May 13, 2021

STAFF REPORT

PCA/FDPA 74-8-126

MOUNT VERNON DISTRICT

APPLICANT: Yoshi Holdings, LLC

EXISTING ZONING: PDH-3 (Planned Development Housing – 3 du/ac)

PARCELS: 98-3 ((14)) B

ACREAGE: 2.65 acres

PLAN MAP: Residential, 2 – 3 du/ac

15.2-2303.4 STATUS: Exempt from recent amendments regarding conditional rezoning because the original rezoning application was approved prior to the promulgation of this law.

PROPOSAL: To amend the proffers and FDP approved for RZ 74-8-126 to permit development of six single family detached dwelling units on 2.65 acres at an overall density of 2.26 du/ac on land previously shown as open space.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 74-8-126, subject to the execution of proffers consistent with those contained in Appendix 1.

Further, staff recommends approval of FDPA 74-8-126 subject to the Development Conditions contained in Appendix 2.
It should be noted that it is not the intent of staff to recommend that the Board of Supervisors, 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 easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Development, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290; TTY 711 (Virginia Relay Center).
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).
<table>
<thead>
<tr>
<th>Final Development Plan Amendment</th>
<th>Proffered Condition Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FDPA 74-8 -126</strong></td>
<td><strong>PCA 74-8 -126</strong></td>
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<tr>
<td><strong>Applicant:</strong> YOSHI HOLDINGS, LLC</td>
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<td><strong>Accepted:</strong> 10/26/2020</td>
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<tr>
<td><strong>Proposed:</strong> AMEND FINAL DEVELOPMENT PLAN ASSOCIATED WITH FDP 74-8-126</td>
<td><strong>Proposed:</strong> AMEND PROFFERS AND CONDITIONS ASSOCIATED WITH RZ 74-8-126</td>
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<tr>
<td><strong>Area:</strong> 2.65 AC; DISTRICT - MOUNT VERNON</td>
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<td><strong>Zoning Dist Sect:</strong> EAST SIDE OF HOEES ROAD AND SOUTH SIDE OF SOUTHERN OAKS PLACE</td>
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<td><strong>Overlay Dist:</strong> 098-3-14/1B</td>
<td><strong>Overlay Dist:</strong> 098-3-14/1B</td>
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<td><strong>Map Ref Num:</strong> 098-3-14/1B</td>
<td><strong>Map Ref Num:</strong> 098-3-14/1B</td>
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</tbody>
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The map shows the locations of Magnolia Ridge Rd., Southern Oaks Pl., and Hooes Rd.
THIS SHEET IS FOR REFERENCE PURPOSES ONLY - NOT TO SCALE
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### EXISTING VEGETATION SUMMARY

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Cover Type</th>
<th>Primary Species</th>
<th>Coverage</th>
<th>Condition</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Upland Evergreen</td>
<td>Tulip Poplar (Liriodendron tulipifera), Virginia Pine (Pinus virginiana), Red Maple (Acer rubrum), White Oak (Quercus alba)</td>
<td>22.5%</td>
<td>Fair to Good</td>
<td>10.32%</td>
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<tr>
<td>B</td>
<td>Matured Grasslands</td>
<td>no description given</td>
<td>77.5%</td>
<td>Fair to Good</td>
<td>89.3%</td>
</tr>
</tbody>
</table>

Environmental Notes: This cover type consists of Tulip Poplar, Virginia Pine, Red Maple, and White Oak, ranging in sizes from 3'-5' high, in a mature state. Sassafras, Red Oak, and White Oak are common as well. This map was scaled among the existing forest cover. Vegetation within the cover type is in fair to good condition. There have been cuts made and tree thinning from maintenance within the utility easement, with the trees staking being the best sign. Otherwise, canopy coverage appears dense and healthy. A good representation in the upland portion contains American Beech, American Holly, White oak, White Oak, and Virginia Pine.

**Note:** Field data collected during site visit by Claire Khan, GA WA-258A on August 31, 2020, with no invasive plant species observed.

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**Diagram Description:**

- **Parcel A:**
  - Includes multiple lots labeled A through Z.
  - Adjacent to SOUTHERN OAKS HOMENOWNERS ASSOCIATION, INC.
  - Bounded by various street names.

- **Parcel B:**
  - Includes SOUTHERN OAKS PLACE.
  - Adjacent to SOUTHERN OAKS HOMENOWNERS ASSOCIATION, INC.
  - Bounded by various street names.

- **Graphic Scale:** 1" = 100 ft.

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**This Plan Prepared or Approved by:**

Kevin J. Tankersley, GSA Certified Arborist

MA-38718
PRELIMINARY SWM NARRATIVE:

THE SITE AREA IS APPROXIMATELY 1.2 ACRES AND CONSISTS OF HECRO GROUP B, C, AND D TYPE SOILS. THIS APPLICATION IS PROPOSING A DESIGN THAT CONFORMS TO THE SITE CONDITIONS. STUDY POINT "A" IS THE CENTER OF THE SUBURBAN SWM SYSTEM. AT THIS POINT, THE POTENTIAL SWM NETWORK WILL BE DESIGNED TO MINIMIZE THE IMPACT ON THE SITE AND THE POTENTIAL VOLATILE IS PROJECTED TO REDUCE THE TANDEM ALLOTTED RATES AND THIS WILL SATISFY THE REQUIREMENTS FOR THE SMCP.

EXISTING AND PROPOSED SWM VOLUMES FOR THE SITE ARE PREPARED TO COMPLY WITH THE REGIONAL SWM AND ESTATE PROFESSIONAL FOR SWM DEVELOPMENT IN EXISTING AREAS.

THE SMCP APPROACH ORGANIZES DESIGN, AREA, LAND COVER CONDITION, DESIGN, location, AND THE TYPES, SIZES, AND LOCATION OF SWM FACILITIES ARE ALL CONCEPTUAL IN NATURE AND ARE SUBJECT TO CHANGE WITH FURTHER ENGINEERING.

PRELIMINARY SWM ANALYSIS

REVIEW BY:

SOUTHERN OAKS

PROJECT NO: ZP-2460

PROJECT NO: ZP-2460

DATE: SEPTEMBER 30, 2020

SCALE: AS SHOWN

DRAWING NUMBER 12

耐候性
PRELIMINARY OUTFALL NARRATIVE

All information is subject to change. All information is subject to change. All information is subject to change. All information is subject to change. All information is subject to change.
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DESCRIPTION OF THE APPLICATION

On March 8, 1976, the Board of Supervisors approved RZ 74-8-126, concurrent with RZ 74-8-125. Yoshi Holdings, LLC, the applicant, requests approval to amend this rezoning to permit modifications to a 2.65-acre portion (the “subject property”) of the previously approved 84.6-acre Newington Commons development. The Proffered Condition Amendment (PCA) and Final Development Plan Amendment (FDPA) propose an additional six single-family detached dwellings on the 2.65 acres for a density of 2.26 du/ac.

Specifically, the applicant proposes the following:

- A partial Proffered Condition Amendment (PCA), PCA 74-8-126, on the 2.65-acre portion of the original rezoning to amend the proffers associated with the proposed development.

- A Final Development Plan Amendment (FDPA) for the same area as the PCA.

In accordance with Paragraph E of Section 15.2-2303.4 of the Code of Virginia, the application is exempt from recent amendments regarding conditional rezoning because the original rezoning application was approved prior to the promulgation of this law.

A reduced copy of the FDPA is included in the front of this report. Copies of the applicant’s draft proffers, the staff’s proposed Final Development Plan Amendment Conditions, the applicant’s statement of justification and the applicant’s affidavit are included in Appendices 1 through 4, respectively.

LOCATION, CHARACTER, SURROUNDING USES AND ZONING

The subject property is located on the south side of Southern Oaks Place and east of Hooes Road, approximately one quarter mile north of the intersection of Hooes Road and Silverbrook Road in Lorton. Access is from Southern Oaks Place, a public street.

Currently, the subject property is undeveloped, except for a telephone easement close to the western property boundary. Vegetation, in fair to good condition, covers the majority of the parcel. The grade falls from an elevation high of almost 295 feet at the southeastern and southwestern corners to approximately 270 feet at the center of the northern property boundary, along Southern Oaks Place, where an existing storm drain is located.

As shown in Figure 1, to the north, across Southern Oaks Place, is the Southern Oaks Place Townhouse community, including open space parcels, zoned PDH-3, like the subject property. Also, to the north, at the western end of Southern Oaks Place is land zoned R-1 and developed with a single-family detached dwelling. The eastern property boundary abuts Fairfax County Park Authority (FCPA) land included in the Newington Commons Park and zoned PDH-3. Immediately south of the subject property is a
powerline easement and south, beyond that, lies FCPA land also part of the Newington Commons Park zoned PDH-3. West, across Hooes Road, lie several lots in the Silverbrook Farms subdivision zoned R-1.

![Figure 1. Fairfax County Map. Source: Fairfax County.](image-url)

**BACKGROUND**

On March 8, 1976, the Board of Supervisors approved RZ 74-8-126, concurrent with RZ 74-8-125, to rezone the 84.6-acre Newington Commons property from Residential Estate (RE-1) to Planned Development Housing, 3 du/ac (PDH-3). The balance of the Newington Commons development is built out at the proffered density of 2.5 du/ac with open space. The undeveloped land is either dedicated to the FCPA or designated as private open space.

On June 18, 1981, the Planning Commission approved FDP 74-8-126, along with FDP 74-8-125. The original FDP, shown in Figure 2, shows a total of 212 single-family attached dwelling units spread over the 84.6-acre property developed at a density of 2.5 du/ac. As other sections of Newington Commons were developed, the subject property remained in private ownership and undeveloped.
On July 17, 2020, an interpretation was issued by the Zoning Administrator. It was determined that a partial PCA and FDPA could be filed on the subject property to request additional density, so long as the land area remaining in the original rezoning and the new rezoning application would independently meet the applicable zoning ordinance requirements and other proffers. Further, the pending application would need to demonstrate that the application would not have an adverse impact on the remainder of the original rezoning.

Additional information regarding the original rezoning can be found at:

**DESCRIPTION OF THE FINAL DEVELOPMENT PLAN AMENDMENT (FDPA)** (a copy is included at the front of the report)


**Density**

The proposed development for the PCA/FDPA application property consists of a total of six single-family detached dwelling units. Given the 2.65-acre size of the subject property, the proposed density is 2.26 du/ac. As previously discussed, the larger Newington Commons rezoning was approved with a proffered density of 2.5 du/ac.
Site Layout

Figure 3. Sheet 8, FDPA Layout. Source: Urban, Ltd.

Shown in Figure 3, the FDPA has six residential lots arranged along the south side of Southern Oaks Place, a public street. Each of the proposed six single-family detached dwellings faces Southern Oaks Place and gains access from it. There are two open spaces proposed. Open Space Parcel “A,” which measures approximately 5,000 square feet, located in front of Lots 3 and 4, near the center of the northern property boundary, along Southern Oaks Place, is proposed to be the location of the underground stormwater management vault. Open Space Parcel “B,” located surrounding the proposed lots on the east, south and west portions of the subject property, measures approximately 53,000 square feet and is proposed to remain undeveloped, except for the potential amenity area and the associated access. Although Open Space Parcel “B” will remain undeveloped, the applicant indicates that clearing and grading will occur within this area.

Retaining walls are proposed in two locations. West of Lot 1 and extending behind Lots 1 and 2, the applicant proposes a retaining wall of up to 9 feet in height. A second retaining wall of up to seven feet in height is proposed near the center of the southern property boundary behind Lots 3 and 4. Should the applicant be unable to enter into a User’s Agreement with an existing Homeowners Association whereby the applicant would contribute to upgrading existing recreational facilities off-site, a possible amenity area and the associated pedestrian access, as shown in Figure 3 above, is shown at the western end of Open Space Parcel “B” behind Lot 1. A five-foot wide sidewalk is
shown along the northern property boundary for the entire length of the south side of Southern Oaks Place.

Vehicular Access, Parking and Transportation Improvements

As noted above, direct vehicular access to each of the lots is proposed from Southern Oaks Place, a public street, which intersects with Hooes Road at the northwestern corner of the subject property. The first driveway is located approximately 110 feet from the intersection of Hooes Road and Southern Oaks Place. Driveways for these lots are proposed to be adequately spaced from that point to the east. The applicant proposes a minimum of two parking spaces per residential lot on each lot; however, a graphic on the FDPA indicates that six or more vehicles may be parked on each lot, distributed between the garage and the driveway. Further, the applicant proffers that a minimum of one garage space must be available at all times to park a vehicle.

As shown on the FDPA, the applicant proposes to dedicate right-of-way along both Hooes Road and Southern Oaks Place. The total dedication for both of the road frontages is proposed to be approximately 4,074 square feet. Along Hooes Road, the applicant indicates that a width of approximately nine additional feet of right-of-way will be dedicated beyond that already existing along that frontage. Along the Southern Oaks Place frontage, the applicant proposes to dedicate an area approximately three feet in width for the entire length of that frontage to accommodate construction of the sidewalk. These dedications are proposed to happen at time of record plat approval.

Pedestrian and Bicycle Facilities

A five-foot wide sidewalk is proposed along the northern property boundary on the south side of Southern Oaks Place. Additionally, the applicant proposes a five-foot wide sidewalk with stairs along the western property boundary of Lot 1 to access the potential amenity area located behind Lot 1 (This amenity area will be discussed below). No bicycle facilities are proposed with this development.

Landscaping, Open Space and Tree Preservation

The PDH-3 District requires a minimum of 20 percent of the overall subject property be devoted to open space, or, in this case, 23,110 square feet. As laid out, the application proposes a total of 58,000 square feet of open space or approximately 50 percent. Currently, 2.51 acres of the total 2.65 acres is covered with upland forest and is assessed to be in fair to good condition. The remaining 0.14 acres consist of maintained grasslands. Tree preservation, in the amount of 34,670 square feet, is proposed in Open Space Parcel "B." Approximately 9,300 square feet of new tree plantings are proposed, with multipliers used for plantings which benefit wildlife and for the use of native plants. A total 43,970 square feet of tree canopy is proposed. The applicant proposes to install new tree plantings along the entire Southern Oaks Place frontage. A Landscaping Maintenance Easement, as shown on the FDPA along
Southern Oaks Place, is provided in the proffers. The purpose of this easement will be to allow the homeowner’s association to maintain the vegetation planted in said easement.

