

Re: Rezoning Application 78-C-118
Franklin Partnership

PROFFER

September 25, 1979

Amended October 15, 1979

The undersigned hereby proffer that in the event the subject property is rezoned to the PDH-2 District by the Board of Supervisors at the hearing scheduled October 22, 1979, development shall be substantially in accord with Development Plan previously filed among the papers of this case prepared by Dewberry, Nealon and Davis dated July 27, 1979 and revised September 19 and 20, 1979, which, in the event of rezoning to the PDH-2 District, shall be approved as the Conceptual Development Plan and shall be subject to the following terms and conditions:

1. The total residential lot yield shall be 1,656 dwelling units, i.e., a density of 2.0 dwelling units per acre.

A. There shall be no additional "bonus" units, i.e., those units allowed at the discretion of the Board of Supervisors pursuant to the PDH-2 zoning ordinance.

B. That portion of the development consisting of approximately 130 acres extending along the southern and southeastern boundary of the site generally from the point at which the site boundary and Thompson Road separate and the Harvey property, including a substantial portion of open space, shall be restricted to a density of 0.9 dwelling units per acre and all lots within said 130 acres shall be a minimum of 20,000 square feet in area.

C. All lots which have at least one boundary on West Ox Road shall be a minimum of 20,000 square feet in area.

D. Twenty percent (20%) of the total dwelling units may be single-family attached. Eighty-four of the aforesaid single-family attached units may be in structures containing no more than four units per structure and the balance shall be in structures containing no more than two units per structure. All single-family attached units shall be located west of Bypass alignment "VA," i.e., the westernmost Bypass alignment and in the vicinity of the proposed commercial center. There shall be no minimum lot size for single-family attached units and the additional open-space thus created shall be located east of Bypass alignment "VH." The exact location and configuration of the single-family attached units will be specified in the Final Development Plan.

2. Occupancy of the residential development shall not exceed the following incremental development schedule providing that any units not occupied within the assigned schedule may be occupied in subsequent years in addition to the incremental increase:

January 1, 1981	156 units
January 1, 1982	300 units
January 1, 1983	400 units
January 1, 1984	400 units
January 1, 1985	400 units
	<u>1,656 units</u>

3. Open space shall comprise 22 percent of the development. Applicant recognizes the requirement of the PDH-2 ordinance that a minimum sum of \$300 per dwelling unit be expended to provide developed recreational facilities. Recreational facilities shall include the following despite the fact that the cost of these facilities will substantially exceed the aforesaid minimum unit expenditure:

A. Two swimming pools with associated bath-houses and parking facilities. Pools are to be located in the areas designated on the aforesaid Development Plan for active recreation.

B. Four lighted tennis courts, four multi-purpose courts and eight tot lot/apparatus areas. The majority of these facilities shall be clustered within the areas designated on the aforesaid Development Plan for active recreation.

C. Benches, picnic tables, grills and similar passive recreational facilities at convenient locations within the open space.

D. Two soccer fields, cleared, graded and seeded, with sufficient area to accommodate softball and other group athletic activities in the area designated on the aforesaid Development Plan for playing fields. That portion of the open space between the east-west collector road and the north boundary of the subject application consisting of approximately 8 acres, including the soccer fields, shall be dedicated to the Fairfax County Park Authority providing the fields, after construction, shall be maintained for public use by the Park Authority.

E. A comprehensive trails plan shall be submitted with final development plans. The plan shall provide internal access between substantial open-space areas, commercial facilities and recreational facilities and shall utilize a combination of four-foot asphalt trails and sidewalks to provide appropriate internal circulation.

4. Right-of-way for trails as required by the County-wide Trails Plan not to exceed a width of 5 feet in addition to right-of-way dedication for street purposes shall be dedicated. This additional right-of-way shall be in accord with adopted public facilities policy providing nothing herein shall be construed to require construction of trails other than those which may be provided in accord with the trails plan to be submitted pursuant to aforesaid paragraph 3.E.

5. Right-of-way shall be dedicated along the Trans-continental Gas Pipeline and through the open-space area, sufficient for an 8-foot gravel trail providing there shall be no requirement for construction.

6. The commercial area of 15.2 acres permitted by the PDH-2 ordinance shall be located substantially as shown on the aforesaid Development Plan and shall be subject to the following:

A. The maximum floor area ratio shall be 0.25.

B. Construction shall not exceed 40 feet in height.

C. The north and west boundaries of the commercial area shall be bordered by a continuous strip of open space 100 feet in width. Within the aforesaid open-space area, a 75-foot border of existing tree cover shall be maintained subject only to slope grading, utility lines, storm drainage facilities and access areas. In addition to the preservation of existing forestation as aforesaid, berms and/or additional landscaping shall be utilized to provide visual relief to adjacent property proposed for residential use.

D. A 50-foot open-space border subject to access, utility and storm drainage facilities shall be preserved along both sides of the commercial frontage of the east-west collector road. That portion of the open space across the east-west collector from the commercial frontage shall contain a berm varying from 4 to 6 feet in height with appropriate landscaping.

