



FAIRFAX COUNTY

ZED

**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

July 24, 1999

Frank Warren Stearns, Esquire
Wilkes, Artis, Hedrick & Lane, Ctd.
11320 Random Hill Road – Suite 600
Fairfax, Virginia 22030-7418

RE: Rezoning Application
Number RZ 1998-PR-023

Dear Mr. Stearns:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 12, 1999 granting Rezoning Application Number RZ 1998-PR-023, in the name of National Capital Land and Development Company, to rezone certain property in the Providence District from the R-1 District to the PDH-4 District subject to the proffers dated June 16, 1999, on subject parcel 39-4 ((1)) 127 consisting of approximately 4.20 acres.

The Conceptual Development Plan was approved; the Planning Commission having previously recommended approval of FDP 1998-PR-023 on April 22, 1999; subject to the Board's approval of RZ 1998-PR-023.

(Clarification for the record one aspect to proffer Number 16, Traffic Control Measures. The intent is to provide limited access along Tire Swing Road between the adjacent neighborhood, Shreve Hill and the proposed new development. The developer should install this gate as soon as possible after constructing the street connection. However, the developer should also provide temporary traffic control measures prior to the gates' installation which is sufficient to discourage general vehicular traffic between the two neighborhoods.)

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

RZ 1998-PR-023

July 24, 1999

- 2 -

cc: Chairman Katherine K. Hanley
Supervisor-Providence District
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
Michelle Brickner, Deputy Director, DPW&ES
DPW&ES - Bonds & Agreements
Frank Edwards, Department of Highways - VDOT
Land Acqu. & Planning Div., Park Authority
District Planning Commissioner
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES
Barbara J. Lippa, 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 12th day of July, 1999, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 1998-PR-023

WHEREAS, National Capital Land and Development Company 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 12th day of July, 1999.



Nancy Vehrs

Clerk to the Board of Supervisors

**DESCRIPTION OF THE PROPERTY OF
THE HEIRS OF ROBERT JOHN J. SEOANE
(IDYLWOOD)
PROVIDENCE DISTRICT, FAIRFAX COUNTY, VIRGINIA
DECEMBER 31, 1997**

Beginning at the northwest corner of Lot 11, Shreve Hill as recorded in Deed Book 10069, Page 1899 of the Fairfax County Land Records, also being a point in the southwesterly right-of-way line of Elm Place;

Thence, departing said southwesterly right-of-way line of Elm Place and running with the northwesterly line of said Shreve Hill and continuing with the northwesterly right-of-way line of Idylwood Road, Route 695, S 23 ° 45' 00" W, a distance of 210.356 meters;

Thence, running with the northeasterly right-of-way line of said Idylwood Road, the following two (2) courses:

1. N 60 ° 25' 00" W, a distance of 30.424 meters;
2. N 51 ° 13' 00" W, a distance of 55.230 meters to a point in the southeasterly right-of-way line of Sandburg Street, Route 936;

Thence, departing said northeasterly right-of-way line of Idylwood Road and running with said southeasterly right-of-way line of Sandburg Street, N 23 ° 45' 00" E, a distance of 192.938 meters to a point in the southwesterly right-of-way line of Elm Place;

Thence, departing said southeasterly right-of-way line of Sandburg Street and running with said southwesterly right-of-way line of Elm Place, S 66 ° 15' 00" E, a distance of 83.607 meters to the point of beginning.

CONTAINING 16,993.3 SQUARE METERS OR 1.69933 HECTARES, MORE OR LESS.

PROFFERS

RZ 1998-PR-023

DATED: June 16, 1999

Pursuant to Section 15.2 - 2303(A) of the Code of Virginia, 1950 as amended, the undersigned Applicant/Owners for both themselves and their successors and assigns (hereinafter "Applicant"), file for a rezoning and final development plan approval for property identified as Tax Map Reference 39-4 ((1)) parcel 127 (hereinafter referred to as the "Application Property") hereby agree to the following proffers, provided the Board of Supervisors approves the rezoning of the Application Property to the PDH-4 zoning district:

1. Conceptual /Final Development Plan. Development of the Application Property shall be in substantial conformance with the CDP/FDP, prepared by Christopher Consultants, Ltd., dated January 7, 1997, revised through April 21, 1999, consisting of five (5) sheets.
2. Final Development Plan Amendment. Notwithstanding that the CDP/FDP is presented on three (3) sheets and said CDP/FDP is the subject of Proffer 1 as set forth above, it shall be understood that the CDP shall be the entire Plan relative to the points of access, the total number and type of units and the general location of residential lots and common open space, and that the Applicant has the option to request a Final Development Plan Amendment ("FDPA") for elements of other than the CDP elements from the Planning Commission for all of, or a portion of, the CDP/FDP in accord with the provisions as set forth in Section 16-402 of the Fairfax County Zoning Ordinance, dated August 14, 1978, as amended ("Ordinance").
3. Minor Modifications. Pursuant to paragraph 4 of Section 16-403 of the Ordinance, minor modifications from the FDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the internal lot lines of the proposed subdivision at time of subdivision plan submission based on final house locations and building footprints.
4. Idylwood Road.
 - A. Dedication. Subject to Virginia Department of Transportation ("VDOT") and Department of Public Works and Environmental Services ("DPW&ES") approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of forty-five (45') feet from the existing centerline of Idylwood Road along the Application Property's frontage as shown on the CDP/FDP. Dedication shall be made at time of recordation of the first subdivision plat or upon demand of DPW&ES and/or from Fairfax County, whichever occurs first.
 - B. Access. The Applicant shall provide access to the Application Property with the proposed "Tire Swing Road" which shall connect to Sandburg Street through to the Shreve Hill Subdivision (hereinafter the "Adjacent Property"), as indicated on the CDP/FDP and subject to Proffer Number 16.

PROFFERS
RZ 1998-PR-023
National Capital Land & Development, Inc.

