PROPOSED DEVELOPMENT CONDITIONS

SE 00-V-012

June 14, 2000

If it is the intent of the Board of Supervisors to approve SE 00-V-012 located at Tax Map 101-4 ((1)) 59, including a portion of the Nalls Road right-of-way to be vacated, for establishment of an R-2 Cluster Subdivision pursuant to Sects. 3-205 and 9-615 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.

2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.

3. This Special Exception is subject to the provisions of Chapter 101, of the County Code, Subdivision Provisions. Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "Dawson Woods", prepared by Alexandria Surveys, Inc., and dated October 12, 1999 as revised through May 30, 2000, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

4. If a waiver of the stormwater management facility is not approved and a stormwater management pond is required on-site, the applicant shall be required to request an amendment of this Special Exception, showing that stormwater management pond.

5. Parcel A shall be dedicated to the Fairfax County Board of Supervisors or, at the option of the applicant or if the Board does not want Parcel A, shall be owned and maintained by the Home Owners Association. Parcel A shall be maintained as undisturbed open space. No trees shall be removed from Parcel A with the exception of dead, diseased, or dying trees as approved by the Urban Forester.

6. The houses on the Nalls Road cul-de-sac shall be oriented so that they are side to side or back to back. In no case shall a house be situated such that the front of one house is facing the back of another house on the subject property.

7. This Special Exception shall be null and void unless the vacation of the Nalls Road Right-of-way is achieved. No subdivision plans shall be submitted until after the vacation has occurred.

8. Outlots A through E, created by the vacation of the Nalls Road right-of-way shall be conveyed to the adjacent property owners.

9. The applicant shall be responsible for the restoration of the existing Gibbs Road cul-de-sac. Any funds on escrow for that purpose may be used by the applicant.

10. Sidewalks shall be constructed on both sides of all new streets, as well as along that portion of Gibbs Street to be reconstructed.

11. Limits of clearing and grading consistent with the SE plat, to be observed during construction subject to the installation of utilities, shall be designated on the subdivision plat. The limits of clearing and grading shall be subject to review and approved by the Urban Forestry Branch. Prior to the pre-construction meeting, the applicants shall walk the limits of clearing and grading with an Urban Forestry Branch representative and the applicant's certified arborist to determine where minor adjustments to the clearing limits can be made, if necessary and where practical, to protect preservation area and property line trees, without reducing the size of a house, adversely affecting surface drainage and/or the preclusion of the installation of site utilities on an efficient basis. The limits of clearing and grading shall be flagged prior to construction.

12. A tree preservation plan shall be submitted for review and approval by the Urban Forestry Branch concurrent with all submissions of the subdivision plans. The tree preservation plan shall include a tree survey which describes the location, species, size, dripline and condition of all trees 10 inches or greater in diameter in the areas delineated by the limits of clearing and grading. The condition analysis shall be prepared by a certified arborist using the eighth edition of The Guide for Plant Appraisal. Specific tree preservation activities shall be incorporated into the tree preservation plan, including but not limited to, tree pruning, root pruning, mulching, fertilization, etc.

13. All trees shown to be preserved on the tree preservation plan shall be protected by fencing a minimum of four feet in height to be placed at the dripline of the trees to be preserved as shown on the SE plat. The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any demolition or construction work being conducted on the application property. The certified arborist shall monitor the installation of the tree protection fencing and verify in writing that it has been installed prior to construction. In addition, the certified arborist shall monitor the

construction work and tree preservation efforts in order to ensure that the commitments made on the tree preservation plan are fulfilled.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the subdivision has been recorded in the land records of Fairfax County, or unless additional time is approved by the Board of Supervisors. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.