

FAIRFAX COUNTY, VIRGINIA
2005 SOUTH COUNTY AREA PLANS REVIEW
NOMINATION TO AMEND THE COMPREHENSIVE PLAN

Staff Use Only
Date Received: <u>9/21/05</u>
Date Accepted: _____
Planning District: _____
Special Area: _____

SECTION 1: NOMINATOR/AGENT INFORMATION

Name: Lori Greenlief, Agent / Tavares Concrete Co., Inc. Daytime Phone: (703)712-5433

Address: C/O McGuireWoods LLP ATTN: Lori R. Greenlief
1750 Tysons Blvd., Ste. 1800
McLean, VA 22102

Nominator E-mail Address: lgreenlief@mcguirewoods.com

Signature of Nominator (NOTE: There can be only one nominator per nomination):

Lori R. Greenlief

Signature of Owner(s) if applicable: (NOTE: Attach an additional sheet if necessary. Each owner of a nominated parcel must either sign the nomination or be sent a certified letter):

See Table

Anyone signing on behalf of a business entity, must state the relationship to that organization below or on an attached page:
Lori Greenlief is agent for Tavares Concrete Co., Inc.

SECTION 2: GENERAL INFORMATION

Check appropriate supervisor district: Braddock Lee Mason Mount Vernon Springfield

Total number of parcels nominated: 3

Total aggregate size of all nominated parcels (in acres and square feet): 146,797.20sq. ft. 3.37acres

Is the nomination a Neighborhood Consolidation Proposal: Yes No

SECTION 3: SPECIFIC INFORMATION – Attach either the Specific Information Table found at the end of this application form or a separate 8 ½ x 11 page (landscape format) identifying all the nominated parcels utilizing the format as shown in the Table found at the end of this application.

All subject property owners must be sent written notice of the nomination by certified mail unless their signature(s) appears in Section 1 (above).

IMPORTANT NOTE: Any nomination submitted without originals or copies of all the postmarked certified mail receipt(s) and copies of each notification letter and map will not be accepted.

SECTION 4: CURRENT AND PROPOSED COMPREHENSIVE PLAN DESIGNATIONS

See Section IV, #4, of the Citizen's Guide for instructions.

Current Comprehensive Plan text for nominated property:

Use the Plan on the Web for your citation. It is the most up-to-date. Link: www.fairfaxcounty.gov/dpz/.

See Attachment A

Current Plan Map Designation: Industrial

Proposed Comprehensive Plan Designation: Residential use at a density of 5-8 dwelling units per acre if development is coordinated with subdivision to the south and industrial use at a maximum of .25 FAR if residential use does not occur

Mixed Use	
If you are proposing Mixed Use, it must be expressed in terms of floor area ratio (FAR). The percentage and intensity/density of the different types of uses must be specific and must equal 100% of the total FAR proposed. The mix and percentage of uses provided by the nominator are what staff and the task force will review. Ranges are not acceptable.	
Categories	Percent of Total FAR
Office	
Retail	
Public Facility, Gov & Institutional	
Private Recreation/Open Space	
Industrial	
Residential*	
TOTAL	100%
* If residential is a component, please provide the approximate number and type of dwelling unit as well as the approximate square footage per unit assumed (i.e., 300 mid-rise multifamily units at 800 square feet per unit).	

Residential Land Use Categories	
Categories expressed in dwelling units per acre (du/ac)	Number of Units
.1 - .2 du/ac (5-10 acre lots)	
.2 - .5 du/ac (2-5 acre lots)	
.5 - 1 du/ac (1 - 2 acre lots)	
1 - 2 du/ac	
2 - 3 du/ac	
3 - 4 du/ac	
4 - 5 du/ac	
5 - 8 du/ac	18
8 - 12 du/ac	
12 - 16 du/ac	
16 - 20 du/ac	
20 + du/ac**	
** If you are proposing residential densities above 20 du/ac, you must specify a range such as 20-30 du/ac or 30 -40 du/ac.	

SECTION 5: MAP OF SUBJECT PROPERTY

Attach a map clearly outlining in black ink the property of the proposed Plan amendment. The map must be no larger than 8 ½ x 11 inches. Maps in color will not be accepted.