C. Trail. The Applicant shall widen the existing four (4) foot wide asphalt trail along the Application Property's Idylwood Road frontage to eight (8) feet as shown on the CDP/FDP. The trail may meander on the Application Property in order to preserve existing trees along Idylwood Road as determined appropriate by the Urban Forester, DPW&ES. At the request of the Applicant DPW&ES may modify the required minimum distance from Idylwood Road when appropriate to save trees.

Notwithstanding the Note and depiction of the asphalt trail through the Open Space from Lot 4 through Lot 7 on the approved CDP/FDP, no trail shall be constructed at that location. In lieu thereof, a four (4) foot wide concrete sidewalk shall be constructed on each side of Tire Swing Road on the Application Property.

5. Density Credit. The Applicant hereby reserves Advanced density credit as may be permitted by the provisions of Paragraph 5 of Section 2-308 of the Ordinance for all eligible dedications described herein or as may be reasonably required by Fairfax County or VDOT at time of subdivision plan approval.
6. Stormwater Management. The Applicant shall provide best management practices (BMPs) in accord with the requirements of the Public Facilities Manual and the Chesapeake Bay Preservation Ordinance. The Applicant may provide for stormwater management off-site of the subject property partially in the existing detention pond on the Adjacent Property if approved by DPW&ES. The Applicant can request a waiver for on-site stormwater management for the balance of the site. The Applicant can request for stormwater to be accommodated via an underground pipe through the Elm Place right-of-way to be discharged into Holmes Run. In connection therewith, Applicant at time of Subdivision approval shall make a \$1,000.00 per unit contribution to Fairfax County for use in its discretion in alleviating erosion along Holmes Run downstream from the Shreve Hill stormwater outfall. In the event that the waiver is not successfully obtained, the Applicant shall provide for that portion of the stormwater management required to be on-site as indicated in the CDP/FDP. If the stormwater management facility is constructed on-site, the Applicant shall provide supplemental landscaping along the property line with the Adjacent Property (Shreve Hill) to the maximum extent permitted by DPW&ES.
7. Private Street. The Applicant shall construct a private street in conformance with the Public Facilities Manual standard TS-5A with a minimum thirty (30) foot easement and minimum twenty-four (24) foot pavement width. Said private street shall be constructed with materials and depth of pavement pursuant to the provisions of Section 7-0502 of the Public Facilities Manual. Sidewalks will be provided on one side of the private street as shown on the CDP/FDP.
8. Limits of Clearing and Grading. The Applicant shall conform to the limits of clearing and grading as shown on the CDP/FDP subject to the installation of utilities as determined necessary by the Director of DPW&ES. If it's determined necessary to install utilities outside the limits of clearing and grading, they shall be located in the least disruptive

PROFFERS
RZ 1998-PR-023
National Capital Land & Development, Inc.

manner as determined by the Urban Forester, DPW&ES. If necessary, the utility lines outside the limits of clearing and grading shall be located and installed in the least disruptive manner possible, considering cost and engineering, as determined by the Urban Forester, DPW&ES. A replanting plan shall be developed and implemented, as approved by the Urban Forester, DPW&ES, for any areas outside the limits of clearing and grading that must be disturbed.

9. Landscaping and Open Space.

a) For the purposes of maximizing the preservation of trees on individual lots, the Applicant shall retain a certified landscape architect to consult on the preparation of a tree preservation/landscape plan. The tree preservation/landscape plan shall be submitted prior to any individual house grading plans and as part of the final subdivision plan which shall be reviewed and approved by the Urban Forester. This plan shall provide for the preservation of specific quality trees or stands of trees located on individual lots which can be preserved without precluding the development of a typical home on each of the lots as shown on the CDP/FDP. The Urban Forester and/or DPW&ES may require modifications to the landscape plan to the extent said modifications do not alter the number of dwelling units as shown on the CDP/FDP or reduce the size of the units.

Subject to the approval of the Urban Forester and/or 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 applicant shall have the limits of clearing flagged prior to construction. Prior to construction the applicant shall walk the limits of clearing with a certified arborist, an Urban Forester representative and the landscape architect to determine where minor adjustments to the line may be made to ensure the preservation of the maximum number of trees in the tree save area.

- The trees designated to be saved shall be marked on the ground at the drip line with 36" high orange fencing or equivalent demarcation prior to clearing and grading and at all times during construction. However, the Urban Forester may allow clearing and grading within the drip line if he/she has determined that appropriate alternative measures will be undertaken to otherwise insure the health of the tree to be saved. Signage affirming restricted access shall be provided on the temporary fence highly visible to construction personnel. The landscape architect contracted by the Applicant shall monitor the construction of the proposed development to ensure consistency with the tree preservation landscape plan.

- In addition, where it is determined feasible by the Director of DPW&ES, adjustments to the proposed grading and location of the proposed units on the application property shall be modified at the time of final engineering to enhance specific tree preservation.

PROFFERS
RZ 1998-PR-023
National Capital Land & Development, Inc.

Page 4

- As a result of final engineering in the event the areas designated as tree save areas on the CDP/FDP are modified or cannot be preserved, equivalent tree save areas shall be substituted on the site as determined by Urban Forester and/or DPW&ES.
- b) All open space areas shown on the CDP/FDP shall be dedicated and conveyed to a homeowners association and shall remain undisturbed before, during and after development activity, except for necessary crossings for placement of utilities and the Storm Water Management/Best Management Practices (SWM/BMP) pond if any, as approved by DPW&ES. The deed of conveyance for Lot 3 shall contain a covenant that the trees identified in the Northwest corner thereof to be saved will not be removed absent a health or safety reason therefor.
10. Sight Distance. Prior to the approval of the subdivision plan, the Applicant shall demonstrate that the sight distance at the entrance for Tire Swing Road at Sandburg Street satisfies VDOT standards.
11. Retaining Walls. If in the process of preparation of final engineering plans, retaining walls are required in order to conform to the approved CDP/FDP, these walls shall match the appearance and character of those constructed on the Adjacent Property, as determined by the Director, DPW&ES.
12. Housing Type. The Applicant shall construct single family dwelling units on the Application Property which will complement in general character and architecture, those developed on the Adjacent Property, as determined by the Director, DPW&ES.
13. R-4 Conventional Setbacks. All homes constructed within the subject development shall meet the R-4 conventional setbacks at the periphery of the development, as determined by the Director, DPW&ES.
14. Home Owners Association. The Applicant shall form a Home Owner's Association for the subject property, as approved by the County Attorney. All open space, as shown on the Final Development Plan, shall be conveyed to said Home Owner's Association at time of subdivision.
15. Off-Site Contributions. The Home Owner's Association, as set forth in number 14 above ("Association"), shall enter into a legally binding document with Shreve Hill Home Owner's Association (hereinafter "Shreve Hill HOA") prior to subdivision approval to contribute annually an amount not to exceed the amount paid pro rata per dwelling unit in Shreve Hill toward the maintenance and insurance of the recreational facilities located within the Shreve Hill subdivision. The Association shall make such contributions on the understanding that the future owners of the subject property shall be permitted full access and use of said recreational facilities. The Applicant shall submit a written justification for such off-site location and evidence that the future residents of the subject development shall have the right to use the recreational facilities at such off-site location, in accord with Paragraph 2 of Section 16-404 of the Ordinance.

