

RZ 1997-MV-023  
Raceway Farms,  
Section #6  
July 6, 1998

PROFFER OF DEVELOPMENT CONDITIONS

Pursuant to Section 15.2-2303(A) of the 1950 Code of Virginia, as amended, the Owners for themselves and their successors and assigns proffer the following conditions subject to the approval of the Board of Supervisors of Fairfax County, Virginia of RZ 1997-MV-023 to the R-4 Cluster Zoning category:

- 1) Subject to Section 18-204 of the Fairfax County Zoning Ordinance, development shall conform to the Generalized Development Plan (GDP) prepared by Kephart & Company dated December 23, 1996, as revised through July 6, 1998 to develop a maximum of six single family dwelling units at a density of 3.55 dwelling units per acre.
- 2) A final landscape plan, prepared in accordance with the GDP, will be submitted to the County Urban Forester for review and approval prior to final subdivision plan approval. The landscape plan shall include:
  - a. Limits of clearing and grading consistent with those shown on sheet 2 of the GDP so that trees and other vegetation located therein shall remain undisturbed.
  - b. On-site supplemental planting of trees and shrubs will be provided generally in the areas as shown on sheet 2 of the GDP; however, individual species planted shall be approved by the Urban Forester.
  - c. Landscaping for Outlot A along Telegraph Road to provide a buffer along the roadway. Individual plant selection to be approved by the Urban Forester.
- 3) The limits of clearing and grading will be marked on the ground with filter fabric or equivalent barrier prior to clearing and/or grading and at all times during construction.
- 4) In the event any of the protected areas or trees designated to be preserved must be disturbed by necessary grading and/or other related construction activities, the Applicant shall replant or otherwise landscape said disturbed areas with an appropriate mix of vegetation, as determined by the Urban Forester.
- 5) For the purpose of maximizing the preservation of trees within the limits of clearing and grading on the GDP; the Applicant shall prepare a tree preservation plan which shall include three items: 1) the tree survey, completed as part of the

site plan submission, 2) a tree condition analysis as discussed below, and 3) recommendations for pre-construction treatment of trees shown to be preserved. The tree preservation plan shall be submitted to the Urban Forestry Branch of DEM for review and approval as part of the site plan submission and prior to the demolition of any structures.

The tree preservation plan shall include a tree condition analysis, prepared by an arborist certified by the International Society of Arboriculture, for all trees identified for preservation on the GDP. The certified arborist shall conduct the condition analysis, using the method described in the "Guide for Plant Appraisal", eighth edition, published by the International Society of Arboriculture.

All trees shown to be preserved on the tree preservation plan shall be protected by fencing, a minimum of four feet in height, placed as close as practical to the dripline of the trees to be preserved. The fencing shall be installed prior to any work being conducted on the site, including the demolition of any existing structures or fences and shall be made clearly visible to all construction personnel. The demolition of the existing structure shall be conducted in such a manner as to minimize the impact on individual trees to be preserved. The certified arborist shall monitor the installation of the tree protection fencing and verify in writing that it has been installed prior to the demolition of existing structures. In addition, the certified arborist shall monitor the construction work and tree preservation efforts in order to ensure that the commitments made, through the submission and approval of the tree preservation plan, are fulfilled.

In the event the trees designated in tree save areas on the GDP cannot be preserved, replacement trees shall be substituted on the site. For each tree that cannot be preserved, the applicant shall install two 3 inch caliper trees.

Pre and post construction treatment for existing trees located just outside of the Applicant's property shall be implemented, where feasible. Permission from the property owners shall be obtained prior to any work being commenced.

- 6) The proposed dwellings shall have an architectural style that shall be consistent with that which is existing within the Raceway Farms development subject to the approval of DEM.
- 7) The applicant shall petition the Raceway Farms Homeowners Association to have the property annexed into the Raceway Farms Homeowners Association. In the event the Raceway Farms Homeowners Association fails to annex the property, the applicant shall establish a separate homeowners association

for the property to own, manage and maintain the open space as landscaped buffer areas.

- 8) The applicant shall utilize "Colonial Style" lighting within the proposed development in accordance with the Fairfax County Public Facilities Manual and as permitted by DEM.
- 9) An on-site Stormwater detention (SWM) pond including Best Management Practices (BMP's) shall be provided as shown on the GDP subject to DEM approval, unless waived/modified. In the event the SWM pond is waived, the area shown on the GDP for the SWM pond shall be maintained as landscaped open space. The applicant will grant an easement to Fairfax County at the time of final subdivision plan approval in order to provide access to the SWM/BMP pond from Telegraph Road for maintenance purposes, as approved by DEM and DPW.
- 10) The applicant agrees to contribute \$1,000.00 per unit to Fairfax County for future improvements to Telegraph Road. Contributions shall be paid at the time of final subdivision plan approval. Using the Board of Supervisors' approval date of the rezoning application as the base date, the payment amount shall be adjusted according to the Construction Cost Index as published in the *Engineering News Record* by McGraw-Hill at the time of payment.
- 11) At the time of final subdivision plan approval or request by VDOT or Fairfax County, whichever occurs first, the applicant shall dedicate necessary right-of-way and easements for future Telegraph Road improvements as determined by DEM to the Board of Supervisors, in fee simple.
- 12) At the time of subdivision plat approval, the applicant shall contribute \$4,646.67 to the Fairfax County Park Authority to be used to acquire/develop/maintain park and recreation facilities in a nearby park. Using the Board of Supervisors' approval date of the rezoning application as the base date, the payment amount shall be adjusted according to the Construction Cost Index as published in the *Engineering News Record* by McGraw-Hill at the time of payment.

TITLE OWNER:

William M. Nelson  
William M. Nelson

Mary C. Nelson  
Mary C. Nelson

DATE: July 6, 1998