



FAIRFAX COUNTY

DPZ
OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151
FAX: 703-324-3926
TTY: 703-324-3903

October 1, 1998

Gary P. Hurst, Manager
Hurst Company, L.L.C.
2929 Eskridge Road - Suite T
Fairfax, Virginia 22031-2213

RE: Rezoning Application
Number RZ 1998-PR-004

Dear Mr. Hurst:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on September 14, 1998 granting Rezoning Application Number RZ 1998-PR-004 in the name of Frank and Betty Jones and Robert A. Barnett, Trustee, to rezone certain property in the Providence District from the R-1 District to the PDH-4 District, subject to the proffers dated July 24, 1998, on subject parcel 49-3 ((1)) 36 and 38 consisting of approximately 4.27 acres.

The Conceptual Development Plan was approved: the Planning Commission having previously approved Final Development Plan Application FDP 1998-PR-004 on July 16, 1998 subject to the Board of Supervisors' approval of RZ 1998-PR-004 and the Conceptual Development Plan.

The Board also waived the trail requirement in lieu of an existing four foot wide sidewalk on Prosperity Avenue.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

RZ 1998-PR-004

October 1, 1998

2.

cc: Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Fred R. Beales, Supervisor Base Property, Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation
Ellen Gallagher, Project Planning Section, Dept. of Transportation
Department of Public Works and Environmental Services
Department of Highways - VDOT
Land Acqu. & Planning Div., Park Authority
Planning Commission (District)
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES
Barbara J. Lippa, Deputy Executive Director, Planning Commission

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 14th day of September, 1998, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 1998-PR-004

WHEREAS, Frank and Betty Jones and Robert A. Barnett, Trustee filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-1 District to the PDH-4 District, and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

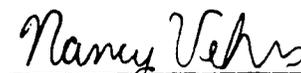
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended.

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Providence District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the PDH-4 District, and said property is subject to the use regulations of said PDH-4 District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcel.

GIVEN under my hand this 14th day of September, 1998.



Nancy Vehrs

Clerk to the Board of Supervisors

ROBEY SURVEYS, INC.

131 HOLDEN DRIVE
MANASSAS PK. VIRGINIA 20111

PHONE: 703-369-0156

FAX: 703-369-0156

METES AND BOUNDS
LOT 36 AND LOT 38
FAIRFAX COUNTY TAX MAP 49-3

Lot 36

Beginning at a found iron pipe, said iron pipe being a corner to lot 37, Lot 36, and in the line of Lot 10 (Panos' Additon to North Pine Ridge); thence S 52 24' 50" E, passing through a found concrete monument at 82.62' (25.18m), a corner to the aforementioned Lot 10 and Lot 38, a total distance of 342.66' (104.44m) to a set iron pipe on the northerly side of Prosperity Avenue (Rt. 699); thence with the northerly side of Prosperity Avenue S 21 31' 48" W 156.68' (50.80m) to a set iron pipe, said set iron pipe being the beginning of a curve to the right, having a delta angle of 80 20' 44", a radius of 40.00' (12.19m), length of 56.09' (17.10m), a tangent distance of 33.77' (10.29m), a chord distance of 51.61' (15.73m), and a chord bearing of S 61 42' 10" W to a set iron pipe on the easterly side of Robin Ridge Road (Rt. 1005); thence with the easterly side of Robin Ridge Road N 78 07' 28" W 241.35' (73.56m) to a found iron pipe, said iron pipe being a corner to Lot 36 and Lot 37; thence departing Robin Ridge Road and with Lot 37, N 11 52' 32" E 346.26' (105.54m) to the point of beginning, containing 1.8459 acres or 0.74699 hectares.

Lot 38

Beginning at a found concrete monument, said monument being a corner to Lot 10 (Panos' Addition to North Pine Ridge), Lot 38 and also being in the line of Lot 36. N 20 45' 08" E with the lines of Lot 10, Spartan Road (Rt. 4428), Lot 9 of the aforementioned subdivision, a total distance of 418.98' (127.71m) to a found iron concrete monument, said monument being in the line of Lot 39; thence with the line of Lot 39; thence with the line of Lot 39 S 52 20' 28" E 266.05' (81.09m) to a found iron pipe on the northerly side of Prosperity Avenue (Rt. 699); thence with the northerly side of Prosperity Avenue S 21 31' 48" W 416.95' (127.09m) to a set iron pipe, a corner to Lots 38 and 36; thence departing Prosperity Avenue and with the line of Lot 36 N 52 24' 50" W 260.04' (79.26m) to the point of beginning, containing 2.4202 acres or 0.97941 hectares.