The applicant proffers that if a Letter of Intent for a User Agreement or a User Agreement has been executed which allows the future residents of the proposed development to use one or all of the recreational facilities in the Newington Commons subdivision or if the subject property has been annexed into the Newington Commons subdivision, the application will provide monies to upgrade the existing basketball court on the Newington Commons HOA property. Such upgrades would include resurfacing and remarking the pavement and replacing a basketball hoop and a bench. The minimum expenditure must be $11,400 and must be conveyed to the Newington Commons HOA prior to record plat approval. This amount is equal to the per dwelling unit expenditure required by the Zoning Ordinance for recreational facilities. If this happens, development will occur in accordance with the Alternate Plan reflected on the FDPA, Sheet 8, and shown in Figure 4.

Figure 4. Sheet 8, FDPA Layout. Source: Urban, Ltd.

However, should an agreement not be reached with the Newington Commons HOA, the applicant will construct the potential amenity area proposed behind Lot 1. Access to the amenity area would be via a 5-foot wide sidewalk, approximately 130 feet long, starting at the northwestern corner of Lot 1 from the sidewalk on Southern Oaks Place and wrapping around the western property boundary of Lot 1 to the amenity area. The amenity grill area is proposed to be improved with special pavement treatment which
may consist of brick, concrete pavers or stamped, colored concrete and is proposed to be approximately 730 square feet in size. Improvements to this area consist of a grill and up to two picnic tables. Adjacent to the amenity grill area, to the east, is an open lawn which measures approximately 1,300 square feet.

**Building Architecture**

As outlined in the draft proffers, the primary building materials for the front facades of all dwellings, the west façade of the dwelling on Lot 1 (facing Hooes Road) and the east façade of the dwelling on Lot 6 (facing the Newington Commons Park) will be limited to brick, stone, siding, shingles and other similar materials and be supplemented with trim and detail features made of PVC or better. The draft proffers further indicate that modifications may be made with final architectural designs. No architectural renderings are provided.

**Typical Lots**

![Typical Single-Family Lot Detail](Figure 5. Sheet 2, Typical Single-Family Lot Detail. Source: Urban, Ltd.)

The proposed Lot Typical indicates that the minimum front yard setback from the front lot line to the façade is 15 feet. Driveways are proposed to be 18 feet wide and a minimum of 18 feet in length, as measured from the garage door to the back of sidewalk or face of the travelway, as applicable. Side yards are proposed to be a minimum of six feet on either side. The rear yard is proposed to measure a minimum of ten feet between the rear lot line and the rear façade.

**Stormwater Management/Best Management Practices**

The site is located within the Pohick Creek watershed. The applicant proposes to manage stormwater runoff using an on-site underground detention vault located in Open Space Area “A” along Southern Oaks Place. The applicant indicates that this will accommodate the 1-year, 2-year and 10-year storms. Outfall from this facility would be to an existing storm pipe system located near the center of the northern property boundary. This system runs north from the subject property to a point of confluence with South Run.
COMPREHENSIVE PLAN PROVISIONS

The Fairfax County Comprehensive Plan, 2017 Edition, Area III, as Amended through 11-20-2018, Pohick Planning District, P7 – Burke Lake Community Planning Sector provides the Comprehensive Plan recommendations for the subject property. The applicable Comprehensive Plan text is found below. The Comprehensive Plan Map designation is Residential, 2–3 du/ac.

On pages 77–78 of the Plan, the following applies to the application area:

1. **Segment between Hooes Road, Pohick Road, and the District of Columbia Department of Corrections Facility.** This segment is dominated by the over 700-acre Newington Forest development. The majority of this area is planned for residential use at 2-3 dwelling units per acre. The Chapel Acres subdivision is planned for 1-2 dwelling units per acre. Development coordination and consolidation of parcels where appropriate to allow preservation of environmental features and good internal traffic circulation is a condition for approval of densities above the low-end of the Plan density range as shown on the Plan map.

The subject property, located in the Burke Lake Community Planning Sector, is in an area planned for residential development at 2–3 du/ac. As originally approved under RZ 74-8-126, concurrently with RZ 74-8-125, the overall density for Newington Commons was 2.5 du/ac. Currently, as part of the partial PCA/FDPA, the applicant proposes development density of 2.26 du/ac on the subject property. The resulting overall density for the original Newington Commons area will be 2.57 du/ac.

PROFFER CONDITION AMENDMENT ANALYSIS

The original approval of RZ 74-8-126 proffered a density of 2.5 du/ac. The proffer commitments made with the approval of RZ 74-8-126 have either been met or the remaining 81.95 acres continue to comply with the Zoning Ordinance regulations governing the PDH-3 District, including open space, and the stipulations made in the proffers. The PCA requested by the applicant increases the overall density above the approved 2.5 du/ac, however, state law indicates that the remainder is not non-conforming should this amendment be approved. As indicated by the following analysis, the proposed PCA, independently, meets the requirements of the PDH-3 District. In staff’s opinion, the requested partial PCA is appropriate.
ANALYSIS

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood; respecting the environment; addressing transportation impacts; addressing impacts on other public facilities; being responsive to our historic heritage; and being responsive to the unique site-specific considerations of the property. To that end, the Residential Development Criteria contained in the Policy Plan are used in evaluating zoning requests for new residential development and summarized below. The resolution of issues identified during the evaluation is critical if the proposal is to receive favorable consideration.

Site Design

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

Consolidation: Developments should provide parcel consolidation in conformance with any site-specific text of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels and not preclude nearby properties from developing as recommended by the Plan.

The applicable policies in the Comprehensive Plan generally call for parcel consolidation. When first rezoned in 1976, the subject property was among a number of parcels assembled for the original Newington Commons development. Currently, the applicant seeks to develop a previously undeveloped parcel. The surrounding property is owned by the Fairfax County Park Authority; therefore, there are no privately owned parcels available to consolidate. The proposed development is not anticipated to preclude development of nearby properties in accordance with the Comprehensive Plan recommendations.

Layout: The layout should provide logical, functional and appropriate relationships among the various parts (e.g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, sidewalks and fences); provide dwelling units that are oriented appropriately to adjacent streets and homes; include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities; provide logical and appropriate relationships among the proposed lots including the relationships of yards and the orientation of the dwelling units; provide convenient access to transit facilities; and identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; and encourage utility collocation where feasible.
Initially, the applicant proposed seven single-family detached dwelling units, with two accessed from Southern Oaks Place and five from a proposed internal private street. However, working with staff and the community, the applicant redesigned the layout to include six proposed single-family detached dwelling units all fronting on Southern Oaks Place, a public street. A consistent pattern of front yards facing the street is shown on the FDPA. Lots 1 and 6 are shown with the single-family detached dwellings located approximately 50 feet from the edge of the street. The layout of Lots 2 and 5 shows the single-family detached dwellings approximately 60 feet from the street and, finally, the Lot 3 and 4 dwelling units are shown approximately 70 feet from the street. By redesigning the site layout, the applicant was able to include larger usable rear yards for each lot, which, as shown in the Lot Typical in Figure 5, appear large enough to accommodate future additions and decks. Additionally, the applicant is also able to preserve a larger number of trees at the rear of the lots and at the east end and the west end of the subject property, which will be discussed below.

**Open Space:** Developments should provide usable, accessible, and well-integrated open space.

The proposed development provides approximately 50 percent of the site as open space, while 20 percent is required in the PDH-3 District. Figure 3 shows that the open space is primarily located at the eastern and western ends of the development, as well as in the center of the subject property adjacent to the northern property boundary. As reflected in the draft proffers, the applicant seeks to join the Newington Commons HOA and to contribute to upgrading existing recreational facilities which will benefit the future residents of this development. However, should the applicant be unable to negotiate a User Agreement with the Newington Commons HOA, the applicant proposes to construct an amenity area behind Lot 1, which may include a grill and picnic tables, along with an open lawn area. Access to the amenity area is proposed via a 5-foot-wide sidewalk running along the western property boundary of Lot 1.

**Landscaping:** Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots

As noted above, a total 43,970 square feet of tree canopy is proposed which would consist of approximately 34,670 square feet of tree preservation and approximately 9,300 square feet of new tree plantings. The new plantings are proposed along the Southern Oaks Place frontage of each lot, along the rear of the lots and along the western property boundary of Lot 1. A Landscaping Maintenance Easement, as shown on the FDPA along Southern Oaks Place, is provided in the proffers. The purpose of this easement is to allow the homeowner’s association to maintain the vegetation planted in said easement. Working with staff, the applicant proffered to minimize turf areas to that found on the individual lots and to reseed the disturbed areas with a native plant mix. Further, the FDPA reflects the applicant’s commitment to seed Open Space Parcel “A” as a pollinator meadow.
Amenities: Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

In the proffers, the applicant outlines different options to provide recreational facilities. Working with staff, the applicant identified the preferred option is to work with the Newington Commons HOA to upgrade the existing basketball court. The basketball court is located such that future residents of the proposed development can use existing trails to access the court without having to use roadways. This option would tie the proposed development with the Newington Commons subdivision. Should this not be possible, the applicant proposes to install an amenity area, as discussed above. Due to several factors, including the configuration of the subject property, the desire of the community to retain as many of the existing trees as possible, as well as the topography, the potential location of the amenity area is less than ideal. The amenity area is proposed behind Lot 1, between nine and 13 feet above the level of the rear yard. A retaining wall, along with a safety rail, would be required to construct the amenity area. This would place the amenity area at an elevation where users would be looking down into the rear yard of Lot 1, as well as potentially into the second story windows. For these reasons, staff encouraged the applicant to actively engage with the Newington Commons HOA to satisfy the recreational amenity requirement as described above.

In staff's opinion, the proposed development meets the site design criteria of the Comprehensive Plan.

Neighborhood Context

The Neighborhood context criterion recommends that all applications for residential development, regardless of the proposed density, be designed to fit into the community within which the development is to be located as evidenced by an evaluation of: transitions to abutting and adjacent uses; lot sizes, particularly along the periphery; bulk and mass of the proposed dwelling units; setbacks; orientation of the proposed dwelling with regard to the adjacent streets and homes; architectural elevations; connections to non-motorized transportation facilities and the preservation of existing topography and vegetative cover. It is not expected that developments will be identical to their neighbors, and individual circumstances of the property will be considered.

The Policy Plan contains the Countywide objectives for development of parcels adjacent to stable communities. Land Use Objective 8 states that “Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.” Land Use Objective 8a states that Fairfax County should “protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur.” Land Use Objective 14b states that Fairfax County should “encourage infill development in established areas that is compatible with existing
and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.”

The applicant proposes to retain the PDH-3 zoning designation for the subject property which is the same designation as the properties to the northeast, east and south. The properties to the northwest and west are developed with single family detached dwellings. In staff’s opinion, the proposed single-family detached dwelling units have been designed to fit into the existing community in terms of design, layout, size, scale and the proposal meets the neighborhood context criteria of the Comprehensive Plan while preserving the integrity of the existing stands of trees.

**Environment** (Appendices 5 and 6)

All new residential developments are expected to respect the environment and are evaluated on the following provisions:

**Preservation:** Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, environmental quality corridors (EQCs), resource protection areas (RPAs), woodlands, wetlands and other environmentally sensitive areas. The design of developments should take existing topographic conditions and soil characteristics into consideration.

Currently, approximately 95 percent of the subject property is covered in woodlands which are in fair to good condition. Working with staff and the community, the applicant redesigned the layout by locating all the lots along the south side of Southern Oaks Place. By doing so, the applicant reduced the disturbed area of the subject property and reduced the number of retaining walls. The resulting layout allows for more tree preservation at the eastern and western ends of the subject property, as well as along the southern property boundary, and less intrusion into the sloped southern area of the subject property. Staff notes that should the applicant successfully reach a User’s Agreement with the Newington Commons HOA to satisfy the recreational facility requirements and the amenity area does not need to be constructed on the subject property, then additional tree preservation could be achieved.

**Slopes and Soils:** The design of developments should take existing topographic conditions and soil characteristics into consideration.

The elevation in the southeastern and southwestern corners is approximately 295 feet, whereas the elevation at the center of the northern property boundary is approximately 270. This is a decrease of 25 feet. As noted above, the applicant worked with staff and the community to redesign the site layout. Consequently, the layout intrudes less into the sloped southern areas of the subject property.

Overall, the soil types found on the property have a high to medium potential for erosion. Pursuant to the PFM, a geotechnical investigation is required at time of site
plan. A geotechnical report will only be prepared if indicated by the geotechnical investigation.

**Water Quality/Drainage:** Developments should minimize offsite impacts on water quality by commitments to state-of-the-art best management practices for stormwater management and better site design and low impact development (LID) techniques. The volume and velocity of stormwater runoff from new development should be managed to avoid impacts on downstream properties. Where drainage is a concern, the applicant should demonstrate that offsite drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall should be shown on development plans.

The subject property is in the Pohick Creek watershed. As shown on the FDPA, the application provides for an underground stormwater vault located in the center of the subject property, adjacent to the northern property boundary. The stormwater management facility is shown on Open Space Parcel “A” which also serves as an access easement for the driveways serving Lots 3 and 4. Future purchasers would need to be advised that this area is a within a common area and that restrictions on landscaping and other site improvements exist. Given this location, the stormwater management vault presents several logistical concerns. Working with staff, the applicant proffers to seed a pollinator meadow within Open Space Parcel “A”. Additionally, the applicant has agreed to install decorative fencing along the southern boundary of Open Space Parcel “A”, facing the single-family detached dwelling units on Lots 3 and 4. In this way, homeowners can recognize the boundary between their properties and the open space parcel. This commitment is reflected in a staff-proposed FDPA development condition, requiring the installation of the decorative fence.

Staff notes that with the implementation of the underground stormwater vault or similar facility acceptable to LDS, the proposed development is expected to meet the requirements for stormwater quantity and quality.

**Noise:** Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.

No transportation generated noise is anticipated from this proposal, nor are transportation generated noises expected to negatively impact the subject property. Staff notes that this application is required to meet the performance standards contained in Article 14 of the Zoning Ordinance.

**Lighting:** Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.

Lighting will be subject to the performance standards outlined in Article 14 of the Zoning Ordinance.
Energy: Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings and should be designed to encourage and facilitate walking and bicycling. Energy efficiency measures should be incorporated into building design and construction.

The applicant has proffered to attain green building certification that meets the Comprehensive Plan guidance. Further, the applicant proffers to offer electric vehicle charging facilities as an option to purchasers to be installed in the garages. Based on the discussions above, in staff’s opinion, the requirements of this criterion are met.

