P.E., SDID South Branch Chief, DPWES
DPWES Zoning Application Review Files (25754-ZONA-001-1)
GRB members Dan Rom, P.E., James Collin, Ph.D. and P.E., Shaz Moosa, P.E.
Geotechnical File

December 19, 2015

County of Fairfax
Dept of Public Works & Environmental Services
Land Development Services
Attn: Mr. Kanthan Siva, P.E.
12055 Government Center Parkway, Suite No. 444
Fairfax, Virginia 22035-5503

Re: O=Connell Property Rezoning
RZ 2014-LE-008/25754-SRV-002-A-1
Franconia, Virginia

Dear Mr. Siva:

In accordance with your request, I have reviewed the revised response letter prepared by ECS Mid-Atlantic, LLC, dated November 23, 2015, for the proposed rezoning of a property for residential development. You requested that I review the document, provide comments (if any), and make a final recommendation regarding the County's action on the submittal.

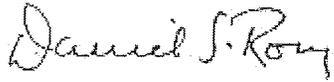
The responses by ECS dealt mainly with global stability analyses, stormwater management, and infiltration. The responses are substantially satisfactory with the following exception:

Comment 5 (page 3) states that the engineered fill should consist of lean clay (CL) soil with an internal friction angle of at least 28 degrees. Since a 28 degree value is in excess of that commonly allowed, ECS should consider reducing the value or requiring test results that show a value of 28 degrees is achievable.

With the above-noted exception, which should be addressed, I do not detect any potential

geotechnical engineering limitations to the proposed residential development of the property. If you have any questions regarding the above, please call.

Sincerely,

A handwritten signature in cursive script that reads "Daniel S. Rom".

Daniel S. Rom, P.E.

Commonwealth of Virginia No. 12511

GRB MEMBER #2

December 21, 2015

Mr. Kanthan Siva, P.E.
Chief Geotechnical Engineer
Environmental and Facilities Review Division
Office of Site Development Services
Department of Public Works and Environmental Management
Fairfax County, VA

Reference: Geotechnical Report for O'Connell Property
County Submission # RZ2014-LE-008/25754-SRV-002-A-1

Dear Kanthan:

In accordance with your memorandum dated December 3, 2015, I have reviewed the following materials:

1. Fairfax County Letter to ECS dated September 11, 2015
2. Revised Response Letter, *Long Branch Property, Franconia, Fairfax County, VA*, prepared by ECS, dated November 23, 2015.
3. Civil Drawings (Sheets 1-13), prepared by Urban, dated July 6, 2015

It is my understanding that this is still a preliminary review during the rezoning application review by Fairfax County. ECS has requested a second review in the hopes of getting a "cleaner DPWES letter with less suggestions".

A few of the questions raised in September 2014 review still apply. I have repeated them below:

1. A more detailed discussion of the soil properties used in the stability analysis should be provided. What testing was performed to assess the shear strength of the soils? What published correlation between index properties and estimated shear strength were used?
2. Many retaining walls are proposed for the development. The final submittal should make sure that an adequate number of walls are analyzed and that the critical case is covered.

If you have any questions concerning the above information please do not hesitate to contact me.

Sincerely,

James G. Collin, PH.D., P.E.

Date: December 23, 2015

From: GRB Member #3

To: Kanthan Siva, P.E.
Chief Geotechnical Engineer
Site Development and Inspections Division
Department of Public Works and Environmental Services

Reference: O'Connell Property (aka Long Branch Property)
Franconia, Fairfax County, Virginia

Subject: Rezoning Application
Submission #25754-SRV-002-A-1

As requested, I have reviewed the revised Response Letter (Letter) prepared by ECS Mid-Atlantic, LLC (ECS), dated November 23, 2015, for the proposed O'Connell Property (aka Long Branch property) residential development. The Letter addresses the comments that were generated by GRB members after reviewing the Preliminary Geotechnical Report.

Based on my review of the Letter, I am of the opinion that most of the concerns brought to ECS' attention have been addressed satisfactorily. For a few of the concerns, which are dependent on the final grading plans, the consultant has stated that those concerns will be evaluated and analyzed, and the solutions will be included in the Final Report.

Based on my review of the Letter, as well as the Report and Plans, I am of the opinion that the proposed O'Connell Property residential development is feasible from the geotechnical perspective and it should not have any adverse effect on the adjacent communities.