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

DEC 16 1997

ZONING EVALUATION DIVISION

PROFFERS
RZ 1998-PR-004
July 24, 1998

Pursuant to Section 15.2-2303(A) of the Code of Virginia, (1950), as amended, the undersigned applicant/owners (Applicant), for themselves and for their successors and assigns, proffer the following conditions provided that the subject properties are rezoned from the R-1 zoning category to the PDH-4 zoning category, subject to the below referenced development plan and in accordance with the proffers set forth herein.

1. The rezoning application is submitted for the purposes, structures, and/or uses indicated in the conceptual development/final development plan (CDP/FDP), Sheet 1, prepared by Ballato & Associates dated 11/12/97 and as revised through 6/15/98 and titled "North Ridge Proposed CDP/FDP Prosperity Avenue," and the Tree Preservation/Landscape Plan, Sheet 2, prepared by Ballato & Associates dated 3/23/98, as revised through 6/15/98, and titled "North Ridge Tree Preservation / Landscape Plan Prosperity Avenue," collectively the "CDP/FDP". Applicant and its successors and assigns, reserves the right to make minor engineering modifications as permitted by the Public Facilities Manual and the Zoning Ordinance, and as determined appropriate by the Director of the Department of Public Works and Environmental Services (DPW&ES).

2. If requested by DPW&ES during plan review, the Applicant shall have a geotechnical study of the site prepared by a geotechnical engineer and shall submit the report to DPW&ES for review and approval prior to site plan approval. The recommendations of DPW&ES will be implemented.

3. As a recreational amenity an approximate six-foot wide asphalt trail will be constructed prior to the issuance of the first residential use permit from the east end of Spartan Drive to the west side of Prosperity Avenue (as shown on the "CDP/FDP") for general public use. The trail shall be maintained by the North Ridge Homeowners' Association (NRHOA) and an access easement for general public use shall be granted and recorded. Subject to the approval by VDOT of a waiver of completion of the cul-de-sac at the eastern end of Spartan Drive, Applicant, prior to the issuance of the first residential use permit, agrees to make a cash contribution of \$2,500.00 to the North Pineridge Civic Association to be used to re-landscape the area around said cul-de-sac. Applicant shall apply for the VDOT waiver at the time of subdivision plan submission.

4. Prior to the issuance of the first residential use permit Applicant hereby agrees to repair/replace any damaged sidewalk (to the satisfaction of DPW&ES) on the west side of Prosperity Avenue adjacent to the subject property line, if the requirement for a trail in that location is waived.

Proffers

RZ 1998-PR-004

Page Two of Five pages

5. All open space, as shown on the CDP/FDP as Parcel A, shall be conveyed to a homeowners' association (North Ridge Homeowners' Association-NRHOA) to be formed as approved by the County Attorney. No uses shall be permitted in Parcel A except as shown on, or are intended by, the CDP/FDP.

6. For purposes of future parcel consolidation the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way necessary for access to parcel 37, as shown on the CDP/FDP, and grant any easements, at no cost to parcel 37 for the easement rights, necessary for parcel 37 to tie into the proposed sewer in North Ridge Court. The dedication shall be made at time of recordation of the final record plat or upon demand from Fairfax County, whichever first occurs. All construction related to this paragraph shall be at the expense of others. Prospective purchasers shall be advised in writing of this potential future access prior to entering into a contract of sale.

7. Covenants shall be recorded, if they do not conflict with any then known laws, which prohibit (1) exterior broadcast/receiving towers, (2) the storing of boats, trailers and motorhomes in the project, (3) the construction of any outbuildings without NRHOA approval, (4) the removal of trees on lots, other than diseased and dying trees, without the approval of NRHOA, (5) the construction of fences without the approval of NRHOA. In addition, a covenant shall be recorded which provides that garages shall only be used for a purpose that will not interfere with the intended purpose of garages (e.g., the parking of two vehicles in each). These covenants shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the NRHOA. Prospective purchasers shall be advised of these use restrictions prior to entering into a contract of sale.

