



APPLICATION ACCEPTED: January 3, 2011
APPLICATION AMENDED: May 31, 2011
PLANNING COMMISSION: June 16, 2011
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

June 2, 2011

STAFF REPORT

APPLICATION PCA 2002-MV-020 and
RZ/FDP 2011-MV-001

MOUNT VERNON DISTRICT

APPLICANT: Summit Oaks Section 2, LLC

PRESENT ZONING: R-3, Pohick Church Historic Overlay

REQUESTED ZONING: PDH-3, Pohick Church Historic Overlay

PARCEL(S): 108-3 ((1)) 16A

ACREAGE: 11.75 acres

DENSITY: 2.55 dwelling units/acre

OPEN SPACE: 39%

PLAN MAP: Residential – 3 to 4 units/acre

PROPOSAL: To amend the Proffers previously approved pursuant to RZ 2002-MV-020 to delete land area and rezone the deleted area from R-3 and Pohick Church Historic Overlay to PDH-3 and Pohick Church Historic Overlay and to approve a final development plan to facilitate development of Summit Oaks, Section 2, consisting of 30 single family detached dwellings on 11.75 acres.

Bob Katai

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 2002-MV-020.

Staff recommends approval of RZ 2011-MV-001 and the associated conceptual development plan, subject to the draft proffers consistent with those dated May 26, 2011 and contained in Appendix 1.

Staff recommends approval of FDP 2011-MV-001 subject to the development conditions contained in Appendix 2 and subject to the Board's approval of the associated rezoning and conceptual development plan.

Staff recommends approval of the waiver of the major paved trail along the property's Richmond Highway frontage.

Staff recommends approval of the waiver of the on-road bike route along the property's Richmond Highway frontage.

Staff recommends approval of the waiver of the service drive along Richmond Highway.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\BKATA\Summit Oaks Sec 2 RZ-FDP 2011-MV-001\STAFF REPORT COVER 060211.doc



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Rezoning Application

RZ 2011-MV-001

Final Development Plan

FDP 2011-MV-001

Applicant: SUMMIT OAKS SECTION 2, LLC
 Accepted: 01/03/2011
 Proposed: SINGLE FAMILY DETACHED
 Area: 11.75 AC OF LAND;
 DISTRICT - MOUNT VERNON

Located: SOUTH SIDE OF RICHMOND HIGHWAY
 APPROXIMATELY 400 FEET EAST OF ITS
 INTERSECTION WITH LORTON ROAD

Zoning: FROM R- 3 TO PDH- 3

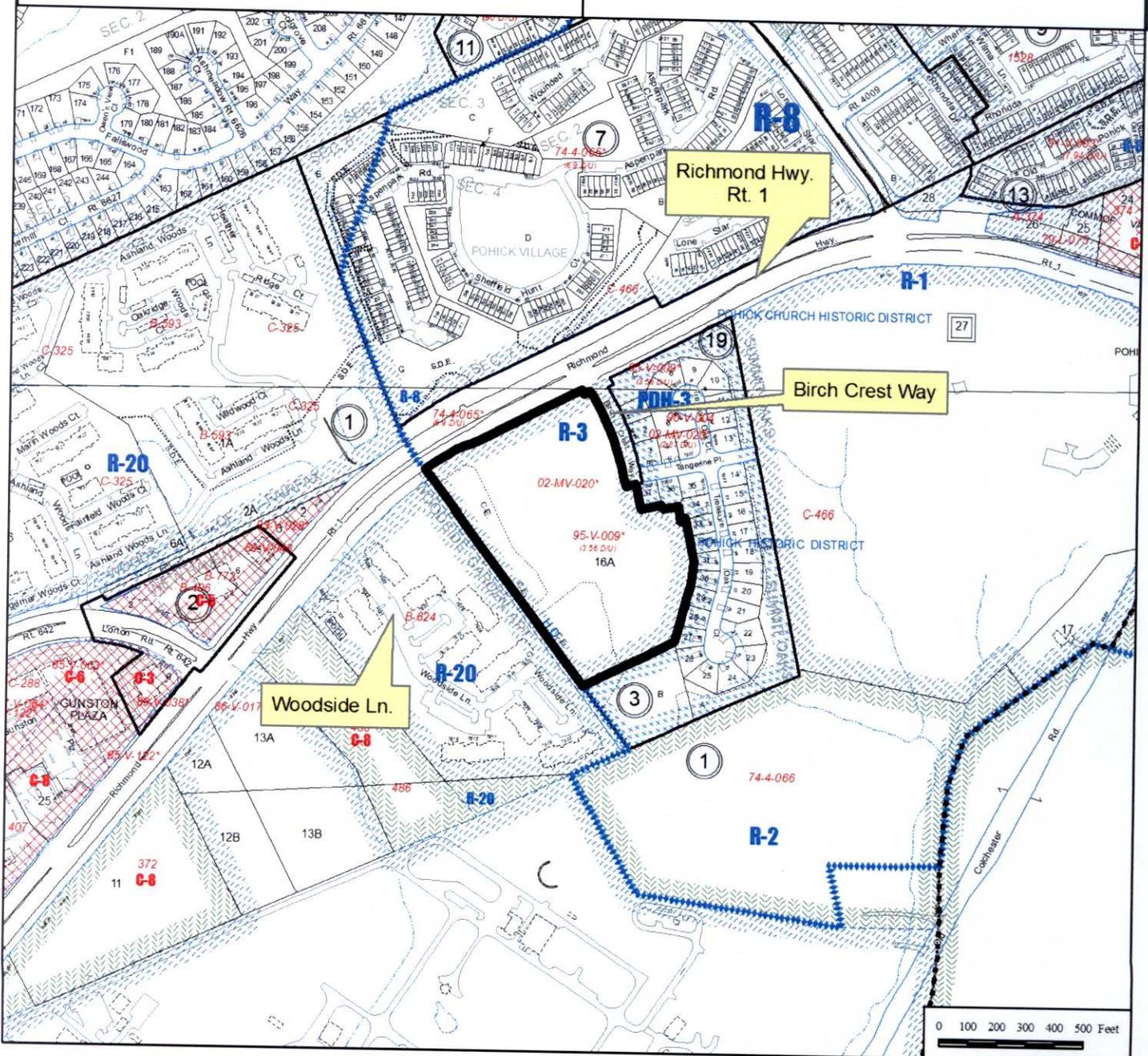
Map Ref Num: 108-3- /01/ /0016A

Applicant: SUMMIT OAKS SECTION 2, LLC
 Accepted: 01/03/2011
 Proposed: SINGLE FAMILY DETACHED
 Area: 11.75 AC OF LAND;
 DISTRICT - MOUNT VERNON

Located: SOUTH SIDE OF RICHMOND HIGHWAY
 APPROXIMATELY 400 FEET EAST OF ITS
 INTERSECTION WITH LORTON ROAD

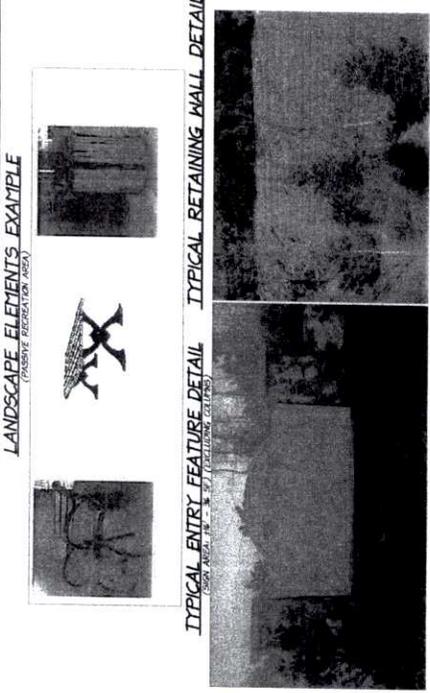
Zoning: PDH- 3

Map Ref Num: 108-3- /01/ /0016A



| NO. | DESCRIPTION | DATE | APPROVED DATE |
|-----|-----------------------------|----------|---------------|
| 1 | CONCEPTUAL DEVELOPMENT PLAN | 10/15/03 | |
| 2 | CONCEPTUAL DEVELOPMENT PLAN | 11/10/03 | |
| 3 | CONCEPTUAL DEVELOPMENT PLAN | 12/15/03 | |
| 4 | CONCEPTUAL DEVELOPMENT PLAN | 01/15/04 | |
| 5 | CONCEPTUAL DEVELOPMENT PLAN | 02/15/04 | |
| 6 | CONCEPTUAL DEVELOPMENT PLAN | 03/15/04 | |
| 7 | CONCEPTUAL DEVELOPMENT PLAN | 04/15/04 | |
| 8 | CONCEPTUAL DEVELOPMENT PLAN | 05/15/04 | |
| 9 | CONCEPTUAL DEVELOPMENT PLAN | 06/15/04 | |
| 10 | CONCEPTUAL DEVELOPMENT PLAN | 07/15/04 | |
| 11 | CONCEPTUAL DEVELOPMENT PLAN | 08/15/04 | |
| 12 | CONCEPTUAL DEVELOPMENT PLAN | 09/15/04 | |
| 13 | CONCEPTUAL DEVELOPMENT PLAN | 10/15/04 | |
| 14 | CONCEPTUAL DEVELOPMENT PLAN | 11/15/04 | |
| 15 | CONCEPTUAL DEVELOPMENT PLAN | 12/15/04 | |
| 16 | CONCEPTUAL DEVELOPMENT PLAN | 01/15/05 | |
| 17 | CONCEPTUAL DEVELOPMENT PLAN | 02/15/05 | |
| 18 | CONCEPTUAL DEVELOPMENT PLAN | 03/15/05 | |
| 19 | CONCEPTUAL DEVELOPMENT PLAN | 04/15/05 | |
| 20 | CONCEPTUAL DEVELOPMENT PLAN | 05/15/05 | |
| 21 | CONCEPTUAL DEVELOPMENT PLAN | 06/15/05 | |
| 22 | CONCEPTUAL DEVELOPMENT PLAN | 07/15/05 | |
| 23 | CONCEPTUAL DEVELOPMENT PLAN | 08/15/05 | |
| 24 | CONCEPTUAL DEVELOPMENT PLAN | 09/15/05 | |
| 25 | CONCEPTUAL DEVELOPMENT PLAN | 10/15/05 | |
| 26 | CONCEPTUAL DEVELOPMENT PLAN | 11/15/05 | |
| 27 | CONCEPTUAL DEVELOPMENT PLAN | 12/15/05 | |
| 28 | CONCEPTUAL DEVELOPMENT PLAN | 01/15/06 | |
| 29 | CONCEPTUAL DEVELOPMENT PLAN | 02/15/06 | |
| 30 | CONCEPTUAL DEVELOPMENT PLAN | 03/15/06 | |
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| 32 | CONCEPTUAL DEVELOPMENT PLAN | 05/15/06 | |
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| 36 | CONCEPTUAL DEVELOPMENT PLAN | 09/15/06 | |
| 37 | CONCEPTUAL DEVELOPMENT PLAN | 10/15/06 | |
| 38 | CONCEPTUAL DEVELOPMENT PLAN | 11/15/06 | |
| 39 | CONCEPTUAL DEVELOPMENT PLAN | 12/15/06 | |
| 40 | CONCEPTUAL DEVELOPMENT PLAN | 01/15/07 | |
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| 48 | CONCEPTUAL DEVELOPMENT PLAN | 09/15/07 | |
| 49 | CONCEPTUAL DEVELOPMENT PLAN | 10/15/07 | |
| 50 | CONCEPTUAL DEVELOPMENT PLAN | 11/15/07 | |
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| 52 | CONCEPTUAL DEVELOPMENT PLAN | 01/15/08 | |
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| 78 | CONCEPTUAL DEVELOPMENT PLAN | 03/15/10 | |
| 79 | CONCEPTUAL DEVELOPMENT PLAN | 04/15/10 | |
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| 83 | CONCEPTUAL DEVELOPMENT PLAN | 08/15/10 | |
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| 86 | CONCEPTUAL DEVELOPMENT PLAN | 11/15/10 | |
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| 89 | CONCEPTUAL DEVELOPMENT PLAN | 02/15/11 | |
| 90 | CONCEPTUAL DEVELOPMENT PLAN | 03/15/11 | |
| 91 | CONCEPTUAL DEVELOPMENT PLAN | 04/15/11 | |
| 92 | CONCEPTUAL DEVELOPMENT PLAN | 05/15/11 | |
| 93 | CONCEPTUAL DEVELOPMENT PLAN | 06/15/11 | |
| 94 | CONCEPTUAL DEVELOPMENT PLAN | 07/15/11 | |
| 95 | CONCEPTUAL DEVELOPMENT PLAN | 08/15/11 | |
| 96 | CONCEPTUAL DEVELOPMENT PLAN | 09/15/11 | |
| 97 | CONCEPTUAL DEVELOPMENT PLAN | 10/15/11 | |
| 98 | CONCEPTUAL DEVELOPMENT PLAN | 11/15/11 | |
| 99 | CONCEPTUAL DEVELOPMENT PLAN | 12/15/11 | |
| 100 | CONCEPTUAL DEVELOPMENT PLAN | 01/15/12 | |

APPROVED DATE: 10/15/03
 REGION APPROVED BY: [Signature]
 REGION APPROVED DATE: 10/15/03
 DESIGNER: [Signature]
 DATE: 10/15/03
 SCALE: 1" = 50'
 SHEET 2 OF 6
 DATE: NOV. 2000
 CHECK: [Signature]
 DRAFT: [Signature]
 FILE NO. 03-01-01



FOR ILLUSTRATIVE PURPOSES ONLY TO SHOW THE APPEARANCE OF THE FINAL ENTRY DESIGN THAT CHANGE BUT SHALL BE IN SUBSTANTIAL CONFORMANCE WITH THE MATERIALS AND THE TYPES AND QUANTITIES OF PLANTING AND LIGHTING SPECIFIED HEREIN. THE SOIL SHALL BE CONTAMINATED WITH BRICK, STONE, METAL, WOOD, PLANTING, LIGHTING SURFACE TREATMENT.

PLANTING SCHEDULE

| Key | Botanical Name | Common Name |
|-----|------------------------------|-------------|
| ○ | LARGE DECIDUOUS TREES | |
| ○ | Acer rubrum | Red Maple |
| ○ | Quercus macrocarpa | White Oak |
| ○ | Quercus prinus | Princ Oak |
| ○ | Quercus sp. | White Oak |
| ○ | SMALL DECIDUOUS TREES | |
| ○ | Amelanchier alnifolia | Waxhaw |
| ○ | Amelanchier canadensis | Waxhaw |
| ○ | Amelanchier sp. | Waxhaw |
| ○ | SHRUBS | |
| ○ | Amelanchier canadensis | Waxhaw |
| ○ | Amelanchier sp. | Waxhaw |
| ○ | PERENNIALS | |
| ○ | Amelanchier canadensis | Waxhaw |
| ○ | Amelanchier sp. | Waxhaw |
| ○ | GRASSES | |
| ○ | Amelanchier canadensis | Waxhaw |
| ○ | Amelanchier sp. | Waxhaw |
| ○ | GROUND COVERS | |
| ○ | Amelanchier canadensis | Waxhaw |
| ○ | Amelanchier sp. | Waxhaw |

THE LANDSCAPING DEPICTED HEREIN SHALL CONSIST OF THE SPECIFIC TREE TYPES AND LOCATIONS SHOWN ON THE SITE PLAN AND LOCATIONS SHOWN ON THE APPROVED AND THE APPROVED PLAN. THE TREES SHOWN HEREIN ARE FOR ILLUSTRATIVE PURPOSES ONLY. THE SPECIES AND LOCATION FROM THAT PROVIDED HEREIN SHALL BE APPROVED BY THE APPROVED AGENCY TO APPROVAL BY THE APPROVED AGENCY. APPROVAL BY THE APPROVED AGENCY SHALL BE 2-1/2" CALIBER AND 6-8' HEIGHT.