Please call me if you have any questions or require any additional information.



County of Fairfax, Virginia

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

JAN 28 2016

Paul D. Agutter, P.E.
ECS Mid-Atlantic, LLC
14026 Thunderbolt Place
Suite 100
Chantilly, Virginia 20151

Reference: Preliminary Geotechnical Report and Response Letter for O'Connell (aka Long Branch) Property, Project # 25754-SRV-002-A-1 & RZ 2014-LE-008, Tax Map #090-4 ((1)) 0017, Lee District, Type: Residential

Dear Mr. Agutter:

The referenced geotechnical report dated June 12, 2015 and response letter dated November 23, 2015, both prepared on behalf of PHD Associates, LLC and with your Project Number 01:24236, have been reviewed by the Geotechnical Review Board (GRB) and Site Development and Inspections Division (SDID). The report and response letter were submitted in partial support of proposed re-zoning (number RZ 2014-LE-008) as depicted on the conceptual development plan (CDP) prepared by Urban, Ltd. and dated July 6, 2015. The report and response letter are considered preliminary since its field exploration, engineering evaluation and analyses were based on the preliminary grading depicted on the CDP.

The review of the preliminary report and response letter are complete. Based on the review, the project generally appears feasible from a geotechnical standpoint but there are some issues that should be addressed during the final engineering-design phase. Depending on the outcome of the re-zoning application, a final grading plan will be developed and a final supporting geotechnical report should be prepared. The final report should be in accordance with the Public Facilities Manual (PFM), and should also address the following preliminary comments & suggestions:

1. In the global stability analysis at Cross Section C-C, the model's geometry should reflect the sloping condition starting at the edge of the road and the final grading plan. The final lateral force required of the piers (being recommended for slope stabilization) should be provided, along with their minimum depth or elevation.
2. For the global stability analyses at Cross Sections C-C, D-D and E-E, a perched groundwater table should be assumed over each impervious soil (CH, MH) layer.

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 703-324-1877 • FAX 703-653-1782

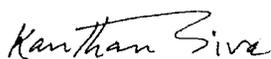


Paul D. Agutter, P.E.
Project #25754-SRV-002-A-1 & RZ 2014-LE-008
Page 2 of 2

3. In the final stability analysis of the retaining wall planned along the west & north sides of Lot #15, partial undercut of Marine Clay is recommended and is to be backfilled with engineered fill consisting of lean clay (CL) with an internal friction angle of at least 28°. Since 28° is higher than that typical of CL soils, either consider reducing the value or specify a more appropriate material.
4. Assuming that the embankment for the proposed SWM pond is constructed of one of the recommended soils (SC, SM, CL, ML), a need for a core trench should be evaluated.
5. The proposed "Residential Below Grade Drainage Detail" provided in the report should be reviewed for its compliance with the requirements of IRC Section R405, "Foundation Drainage", which states that "... Gravel or crushed stone drains shall extend at least 1 foot (305mm) beyond the outside edge of the footing and 6 inches (152mm) above the top of the footing....." and "... Drainage tiles or perforated pipe shall be placed on a minimum of 2 inches (51mm) of washed gravel or crushed rock"
6. Appropriate soil testing shall be performed to support the design of the Stormwater BMP/s proposed by the CDP and the final site plan. The testing should be those required by the stricter of PFM sections 4 and 6, Letter to Industry 10-04 and Virginia DEQ Stormwater design specifications.

If you have any questions, please contact me at 703-324-1720.

Sincerely,



Umakanthan Sivapalarasah, P.E.
Chief Geotechnical Engineer
Site Development and Inspections Division (SDID)

cc: David McElhane, P.E., Urban, Ltd.
Stanley F. Settle, Jr., PHD Associates, LLC
Bill Lynch, Long Branch Partners, LLC
Bijan Sistani, P.E., Chief, South Branch, SDID, LDS, DPWES
Geotechnical File



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 

DATE: February 4, 2016

SUBJECT: RZ/FDP 2014-LE-008, Long Branch Partners – ADDENDUM 2
Tax Map Number: 90-4 ((1)) 17

BACKGROUND

Park Authority staff has reviewed the proposed Development Plan dated January 15, 2016 and draft proffers dated January 8, 2016 for the above referenced application. The comments in this memorandum are in addition to those provided in previous memoranda dated August 20, 2014 and October 8, 2014. The Development Plan now shows 35 new single-family attached dwelling units on a 15.33 acre parcel to be rezoned from R-1 to PDH-3. Based on an average single-family attached household size of 2.91 in the Springfield Planning District, the development could add 102 new residents ($35 \times 2.91 = 102$) to the Lee Supervisory District.