8. All dedications or easements necessary for improvements along Robin Ridge Road shall be granted at no cost to VDOT or the Board of Supervisors prior to, or concurrent with, subdivision plan approval, or on demand of DPW&ES, whichever first occurs.

9. A tree preservation plan is a part of the Tree Preservation/Landscape Plan in the CDP/FDP. This plan provides for the preservation of specific quality trees or stand of trees located within the open space areas, which can be preserved to the maximum extent feasible without precluding the development of the dwelling units as shown on the CDP/FDP. DPW&ES may require modifications to the landscape plan to the extent said modifications do not alter the number of dwelling units shown on the CDP/FDP, reduce the size of the units or require the installation of retaining walls greater than four feet in height.

Subject to the approval of the Urban Forester/DPW&ES, the Applicant shall perform the following measures relating to tree preservation on the property:

Perform a pre-construction evaluation of the existing vegetation to determine the condition of the trees designated to be saved.

The trees designated to be saved shall be marked on the ground with a fence which has a minimum height of four feet, or equivalent demarcation as determined appropriate by the Urban Forester/DPW&ES, prior to clearing and grading, and said markings shall be maintained at all times during construction. Signage affirming "Restricted Access", and highly visible to construction personnel, shall be provided on the temporary fence. An arborist contracted by the Applicant, and who is certified by the International Society of Arboriculturists, shall monitor the construction of North Ridge to ensure compliance with the Tree Preservation/Landscape Plan.

In addition, adjustments to the proposed grading, and location of the proposed units on the CDP/FDP may be made at time of final engineering to enhance specific tree preservation.

In the event areas designated as tree save areas on the CDP/FDP are modified as a result of final engineering or cannot be preserved as determined by DPW&ES, equivalent tree save areas or equivalent landscaped areas shall be substituted on the site as determined by the Urban Forester/DPW&ES. The Applicant shall identify specific quality trees on the Application Property that may be good candidates for transplantation and transplant such trees if determined feasible by a certified arborist contracted by the Applicant in consultation with the Urban Forester/DPW&ES.

10. A minimum house size of 2,400 square feet of heated living space, plus a two-car garage, shall be maintained throughout the project shown on the CDP/FDP. The exterior finishes of the units will consist of a minimum of twenty percent brick veneer or stone veneer, with other materials that could include horizontal lap siding, vertical siding, stucco or masonry, or equivalent materials as determined appropriate by the Director of DPW&ES. Every attempt will be made to use the same exposed material at the same elevations on all sides of the houses, except where specific materials need to be used in a specific location on a specific side for aesthetic or structural purposes.

11. Landscaping for the proposed single-family detached units shall be generally in character with the typical landscaping details as shown on the CDP/FDP. A contractual requirement with the builder of the units shall provide for a minimum landscape allowance

of \$1,500.00 per unit, which shall cover or subsidize the typical unit landscaping on individual lots.

12. In addition to the construction of the tot lot shown on the CDP/FDP, Applicant agrees to contribute the sum of \$7,500.00 to the Fairfax County Park Authority to be used to further improve the trail / sidewalk system in the vicinity of the subject properties. These funds are in addition to the funds mentioned in proffer #16.

13. Prior to demolition of the existing structure(s), and if requested by DPW&ES at time of subdivision plan review, Applicant shall perform a phase I environmental assessment of the existing structure(s) on parcel 49-3-1-36, which is to be razed, and to comply with all requirements for disposing of any contaminated materials.

14. In addition to the construction of the stormwater management and BMP facility, Applicant shall contribute a pro-rata share assessment for downstream, off-site stormwater management improvements, as determined appropriate by the Director of DPW&ES.

15. A contribution of one (1) percent of the estimated sales prices of the dwelling units to be constructed within the proposed subdivision shall be made to the Housing Trust Fund in consultation with the Department of Housing and Community Development at, or prior to, the time of subdivision plat approval, as per Board of Supervisors policy adopted May 20, 1991.

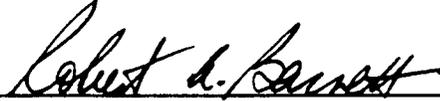
16. Recreational Facilities- Pursuant to Paragraph 2 of section 6-110 of the Zoning Ordinance regarding recreational facilities, the Applicant proffers that the minimum expenditure for developed recreational facilities shall be \$955.00 per residential unit. Any funds not spent on-site, as determined by the Director of the DPW&ES shall be provided to the Fairfax County Park Authority for the purpose of providing additional recreational facilities and/or renovating or increasing the user capacity of existing facilities in the nearby parks of Villa Lee and/or Hideaway.

