



**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

PRINCE WILLIAM OFFICE

Land Use Newsletter

July 2010

The Marque at Heritage Hunt

Michael Lubeley
mlubeley@pw.thelandlawyers.com

Susan Flanigan
sflanigan@pw.thelandlawyers.com

WCLEW successfully completed the rezoning of The Marque at Heritage Hunt in Gainesville, which eliminated the age restriction requirement associated with the Special Use Permit and zoning previously granted for this project. The Marque remains an age-targeted, multi-family residential project of very high quality, offering many age-targeted services and amenities for its residents.



Did you know...

...the proposed DCSM text amendment is tentatively scheduled for initiation by the BOCS on July 27, 2010.

...effective September 1, 2010, single family residential water availability fees based on allowable usage of 10,000 gallons per month, will increase from \$4,000 to \$4,200 (and to \$4,400 in 2011 and \$4,600 in 2012). Likewise, sewer availability fees will increase from \$9,500 to \$9,900 (and to \$10,300 in 2011 and \$10,800 in 2012). Commercial fees will be based on multiples of allowable usage by an SFR.

...as of July 1, 2010, Prince William County, in accordance with new State law, will not be accepting residential per unit monetary contributions until completion of final inspections. No occupancy permits will be issued until all proffered monetary amounts have been paid.

New Plan for Tysons Corner

Art Walsh
mwalsh@arl.thelandlawyers.com

Elizabeth Baker
ebaker@arl.thelandlawyers.com

Evan Pritchard
epritchard@arl.thelandlawyers.com

The Fairfax County Board of Supervisors approved a new Comprehensive Plan for Tysons Corner on June 22, 2010. The Plan represents a significant departure from the previous plan (adopted in 1994) and envisions the future Tysons as an urban, pedestrian-friendly place with higher intensity around the four Tysons Metro stations (to be completed by 2013). Residential mixed-use development is encouraged throughout Tysons, particularly in areas outside the quarter-mile radius around each station, to create a better balance between housing and jobs.

WCLEW played a pivotal role throughout the nearly six-year planning process by representing and advising multiple landowners in Tysons. The firm also helped craft much of the language in the Plan, suggested improvements, and cautioned against unduly burdensome requirements that would stifle redevelopment. While the Plan offers landowners and developers redevelopment opportunities, it also includes significant challenges such as increased requirements for affordable housing, green building, and stormwater management.

Upcoming Meetings (Dates Subject to Change)

<u>Date</u>	<u>Topic</u>
July 28, 2010	Planning Commission Work Session on Comprehensive Plan Environmental Chapter Update
October 5, 2010	Board of County Supervisors Public Hearing on Comprehensive Plan Environmental Chapter Update



**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

DCSM Text Changes – Summary

Pete Dolan
pdolan@pw.thelandlawyers.com

Summary of Proposed Changes to §800:

a) Increase the number of plant units required in buffers (note: no changes proposed to the required width of buffers) and landscaped areas as follows:

Buffer Type	Buffer Width (in feet)	Plant Units per 100 feet	
		Existing	Proposed
A	15	50	110
B	30	100	180
C	50	200	320
Res. against RR	100	400	600
Cemetery perimeter	25	50	80
Non-res. landscape strip along roads	10	50	80
Big Box Retail landscape strip	25	85	150
Res.* on collector roads	30	100	180
Res.* on parkway/arterial roads	50	200	320
Res.* on interstate	75	250	400

* when rear or sides of homes are oriented toward road

b) Allow additional utility crossings of landscape strips as follows:

Utility/Feature	Proposed
Underground utilities in conduit	may be located entirely within the 10' landscape strip if approved by the utility provider and the County
Underground utilities not in conduit	may overlap up to 9' of the landscape strip if landscape strip is widened to 15' and if approved by the utility provider and the County
Low Impact Development features	may be located entirely in the landscape strip

c) Revise plant unit criteria to permit credits for ornamental grass/perennial plantings; increase credits allowed for large evergreen trees

d) Decrease plant unit credits granted for minimum 4' high berm or 6' high fence, when provided in lieu of required plant units, from 50% to 30%

Proposed Changes: County staff's 2/9/10 presentation to the Board can be found at <http://www.pwcgov.org/doclibrary/pdf/11861.pdf>.

WCLEW Charitable Events

...the firm hosted its 13th Annual Golf Tournament to benefit the Juvenile Diabetes Research Foundation ("JDRF") at Westwood Country Club. The event hosted 126 players, who enjoyed a wonderful day of golf and a reception after the event, which included beverages and dinner. Approximately \$80,000 was raised to benefit JDRF; over the 13 years, the event has raised approximately \$1,000,000 for JDRF.

...WCLEW musicians joined together as "The Chin Blossoms" and participated in the Battle of the Law Firm Bands to benefit the charitable nonprofit Gifts for the Homeless. Eleven Washington D.C.-area law firm bands competed at the Black Cat and raised more than \$130,000.

Photos next page.



**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Photographs of Events



13th Annual WCLEW Golf Tournament to benefit the Juvenile Diabetes Research Foundation (June 7, 2010)



The Chin Blossoms at the Battle of the Law Firm Bands to benefit Gifts for the Homeless (June 24, 2010)

This newsletter is for general information purposes only, is not intended to advertise our services or solicit clients and should not be construed as legal advice.

**4310 Prince William Parkway, Suite 300
Prince William, Virginia 22192
Telephone: (703) 680-4664
www.thelandlawyers.com**