E. In the event a portion of the Springfield Bypass/Dranesville (Bypass) connector shall be located along the eastern boundary of the commercial site, 25 feet of open space in addition to the right-of-way for the

Bypass (including the environmental corridor) hereinafter committed shall be provided. In the event the Bypass connector is not located along the eastern boundary of the commercial area, an open-space buffer of 100 feet shall be provided and existing forested area maintained to a width of 75 feet within said open-space area subject only to grading, utility lines, storm drainage facilities and access points. Additional berms and landscaping shall be provided in unforested areas of the open space.

7. An area of approximately 4.6 acres designated on the aforesaid Development Plan "commuter fringe parking area" shall be dedicated to the Board for parking lot construction at such time as the Board may request.

8. Reverse-frontage lots shall be provided along West Ox Road, Lees Corner Road, Thompson Road and Centreville Road.

9. The intersection of the east-west connector and Centreville Road shall be located a minimum of 800 feet north of Lees Corner Road in the general vicinity of Barnesfield Road.

10. Along Centreville Road, additional right-of-way shall be dedicated to provide a right-of-way width of 45 feet from centerline and a deceleration/right-turn lane shall be constructed for each site entrance. A left-turn lane serving southbound traffic on Centreville Road and a left-turn lane serving westbound traffic on the east-west connector road shall be constructed at the intersection of the east-west connector and Centreville Roads.

11. Along Lees Corner Road, additional right-of-way shall be dedicated to provide a right-of-way width of 45 feet from centerline and within said right-of-way a deceleration right-turn shall be constructed for each site entrance. Intersection spacing along Lees Corner Road shall be in accord with the 45 m.p.h. design speed criteria.

12. Along West Ox Road, additional right-of-way shall be dedicated to provide a right-of-way width of 45 feet from centerline and deceleration/right-turn lanes shall be provided at each site entrance in the right-of-way. Additional right-of-way shall be dedicated as may be required for adjustments in the alignment of West Ox Road providing the alignment remains generally within the existing location. A left-turn lane shall be constructed at the southern entrance on West Ox Road and West Ox Road reconstructed as necessary to provide adequate

site distance at each site entrance, providing said left-turn lane and reconstruction can be accomplished within existing or proffered right-of-way. The specific reconstruction required shall be determined at time of subdivision plan review.

13. On Thompson Road, additional right-of-way shall be dedicated to provide a right-of-way width of 30 feet from centerline. Additional right-of-way shall be dedicated as necessary for realignment of Thompson Road, providing the ultimate alignment is generally in the existing corridor location. Access to the site shall, to the extent practical, be located opposite planned or existing collectors serving subdivisions south of the subject application.

14. Ashburton Avenue shall connect with a connector road serving the subject development substantially as shown on the Development Plan and such additional right-of-way shall be dedicated as may be necessary to provide an access between the subject site and a public road proposed to connect with Ashburton Road approximately 75 feet north of the boundary of the subject application.

15. A single access point shall be provided substantially at the location shown on the aforesaid Development Plan to serve those properties shown in the name of Robb and Hauck providing construction of the connecting road shall be required only in the event an appropriate "turn-around" easement is dedicated, without cost to the applicant, by the adjacent property owners served by the connection. Right-of-way shall be dedicated to provide a subdivision street connection between the subject development and the Carr property and the connection constructed providing additional right-of-way necessary for a "turn-around" easement is dedicated without cost to the applicant.

16. Four alternate locations designated "VA," "VH," "VC" and "VB," referring to the TAMS/VDH&T study of the Bypass extension alignments are shown on the aforesaid Development Plan.

A. In the event one of these alignments shall be selected as the location of the Bypass prior to January 1, 1981, a right-of-way 110 feet in width for road purposes together with an environmental protection corridor of 25 feet on each side of the 110-foot right-of-way, i.e., a total of 160 feet in width, shall be dedicated to the Board of Supervisors.

B. No lot shall be recorded within any of these four proposed corridors prior to January 1, 1981.

C. Upon selection of one of the four alignments, the other three alignments shall be released from all commitment for highway purposes and shall be free for development.

D. During the period from date of zoning to January 1, 1981, the applicant shall be entitled to prepare and submit plats providing for development including development within the proposed rights-of-way and said plats shall be routinely reviewed and processed subject only to the commitment that no plat be recorded prior to that date which creates lots within the area reserved.

E. In the event one of the four alignments is selected for the Bypass, a revised Development Plan shall be submitted to the Board of Supervisors providing appropriate adjustment in the development concept to accommodate the selected alignment.

F. In the event none of the four Bypass alignments is selected by January 1, 1981, or a Bypass alignment is selected other than on the subject application, or the Bypass shall be abandoned by either Fairfax County or VDH&T and Bypass studies discontinued, all reservation of land for the Bypass shall immediately terminate and the corridors reserved for Bypass alignments shall be deemed forthwith released for normal development.