SECTION 6: JUSTIFICATION

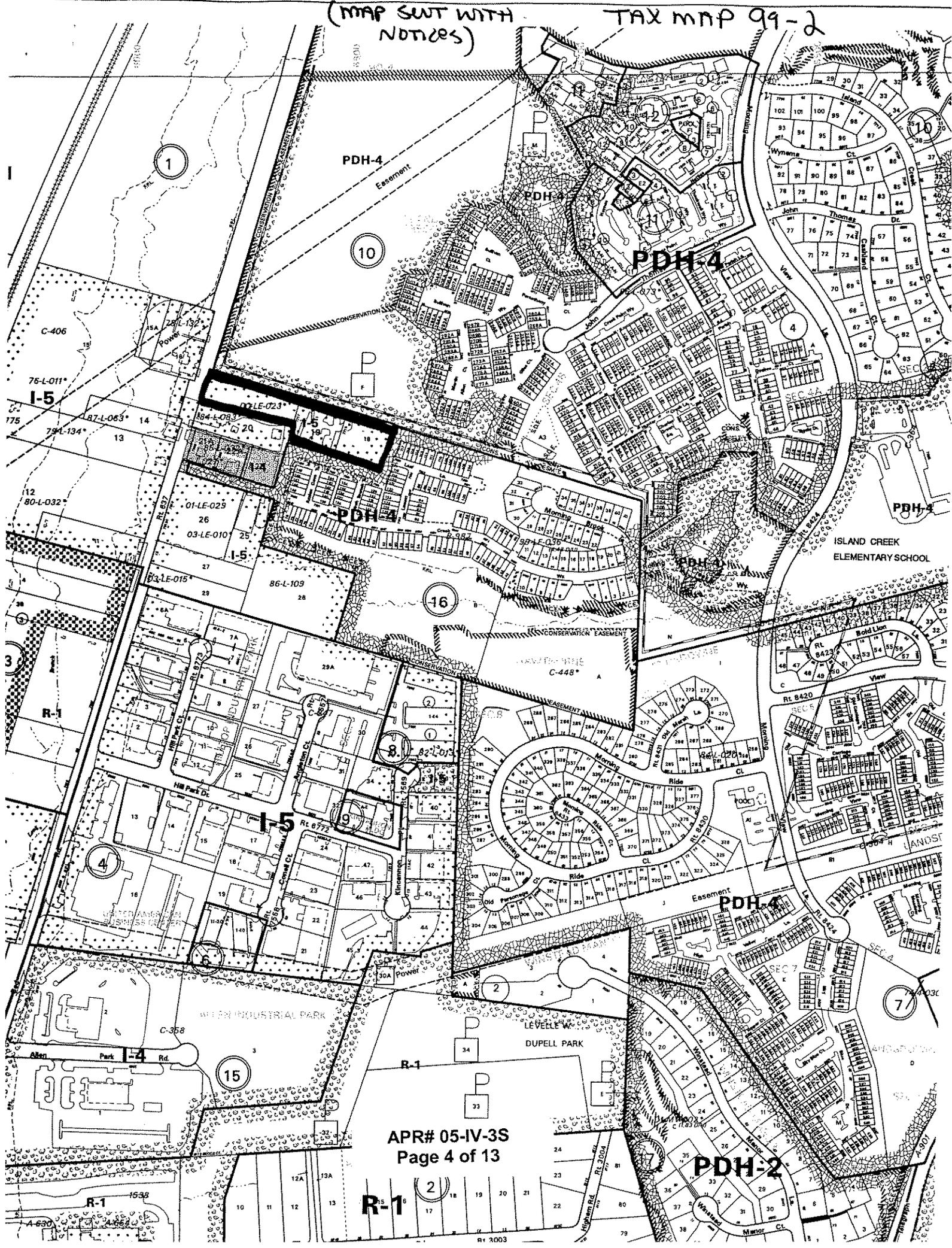
Each nomination must conform with the Policy Plan and must meet at least one of the following guidelines. Check the appropriate box and provide a written justification that explains why your nomination should be considered, based on the guidelines below (two-page limit).

- The proposal would better achieve the Plan objectives than what is currently in the adopted Plan.
- There are oversights or land use related inequities in the adopted Plan that affect the area of concern.

All completed nomination forms must be submitted between July 1, 2005 and September 21, 2005 to:
 Fairfax County Planning Commission Office
 Government Center Building, Suite 330
 12000 Government Center Parkway
 Fairfax, Virginia 22035-5505

(MAP SUB WITH NOTICES)

TAX MAP 99-2



APR# 05-IV-3S
Page 4 of 13

PDH-2

R-1

2

R-1

15

10 11 12 13

17 18 19 20 21

22

23 24

25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200

201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300

301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400

Attachment A

Current Plan Language

Springfield Planning District, S6- Newington Community Planning Sector

For Lot 17

7. The Lehigh Area is bounded by Beulah Street on the east, the Long Branch of Accotink Creek on the west, the Amberleigh subdivision on the north, and the Hunter Estates subdivision on the south (see Figure 32). The following general policies apply to development in the Lehigh Area which is north of and does not include the Hunter Estates subdivision:

- Promote a balanced planned development community that will serve as a showcase community and future focal point of the County.
- Plan residential densities within the planned development community to a maximum overall average of 3-4 dwelling units per acre with bonuses, as appropriate. A balanced mix of housing types is encouraged in order to promote diversity and avoid the excessive development of one type of dwelling unit. A broad range of affordable dwelling units that meets the needs of all ages, family sizes and income levels should be provided. At any given time the level of residential development should be related to the densities and character of adjoining properties, as well as transportation and environmental constraints.