Tree Preservation and Tree Cover Requirements (Appendix 7)

Regardless of the proposed density, all residential development should be designed to take advantage of existing quality tree cover.

As previously noted, currently, tree canopy covers approximately 95 percent of the property. The Landscape Plan shows tree preservation of 34,670 square feet within three tree-save areas in Open Space Parcel “B.” In addition to preserving tree canopy, the applicant proposes 9,300 square feet of new tree canopy for a total tree canopy of 43,970 square feet. The PFM requirement is for 27,869 square feet. In staff’s opinion, this criterion has been met.

Transportation (Appendix 8 and 9)

Regardless of the proposed density, all residential development should implement measures to address planned transportation improvements and offset their impacts to the transportation network. This criterion contains principles that will be used in the evaluation of rezoning applications for residential development, while noting that not all principles will apply in all instances. The principles include transportation improvements, transportation demand management, interconnection of the street network, provision of public streets and non-motorized facilities. The following is an evaluation of those principles that staff has concluded are applicable in this instance.

The applicant proposes to construct the six single-family detached dwelling units with access directly onto Southern Oaks Place, a public street. Right-of-way dedication is proposed along Hooes Road to accommodate future widening.

Sufficient parking is proposed either in the garages or on the driveways. Staff notes that since Southern Oaks Place is a public street, on-street parking may be permitted.

A five-foot-wide sidewalk is proffered along the northern property boundary, along the south side of Southern Oaks Place. The applicant proposes to dedicate sufficient right-of-way to accommodate a sidewalk that will be maintained by the Virginia Department of Transportation (VDOT). The sidewalk is proposed to extend approximately 630 feet, from the intersection of Southern Oaks Place with Hooes Road to the northeastern property corner.
The applicant proposes a 5-foot-wide sidewalk with stairs to access the potential amenity area. Should the potential amenity area be developed, staff encourages the applicant to pursue an ADA-accessible access alternative.

Based on the above discussion, staff generally finds that this Criterion has been met.

Public Facilities

Residential development requires public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). All rezoning applications for residential development are expected to offset their additional public facility impact.

Public Schools (Appendix 10)

It is projected that over time, on average the development will generate four new school age children. The Fairfax County Public Schools’ Office of Facilities Planning Services indicates that the development will be served by Silverbrook Elementary School, South County Middle School and South County High School. At this time, if development occurs within the next five years, South County High School has sufficient capacity for current programs and future growth; South County Middle School will have capacity surplus, while Silverbrook Elementary School will be approaching a capacity deficit. It should be noted that this analysis is a snapshot in time, as of January 2020, for both student membership and school capacity balances.

To offset the impact on schools, the applicant commits to a contribution of $12,262 per each new student generated by the development for the construction of capital improvements to schools in the vicinity of the subject property. The proffers state that the contribution will be made at the time of, or prior to, the issuance of each residential use permit (RUP) for the new construction on the subject property. Additionally, the applicant commits to notify FCPS when a site plan is projected to be filed for the subject property.

Park Authority Review (Appendix 11)

Newington Commons Park, a FCPA property, is located to the east and south of the subject property. Based on evaluation by the FCPA, since the zoning designation will remain unchanged, the development is anticipated to result in no net increase in new residents. Thus, no fair share contribution was requested of the applicant to offset regional recreational impacts. FCPA notes that to clear or grade on parkland adjacent to the subject property, the applicant must first acquire a Letter of Permission and/or easement from FCPA. The applicant has provided a proffer to this effect.

Sanitary Sewer Review (Appendix 12)

The site is in the Pohick Creek Watershed (N-2) and would be sewered into the Noman M. Cole Pollution Control Plant (NMCPCP). Based on current and committed flow, there is currently excess capacity in the NMCPCP Treatment Plant.
For purposes of this report, committed flow means flow for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of the subject property. An existing eight-inch line located about 105 feet north of the subject property, across Southern Oaks Place, is adequate for use.

**Water Service Review (Appendix 13)**

The site is serviced by Fairfax Water. Adequate domestic water service is available from an existing 12-inch water main located in Southern Oaks Place. Depending on the configurations of any proposed onsite water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns. This will be determined at the time of site plan. In staff’s opinion, the application generally meets the public facilities criterion.

**Affordable Housing**

*Ensuring an adequate supply of housing for low- and moderate-income families, those with special accessibility requirements, and those with other special needs is a goal of the County. The Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances.*

The development of six single-family detached dwelling units would not require the provision of ADUs under the Zoning Ordinance. However, pursuant to the residential development criteria, satisfaction of this criterion may be achieved by a contribution equal to 0.5 percent of the projected sales price for each unit approved on the property to the Fairfax County Housing Trust Fund, as determined by the Fairfax County Department of Housing and Community Development, in consultation with the applicant. Such contribution is proposed to be made upon issuance of the first building permit. In staff’s opinion, this criterion has been met.

**Heritage Resources (Appendix 11)**

*Heritage Resources are those sites or structures, including their landscape settings that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been listed in or determined eligible for listing in, the National Register of Historic Places or the Virginia Landmarks Register; determined to be a contributing structure within a district so listed or eligible for listing; located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or listed in, or having a reasonable potential as determined by the County, for meeting the criteria for listing in, the Fairfax County Inventory of Historic Sites. These features are expected to be preserved through research, protection, preservation, or recordation. Preservation can include the adaptive reuse of the structures with Architectural Review Board approval of changes to the exterior appearance.*
Based on landform, availability to resources and location of other heritage sites in the vicinity, the subject property has the potential to be the location of significant resources. Portions of the subject property have undergone previous disturbance, however, for those areas which have not been disturbed, staff recommends that archaeological survey work be conducted. The applicant responded that based on their preliminary investigation, there is no evidence to suggest the presence of archaeological resources.

In staff’s opinion, this criterion could be met should the applicant agree to conduct a Phase I archaeological survey.

PLANNED DEVELOPMENT GENERAL AND DESIGN STANDARDS

The PDH District is established to encourage innovative and creative design and to facilitate use of the most advantageous construction techniques in the development of land for residential and other selected secondary uses. The district regulations are designed to insure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development; to promote balance developments of mixed housing types; to encourage the provision of dwellings within the means of families of low and moderate income; and otherwise to implement the stated purpose and intent of the Zoning Ordinance.

General Standards (Sect. 16-101)

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

General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities.

As discussed above, the Comprehensive Plan recommends residential development at this location with a density of 2–3 du/ac. The applicant proposes six single-family detached dwelling units which equates to 2.26 du/ac for the subject 2.65-acre property and 2.57 du/ac, for the entire area subject to the original RZ 74-8-126, approved concurrently with RZ 74-8-125. In staff’s opinion, this standard is met.

General Standard 2 states that the planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.

The proposed design provides for residential development at a density of 2.26 du/ac on the subject property as intended in the PDH-3 District. The design includes open spaces and a layout that makes effective use of the flexibility afforded development under a PDH-3 District. In staff’s opinion, this standard is met.
General Standard 3 states that the planned development shall efficiently utilize the available land and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.

As noted above, the subject property has elevations of 295 feet in the southeastern and southwestern corners and slopes down to an elevation of 270 feet at the center of the northern property boundary. This is an elevation change of 25 feet. With input from staff and the community, the applicant redesigned the site layout to enable the relocation of the single-family detached dwelling units closer to northern property boundary along Southern Oaks Place and away from the steeper slopes. Additionally, with this redesign, the applicant could preserve approximately 34,670 square feet of tree canopy, as compared to 9,714 square feet proposed in the initial submission. The tree canopy requirement for the subject property is 27,869 square feet. The applicant proposes to provide 58,000 square feet of open space, or approximately 50 percent of the subject property. In staff’s opinion, the applicant has designed the subject property to preserve the slopes and existing trees and this standard is met.

General Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.

The proposed development complies with the land use and density policies of the Comprehensive Plan, now and as approved with RZ 74-8-126. The balance of the Newington Commons development, also zoned PDH-3, is fully built out in accordance with the previous approval. The Southern Oaks Townhouse community, located to the northeast, is also fully built out pursuant to the PDH-3 zoning district regulations. The land areas to the east and south were dedicated to the FCPA as part of the original RZ 74-8-126 approval. Development to the northwest is zoned R-1 (Residential, 1 du/ac), but planned for 2–3 du/ac. In staff’s opinion, this standard is met.

General Standard 5 states that the planned development shall be in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.

The following adequate public facilities exist in the area: police, fire protection and schools. A contribution to FCPS is proffered which reflects a per pupil amount to offset the impact of the development on surrounding schools. The applicant has proffered to either enter into a User’s Agreement with the Newington Commons HOA and contribute to upgrading recreational facilities within that community or to construct on-site recreational facilities with a value of at least $1,900 per non-ADU unit. In staff’s opinion, this standard can be met.
General Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

The six proposed single-family detached dwelling units access the southern side of Southern Oaks Place. The applicant proposes to construct a 5-foot-wide sidewalk across the Southern Oaks Place frontage connecting the development to the future sidewalk/trail which is anticipated at such time as Hooes Road is widened to four lanes.

Design Standards (Sect. 16-102)

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

Design Standard 1 states that to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, and PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the development under consideration.

The R-3 District most closely characterizes the proposed development and requires the following minimum yard measurements for single-family detached dwelling units: a front yard of 30 feet; a side yard of 12 feet; and a rear yard of 25 feet. The applicant proposes the following minimum yard requirements: a front yard of 15 feet; a side yard of 6 feet; and rear yard of 10 feet. While these are smaller than the R-3 setbacks, the additional open space and tree preservation provided by this layout offsets the small lots and setbacks. In staff’s opinion, this standard is met.

Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.

As noted above, the development exceeds the required open space by 30 percent. It is anticipated that the proposed development will comply with the off-street parking, sign and other similar Zoning Ordinance regulations. There are no loading requirements for this development. In staff’s opinion, the standard is generally met.

Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.
Access to the proposed development is provided by Southern Oaks Place, a public street. The sidewalk proposed along the south side of Southern Oaks Place will afford future residents with access to the sidewalk/trail which is planned as part of the future widening of Hooes Road, as well as any future bus routes which may be established along Hooes Road. In staff’s opinion, this standard is generally met.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Yoshi Holdings, LLC, the applicant, requests approval to amend the original rezoning to permit modifications to a 2.65-acre portion of the previously approved 84.6-acre Newington Commons development. The PCA and FDPA propose an additional six single-family detached dwellings on the 2.65 acres, as well as a potential amenity area, with a proposed density of 2.26 du/ac. Staff continues to encourage the applicant to proffer a Phase I archaeological study and an ADA-accessible trail to the potential amenity area.

Recommendations

Staff recommends that the Board of Supervisors approve PCA 74-8-126, subject to the execution of proffers consistent with those contained in Appendix 1 of the Staff Report.

Staff recommends that the Planning Commission approve FDPA 74-8-126, subject to the proposed Final Development Plan Amendment conditions contained in Appendix 2 of the staff report.

It should be noted that it is not the intent of the staff to recommend that the Board of Supervisors in adopting any conditions proffered by the owner, relieve the applicants/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval 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.

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

APPENDICES

5. Environmental Review.
6. SDID Review.
7. Urban Forestry Management Division Review.
8. Fairfax County Department of Transportation Review.
9. Virginia Department of Transportation Review.
10. Fairfax County Public Schools Review.
11. Fairfax County Park Authority Review.
12. Sanitary Sewer Review.
13. Fairfax Water Authority Review.
Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned Owner/Applicant, in this proffered condition amendment application proffers that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 98-3((14))B (the “Property”) will be in accordance with the following conditions (the “Proffered Conditions”), if and only if, said proffered condition amendment application is granted. In the event said application is denied, these Proffered Conditions will be null and void. The Owner/Applicant, for themselves, their successors and assigns hereby agree that these Proffered Conditions will be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. Upon approval, these Proffers will supersede any and all previously approved proffers which apply to the Property, including those proffers approved as part of RZ 74-8-126. The Proffered Conditions are:

I. GENERAL

1. Substantial Conformance. Development of the Property will be in substantial conformance with the Final Development Plan Amendment (the “FDPA”), prepared by Urban, Ltd., dated September 12, 2020, revised through April 30, 2021.

2. Maximum Lot Yield. The development will consist of a maximum of six (6) single family detached units.

3. Minor Modifications. Pursuant to Paragraph 5 of Section 16-403 of the Zoning Ordinance, minor modifications to the FDPA may be permitted as determined by the Zoning Administrator.

4. Establishment of Homeowners Association (HOA). Prior to record plat approval, the Applicant will provide the Department of Land Development Services (LDS) with documentation that the Applicant has established an HOA in accordance with Sect. 2-700 of the Zoning Ordinance or has joined an established HOA in the area. The purpose of the HOA will be, among other things, establishing the necessary residential covenants governing the use and operation of common open space and other facilities of the approved development and maintenance of the private streets, stormwater management/best management practice (SWM/BMP) facilities and any open space elements such as trails.

5. Disclosure. Prior to entering into a contract of sale, prospective purchasers will be notified in writing by the Applicant of the maintenance responsibility of the HOA for the
stormwater management facilities, retaining walls, common area landscaping and any other open space amenities and the garage usage restriction detailed in Proffer 11.

6. **Zoning Administrator Consideration.** Notwithstanding the timing specified in these proffers, upon demonstration by the Applicant that, despite diligent efforts or due to factors beyond the Applicant’s control, the required improvements proffered have been delayed (due to, but not limited to, an inability to secure necessary permission from Virginia Department of Transportation (VDOT) or other agencies to facilitate the improvements, etc.) beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of these improvements.

7. **Architectural Design.** The primary building materials for the front facades of all dwellings, the west façade of the dwelling on Lot 1 and the east façade of the dwelling on Lot 6 will be limited to high quality materials such as brick, stone, siding, shingles and other similar materials supplemented with trim and detail features made of PVC or better; modifications may be made with final architectural designs. Bay windows, patios, chimneys, areaways, stairs, mechanical equipment, decks, porches (including screened in porches), and other similar appurtenances may encroach into the minimum yards as indicated in the lot typical notes on Sheet 2 of the FDPA. Optional sunrooms/additions may be added to the rear of the dwellings provided the yards indicated on the lot typical on Sheet 2 are honored. Deck modifications including, but not limited to, lattice work, pergolas, trellis, and overhand planter boxes may also be constructed within this area. The specifics of this proffer related to appurtenances will be disclosed as part of the Purchasers’ contract and further disclosed in the homeowner’s association documents.