PROFFERS
RZ 1998-PR-023
National Capital Land & Development, Inc.

The Association set forth in Proffer 14 herein shall enter into a legally binding document, which may be part of the aforementioned recreational document, with Shreve Hill HOA prior to subdivision approval for shared use of the mechanical gate(s) established in Proffer 16, providing for a pro rata per dwelling annual contribution for expenses for maintenance, insurance and utility costs of the mechanical gate(s). Said document shall require that the mechanical gate(s) be kept in working order at all times or remain open as long as it or they are in a non-working condition. The document shall further provide that the mechanical gate(s) are the property of Shreve Hill HOA and the code for operation of the mechanical gate(s) shall be set by Shreve Hill HOA, but that the Association members shall have access at all times to the code for use of the mechanical gate(s).

The Applicant shall make a one-time cash contribution to the Shreve Hill HOA of \$955 per dwelling as per paragraph 2, Section 6-110 of the Ordinance as set forth in the Letter of Agreement between Applicant and Shreve Hill HOA dated March 19, 1999, attached hereto. Said contribution shall be made upon execution of the legally binding document(s) contemplated herein or at time of subdivision approval, whichever occurs first. This contribution shall be made notwithstanding the inability of the Association and Shreve Hill HOA to enter into a legally binding document relating to the mechanical gate(s).

16. **Traffic Control Measures.** The Applicant shall provide traffic control measures along Tire Swing Road. These measures shall be provided at the developer's expense and shall consist of posting signs at the Sandburg Road entrance to Tire Swing Road and the Idylwood Road entrance to Shreve Hill Road stating that there is "No Outlet"; posting signs along Tire Swing Road stating "Slow Children at Play"; and installing a mechanical gate, or gates if necessary, where the section of Tire Swing Road to be constructed connects with existing Tire Swing Road on the Adjacent Property (Shreve Hill). Said mechanical gate(s) shall be sufficient to inhibit the use of Tire Swing Road by the general motoring public, but be of a breakaway nature so as to allow emergency vehicles to travel Tire Swing Road from both directions, if necessary. The mechanical gate(s) will have a "keypad" to be located conveniently on each side of the gate(s) for use by the residents of the Applicant's development and Shreve Hill with a coded entry to control the raising of the mechanical gate(s). The mechanical gate(s) shall: (i) have a separate electric meter; (ii) be the property of the Shreve Hill HOA; and (iii) be controlled by a code set by the Shreve Hill HOA, but shared with the Association as established in Proffer 15, herein. These measures including without limitation the location thereof, or any other similar measures shall be determined by the Director, DPW&ES. Traffic control measures shall not be required to meet this proffer if approval from the Shreve Hill HOA for improvements on their property cannot be obtained. Proof of attempts shall be provided to the Director, DPW&ES to the satisfaction of the Director, DPW&ES.

PROFFERS
RZ 1998-PR-023
National Capital Land & Development, Inc.

Page 6

17. Notification to Prospective Home Buyers. Prospective purchasers of homes within the subject development shall be notified in writing by the Applicant or successors in interest, prior to entering into any contract of sale, of the future Home Owner's Association's obligation for maintenance of the private street and annual contribution for off-site recreational facilities and traffic control gate(s), as set forth herein. Purchasers shall acknowledge receipt of this information in writing. A covenant, setting forth the maintenance responsibility of the private street and annual contributions for the recreational facilities, by the Applicant or successor's in interest shall be recorded among the land records of Fairfax County. Each deed of conveyance shall expressly contain these disclosures.

CONTRACT PURCHASER:
NATIONAL CAPITAL LAND & DEVELOPMENT, INC.

By: *F. Gary Garczynski*
F. GARY GARCZYNSKI, PRESIDENT

PROFFERS
RZ 1998-PR-023
National Capital Land & Development, Inc.

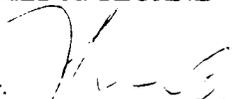
PROPERTY OWNERS

THE HEIRS OF ROBERT JOHN J. SEOANE

CECILIA A. ABBOTT

BY:  *AGENT AND ATTORNEY-IN-FACT*
**THERESA E. JOHNSON, AGENT AND ATTORNEY-
IN-FACT FOR CECILIA A. ABBOTT**

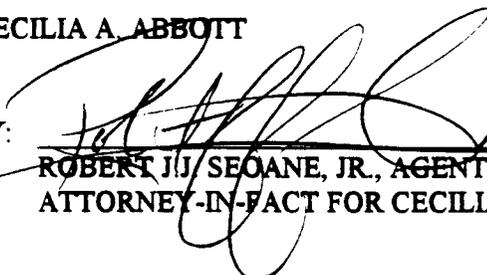
JAMES A. SEOANE

BY:  *AGENT AND ATTORNEY-IN-FACT*
**THERESA E. JOHNSON, AGENT AND ATTORNEY-
IN-FACT FOR JAMES A. SEOANE**

FREDERICK E. SEOANE

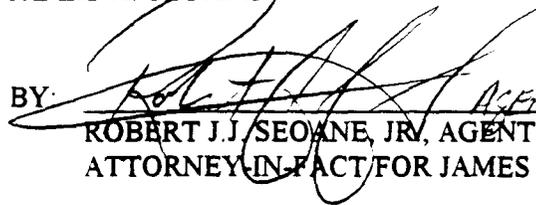
BY:  *AGENT AND ATTORNEY-IN-FACT*
**THERESA E. JOHNSON, AGENT AND ATTORNEY-
IN-FACT FOR FREDERICK E. SEOANE**

