



County of Fairfax, Virginia

MEMORANDUM

DATE: June 28, 2018

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Department of Planning and Zoning

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FROM: Charles Smith, Branch Chief,
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SUBJECT: Stormwater Planning Division Comments on 8800 Richmond Highway
Comprehensive Plan Amendment and Rezoning Application

A developer is asking for an amendment to the Comprehensive Plan to rezone 8800 Richmond Highway from open space to residential. In addition to this, and due to the proximity of the proposed town homes next to Dogue Creek, the developer is requesting numerous exceptions to local ordinances and requirements to alter stream hydrology, fill and build in the flood plain and Resource Protection Area (RPA), encroach on the Environmental Quality Corridor (EQC), and remove trees. On the most basic level, we believe the proposed project does not rise to the extraordinary requirement needed for a plan amendment, and runs counter to the long term

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environmental goals of the County and objectives of the Comprehensive Plan, and thus, to the revitalization of the corridor itself. Stormwater Planning (SWPD) staff do not support this project.

1. SWPD staff feel strongly that a minimum 100 foot buffer be maintained from the edge of perennial water bodies and contiguous wetlands to dissipate flows, trap and process sediments and nutrients, prevent erosion, and preserve wildlife habitat. Flooding and erosion is already a problem downstream of this location – the county has purchased private property downstream to alleviate impact of uncontrolled flooding, and the planned zoning of the property for open space reflects the need to improve, not exacerbate downstream conditions.
2. The 8800 Richmond Highway application is counter to the intent and spirit of “ecological spines”, as it seeks to retain intensive and fill and modify the floodplain thus removing floodplain function. The concept of “ecological spines” was recently introduced into the Comprehensive Plan and was specifically developed in thinking about redevelopment in the Mount Vernon District. Ecological spines can occur on any riparian corridors but are focused on restoring previously impacted corridors by removing conveyance pipes and impervious surfaces, and restoring floodplain functions while retaining passive uses in the RPA that are consistent with floodplain function and ecological services provided by the RPAs and EQCs. The property at 8800 Richmond Highway is exactly the appropriate situation in which preserving or restoring ecological spines should occur.
3. Allowing an exception here sets a *very bad* precedent for this area and for the county as a whole, and will weaken County environmental rules and protections into the future. The same arguments for this amendment could be made for any aging areas of the County where projects are in Chesapeake Bay preservation areas (RPA) and floodplains (e.g., similar situations exist in many locations like Mount Vernon, Lorton, Springfield, Dulles, and Chantilly).

We agree with that deeper investigations need to be made to see which other nearby properties could justifiably make similar exemption requests. From a quick scan of Google Maps, and listening to the community during the Mount Vernon Council meetings, we note several properties in the vicinity of 8800 Richmond Highway that are adjacent to Dogue and Little Hunting Creek, which could potentially be blighted or in poor environmental condition. For example, EP Mowing and Landscaping, Ourisman Dodge, International Autobody, Route 1 Autobody, and Engleside Plaza, Mount Vernon Plaza, and Harmony Place Trailer Park. It is incumbent upon DPZ to show that the proposed project does not show a clear extraordinary situation, which would warrant a Comprehensive Plan amendment and a rezoning, and that the nature of this project and its proximity to other, numerous and nearby situations would indeed set a bad precedent.

4. The future alignment of Dogue Creek through a modified road section on Richmond Highway will be made difficult by the proposal to retain the western flow path and alter floodplain elevations with extensive fill. At some time in the past, Dogue Creek likely flowed through the area where the pond is located on 8800 Richmond Highway directly to the Virginia Department of Transportation (VDOT) culvert. The pond cut off this flow path, and a separate channel was created or developed to the west. This channel was blocked with rubble fill, forming a low dam that backed up the stream. The western channel is circuitous and does not line up with either the current VDOT culvert or the stream channel downstream of Richmond Highway. Forcing the flow of the stream to take this western alignment may make creation of an alignment through the future Richmond Highway road section connecting with the downstream channel difficult. In addition, directing flow to the west both with the channel and by filling the floodplain on the east may cause impacts to downstream properties and the stream channel and valley. To this end the should provide a stable and functional channel alignment for Dogue Creek from the current pool footprint to the VDOT culvert that will effectively convey flows, allow for ecosystem functions such as fish passage, and not compromise current and future VDOT infrastructure.

The current condition of the pond and channel through which Dogue Creek flow across the applicant's property to the Richmond Highway culvert are the responsibility of the property owner. Simply removing the pond and rubble fill in the western channel will exacerbate the current unstable stream condition. Removing the riser and associated pipes thus eliminating the flow path through the pond will increase stream velocities and discharges in the western channel during large (10, 20, 50, 100 year) storms, and the applicant will need to stabilize the channel to accommodate those flows, prevent stream bank erosion and protect public infrastructure

5. The perception that town homes will improve the overall environmental condition is false, as improved aesthetics does not mean improved environmental quality. Town houses will contribute significant amounts of fertilizer, animal feces, noise and light pollution, trash, and road surface runoff from residential traffic and parking, which may exceed the pollutant loads from the current occupant.
6. Should the amendment be adopted, SWPD believes the environmental plan for the site meet the following:
 - Stabilization of the channel and or modifications of water features to improve stream stability and quality via riffle and grade control features.
 - Provide and protect restored or enhanced buffers of a minimum 100 foot width to the stream and associated wetlands that are permanently protected by easements or through dedicated to Fairfax County Park Authority (FCPA).

- Provide a natural resource management plan for the restored buffers and permanent funding for implementation of that plan.
- The water table remains connected, no further actions are taken to fill, or dewater the buffer zone and it is allowed to function for water quality benefit.
- The forest retains functional value, and is restored to an enhanced condition. Function will be defined by a set of easily quantifiable metrics that are agreed upon by county staff and land owner. E.g., at least 90% canopy coverage, at least 25% cover at multiple levels of native forest structure (understory, shrub layer and overstory), and no more than 10% cover of non-native invasive species at each forest structure layer. The intent is not to create a burden, but to ensure that the environmental quality corridor remains in an improved, functional condition. This will require a baseline survey and regular monitoring.
- Supplemental native plantings may be needed and maintained to enhance the forest condition
- Nonnative and invasive species within this buffer zone and up to the boundaries of the parcels are monitored and removed if they exceed an agreed upon tolerance metric (e.g. no more than 10% cover in any structure layer or 30% cover across the site). Non-native invasive species are defined by the Virginia Department of Natural Heritage and do not include all non-native species.
- Clearing of anthropogenic debris from areas set aside for permanent protection

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