CURVE TABLE

| CURVE RADIUS | ARC | DELTA | CHORD | BEARING |
|--------------|----------|---------|-----------|--------------|
| C1 | 25.00' | 7.91° | 19.77' | N89°51'48" W |
| C2 | 624.00' | 246.52° | 17309.25' | S20°13'44" W |
| C3 | 1925.51' | 123.26° | 18472.17' | N66°03'34" E |



SIGHT DISTANCE PROFILE

SUMMIT OAKS SECTION 2

FAYATK COUNTY, VIRGINIA

| NO. | DATE | REVISION | APPROVED BY |
|-----|------|----------|-------------|
| | | | |
| | | | |
| | | | |
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| | | | |
| | | | |
| | | | |
| | | | |
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SCALE:
 1" = 40'
 1" = 80'
 1" = 160'

SHEET 2A OF 6

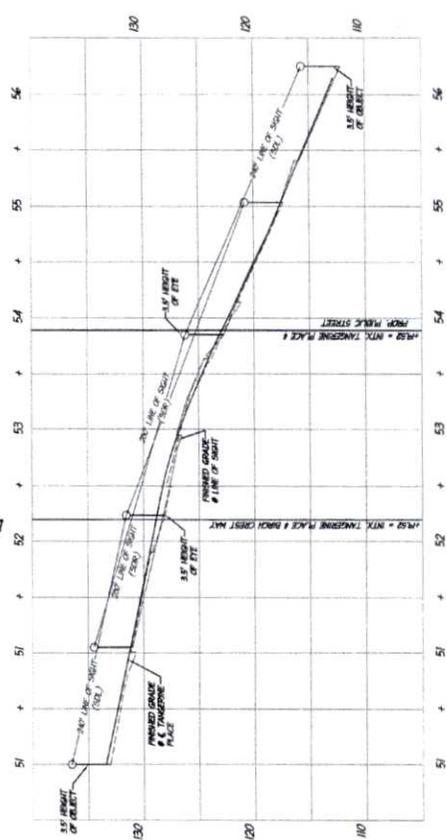
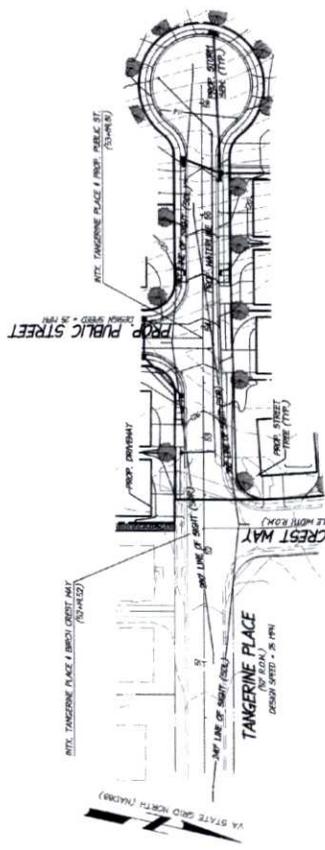
DATE: MARCH 2011

DRAWN: CARRIC

CHECK: JEFFREY

FILE NUMBER: 11-0000000000

ENG-10-3.08



| DATE | REVISION | DESCRIPTION | APPROVED BY | DATE |
|------|----------|-------------|-------------|------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |



SCALE: 1" = 50'
 SHEET 3 OF 6
 DATE: 2010
 DRAWN: [Name]
 CHECKED: [Name]
 FILE NUMBER: 100-10-308



LEGEND

- IRON PIPE BOUND
- EX. FENCE LINE
- EX. LIGHT POLE
- EX. SANITARY MANHOLE
- EX. STORM MANHOLE

CURVE DATA

| CURVE | RADIUS | ARC | DELTA | CHORD | BEARING |
|-------|---------|---------|----------|---------|--------------|
| C1 | 25.00' | 7.00' | 15.9732° | 7.87' | N09°51'45" W |
| C2 | 854.00' | 248.32' | 17.0824° | 256.81' | N07°19'41" W |
| C3 | 813.57' | 122.38' | 1.6421° | 123.13' | N64°01'34" E |

100-10-308
 100-10-308

| | |
|-------------|--------------------|
| DATE | 01/16/12 |
| SHEET | 4 OF 6 |
| PROJECT NO. | 0116912 |
| SCALE | 1" = 50' |
| ENGINEER | DAVID B. AINSWORTH |
| AREA | AMST/AM |
| REVISED | AMST/AM |

LEGEND

TREELINE

EXISTING CANOPY (2) UPLAND FOREST (171,492-SF)

EXISTING CANOPY (3) EARLY SUCCESSIONAL FOREST (188,202-SF)

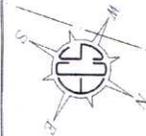
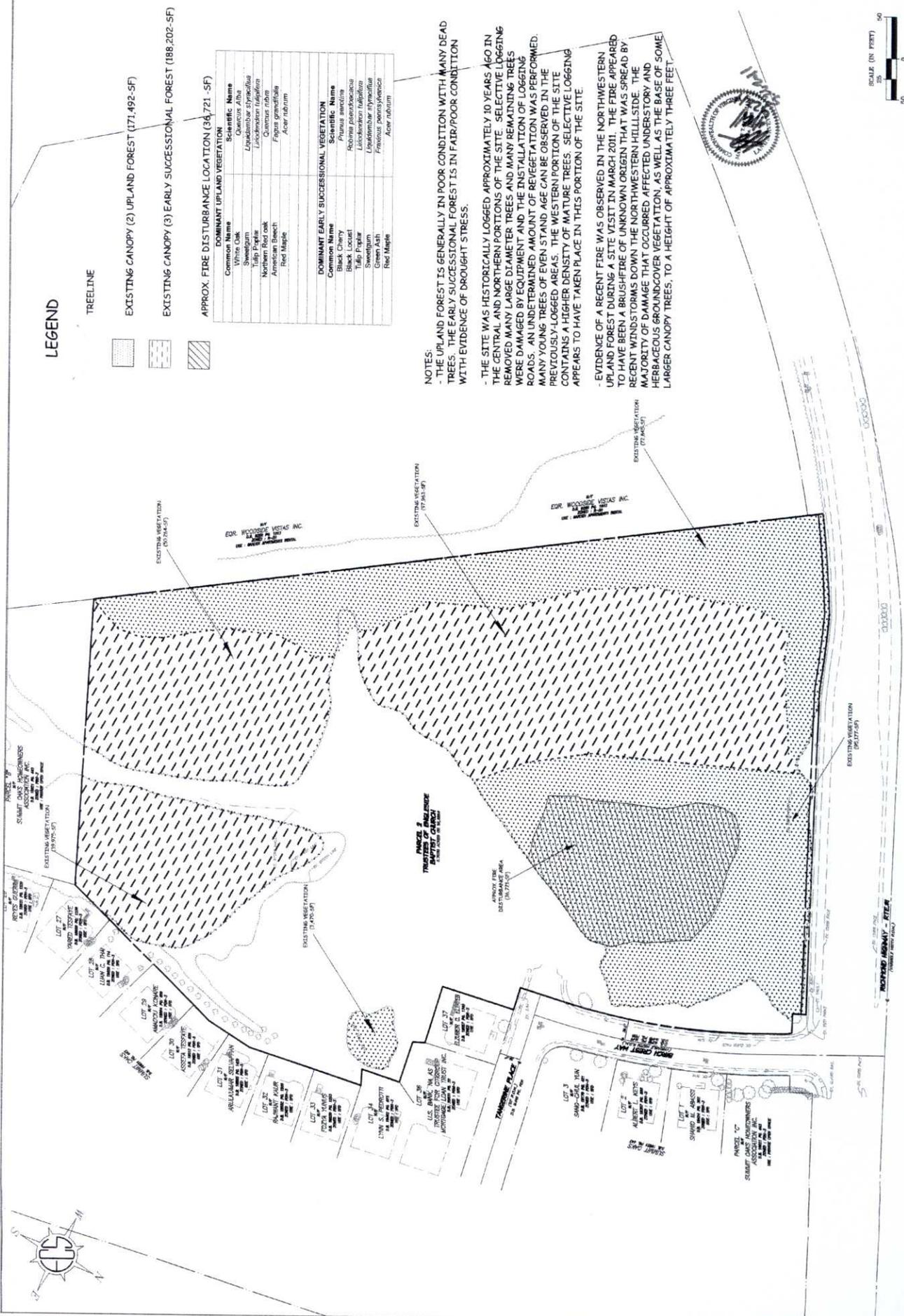
APPROX. FIRE DISTURBANCE LOCATION (38,721-SF)

| DOMINANT UPLAND VEGETATION | |
|----------------------------|--------------------------------|
| Common Name | Scientific Name |
| White Pine | <i>Pinus strobus</i> |
| Swamp Spruce | <i>Libocedrus decoloratus</i> |
| Tulip Poplar | <i>Liriodendron tulipifera</i> |
| Northern Red oak | <i>Quercus rubra</i> |
| American Beech | <i>Fagus grandifolia</i> |
| Red Maple | <i>Acer rubrum</i> |

| DOMINANT EARLY SUCCESSIONAL VEGETATION | |
|----------------------------------------|--------------------------------|
| Common Name | Scientific Name |
| Black Cherry | <i>Prunus serotina</i> |
| Tulip Poplar | <i>Liriodendron tulipifera</i> |
| Sweetgum | <i>Liquidambar styraciflua</i> |
| Green Ash | <i>Fraxinus pennsylvanica</i> |
| Red Maple | <i>Acer rubrum</i> |

NOTES:

- THE UPLAND FOREST IS GENERALLY IN POOR CONDITION WITH MANY DEAD TREES. THE EARLY SUCCESSIONAL FOREST IS IN FAIR/POOR CONDITION WITH EVIDENCE OF DROUGHT STRESS.
- THE SITE WAS HISTORICALLY LOGGED APPROXIMATELY 10 YEARS AGO IN THE CENTRAL AND NORTHERN PORTIONS OF THE SITE. SELECTIVE LOGGING REMOVED MANY LARGE DIAMETER TREES AND MANY REMAINING TREES WERE DAMAGED BY EQUIPMENT AND THE INSTALLATION OF LOGGING ROADS. AN UNDETERMINED AMOUNT OF REVEGETATION WAS PERFORMED. MANY YOUNG TREES OF EVEN STAND AGE CAN BE OBSERVED IN THE PREVIOUSLY-LOGGED AREAS. THE WESTERN PORTION OF THE SITE CONTAINS A HIGHER DENSITY OF MATURE TREES. SELECTIVE LOGGING APPEARS TO HAVE TAKEN PLACE IN THIS PORTION OF THE SITE.
- EVIDENCE OF A RECENT FIRE WAS OBSERVED IN THE NORTHWESTERN UPLAND FOREST DURING A SITE VISIT IN MARCH 2011. THE FIRE APPEARED TO HAVE BEEN A BRUSHFIRE OF UNKNOWN ORIGIN THAT WAS SPREAD BY RECENT WINDSTORMS DOWN THE NORTHWESTERN HILLSIDE. THE MAJORITY OF DAMAGE THAT OCCURRED AFFECTED UNDERSTORY AND HERBACEOUS GROUNDCOVER VEGETATION, AS WELL AS THE BASE OF SOME LARGER CANOPY TREES, TO A HEIGHT OF APPROXIMATELY THREE FEET.



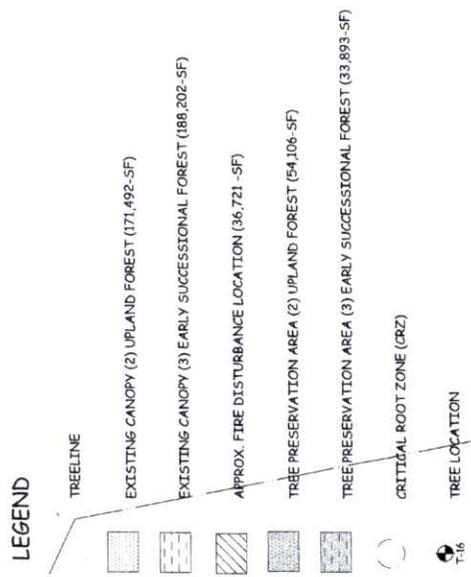


Table 12.10 - 10-Year Tree Canopy Calculation Worksheet

| Tree Number | Common Name | Scientific Name | Size (Inches DBH) | Condition | Remove | Notes |
|-------------|-------------|-----------------|-------------------|-----------|--------|-------|
| 405 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 406 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 407 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 408 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 409 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 410 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 411 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 412 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 413 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 414 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 415 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 416 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 417 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 418 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 419 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 420 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 421 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 422 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 423 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 424 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 425 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 426 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 427 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 428 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 429 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 430 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 431 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 432 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 433 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 434 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 435 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 436 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 437 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 438 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 439 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 440 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 441 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 442 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 443 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 444 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 445 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 446 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 447 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 448 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 449 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 450 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 451 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 452 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 453 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 454 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 455 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 456 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |

Table 12.11 - Tree Canopy Calculation Worksheet

| Tree Number | Common Name | Scientific Name | Size (Inches DBH) | Condition | Remove | Notes |
|-------------|-------------|-----------------|-------------------|-----------|--------|-------|
| 457 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 458 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 459 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 460 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 461 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 462 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 463 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 464 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 465 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 466 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 467 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 468 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 469 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 470 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 471 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 472 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 473 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 474 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 475 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 476 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 477 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 478 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 479 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 480 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 481 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 482 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 483 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 484 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 485 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 486 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 487 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 488 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 489 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 490 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 491 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 492 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 493 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 494 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 495 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 496 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 497 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 498 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 499 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |
| 500 | White Oak | Quercus alba | 15.0 | 15.0 | 15.0 | |

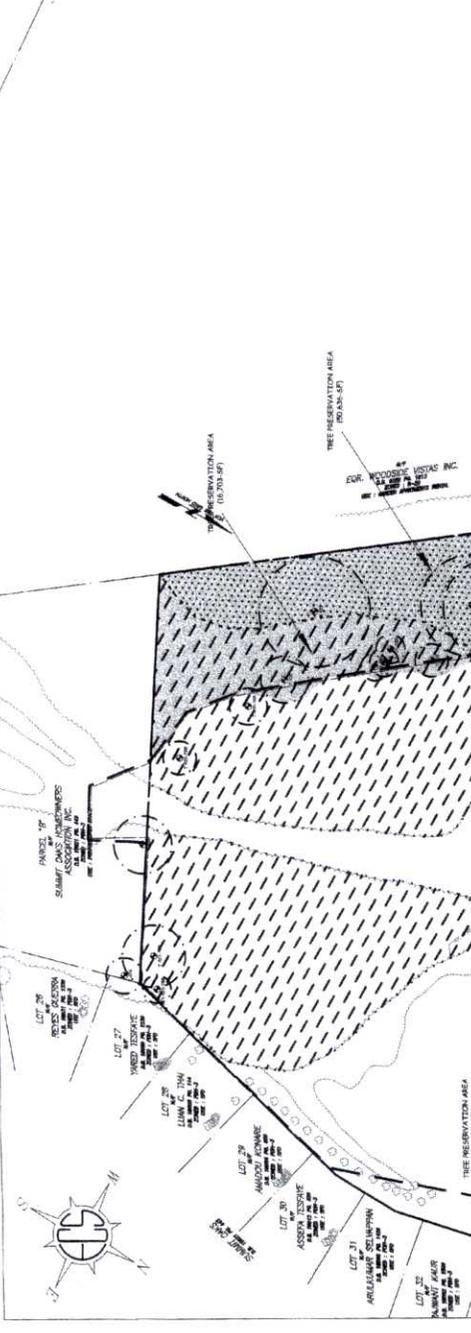
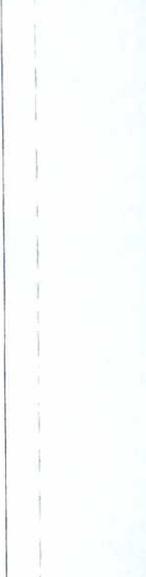


Table 12.12 - Tree Preservation Target Calculations & Statement

| Item | Description | Value | Percentage |
|------|--------------------------------------------------------------------------------------------|------------|------------|
| A | Pre-maintenance area of existing tree canopy (from Existing Vegetation Map) | 269,881 SF | 79.3% |
| B | Percentage of pre-maintenance area removed by existing tree canopy | 20% | |
| C | Percentage of 10-year tree canopy remaining for this project | 78.3% | |
| D | Percentage of the 10-year tree canopy requirement that would be met through preservation * | 116.2% | |
| E | Percentage of canopy requirement that will be met through tree preservation * | YES | |
| F | Has the tree preservation target minimum been met? | YES | |
| G | If no to line F, provide shaded numbers where deviation request is located | N/A | |
| H | Does G require a variance (check to request and attached) | N/A | |

Tree Preservation & Canopy Calculations

ORDER SITE AREA
 451,889 SF
 451,889 SF

MULTIPLY PERCENT REQUIRED (ORDERED)
 20%
 1,027,972 SF

EQUALS TREE COVER TO BE PRESERVED
 887,096 SF

EXISTING TREES TO BE PRESERVED
 24,000 SF

PROPOSED CREDIT REQUIRED BY PLANTING
 YES

HAS THE TREE PRESERVATION TARGET BEEN MET?
 YES

ADMITTED CANOPY COVER PER SECTION 12-2000
 110,480 SF

TOTAL TREE COVER PROVIDED
 25.0%

ADMITTED CANOPY COVER PER SECTION 12-2000
 110,480 SF

TOTAL TREE COVER PROVIDED
 25.0%

NOTE: SHARED TREES SHALL NOT BE REMOVED WITHOUT WRITTEN PERMISSION FROM AFFECTED ADJACENT PROPERTY OWNERS.



| | |
|-------------|----------|
| ENGINEER | DATE |
| AMC | 01/16/12 |
| SCALE | N.T.S. |
| PROJECT NO. | 0116912 |
| SHEET | 48 OF 6 |
| DATE | 01/16/12 |



GENERAL SITE INFORMATION:

- THE UPLAND FOREST IS GENERALLY IN FAIR/POOR CONDITION WITH MANY DEAD TREES. THE EARLY SUCCESSIONAL FOREST IS IN FAIR/POOR CONDITION WITH EVIDENCE OF DROUGHT STRESS.
- THE SITE WAS HISTORICALLY LOGGED (APPROXIMATELY 10 YEARS AGO) IN THE CENTRAL AND NORTHERN PORTIONS OF THE SITE. SELECTIVE LOGGING REMOVED MANY LARGE DIAMETER TREES AND MANY REMAINING TREES WERE DAMAGED BY EQUIPMENT AND THE INSTALLATION OF LOGGING ROADS. AN UNDETERMINED AMOUNT OF REVEGETATION WAS PERFORMED. MANY YOUNG TREES OF EVEN STAND AGE CAN BE OBSERVED IN THE SOUTHWESTERN PORTIONS OF THE SITE. THE WESTERN PORTION OF THE SITE CONTAINS A HIGHER DENSITY OF MATURE TREES. SELECTIVE LOGGING APPEARS TO HAVE TAKEN PLACE IN THIS PORTION OF THE SITE.
- EVIDENCE OF A RECENT FIRE WAS OBSERVED IN THE NORTHWESTERN UPLAND FOREST DURING A SITE VISIT IN MARCH 2011. THE FIRE APPEARED TO HAVE BEEN A BRUSH/FIRE OF UNKNOWN ORIGIN THAT WAS SPREAD BY RECENT WINDSTORMS DOWN THE NORTHWESTERN HILLSIDE. THE MAJORITY OF DAMAGE THAT OCCURRED AFFECTED UNDERSTORY AND HERBACEOUS GROUNDCOVER VEGETATION, AS WELL AS THE BASE OF SOME LARGER CANOPY TREES. TO A HEIGHT OF APPROXIMATELY THREE FEET.