Staff appreciates the applicant's positive response to earlier comments from the Park Authority with regard to design of the Community Back Yard space, proffered timing of completion of the 10' wide Long Branch Stream Valley trail, dedication of land to the county for park purposes, and provision of a separate sheet in the Development Plan that clearly outlines the area of land to be dedicated to the Park Authority. The park and recreation issues that remain to be resolved are described below.

ANALYSIS AND RECOMMENDATIONS

Recreational Impact of Residential Development:

The Policy Plan-guided fair share contribution request of \$893 per new resident is intended to allow the Park Authority to build additional recreational facilities at nearby parks as the population increases. To offset the additional impact caused by the proposed development, generating a need for the types of park and recreation facilities that cannot be met onsite, such as athletic fields, golf courses, recreation centers, etc., the applicant should contribute \$91,086 ($102 \times \$893 = \$91,086$) to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

Draft Proffer 8C states that the applicant "...shall contribute \$893.00 per new resident that is generated pursuant to this rezoning application to the Fairfax County Park Authority, which is \$91,297.50 based on the construction of 35 single family detached homes." Staff appreciates the applicant's willingness to provide the requested contribution amount of \$893 per resident prior to the issuance of the first Residential Use Permit (RUP). Staff requests that the applicant clarify that the contribution will be made in a single lump sum amount with the issuance of the first RUP and not be spread out over time as subsequent RUPs are issued.

Trails and Access:

The applicant has committed to construct a public 10-foot wide asphalt trail within the Long Branch RPA as shown on the Countywide Trails Plan Map. Draft Proffer 8B states that the applicant will construct this public trail "...prior to the issuance of the first RUP for the Property." Additionally, in Proffer 8A, the applicant has agreed to dedicate 10.58 acres of land, including 9.32 acres of the Long Branch Stream Valley RPA to the Park Authority for public park purposes. Once the stream valley trail is open for public use, Park Authority operations staff will require access to the RPA and trail across the applicant's private roads. Staff appreciates the applicant's intent to provide public access across the 5' wide sidewalk throughout the development to allow pedestrians to access the 10' wide Long Branch Trail as described in Proffers 3B and 3D. A public access easement for park and trail maintenance purposes also needs to be provided across the private road of the development.

SUMMARY OF RECOMMENDATIONS

- Clarify that the fair share park contribution amount of \$91,086 will be made in a single lump sum amount with the issuance of the first RUP and not be spread out over time as subsequent RUPs are issued.
- Provide access easements to the Park Authority across the development's private roads to allow for access to the Long Branch Stream Valley Park and Trail for maintenance purposes.

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

FCPA Reviewer: Andrea Dorlester
DPZ Coordinator: Michael Van Atta

Copy: Cindy Walsh, Director, Resource Management Division
Brian Williams, Land Acquisition & Management Branch
Elizabeth Cronauer, Trail Coordinator
Andrea L. Dorlester, Park Planner IV, Planning & Development
Michael Van Atta, DPZ Coordinator
Chron File
File Copy



**FAIRFAX COUNTY
PUBLIC SCHOOLS**

Department of Facilities and Transportation Services
Office of Facilities Planning Services
8115 Gatehouse Road, Suite 3200
Falls Church, Virginia 22042

July 22, 2015

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

FROM: Aimee Holleb, Assistant Director *ah*
Office of Facilities Planning Services

SUBJECT: RZ/FDP 2014-LE-008, Long Branch Partners (Updated)

ACREAGE: 15.33 acres

TAX MAP: 90-4 ((1)) 17

PROPOSAL:

The application requests to rezone the site from R-1 to PDH-3 district. The proposal would permit a maximum of 35 townhouses. The site is currently vacant, however, under the current R-1 zoning, the site could be developed with up to 15 single family detached houses. Two prior review memos for this application were provided on April 3, 2014, and October 17, 2014.