Selection for the purpose of this paragraph 16 shall not be construed to require approval of any federal agency.

G. Any road alignment shown on Fairfax County Master Plans shall be recognized by appropriate right-of-way dedication, i.e., in the event the Bypass alignments are relocated or otherwise abandoned and the Fairfax County Master Plan continues to show a north-south highway alignment through the subject property, the right-of-way for the remaining Master Plan alignment shall be dedicated at time of site plan approval.

17. Provision for an extension of Stringfellow Road north from Route 50 to Thompson Road in the several development and preliminary plans applicable to that area between Route 50 and Thompson Road is recognized.

A. In the event Fairfax County obtains a commitment for construction of at least a two-lane section of the Stringfellow extension from Thompson Road to Route 50 prior to January 1, 1983, a connection shall be provided through the subject property from the intersection of the Stringfellow Road extension with Thompson Road to the east-west connector road.

B. The sum of \$100,000 shall be paid to the Board of Supervisors to be used for the construction of a stream crossing necessary for the Stringfellow Road extension, provided this tender shall expire if construction does not commence within five years from date of zoning. Payment shall be made at such time as required to fund actual construction of the stream crossing.

C. Commitment, for the purpose of this paragraph 17, shall consist of approved plans and profiles for the construction of the Stringfellow Road extension from Route 50 to Thompson Road with routine executed performance bond.

18. Plans for transportation improvements within the subject property and in the immediate vicinity of the subject property shall be publicized, by reasonable means, in an effort to assure that prospective residents shall be aware of such proposals.

19. A conservation easement providing for preservation of all healthy, existing trees of a diameter of 4 inches or more measured at a level of 2 feet from the ground shall be preserved within a strip 50 feet in width commencing at Thompson Road and extending along the south boundary of the property to that parcel shown on the referenced Development Plan to be in the name Loughrie. The conservation easement shall be subject to clearing as necessary and installation of all utilities and storm drainage facilities.

20. A. Along the frontage of West Ox Road commencing with the Baptist Church property and extending for approximately 1,200 feet to the proposed site entrance, lots shall be a minimum of 150 feet in depth and there shall be constructed a berm varying in height from 4 to 6 feet with appropriate landscaping, extending for 80% of the frontage.

B. Along the frontage of West Ox Road commencing with the corner at Lambert and extending to the corner with Reber, a berm varying in height from 4 to 6 feet with appropriate landscaping shall be constructed extending for 50% of the frontage.

C. The berms provided in this paragraph 21 shall be designed to convey the appearance of natural topographical features and sited to provide visual relief along West Ox Road. Accordingly, the berms shall not be a continuous barrier and shall vary in height and alignment.

21. Storm water shall be managed in accord with adopted Fairfax County ordinances and policies in effect at the time of subdivision plat and plan approval.

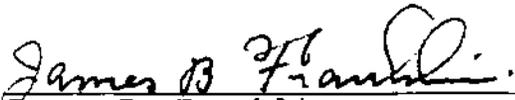
22. The internal road system shown on the Development Plan shall be generally in accord with the analysis (dated September 19, 1979) contained within the Staff Report dividing the internal system into eight segments for analytical purposes. The east-west connector pursuant to the referenced analysis shall consist of 24 and 36 foot rural sections where access is restricted and frontage is generally along open space on one or both sides of the road. A 44-foot urban section shall be provided lots which directly access the east-west connector and a four-lane divided section shall be provided along the commercial frontage. The Staff recommendation aforesaid is accepted providing left-turn lanes as required shall be included in the 36-foot section and there shall be no right-turn lanes required in addition to the referenced section widths.

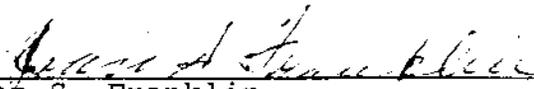
As an alternate and in lieu of the 44-foot section provided between the entrance to the eastern recreation area and the commercial site (a portion of Segment 1 and Segment 2), applicant may elect to construct a 24-foot east-west connector road section realigned to provide a direct connection between Segment 1 and Segment 3. In the event a 24-foot section on a relocated alignment is elected, the reverse-frontage lot concept shall be utilized.

In the event the Bypass is located through the subject property, appropriate accommodation of the said alignment will necessitate adjustments in the internal road system to provide appropriate distance from Bypass intersections.

23. A 13.9-acre elementary school site situated east of Bypass alignments "VA" and "VH" shall be dedicated to the Board of Supervisors. The location shall be determined and fixed at the time of Final Development Plan approval.

24. The development of the subject site shall be in compliance with the provisions of all applicable statutes, ordinances, regulations, policy standards, the Conceptual Development Plan and the specific proffers set forth in this document. Comments, suggestions, recommendations and requests which may have been contained in Staff reports or discussions but are not included specifically in either the proffered Conceptual Development Plan or this proffer shall not be deemed development commitments.


James B. Franklin


Jean S. Franklin

FRANKLIN PARTNERSHIP

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