CECILIA A. ABBOTT

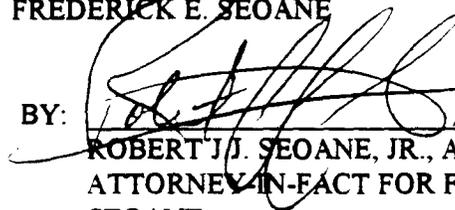
BY:  *AGENT & ATTORNEY IN FACT*
**ROBERT JJ/SEOANE, JR., AGENT AND
ATTORNEY-IN-FACT FOR CECILIA A. ABBOTT**

PROFFERS
RZ 1998-PR-023
National Capital Land & Development, Inc.

JAMES A. SEOANE

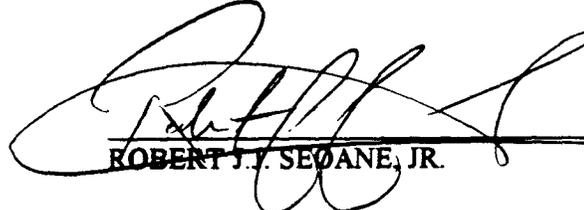
BY:  *AGENT & ATTORNEY IN FACT*
ROBERT J.J. SEOANE, JR., AGENT AND
ATTORNEY-IN-FACT FOR JAMES A. SEOANE

FREDERICK E. SEOANE

BY:  *AGENT & ATTORNEY IN FACT*
ROBERT J.J. SEOANE, JR., AGENT AND
ATTORNEY-IN-FACT FOR FREDERICK E.
SEOANE



THERESA E. JOHNSON



ROBERT J.J. SEOANE, JR.

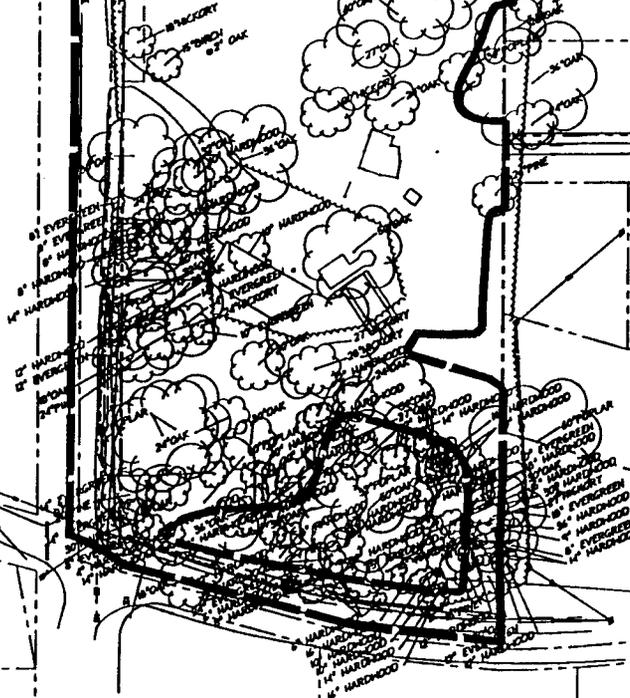
TREE SAVE AREA

TREE SAVE AREA

SOUTHERN TREE SAVE AREA

NOTES

1. ALL EXISTING TREES 6" AND LARGER WITHIN THE SOUTHERN TREE SAVE AREA ARE SHOWN. EXISTING TREES 18" AND LARGER ARE SHOWN ON THE REMAINDER OF THE SITE. SEE SHEET 4 FOR ARBORIST EVALUATION OF THE TREES IN THE SOUTHERN TREE SAVE AREA.
2. THIS PLAN DOES NOT CERTIFY TO THE HEALTH AND SPECIES OF THE EXISTING TREES.



DATE	REVISION	SCALE	DATE
12/14/76	PLANNING CONCEPTS DEVELOPED	1" = 300'	6/18/79
3/28/78	SCP COMMENTS		
5/1/78	SCP COMMENTS		
5/1/78	REMOVE INCUBATOR AREA		
6/1/79	REV. RE CARBON HALL ON LVL 3		

christopher consultants llc.
 engineers
 1000 park street
 suite 403
 richmond, va 23211
 (703) 371-4000