INVASIVE SPECIES CONTROL NARRATIVE:

1. ANY APPLICATION OF ENVIRONMENTALLY SENSITIVE APPROVED HERBICIDES SHALL BE APPLIED BY A VIRGINIA CERTIFIED APPLICATOR OR REGISTERED TECHNICIAN.
2. ENGLISH IVY: REMOVE FROM TREES BY CUTTING ALL VINES AT GROUND LEVEL. VINES SHOULD BE CUT AGAIN SEVERAL FEET UP THE TRUNK. PEEL THE CUT SECTION OF IVY OFF AND CAREFULLY REMOVE IT TO STRIP THE BARK OF THE TREE. PULL GROUND IVY BACK FROM THE BASE OF THE TREE TO SLOW REGROWTH UP THE TREE TRUNK. REMOVE GROUND IVY BY HAND, CUTTING AND MULCHING OVER TOP, AND/OR APPLYING A SYSTEMIC HERBICIDE LIKE TRICOPYR TO LEAVES OR FRESHLY CUT-LARGE STEMS. RETREATMENT MAY BE NECESSARY FOR COMPLETE ERADICATION.
3. MULTIFLORA ROSE: REMOVE GROUND ROSE BY HAND PULLING, CUTTING AND MULCHING OVER TOP, AND/OR APPLYING A SYSTEMIC HERBICIDE LIKE TRICOPYR TO LEAVES OR FRESHLY CUT-LARGE STEMS. REMOVE FROM TREES BY CUTTING ALL VINES AT GROUND LEVEL. VINES SHOULD BE CUT AGAIN SEVERAL FEET UP THE TRUNK. PEEL THE CUT SECTION OF ROSE OFF BUT CARE SHOULD BE TAKEN NOT TO STRIP THE BARK OF THE TREE. PULL GROUND ROSE BACK A FEW FEET FROM THE BASE OF THE TREE TO SLOW REGROWTH UP THE TREE TRUNK. RETREATMENT MAY BE NECESSARY FOR COMPLETE ERADICATION.
4. JAPANESE HONEYSUCKLE: SHALL BE REMOVED BY HAND TO MINIMIZE SITE DISTURBANCE. IN THE GROWING SEASON, AN APPLICATION OF AN ENVIRONMENTALLY SENSITIVE APPROVED HERBICIDE MAY BE APPLIED BY A VIRGINIA CERTIFIED APPLICATOR.
5. THE ENGLISH IVY, JAPANESE HONEYSUCKLE, AND MULTIFLORA ROSE REMNANTS SHALL BE BAGGED AND REMOVED FROM THE PROJECT SITE.
6. INVASIVE SPECIES CONTROL SHALL BE CONDUCTED UNTIL THE PLANTS NOTED ABOVE ARE NO LONGER IN ABUNDANCE OR UNTIL BOND RELEASE, WHICHEVER IS LATER.

TREE CONDITION ANALYSIS

ECS Mid-Atlantic, LLC (ECS) conducted a site reconnaissance to evaluate the wooded habitat on the project site in April 2011. The undeveloped portions of the site are comprised primarily of Upland Hardwoods (i.e. Oak species) with some softwoods located throughout. The species of trees assessed near the limits of clearing are listed in the Trees Table on the Existing Vegetation Map. In addition to these species, Green Ash was also observed onsite.

Based on our site reconnaissance, invasive and/or noxious species (i.e., Japanese HoneySuckle) are present throughout the wooded portions of the project site. Invasive species located within the areas to be preserved should be removed by hand wherever practicable to minimize site disturbance. Towards the end of the growing season, an application of an environmentally sensitive approved herbicide may be applied to these areas by a Virginia certified applicator. The trees onsite are in Fair/Poor condition, except where otherwise noted on the EVM (i.e., Poor or Dead). Onsite trees within 150-feet of the proposed limits of clearing meet the standards for structural integrity and health identified in § 12-0403.2A and 12-0403.2B and dead trees located within 150-feet of the proposed limits of clearing, which are identified on the Existing Vegetation Map.

In accordance with § 12-0507.E2(1), trees designated for preservation shall be protected during construction.

TREE PRESERVATION NARRATIVE

§ 12-0509.3B: Dead or potentially hazardous trees shall be removed upon their discovery if they are located within 100-feet of the proposed limits of clearing. Dead trees not within this area shall be left in place to serve as wildlife habitat. Dead or potentially hazardous trees will be removed by hand (i.e., chainsaw) wherever practical and will be conducted in a manner that incurs the least amount of damage to surrounding trees and vegetation proposed for preservation. Felled trees shall be left in place and brush should be removed by hand. No heavy equipment shall be used within tree preservation areas.

§ 12-0509.3C: Based on the current condition of the existing wooded areas, no adverse human health risks are anticipated.

§ 12-0509.3D: Invasive and/or noxious species (i.e., Japanese HoneySuckle) are present throughout the wooded portions of the site. Any invasive species located within the areas to be preserved shall be removed by hand wherever practicable to minimize site disturbance. Towards the end of the growing season, an application of an environmentally sensitive approved herbicide may be applied to these areas by a Virginia certified applicator. Most of the forested areas within the tree preservation area do not contain invasive plant species at levels that endanger the long-term ecological functionality, health, and regenerative capacity of any native plant communities present onsite.

§ 12-0509.3E: The Applicant is not requesting official Specimen Tree designation for any of the large trees located onsite and is not using a multiplier for tree canopy calculations.

§ 12-0509.3F: Non-impacted Specimen trees located on and off-site shall be protected throughout all phases of construction by utilizing tree protection fencing as required by §12-0506.2D(1).

§ 12-0509.3G: Root pruning shall be conducted along the proposed limits of clearing and grading adjacent to the wooded habitat to be preserved and along property boundaries where the CRZ of off-site trees will be impacted. Locations of root pruning and tree protection fencing are shown on the Tree Preservation & Protection Plan.

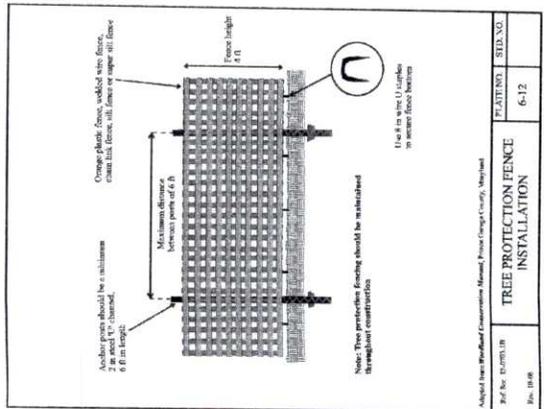
§ 12-0509.3H: No trees will be transplanted as part of the proposed construction activities.

§ 12-0509.3I: Tree protection fencing and signage shall be placed subsequent to the staking of the limits of clearing in the field prior to construction in accordance with current Fairfax County ordinances.

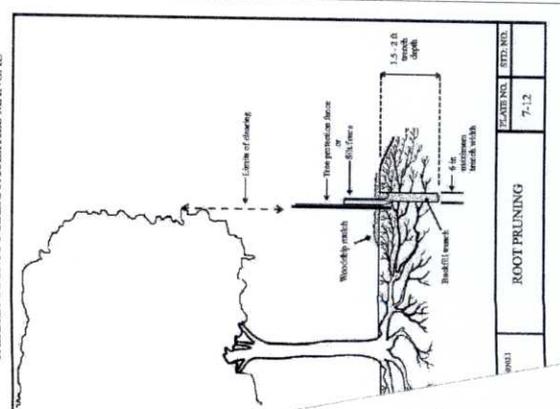
§ 12-0509.3J: No work shall occur within the areas to be protected. Onsite trees within the limits of clearing and grading will be removed. No trees outside this area shall be removed unless indicated on the plan. Trees in preservation areas indicated on the plan to be removed shall be removed by hand. Dead or hazardous trees within this area may be limbed or topped, rather than removing the entire tree and left as snags.

§ 12-0509.3K: There are no known proffer conditions which would require a tree inventory. Tree condition, tree valuation or tree banding information.

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL



FAIRFAX COUNTY PUBLIC FACILITIES MANUAL

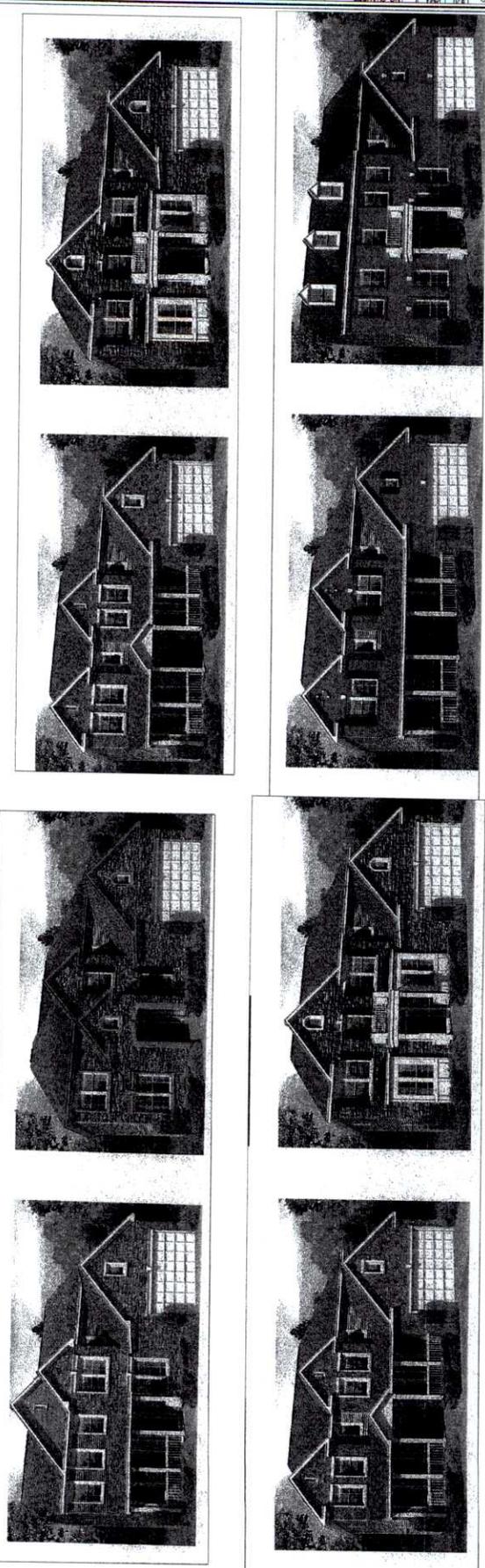
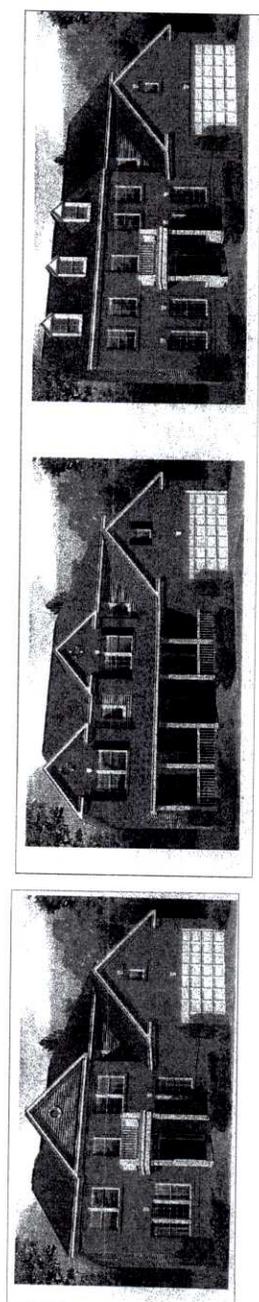


| NO. | DATE | DESCRIPTION | DESIGNER |
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I HEREBY CERTIFY THAT
 I AM THE DESIGNER OF THE
 ABOVE WORK AND THAT I
 AM A LICENSED ARCHITECT
 IN THE STATE OF VIRGINIA
 LICENSE NUMBER: 10062-10-100



SCALE: N/A
 SHEET 5 OF 6
 DATE: SEPT. 2002
 DRAFT: CHECK: FILE NUMBER: 10062-10-100



FOR ILLUSTRATIVE PURPOSES ONLY

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

The applicant, Summit Oaks Section 2 LLC, requests amendment of the proffers approved by the Board of Supervisors with RZ 2002-MV-020 and approval of RZ 2011-MV-001 and CDP/FDP 2011-MV-001, the associated Conceptual/Final Development Plan (CDP/FDP). The subject property was rezoned in 2002 from PDH-4 with Historic Overlay to R-3 with Historic Overlay. The proffers related to that rezoning established the subject property as a site for a future church with a private school of general education and four townhouses for pastoral housing. Subsequent to approval of that previous rezoning, the property owner decided not to pursue establishment of the church/school use. Rather, the current proposal involves rezoning the land from R-3 with historic overlay to PDH-3 with historic overlay to create a 30-lot single family detached dwelling development similar to the existing Summit Oaks subdivision located to the immediate east. The current application also includes a conceptual/final development plan that depicts the layout of the proposed lots, streets, and open space.

The application also requests the following waivers and modifications:

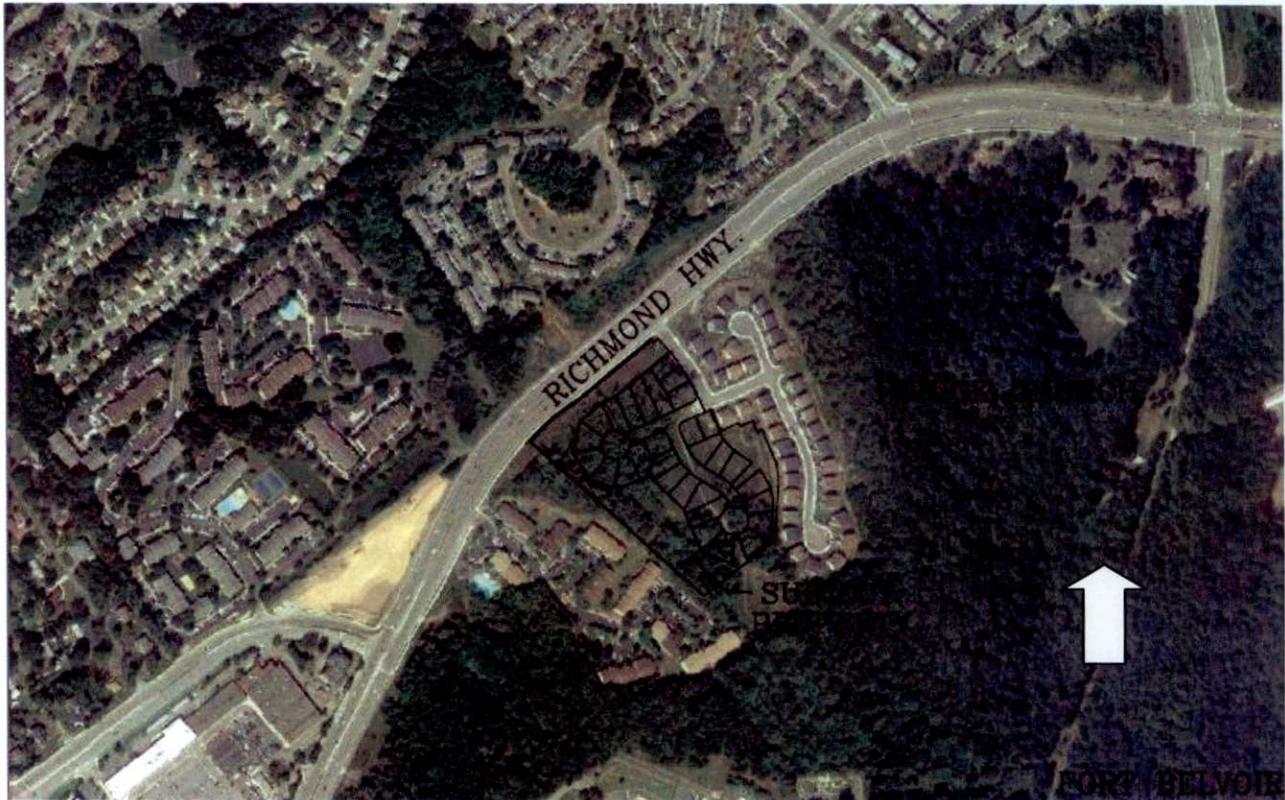
- Waiver of the eight-foot wide major paved trail along the property's Richmond Highway frontage in favor of the existing sidewalk.
- Waiver of the on-road bike route along the property's Richmond Highway frontage in favor of dedication of right-of-way and escrow of re-striping monies.
- Waiver of the service drive along Richmond Highway in favor of the inter-parcel access connection.

The applicant's proposed Proffers, Affidavit, and Statement of Justification can be found in Appendices 1, 3, and 4, respectively.

LOCATION AND CHARACTER



The 11.75-acre site is located on the south side of the Richmond Highway, about midway between the highway's intersections with Lorton Road and Pohick Road. The project site adjoins the 37 single family detached homes of Summit Oaks Section 1 located to the east. To the immediate east of the existing Summit Oaks homes are the lands associated with Pohick Church. To the west are forested slopes of the Woodside Garden Apartments. To the south is a stormwater detention pond constructed as part of Section 1. Beyond the detention pond is a large, wooded open space parcel and to its southwest is the Noman M. Cole, Jr. (Lower Potomac) Pollution Control Plant. To the north, across the Richmond Highway, are the single family attached homes of Pohick Village.



The site is vacant except for underground utilities and a maintenance road to the abutting stormwater detention pond. These facilities were installed as part of Summit Oaks Section 1. The site is about one-third cleared and two-thirds forested. The site slopes downwards to the southwest. In the northeastern portion of the site, the slopes are relatively gentle, becoming steeper as one progresses to the west and southwest. Due to grading associated with construction of the Richmond Highway, that roadway is about 15 to 35 feet below the developable portion of the subject property. The cut slope facing the highway is planted with a stand of locust trees, which currently form a 15-foot high thicket. Access to the site is provided by Birch Crest Way, part of the street system development with Section 1. No Environmental Quality Corridors or Resource Protection Areas are located on the site.

The subject property is zoned Residential, R-3. The property is also designated as Pohick Church Historic Overlay District which extends eastwards, covering Summit Oaks Section 1 and the Pohick Church site and northwards, covering several parcels on the north side of the Richmond Highway.