8. **Reciprocal Easements.** As part of the recording of the Record Plat, the Applicant will create reciprocal easements along the common residential property lines, which will provide future homeowners with reasonable rights of access to adjacent lots if needed to perform routine home maintenance functions.

9. **Landscaping Maintenance Easement.** As part of the recording of the Record Plat, the Applicant will create a landscaping maintenance easement along the frontages of all lot adjacent to Southern Oak Place in the location shown on the FDPA. The purpose of this easement will be to allow the homeowner’s association to maintain the vegetation planted in the easement. The easement will contain language which prohibits individual property owners from removing trees or shrubs within the easement.

10. **Park Authority Coordination.** If any land disturbing activities due to clearing and grading or other construction related activities are proposed on park property, the Applicant will coordinate with the Park Authority’s easement coordinator to submit a request for a permit and/or easement, as the situation dictates.
II. TRANSPORTATION

11. **Garages.** Any conversion or use of garages that will preclude the parking of at least one vehicle within the garage is prohibited. This restriction will not preclude the use of garages as sales offices in the model homes during marketing of the development, with the understanding the sales offices will be converted back to garages upon sale of the models.

12. **Dedication of Right-of-way, Hooes Road.** At the time of record plat approval, or upon demand by the Virginia Department of Transportation (VDOT) or Fairfax County, whichever occurs first, the Applicant will dedicate, at no cost to Fairfax County and in fee simple, without encumbrances, to the Board, an additional nine (9) feet of right-of-way beyond the existing right-of-way line along the Property’s Hooes Road frontage, as shown on the FDPA. Advanced density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance for this dedication.

13. **Dedication of Right-of-way, Southern Oaks Place.** At the time of record plat approval, or upon demand by the Virginia Department of Transportation (VDOT) or Fairfax County, whichever occurs first, the Applicant will dedicate, at no cost to Fairfax County and in fee simple, without encumbrances, to the Board, additional right-of-way to accommodate utility and sidewalk installation, as shown on the FDPA. Advanced density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance for this dedication.

III. ENVIRONMENTAL

14. **Electric Vehicle ("EV") Charging Stations.** The Applicant must offer initial purchasers of the units the option, at the purchasers cost, to install an electrical vehicle charging station within the garage.

15. **Green Building.** One of the following programs will be selected and implemented by the applicant. The applicant must inform the Environment and Development Review Branch of DPD which program the Applicant has chosen as part of the first site plan submission.

   A. **NGBS (National Green Building Standard).** The Applicant must seek certification in accordance with the most current version of NGBS using the Energy Star ® Qualified Homes path for energy performance, as demonstrated through documentation submitted to LDS and the Environment and Development Review Branch of DPD from a home energy rater certified through the Home Innovation Research Labs that demonstrates each dwelling unit has attained certification prior to the issuance of a Residential Use Permit (RUP) for the applicable dwelling unit.

   B. **EarthCraft.** The Applicant must provide documentation to LDS and DPD that the residential building has been awarded certification in accordance with the EarthCraft House Program as demonstrated through documentation submitted to LDS and the
Environment and Development Review Branch of DPD prior to issuance of a RUP for the applicable dwelling unit.

C. The Applicant reserves the right to utilize an equivalent program in consultation with and approved by the Environmental and Development Review Branch of the DPD prior to the issuance of a RUP for the applicable dwelling unit.

16. **Landscape Planting Plan.** As part of the first and all subsequent plan submissions, the Applicant must include a landscape planting plan and specifications for review and approval by Urban Forest Management Division (UFMD). The landscape planting plan and specifications must incorporate sustainable landscape planting techniques designed to reduce maintenance requirements; and contribute to a cleaner and healthier environment with improved air quality, stormwater management, and resource conservation capabilities that can be provided by trees and other desirable vegetation.

- Reduce turf areas to minimize mowing operations and the resulting air pollution. Turf must be no more than (75) percent of the pervious area of the Property. Mulched planting beds incorporating groups of trees and other vegetation must be used to provide a root zone environment favorable for trees and other vegetation.
- Plant trees in common open space areas to contribute to energy conservation for buildings, as depicted in Plate 4-12 of the Public Facilities Manual.
- Provide a diverse selection of native and non-invasive plants to encourage native pollinators and reduce the need for supplemental watering, and the use of chemical fertilizers, herbicides and chemical control of harmful insects and disease.

The Applicant must submit a landscape plan that shows, at a minimum, landscaping as depicted on the FDPA, concurrently with the first submission, and all subsequent submissions, of the site plan for review and approval by the Urban Forest Management Division (UFMD), DPWES. All landscaping must be installed prior to the issuance of the first RUP/Non-RUP on the property, or as determined by UFMD for a particular project, but no later than bond release.

17. **Limits of Clearing and Grading:** The Applicant will conform to the limits of clearing and grading generally as shown on the FDPA, as may be modified by final engineering and the tree preservation walk-through. Allowances will also be made for the installation of utilities and/or trails as determined necessary by the Director of DPWES. 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 FDPA, they will be located in the least disruptive manner necessary as determined by the UFMD, DPWES.

18. **Tree Preservation:** The applicant will submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative must be prepared by a Certified Arborist or a Registered Consulting Arborist, and will be subject to the review and approval of UFMD. The tree preservation plan will include elements of Public Facilities Manual (PFM) 12-0309 deemed appropriate to the project site as determined by UFMD. Specific tree preservation measures must be clearly
identified, labeled, and detailed on the Erosion and Sediment Control sheets and the Tree Preservation Plan. Tree preservation measures may include, but are not limited to: root pruning, crown pruning, mulching, watering, etc. Tree preservation measures must be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

19. **Project Arborist/Pre-construction Meeting.** Prior to the pre-construction meeting the Applicant will have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant will retain the services of a Certified Arborist or Registered Consulting Arborist (Project Arborist) to attend the pre-construction meeting to review the limits of clearing and grading with an UFMD representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading. Such adjustments will be recorded by the Project Arborist and tree protection fencing will be implemented under the Project Arborist’s supervision based on these adjustments.

20. **Tree Protection Fencing.** The Applicant must provide appropriate tree protection devices, based on site conditions and proposed construction activities as reviewed and approved by UFMD. Tree protection fence must consist of four-foot-high welded wire attached to six-foot steel posts driven 18 inches into the ground and space no further than 10 feet apart; or super silt fence.

21. **Site Monitoring:** The Applicant’s Project Arborist will be present on site during implementation of the Phase 1 Erosion and Sediment Control Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of Phase 2 Erosion and Sediment Control Plan, the Project Arborist will visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by UFMD. Written reports will be submitted to UFMD and SDID site inspector detailing site visits. A monitoring schedule and Project Arborist reports will be described and detailed in the Tree Preservation Plan.

22. **Landscape Planting Pre-Installation Meeting:** Prior to installation of plants to meet requirements of the approved landscape plan, the Applicant will coordinate a pre-installation meeting on site with the landscape contractor and UFMD staff. Any proposed changes to the location of planting, size of trees/shrubs, and any proposed plant substitutions for species specified on the approved plan will be reviewed at this time and must be approved prior to planting. The installation of plants not specified on the approved plan, and not previously approved by UFMD, may require submission of a revision to the landscape plan or removal and replacement with approved material prior to bond release.

23. **Soil Remediation.** Soil in planting areas that contain construction debris and rubble, are compacted or are unsuitable for the establishment and long-term survival of landscape plants, will be the subject of remedial action to restore plantings areas to satisfy cultural requirements of trees, shrubs and ground covers specified in the landscape plantings plan.
The applicant will provide notes and details specifying how the soil will be restored for the establishment and long-term survival of landscape plants for review and approval by UFMD.

24. Invasive Plant Species Management: During the preconstruction meeting, the Applicant, in conjunction with the County Arborist, shall identify invasive plants that are on the subject property. The Applicant will coordinate with the site inspector for the removal of such identified invasive plants. The Applicant reserves the right to use hand tools, machines, and/or chemical means to remove the invasive plants, as determined to be appropriate by UFMD. Applicant acknowledges that trees identified on FDPA are not to be harmed in the removal activity.

25. Delineation of Property Boundaries between Common Open Space and Private Lots. Where private lots share boundaries with common open space in which trees have been preserved, the Applicant must mark all private lot corners with concrete posts or other marker approved by UFMD. Markers must rise 12 inches above grade so that the property lines of private lots adjacent to forested common open space are clearly and accurately delineated on the site. Posts must bear the initials HOA to clearly identify the boundary of the private lot and the common open space. Location of posts must be clearly shown and labeled on the Subdivision Plan.

26. Stormwater Management Facilities and Best Management Practices

Stormwater management (SWM) and Best Management Practices (BMPs) will be provided as generally depicted on the FDPA and as approved and determined to be adequate by LDS. The requirements for maintaining non-County maintained SWM/BMP improvements will be in a standard maintenance agreement between the County and the Applicant, its successor and assigns. This agreement will be recorded in the County land records and run with the land. Should future County policy permit all or part of the SWM/BMP facilities on the Property to be eligible for County Maintenance, then the Applicant or the successor association pursuant to Proffer 4 may request County maintenance for eligible facilities. The applicant reserves the right to pursue additional SWM/BMP measures, provided those measures are in substantial conformance with FDPA. Applicant also reserves the right to pursue Nutrient Credits to meet the water quality requirements in accordance with Section 124-4-5-B of the Fairfax County Stormwater Management Ordinance. Furthermore, the Applicant commits that at least 65% of the required phosphorus nutrient reductions will be achieved on-site. Prior to issuance of the first Residential Use Permit, the Applicant will produce an operation manual for the benefit of the HOA that will include a written description of the proper maintenance of the approved stormwater management system in accordance with the Fairfax County Public Facilities Manual.

III. CONTRIBUTIONS

27. Reserve Fund Contribution. At the time of the issuance of the residential use permit for each dwelling unit, the Applicant must contribute $1,000 for that unit into an HOA Reserve Fund to be utilized by the HOA for maintenance of common elements on the
property. The HOA Reserve Fund will be established by the Applicant at the time of the establishment of the HOA as required by Proffer 4. If the proposed development is annexed into an existing HOA instead as provided for in Proffer 4, then the reserve fund contribution will be made to that HOA’s reserve fund.

28. **Public Schools.** A contribution of $12,262 per projected student for the total number of units to be constructed, based on methodology for calculating the number of students anticipated for 6 single family detached dwellings as outlined by the Office of Facilities Planning Services, Fairfax County Public Schools, will be made to the Board of Supervisors for transfer to Fairfax County Public Schools (FCPS) and designated for capital improvements at the public schools serving the development. The contribution will be made at the time of, or prior to, the issuance of each Residential Use Permit. Following approval of this Application and prior to the Applicant’s payment of the amount set forth in this Proffer, if Fairfax County should increase the ratio of students per unit or the amount of the contribution per student, the Applicant will increase the amount of the contribution for that phase of development to reflect the then-current contribution. In addition, notification will be given to FCPS when construction is anticipated to commence to assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

29. **Recreational Facilities.**
Pursuant to Paragraph 2 of Sect. 6-110 and Paragraph 2 of Section 16-404, if a Letter of Intent for a User Agreement or a User Agreement has been executed which allows the future residents of the proposed development to utilize one or all of the recreational facilities located in the Newington Commons subdivision or if the subject property has been annexed into the Newington Commons subdivision, the Applicant will provide the funds necessary to improve the existing basketball court on the Newington Commons HOA property to include resurfacing and remarking the pavement and replacing a basketball hoop and a bench. The expenditure must be a minimum of $11,400 and the funds must be conveyed to the Newington Commons HOA prior to record plat approval. If this option is implemented, then the development option as shown on the FDPA without an on-site amenity will be the governing layout.

If the above off-site amenity scenario cannot be implemented, then pursuant to Paragraph 2 of Section 6-110 and Paragraph 1 of Section 16-404 of the Zoning Ordinance the Applicant will expend a minimum of $1,900 per dwelling unit (6 units) for on-site recreational facilities for the future residents of the Property. The specific facilities and amenities to be provided will be determined at the time of subdivision plan approval, but will be as generally shown on the FDPA. Prior to final bond release for the Property, the balance of any funds not expended on-site will be contributed to Fairfax County Park Authority (FCPA) for the provision of recreation facilities located in the service area for the Property based on consultation with the District Supervisor.

30. **Housing Trust Fund.** At the time of the first building permit issuance, the Applicant will contribute a sum equal to one-half of one percent (0.5%) of the projected sales price for each dwelling unit on the Property to the Fairfax County Housing Trust Fund, as determined by the Department of Housing and Community Development in consultation
with the Applicant to assist the County in its goal to provide affordable dwellings. The projected sales price will be based upon the aggregate sales price of all of the units, as if 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.

31. **Escalation.** All monetary contributions required by these proffers, with the exception of the proffer relating to the public school contribution, will escalate on a yearly basis from the base year of 2021, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the “CPI”), as permitted by Virginia State Code Section 15.2-2303.3.

**Successors and Assigns**

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

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

TITLE OWNERS AND APPLICANTS SIGNATURES TO FOLLOW ON THE NEXT PAGE:
Yoshi Holdings, LLC
Applicant/Title Owner of 98-3((14))B

BY:_____________________

Name: __________________

Title:______________________
FINAL DEVELOPMENT PLAN AMENDMENT CONDITIONS
FDPA 74-8-126

May 13, 2021

If it is the intent of the Planning Commission to approve FDPA 74-8-126 for residential development at Tax Map 98-3 ((14)) B, staff recommends that the approval be conditioned by requiring conformance with the following development plan conditions.


2. In order to clearly demarcate the boundary between Open Space Parcel “A” and Lots 3 and 4, the applicant will install a decorative fence along the southern boundary of Open Space Parcel “A” abutting Lots 3 and 4. The design of the decorative fence will be determined prior to record plat approval, in consultation with the Environmental and Development Review Branch of the Planning Division in the Department of Planning and Development.

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

Southern Oaks Reserve
PCA Application
Yoshi Holdings, LLC
October 8, 2020
April 28, 2021

Introduction/Background

This Proffer Condition Amendment (PCA) application is filed on behalf of Yoshi Holdings, LLC (the “Applicant”) on property identified as Tax Map 98-3((14))B, (the “Property”). The purpose of the application is to amend the governing proffers and development plan associated with RZ 74-8-126, approved in 1975 concurrently with RZ 74-8-125 to allow development of the Property with single family detached dwellings.