For Lots 18 and 19

9.

Two adjacent parcels, Tax Map 99-2((1))18 and 19 may be developed for single family attached residential use at 3-4 dwelling units per acre if they are consolidated and subdivided such that their development can be integrated with the approved single family residential development on Tax Map 99-2((1))24, and if all vehicular access can be obtained through parcel 24 to Morning View Lane. Development at this density would be subject to all of the applicable development conditions outlined for residential use on Parcel 24.

If residential development is not achieved, Tax Map 99-2((1))18 and 19 may be developed for industrial use up to .25 FAR. Vehicular access to Parcels 18 and 19 should be provided through Parcels 17 or 20. It is recommended that Parcels 18 and 19 consolidate with Parcel 17. The existing 50-foot access easement for Parcel 24 to Cinder Bed Road should not be utilized. Substantial vegetated buffer and screening should be provided adjacent to parcels planned or developed for residential use or public park use.

ANNUAL PLAN REVIEW NOMINATION

Tavares Concrete Company, Inc.

Description of Nomination Property

The nominated property is located on the east side of Cinder Bed Road, north of the Hilltop Industrial Park. The area is characterized by high density residential development to the north and east of the properties and industrially-zoned and developed properties to the west and south. The nominated property consists of three lots containing 3.37 acres which are all zoned I-5. It is located in the Springfield Planning District, S6-Newington Community Planning Sector.

Description of the Request

The nominator requests the properties be replanned with residential use at a density of 5-8 dwelling units per acre and retain the option of industrial use at a maximum of .25 FAR.

Justification for Request

This requested Comprehensive Plan change mimics a plan designation recommended by staff several years ago for two of the properties. Approval of these nominated properties will facilitate the development of 18 new townhomes on the property. We believe that the proposed residential density of 5-8 dwelling units per acre better realizes the goals of the Comprehensive Plan than the currently adopted plan language of residential use at 3-4 dwelling units per acre for the properties.

The current Plan designation for residential use on Lots 18 and 19 (at 3-4 du/ac) is dependent on whether the development of these parcels can be integrated with the approved single family development to the south (Hawthorne). Contained within the staff report for the Plan Amendment which created this Plan language is a recommendation by staff for a residential density of 5-8 dwelling units per acre.

We believe that the density of 5-8 is a more appropriate range in this case. The current Comprehensive Plan language recognizes the need for development of these parcels to be compatible with the adjacent residential development. The Hawthorne development was approved with a large amount of open space (wetlands) in the southern portion. The developed portion of the site is the northernmost approximately 60% of the site which is the area adjacent to the nominated properties. With the idea of compatibility in mind, as desired by the Plan, the scale and visual impact, sense of space, and essentially, the effective density of the Hawthorne development is more like 7.0 dwelling units per acre. This would not be as important a point if the nominated properties were not directly adjacent to the developed portion of the Hawthorne subdivision. The nominated properties also do not have the environmental issues which constrained development on the Hawthorne parcel.

Lot 17, which is also part of this nomination, is located to the east of the two other properties. Including this parcel in the residential nomination affords the future development with the flexibility for active recreation area for the proposed development and Hawthorne subdivision. Utilizing this parcel, or the majority of it, for open space would also complement the parkland to the north. Inclusion of this parcel within the single family attached development will also result in access for the parcel being internal to the site and not on Cinder bed Road.

Through the years, the Plan has recognized these parcels are transitional parcels, with the ability to flow with the land uses to the west or to the east. We believe, with the development of the Hawthorne subdivision, the requested Plan densities would better realize the goals of compatible infill as stated in the Recommendations section of the Newington Community Planning Sector.

Recommended Plan Language

Within the S6, Newington Community Planning Sector
#9, second paragraph

Tax Map 99-2((1))17, 18,19 may be developed for single family attached residential use at 5-8 dwelling units per acre if the development is integrated with the approved Hawthorne subdivision to the south and access is obtained through that subdivision. Development at this density would be subject to all of the applicable development conditions outlined for residential use for the Hawthorne subdivision.