In summary, the site is surrounded by the following uses and land use designations:

| Direction | Use | Zoning | Plan |
|-----------|------------------------------------------------------------------|--------------------------------------|------------------------|
| North | Residential, Single Family Attached (Pohick Village) | R-8 | Residential, 5-8 du/ac |
| South | Stormwater Detention Facility (Part of Summit Oaks Section 1) | PDH-3 with Historic Overlay | Residential, 3-4 du/ac |
| East | Residential, Single Family Detached (Summit Oaks, Section 1) | PDH-3 with Historic Overlay | Residential, 3-4 du/ac |
| West | Multi-family (Woodside Garden Apartments) | R-20 | Residential, 5-8 du/ac |

BACKGROUND

The subject site is an 11.75-acre parcel that was part of a larger 25-acre property. In March 1996, the Board of Supervisors rezoned the 25 acres from R-1 to PDH-4, to permit the development of 94 single-family detached dwellings, each intended for occupancy by at least one person age 55 years or older. A Final Development Plan was approved by the Planning Commission subject to the Board's approval of the rezoning. The property was not developed pursuant to that rezoning/final development plan.

In late 1999 to early 2000, logging activity occurred on the former 25-acre parcel, including several acres of the subject site, were partially cleared. In April 2000, the Urban Forestry Division filed a complaint of illegal logging on the property. Eventually, a reforestation plan was submitted, approved, and implemented.

Subsequently, in April 2002, the Comprehensive Plan recommendation for the 25-acre parcel was amended by the Board to recommend residential use at a density of 3-4 dwelling units per acre with an option for elderly housing at a density of 4-5 dwelling units per acre. The recommendation also stated that churches or other institutional uses may be appropriate. In June 2002, the applicant filed for a rezoning from PDH-4, HD to PDH-3, HD for the eastern 12.88 acres of the 25-acre parcel and a rezoning from PDH-4, HD to R-3 for the remaining western 12.24 acres. (The parcel acreage was subsequently reduced by dedication of property for highway widening.) The applicant proposed proffers for the rezonings. Concurrently, a final development plan depicting 37 single-family detached residences was filed for the eastern portion of the property and a special exception for a church with a private school of general education and four townhouse units of pastoral housing was filed for the western portion of the property. The application

reference numbers were RZ 2002-MV-020, FDP 2002-MV-020, and SE 2002-MV-022, respectively. The rezonings and special exception were approved by the Board on November 18, 2002. The final development plan was approved by the Planning Commission subject to the Board's approval of the rezoning. Copies of the previously approved proffers and development plan are contained in Appendix 5, respectively.

The 37 homes of Summit Oaks Section 1 were built. However, the combined church and school use were not. The current proposal involves 30 single family detached homes at a density of 2.55 du/ac to be built on the approved church/school site. Due to the site's topography, the applicant is proposing lots that are smaller than typical R-3 or R-3 cluster lots. Therefore, the applicant is requesting that the subject site be rezoned from R-3 to PDH-3, which allows for greater flexibility for lot area, lot width, and yards. The site's previously approved proffers must be amended to delete reference of the church/school. Also, a new set of provisions related to the proposed 30 homes must be provided. In addition, the special exception plats approved for the church/school will become void and be replaced with the appropriate set of CDP/FDPs reflecting the currently proposed 30 homes.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area IV

Planning District: Lower Potomac Planning District

Planning Sector: LP2 - Lorton-South Route 1 Community Planning Sector (LP-2)

Plan Map: Residential, 3 to 4 units/acre

Plan Text: Sub-unit G-2 of the planning section recommendations states:

Sub-unit G2 is located on the east side of Route 1 and south of Pohick Road. It is also located within the Pohick Church Historic Overlay District. The area is planned for residential use at a density of 3-4 dwelling units per acre with an option for a density of 4-5 dwelling units per acre for housing for the elderly. Churches or other institutional uses may be appropriate. All uses should be compatible with the Pohick Church Historic Overlay District, as described under Sub-unit G1. Substantial buffering shall be provided along any portion of a property line which is adjacent to the Pohick Church or Noman M. Cole, Jr. Pollution Control Plant properties.

ANALYSIS**Final Development Plan Amendment (FDPA)**

(Copy at front of staff report)

Title of FDP: Summit Oaks Section 2**Prepared By:** LDC**Original and Revision Dates:** September 2010, with the Land Surveyor's Seal through May 26, 2011

| CDPA/FDPA INDEX | |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sheet # | Contents |
| 1 of 6 | Cover Sheet: including Notes, Tabulations, Vicinity Map, Soil Information, Typical Lot Details, Waivers/Modifications Requested, and Open Space Detail |
| 2 of 6 | Conceptual/Final Development Plan: including Site Layout, Landscape Elements Examples, Typical Entry Feature Detail, Typical Retaining Wall Detail, Typical Nose Fence Detail, and Planting Schedule |
| 2A of 6 | Sight Distance Profile |
| 3 of 6 | Existing Conditions Plan |
| 4 of 6 | Existing Vegetation Map |
| 4A of 6 | Tree Preservation and Protection Plan |
| 4B of 6 | Tree Preservation Narratives |
| 5 of 6 | Elevations |
| 6 of 6 | Stormwater Management Information |

Site Layout

The 30 proposed lots are sited along Birch Crest Way and two cul-de-sacs, all designed as public streets. Birch Crest Way, installed with Summit Oaks Section 1, provides direct access to Richmond Highway. Turning movements at the Birch Crest Way/Richmond Highway intersection are controlled by a stop sign on Birch Crest Way. Turns are accommodated by the highway's median break and right and left turn lanes installed during the concurrent widening of the highway and construction of Section 1. Birch Crest Way provides access to three of the proposed lots and tees into Tangerine Place, an east-west street. The westerly extension of Tangerine Place will provide access to 11 of the proposed lots of Section 2. A new cul-de-sac, as yet un-named, heading south off of the extension of Tangerine Place will provide access to the remaining 15 proposed lots.

In general, the proposed lots will be set back from the cut slope associated with Richmond Highway. However, the proposed residences on Lots 1 and 4 through 10 may be visible from the highway given the site's topography. Also, a retaining wall, proposed west of Lot 9 and wrapping around the northwest portion of the development will be visible from the highway and possibly from the apartments to the west. At its highest point, the retaining wall will be 18 feet in height. This high point will be located near the boundaries of proposed Lots 11 and 12 and will face southward, away from the highway. A noise fence, with a maximum height of seven feet, is proposed along the side yard of Lot 1 and the rear yards of Lots 4 through 10, as these yards face the highway. The closest rear yard lot line will be 70 feet from the highway and the closest residence will be approximately 90 feet away.

The proposed layout contains approximately 39% or 200,000 square feet of open space. This open space consists of the cut slope along Richmond Highway, the slopes along the western property line, and an interior triangular property located between the proposed Section 2 and the existing Section 1. Details of the open space areas are as follows:

- The cut slope along Richmond Highway is depicted as being planted with a mix of large deciduous trees, evergreen greens, compact deciduous trees, and shrubs. All proposed plants are to be native and non-invasive species. Some of the proposed trees will be interspersed within the existing locust thicket, which due to its dense, uniform planting has an unnatural appearance. The goal of the slope's plantings is to provide a more natural-looking, visual shield between the planned residences and the highway.
- The open space is along the western property line is generally sloped and forested. A line of trees along the rear yards of Lots 10 and 11 are proposed to soften the appearance of the retaining wall which will be visible from the highway. Also within this open space, a line of trees behind Lots 17 through 21 will screen potential views of the Norman M. Cole, Jr. Pollution Control Plant. In addition, this open space includes a wedge of property located off the head of proposed, un-named cul-de-sac. This wedge will accommodate the maintenance road leading to the stormwater detention pond to the south and provide pedestrian access to this open space area.
- The third open space area provides a partial buffer between the existing and proposed homes. This open space will include a small tree save area, a row of trees providing screening along the rear yards of Section 1 lots, pedestrian paths linking the projects two proposed roads, and a flat area for passive recreation such as picnicking. These pedestrian paths, along with sidewalks and the paved maintenance road to the detention pond to the south, provide a pedestrian network for the development.

Parking for each of the proposed homes will be provided by two spaces located in attached garages and two driveway spaces. The driveways will be a minimum of 20 feet in length. The proposed streets will be public and meet Virginia Department of Transportation standards. The streets will be 29 feet wide, curb to curb, which on relatively low volume streets such as the proposed cul-de-sacs, permit parking on both sides of the roadway. Sidewalks will be provided on both sides of the proposed streets. Stormwater will be directed to two detention ponds installed with Summit Oaks Section 1; a limited amount of stormwater will be directed towards the pond along Richmond Highway and the majority of the stormwater will be directed towards a larger pond located to the immediate south of the subject property. Apparently, these ponds were sized to accommodate stormwater associated with Section 1 and the approved church/school with its 280-space surface parking lot.

Land Use Analysis

Residential Development Criteria

Fairfax County expects new residential development to enhance the community by meshing with the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, respecting the County's historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. The Board of Supervisors adopted the Residential Development Criteria as part of the Land Use Section of the Policy Plan in order to set standards for evaluating new residential development.

Development Criterion 1, Site Design

Criterion 1 states that all rezoning applications for residential development should be characterized by high quality site design. The criterion then identifies the principles of desired site design. These principles are listed below, followed by staff's analysis in Italics.

A. Consolidation/Integration

The proposed development should consolidate and integrate adjacent parcels. The proposal will be integrated into the existing Summit Oaks development by way of coordinated street and stormwater systems. As depicted on the CDP/FDP, the proposed lots and home elevations and materials will be similar to those of the existing Summit Oaks development.

B. Layout

The proposed layout should provide:

- 1) Logical, functional and appropriate relationships among the proposed dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences. *The proposed layout mimics that of the existing Summit Oaks community. The front and rear yards of both the existing and proposed homes are a minimum of 20 feet. For Section 1, minimum side yards were five feet, but the houses were proffered to be a minimum of 12 feet apart. For the proposed development, the minimum side yards for the proposed homes are six feet. Therefore, both the existing and proposed residences will be separated by a minimum of 12 feet.*
- 2) Dwelling units that are oriented appropriately to adjacent streets and homes. *With the exception of three corner lots, the proposed layout creates interior lots which front directly onto the project's streets. The building envelopes on the corner lots are sited so that their rear yards abut side yards of adjoining lots. To improve the appearance of corner dwellings from the nearby roadways, staff is recommending a condition that the street-facing facades of the side yards of the corner lots contain materials and architectural elements similar to those planned for the front facades of the dwellings. In a similar manner, the submitted proffers require that any side or rear facades visible from the Richmond Highway must also contain materials and architectural elements similar to those dwellings' front facades.*
- 3) Usable yard areas within the individual lots that accommodate the future construction of decks, sunroom, porches, and/or accessory structures in the layout of the lots, and provide space for landscaping to thrive and for maintenance activities. *Sheet 1 of the CDP/FDP depicts typical lot details that show where decks can be located in the rear yards. In addition, Proffer No. 11 details limitations related to the siting of decks, bay windows, patios, chimneys, stair and stoops, mechanical equipment, and other similar appurtenances. The proffer also requires disclosure of the siting limitations to purchasers.*
- 4) Logical and appropriate relationships among the proposed lot including the relationships of yards and the orientation of the dwelling units. *As mentioned in Item 2 above, the building envelopes on the corner lots are sited so that their rear yards abut side yards of adjoining lots. There are no proposed pipe-stem lots.*
- 5) Convenient access to transit facilities. *The proposed sidewalks and trails will provide access to the existing sidewalks along Richmond Highway, which has bus service.*

- 6) Identification of all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible. *The CDP/FDP depicts the existing and proposed utility facilities on the site. The proposed layout will necessitate relocation of portions of the existing sanitary sewer line.*

C. Open space and Amenities

The proposal should contain open space that is usable, accessible, and well-integrated. In addition, the proposed development should provide amenities such as benches, gazebos, recreational amenities, play areas for children, and lighting.

The project's largest open space areas are located along the north and west perimeters, areas that are impacted by slopes. The open space areas along the west perimeter are forested and include visual and physical access to the open space associated with the stormwater detention basin created as part of Section 1. The open space areas along the north perimeter, adjoining Richmond Highway, are disturbed slopes that have been partially replanted with a stand of locust trees. As part of this proposal, the slopes between the highway and the residences will be landscaped with a mix of deciduous and evergreen trees and shrubs. Some of the proposed plantings will be interspersed with the existing locust trees to provide a more natural appearance for the slope.

The proposal also includes an interior open space area. This triangular shaped parcel provides a partial buffer between the existing and proposed homes and is accessible to the proposed Section 2 dwellings by trails from the development's interior streets. The open space provides an area for passive recreation, such as walking or picnicking, and per the proffers, may, at a later time, be developed for active uses such as a tot lot. The development plans depict a hard-surfaced area in the center of this open space and a light fixture. This open space also includes a small stand of trees that will be preserved.

The configuration of the open space provides an accessible and usable amenity. Although the open space areas are generally behind proposed homes, the stub-outs and trails onto the proposed streets provide visual and physical access.

D. Landscaping

The proposal should include landscaping in open space areas, along streets, in and around stormwater management facilities, and on individual lots.

As previously mentioned, the subject property's Richmond Highway frontage will be landscaped to visually screen the proposed homes from the roadway and to provide a more natural appearance of the cut slope. In addition, the proffers commit, subject to obtaining the approval of the Section 1 Homeowners

Association, the applicant to enhance the off-site vegetation along the Section 1 frontage. Currently, the existing plantings along Richmond Highway do not provide the "forest-like" appearance that was envisioned with the approval of Section 1.

The development plans indicate that portions of the interior open space will be landscaped. A line of trees is proposed along the perimeter of the majority of homes to mitigate views from existing residences and the highway. In addition a line of trees behind Lots 17 through 21 is proposed to mitigate views from the proposed residences to the south, towards the Noman M. Cole, Jr. Pollution Control Plant. Lastly, the CDP/FDP shows that deciduous trees will be planted along the proposed street frontages, one tree per lot.

Development Criterion 2, Neighborhood Context

This criterion states that residential development should be designed to fit into the adjoining community through appropriate transitioning measures and pedestrian, bicycle, and vehicular connections. The proposed detached single family residential development will be a continuation of the existing Summit Oaks subdivision to the east. Access to the proposed homes will be provided by the existing Summit Oaks entry street, Birch Crest Way, and via extension of another Summit Oaks street, Tangerine Place. An open space area provides a partial buffer between the existing and proposed developments. As the stormwater facilities will be shared between the two Sections of the Summit Oaks development, a common homeowners association is likely, with shared open space and amenities. The Summit Oaks community is somewhat isolated from other development; the portion of the Pohick Church property that borders Summit Oaks to the east is primarily sloping woodland. Likewise, the adjoining Woodside Garden Apartments property to the west is separated from Summit Oaks partially by topography, forest, and perimeter parking areas. The residential development to the north is separated from Summit Oaks by the Richmond Highway, community open space, and in some places, a highway sound wall.

Development Criterion 3, Environment (Appendix 6)

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles: preservation, slopes and soils, water quality, drainage, noise, lighting, and energy.

Tree preservation is discussed below. The property does not contain any structures that may be subject to preservation efforts. The proffers contain a provision that requires the applicant to conduct a Phase I archaeological study on those areas of the subject property identified by the Cultural Resource Management and Protection Section of (CRMPS) of the Fairfax County Park

Authority. The majority of the planned disturbance will occur on the flatter areas of the site, with the steeper sloped areas designated as open space. Stormwater management is discussed under public facilities. Lighting will be limited to a fixture located in the interior open space area and to any fixtures required by the Virginia Department of Transportation (VDOT). The applicant has proffered that the proposed homes will be designed and constructed as Energy Star qualified homes.

Issue: Noise

Because several of the proposed residences will be in close proximity to Richmond Highway, the applicant submitted a noise analysis prepared by Wyle Laboratories, Inc. that delineated noise contours. The analysis concludes that with the appropriate noise barrier, the outdoor noise can be mitigated to acceptable levels. The development plans depict installation of wood board-and-batten walls. These walls will be similar to the ones constructed in Summit Oaks Section 1. The analysis identifies the required height above the finished grade elevation and the top elevation for each barrier segment. Regarding indoor noise, the analysis states that with standard residential construction, noise levels will exceed the Fairfax County indoor guideline of DNL 45 dBA. For those residences with a future DNL of 65 dBA or higher, additional noise mitigation measures must be taken to assure compliance with the established guidelines.

Resolution:

The proffers identify acoustical treatment measures that must be applied to residences built within the identified highway noise impact zone. These measures include:

- Exterior wall shall have a laboratory sound transmission class (STC) rating of a least 39.
- Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20 percent of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20 percent of an exposed façade, then the glazing shall have an STC rating of at least 39.
- All surfaces shall be sealed and caulked in accordance with method approved by the American Society of Testing and Material (ASTM) to minimize sound transmission.

These measures are aimed at reducing highway noise to acceptable levels within the interior of the proposed dwellings. Application of these measures is determined during review of the construction plans for the individual residences.

Development Criterion 4, Tree Preservation (Appendix 10)

The majority of the site is forested. Past non-permitted logging, site disruptions related to installation of utilities associated with Section 1, and a brush fire have reduced the amount of natural vegetation on the subject property. During the preparation of this staff report, it was found that the tree canopy calculations and tree preservation target information were not accurate. The applicant has since submitted revised calculations and information which were determined by the Urban Forestry Management Division (UFM) of the Department of Public Works and Environmental Services to be acceptable. The development plan has since been modified to reflect these revisions. The UFM is reviewing the latest proffers to verify that the changes are properly reflected and to confirm compliance with the Public Facilities Manual standards. Therefore, staff is recommending a condition that prior to subdivision plan approval, the UFM must confirm that the tree preservation and tree canopy efforts conform to the Public Facilities Manual standards and that, as necessary, applicable tree preservation measures will be taken during construction.

Development Criterion 5, Transportation (Appendix 8)

The Fairfax County Department Transportation (FCDOT) reviewed the application and noted that its concerns, as well as those of VDOT, have been addressed by the transportation improvements proposed on the CDP/FDP and as specified in the proffers and by the recommended development conditions. The improvements include: 1) right-of-way dedication and financial contribution to facilitate installation of a bike lane within the shoulder of the highway; and 2) delineation of a utility strip between the sidewalk and face-of-curb and delineation of the right-of-way line one foot beyond the sidewalk.