A zoning determination was issued on July 17, 2020 which concluded that a partial PCA (and FDPA) could be filed on the Property to request development of additional dwellings without causing an adverse density impact on the remainder of the land rezoned pursuant to RZ 74-8-126. A copy of this determination is attached as Attachment 1.

The undeveloped Property contains 2.65 acres and is located on the south side of Southern Oaks Place and the east side of Hooes Road. It is bordered on the south and east by property zoned PDH-3, owned by the Fairfax County Park Authority via conveyance by the Newington Commons development. It is bordered on the north by property zoned PDH-3 and developed with single family attached dwellings and property zoned R-1 and developed with a single family detached dwelling. It is bordered on the west, across Hooes Road, by property zoned R-1 and developed with single family detached dwellings.

Description of the Conceptual/Final Development Plan

As shown on the FDPA, prepared by Urban Engineering, six (6) single family detached dwellings are proposed on the Property. All of the dwellings will access directly off of Southern Oaks Place. It is noted that Southern Oaks Place has only one other road which intersects it, Southern Oaks Court, across from the Property. This provides access for the Southern Oaks townhouse community. Southern Oaks Place ends in a cul-de-sac just east of the Property. A minimum of four (4) parking spaces are provided for each unit, two in the garage and four+ in the driveway for a total minimum of 36 spaces. Twelve (12) parking spaces are required per the Zoning Ordinance.

An open space area, intended to provide passive activities, is provided to the rear of Lots 1 and 2. The amenity area is accessed from the proposed sidewalk along Southern Oaks Place. The plan contains an option whereby this amenity is not provided and the future residents of the development have the ability to utilize some of the recreational amenities in the Newington Commons subdivision. This option is outlined in the proffers. There are additional open space areas provided on the property which contain tree save areas. The proposed amount of open space, tree preservation and tree canopy
meets or exceeds the Zoning Ordinance requirement.

Stormwater management water quantity requirements will be met by the installation of an underground vault located along Southern Oaks Place in front of Lot 3 and 4. The proposed development will utilize a combination of on-site measures to satisfy water quality requirements and off-site nutrient credits.

**Conformance with the Comprehensive Plan**

The Property is located in the P7, Burke Lake Community Planning Sector in the Pohick Planning District. Language in the Plan references the entire area east of Hooes Road and south of Pohick Road as planned for residential use at 2 to 3 dwelling units per acre. This density and use is also reflected on the Comprehensive Plan map. The proposed density of 2.26 dwelling units per acre which is at the low of this planned density.

**Compliance with Residential Development Criteria**

For the reasons stated below, the applications comply with the applicable Residential Development Criteria contained in Appendix 9 of the Land Use Element of the Policy Plan. Specific compliance with the Criteria is as follows:

**Site Design**

**Consolidation.** The applications include the only available undeveloped land.

**Layout.** Given the elongated and narrow shape of the property, the proposed layout provides a logical arrangement of lots, at the recommended density of 2 to 3 dwelling units per acre.

**Open Space.** As stated, the proposed development provides the required amount of open space.

**Landscaping.** The plan proposes landscaping throughout the site to supplement tree save and buffer areas as well as beautify the streetscape and site frontage.

**Amenities.** Amenities will either be provided on or off-site as described in this statement.

**Neighborhood Context**

The proposed dwelling type and density are compatible with the developed communities which surround the Property.

**Environment**

**Preservation:** A tree preservation area is shown in the northwest area and in the southern area of the Property.
Slopes and Soils: The Property slopes upward from north to south. Retaining walls are shown in the southern portion of the Property. Soils are buildable.

Water Quality and Drainage: Stormwater detention is being handled via the aforementioned underground facility. The facility will be reviewed by the County for compliance with applicable regulations. Water quality measures will be evaluated at site plan.

Noise, Lighting: The addition of these six homes should not create a noise or lighting issue for the existing residences in the area.

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

Tree Preservation and Tree Cover Requirements.

The tree canopy and tree preservation requirements are met on the site.

Transportation.

Safe access for the development is proposed from a public road.

Public Facilities.

Through proffers, the Applicant will commit to addressing impacts on public schools in accordance with the criteria and methodology adopted by the Board of Supervisors.

Affordable Housing.

At six single family dwelling units, the project is exempt from the Affordable Housing requirements. A commitment to provide a per unit contribution to the Affordable Housing Trust Fund will be provided in the proffers.

Heritage Resources

To the Applicant’s knowledge, there are no significant heritage resources on the Property.

COMPLIANCE WITH ZONING ORDINANCE STANDARDS

Section 16-101 General Standards

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

As previously stated, the proposed development density and use conform to that envisioned for the
area in the Comprehensive Plan.

**General Standard 2** states that the planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.

The Property is already zoned PDH-3. Retaining this zoning results in the preservation of more open space and trees than could be achieved with a conventional zoning district.

**General Standard 3** states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.

As stated, the use of the planned district designation allows the preservation of trees on the Property in open space.

**General Standard 4** states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan.

All surrounding parcels are developed. The proposed development is compatible with the surrounding communities.

**General Standard 5** states that the planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently developed.

Adequate public facilities are available and the applicant will proffer funds to offset potential impacts to area schools and parks.

**General Standard 6** states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

Appropriate and safe connections are made to the surrounding street network and internally within the development.

**Section 16-102 Design Standards**

**Design Standard 1** states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.
The most similar conventional zoning district to the applicant’s proposal is the R-3 (Cluster) District. Open space is shown along all peripheral boundaries with the exception of South Oaks Place.

*Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.*

This application meets or exceeds all of the stated regulations.

*Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.*

The dimensions of streets have been designed to conform to County standards.

**CONCLUSION**

The proposal is aligned with Policy B of Objective 14 contained in the Land Use section of the Policy Plan which states that infill development in established areas that is compatible with existing and/or planned land use, that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems should be encouraged. To the Applicant’s knowledge, there are no hazardous or toxic substances stored currently or will be stored on the Property. This application also conforms to the provisions of all applicable ordinances, regulations and adopted standards and thus, we respectfully request approval of this application.
DATE:        April 20, 2021

TO: Wanda Suder, Staff Coordinator
    Zoning Evaluation Division
    Department of Planning and Zoning

FROM: Jo Ellen Groves, Paralegal
      Office of the County Attorney

SUBJECT: Affidavit
         Application No.: PCA 74-8-126/FDPA 74-8-126
         Applicant: Yoshi Holdings, LLC
         PC Hearing Date: 5/26/21
         BOS Hearing Date: Not yet scheduled.

REF.: 159810

Attached is an affidavit which has been approved by the Office of the County Attorney for the referenced case. Please include this affidavit dated 4/19/21, which bears my initials and is numbered 159810a, when you prepare the staff report.

Thank you for your cooperation.

Attachment
cc: (w/attach) Julia Nichols, Planning Technician I (Sent via e-mail)
    Zoning Evaluation Division
    Department of Planning and Zoning
REZONING AFFIDAVIT

DATE: April 19, 2021

I, Gregory A. Riegle, do hereby state that I am an applicant's authorized agent listed in Par. 1(a) below.

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

in Application No.(s): PCA 74-8-126 / FDP A 74-8-124

(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)

Yoshi Holdings, LLC
Agent: Clarsha Y. Frederick
3225 McLeod Drive, Suite 100
Las Vegas, NV 89121
Applicant/Title Owner of Tax Map 98-3 ((14)) B

Urban Engineering & Associates, Inc. t/a Urban, Ltd.
Agent: David T. McElhaney
7712 Little River Turnpike
Amandale, VA 22003
Engineer/Agent

McGuireWoods LLP
Agents: Scott E. Adams
Steven M. Mikulic
Jonathan P. Rak
Gregory A. Riegle
Matthew J. Weinstein
Sheri L. Akin
Lori R. Greenlief
Michael D. Van Atta
1750 Tysons Boulevard, Suite 1800
Tysons, VA 22102
Attorney/Agent for Applicant
Attorney/Agent
Attorney/Agent
Attorney/Agent
Planner/Agent
Planner/Agent

(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).

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: April 19, 2021
(enter date affidavit is notarized)

for Application No. (s): PCA 74-8-126 / [FDOA 74-8-126]
(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)
Yoshi Holdings, LLC
3225 McLeod Drive, Suite 100
Las Vegas, NV 89121

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

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)
Clarsha Y. Frederick, sole member/manager

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

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

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

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: April 19, 2021

for Application No. (s): PCA 74-8-126

NAME & ADDRESS OF CORPORATION: Urban Engineering & Associates, Inc. t/a Urban, Ltd.
7712 Little River Turnpike
Annandale, VA 22003

DESCRIPTION OF CORPORATION: There are 10 or less shareholders, and all of the shareholders are listed below.

NAMES OF THE SHAREHOLDER: J. Edgar Sears, Jr.
Brian A. Sears

NAMES OF OFFICERS & DIRECTORS: 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.

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: 

(enter date affidavit is notarized)

for Application No. (s): 

(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, VA 22102

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

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

Equity Partners of McGuireWoods LLP

Adams, John D.
Allen, Joel S.
Anderson, Arthur E., II
Anderson, James M., III
Anderson, Mark E.
Atty, Lisa A.
Austin, Bradley S.
Bancroft, Josiah A.
Barger, Brian D.
Barrett, John M.
Beldner, Sabrina A.
Bell, Craig D.
Bilik, R. E.
Bittman, Robert J.
Blank, Jonathan T.
Blydenburgh, Candace A.
Boardman, J. K.
Brackett, Alexander J.

Brantley, Bryan C.
Brooker, Jeffrey D.
Brooks, Edwin E.
Brose, R. C.
Browning, Jeffrey K.
Buckley, Holly (nmi)
Burk, Eric L.
Butcher, Peter C
Bylica, Brian P.
Callehan, Timothy P.

(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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(c)

DATE: April 19, 2021

for Application No. (s): RZA 94-8-13-6 | FDP 94-8-9-12-6

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, VA 22102

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

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

- Carna, Anthony J.
- Cason, Alan C.
- Chaffin, Rebecca S.
- Chapman, Jeffrey J.
- Clark, Jeffrey C.
- Cockrell, Geoffrey C.
- Collins, Darren W.
- Cook, Jason W.
- Cowley, Jason H.
- Cramer, Robert W.
- Cromwell, Richard J.
- Croteau, Anne E.
- Cullinane, Lee (nmi)
- Daglio, Michael R.
- De Ridder, Patrick A.
- DeLuca, Katherine K.
- deVyver, Kristopher I.
- Dossa, Mehboob R.
- Dressel, Todd J.
- Egan, Christina M.
- Ensing, Donald A.
- Evans, Gregory L.
- Ewing, James W.
- Farley, Peter N.
- Farrell, Thomas M.
- Finger, Jon W.
- Finkelson, David E.
- Fitzgerald, Matthew A.
- Flannery, Diane P.
- Foley, Douglas M.
- Franchina, David A.
- Frank, Hannah T.
- Fratkin, Bryan A.
- Freedlander, Mark E.
- French, Taylor W.
- Fuhr, Joy C.
- Gambill, Michael A.
- Goldsamt, Seth T.
- Gopalan, Rakesh (nmi)
- Goydan, William E.
- Grant, Richard S.
- Green, Joshua K.
- Greene, Adam J.
- Greene, Christopher K.
- Greenspan, David L.
- Greenstein, Louis D.
- Grieb, John T.
- Griset, Jill C.
- Haas, Cheryl L.
- Hager, Kristen F.
- Hampton, Charles B.
- Hardey, Kate W.
- Harmon, Jonathan P.
- Harmon, T. C.
- Hatch, Benjamin L.
- Hayes, Dion W.
- Hedrick, James T., Jr.
- Herring, Michael N.
- Hilton, Robert C.
- Holladay-Tobias, Sara F.
- Horne, Patrick T.
- Hornyk, David J.
- Hosmer, Patricia F.
- Howard, Justin D.
- Hsu, Yuan-Ying
- Jaber, Makram B.
- Jackson, J. B.
- Justus, J. B.
- Kahn, Brian A.
- Kane, Matthew C.
- Kannensohn, Kimberly J.
- Katsantonis, Joanne (nmi)

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

*FORM RZA-I Updated (7/1/06)

Information added.
Rezoning Attachment to Par. 1(c)

DATE: April 19, 2021

for Application No. (s): RCA 74-8-126/EDPA 74-8-126

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

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

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

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

Keeler, Steven J.
Keene, D. B.
Kelly, Brian J.
Kelly, Noreen A.
Kilpatrick, Gregory R.
Kinghorn, Mark W.
Kobayashi, Naho (nmi)
Konia, Charles A.
Kromkowksi, Mark A.
Kutrow, Bradley R.
La Fratta, Mark J.
Lamb, Douglas E.
Lapp, David R.
Lawson, Jodie H.
Lias-Booker, Ava E.
Link, Vishwa B.
Little, Nancy R.
Lukitsch, Bethany G.
Maddock, John H., III
Madriz, Yasser A.
Manning, Amy B.
Marcuss, Elena D.
Marshall, Harrison L., Jr.
Martin, Ceci E., III
Martinez, Peter W.
Mathews, Eugene E., III
McColough, Aaron G.
McCormick, Durham C., Jr.
McDonald, John G.
McFarland, Robert W.
McGinnis, Kevin A.
McIntyre, Charles W.
Mckinnon, Michele A.
McLean, David P.
McNab, S. K.
McRill, Emery B.
Mensi, Dennis W.
Michalik, Christopher M.
Miles, Perry W., IV
Milianti, Peter A.
Monsour, Matthew D.
Muckenfuss, Robert A.
Mullins, Patrick T.
Nahal, Hardeep S.
Namazie, Hamid R.
Natarajan, Rajsekar (nmi)
Neale, James F.
Neighbors, Kenneth M.
Nesbit, Christopher S.
Newberg, Brad R.
Noble, Kenneth E.
Older, Stephen E.
Oostdyk, Scott C.
Opitz PC, Justin R.
Padgett, John D.
Perzek, Philip J.
Peyton, Daniel L.
Phillips, Michael R.
Pilnick, David J.
Powell, David C.
Pumphrey, Brian E.
Rak, Jonathan P.
Reid, Joseph K., III
Riegel, Gregory A.
Riopelle, Brian C.
Ritchie, Steven D.
Roberts, Manley W.
Rothschild, Jeffrey L.
Rowan, J.P.
Rusher, Mary Nash K.
Russo, Angelo M.
Rust, Dana L.
Sanderson, William I.
Satterwhite, Rodney A.
Scheurer, Philip C.