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

Lori Greenlief
Direct: 703.712.5433

McGUIREWOODS

September 20, 2005

Drakes Creek Holding, Company LLC
519 Gregory Rd
Franklin, KY 42134

Re: Plan Amendment Request

VIA CERTIFIED MAIL

CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

Article Sent To:
FRANKLIN KY 42134

Postage	\$ 37
Certified Fee	\$ 30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 4.75

Postmark: WEST 0203 09 09/20/2005

Name (Please Print Clearly) (to be completed by addressee)
Drakes Creek Holding Co
Street, Apt. No., or PO Box No.
519 Gregory Rd
City, State, ZIP
Franklin, KY 42134

PS Form 3800, July 1999 See Reverse for Instr.

7099 3400 0012 1496 1152

Dear Property Owner:

You are listed in the records of Fairfax County, Virginia as the owner(s) of the property described below. The purpose of this letter is to notify you that on behalf of Tavares Concrete Company, Inc., we will soon be nominating your property, under the 2005-2006 South County Area Plan Review of the Comprehensive Plan Review Process, to the Fairfax County Planning Commission for a possible amendment of its land use designation. I have attached for your reference a map of the amendment nomination area.

Property Address: 7715 Cinder Bed
Tax Map Number: 99-2((1))18
Supervisor District: Lee

Property Address: 7717 Cinder Bed
Tax Map Number: 99-2((1))19
Supervisor District: Lee

The current Comprehensive Plan designation for your property is recommends residential development at 3-4 dwelling units per acre if the development is integrated and access coordinated with the development to the south and industrial use at .25 maximum FAR if the above doesn't occur.

The proposed amendment will be to allow residential development at 5-8 dwelling units per acre if the development is integrated and access coordinated with the development to the south and industrial use at .25 maximum FAR if the above doesn't occur.

September 20, 2005

Page 2

Any comments or questions you have about this specific nomination should be directed to me at the above address. If you have questions about the Plan Review Process itself, contact the Planning Commission Office at 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Sincerely,


Lori Greenlief

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

Lori Greenlief
Direct: 703.712.5433

McGUIREWOODS

September 20, 2005

Tavares Concrete Company, Inc.
7805 Cinder Bed Road
Lorton, VA 22079

Re: Plan Amendment Request

Dear Property Owner:

You are listed in the records of Fairfax County, Virginia as the owner(s) of the property described below. The purpose of this letter is to notify you that on behalf of Tavares Concrete Company, Inc., we will soon be nominating your property, under the 2005-2006 South County Area Plan Review of the Comprehensive Plan Review Process, to the Fairfax County Planning Commission for a possible amendment of its land use designation. I have attached for your reference a map of the amendment nomination area.

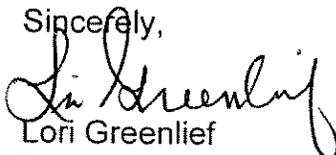
Property Address: 7719 Cinder Bed
Tax Map Number: 99-2((1))17
Supervisor District: Lee

The current Comprehensive Plan designation for your property is recommends residential development at 3-4 dwelling units per acre.

The proposed amendment will be to allow residential development at 5-8 dwelling units per acre or industrial development at a maximum of .25 FAR.

Any comments or questions you have about this specific nomination should be directed to me at the above address. If you have questions about the Plan Review Process itself, contact the Planning Commission Office at 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Sincerely,


Lori Greenlief
Land Use Planner

Attachment: Map
\\REA\279320.1

CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:
LORTON VA 22079

Postage	\$ 10.37
Certified Fee	\$ 2.30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 14.42

7099 3400 0012 1496 9166
09/20/2005 09:00
MCLEAN VA 0203 09
SEP 20 2005
USPS 2102

Name (Please Print Clearly) (to be completed by mailer)
Tavares Concrete Company
Street, Apt. No., or PO Box No.
7805 Cinder Bed Road
City, State, ZIP+4
Lorton VA 22079

PS Form 3800, July 1999 See Reverse for Instructions

VIA CERTIFIED MAIL

Message

Hada, JayJeev

From: Greenlief, Lori R. [lgreenlief@mcquirewoods.com]
Sent: Wednesday, October 26, 2005 11:22 AM
To: Hada, JayJeev
Subject: RE: APR Nomination Clarification Request

Mr. Hada -
 Yes, I realize I quoted the wrong Plan language. Do you want me to redo the form or justification? I believe this bolsters the justification in that the probable plan preserves that property as open area. Just let me know. Thanks.