A provision contained in the previously accepted proffers required that the applicant escrow the sum of \$145 per linear foot of Richmond Highway frontage for widening of the highway. For the subject property, the amount calculates to approximately \$90,000. The funds were required to be paid prior to site plan approval. As a site plan was not filed for the church/school, no funds were paid for the subject property. Subsequently, the highway was widening into its current configuration of four travel lanes and turn lanes. As the highway widening has been completed, staff suggested that the applicant contribute to the future installation of the on-road bike route and to other public facilities. The applicant revised the proffers to include right-of-way dedication and escrow of funds for roadway restriping in support of the bike route. The applicant also included a proffer contribution of \$50,000 to the school district for improvements of area schools.

VDOT requested information regarding connectivity, sight distances for intersections, pedestrian accommodations, and public service requirements. This information has been submitted and in its most recent memorandum, VDOT noted that all previous VDOT comments have been addressed.

The applicant has filed waivers for the required pedestrian trail and service drive along Richmond Highway. Given the topography of the site and the existing sidewalk along the highway, these waivers are reasonable. In addition, an inter-parcel connection was created with Section 1 with the required eastward extension of the Tangerine Place right-of-way to the Pohick Church property boundary and the requirement that home purchasers in Section 1 be notified of a possible future connection.

Development Criterion 6, Public Facilities (Appendices 9 and 11 through 14)

The addition of residential uses impacts public facility systems, such as schools, parks, stormwater management and fire and rescue.

Fairfax County Public Schools (FCPS) calculated that the proposed 30 single family detached dwellings would generate 16 students. (Appendix 11) This number is below the projected 18 students that could be generated if the site were developed with 35 residences as permitted by right under the existing R-3 zoning. (Given the topographic constraints, it is unlikely that the parcel could accommodate 35 single family detached homes, the maximum density associated with 11.75 acres of R-3 zoned land. However, the estimates represent a consist application of the school district's calculations.) On this basis, monetary contribution towards capital improvements for schools is not required. However, FCPS has noted that based on student enrollment projections, impacted the elementary school, Gunston, is projected to have a capacity deficit and that this rezoning is anticipated to contribute to this deficit. Therefore, FCPS notes that should the applicant be inclined to make a proffer contribution, the current per student proffered amount is \$9,378.00 per student. The applicant has proffered a contribution of \$50,000 to Fairfax County Public Schools for schools serving the area.

The Fairfax County Fire and Rescue Department has signed off its approval of the rezoning and development plans.

Fairfax County Water Authority notes that adequate domestic water service is available from an existing 12-inch water main located in Birch Crest Way. (Appendix 14)

Sanitary sewer service will continue to be provided by Fairfax County at the Noman M. Cole, Jr. Pollution Control Plant. The plant currently has excess capacity. The existing line located within Birch Crest Way is adequate for the proposed uses. All impacted county lines have adequate capacity for the proposed uses. (Appendix 13)

As discussed previously in this report, the applicant plans to convey the development's stormwater to the detention ponds created with Section 1. The appropriate waiver will be considered will be considered by the Department of Public Works and Environmental Services as part of subdivision review. (Appendix 9)

The Fairfax County Park Authority (FCPA) provided the following comments:
(Appendix 12)

- The required P District On-site Expenditure of \$1,600 per lot (\$48,000 for the proposed 30 lots) should be used on-site to directly serve the recreational needs of the project's future residents. The FCPA encourages the applicant to expand the proposed trail network to provide additional access to and through the site's open space. The proffers state that at the discretion of the homeowners association, the "Passive Recreation Area" may include additional landscaping, playground equipment, benches, and street furniture. The FCPA believes that these details should be provided at this time. Staff notes that with or without these details, the applicant has proffered the appropriate funds and therefore, given the size of the project and the proposed trail network, the project meets the intent of the requested P district. However, staff notes additional on-site recreational facilities are encouraged, especially community facilities such as a tot lot, playground, dog park, etc.
- The FCPA acknowledges the proffered contribution of \$77,691 (\$893 per projected resident). These funds will be utilized to offset impact to park and recreation service levels in the area by new residents. Also, these funds are in addition to the previously mentioned on-site recreation expenditure.

Development Criterion 7, Affordable Housing

Criterion 7 states that ensuring an adequate supply of housing for low and moderate income families, for those with special accessibility requirements, and for those with other special needs is a goal of the County. This criterion may be achieved by the construction of units, by contribution of land, or by a contribution to the Housing Trust Fund.

The applicant is meeting this criterion by proffering a contribution of a sum, equal to one-half of one percent of the project sales price for each of the proposed dwelling units, to the Fairfax County Housing Trust Fund, in accordance with the Board of Supervisors policy.

Development Criterion 8, Heritage Resource (Appendix 7)

A Phase I archaeological survey, conducted by Thunderbird Archeological Associates, Inc., was submitted in September 2002 with the review of Summit Oaks Section 1. Three sites of interest were identified on the subject property. The survey noted that none of the sites were considered to be potentially eligible for nomination to the National Register of Historic Places and no additional archeological work was recommended. By way of a Proffer 29, the applicant will provide access to the subject property so that the Cultural Resource Management and Protection staff (CRMP) may conduct additional investigations for a period of

two months. The FCPA recommended that Proffer 29 be modified to reflect the fact that a Phase I survey has already been completed.

In conformance with the historic overlay affecting the application's property, the project has been reviewed by the Architectural Review Board (ARB). The Board recommended approval of the proposed land use and layout. Prior to approval of the subdivision, the project must return to the ARB for review of details related to the building design and elevations and specific landscaping materials and plantings.

ZONING ORDINANCE PROVISIONS

Article 6, Planned Development District Regulations

Article 6, Sect. 108 states that the maximum building height, minimum yard requirements and maximum floor area ratio shall be controlled by the standards set forth in Part 1 of Article 16. For this project's proposed perimeter lots, the applicable bulk regulations are those of the conventional residential district closest to the requested PDH-3. In this case, that zoning district is R-3. The comparison between the R-3 single family detached residential standards and the proposal are summarized below.

| Zoning Ordinance Provisions | | |
|------------------------------------|---------------------------|------------------------------|
| Standard | Required | Provided |
| Bulk Standards | | |
| Lot Size | | |
| Average lot area | 11,500 square feet | 7,606 square feet |
| Minimum lot area | 10,500 square feet | 6,000 square feet |
| Lot Width | | |
| Interior lot | 80 feet | 60 feet |
| Corner lot | 105 feet | 75 feet |
| Building Height | 35 feet maximum | 35 feet |
| Front Yard | 30 feet | 20 feet |
| Side Yards | 12 feet | 5 feet |
| Rear Yard | 25 | 20 feet |
| Maximum Density | 3 dwelling units per acre | 2.55 dwelling units per acre |
| Open Space | 25% of gross area | 39% of gross area |
| Parking Spaces | 2 spaces/unit | 4 spaces/unit |

| | | |
|-------------------------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Transitional Screening | None | Trees and shrubs along Richmond Highway frontage; a row of trees along rear yards of Lots 10, 11, and 17-20 and long east boundary of interior open space. |
| Barrier Requirements | None | None |

As shown on the above comparison table, the proposal does not conform to the R-3 standards for lot size, lot width, and yards. However, the Planned Development District provisions state that a proposal will be permitted only if a development plan is prepared and approved in accordance with the provisions of Article 16. As discussed below, the proposal, with proffers and development conditions, meets these requirements.

Conformance with Article 16, Development Plans

Section 16-101 General Standards

General Standard 1 states that the proposed development shall substantially conform to the adopted comprehensive plan with respect to type, character, and intensity of use and public facilities. The proposed residential density of 2.55 dwellings per acre meets the planned density of 3-4 dwelling per acre envisioned by the Comprehensive Plan.

General Standard 2 requires that the design of the development achieve the stated purpose and intent of the planned development district more than would be possible under a conventional zoning district. The purpose and intent of the PDH District is “to encourage innovative and creative design and to facilitate use of the most advantageous construction techniques in the development of land for residential and other selected secondary uses. The district regulations are designed to ensure ample provision and efficient use of open space; to promote high standards in the layout, design and construction of residential development; to promote balanced developments of mixed housing types; to encourage the provision of dwellings within the means of families of low and moderate income; and otherwise to implement the stated purpose and intent of this Ordinance.”

The proposed layout keeps development off of the site’s steepest slopes and provides both perimeter and interior open space. This configuration would not be possible under conventional lot and block design.

Although the proposed design meets the overall purpose of the planned development district, staff believes additional design improvements are possible such as:

- Increasing the areas of tree preservation.
- Expanding the trail network to provide access to more of the project’s open space.

- Increasing the distance between the residences and Richmond Highway.

Staff discussed these modifications with the applicant at the beginning of the review process. The applicant has made modifications resulting in the current proposal.

General Standard 3 states that planned development shall efficiently utilize the available land, and shall protect and preserve, to the extent possible, all scenic assets and natural features such as trees, streams and topographic features. The planned development complies with the minimums regarding tree preservation and tree canopy. Although greater preservation of the site's existing trees is desired, staff realizes that such preservation would most likely reduce density. As the proposed density of 2.55 dwellings per acre is well below the planned density of 3-4 dwellings per acre, staff felt that the proposal represents a balance between the goals of the applicant and the county.

General Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter, or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan. As previously noted, the project will be a continuation of the Summit Oaks residences and will be compatible with existing development. As the project is buffered by open space, the existing Section 1, and Richmond Highway, the proposed homes, streets, and stormwater facilities will not negatively affect surrounding undeveloped properties.

General Standard 5 states that the planned development shall be located in an area in which transportation, police, and fire protection, other public facilities and public utilities, including sewage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available. As demonstrated in the public facilities analysis, adequate facilities are available or will be installed to support the proposed development.

General Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development. The proposed development will derive access from existing streets established by Summit Oaks Section 1. The proposed and existing sidewalks and trail will provide pedestrian linkage to off-site facilities. The proffered dedication of property and monetary contribution for re-striping for eventual installation of a bike lane along the property's Richmond Highway frontage addresses future bike linkages.

Section 16-102, Design Standards

Design Standard 1 requires that in order to complement development on adjacent properties, at all peripheral boundaries of the PDH District, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of

that conventional zoning district which most closely characterizes the particular type of development under consideration. In this case, that zoning district is R-3.

If approved, the boundaries of the resultant PDH district will encompass Summit Oaks Sections 1 and 2. Therefore, the eastern and southern boundaries of this current proposal will adjoin properties previously rezoned to PDH-3. The proposed development will not have lots along the north and west boundaries as these areas will be designated as open space.

Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this ordinance shall have general application in all planned developments.

The proposed 39% open space exceeds the 20% minimum requirement. The proposed four spaces per unit exceed the minimum off-street parking requirement of two spaces per unit. The proffers include a provision for temporary signage. Compliance with applicable Sign Ordinance provisions of Article 12 of the Zoning Ordinance is required in any case. Therefore as proposed and proffered, the development meets this design standard.

Design Standard 3 requires that streets and driveways shall be designed to generally conform to applicable County ordinances and regulations, and where applicable, shall be designed to afford convenient access to mass transportation facilities. The standard further requires that a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes and mass transportation facilities.

Based on review by the Fairfax County Department of Transportation and the Virginia Department of Transportation, the proposed streets will be public and conform to applicable standards. As detailed under the above transportation discussion under the Land Use Analysis, the project affords access to nearby bus service, although service via the north side of the Richmond Highway may require a quarter mile walk, which is not unreasonable given the existing sidewalks along the highway. The project contains sidewalks along proposed streets and a trail network in the open space.

Pohick Church Historic Overlay District

The application property is the western-most property within the Pohick Church Historic Overlay District. As such, the development was required to be presented to the Architectural Review Board (ARB). A summary of the ARB's March 10 and April 14, 2011 deliberations are attached as Appendix 7. The ARB focused on landscaping and grading.

Staff notes that during consideration of Section 1, the main issues related to the historic overlay, such as buffering of the Pohick Church property and environmental impacts related to the proposed church/school, were resolved with conditions imposed on the approval of Section 1 and by the decision to replace the proposed church/school with residences.

WAIVERS AND MODIFICATIONS

Waiver of Major Paved Trail along Richmond Highway

The applicant seeks a waiver of the eight-foot wide major paved trail along the property's Richmond Highway frontage. The Comprehensive Trails Plan depicts a trail to be located on one side of this segment of Richmond Highway. The actual alignment is not specified. Given the topography of the steep cut slope along the subject property's frontage, construction of a trail in this area would not be feasible. Further, when the highway was widened in 2002, sidewalks were installed along the roadway in the vicinity of the site. Therefore, staff supports waiver of this trail.

Waiver of On-road Bike Route along Richmond Highway

The applicant seeks a waiver of the on-road bike route along the property's Richmond Highway frontage. To facilitate future establishment of the bike route, the applicant has proffered dedication of property along Richmond Highway and has proffered escrow of funds for the re-striping of the highway segment. In light of these proffer provisions, staff supports waiver of construction of the on-road bike route.

Waiver of Service Drive Requirement

The applicant seeks a waiver of the required service drive along the project site's Richmond Highway frontage. The frontage area is dominated by slopes created by cuts made into the hillside when Richmond Highway was constructed and widened. This slope would make installation of a frontage road extremely difficult. In addition, given the non-commercial development to the east and west, inter-parcel trip generation would be minimal. In any case, in Section 1, the right-of-way for Tangerine Place was required to extend eastward to the common property line between Summit Oaks and Pohick Church. In this manner, should access to the western portion of the Pohick Church property be desired, it could be created without constructing a new street intersection along the Richmond Highway. A provision contained in the Summit Oaks Section 1 proffers requires that future purchasers be made aware of this potential connection. Given these facts, staff supports the requested waiver.

Waiver of On-site Stormwater Detention and Water Quality Measures

In order to satisfy stormwater management (SWM) requirements, the applicant seeks a waiver from the requirement to detain stormwater on-site. The CDP/FDP depicts stormwater being conveyed to the existing detention ponds constructed as part of Section 1. Apparently, the ponds were sized to accommodate the runoff anticipated for the previously approved church/school and associated surface parking lot. The actual quantity and quality calculations will be confirmed during subdivision review. However, given the impervious surface coverage associated with the church/school proposal, the Department of Public Works and Environmental Services (DPWES) did not raise objections to this waiver. However, a final determination on the waiver will be made by DPWES at time of subdivision review.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

PCA 2002-MV-020 requests amendment of previously adopted proffers to facilitate development of the subject property with 30 single-family detached dwellings as opposed to a church and school. RZ 2011-MV-001 requests rezoning of the subject property to permit 30 dwellings to be sited as shown on FDP 2011-MV-001. The subject property will mirror the earlier developed Summit Oaks Subdivision and will provide the overall community with additional open space and with usable recreational areas. The requested waivers are supportable based on existing facilities and site topography.

Staff Recommendations

Staff recommends approval of PCA 2002-MV-020.

Staff recommends approval of RZ 2011-MV-001 and the associated conceptual development plan, subject to the draft proffers consistent with those dated May 26, 2011 and contained in Appendix 1.

Staff recommends approval of FDP 2011-MV-001 subject to the development conditions contained in Appendix 2 and subject to the Board's approval of the associated rezoning and conceptual development plan.

Staff recommends approval of the waiver of the major paved trail along the property's Richmond Highway frontage.

Staff recommends approval of the waiver of the on-road bike route along the property's Richmond Highway frontage.

Staff recommends approval of the waiver of the service drive along Richmond Highway.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Draft Proffers for PCA 2002-MV-020
2. Proposed Development Plan Conditions
3. Affidavit
4. Statement of Justification
5. Documents Related to Previous Zoning Approval
6. Land Use and Environmental Analysis
7. Historical Preservation Analysis, including Architectural Review Board Comments
8. Transportation Analysis
9. Stormwater Analysis
10. Urban Forest Management Analysis
11. Fairfax County Public Schools Analysis
12. Fairfax County Park Authority Analysis
13. Sanitary Sewer Analysis
14. Fairfax Water Authority Analysis
15. Glossary of Terms

SUMMIT OAKS SECTION 2**RZ 2011-MV-001
PROFFERS****May 26, 2011**

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owner who is the Applicant in this rezoning proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Map as Tax Map Reference – 108-3-((1))-16A (hereinafter referred to as the “Property”) shall be in accordance with the following conditions if, and only if, said rezoning request for the PDH-3 District is granted by the Board of Supervisors of Fairfax County, Virginia (the “Board”). In the event said application request is denied or the Board’s approval is overturned by a court of competent jurisdiction, these proffers shall be null and void. The Owners and the Applicant (“Applicant”), for themselves, their successors and assigns, agree that if approved, these proffers shall supersede any and all previously approved proffers or conditions and shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board, in accordance with applicable County and State statutory procedures. The proffered conditions are:

I. GENERAL

1. Substantial Conformance. Subject to the proffers and the provisions of Article 16 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, the development shall be in substantial conformance with the Conceptual/Final Development Plan (CDP/FDP), containing six (6) sheets prepared by Land Design Consultants, as revised through May 26, 2011.

2. Architecture. The architectural design of the dwellings shall be in substantial conformance with the bulk, mass and type and quality of materials and elevations shown on sheet 5 of the CDP/FDP as approved by the Fairfax County Architectural Review Board (ARB). The primary building material exclusive of trim shall be limited to brick, stone, shingles or other similar masonry materials. The sides and rears of the units 1 and 4-10 which are visible from Route 1 shall be brick faced and have matching façade treatments, such as siding material and shutters, with those of the front of the houses. The final architecture shall be subject to review and approval by the ARB. It shall be further understood that the ARB process may dictate further modifications from that shown on Sheet 5 of the CDP/FDP.

3. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers, which may become occasioned as a part of final architectural and engineering design, may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Article 16 of the Zoning Ordinance.

4. Lot Yield. The development shall consist of a maximum of thirty (30) single-family detached dwelling units.

5. Establishment of HOA. Prior to record plat approval, the Applicant shall establish a Homeowners Association (HOA) in accordance with Sect. 2-700 of the Zoning Ordinance for the purpose of, among other things, establishing the necessary residential covenants governing the design and operation of the approved development and to provide a mechanism for ensuring the ability to complete the maintenance obligations and other provisions noted in these proffer conditions. The requirements of

this proffer may be fulfilled through an expansion of the HOA established to govern “Summit Oaks Section 1” located directly to the east of the Application property.

6. Dedication to HOA. At the time of record plat recordation, open space, common areas and amenities not otherwise conveyed or dedicated to the County shall be dedicated to the HOA and be maintained by the same.