17. Applicant shall contribute two desktop computers to the Fairhill Elementary School prior to the time the first residential use permit is issued, for the use of students. The computers will be of quality equal to the School's standard system, at a cost not to exceed \$2,500.00.

SIGNATURES ARE ON THE FOLLOWING PAGE

These proffers will be binding upon the Applicant, its heirs, successors and assigns.

Applicant/Owners



Robert A. Barnett, Individually and as Trustee



Barbara A. Billman



Frank R. Jones



Betty P. Jones

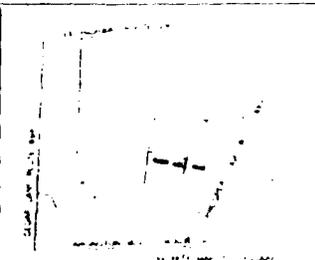
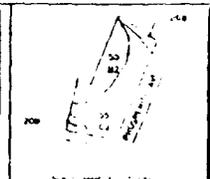
THE STATE OF TEXAS, COUNTY OF DALLAS, TEXAS.
 I, the undersigned, being a duly qualified and licensed Surveyor in and for the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my records on file in my office in the City of Dallas, Texas.
 My Commission Expires on the 15th day of December, 1997.
 JOHN W. BARNES, Surveyor
 My Office is located at 1111 North Stemmons Freeway, Suite 1000, Dallas, Texas 75207.

TABLE OF CORRECTIONS
 TO THE ORIGINAL SURVEY
 OF THE TRACT OF LAND
 DESCRIBED IN THE
 FOREGOING INSTRUMENT
 DATED AND RECORDED
 AS ABOVE.

LINE	ORIGINAL BEARING	CORRECTED BEARING	ORIGINAL DISTANCE	CORRECTED DISTANCE
1	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
2	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
3	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
4	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
5	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
6	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
7	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
8	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
9	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
10	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
11	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
12	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
13	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
14	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
15	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
16	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00
17	N 89° 42' 00" E	N 89° 42' 00" E	100.00	100.00

THE STATE OF TEXAS, COUNTY OF DALLAS, TEXAS.
 I, the undersigned, being a duly qualified and licensed Surveyor in and for the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my records on file in my office in the City of Dallas, Texas.
 My Commission Expires on the 15th day of December, 1997.
 JOHN W. BARNES, Surveyor
 My Office is located at 1111 North Stemmons Freeway, Suite 1000, Dallas, Texas 75207.