TREE SURVEY
 CONCEPTUAL/FINAL
 DEVELOPMENT PLAN

IDLWOOD ROAD
 PROPERTY

PROVIDENCE DISTRICT FALMOUTH COUNTY, VIRGINIA

3 of 4

C-1142

JANE MARTIN PORTER
DB 3555 PG 518
ZONE: R-1
USE: SINGLE DWELLING

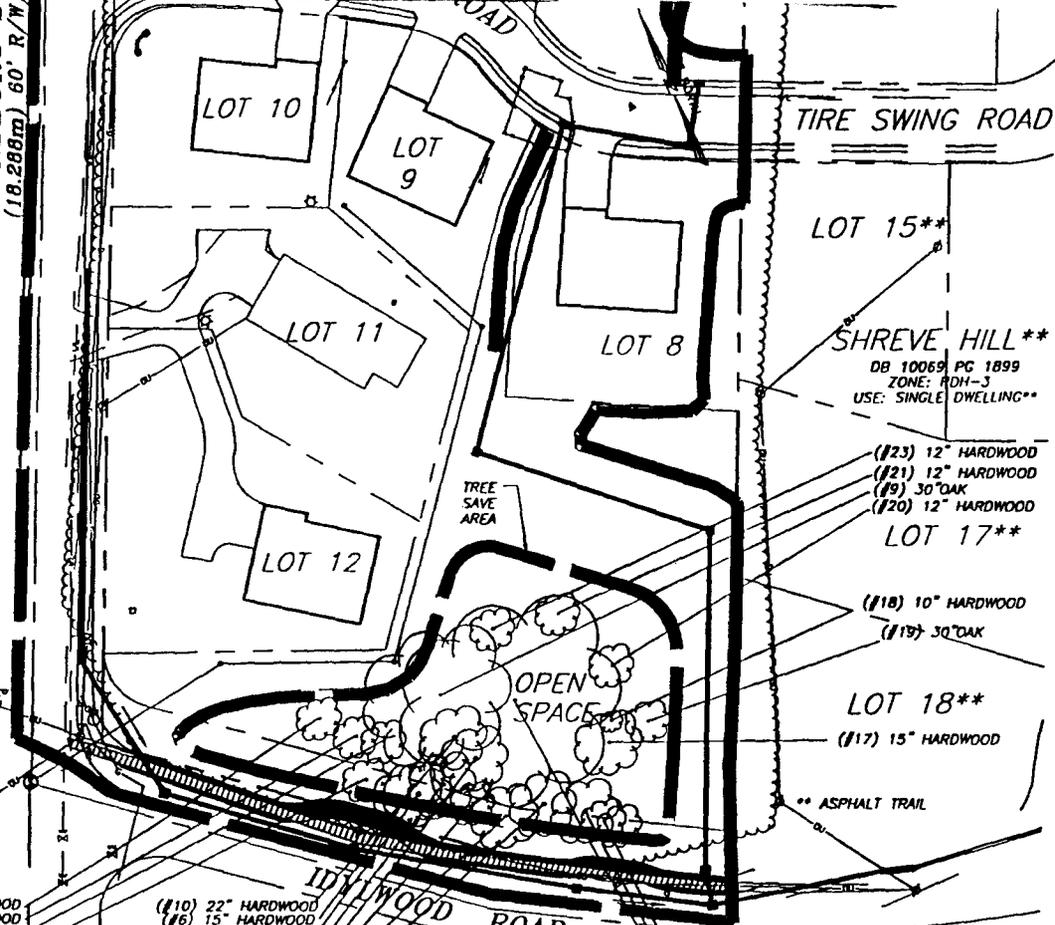
SANDBURG S
(18.288m) 60' R/W

RAYMOND R.
STRUBLE
DB 9956 PG 1454
ZONE: R-3
USE: SINGLE DWELLING

TAMARON
INVESTMENTS
DB 5652 PG 01
ZONE: R-1
USE: VACANT

(#10) 22" HARDWOOD
(#6) 15" HARDWOOD
(#7) 24" EVERGREEN
(#8) 15" HARDWOOD
(#1) 18" HARDWOOD
(#12) 6" HARDWOOD
(#13) 15" HARDWOOD
(#14) 18" HARDWOOD
VICTOR V. &
KARIN M. CORDELL
DB 7217 PG 1380

EUGENE J. METZGER
DB 7605 PG 1026
ZONE: R-1 USE: VACANT



LOT 15**
SHREVE HILL**
DB 10069 PG 1899
ZONE: RDH-3
USE: SINGLE DWELLING**
(#23) 12" HARDWOOD
(#21) 12" HARDWOOD
(#9) 30" OAK
(#20) 12" HARDWOOD
LOT 17**
(#18) 10" HARDWOOD
(#19) 30" OAK
LOT 18**
(#17) 15" HARDWOOD
** ASPHALT TRAIL

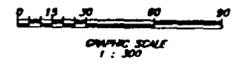
Tree #	Type	Size (cm dbh)	Condition	Problems
1	red oak	51	78	large deadwood
2	hibiscus	20	78	
3	hibiscus	22	65	one-sided, suppressed
4	hibiscus	20	60	one-sided, suppressed
5	black locust	20	70	suppressed
6	black locust	28	78	one-sided, suppressed
7	black locust	28	78	one-sided, suppressed
8	red oak	48	70	one-sided, suppressed
9	red oak	31	78	large deadwood
10	red oak	61	78	large deadwood, one-sided
11	red maple	21	78	
12	red oak	38	78	suppressed, broken top
13	black locust	21	78	large deadwood, fork decay
14	hibiscus	65	20	suppressed, weak crotch, an
15	hibiscus	38	25	deadwood
16	black locust	18	78	suppressed, virus
17	black locust	30	80	small deadwood
18	hibiscus	20	85	
19	red oak	65	8	DEAD
20	red oak	25	60	one-sided, suppressed
21	hibiscus	20	48	suppressed
22	hibiscus	28	75	large deadwood, weak crotch
23	hibiscus	28	75	suppressed
24	hibiscus	117	65	weak crotch, large deadwood

This inventory prepared and submitted by Don Zhar, Certified Arborist MA-0038

christopher consultants ltd.
arborist
1000 10th Ave SW
Calgary, Alberta T2C 2L1
(403) 278-2828

ARBORIST
EVALUATION

IDYLWOOD ROAD
PROPERTY
VED DISTRICT PALMER COUNTY, SASKATCHEWAN



DATE	REVISION	DATE	SCALE
8/7/99	SCP COMMENTS	10-27-99	1:300
12/16/99	PLANNING COMMISSION CHANGES		
2/26/00	SCP COMMENTS	DESIGN C.F.A.	
3/2/00	SCP COMMENTS	DRAWING C.F.A.	
3/18/00	REVISION RETAINMENT AREA	CHECKED A.M.T.	
4/2/00	REVISION RETAINMENT WALL ON LOT 1	DRAWN A.M.T.	

WILKES, ARTIS, HEDRICK & LANE

CHARTERED, P.C.