ANALYSIS:

School Capacities

The schools serving this area are Island Creek Elementary and Hayfield Secondary schools. The chart below shows the existing school capacity, enrollment, and projected enrollment.

School	Capacity 2014 / 2019	Enrollment (9/30/14)	Projected Enrollment 2015-16	Capacity Balance 2015-16	Projected Enrollment 2019-20	Capacity Balance 2019-20
Island Creek ES	846 / 846	792	803	43	791	55
Hayfield MS	1,269 / 1,269	872	873	396	1,025	244
Hayfield HS	2,235 / 2,235	1,992	1,904	331	1,940	295

Capacities based on 2016-2020 Capital Improvement Program (December 2014)

Project Enrollments based on 2014-15 to 2019-20 6-Year Projections (April 2014)

The school capacity chart above shows a snapshot in time for student enrollments and school capacity balances. Student enrollment projections are done on a six year timeframe, currently through school year 2019-20 and are updated annually. At this time, if development occurs within the next five years, all three schools serving the site are projected to have surplus capacity. Beyond the six year projection horizon, enrollment projections are not available.

Capital Improvement Program Projects

The 2016-20 Capital Improvement Program (CIP) does not include any specific projects at the impacted schools.

Barbara Berlin
 July 22, 2015
 Page 2
 RZ/FDP 2014-LE-008, Long Branch Partners (Updated)

Development Impact

Based on the number of residential units proposed, the chart below shows the number of anticipated students by school level based on the current countywide student yield ratio.

Existing (Potential By-right)

School level	Single Family Detached ratio	Potential # of units	Estimated Student yield
Elementary	.270	15	4
Middle	.085	15	1
High	.175	15	3

8 total

2013 Countywide student yield ratios (November 2014)

Proposed

School level	Single Family Attached ratio	Proposed # of units	Estimated Student yield
Elementary	.252	35	9
Middle	.062	35	2
High	.127	35	4

15 total

2013 Countywide student yield ratios (November 2014)

RECOMMENDATIONS:

Proffer Contribution

A net of 7 new students is anticipated (5 Elementary, 1 Middle, 1 High). Based on the approved Residential Development Criteria, a proffer contribution of \$75,775 (7 x \$10,825) is recommended to offset the impact that new student growth will have on surrounding schools. It is recommended that the proffer contribution funds be directed as follows:

...to be utilized for capital improvements to Fairfax County public schools to address impacts on the school division resulting from [the applicant's development].

It is also recommended that proffer payment occur at the time of site plan or first building permit approval. A proffer contribution at the time of occupancy is not recommended since this does not allow the school system adequate time to use the proffer contribution to offset the impact of new students.

In addition, an "escalation" proffer is recommended. The suggested per student proffer contribution is updated on an annual basis to reflect current market conditions. As a result, an escalation proffer would allow for payment of the school proffer based on the current suggested per student proffer contribution in effect at the time of development. This would better offset the impact that new student yields will have on surrounding schools at the time of development. For your reference, below is an example of an escalation proffer that was included as part of an approved proffer contribution to FCPS.

Adjustment to Contribution Amounts. *Following approval of this Application and prior to the Applicant's payment of the amount(s) set forth in this Proffer, if Fairfax County should modify the ratio of students per unit or the amount of contribution per student, the Applicant shall pay the modified contribution amount for that phase of development to reflect the then-current ratio and/or contribution.*

Barbara Berlin
July 22, 2015
Page 3
RZ/FDP 2014-LE-008, Long Branch Partners (Updated)

Proffer Notification

It is also recommended that the developer proffer notification be provided to FCPS when development is likely to occur or when a site plan has been filed with the County. This will allow the school system adequate time to plan for anticipated student growth to ensure classroom availability.

AJH/gjb

Attachment: Locator Map

cc: Tammy Derenak Kaufax, School Board Member, Lee District
Dan Storck, School Board Member, Mount Vernon District
Ted Velkoff, School Board Member, At-Large
Ilryong Moon, School Board Member, At-Large
Ryan McElveen, School Board Member, At-Large
Jeffrey Platenberg, Assistant Superintendent, Facilities and Transportation Services
Terry Dade, Assistant Superintendent, Region 3
Kevin Sneed, Special Projects Administrator, Capital Projects and Planning
Martin Grimm, Principal, Hayfield Secondary School
Michael Macrina, Principal, Island Creek Elementary School