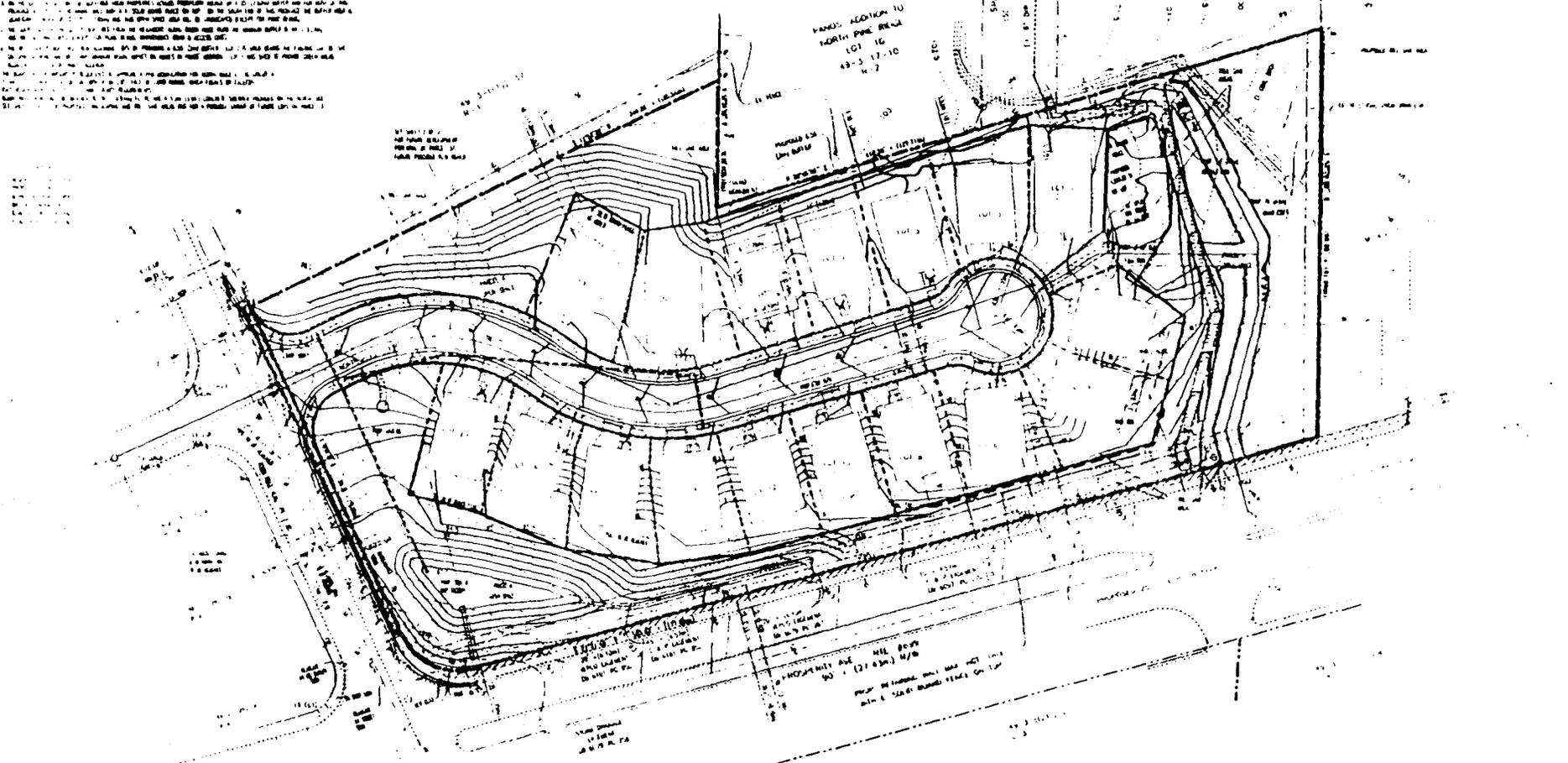
LINE	BEARING	DISTANCE	AREA	PERCENTAGE
1	N 89° 42' 00" E	100.00	100.00	100.00
2	N 89° 42' 00" E	100.00	100.00	100.00
3	N 89° 42' 00" E	100.00	100.00	100.00
4	N 89° 42' 00" E	100.00	100.00	100.00
5	N 89° 42' 00" E	100.00	100.00	100.00
6	N 89° 42' 00" E	100.00	100.00	100.00
7	N 89° 42' 00" E	100.00	100.00	100.00
8	N 89° 42' 00" E	100.00	100.00	100.00
9	N 89° 42' 00" E	100.00	100.00	100.00
10	N 89° 42' 00" E	100.00	100.00	100.00
11	N 89° 42' 00" E	100.00	100.00	100.00
12	N 89° 42' 00" E	100.00	100.00	100.00
13	N 89° 42' 00" E	100.00	100.00	100.00
14	N 89° 42' 00" E	100.00	100.00	100.00
15	N 89° 42' 00" E	100.00	100.00	100.00
16	N 89° 42' 00" E	100.00	100.00	100.00
17	N 89° 42' 00" E	100.00	100.00	100.00



AREA MEASUREMENT
 TOTAL AREA: 100.00 ACRES
 AREA OF LOT 10: 10.00 ACRES
 AREA OF LOT 11: 10.00 ACRES
 AREA OF LOT 12: 10.00 ACRES
 AREA OF LOT 13: 10.00 ACRES
 AREA OF LOT 14: 10.00 ACRES
 AREA OF LOT 15: 10.00 ACRES
 AREA OF LOT 16: 10.00 ACRES
 AREA OF LOT 17: 10.00 ACRES