ATTORNEYS AT LAW

SUITE 600

11320 RANDOM HILLS ROAD

FAIRFAX, VIRGINIA 22030-6042

(703) 385-8000

March 2, 1999

CABLE ADDRESS: WILAN
FAX: 703-385-3070

ANNAPOLIS, MARYLAND
BETHESDA, MARYLAND
GREENBELT, MARYLAND
WASHINGTON, D.C.

FRANK W. STEARNS

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

MAR 8 1999

ZONING EVALUATION DIVISION

BY FEDERAL EXPRESS DELIVERY

Carl A.S. Coan, Jr., Esq.
Coan & Lyons
1100 Connecticut Avenue
Washington, D.C. 20036

RE: National Capital Land Development Rezoning RZ 1998-PR-023

Dear Carl:

Pursuant to our conversation on March 1, 1999, please find enclosed a plat prepared by Christopher Consultants, civil engineers for the above-referenced Applicant, showing the storm sewer system for the property which is the subject of the above-referenced rezoning through the existing Shreve Hill Home Owner's Association.

On the north side it runs through the Elm Place right-of-way discharging into Holmes Run. On the southern half, the water is collected in catch basins and then piped to the Shreve Hill storm water system which carries it by pipe to the storm water pond. As I stated to you, this should help the water which currently traverses the subject property and sheets either across Idylwood Road or a portion of the Kings Glen subdivision without being channeled.

I've also enclosed information provided to me by the civil engineer from the Public Facilities Manual ("PFM") of Fairfax County. The standard set forth therein must be complied with by the Applicant before the subdivision would be approved. It is clear from the highlighted language that an adequate drainage system and outfall is mandatory. This ties in with the statutory reference I gave you yesterday (Virginia Code §15.2-2245.1) wherein the General Assembly mandated that the preservation of trees must be considered when adequate outfall requirements could otherwise be met.

In short, the Applicant recognizes and always has recognized the need to assure that storm water would be appropriately discharged. The undeveloped lot at this time allows water to traverse in its own pattern and occasionally causes flooding in the Kings Glen subdivision as well as south of Idylwood Road. I hope the enclosed helps alleviate your concerns about the proposed development in this regard.

WILKES, ARTIS, HEDRICK & LANE

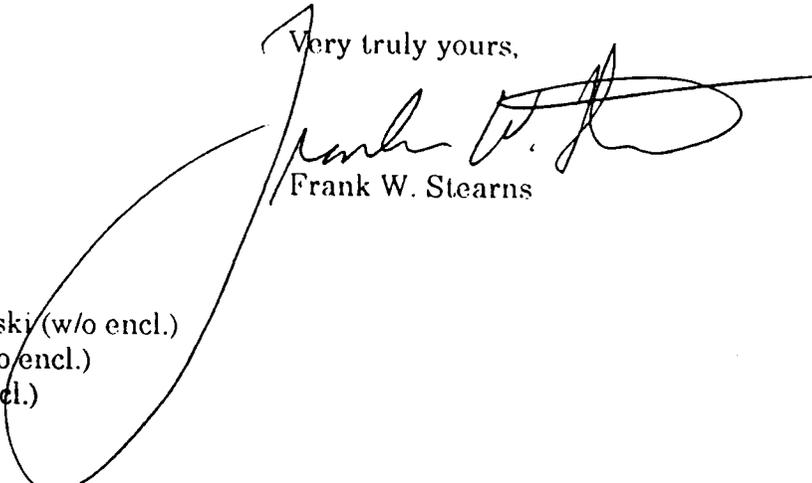
CHARTERED

Carl A.S. Coan, Jr., Esq.
March 2, 1999
Page 2

Should you have any questions in regard to the above, please feel free to contact the undersigned.

I remain,

Very truly yours,



Frank W. Stearns

FWS:lal #132254

Enclosure

cc: Mr. F. Gary Garczynski (w/o encl.)
Mr. Hugh Turner (w/o encl.)
Ms. Ina Stagg (w/encl.)

6-0000 STORM DRAINAGE

6-0000 STORM DRAINAGE

6-0100 GENERAL INFORMATION

6-0101 Drainage Systems

6-0101.1 It is the intent of § 6-0000 et seq. to require that public facilities meet or exceed applicable drainage laws.

6-0101.2 The overall drainage system is divided into 2 parts, the minor system and the major system.

6-0101.2A The minor drainage system (normally designed for the 10-yr storm) consists of storm sewer appurtenances and conduits such as inlets, manholes, street gutters, roadside ditches, swales, small underground pipe and small channels which collect the stormwater runoff and transport it to the major system.

6-0101.2B The major system (designed for the less frequent storm up to the 100-yr level) consists of natural waterways, large man-made conduits, and large water impoundments. In addition, the major system includes some less obvious drainageways such as overland relief swales and infrequent temporary ponding at storm sewer appurtenances. The major system includes not only the trunk line system which receives the water from the minor system, but also the natural backup system which functions in case of overflow from or failure of the minor system. Overland relief must not flood or damage houses, buildings or other property.

6-0101.3 Special attention is invited to:

6-0101.3A The current Virginia E&S Control Handbook. The handbook addresses State criteria for stormwater management to be applied to control flooding and erosion.

6-0101.3B Planning Bulletin 319, "BMPs for Hydrologic Modifications," published by DEQ. The bulletin is a guide to be used whenever modifications to flowing streams are proposed.

6-0101.3C Copies of the handbook and bulletin are available for viewing in DEM.

6-0102 VDOT Requirements See § 1-0602 et seq. regarding VDOT Standards.

6-0103 Metric Requirements Until hydraulic and hydrologic design aids are available in metric units, design computations may continue to be performed in English units with the description of proposed structures converted to metric after computations are complete.

6-0200 POLICY AND REQUIREMENTS FOR ADEQUATE DRAINAGE

6-0201 Policy of Adequate Drainage

6-0201.1 In order to protect and conserve the land and water resources of this County for the use and benefit of the public, measures for the adequate drainage of surface waters shall be taken and facilities provided in connection with all land development activities. (See also § 2-602 of the Zoning Ordinance.)