7. Disclosure. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicants of the maintenance responsibility for the common area landscaping, stormwater management area and any other open space amenities and that the property is located within a Fairfax County Historic Overlay District and shall acknowledge receipt of this information in writing. The initial deeds of conveyance and HOA governing documents shall expressly contain these disclosures.

8. Escalation. All monetary contributions required by these proffers shall escalate on a yearly basis from the base year of 2011, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the “CPI), as permitted by Virginia State Code Section 15.2-2303.3.

9. Garage Conversion. Any conversion of garages or use of garages that precludes the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction 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 HOA and the Board of Supervisors. This restriction shall also be disclosed in the

HOA documents. Prospective purchasers shall be advised of this use restriction, in writing, prior to entering into a contract of sale.

10. Length of Driveways. All driveways serving the residential single family units shall be a minimum of twenty feet (20') in length as measured outward from the face of the garage door to the property line.

11. Decks and Similar Appurtenances. Decks, bay windows, patios, chimneys, areaways, stairs and stoops, mechanical equipment and other similar appurtenances may encroach into minimum yards, as depicted on the "lot typical" contained on the CDP/FDP, as permitted by Section 2-412 and Article 10 of the Zoning Ordinance. The restrictions and limitations of this proffer shall be disclosed to purchasers prior to contract ratification and further disclosed in the homeowners association documents. In addition, all prospective purchasers shall be notified of the applicable County requirements as they pertain to matters of permitting and related construction requirements.

II. TRANSPORTATION

12. Right-of-Way Dedication along Richmond Highway for Bike Lane. At the time of subdivision plan recordation, or upon demand by VDOT or Fairfax County, whichever occurs first, the Applicant shall dedicate, at no cost to Fairfax County and in fee simple without encumbrances to the Board, the right-of-way along the site frontage of Richmond Highway, as generally shown on the CDP/FDP to accommodate a future bike lane.

13. Bike Lane Striping. Prior to subdivision approval, the Applicant shall escrow funds for the re-striping of the highway segment fronting the subject property to facilitate creation of the on-road bike route.

II. ENVIRONMENTAL

14. Stormwater Management Facilities and Best Management Practices. Stormwater management and BMP requirements, in accordance with PFM standards, shall be designed and approved by DPWES. Water quality controls that exceed the minimum shall be provided to improve water quality in the Pohick Creek Watershed. The stormwater management and water quality requirements for the proposed development shall be satisfied via existing off-site stormwater ponds and the preservation of undisturbed open space located on Tax Maps Parcels 108-3-((3))-b and 108-1-((19))-C. In this event, joint maintenance agreement between Sections 1 and 2 shall be executed prior to subdivision plan approval and discussed in the HOA documents for Section 2.

15. Landscaping. At the time of subdivision plan review, the Applicant shall submit to DPWES, a landscape plan showing landscaping consistent with the quality, quantity and general location shown on the Sheet 2 of the CDP/FDP. This plan shall be subject to review and approval of Urban Forestry Management, DPWES. At the time of planting, the minimum caliper for deciduous trees shall be two and one-half (2.5) inches to three (3) inches and the minimum height for evergreen trees shall be seven (7) feet. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans approved by Urban Forest Management at the time of subdivision plan approval. Maintenance responsibilities for the landscaping shall be disclosed in the homeowners' association documents. It shall be further understood that the ARB process

may dictate supplemental landscaping in addition to that shown on Sheet 2 of the CDP/FDP and that landscaping approved by the ARB is to be incorporated into the subdivision plan, subject to review and approval of the UFM, DPWES.

16. Off-Site Landscaping. Subject to obtaining permission, at no cost, from the property owner of Tax Map 108-1-((19))-C, Summit Oaks Section Association, Inc. the Applicant shall install off-site supplemental landscaping along the Route 1 frontage as shown on Exhibit A attached to these proffered conditions. Such permission shall be requested in writing prior to first submission of the Subdivision Plan. If an affirmative response is not obtained within 45 days of such written request or prior to subdivision plan approval, whichever is later, the Applicant shall escrow the funds for purchase and installation of such landscaping for use by the Section 2 HOA for future landscaping maintenance purposes and have no further obligation under this proffer. Should permission be obtained, the required off site landscaping shall be installed by the Applicant concurrently with similar on site landscaping provided along the Richmond Highway frontage. It shall be further understood that proposed landscaping is subject to review by the ARB and may dictate further modifications from that which are described on Exhibit A attached to these proffers and that landscaping approved by the ARB is to be incorporated into the subdivision plan.

17. Interior Noise. In order to reduce interior noise to a level of approximately DNL 45 dBA, lots 1 and 4-10 which are in the highway noise impact zone of DNL 65-70 dBA shall employ the following acoustical treatment measures:

- Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.

- Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20 percent of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20 percent of an exposed façade, then the glazing shall have an STC rating of at least 39.
- All surfaces shall be sealed and caulked in accordance with methods approved by the American Society of Testing and Materials (ASTM) to minimize sound transmission.

18. Exterior Noise. All lots affected by highway noise above DNL 65 dBA shall be identified on the Subdivision Plan. At the time of Subdivision Plan approval, the Applicant shall demonstrate, through a noise study approved by DPWES, in coordination with the Environmental and Design Review Branch, and DPWES, that exterior noise levels for the lots 1 and 4-10 shall be reduced below DNL 65 dBA through the use of noise attenuation fencing. The acoustical fencing shall be architecturally solid from ground up with no gaps or openings and not exceed seven (7) feet.

IV. TREE PRESERVATION

19. Tree Preservation Plan. The Applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent submissions of the subdivision plan review process. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage

rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4 1/2 -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 10 feet of either side of the limits of clearing and grading as shown on sheet ten (10) of the CDP/FDP. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the CDP/FDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0506 and 12-0508. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning along the limits of clearing (LOC), mulching, fertilization, installation of welded wire tree protection fencing and others as necessary, shall be included in the plan.

20. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or registered consulting arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting as part of the tree preservation plan. During the tree preservation walk-through meeting which shall occur prior to the commencement of construction, the Applicant's certified arborist or registered consulting arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented.

Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions

21. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities.

22. Tree Preservation Fencing. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the

demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

23. Root Pruning. The Applicant shall root prune after the tree preservation walk-through, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.

- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

24. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or registered consulting arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

V. RECREATION

25. Park Authority Contributions: The Applicant shall contribute \$77,691 to the Board of Supervisors for transfer to the Fairfax County Park Authority for use at off-site recreational facilities intended to serve the future residents, as determined by FCPA in consultation with the Supervisor for the Mount Vernon District. Such contribution shall be paid prior to the issuance of the first RUP.

26. Parks and Recreation. Pursuant to Section 6-409 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall provide the recreational facilities to serve the Application Property. Per Section 6-409, recreational facilities such as recreational trails, walking paths, excluding any trails required by the Comprehensive Plan, and similar features may be used to fulfill this requirement. At the time of subdivision plan review, the Applicant shall demonstrate that the value of any proposed

recreational amenities is equivalent to a minimum of \$1,600 per unit. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall contribute funds in the amount needed to achieve the overall proffered amount of \$1,600 per unit to the Fairfax County Park Authority ("FCPA") for off-site recreational facilities intended to serve the future residents, as determined by FCPA in consultation with the Supervisor for the Mount Vernon District.

27. Park Space. The area identified as "Proposed Passive Recreation Area" on sheet 2 of the CDP/FDP may be programmed with recreational amenities at the discretion of the homeowners association. The recreational amenities may include but are not limited to: additional landscaping, playground equipment, benches and street furniture.

VI. OTHER

28. Temporary Signage. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in the initial marketing and sale of homes on the subject Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.

29. Affordable Dwelling Units. The Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one half of one percent (1/2 %) of the value of all the units approved on the property. The one half of one percent (1/2 %) contribution shall be based on the aggregate sales price of all of the units subject to the contribution, as if those units were sold at the time of the issuance of the first Building

Permit. The projected sales price shall be determined by the Applicant through an evaluation of the sales prices of comparable units in the area, in consultation with the Fairfax County Department of Housing and Community Development (HCD) and DPWES. Such payment shall be made on a pro-rata basis at the time of issuance of a Building Permit for each approved unit.

30. Archaeological Study. Prior to any land disturbing activities on the Application Property, the Applicant shall conduct a Phase I archaeological study on those areas of the Application Property identified by the Cultural Resource Management and Protection Section (“CRMPS”) of the Fairfax County Park Authority and provide the results of such study to CRMPS. The study shall be conducted by a qualified archaeological professional approved by CRMPS, and shall be reviewed and approved by CRMPS. The study shall be completed prior to Record Plat recordation. If the Phase I study concludes that significant artifacts are present on the Application Property, CRMPS shall notify Applicant, in writing within thirty (30) days of the submission of the study results to CRMPS, of its desire to conduct additional investigations. If warranted by the initial Phase I survey, as determined by CRMPS, subsequent Phase II and/or Phase III evaluation and recovery shall occur, with the scope of work of such potential Phase II and Phase III analyses being subject to review and approval by CRMPS. Such Phase II and Phase III evaluation if applicable, shall not be a pre-condition of subdivision plan approval. Applicant shall provide access to the Application Property so that CRMPS may conduct additional investigations for a period of two (2) months from the date of notification provided that said investigations shall not interfere with the proposed construction and development schedule of the Application Property or affect the number

of lots or lot layout as shown on the CDP/FDP. Additional time may be permitted to conduct such investigations if mutually agreed to by the Applicant and CRMPS.

31. Universal Design. At the time of initial purchase, the following Universal Design options shall be offered to each purchaser at no additional cost: clear knee space under sink in kitchen, lever door handles instead of knobs, light switches 44"-48" high, thermostats a maximum of 48" high, and/or electrical outlets a minimum of 18" high.

At the time of initial purchase, additional Universal Design options shall be offered to each purchaser at the purchaser's sole cost. These additional options may include, but not be limited to, one no-step pathway into the house, 36-inch-wide doorways and/or zero-threshold doorways

32. Energy Conservation. All new dwelling units shall be designed and constructed as ENERGY STAR® qualified homes. The major features of an ENERGY STAR home include: Effective Insulation, High Performance Windows, Tight Construction and Ducts, Efficient Heating and Cooling Equipment, Efficient Products (may include but are not limited to: refrigerator, stove and dishwasher) and Third Party Verification (Home Energy Rater). Within thirty (30) days of issuance of the Residential use Permit (RUP) for each dwelling unit, documentation shall be submitted to the Environment and Development Review Branch of the Department of Planning and Zoning (DPA) from a home energy rater certified through the Residential Energy Services network (RESNET) program that demonstrates that the dwelling unit has attained the ENERGY STAR for homes certification, as described in these conditions.

33. School Contribution. A contribution of \$50,000.00 shall be made to the Board of Supervisors for transfer to Fairfax County Public Schools and designated for

capital improvements for schools serving the area. The contribution shall be made at the time of, or prior to, issuance of the first Building Permit for the approved units.

34. Successors and Assigns. Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest, assigns, and/or developer(s) of the Property or any portion of the Property.

Trustees of Engleside Baptist Church

Owner of Tax Map No. 108-3-((1))-16A

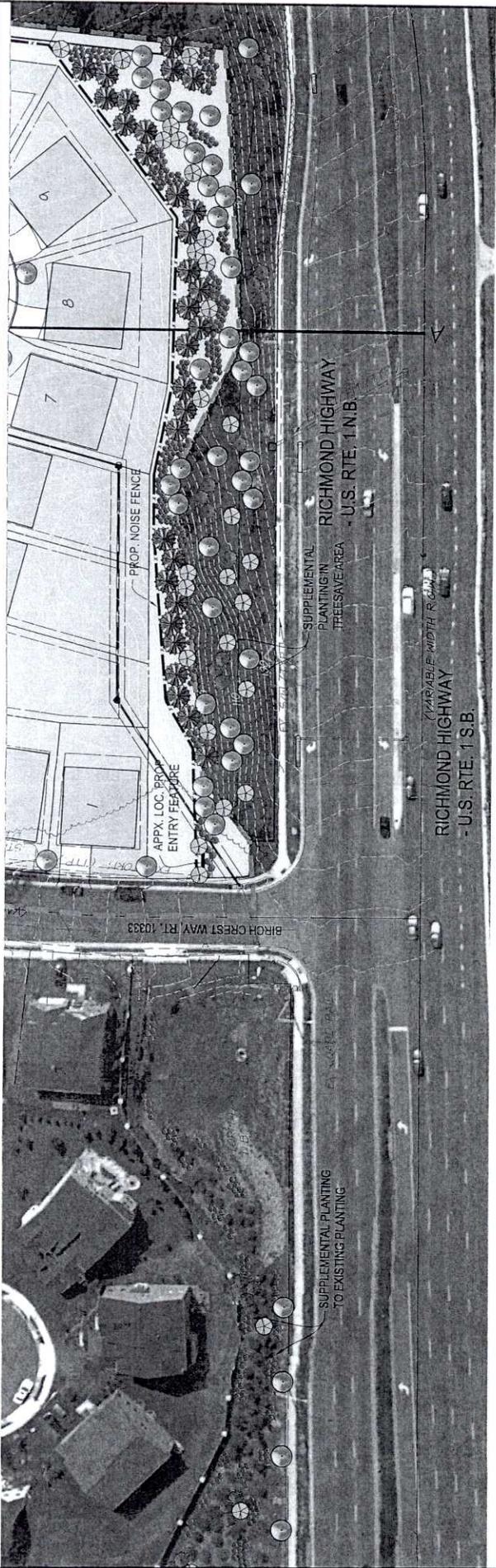
By: _____
Printed Name: _____
Title: _____

Summit Oaks Section 2, LLC

Contract Purchaser of Tax Map No. 108-3-((1))-16A

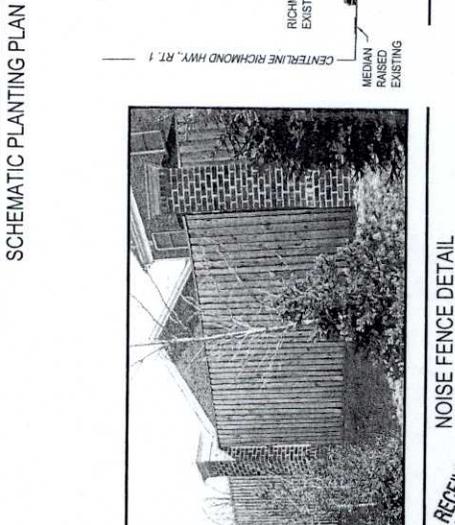
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Printed Name: _____
Title: _____

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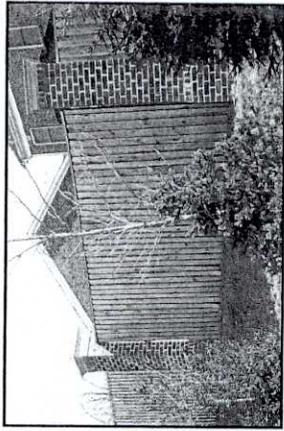


SCHMATIC PLANTING PLAN

| Key | Botanical Name | Common Name |
|-----|--------------------------------|------------------------|
| | LARGE DECIDUOUS TREES | |
| | Acer rubrum | Red Maple |
| | Fraxinus americana | American Hornbeam |
| | Liquidambar styraciflua | Sweetgum |
| | Quercus alba | White Oak |
| | Quercus prinus | White Oak |
| | EVERGREEN TREES | |
| | Chamaecyparis thyoides | Atlantic White Cedar |
| | Juniperus virginiana | American Holly |
| | Pinus strobus | Eastern Red Cedar |
| | COMPACT DECIDUOUS TREES | |
| | Amelanchier alnifolia | Downy Serviceberry |
| | Amelanchier canadensis | Shadbush |
| | Cornus alternifolia | Alternate-leaf Dogwood |
| | Hamamelis virginica | Witch Ham |
| | Malus domestica | Domestic Apple |
| | Malus ioensis | Canada Apple |
| | Malus sp. | Malus sp. |
| | Malus sp. | Malus sp. |
| | Malus sp. | Malus sp. |
| | SHRUBS | |
| | Artemisia arbuscula | Red Chokeberry |
| | Cornus americana | New Jersey Tea |
| | Hamamelis virginica | Witch Ham |
| | Malus domestica | Sweet Apple |
| | Malus ioensis | Sweet Apple |
| | Malus sp. | Malus sp. |



ILLUSTRATIVE SECTION A-A'



NOISE FENCE DETAIL



ENTRY FEATURE DETAIL

LANDSCAPE EXHIBIT

Summitt Oaks, Section 2
Fairfax County, Virginia

RECEIVED
Department of Planning & Zoning
MAY 31 2011
Zoning Enforcement Division

Wm. O'Kelly Russell, RLA
Planning • Landscape Architecture • Arboriculture
www.wokellyrussell.com

PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS

FDP 2011-MV-001

June 2, 2011

If it is the intent of the Planning Commission to approve FDP 2011-MV-001 for a single-family detached residential development located on Tax Map 108-3 ((1)) 16A, staff recommends that the Planning Commission recommend approval subject to conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the FDP entitled "Summit Oaks Section 2", prepared by LDC and dated September 2010 and date-stamped May 31, 2011 subject to minor modifications in accordance with the Zoning Ordinance.
2. The single-family detached dwellings shall have a maximum height of 35 feet.
3. The street-facing facades of the side yards of the corner lots shall contain materials and architectural elements similar to those planned for the front facades of the dwellings.
4. The subdivision plat shall include delineation of any utility easement located between the face-of-curb and the far edge of the sidewalk and delineation of the right-of-way line one foot beyond the sidewalk
5. Prior to any land disturbing activity on site or at the time of subdivision plan review, whichever first occurs, the applicant shall demonstrate to the satisfaction of Urban Forestry Management Division of The Department of Public Works and Environmental Services that adequate tree preservation measures shall be implemented during construction to ensure conformance with the PFM.