VENDOR ACQUISITION TO
 NORTH POSE BLOCK
 LOT 10
 10-3-17-10

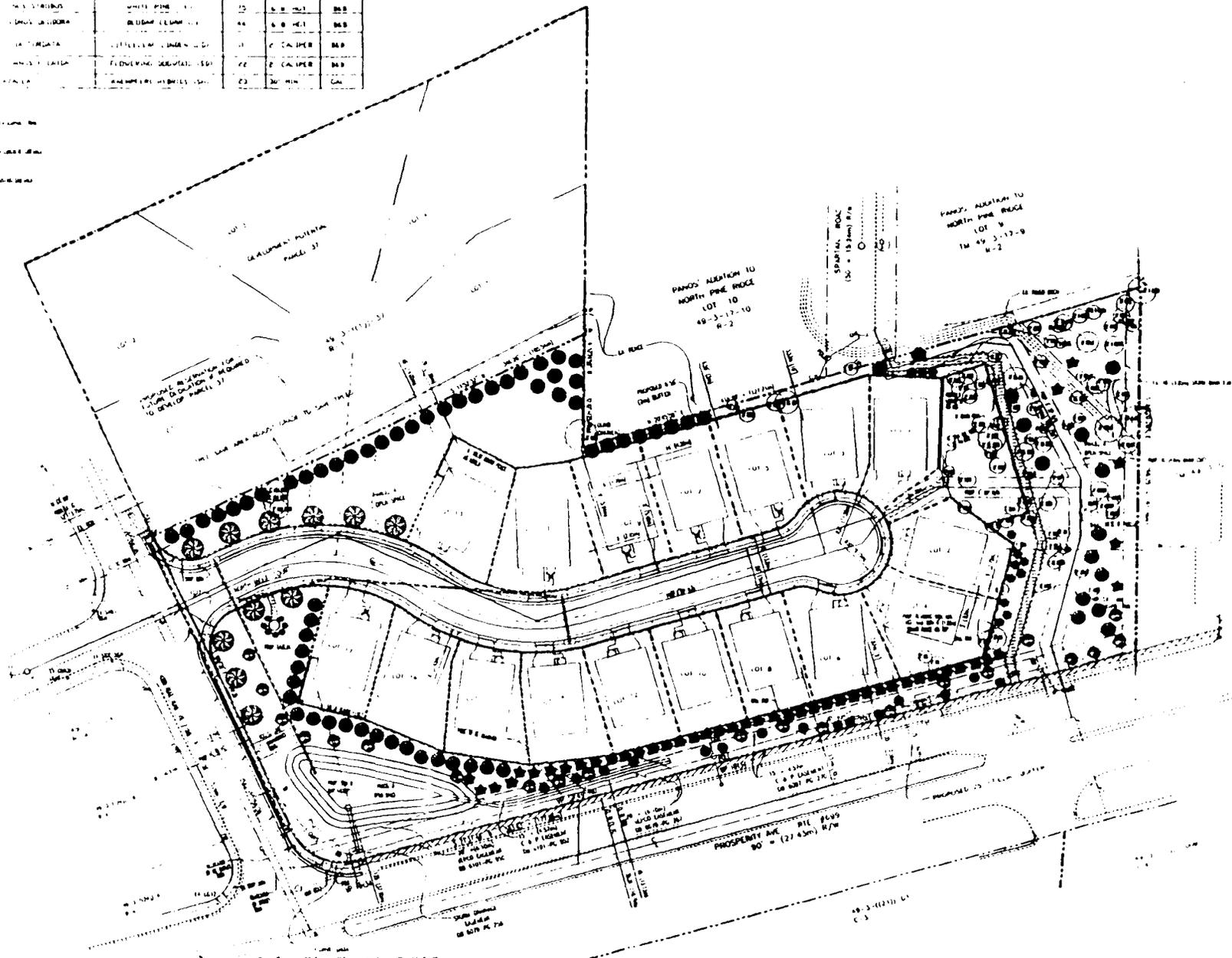
JOHN W. BARNES, Surveyor
 My Office is located at 1111 North Stemmons Freeway, Suite 1000, Dallas, Texas 75207.