6-0201.2 Adequate drainage of surface waters means the effective conveyance of storm and other surface waters through and from the development site and the discharge of such waters into a natural watercourse, i.e., a stream with incised channel (bed and banks), or drainage facility of sufficient capacity without adverse impact upon the land over which the waters are conveyed or upon the watercourse or facility into which such waters are discharged.

6-0201.3 The provision of the necessary easements to accomplish this also shall be required. These are to include sufficient easement extensions to property lines to permit future development reasonable access to drainageways or drainage facilities for connections.

6-0202 Minimum Requirements

6-0202.1 The drainage system must have the hydraulic characteristics to accommodate the maximum

6-0000 STORM DRAINAGE

6-0202.11A Generally, it is better to discharge at the floodplain limit into an adequate watercourse channel leading to the main streambed, rather than disturb the floodplain by extending the storm sewer.

6-0202.11B If an adequate watercourse channel does not exist, the only alternative is to discharge into the main streambed.

6-0202.11C In either case, energy dissipation devices are required.

6-0202.12 The requirements of Chapter 104, (Erosion and Sedimentation Control) of the Code, and the further requirements for protection of streambeds by detention-retention of surface waters, set forth in § 6-0000 et seq. must be satisfied. Additionally, BMP requirements to protect water quality must be met, if applicable (§ 6-0400 et seq.).

6-0202.13 All drainageways, including overland relief pathways, must be separated from buildings. (See § 6-1503.)

6-0202.14 (27-89-PFM) Consideration must be given in the preparation of the plans to preclude adverse impacts due to higher rates and volumes of flow that will occur during construction. Special consideration shall be given to the design of sediment traps which discharge into existing residential yards. In this case, in order to reduce concentrated flows and simulate existing sheet flow conditions, the 10-yr peak discharge shall be designed to be not greater than 0.014 CMS using a minimum runoff C factor of 0.6 for all areas to be disturbed.

6-0202.15 In those cases in which the drainage plans of a proposed development do not satisfy these minimum requirements because necessary off-site facilities or improvements are lacking, the developer shall delay development until the necessary off-site facilities or improvements are constructed or other arrangements, satisfactory to the Director, are made.

6-0202.15A In such event, the plat or plans, if otherwise satisfactory, will be approved when the requirements of § 6-0000 et seq. are satisfied.

6-0202.15B Alternatively, the developer may choose to supply the off-site facilities that are necessary for adequate drainage.

6-0203 Submission of Narrative Description

6-0203.1 In addition to plats, plans, and other documents that may be required, a description of the outfall of the storm drainage system and of non-concentrated discharge(s) of surface waters from the development site shall be submitted as part of the relevant subdivision construction plan or site plan unless § 6-0203.8 applies.

6-0203.1A The additional submission shall include a narrative, computations and sketches describing the major elements (pipe, channel, natural watercourse stream, etc.) of the outfall drainage system(s), including discharges of non-concentrated surface waters from the development site.

6-0203.1B The downstream review, divided into reaches, shall note the existing surrounding topography, soil types, embankments, vegetation, structures, abutting properties, etc., which may be impacted by drainage and shall conclude with a written opinion, signed and sealed by the designer as to the adequacy of the downstream system(s) for the critical storm return period.

6-0203.2 Where erosion is an issue, the critical storm return period referred to in § 6-0203.1B normally would be the 2-yr storm.

6-0203.3 Where an existing facility is at issue (such as storm sewer system, highway culvert, etc.), the critical storm return period would be that storm return frequency which begins to exceed the capacity of the existing facility up through the normal design standard

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

BOARD OF SUPERVISORS ACTION
ZONING MAP AMENDMENT
DATE OF ACTION 07/12/99

APPLICATION NUMBER: RZ 98-P-023 PROVIDENCE DISTRICT
APPLICANT: NATIONAL CAPITAL LAND & DEVELOPMENT COMP
STAFF: STAGG

APPLICATION DATA

EXISTING ZONING AND ACREAGE

ZONING: R- 1
ACRES: 4.19

PROPOSED:

PDH- 4
4.19

ACTION:

PDH- 4
4.19

TOTAL ACRES

4.19

TOTAL ACRES

4.19

MAP NUMBERS

039-4- /01/ /0127-

REMARKS:

THERE ARE SOME UNUSUAL PROFFERS ABOUT SHARED RECREATIONAL FACILITIES
AND A TRAFFIC GATE. PLEASE SEE PROFFERS 15 AND 17 IF THERE ARE QUESTIONS IN THE

ZONING MAP AMENDMENT

RZ 98-P-023

ZONING DISTRICT DATA

ZONING DISTRICT: PDH- 4

PROFFERED/CONDITIONED DWELLING UNIT DATA

TYPES	UNITS	ACRES	DENSITY	RANGE	LOMOD INCL	LOMOD ADD
SFD	12	4.19				

TOT

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-023

CONDITION/CONTRIBUTION DATA

COND CODE DESCRIPTION	COND CODE DESCRIPTION
7A OTHER MISCELLANEOUS - SEE FILE	1Z OTHER - GENERAL
1Z OTHER - GENERAL	1Z OTHER - GENERAL
1Z OTHER - GENERAL	1Z OTHER - GENERAL
1Z OTHER - GENERAL	4Z OTHER - ENVIRONMENT
4Z OTHER - ENVIRONMENT	4Z OTHER - ENVIRONMENT
1B CONCEPTUAL DEVEL PLAN	6A SPECIAL NOTIFICATION REQUIREMENT
2I ARCHITECTURE	2G DEDICATION: HOMEOWNRS OPEN SPACE
2K SETBACK	3H ADJ DEVEL-ACCESS/NO ACCESS/CONDS
3F PEDESTRIAN FACILITY/TRAIL	3B RIGHT-OF-WAY: DEDICATION/RESERV
3Z OTHER - TRANSPORTATION	1Z OTHER - GENERAL

CONTRIB DATA:	CND CODE	AMOUNT	CONDITIONED	EXPIRES	CONTRIB CODE
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	

REMARKS:

TO PERMIT AN EIGHT FOOT WIDE TRAIL TO BE CONSTRUCTED IN THE GENERAL LOCATION OF THE EXISTING FOUR FOOT WIDE TRAIL. (CLOSE TO THE EXISTING IDY

6/7/99

4:30 p.m. Item - RZ-1998-PR-023 - NATIONAL CAPITAL LAND AND
DEVELOPMENT COMPANY
Providence District

On Thursday, April 22, 1999, the Planning Commission voted 7-0-1 (Commissioner Wilson abstaining, Commissioners Downer, Harsel, Koch, and Palatiello absent from the meeting) to recommend that the Board of Supervisors:

- 1) approve RZ-1998-PR-023 and the conceptual development plan, subject to the execution of proffers consistent with those dated April 22, 1999;
- 2) modify the trail requirement;

The Commission also voted 7-0-1 (Commissioner Wilson abstaining, Commissioners Downer, Harsel, Koch, and Palatiello absent from the meeting) to approve FDP-1998-PR-023, subject to the Board's approval of RZ-1998-PR-023 and its conceptual development plan.

Planning Commission Meeting
April 22, 1999
Verbatim Excerpts

RZ-1998-PR-023 - NATIONAL CAPITAL LAND AND DEVELOPMENT COMPANY
FDP-1998-PR-023 - NATIONAL CAPITAL LAND AND DEVELOPMENT COMPANY

Decision Only During Commission Matters
(Public Hearing held on November 11, 1998)

Commissioner Coan: On November 11th, Armistice Day -- or Veteran's Day, for youngsters -- we had a public hearing -- that's quite a while ago -- on a case known as National Capital Land and Development Company, a relatively small subdivision proposal at the intersection of Sandburg Street and Idylwood Road. The public hearing evinced some concerns from the next door neighbors, from people in the general vicinity, and staff recommended denial of the proposal for several reasons, principle among them being they felt it had one too many lots on the site, at least as it was designed. After a lot of discussions, back and forth, and the agreement of the applicant to drop one of the lots and to rearrange the site somewhat, staff changed its recommendation to one of approval with an addendum that was issued on April 8. And there have been several other changes which I would just like to go over quickly. One, in addition to the reduction of number of lots, there is substantially more tree save on the site, for which I thank the applicant. There was a question as to recreation and the applicant has entered into an agreement with the adjoining subdivision of Shreve Hill, which is a new subdivision, to contribute \$950 per unit to that subdivision for shared recreation facilities. And it will enter into an agreement with the new homeowners association pursuant to which the new subdivision will contribute annually to support the maintenance of these recreational facilities. One of the other issues was stormwater. And this is a volatile issue in this neighborhood because of some steep hills. There have been stormwater decisions made in the past that had some adverse impacts. These are the headwaters of Holmes Run. I think we have resolved these issues. To help resolve them the applicant has proffered to commit \$1,000 per unit for stream bank reinforcement downstream from where the two outlets for stormwater from this site -- it's not a very big site -- nine acres -- four acres rather -- a little over four acres, but it has two drainages. One will be handled -- the larger part of the area will be handled into a pond on the adjacent Shreve Hill property. The other part will be handled with a direct pipe into Holmes Run which -- this concept has been run by the -- our County experts and they seem to think that unless something new comes up, this will be approvable. And this is all provided for in the proffers. Therefore, Mr. Chairman, I MOVE THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-1998-PR-023 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS DATED TODAY. Now, with respect to that, if I could get a second, I'd like to talk a moment to those proffers.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Mrs. Hall. Discussion? Mr. Coan.

Commissioner Coan: I passed out tonight further revisions to the proffers. We had given you extensive revisions last night. There are revisions tonight. They are black-lined. They are essentially wordsmithing. There were some typographical errors; there were some grammatical errors; there were some redundancies and repetitions. And I don't think any of the items were substantive in that insofar as any changes, but I'd be glad to go over those changes. The black-lined changes are in Paragraph #4, subparagraphs a and b, they're both editorial; they're strike-outs. In Paragraph #6, it points out the difference between the treatment of the stormwater. It was not clear before. Part of it's going to go into the -- and the larger part -- it's going to go into a detention pond on the Shreve Hill property and the balance is going to go down directly to Holmes Run. And in conjunction with that, the applicant has proffered \$1,000 per unit. In Paragraph #8 there is a strike-out of a sentence which was really a repeat of the preceding sentence. In Paragraph #17 there is an addition to clarify what it is that the prospective purchasers will be notified of, that, through the homeowners association, they will be responsible for maintaining the one private street and the annual contributions for off-site recreational facilities. I think we have a reasonably resolved set of issues here and I urge that you support it.

Chairman Murphy: Further discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-1998-PR-023, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Wilson: Mr. Chairman, as this public hearing came up before my time on the board, I'll be abstaining on the vote.

Chairman Murphy: Right. Ms. Wilson abstains. Mr. Coan.

Commissioner Coan: Mr. Chairman, I MOVE THAT WE APPROVE FDP-1998-PR-023, SUBJECT TO THE BOARD'S APPROVAL OF RZ-1998-PR-023 AND THE CDP.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Mrs. Hall. Discussion of that motion? All those in favor of the motion to approve FDP-1998-PR-023, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Wilson: Abstain.

Chairman Murphy: Motion carries; Ms. Wilson abstains.

Commissioner Coan: That's it, I think. Isn't it?

Ms. Inda Stagg: The applicant had requested a modification of the trail requirement.

Commissioner Coan: Oh, yes, I'm sorry. Mr. Chairman, I MOVE THAT WE RECOMMEND APPROVAL OF THE REQUESTED TRAIL REQUIREMENT MODIFICATION. This is spelled out in the proffers. It will allow the trail to meander a little bit to avoid cutting trees down that might otherwise have to come down.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Mrs. Hall. Discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Wilson: Abstain.

Chairman Murphy: Motion carries; Ms. Wilson abstains.

//

(Each motion carried by a vote of 7-0-1 with Commissioner Wilson abstaining; Commissioners Downer, Harsel, Koch and Palatiello absent from the meeting.)

GLW