(check if applicable) [✓] There is more partnership information and Par. 1(c) is continued further on a “Rezoning Attachment to Par. 1(c)” form.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(e)

DATE: April 19, 2021

for Application No. (s): PCA 74-8-126 / FDOA 74-8-126

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, VA 22102

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

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

Sethi, Akash D.
Shaw, Jarrod D.
Southerling, E. Andrew
Spitz, Joel H.
Spitzer, Mark A.
Stallings, Thomas J.
Steaman, Jennifer J.
Steen, Bruce M.
Steggerda, Todd R.
Stone, Jacquelyn E.
Swett, Brian I.
Symons, Noel H.
Szabad Skilken, Melissa
Szurey, Peter S.
Tarry, Samuel L., Jr.
Taylor, R. T.
Thanner, Christopher J.
Thomas, Gerald V., II
Timmermans, Elizabeth
Zwickert
Townshend, Gretchen E.

Tsye, G. W.
Vance, Robin C.
Van-Houtan, Tyler T.
Vaughn, Scott P.
Viola, Richard W.
Viscosity Law Corporation, John R.*
Walker, Barton C.
Walker, John T., IV
Walker, W. K., Jr.
Walsh, Amber M.
Westwood, Scott E.
Whelpley, David B., Jr.
White, Harry R., III
Wilburn, John D.
Wood, Allison D.
Woodard, Michael B.
Yilma, Gerum (nmi)
Zacharias, Penny E.
Zahn, Thomas E.
Zielinski, Sarah A.

*Does not own 10% or more of McGuireWoods LLP

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

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: April 19, 2021
(enter date affidavit is notarized)

for Application No. (s): PCA 74-8-126 (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.

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: April 19, 2021
(enter date affidavit is notarized)

for Application No. (s): PCA 74-8-126 (FDPA 74-8-126)
(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.)

NONE

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

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

[ ] Applicant
[✓] Applicant’s Authorized Agent

Gregory A. Riegle, Attorney/Agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 19th day of April 2021, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires:

FORM RZA-1 Updated (7/1/06)
DATE: April 26, 2021

TO: Tracy D. Strunk, AICP, Director
Zoning Evaluation Division, DPD

FROM: Joseph C. Gorney, AICP, Senior Environmental Planner
Environment and Development Review Branch, Planning Division, DPD

SUBJECT: Comprehensive Plan Environmental Analysis:
PCA/FDPA 74-8-126, Yoshi Holdings, LLC

The memorandum, prepared by Ellen Alster, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the above referenced application along with the Proffered Condition Amendment (PCA) and Final Development Plan Amendment (FDPA) dated September 14, 2020 as revised through March 31, 2021. The extent to which the proposed use, intensity, and development plan are consistent with the 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 conformance with Plan policies.

DESCRIPTION OF THE APPLICATION

The Applicant, Yoshi Holdings, LLC, is requesting a Proffered Condition Amendment (PCA) and Final Development Plan Amendment (FDPA) to amend the governing proffers and development plan associated with RZ 74-8-126, approved in 1975, to allow development of the property with six (6) single-family detached dwelling units on a 2.65 acre parcel at a density of 2.26 dwelling units (du)/acre within the Southern Oaks Reserve Development. The property is located on Tax Map Parcels 98-3 ((14)) B and is zoned PDH-3 (Planned Development Housing District) within the P-7 Burke Lake Community Planning Sector, Pohick Community Planning District, and Area III of the Comprehensive Plan.

EXISTING CONDITIONS

The 2.65-acre wooded property is located within the Pohick Creek Watershed. The parcel is long, narrow, and trapezoidal and extends 620 feet along most of the southern side of Southern Oaks Place, which terminates just beyond the eastern property boundary in a cul-de-sac. The subject property sits at a relatively high position compared to the surrounding area, resting
fifteen feet above Southern Oaks Place. Two linear clusters of existing three-level townhomes are located near the eastern end of the cul-de-sac and on the northern side of Southern Oaks Place. Directly across from the subject property, on the northern side of Southern Oaks Place, is a wooded common area owned by the Southern Oaks Homeowners Association. South of the property is a 115-foot wide VEPCO transmission line easement. South and east of the property is Newington Commons Park, which is owned by the Fairfax County Park Authority. Newington Commons Park links to the South Run Stream Valley Trail, which terminates four miles west of the site at Burke Lake Park.

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Particular emphasis is given to opportunities provided by this application to conserve and enhance the County’s natural amenities. Analysis of this application addresses the overall final development plan amendment and proffered commitments for the subject property.

Tree Preservation

The Pohick Planning District has one of the largest areas of wildlife habitats in the County. Per the Comprehensive Plan, a major objective for this district is the preservation of the existing semi-rural, treed character of residential areas. Objective #10 of the Environment element of the Policy Plan also promotes the preservation and restoration of tree cover on developed and developing sites. The existing vegetation map on Sheet 7 of the plan set reports that 2.51 acres of the 2.65 acres (95% of the site) is forested with native tree species that include tulip poplar, Virginia pine, red maple, white oak, American beech, mockernut hickory, sassafras, and American holly.

Staff acknowledges the applicant’s effort in increasing tree preservation with each submittal; the most recent plans show 26% of the existing trees as preserved. Most importantly, the applicant would be preserving existing trees in key locations. Significant tree preservation areas are located at the eastern and western ends of the property, providing important buffering between the development and Hooes Road on the west and the existing townhomes on the east.

Retaining walls up to 9 feet in height, located to the rear of Lots 1 through 4, are proposed to achieve the current amount of tree preservation. Beyond the retaining walls, 3:1 slopes would be required to meet existing grade. Sheet 8 of the plan set includes a note on the property to the south, owned by the Fairfax County Park Authority, which states: “Limits of clearing and grading can be expanded in this area if approved by the FCPA.” It is unknown whether the FCPA would agree to disturbance on their property within the area of the VEPCO easement. The current plan depicts new trees to be planted along the rear property boundary to buffer the property from the overhead transmission line on the park property.

The recent submittal depicts an amenity park area to the rear of Lot 1. Staff has several concerns regarding the location of the proposed facility and recommends an alternative, more centrally located, offsite facility, which would allow both additional tree preservation and the provision of
an improved park amenity. In the current location, the community amenity space appears private, hidden behind Lot 1, and requires several sets of stairs for access. Based on the proposed grading shown on Sheet 9, the elevation of this area appears to be thirteen feet above the finished floor elevation of Lot 1, so that amenity space users would be able to look directly into Lot 1. Sheets 8 and 9 indicate a maximum retaining wall height of approximately nine feet. The retaining walls in this location appear four feet higher, at thirteen feet. While Detail #5 on Sheet 5 shows a railing atop the retaining wall for safety, the section on Sheet 10A does not.

Staff recommends that the applicant coordinate with the appropriate homeowner associations to provide an amenity space elsewhere within the community. It is recommended that this amenity be located within walking distance of the six residences. Because future residents would have their own yards, it would be likely that residents would grill/picnic in these private yards rather than the proposed amenity area. Locating the recreational amenity offsite would also provide a meaningful recreational amenity, available to more users.

**Landscaping**

Objectives 1 and 2 of the Environment element of the Policy Plan refers to sustainable landscape practices that benefit both air and water quality. These objectives encourage planting native species of trees, shrubs, and other vegetation to minimize the need for mowing and other maintenance activities, including the application of chemical herbicides, pesticides, and fertilizers.

Proffer #14 addresses these Plan objectives. It states that turf areas will be minimized to minimize mowing and air pollution, while incorporating mulched planting beds of trees and other vegetation to provide a root zone environment favorable for trees and other vegetation. It also says that landscaping will include “a diverse selection of native and non-invasive plants to encourage native pollinators and reduce the need for supplemental watering, and the use of chemical fertilizers, herbicides and chemical control of harmful insects and disease.”

While staff commends the applicant’s inclusion of sustainable landscape practices in Proffer #14, it falls short in these key areas:

- **Turf quantity** - While Proffer #14 says that turf will be minimized, it allows turf to comprise up to 75% of the pervious area of the site. Staff recommends that turf be limited to the six individual residential sites.
- **Restoration of disturbed areas** - The applicant has not indicated how graded areas adjacent to the tree save areas will be restored. Staff recommends that these be landscaped using natural landscaping techniques with the goal of restoring these areas to blend with the tree preservation areas. Restoration measures could include a specified number of tree seedlings planted in 5-foot tubes, to prevent deer browse and to prevent seedlings from being overtaken by invasive species; regular maintenance of planting tubes; replacement plantings, as needed; invasive species management for newly seeded areas and tree preservation areas; and erosion control measures on slopes. Replanting and restoration assistance can also be obtained from
the Northern Virginia Soil and Water Conservation District. Once these areas are established, they have the added benefit of requiring minimal maintenance from the HOA.

It should also be noted that the landscape plan on Sheet L9 shows new streetscape plantings. A total of 17 trees are proposed along lot frontages, along with shrub plantings. These plantings would help to fulfill the Plan objective of preserving the existing “semi-rural, treed suburban character of residential areas in the Pohick watershed (page 3).” Proffer #9 says that “As part of the recording of the Record Plat, the Applicant will create a landscaping maintenance easement along the frontages of all lot adjacent to Southern Oak Place in the location shown on the CDP/FDP. The purpose of this easement will be to allow the homeowner’s association to maintain the vegetation planted in the easement.” Staff requests these changes:

- The landscape easement was not included in the most recent plans submitted. Staff recommends that the plan depict the easement as mentioned in this proffer.
- Staff asks that additional wording be added stating that the homeowner may not remove the landscaping in the landscape easement.

Stormwater Management

The site is located within the Pohick Creek watershed, which drains into the Occoquan Reservoir. Protecting water quality is of high importance. Objective 2 of the Environment element of the Policy Plan asks that “Development proposals implement best management practices to reduce runoff pollution and other impacts.” These practices include minimizing the area of impervious surfaces, preserving trees and open space, minimizing clearing and grading to preserve open space, and including low impact design measures, such as bioswales and rain gardens.

In regard to stormwater quantity, the plan proposes an underground stormwater vault north of Lots 3 and 4, which would collect stormwater runoff generated by this development. Sheet 12 depicts an existing concentrated outfall (Study Point “A”) on Parcel A. From the outfall, stormwater enters a pipe under Southern Oaks Place, which empties into a wooded common area and an existing dry pond owned by the Southern Oaks Homeowners Association (HOA) north of the subject property. The dry pond then outfalls into an existing natural channel that flows into the South Run floodplain.

The current plans are unclear as to how much stormwater the vault would detain. The Preliminary Stormwater Narrative on Sheet 12 states that the stormwater vault would “reduce the 1 year, 2 year, and 10 year post developed peak runoff rates to below the peak runoff rates for the site in the good forested condition.” However, on Sheet 13 the Preliminary Outfall Narrative states that “The potential vault facility 1 is proposed to outfall at “A” and is proposed to detain the 1-year storm...” The applicant is asked to clarify the size storm that the future vault is intended to detain.
The applicant states that water quality requirements would be met through the use of low impact development measures and/or manufactured devices, such as a “jellyfish” filter or Stormtech isolator rows. The applicant is proposing the treatment of 65% of the phosphorous load onsite.

Staff defers to Site Development and Inspections Division (SDID) as to whether stormwater runoff is sufficiently addressed per technical standards. However, staff raises logistical concerns regarding the underground stormwater vault, shown on Open Space, Parcel “A.” This open space is likely to be perceived as belonging to Lots 3 and 4. Staff notes that driveways across Parcel “A” function as access easements to these properties. Future purchasers would need to be advised that this area is within a common area and that restrictions on landscaping and other site improvements exist. Lack of adherence could potentially cause impacts to the facility with possible flooding and damage to surrounding properties.

Staff offers the following recommendations to make community residents aware of the common area:

- Decorative front yard fencing could be installed at the boundary of the lots and Parcel A. The fencing could relate to the homes’ architectural character and provide desirable private or semi-private front yard space.
- A pollinator meadow could be installed over the underground vaults, which could be of a character compatible with the other landscaping in the community.
- An informative sign could be installed, making residents aware that the area contains underground stormwater vaults and informing them of its function.

Green Building Practices

Objective 13 of the Environment element of the Policy Plan addresses Green Building practices. In Proffer #13, the applicant proposes commitments to Green Building certification for the proposed development through the National Green Building Standard (NGBS) using the Energy Star® Qualified Homes path for energy performance or through the EarthCraft House program. Staff finds that the proposed commitment meets this Plan objective.

Electric Vehicle Charging

Objective 13 of the Environment element of the Policy Plan encourages the provision of electric vehicle charging facilities, particularly in residential developments. Staff recommends that the applicant offer future residents the option of installing electric vehicle charging facilities within garages as a purchase option.

CONCLUSION

Staff finds the proposed PCA/FDPA generally in conformance with Comprehensive Plan guidance regarding environmental resources. The following recommendations are offered to address identified concerns:
• Relocate the park amenity space offsite - This would allow additional tree preservation onsite and the provision of a community amenity offsite, which might better serve community residents.
• Limit the amount of turf - Staff recommends that turf areas be limited to private residential lots and only where necessary within common areas.
• Clarify provisions regarding streetscapes – Staff recommends that additional wording be adding to Proffer #9 that prohibits homeowners from removing landscaping in the Landscape Maintenance Easement. Staff also requests that the landscape easement be shown on the plan (currently it is not).
• Restore disturbed areas – Staff recommends that all disturbed areas within common areas be restored to native woodland through the use of natural landscaping techniques.
• Clarify the size/magnitude of the storm that the underground vault is intended to detain and make this consistent on Sheets 12 and 13.
• Add additional design measures to ensure that Open Space Parcel “A” is not perceived as part of Lots 3 and 4.– Provisions should be made to ensure that future purchasers of Lots 3 and 4 are aware that Open Space Parcel “A” is a common open space and not part of their front yards. This would help ensure that the integrity of the area is not compromised by initial and future property owners.
• Offer Electric Vehicle Charging – Staff recommends that initial purchasers be offered an option for the installation of electric vehicle charging facilities within garages.

**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:

**Fairfax County Comprehensive Plan, 2017 Edition, Area III, Pohick Planning District, Overview, Amended through November 20, 2018.**

*(Page 3)*

*“MAJOR OBJECTIVES”*

*The primary planning objectives in the Pohick Planning District are the following:*

- Protect the Occoquan Reservoir and South Run watersheds;
- Preserve stable residential areas through infill development of a character and intensity/density that is compatible with existing residential areas;
- Protect the Pohick Creek watershed and its tributaries, the Sideburn and Rabbit Branches; and
- Preserve the existing semi-rural, treed suburban character of residential areas in the Pohick watershed."