REZONING AFFIDAVIT

DATE: MAY 16 2011
 (enter date affidavit is notarized)

I, Lisa M. Chiblow, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

1107880

in Application No.(s): PCA 2002-MV-020
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

| NAME (enter first name, middle initial, and last name) | ADDRESS (enter number, street, city, state, and zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| Summit Oaks Section 2, LLC Agent: F. Gary Garczynski Joseph E. Francone | 13662 Office Place, Suite 201-B Woodbridge, VA 22192 | Applicant/Contract Purchaser of Tax Map No. 108-3 ((1)) 16A |
| Trustees of Engleside Baptist Church David O. Zimmerman, Trustee/Agent William E. Martin, Trustee/Agent Craig J. Jones, Trustee/Agent | 8428 Highland Lane Alexandria, VA 22309 | Title owner of Tax Map No. 108-3 ((1)) 16A |
| Land Design Consultants, Inc. Agent: Matthew T. Marshall Joshua C. Marshall Kelly M. Atkinson | 9401 Centreville Road, Suite 300 Manassas, VA 20110 | Engineer/Agent |

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107886

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

| NAME (enter first name, middle initial, and last name) | ADDRESS (enter number, street, city, state, and zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. David R. Gill Jonathan P. Rak Gregory A. Riegler Mark M. Viani Kenneth W. Wire Sheri L. Akin Lisa M. Chiblow Lori R. Greenlief | 1750 Tysons Boulevard, Suite 1800 McLean, VA 22102 | Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent |
| Wyle Laboratories, Inc. Agent: Christopher J. Karner Yuriy A. Gurovich | 1960 East Grand Avenue, Suite 900 El Segundo, CA 90245 | Noise Consultant/Agent |
| Geotechnical Consulting & Testing, Inc. Agent: Mark S. Hood Emad (nmi) Saadeh | 21505 Greenoak Way Dulles, VA 20166 | Environmental Engineer/Agent |

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

MAY 16 2011

DATE: _____
(enter date affidavit is notarized)

110788

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Summit Oaks Section 2, LLC
13662 Office Place, Suite 201-B
Woodbridge, VA 22192

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

| | |
|----------------------------------------|---------------------------|
| John D. Long, Sr., Co-Manager/Member | Rick G. Cole, Jr., Member |
| Joseph E. Francone - Co-Manager/Member | |
| F. Gary Garczynski, Member | |

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer,** etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107886

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Trustees of Engleside Baptist Church
8428 Highland Lane
Alexandria, VA 22309

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

N/A

=====
NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer,** etc.)
Board: David O. Zimmerman, Chairman, Ryan S. Wise, Vice Chairman, Frank J. Vaughn, Secretary, Don W. Henney, Craig J. Jones, William E. Martin
Trustees: David O. Zimmerman, William E. Martin, Craig J. Jones

=====
NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Land Design Consultants, Inc.
9401 Centreville Road, Suite 300
Manassas, VA 20110

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Matthew T. Marshall
Joshua C. Marshall
John L. Marshall

=====
NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer,** etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107886

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Wyle Laboratories, Inc.
1960 East Grand Avenue, Suite 900
El Segundo, CA 90245

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Geotechnical Consulting & Testing, Inc.
21505 Greenoak Way
Dulles, VA 20166

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Emad (nmi) Saadeh

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107886

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Equity Partners of McGuireWoods LLP

- | | | |
|-------------------------|-----------------------|-----------------------|
| Adams, John D. | Becket, Thomas L. | Brown, Thomas C., Jr. |
| Alphonso, Gordon R. | Beil, Marshall H. | Buchan, Jonathan E. |
| Anderson, Arthur E., II | Belcher, Dennis I. | Busch, Stephen D. |
| Anderson, Mark E. | Bell, Craig D. | Cabaniss, Thomas E. |
| Andre-Dumont, Hubert | Beresford, Richard A. | Cacheris, Kimberly Q. |
| Bagley, Terrence M. | Bilik, R. E. | Cairns, Scott S. |
| Barger, Brian D. | Blank, Jonathan T. | Capwell, Jeffrey R. |
| Barnum, John W. | Boland, J. W. | Cason, Alan C. |
| Barr, John S. | Brenner, Irving M. | Chaffin, Rebecca S. |
| Becker, Scott L. | Brooks, Edwin E. | Cobb, John H. |

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107886

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

- | | | |
|-------------------------------|---------------------------|----------------------------|
| Cogbill, John V., III | Gibson, Donald J., Jr. | King, Donald E. |
| Covington, Peter J. | Glassman, Margaret M. | King, Sally D. |
| Cramer, Robert W. | Glickson, Scott L. | Kittrell, Steven D. |
| Cromwell, Richard J. | Gold, Stephen (nmi) | Kobayashi, Naho (nmi) |
| Culbertson, Craig R. | Goldstein, Philip (nmi) | Kratz, Timothy H. |
| Cullen, Richard (nmi) | Grant, Richard S. | Krueger, Kurt J. |
| de Cannart d'Hamale, Emmanuel | Greenberg, Richard T. | Kutrow, Bradley R. |
| De Ridder, Patrick A. | Grieb, John T. | La Fratta, Mark J. |
| Dickerman, Dorothea W. | Harmon, Jonathan P. | Lias-Booker, Ava E. |
| DiMattia, Michael J. | Harmon, T. C. | Lieberman, Richard E. |
| Dooley, Kathleen H. | Hartsell, David L. | Little, Nancy R. |
| Dorman, Keith A. | Hayden, Patrick L. | Long, William M. |
| Downing, Scott P. | Hayes, Dion W. | Manning, Amy B. |
| Edwards, Elizabeth F. | Heberton, George H. | Marianes, William B. |
| Ensing, Donald A. | Horne, Patrick T. | Marks, Robert G. |
| Ey, Douglas W., Jr. | Hosmer, Patricia F. | Marshall, Gary S. |
| Farrell, Thomas M. | Hutson, Benne C. | Marshall, Harrison L., Jr. |
| Feller, Howard (nmi) | Isaf, Fred T. | Marsico, Leonard J. |
| Fennebresque, John C. | Jackson, J. B. | Martin, Cecil E., III |
| Foley, Douglas M. | Jarashow, Richard L. | Martin, George K. |
| Fox, Charles D., IV | Jordan, Hilary P. | Martinez, Peter W. |
| France, Bonnie M. | Kanazawa, Sidney K. | Mason, Richard J. |
| Franklin, Ronald G. | Kannensohn, Kimberly J. | Mathews, Eugene E., III |
| Freedlander, Mark E. | Katsantonis, Joanne (nmi) | Mayberry, William C. |
| Freeman, Jeremy D. | Keenan, Mark L. | McCallum, Steven C. |
| Fuhr, Joy C. | Kennedy, Wade M. | McDonald, John G. |
| Gambill, Michael A. | Kilpatrick, Gregory R. | McElligott, James P. |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107886

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

- | | | |
|----------------------------|-------------------------|---------------------------|
| McFarland, Robert W. | Reid, Joseph K., III | Stein, Marta A. |
| McIntyre, Charles W. | Richardson, David L. | Stone, Jacquelyn E. |
| McLean, J. D. | Riegle, Gregory A. | Swan, David I. |
| McRill, Emery B. | Riley, James B., Jr. | Tackley, Michael O. |
| Muckenfuss, Robert A. | Riopelle, Brian C. | Tarry, Samuel L., Jr. |
| Muir, Arthur B. | Roberts, Manley W. | Thornhill, James A. |
| Murphy, Sean F. | Robinson, Stephen W. | Van der Mersch, Xavier G. |
| Natarajan, Rajsekhar (nmi) | Rogers, Marvin L. | Vaughn, Scott P. |
| Neale, James F. | Rohman, Thomas P. | Vick, Howard C., Jr. |
| Nesbit, Christopher S. | Rosen, Gregg M. | Viola, Richard W. |
| Nickens, Jacks C. | Rust, Dana L. | Wade, H. L., Jr. |
| O'Grady, Clive R. | Satterwhite, Rodney A. | Walker, John T., IV |
| O'Grady, John B. | Scheurer, P. C. | Walsh, James H. |
| O'Hare, James P. | Schewel, Michael J. | Watts, Stephen H., II |
| Oakey, David N. | Schill, Gilbert E., Jr. | Werlin, Leslie M. |
| Oostdyk, Scott C. | Schmidt, Gordon W. | Westwood, Scott E. |
| Padgett, John D. | Sellers, Jane W. | Whelpley, David B., Jr. |
| Pankey, David H. | Shelley, Patrick M. | White, H. R., III |
| Parker, Brian K. | Simmons, L. D., II | White, Walter H., Jr. |
| Phears, H. W. | Simmons, Robert W. | Wilburn, John D. |
| Plotkin, Robert S. | Skinner, Halcyon E. | Williams, Steven R. |
| Potts, William F., Jr. | Slone, Daniel K. | Wilson, James M. |
| Pryor, Robert H. | Spahn, Thomas E. | Wren, Elizabeth G. |
| Pusateri, David P. | Spitz, Joel H. | Young, Kevin J. |
| Rak, Jonathan P. | Stallings, Thomas J. | Younger, W. C. |
| Rakison, Robert B. | Steen, Bruce M. | |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107886

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107886

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Carson Lee Fifer, Jr. of McGuireWoods LLP donated in excess of \$100 to Sharon Bulova.
Jonathan P. Rak of McGuireWoods LLP donated in excess of \$100 to Sharon Bulova.
Gregory A. Riegle of McGuireWoods LLP donated in excess of \$100 to Sharon Bulova.
Stephen W. Robinson of McGuireWoods LLP donated in excess of \$100 to John Cook.

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form. →

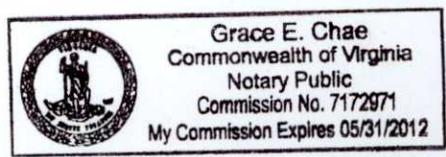
4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature: [Signature]
(check one) Applicant Applicant's Authorized Agent
Lisa M. Chiblow, Land Use Planner
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 16th day of May, 2011, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]
Notary Public

My commission expires: 5/31/2012



Rezoning Attachment to Par. 3

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107880

for Application No. (s): PCA 2002-MV-020
(enter County-assigned application number (s))

- F. Gary Garczynski of Summit Oaks Section 2, LLC donated in excess of \$100 to Michael Frey.
- F. Gary Garczynski of Summit Oaks Section 2, LLC donated in excess of \$100 to Pat Herrity.
- F. Gary Garczynski of Summit Oaks Section 2, LLC donated in excess of \$100 to John Cook.

(check if applicable) There are more disclosures to be listed for Par. 3, and Par. 3 is continued further on a "Rezoning Attachment to Par. 3" form.

REZONING AFFIDAVIT

DATE: MAY 16 2011
(enter date affidavit is notarized)

I, Lisa M. Chiblow, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

1107870

in Application No.(s): RZ/FDP 2011-MV-001
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

| NAME (enter first name, middle initial, and last name) | ADDRESS (enter number, street, city, and zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|----------------------------------------------------------------------------------------|
| Summit Oaks Section 2, LLC Agent: F. Gary Garczynski Joseph E. Francone | 13662 Office Place, Suite 201-B Woodbridge, VA 22192 | Applicant/Contract Purchaser of Tax Map No. 108-3 ((1)) 16A |
| Trustees of Engleside Baptist Church David O. Zimmerman, Trustee/Agent William E. Martin, Trustee/Agent Craig J. Jones, Trustee/Agent | 8428 Highland Lane Alexandria, VA 22309 | Title owner of Tax Map No. 108-3 ((1)) 16A |
| Land Design Consultants, Inc. Agent: Matthew T. Marshall Joshua C. Marshall Kelly M. Atkinson | 9401 Centreville Road, Suite 300 Manassas, VA 20110 | Engineer/Agent |

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107870

for Application No. (s): RZ/FDP 2011-MV-001
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

| NAME (enter first name, middle initial, and last name) | ADDRESS (enter number, street, city, state, and zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. David R. Gill Jonathan P. Rak Gregory A. Riegle Mark M. Viani Kenneth W. Wire Sheri L. Akin Lisa M. Chiblow Lori R. Greenlief | 1750 Tysons Boulevard, Suite 1800 McLean, VA 22102 | Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent |
| Wyle Laboratories, Inc. Agent: Christopher J. Karner Yuriy A. Gurovich | 1960 East Grand Avenue, Suite 900 El Segundo, CA 90245 | Noise Consultant/Agent |
| Geotechnical Consulting & Testing, Inc. agent: Mark S. Hood Emad (nmi) Saadeh | 21505 Greenoak Way Dulles, VA 20166 | Enviromental Engineer/Agent |

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107876

for Application No. (s): RZ/FDP 2011-MV-001
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Summit Oaks Section 2, LLC
13662 Office Place, Suite 201-B
Woodbridge, VA 22192

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

| | |
|----------------------------------------|---------------------------|
| John D. Long, Sr., Co-Manager/Member | Rick G. Cole, Jr., Member |
| Joseph E. Francone - Co-Manager/Member | |
| F. Gary Garczynski, Member | |

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer,** etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107878

for Application No. (s): RZ/FDP 2011-MV-001
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Trustees of Engleside Baptist Church
8428 Highland Lane
Alexandria, VA 22309

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

N/A

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

Board: David O. Zimmerman, Chairman, Ryan S. Wise, Vice Chairman, Frank J. Vaughn, Secretary, Don W. Henney, Craig J. Jones, William E. Martin
Trustees: David O. Zimmerman, William E. Martin, Craig J. Jones

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Land Design Consultants, Inc.
9401 Centreville Road, Suite 300
Manassas, VA 20110

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Matthew T. Marshall
Joshua C. Marshall
John L. Marshall

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107875

for Application No. (s): RZ/FDP 2011-MV-001
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Wyle Laboratories, Inc.
1960 East Grand Avenue, Suite 900
El Segundo, CA 90245

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Geotechnical Consulting & Testing, Inc.
21505 Greenoak Way
Dulles, VA 20166

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Emad (nmi) Saadeh

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107875

for Application No. (s): RZ/FDP 2011-MV-001
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

Equity Partners of McGuireWoods LLP

- | | | |
|-------------------------|-----------------------|-----------------------|
| Adams, John D. | Becket, Thomas L. | Brown, Thomas C., Jr. |
| Alphonso, Gordon R. | Beil, Marshall H. | Buchan, Jonathan E. |
| Anderson, Arthur E., II | Belcher, Dennis I. | Busch, Stephen D. |
| Anderson, Mark E. | Bell, Craig D. | Cabaniss, Thomas E. |
| Andre-Dumont, Hubert | Beresford, Richard A. | Cacheris, Kimberly Q. |
| Bagley, Terrence M. | Bilik, R. E. | Cairns, Scott S. |
| Barger, Brian D. | Blank, Jonathan T. | Capwell, Jeffrey R. |
| Barnum, John W. | Boland, J. W. | Cason, Alan C. |
| Barr, John S. | Brenner, Irving M. | Chaffin, Rebecca S. |
| Becker, Scott L. | Brooks, Edwin E. | Cobb, John H. |

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)DATE: MAY 16 2011

1107874

for Application No. (s): RZ/FDP 2011-MV-001
 (enter date affidavit is notarized)
 (enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
 1750 Tysons Boulevard, Suite 1800
 McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

| | | |
|-------------------------------|---------------------------|----------------------------|
| Cogbill, John V., III | Gibson, Donald J., Jr. | King, Donald E. |
| Covington, Peter J. | Glassman, Margaret M. | King, Sally D. |
| Cramer, Robert W. | Glickson, Scott L. | Kittrell, Steven D. |
| Cromwell, Richard J. | Gold, Stephen (nmi) | Kobayashi, Naho (nmi) |
| Culbertson, Craig R. | Goldstein, Philip (nmi) | Kratz, Timothy H. |
| Cullen, Richard (nmi) | Grant, Richard S. | Krueger, Kurt J. |
| de Cannart d'Hamale, Emmanuel | Greenberg, Richard T. | Kutrow, Bradley R. |
| De Ridder, Patrick A. | Grieb, John T. | La Fratta, Mark J. |
| Dickerman, Dorothea W. | Harmon, Jonathan P. | Lias-Booker, Ava E. |
| DiMattia, Michael J. | Harmon, T. C. | Lieberman, Richard E. |
| Dooley, Kathleen H. | Hartsell, David L. | Little, Nancy R. |
| Dorman, Keith A. | Hayden, Patrick L. | Long, William M. |
| Downing, Scott P. | Hayes, Dion W. | Manning, Amy B. |
| Edwards, Elizabeth F. | Heberton, George H. | Marianes, William B. |
| Ensing, Donald A. | Horne, Patrick T. | Marks, Robert G. |
| Ey, Douglas W., Jr. | Hosmer, Patricia F. | Marshall, Gary S. |
| Farrell, Thomas M. | Hutson, Benne C. | Marshall, Harrison L., Jr. |
| Feller, Howard (nmi) | Isaf, Fred T. | Marsico, Leonard J. |
| Fennebresque, John C. | Jackson, J. B. | Martin, Cecil E., III |
| Foley, Douglas M. | Jarashow, Richard L. | Martin, George K. |
| Fox, Charles D., IV | Jordan, Hilary P. | Martinez, Peter W. |
| France, Bonnie M. | Kanazawa, Sidney K. | Mason, Richard J. |
| Franklin, Ronald G. | Kannensohn, Kimberly J. | Mathews, Eugene E., III |
| Freedlander, Mark E. | Katsantonis, Joanne (nmi) | Mayberry, William C. |
| Freeman, Jeremy D. | Keenan, Mark L. | McCallum, Steven C. |
| Fuhr, Joy C. | Kennedy, Wade M. | McDonald, John G. |
| Gambill, Michael A. | Kilpatrick, Gregory R. | McElligott, James P. |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

MAY 16 2011

DATE: _____
(enter date affidavit is notarized)

1107876

for Application No. (s): RZ/FDP 2011-MV-001
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

McFarland, Robert W.
McIntyre, Charles W.
McLean, J. D.
McRill, Emery B.
Muckenfuss, Robert A.
Muir, Arthur B.
Murphy, Sean F.
Natarajan, Rajsekhar (nmi)
Neale, James F.
Nesbit, Christopher S.
Nickens, Jacks C.
O'Grady, Clive R.
O'Grady, John B.
O'Hare, James P.
Oakey, David N.
Oostdyk, Scott C.
Padgett, John D.
Pankey, David H.
Parker, Brian K.
Phears, H. W.
Plotkin, Robert S.
Potts, William F., Jr.
Pryor, Robert H.
Pusateri, David P.
Rak, Jonathan P.
Rakison, Robert B.