NORTH POSE BLOCK 10-3-17-10	11/12/97 11/12/97 11/12/97	BALLANTYNE ASSOCIATES ROBERT SURVEYS		100	JOHN BARNES
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SYMBOL	COMMON NAME	QUANTITY	SIZE	REMARKS
(Symbol)	CRANE SEEDLING	12	2" CAL. PER	BBB
(Symbol)	WHITE PINE	12	5" B. DIA.	BBB
(Symbol)	BLOSSOM CLEMATIS	44	5" B. DIA.	BBB
(Symbol)	W. CALIFORNIA	11	2" CAL. PER	BBB
(Symbol)	FLORIDIAN SCUMMEL	22	2" CAL. PER	BBB
(Symbol)	W. CALIFORNIA	22	30" DIA.	CAA

NOTES
 THE 64 TREES WITHIN THE TREE SAVE AREA ARE MARKED. THE REMAINDER OF NORTH END OF SITE WITHIN THESE AREAS CONSIST OF SMALLER TREES AND HEAVY UNDERGROWTH. REMAINDER OF LOT SOUTH END OF SITE CONSIST OF SCATTERED SMALL TREES AND LIGHT UNDERGROWTH.
 ALL 64 TREES TO BE SAVED THAT ARE 8" OR LARGER ARE MARKED WITH A CANOPY OUTLINE WITH THEIR ADJ. #12345 WITHIN THE TREE SAVE AREA.



**NORTH RIDGE
 LANDSCAPE PLAN
 PROSPERITY AVENUE**

DATE: 11/15/01
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT NO.: 49-3-17-10
 SHEET NO.: 13 OF 20

PROSPERITY AVENUE
 90' x (27.45m) R/W

SCALE: 1" = 40'

JON SHAIN

F A I R F A X C O U N T Y

BOARD OF SUPERVISORS ACTION
ZONING MAP AMENDMENT
DATE OF ACTION 09/14/98

APPLICATION NUMBER: RZ 98-P-004

PROVIDENCE DISTRICT

APPLICANT: FRANK AND BETTY JONES AND ROBERT A. BARN

STAFF: STAGG

APPLICATION DATA

EXISTING ZONING AND ACREAGE

ZONING: R- 1

ACRES: 4.26

PROPOSED:

PDH- 4
4.26

ACTION:

PDH- 4
4.26

TOTAL ACRES

4.26

TOTAL ACRES

4.26

MAP NUMBERS

049-3- /01/ /0036- ,0038-

REMARKS:

ZONING MAP AMENDMENT

RZ 98-P-004

ZONING DISTRICT DATA

ZONING DISTRICT: PDH- 4

PROFFERED/CONDITIONED DWELLING UNIT DATA

TYPES	UNITS	ACRES	DENSITY	RANGE	LOMOD INCL	LOMOD ADD
SFD	17	4.27				

-----	-----	-----	-----	-----	-----	-----
TOT	17	4.27	3.81			

PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

USE	GFA	FAR	USE	GFA	FAR
COMMERICAL-GEN			PUBLIC/QUASI PUB		
HOTEL/MOTEL			OFFICE		
INDUSTRIAL-GEN			TRAN-UTIL-COMM		
CULT/EDU/RELG/ENT			RETAIL-EATING EST		
INDUST-WAREHOUSE			*****TOTAL*****		

REMARKS:

ZONING MAP AMENDMENT

RZ 98-P-004

CONDITION/CONTRIBUTION DATA

COND CODE DESCRIPTION	COND CODE DESCRIPTION
4Z OTHER - ENVIRONMENT	3F PEDESTRIAN FACILITY/TRAIL
4Z OTHER - ENVIRONMENT	4Z OTHER - ENVIRONMENT
2B USE RESTRICTION	2Z OTHER - LAND USE
2D DEDICATION: B.O.S.	2G DEDICATION: HOMEOWNRS OPEN SPACE
2Z OTHER - LAND USE	2Z OTHER - LAND USE
5E CONTRIBUTION-HOUSING *SEE BELOW	4Z OTHER - ENVIRONMENT
4B TREES/COUNTY ARBORIST	4H LANDSCAPING
4M SOIL PROBLMS/GEOTECHNICAL REVIEW	6A SPECIAL NOTIFICATION REQUIREMENT
1B CONCEPTUAL DEVEL PLAN	1Z OTHER - GENERAL
7A OTHER MISCELLANEOUS - SEE FILE	

CONTRIB DATA:	CND CODE	AMOUNT	CONDITIONED	EXPIRES	CONTRIB CODE
	2Z	\$7,500	X	01/01/01	
	1Z	\$2,500	X	01/01/01	
		\$0		00/00/00	
		\$0		00/00/00	

REMARKS:

PHASE I ENVIRONMENTAL STUDY OF EXISTING STRUCTURE

9/14/98

4:30 p.m. Item - RZ-1998-PR-004 - FRANK & BETTY JONES & ROBERT A. BARNETT, TR.
Providence District

On Thursday, July 16, 1998, the Planning Commission voted 8-0-2 (Commissioners Harsel and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting) to recommend to the Board of Supervisors approval of:

- 1) RZ-1998-PR-004, subject to the execution of proffers consistent with those dated July 13, 1998;
- 2) a waiver of the trail requirement in lieu of an existing four foot wide sidewalk on Prosperity Avenue.