*(Pages 5-10)*

*“Environment*
The Pohick Planning District contains much of the wildlife habitat and rural landscape that remains in Fairfax County. Past actions taken by the governing body to protect water quality in the Occoquan Reservoir by restricting development to very low densities will help to perpetuate this character.

The portion of the District that does not drain into the reservoir is also environmentally significant. The South Run Stream Valley in the Burke Lake Community Planning Sector retains an attractive stream valley and remnants of a climax successional stage oak-beech forest. Burke Lake is an irreplaceable water resource for Northern Virginia. The lake supports the only population of muskellunge game fish in Northern Virginia. Good water quality in the lake is protected in part by land use policies that encourage low densities in the drainage area for Burke Lake and encourage clustering and environmentally-sound subdivision design principles in the remainder of the watershed. Despite these policies, the rate of siltation in the area increased in the 1980s. Nonpoint source pollution from development remains a threat to the viability of this natural resource.

Environmental policies for these two areas are slightly different than for other areas of the county in recognition of the fact that the areas are themselves different, with different environmental issues and concerns. Preservation policies are most suitable for the Occoquan Reservoir watershed. Both preservation and mitigation policies should be followed in the remainder of the district.

Land use controls have been used effectively throughout this district to maintain high water quality standards. Low densities, limited expansion of public facilities, and development designs that encourage preservation of water features and other sensitive lands will contribute to water quality protection. A land use approach to maintaining water quality should be continued and broadened throughout the district. The following guidelines are suggested to achieve this objective:

- Maintain very low density development in the portions of the district that drain into the Occoquan Reservoir and in the area above Burke Lake;
- Provide for the regional stormwater management ponds according to the Regional Stormwater Management Plan. Discourage the use of on-site stormwater management techniques in lieu of regional alternatives. In headwaters areas with suitable soils, infiltration techniques may be appropriate; and
- Encourage cluster development at planned densities in the stream valley headwaters and in the Occoquan Reservoir watershed.

The Pohick Planning District remains one of the largest areas of wildlife habitat in the county. Unlike other areas, the possibility exists for this district to support an ecosystem that would include carnivores at the top of the food chain that need a large range in order to survive. Low density development goes far in maintaining this habitat; however, more controls may become necessary as the rest of the county continues to accommodate more people. Environmental Quality Corridor (EQC) boundaries should be defined and preserved not only to

protect water quality, but for the preservation of valuable habitat.”

(Page 82-84)

“P7 BURKE LAKE COMMUNITY PLANNING SECTOR

CHARACTER

The Burke Lake Community Planning Sector is generally bounded by the Fairfax County Parkway (Route 286) to the north, Fairfax County Park Authority property to the east, Silverbrook Road to the south and Ox Road (Route 123) to the west.

This planning sector contains most of the South Run segment of the Pohick watershed. There is extensive parkland related to the South Run Watershed found in this planning sector. Parks includes Burke Lake & Golf Course, South Run District, Lake Mercer, Newington Heights, and South Run Stream Valley. Much of the remainder of the area is developed with single-family detached houses and townhouses. Complementary public facilities and institutional uses to serve area residents are also located in this sector.

Potentially significant prehistoric archaeological sites have been located in this sector east of Lee Chapel Road in the South Run watershed. Other sites can be expected there and to the west of Lee Chapel Road. The relatively low density development in this sector means that significant undisturbed heritage resources can be expected. Silverbrook United Methodist Church is listed in the Fairfax County Inventory of Historic Sites, Virginia Landmarks Register and the National Register of Historic Places. A list and map of heritage resources are included in the Pohick Planning District Overview section, Figures 4 and 5. Additional historic sites in this sector are also included in the inventory.

CONCEPT FOR FUTURE DEVELOPMENT

This sector consists of Low Density Residential Areas and Suburban Neighborhoods.

RECOMMENDATIONS

Land Use

The Burke Lake Sector consists largely of stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

The South Run watershed is dominated by three major parks, recreational and open space uses: the Burke Lake Park, the South Run District Park and the Lake Mercer (Recreation Lake) Park. Any development within this watershed should be managed to preserve the quality and value of these facilities. The two largest facilities are primarily recreational, which makes it necessary to control runoff and water quality and protect the vegetation and selected topographical features. The following specific recommendations indicate planned density ranges
and development restrictions that will enable the county to realize environmental protection and density transition objectives in the South Run watershed.

Figure 32 indicates the geographic location of land use recommendations for this sector. Where recommendations are not shown on the General Locator Map, it is so noted.

1. Segment between Hooes Road, Pohick Road, and the District of Columbia Department of Corrections Facility. This segment is dominated by the over 700-acre Newington Forest development. The majority of this area is planned for residential use at 2-3 dwelling units per acre. The Chapel Acres subdivision is planned for 1-2 dwelling units per acre. Development coordination and consolidation of parcels where appropriate to allow preservation of environmental features and good internal traffic circulation is a condition for approval of densities above the low-end of the Plan density range as shown on the Plan map."

(Pages 3-4)

“Objective 1:  Preserve and improve air quality.

Policy c. Support air quality improvement through tree preservation, tree planting and sensitive landscaping practices. Support and encourage the following during the reviews of development proposals:

- Maximization of tree preservation consistent with planned land use and good silvicultural practices.
- Maximization of tree planting/tree cover restoration consistent with planned land use and good silvicultural practices.
- Pursuit of energy-conscious landscaping efforts such as the planting of trees to provide shading of buildings during the summer months.
- Preservation and/or planting of trees to shade parking lots, thereby reducing heating of parked vehicles and associated evaporative emissions.
- Planting of street trees within road medians and along thoroughfares where consistent with safety.
- Pursuit of landscaping practices that optimize the planting of native species of trees, shrubs and other vegetation in a manner that minimizes the need for mowing and other maintenance activities, particularly during the hotter months of the year.
- Minimization of applications of pesticides with reactive VOC content through integrated pest management approaches to pest control.”

(Pages 7-9)

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

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

Policy b. Update BMP requirements as newer, more effective strategies become available.

Policy c. Minimize the application of fertilizers, pesticides, and herbicides to lawns and landscaped areas through, among other tools, the development, implementation and monitoring of integrated pest, vegetation and nutrient management plans.
Policy e. Update erosion and sediment regulations and enforcement procedures as new technology becomes available. Minimization and phasing of clearing and grading are the preferred means of limiting erosion during construction.

Policy f. Where practical and feasible, retrofit older stormwater management facilities to perform water quality functions to better protect downstream areas from degradation.

Policy g. Monitor the performance of BMPs.

Policy h. Protect water resources by maintaining high standards for discharges from point sources.

Policy i. Monitor Fairfax County's surface and groundwater resources.

Policy j. Regulate land use activities to protect surface and groundwater resources.

Policy k. For new development and redevelopment, apply 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.
- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land.

Policy e. Update erosion and sediment regulations and enforcement procedures as new technology becomes available. Minimization and phasing of clearing and grading are the preferred means of limiting erosion during construction.

Policy f. Where practical and feasible, retrofit older stormwater management facilities to perform water quality functions to better protect downstream areas from degradation.

Policy g. Monitor the performance of BMPs.
Policy h. Protect water resources by maintaining high standards for discharges from point sources.

Policy i. Monitor Fairfax County's surface and groundwater resources.

Policy j. Regulate land use activities to protect surface and groundwater resources.

Policy k. For new development and redevelopment, apply 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.
- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land.

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

(Pages 20-22)

“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.
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;
- 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.

**Policy d.** Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county’s environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system."

JCG: EBA
DATE: December 7, 2020

TO: Wanda Suder, Senior Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Development

FROM: Mohan Bastakoti, P.E., Senior Engineer III  
South Branch  
Site Development and Inspections Division  
Land Development Services

SUBJECT: PCA-FDPA 74-8-126; SOUTHERN OAKS RESERVE; 006134-ZONA-001-1; Tax Map No: 098-3-0014B; Mount Vernon District

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

Chesapeake Bay Preservation Ordinance (CBPO)
Resource Protection Area (RPA) is not located within this project property.

Floodplain Requirements
There is no regulated floodplain within this project property.

Downstream Drainage Complaints
There are no current downstream drainage complaints on file.

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 Detention
An underground stormwater detention system has been proposed. Due to the proposed detention, the post-development peak flow for the 2-year 24-hour storm event shall be released at a rate less than the predevelopment peak flow rate from the 2-year 24-hour storm event and the post-development peak flow for the 10-year 24-hour storm event shall be released at a rate that is less than the predevelopment peak flow rate from the 10-year 24-hour storm event. This satisfies the detention requirements of SWMO 124-4-4.D.

Water Quality Control
Water quality computations were provided using Virginia Runoff Reduction Method. FDPA/PCA shows that water quality control requirements of SWMO Section 124-4-4-3 will be satisfied by either offsite nutrient credit or on-site best management practice (BMP). Applicant has also provided location of site water quality measure in case non-availability of the offsite nutrient credit.
Adequate Outfall Analysis
There is a concentrated outfall from this site. The outfall is a manmade stormwater conveyance system. The application states that the post development peak releases from this site due to 1-yr., 2-yr, and 10-yr, 24 hr. storm events will be less than that at the pre-development good forested condition. Hydrologic and hydraulic computations to demonstrate that the outfall is adequate for channel protection and flood protection requirements of SWMO Chapter 124-4-4. B &C shall be provided/reviewed in detail during site plan review.

General Comment:

1. Please apply onsite BMP in drainage area tab of VRRM computation and provide water quality compliance tab information to demonstrate water quality is met.
2. Please provide peak releases during the different storm events stated in adequate outfall analysis of this memo with Preliminary the energy balance equation computations.

Please contact me at 703-324-1739 if you require additional information.

cc: Bijan Sistani, Chief, South Branch, SDID
DATE: April 17, 2021

TO: Wanda Suder, Staff Coordinator
Department of Planning & Development, Zoning Evaluation Division

FROM: Jack Baggett, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Final Review
Southern Oaks Reserve PCA-FDPA 74-8-126 (Yoshi Holdings)

ZONA: 6134-ZONA-001-1

UFMD has reviewed the March 31, 2021 4th submission and recommended proffers of the zoning application listed above. The applicant responses to UFMD comments on February 4, 2021 have been reviewed by UFMD. Applicant has satisfactorily met UFMD comments specified in that memo and has no further comments on this application.

If you have any questions, please feel free to contact me at 703-324-1770.

JSB/

UFMDID #: 289662

Cc: DPD
DATE: April 19, 2021

TO: Tracy Strunk, Director
Zoning Evaluation Division, DPZ

FROM: Gavin Derleth, Transportation Planner I
FCDOT – Site Analysis Section

SUBJECT: PCA/FDP 74-8-126 – Yoshi Holdings LLC
Tax Identification Map: 98-3((14))B

Site Description and Proposal
The Fairfax County Department of Transportation (FCDOT) has reviewed the application, including a plat dated September 14, 2020, and updated through March 31, 2021. The purpose of the PCA/FDP application is to allow for the creation of six single family dwelling units on the Subject Property. Each of the lots would have vehicular access through driveways on Southern Oaks Place (Route 7504).

Proposed Improvements
The Applicant will construct a 5-foot-wide concrete sidewalk along the frontage of the Subject Property. This will allow residents better connection into the surrounding pedestrian network and access to the proposed shared lawn/play area. The Applicant will provide nine additional feet of right-of-way dedication along the property’s Hooes Road frontage. This dedication will accommodate the future expansion of Hooes Road.

Other Transportation Recommendations
There is one outstanding recommendation with this application. The Applicant should consider improving the accessibility of the walkway to the lawn/play area. The stair access shown on the plan would make it difficult to access the lawn/play area for those with wheelchairs, strollers, etc. FCDOT understands the topographic issues with the accessing this area, but it is important the Applicant explores all possibilities for making it more accessible.

Outstanding Transportation Issues
All other issues have been addressed.

CC: Wanda Suder, DPD-ZED
Michelle Guthrie, FCDOT-SAS
Gregory Fuller Jr., Section Chief, FCDOT-SAS
To: Ms. Tracy Strunk  
Director, Zoning Evaluation Division  

From: Kevin Nelson  
Virginia Department of Transportation – Land Development Section  

Subject: FDPA/PCA 1974-8-126 Southern Oaks Reserve  
Map # 98-3((14))0000B  
Fairfax County  

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.

I have reviewed the above plan received on April 22, 2021. Comments are attached on the following page.

cc: Ms. Amy Muir  
fairfaxrezoning1974-8-126fpca2SouthernOaksReserve4-23-21TS
**Locality Proj No**: PCA/FDPA RZ 1974-8-126  
**Prev Proj No (Zoning or other)**:  
**Prev Proj Name**: Southern Oaks Reserve  
**Reviewer(s)**: Kevin Nelson  
**Date**: 4/23/2021

<table>
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<th>No.</th>
<th>Sht. No.</th>
<th>Comments</th>
<th>Comment Cat.</th>
<th>Response</th>
<th>Final Disposition</th>
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</thead>
<tbody>
<tr>
<td>2.1</td>
<td></td>
<td>The driveways should be &quot;paired&quot;, with the driveways of each two lots placed on the side near each other. This provides more clear areas for on street parking.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.2</td>
<td></td>
<td>The first lot as you turn onto the street should place the driveway on the side of the lot away from Hooes Road, which works with the pairing of item 1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3</td>
<td></td>
<td>The sidewalk along the street should be carried to the cul-de-sac to provide ped access to the park property.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) X.X first number indicates submission number (i.e. 1 or 2, etc.).  
(2) Indicate sheet/page no. or, when comment applies to more than one sheet, use “G” for general comment.  
(3) Comment Category and response date to be filled out by Applicant/Engineer.  
(4) VDOT reviewer is responsible for final disposition of all comments.  
(5) Comments previously unaddressed may/will be repeated.

**Note**: This form is to be used by VDOT’s Northern Virginia Fairfax – Arlington Land Development Section to provide comments and/or concerns associated with plans or documents under their review.
TO: Wanda Suder, Staff Coordinator
Fairfax County Department of Planning and Development

FROM: Paul Ngo, Planner
Office of Facilities Planning Services

SUBJECT: PCA/FDPA 74-8-126, Southern Oaks Reserve

ACREAGE: 2.65
TAX MAP: 98-3 ((14)) B

PROPOSAL:
The partial Proffer Condition Amendment (PCA) application requests to amend the proffers approved pursuant to RZ 74-8-126 which permitted residential use. The proposal would permit six single-family detached housing units.

