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ZONING EVALUATION DIVISION

PROFFER STATEMENT

Application No.:	RZ 96-M-027 SE 96-M-037
Applicant/Title Owner:	Children's Achievement Center, Inc.
Development:	The Oakwood School
Property Location:	Fairfax County Tax Map 71-3-((8)), parcels 12 and 13 (Mason Magisterial District)
Zoning District:	R-3
Date:	February 25, 1997

Pursuant to Section 15.1-491(a) of the Code of Virginia (1950, as amended) ("Virginia Code") and Section 18-203 of the Zoning Ordinance of Fairfax County (1978, as amended), the title owner/applicant ("Applicant"), in this zoning application, proffers that the development of the parcel under consideration and shown on the Generalized Development Plan and Special Exception Plat, dated June 25, 1996, and revised through January 23, 1997, prepared by Walter L. Phillips, Incorporated ("Property") shall be subject to all terms and conditions proffered below. In the event this application is approved, these proffers shall supersede all proffers and development conditions previously affecting the Property. In the event this application is denied, these proffers shall be null and void immediately, and of no further force and effect.

1. Pursuant to Section 18-204 of the Fairfax County Zoning Ordinance, the Property shall be developed in substantial conformance with the Generalized Development Plan Amendment Plat/ Special Exception Plat ("GDP/SE Plat"), dated June 25, 1996, and revised through January 23, 1997, prepared by Walter L. Phillips, Incorporated; provided, however, that minor modifications may be permitted that are necessitated by sound engineering practices that may become necessary as part of final site engineering design, as determined by the Department of Environmental Management ("DEM"), and as further modified by these proffered conditions. A Proffered Condition Amendment shall not be required if such modifications are in substantial conformance with the GDP/SE Plat.

2. All proposed buildings for the development shall have a common architectural theme and shall utilize building material types to be compatible in style and character with the surrounding residential development. The modular structure shall be constructed in accordance with the attached photographs submitted to Staff.

3. To ensure a common architectural theme and compatibility with adjacent residences, at the time of the site plan processing for the multi-purpose building, the Applicant shall submit architectural elevations or renderings, photographs and materials or renderings of the building to the Mason District Land Use and Transportation Advisory Committee for review and comment and to the Fairfax County Planning Commission for review and approval as an administrative action item. Such submissions shall include architectural elevations that show the finished floor settings for the multi-purpose building mentioned in Proffer 4 below.

4. The maximum building height for any new construction on the Property shall not exceed thirty feet (30') from the finished floor of such building. The Applicant shall set the finished floor for the eastern end of the multi-purpose building at a minimum of two feet (2') below the existing ground and shall use reasonable efforts to set the finished floor even lower subject to soil and ground conditions.

5. Any parking lot and/or building lighting installed on the Property shall be directed downward to minimize glare on adjacent residential communities.

6. The maximum gross floor area of the multipurpose building shall be 9,600 square feet, and the overall floor area ratio for the Property shall be limited to 0.22 as proposed on the GDP/SE Plat.

7. The Applicant shall install a free-standing directional sign at the easternmost site entrance, as shown on the GDP/SE Plat.

8. At the time of construction of either the modular structure or the multipurpose building, whichever occurs first, the Applicant shall construct a trail across the site's frontage on Braddock Road, as shown on the GDP/SE Plat. The proposed six foot (6') wide asphalt trail shall be designed in a manner so as to avoid damage to existing trees and structures. Said trail may be located within and/or outside the proposed area of dedication described in Proffer 9 below. The exact design of said trail shall be determined by the Applicant's engineer at the time of site plan submission per applicable Fairfax County requirements, subject to approval by DEM. The Applicant shall grant public access easements for any portion of said trail outside said area of dedication and shall be responsible for maintenance of any portion of said trail outside said area of dedication.

9. At the time of site plan approval or within sixty (60) days from demand by the Virginia Department of Transportation ("VDOT") or the Fairfax County Department of Environmental Management ("DEM"), the Applicant shall dedicate in fee

simple such land as is necessary to provide up to a maximum of 56' from the centerline of Braddock Road.

10. Within sixty (60) days from the date on which the Fairfax County Board of Supervisors approves this application, the Applicant shall install a solid wood barrier fence along the northern property line, as shown on the GDP/SE Plat. Said barrier fence shall be a minimum of six feet (6') in height. The Applicant shall fill the gap in said barrier fence shown on the GDP/SE Plat, such gap resulting from the existing storm sewer easement, by installing a supplemental fence (chain-link or wood) that connects said barrier fence. The Applicant shall install said supplemental fence from the said barrier fence, along the edge of said easement, and across the existing storm drainage head wall. Said supplemental fence also shall be a minimum of six feet (6') in height and shall be installed within sixty (60) days from the date on which the Fairfax County Board of Supervisors approves this application. The Applicant's obligations regarding such supplemental fence are contingent upon Fairfax County's permission and conditions for such supplemental fence.

Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant or Applicant's successor(s) in interest, and/or developer(s), owner(s) and/or operators of the Property, or any portion thereof.

APPLICANT/TITLE OWNER

CHILDREN'S ACHIEVEMENT CENTER, INC.

By:
Name: Robert C. McIntyre
Title: Director

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