The Commission also voted 8-0-2 (Commissioners Harsel and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting) to approve FDP-1998-PR-004, subject to the Board's approval of RZ-1998-PR-004 and the conceptual development plan.

Planning Commission Meeting
July 16, 1998
Verbatim Excerpts

RZ-1998-PR-004 - FRANK & BETTY JONES AND ROBERT A. BARNETT, TR.
FDP-1998-PR-004 - FRANK & BETTY JONES AND ROBERT A. BARNETT, TR.

Decision Only During Commission Matters

Commissioner Coan: Mr. Chairman, I have a decision only tonight. It's RZ-1998-PR-004 and FDP-1998-PR-004, Frank and Betty Jones and Robert A. Barnett, Trustee, with respect to both matters. Last night there was provided to us a memorandum from Ms. Stagg, who is the staff coordinator, to which were attached revised proffers dated July 13, 1998. Hopefully, everyone has had a chance to review them since last night. I have a couple of points with respect to those which I would like the applicant's representative -- if he would come forward, please, Mr. Hurst. Would you identify yourself, please?

Mr. Gary Hurst: My name is Gary Hurst, agent for the applicants.

Commissioner Coan: Mr. Hurst, in Proffer #6 there was a provision added that stated that with respect to the dedication of right-of-way for potential entrance to the adjoining site, that a permanent sign which identifies the right-of-way shall be placed at the future access point. It is my understanding that you are willing to drop that and I fully assent to dropping that.

Mr. Hurst: That's correct.

Commissioner Coan: And you'll make that change between the Planning Commission and the Board of Supervisors.

Mr. Hurst: Yes, sir.

Commissioner Coan: And secondly, sir, with respect to Proffers #12 and #16. Number 12 provides for construction of a tot lot and contribution of \$7500 to the Fairfax County Park Authority to be used to further improve the trail/sidewalk system in the vicinity of the subject property rather than designate a specific trail. And I thank you for making that change. I think that will simplify that. But it is my understanding that that \$7500 is above and beyond the \$955 per residential unit for recreational facilities mentioned in Proffer #16. Is that correct?

Mr. Hurst: That's correct.

Commissioner Coan: And that will be clarified between this session and the Board of Supervisors?

Mr. Hurst: Yes, sir.

Commissioner Coan: Thank you, sir. That's all I had. Mr. Chairman, based on those two assurances from Mr. Hurst, I MOVE THAT WE RECOMMEND APPROVAL OF RZ-1998-PR-004.

Commissioners Alcorn and Byers: Second.

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Byers. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve --

Commissioner Coan: Oh -- I'm sorry -- SUBJECT TO THE PROFFERS DATED JULY 13, 1998.

Chairman Murphy: Okay. RZ-1998-PR-004, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Coan.

Commissioners Palatiello and Harsel: Abstain.

Chairman Murphy: Okay, we have the same abstentions -- oh, no -- Mrs. Harsel and Mr. Palatiello abstain on this one.

Commissioner Coan: Mr. Chairman, I MOVE THAT WE RECOMMEND APPROVAL OF A WAIVER OF THE TRAIL REQUIREMENT IN LIEU OF AN EXISTING FOUR FOOT WIDE SIDEWALK ON PROSPERITY AVENUE.

Commissioners Alcorn and Byers: Second.

Chairman Murphy: Seconded by Mr. Byers and Mr. Alcorn. Discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Palatiello and Harsel: Abstain.

Chairman Murphy: Motion carries. Mr. Coan.

Commissioner Coan: Mr. Chairman, I MOVE THAT WE APPROVE FDP-1998-PR-004, SUBJECT TO BOARD'S APPROVAL OF RZ-1998-PR-004 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion of that motion? All those in favor of the motion to approve FDP-1998-PR-004, subject to Board's approval of the rezoning and conceptual development plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries; same abstentions.

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(The motions carried by a vote of 8-0-2 with Commissioners Harsel and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.)

GLW