Lori R. Greenlief

McGUIREWOODS
 McGuireWoods LLP

(703)712-5433

lgreenlief@mcquirewoods.com

This e-mail may contain confidential or privileged information. If you are not the intended recipient, please advise by return e-mail and delete immediately without reading or forwarding to others.

-----Original Message-----

From: Hada, JayJeev [mailto:JayJeev.Hada@fairfaxcounty.gov]
Sent: Tuesday, October 25, 2005 3:27 PM
To: Greenlief, Lori R.
Subject: RE: APR Nomination Clarification Request

Ms. Greenlief,

Somehow we never got round to discussing the Plan for lot 17. Lot 17 is in Land Unit I of the I-95 Industrial corridor. Please refer to my original email above.

Thank You.

Jayjeev Hada

-----Original Message-----

From: Greenlief, Lori R. [mailto:lgreenlief@mcquirewoods.com]
Sent: Friday, October 21, 2005 10:36 AM
To: Hada, JayJeev
Subject: RE: APR Nomination Clarification Request

Mr. Hada:

I have confirmed with Linda Mellott in DTA that the real estate assessment records for parcels 99-2((1))18 and 19 were updated on September 23, 2005 with the new owner and that the change was reflected on the DTA website on October 3, 2005. Therefore, I did notify the correct owner of record in accordance with the instructions provided in the Citizen's Guide which indicate that the information should be taken from the current real estate records on September 21 which was when we filed the APR item. Please let me know if you need anything else.

10/26/2005

APR# 05-IV-3S
Page 11 of 13

Message

Lori R. Greenlief

McGUIREWOODS
McGuireWoods LLP

(703)712-5433

lgreenlief@mcquirewoods.com

This e-mail may contain confidential or privileged information. If you are not the intended recipient, please advise by return e-mail and delete immediately without reading or forwarding to others.

-----Original Message-----

From: Hada, JayJeev [mailto:JayJeev.Hada@fairfaxcounty.gov]
Sent: Thursday, October 20, 2005 2:40 PM
To: Greenlief, Lori R.
Subject: APR Nomination Clarification Request

Dear Ms. Greenlief,

My name is Jayjeev Hada and I am the coordinator for the Lee District APR nominations. Upon conducting initial review of your submitted nomination along Cinder Bed Road I noticed that parcels 99-2((1)) 18 and 19 belong to the Tavares Family as of August 30, 2005, whereas your submitted nomination indicates Drakes Creek Holding Company. The APR Citizens Guide on page 14 (2nd Paragraph) indicates that you must send certified mail to the property owners the same day or prior to the day the nomination is submitted. Tavares Concrete Company is the owner of parcel 17. However, the Tavares Family is the owner of parcels 18 and 19. If the two parties are the same we may not have an issue on this matter. However, if the two parties are different, your nomination could be cancelled and returned to you.

Also, Parcel 17 is not planned for Residential use at 3-4 DU/AC as you have indicated in your attachment. Parcel 17 is in Land Unit I of the I-95 Industrial Corridor and has environmental concerns. This parcel is planned for Industrial use up to .35 FAR. Please find the Plan language for parcel 17 below.

I request you to respond to the clarification regarding parcel ownership and notification by October 26, 2005. If you have further questions please do not hesitate to call me at 703 324 1353.

Thank You.

Jayjeev Hada
Planner II
PD, DPZ

Land Unit I

This land unit is located north of the Fort Belvoir Military Railroad and east of Cinder Bed Road. Existing uses including County school bus and Connector bus parking facilities and garage, a new industrial park, vacant land, and industrial uses exist next to older single-family residences. A single family residential attached and detached subdivision has been recently approved on Tax Map 99-2((1))24 which is adjacent to the land unit.

Industrial uses up to .35 FAR are planned for the area south of parcels 28 and 29.

The area along Long Branch next to Cinder Bed Road north of the Newington Garage is appropriate for industrial use, with substantial buffering and transitional open space required next to any remaining detached single-family residential units. The environmental constraints

of the area associated with steep slopes, poor soil, and floodplains require strict conformance with environmental policies. The eastward boundary should generally follow the base of these slopes at an elevation of 165 feet to preserve the integrity of these highly erodible areas.

Tax Map 99-2((1)) parcels 17, 20-23 and 25-29 include areas with environmental constraints and opportunities, including slopes, poor soils and a tributary. These parcels are also planned for industrial use up to .35 FAR subject to the following:

- Substantial vegetated buffers and screening should be provided adjacent to parcels planned or developed for residential use or public park use;
- Outdoor storage and heavy industrial uses are prohibited; and
- Access should occur only to Cinder Bed Road.