ANALYSIS:
The schools serving this area are South County High School (HS), South County Middle School (MS), and Silverbrook Elementary School (ES). The following projections were published last year by Fairfax County Public Schools (FCPS) and do not reflect the increase in the number of students resulting from the proposed rezoning.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
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<tr>
<td>South County HS</td>
<td>2,498</td>
<td>2,216</td>
<td>89%</td>
<td>2,210</td>
<td>88%</td>
</tr>
<tr>
<td>South County MS</td>
<td>1,324</td>
<td>1,049</td>
<td>79%</td>
<td>933</td>
<td>70%</td>
</tr>
<tr>
<td>Silverbrook ES</td>
<td>854 / 970</td>
<td>820</td>
<td>96%</td>
<td>835</td>
<td>86%</td>
</tr>
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Note: Numbers in italics are future design capacity and projected capacity utilization percentages after a renovation or capacity enhancement.

The school capacity table shows a snapshot in time (as of January 2020) for student membership and school capacity balances. The five-year student membership projections and individual school capacity evaluations are updated annually by FCPS. Recommended boundary adjustment options, program changes, and potential school expansions and new schools are included in the CIP for future consideration based on the most recent five-year projections and SY 2019-20 capacity evaluations. Any options chosen for potential implementation will be discussed and decided through a transparent process that engages the community, in accordance with School Board Policy and Regulations. This includes adjustments needed for Advanced Academic Program centers at existing facilities and newly identified locations for such programs. At this time, South County HS is considered to have sufficient capacity for current programs and future growth, South County MS is considered to have a capacity surplus, and Silverbrook ES is approaching a capacity deficit. If by-right development occurs under the existing zoning, South County HS and Silverbrook ES would be considered to have sufficient capacity for current programs and future growth, and South County MS would be considered to have a capacity surplus by SY 2024-25. Beyond the five-year projection horizon, membership projections are not available.
Impact
Based on the number of housing units proposed in this application, the table shows the number of potential students by school level, calculated by using the current countywide student yield ratio.

<table>
<thead>
<tr>
<th>School Level</th>
<th>Single-Family Detached Ratio</th>
<th>Proposed Number of Housing Units</th>
<th>Potential Student Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>0.179</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Middle</td>
<td>0.088</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Elementary</td>
<td>0.266</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total Student Count</strong></td>
<td></td>
<td></td>
<td><strong>4</strong></td>
</tr>
</tbody>
</table>


SUMMARY:
The high school is considered to have sufficient capacity for current programs and future growth, the middle school is considered to have a capacity surplus, and the elementary school is approaching a capacity deficit. For projected membership, the high and elementary schools would be considered to have sufficient capacity for current programs and future growth and the middle school would be considered to have a capacity surplus, prior to consideration of any plan amendment or rezoning. This analysis is a snapshot in time (as of January 2020) for student membership and school capacity balances. With an application that changes the residential composition, such as that proposed in this application, the membership at these schools will necessarily increase, which may negatively impact the instructional program to the detriment of the students involved. Any future development application would need to be analyzed along with this development application to determine the future impact to capacity.

Capital Improvement Program Potential Solutions
The Capital Improvement Program FY 2021-25 includes potential solutions to consider to alleviate current and projected school capacity deficits. For consideration purposes, as many options as possible have been identified for each school, in no significant order, and may be contingent on other potential solutions listed. Any options chosen for implementation will be discussed and decided through a transparent process with the appropriate stakeholders, in accordance with School Board Policies and Regulations.

South County HS: Monitor student membership.

South County MS: Monitor student membership.

Silverbrook ES: Monitor student membership.

RECOMMENDATIONS:
Proffer Contribution
Based on the identified capacity need for current and projected programs and growth, with a rezoning application that increases residential density such as that proposed in this application, and considering those that have been approved, FCPS anticipates that the membership will necessarily increase, which may negatively impact the current instructional program. In the past, FCPS has received monetary proffers on a cost per potential student basis or a dedication of land suitable for school development purposes, from similar rezoning applications to offset the impact to surrounding schools at the time of development. Any future rezoning applications to be considered are not factored into the analysis and would need to be analyzed.

A total of four new students are anticipated (one high, one middle, two elementary). Based on the approved Residential Development Criteria, a proffer contribution of $49,048 (4 x $12,262) 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 the 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.

Proffer Notification
It is also recommended that the proffer notification be provided to FCPS from the developer 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.

Attachment: Locator Map

cc: Ricardy Anderson, Chair, School Board Member, Mason District
Karen Corbett Sanders, School Board Member, Mount Vernon District
Jeffrey Platenberg, Assistant Superintendent, Facilities and Transportation Services
Jessica Gillis, Director, Office of Facilities Planning Services
<table>
<thead>
<tr>
<th>Final Development Plan Amendment</th>
<th>Proffered Condition Amendment</th>
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<tr>
<td><strong>FDPA 74-8-126</strong></td>
<td><strong>PCA 74-8-126</strong></td>
</tr>
<tr>
<td><strong>Applicant:</strong> YOSHI HOLDINGS, LLC</td>
<td><strong>Applicant:</strong> YOSHI HOLDINGS, LLC</td>
</tr>
<tr>
<td><strong>Accepted:</strong> 10/26/2020</td>
<td><strong>Accepted:</strong> 10/26/2020</td>
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<td><strong>Proposed:</strong> AMEND FINAL DEVELOPMENT PLAN ASSOCIATED WITH FDP 74-8-126</td>
<td><strong>Proposed:</strong> AMEND PROFFERS AND CONDITIONS ASSOCIATED WITH RZ 74-8-125</td>
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<td><strong>Area:</strong> 2.65 AC; DISTRICT - MOUNT VERNON</td>
</tr>
<tr>
<td><strong>Located:</strong> EAST SIDE OF HOOES ROAD AND SOUTH SIDE OF SOUTHERN OAKS PLACE</td>
<td><strong>Located:</strong> EAST SIDE OF HOOES ROAD AND SOUTH SIDE OF SOUTHERN OAKS PLACE</td>
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<td><strong>Map Ref Num:</strong> 098-3-14/ B</td>
<td><strong>Map Ref Num:</strong> 098-3-14/ B</td>
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Locator Map

Diagram showing map references and locations such as Magnolia Ridge Rd. and Southern Oaks Pl.
MEMORANDUM

TO: Tracy Strunk, AICP, Director  
Zoning Evaluation Division  
Department of Planning and Development

FROM: Andrea L. Dorlester, Development Review Section Chief  
Park Planning Branch, PDD

DATE: April 16, 2021

SUBJECT: PCA-FDPA 74-8-126 Southern Oaks Reserve (Yoshi Holdings, LLC)  
Tax Map Number: 98-3 ((14)) B  
NON-EXEMPT

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated March 31, 2021, for the above referenced application. The Development Plan shows 6 new single-family dwelling units, on a 2.65-acre parcel which will remain PDH-3 with proffers. Based on an average single-family household size of 3.14 in the Pohick Planning District, the development could result in no net increase in new residents (6 new single family detached dwelling units – 8 allowed by-right = -2 x 3.14 = -6 new residents) to the Springfield Supervisory District. The subject property is located in an area of Fairfax County that is not exempt from Virginia Code 15.2-2303.4 pertaining to certain conditional rezoning proffers.

PARK & RECREATION IMPACT ANALYSIS

Cultural Resources Impact:

The parcel was subjected to cultural resources review. Portions of the area of impact have undergone previous disturbance, but staff recommends archaeological survey for areas undisturbed and previously not surveyed. These areas should include all staging and access/egress locations. A Phase I comprehensive systematic archaeological survey should be conducted to identify those areas that are intact and disturbed and the presence or absence of any archaeological sites. If sites are found to be significant or potentially eligible for inclusion onto the National Register of Historic Places, staff recommends these sites undergo Phase II archaeological testing. If sites are deemed significant or eligible, avoidance or Phase III data recovery is recommended.
Easements or Grading on Park Authority Land:

A note on the plan indicates that the limits of clearing and grading along the southern property boundary can be expanded in this area if approved by FCPA. In order to do any clearing and grading on adjacent parkland, the applicant must first acquire a Letter of Permission and/or Easement from the Park Authority. Because of restrictive covenants on some of the Park Authority properties, it may not be possible to approve easements on the park property. Conditions and/or fees may be required for Park Authority permits or easements.

If any land disturbing activities are proposed on park property, the applicant must submit a request for a permit and/or easement request. Applications are available from the Easement Coordinator, Fairfax County Park Authority, Planning and Development Division, 12055 Government Center Parkway, Suite 421, Fairfax, Virginia 22035; main telephone number (703) 324-8741.

FCPA Reviewer: Samantha Wangsgard
DPD Coordinator: Wanda Suder

eCopy: Aimee Vosper, Deputy Director/CBD
Stephanie Leedom, Director, Park Planning & Development Division
Anna Bentley, Manager, Park Planning Branch
Liz Crowell, Manager, Archaeology & Collections Branch
Cindy McNeal, Project Coordinator, Real Estate Services Branch
Wanda Suder, Zoning Coordinator, DPD
Samantha Wangsgard, Senior Park Planner, Park Planning Branch
Lynne Johnson, Planning Tech, Park Planning Branch
File Copy
DATE: November 30, 2020

TO: Wanda Suder  
Zoning Evaluation Division  
Department of Planning and Development

FROM: Sharad Regmi, P.E.  
Engineering Analysis and Planning Branch

SUBJECT: Sanitary Sewer Analysis Report

REF: Application No. PCA/FDPA 74-8-126 (Yoshi Holdings, LLC)  
Tax Map No. 98-3((14))B

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

1. The application property is located in Pohick Creek (N-2) watershed. It would be sewered into the Noman M. Cole Pollution Control Plant (NMCP).  

2. Based upon current and committed flow, there is excess capacity in the NMCP. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.

3. An existing 8 inch line located about 105-ft from the property across Southern Oaks PL is adequate for the proposed use at this time.

4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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<thead>
<tr>
<th>Sewer Network</th>
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<tr>
<td>Main/Trunk</td>
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November 10, 2020

Ms. Tracy D. Strunk, AICP  
Director, Zoning Evaluation Division  
Fairfax County Department of Planning and Development  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: FDPA 78-8-126  
Southern Oaks Reserve  
Tax Map: 98-3

Dear Ms. Strunk:

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

1. The property is served by Fairfax Water.

2. Adequate domestic water service is available at the site from an existing 12-inch water main in Southern Oaks Place. Please see the enclosed water system map.

3. Depending upon the configuration of any proposed on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Ross Stilling, P.E., Chief, Site Plan Review at (703) 289-6385.

Sincerely,

[Signature]

Gregory J. Prelewicz, P.E.  
Manager, Planning

Enclosure: as noted
GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a “P” district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.
DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A GENERALIZED DEVELOPMENT PLAN (GDP) is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A CONCEPTUAL DEVELOPMENT PLAN (CDP) is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A FINAL DEVELOPMENT PLAN (FDP) is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

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

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

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

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

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

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

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

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

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

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

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

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

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

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.
OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may be function as a buffer between land uses or for scenic, environmental, or recreational purposes.

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

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

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

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

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

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

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

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

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

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

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

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.
URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

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

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

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

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

Abbreviations Commonly Used in Staff Reports

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>A&amp;F</td>
<td>Agricultural &amp; Forestal District</td>
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<tr>
<td>ADU</td>
<td>Affordable Dwelling Unit</td>
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<tr>
<td>ARB</td>
<td>Architectural Review Board</td>
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<tr>
<td>BMP</td>
<td>Best Management Practices</td>
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<tr>
<td>BOS</td>
<td>Board of Supervisors</td>
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<tr>
<td>BZA</td>
<td>Board of Zoning Appeals</td>
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<tr>
<td>COG</td>
<td>Council of Governments</td>
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<tr>
<td>CBC</td>
<td>Community Business Center</td>
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<tr>
<td>CDP</td>
<td>Conceptual Development Plan</td>
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<tr>
<td>CRD</td>
<td>Commercial Revitalization District</td>
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<tr>
<td>DOT</td>
<td>Department of Transportation</td>
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<tr>
<td>DP</td>
<td>Development Plan</td>
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<tr>
<td>DPD</td>
<td>Department of Planning and Development</td>
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<tr>
<td>DPWES</td>
<td>Department of Public Works and Environmental Services</td>
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<tr>
<td>DU/AC</td>
<td>Dwelling Units Per Acre</td>
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<tr>
<td>EQC</td>
<td>Environmental Quality Corridor</td>
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<tr>
<td>FAR</td>
<td>Floor Area Ratio</td>
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<tr>
<td>FDP</td>
<td>Final Development Plan</td>
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<tr>
<td>GDP</td>
<td>Generalized Development Plan</td>
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<tr>
<td>GFA</td>
<td>Gross Floor Area</td>
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<tr>
<td>HC</td>
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<tr>
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<td>Housing and Community Development</td>
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<tr>
<td>LOS</td>
<td>Level of Service</td>
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<tr>
<td>Non-RUP</td>
<td>Non-Residential Use Permit</td>
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<tr>
<td>OSDS</td>
<td>Office of Site Development Services, DPWES</td>
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<tr>
<td>PCA</td>
<td>Proffered Condition Amendment</td>
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<tr>
<td>PD</td>
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<tr>
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<td>Planned Development Commercial</td>
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<td>PDH</td>
<td>Planned Development Housing</td>
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<tr>
<td>PFM</td>
<td>Public Facilities Manual</td>
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<tr>
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<td>Planned Residential Community</td>
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<tr>
<td>RC</td>
<td>Residential Conservation</td>
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<tr>
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<td>Resource Management Area</td>
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<td>Residential Use Permit</td>
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<td>RZ</td>
<td>Rezoning</td>
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<tr>
<td>TDM</td>
<td>Transportation Demand Management</td>
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<td>Transportation System Management</td>
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<td>UP &amp; DD</td>
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<td>Variance</td>
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<tr>
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<tr>
<td>VPH</td>
<td>Vehicles per Hour</td>
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<tr>
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<td>Washington Metropolitan Area Transit Authority</td>
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<tr>
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<td>Water Supply Protection Overlay District</td>
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<tr>
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<td>Zoning Administration Division, DPZ</td>
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<td>ZED</td>
<td>Zoning Evaluation Division, DPZ</td>
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<tr>
<td>ZPRB</td>
<td>Zoning Permit Review Branch</td>
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