Reid, Joseph K., III
Richardson, David L.
Riegle, Gregory A.
Riley, James B., Jr.
Riopelle, Brian C.
Roberts, Manley W.
Robinson, Stephen W.
Rogers, Marvin L.
Rohman, Thomas P.
Rosen, Gregg M.
Rust, Dana L.
Satterwhite, Rodney A.
Scheurer, P. C.
Schewel, Michael J.
Schill, Gilbert E., Jr.
Schmidt, Gordon W.
Sellers, Jane W.
Shelley, Patrick M.
Simmons, L. D., II
Simmons, Robert W.
Skinner, Halcyon E.
Slone, Daniel K.
Spahn, Thomas E.
Spitz, Joel H.
Stallings, Thomas J.
Steen, Bruce M.

Stein, Marta A.
Stone, Jacquelyn E.
Swan, David I.
Tackley, Michael O.
Tarry, Samuel L., Jr.
Thornhill, James A.
Van der Mersch, Xavier G.
Vaughn, Scott P.
Vick, Howard C., Jr.
Viola, Richard W.
Wade, H. L., Jr.
Walker, John T., IV
Walsh, James H.
Watts, Stephen H., II
Werlin, Leslie M.
Westwood, Scott E.
Whelpley, David B., Jr.
White, H. R., III
White, Walter H., Jr.
Wilburn, John D.
Williams, Steven R.
Wilson, James M.
Wren, Elizabeth G.
Young, Kevin J.
Younger, W. C.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

MAY 16 2011

DATE: _____
(enter date affidavit is notarized)

1107876

for Application No. (s): RZ/FDP 2011-MV-001
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107876

for Application No. (s): RZ/FDP 2011-MV-001
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Carson Lee Fifer, Jr. of McGuireWoods LLP donated in excess of \$100 to Sharon Bulova.
Jonathan P. Rak of McGuireWoods LLP donated in excess of \$100 to Sharon Bulova.
Gregory A. Riegle of McGuireWoods LLP donated in excess of \$100 to Sharon Bulova.
Stephen W. Robinson of McGuireWoods LLP donated in excess of \$100 to John Cook.

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form. →

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one) Applicant Applicant's Authorized Agent

Lisa M. Chiblow, Land Use Planner
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 16th day of May 2011, in the State/Comm. of Virginia, County/City of Fairfax.

Grace E. Chae
Notary Public

My commission expires: 5/31/2012



Rezoning Attachment to Par. 3

DATE: MAY 16 2011
(enter date affidavit is notarized)

1107876

for Application No. (s): RZ/FDP 2011-MV-001
(enter County-assigned application number (s))

- F. Gary Garczynski of Summit Oaks Section 2, LLC donated in excess of \$100 to Michael Frey.
- F. Gary Garczynski of Summit Oaks Section 2, LLC donated in excess of \$100 to Pat Herrity.
- F. Gary Garczynski of Summit Oaks Section 2, LLC donated in excess of \$100 to John Cook.

(check if applicable) There are more disclosures to be listed for Par. 3, and Par. 3 is continued further on a "Rezoning Attachment to Par. 3" form.

NARRATIVE STATEMENT OF JUSTIFICATION*for***Summit Oaks Section 2**

Rezoning Application and Proffer Condition Amendment Application

Tax Map # 108-3-((1))-16A

September 24, 2010

Introduction and Overview

The subject application is filed on behalf of Summit Oaks Section 2, LLC (the "Applicant"). The application request is to rezone approximately 11.75 acres of property (the "Property") from the R-3 Zoning District to the PDH-3 Zoning District. The proposal is to develop the Property with 30 new single family detached dwellings at a density of 2.55 dwelling units per acre. The Property consists of Tax Map #108-3-((1))-16A. It is located along the south side of Richmond Highway approximately 1,150 feet west of the centerline of Pohick Road in Lorton, Virginia.

Background

The Property was approved to permit a church with a private school of general education and 4 townhouse units for pastoral housing in the R-3 District under Special Exception 2002-MV-022 and RZ/FDP 2002-MV-020. This was approved by the Board of Supervisors on November 18, 2002. Considering this property was a part of a prior rezoning, this application also includes a Proffered Condition Amendment to remove this property from RZ/FDP 2002-MV-020. Proffer I – (3) specifically grants the "right to request individual proffer condition amendments to the portions zoned R-3 or PDH-3".

The eastern portion of this property, as part of RZ/FDP 2002-MV-020, was rezoned to PDH-3 to allow for the development of 37 single family detached dwellings. These units have been constructed and are occupied. This subdivision is currently off bond with Fairfax County.

This approved rezoning was structured such that all density, and open space tabulations for the existing residential development were exclusive to that portion of the property. This rezoning will have no impact on the density tabulations associated with the approved and occupied units.

This rezoning application will mirror the existing residential development. The lot width, unit orientation and architectural style will reflect and compliment the existing Summit Oaks community.

Compliance with Comprehensive Plan

The Property is in the Lorton-South Route 1 Community Planning Sector (LP-2) of the Lower Potomac Planning District. The property is planned for residential use at a density of 3-4 dwelling units with an option for a density of 4-5 dwelling units per acre for housing for the elderly. The proposed density of 2.55 dwelling units per acre is below the maximum density range recommended in the Comprehensive Plan and below that of the existing Summit Oaks community.

Compliance with Residential Development Criteria

For the reasons stated below, the subject rezoning fully complies with the applicable Residential Development Criteria contained in Appendix 9 of the Land Use Element of the Policy Plan. Specific compliance with the Criteria is as follows:

I. Site Design.

As shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP) the proposal mirrors the characteristics of the first phase of Summit Oaks. The lot width, unit orientation and architectural style will reflect and compliment the existing Summit Oaks community.

(A) Layout. The proposed layout provides efficient and logical relationships within the development as well as with the adjoining developed Summit Oaks neighborhood.

(B) Open Space. All of the units are designed to have usable private rear yards. In addition, there is strategically located open space, Parcel B, which will provide a buffer between the new and existing development. The extensive conservation easements add significant open space to this project as well.

(C) Landscaping. Landscaping will be provided along the Richmond Highway Road frontage to mirror that provided with phase 1. In addition, a large portion of the western side of the property will continue to be protected in a conservation easement. This area contains significant tree cover which will be preserved. Supplemental landscaping will also be incorporated along the proposed street for each individual lot as well as adjacent to the existing lots in phase 1.

(D) Amenities. In addition to the extensive open space, the Applicant will commit to sidewalk improvements along both sides of the internal roadways.

II. Neighborhood Context.

The Property is bounded to the east with Summit Oaks Phase I which duplicates what is being proposed. The property to the south is undeveloped but planned for the same density. The property to the west is rental multi-family housing. The proposed development fits well into the context of the existing fabric of this community

III. Environment.

The proposed lot layout is designed to respect the existing environmental features on the Property. The western portion of the property will be maintained as a conservation easement. In addition, the site design takes into account the topography of the land.

To address the volume and velocity of stormwater runoff from the proposed development, the Applicant is utilizing the existing stormwater management pond that serves the existing Summit Oaks Phase I community located to the south of the Property. The pond was designed to detain and treat the future development of the subject property and has sufficient capacity for stormwater management capacity and BMP measures. The conservation easements on site also help in meeting BMP requirements. The SWM Facilities are designed to reduce the post-development peak flows from the Property to less than the current, pre-development peak flows.

IV. Tree Preservation and Tree Cover Requirements. The Property contains existing tree cover along the western portion of the Property in the vicinity of the conservation easements. The Applicant has retained ECS, Limited to prepare an Existing Vegetation Map, which is included with this application. As a result of the proposed development, there will be some adjustments to the limits of the existing conservation easement. However the Applicant is proposing additional areas of conservation easement, which will net the same area. The adjustments are based on the change in the development program from accommodating a large parking lot for the church to accommodating single family lots. In addition, this application will address illegal clearing within the conservation easement that occurred after recordation. Specifically, the Applicant has removed these cleared areas from the existing conservation easement and provided additional areas on site, which are uncleared. Finally, where possible, trees will be preserved along the Richmond Highway frontage.

V. Transportation. The proposed density is within the range recommended by the Comprehensive Plan. As a result, the transportation impacts will not exceed that anticipated in connection with the adoption of the Comprehensive Plan.

VI. Public Facilities

Through proffers, the Applicant will commit to addressing impacts on public schools in accordance with the criteria and methodology adopted by the Board of Supervisors.

VII. Affordable Housing.

Through proffers, the Applicant will provide the appropriate monetary contribution in accordance with the formula adopted by the Board of Supervisors.

Compliance with General Standards and Design Standards for all Planned Development

The planned development substantially conforms to the adopted comprehensive plan and is near the mid-point of the planned density of 3-4 dwelling units per acre. It meets and exceeds the stated purpose and intent of the planned development district while protecting and preserving to the extent possible scenic and natural resources. The planned development neither injures the use or value of the surrounding developments and it is located in an area where public facilities and utilities are available and adequate for the proposed planned development.

Respectfully submitted by



McGuireWoods LLP
Agent for Applicant



FAIRFAX COUNTY

APPENDIX 5

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
February 14, 2003

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

Gregory A. Riegle, Esquire
McGuire, Woods, LLC
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102-4215

RE: Rezoning Application Number RZ 2002-MV-020
(Concurrent with SE 2002-MV-022)

Dear Mr. Riegle:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on November 18, 2002, granting Rezoning Application Number RZ 2002-MV-020 in the name of Christopher Management Incorporated, Trustees of the Engleside Baptist Church to rezone 12.88 acres in the Mount Vernon District from the PDH-4 District and Historic Overlay District to the PDH-3 District and Historic Overlay District, and 12.24 acres from the PDH-4 District and Highway Corridor District to the R-3 District and Historic Overlay District, located on the east side of Richmond Highway, approximately 1000 feet south of its intersection with Pohick Road (Tax Map 108-1 ((1)) 27A, 27B, and 108-3 ((1)) 16, subject to the proffers dated November 5, 2002 consisting of approximately 25.12 acres.

The Conceptual Development Plan was approved; the Planning Commission having previously approved Final Development Plan FDP 2002-MV-020, subject to the development conditions on October 2, 2002, and subject to the Board's approval of RZ 2002-MV-020 and the associated proffers.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

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 18th day of November, 2002, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2002-MV-020
(CONCURRENT WITH SE 2002-MV-022)

WHEREAS, Christopher Management Incorporated, Trustees of the Engleside Baptist Church filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the PDH-4 District and Historic Overlay District to the PDH-3 District and Historic Overlay 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

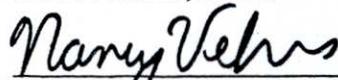
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

Be, and hereby is, zoned to the PDH-3 District and Historic Overlay District, and said property is subject to the use regulations of said PDH-3 District and Historic Overlay 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 18th day of November, 2002.



Nancy Vehrs

Clerk to the Board of Supervisors

RECEIVED
Department of Planning & Zoning

FEB 21 2003

Zoning Evaluation Division

**Description of Proposed
PDH-3 Zoning Continued**

North 03°16'20" East 60.05 feet; thence

North 11°02'01" West 145.06 feet; thence

South 63°17'30" West 20.07 feet; thence

North 10°53'29" West 48.53 feet; thence

South 78°25'56" West 52.82 feet; thence

North 26°42'50" West 14.88 feet; thence

South 77°47'26" West 71.99 feet; thence

North 12°12'34" West 91.22 feet; thence

North 77°47'26" East 23.00 feet; thence

North 12°12'34" West 68.63 feet; thence

North 13°31'00" West 14.34 feet; thence

North 15°32'10" West 21.24 feet; thence

North 26°42'50" West 276.63 feet; to a point on the southerly right of way line of
Richmond Highway- U.S. Route 1; thence with said southerly right of way line

North 62°32'58" East 505.66 feet; to a point

which is the point of beginning, containing 560,974 square feet, 12.878 acres

**Description of Proposed
PDH-3 Zoning on
The Land of Ninety Two Thirty Three Richmond
Highway,L.P.
And
Engleside Baptist Church
Fairfax County Tax Map Numbers
108-1-01-0027-B, 108-1-01-0027-A and 108-1-01-26
Braddock District
Fairfax County, Virginia**

Beginning at a point on the southerly right of way line of Richmond Highway- U.S. Route 1; said point being in the westerly line of the land of the Trustees for Pohick Church as recorded in Deed Book V5 at Page 619 among the land records of Fairfax County Virginia; thence departing said southerly right of way and running with the line of said Trustees for Pohick Church

South 11°20'30" East 1242.31 feet; to a point which is a common corner to the Trustees for Pohick Church and the Fairfax County Board of Supervisors; thence running with the line of said Fairfax County Board of Supervisors

South 11°56'10" East 21.17 feet; thence

South 65°54'20" West 644.62 feet; to a point which is a common corner to the Fairfax County Board of Supervisors and EQR- Woodside Vistas Inc; thence running with the line of said EQR- Woodside Vistas Inc.

North 36°49'40" West 272.11 feet to a point; thence running through the land of the Trustees for Engleside Baptist Church

North 63°50'25" East 353.02 feet; thence

North 15°30'39" East 232.79 feet; thence

PROFFERS
CHRISTOPHER MANAGEMENT, INC./ENGLESIDE BAPTIST CHURCH

RZ 2002-MV-020, FDP 2002-MV-020
November 5, 2002

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference Nos. 108-1((1)) 27A, 27B and 108-3((1))-26 (hereinafter referred to as the "Property") will be in accordance with the following conditions if, and only if, said Rezoning request for the R-3 and PDH-3 Districts is granted. In the event said application request is denied, these proffers shall be null and void. The Owners and the Applicant ("Applicant"), for themselves, their successors and assigns, agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. The proffered conditions are:

I. GENERAL

1. Notwithstanding the existence of a prior approved rezoning for the Application Property, in the event that this application is approved, all previous proffers for the Application Property are hereby deemed null and void and of no further effect on the Application Property.

2. Subject to the proffers and the provisions of Article 16 and 18 of the Zoning Ordinance, under which minor modifications to an approved development plan

are permitted, the development shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan/Generalized Development Plan/Special Exception Plan (the "Plan"), containing 12 sheets prepared by Urban Engineering, dated September 2001, and revised through September 25, 2002.

3. Notwithstanding Proffer No. 2 above, it shall be understood that the Applicant has the right to request individual proffer condition amendments to the portions zoned R-3 or PDH-3. The Applicant further has the option to request a Final Development Plan Amendment (FDPA) for elements other than CDP elements (herein defined as the location of access, the maximum density/intensity, the general orientation of development, the amounts of open space, the configuration of the limits of clearing and grading, and the peripheral setbacks for the portion zoned PDH-3), for all or a portion of the CDP/FDP in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance. It shall further be understood that the R-3 and PDH-3 areas may be developed independently of one another, to include the filing of individual site/subdivision plans on all or a portion of each area.

II. PDH-3 AREA

1. The approved development for the portion of the Property zoned PDH-3 shall consist of a maximum of thirty-seven (37) single-family detached residential units.

2. In conjunction with the appropriate subdivision review processes, and to the extent required by the Zoning Ordinance, all common areas within the PDH-3 zone shall be under common ownership as required by Section 2-700 of the Zoning Ordinance.

3. In the event any stormwater pond is ultimately used by both the Church and the approved residential development, agreements for joint maintenance shall be provided to an extent and form deemed necessary by DPWES. Any potential obligation for joint maintenance of stormwater facilities shall be disclosed in the HOA documents.

4. Any conversion of garages that will preclude the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the recordation of the Deed of Subdivision and shall run to the benefit of homeowners' association (HOA), which shall be established, and the Board of Supervisors. This requirement shall be incorporated in the HOA documents and prospective purchasers shall be advised of this use restriction at the time of entering into a contract of sale.

5. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing of the proximity of the residential community to the Lower Potomac Sewage Treatment Plant located adjacent to the Property on Fairfax County Tax Map 108-3 ((1)) 23. Such notification shall also be included in the information brochure and within HOA documents in a clearly identifiable form.

6. The architecture of the approved units shall be in substantial conformance with the conceptual renderings shown on Sheet 10 of the Plan. It shall be further understood that final approval of the residential architecture is further subject to review and approval by the Architectural Review Board (ARB). This proffer shall not preclude implementation of the requirements imposed by the ARB, provided that the requirements

of the ARB are in substantial conformance with the elevations shown on the Plans. The required ARB approval shall occur prior to the issuance of building permits.

7. The Applicant reserves the right to install an individual entrance feature(s) in a location approved by the ARB. Such entrance features shall incorporate a design and style that is complimentary to the approved units.

8. The rear architecture of those units abutting Richmond Highway shall be in substantial conformance with the illustrative renderings contained in the Plans, subject to final review and approval by the ARB. At a minimum, the rear of those units abutting Richmond Highway shall incorporate a pattern of architectural detailing consistent with the front façade and incorporate windows, window treatments, and decorative elements (such as shutters and/or standing seam metal accents above bay type windows) of a type and material that is consistent and compatible with that used on the front façade.

9. A contribution of \$2,000.00 per unit shall be made to the Board for a specific fund designated for schools in the Mount Vernon District impacted by proposed development. The required contribution will be paid prior to the issuance of the first Residential Use Permit.

10. All units shall be served by two (2) car garages.

11. All units shall have driveways that are a minimum of eighteen (18) feet as measured from the inside of the sidewalk to the entrance to the garage.

12. The right-of-way for the public street shown on the Plan as terminating at the northern property line shall be dedicated to the Board of Supervisors, at no cost and in fee simple on demand or at the time of Subdivision Plan approval for the PDH-3 portion, whichever ever first occurs. The existence and configuration of the dedicated right-of-way

and the permitted nature of a future public street connection shall be disclosed in the HOA documents and in writing to all purchasers. It shall be understood that the portions of the right-of-way between the principal east-west road and the northern property line shall be paved and constructed to the northern property line to the extent approved by DPWES. To provide additional notice of the potential future street connection, the area of the dedicated right-of-way shall be clearly marked with a sign identifying the area as "future permitted public street connection" or similar.

13. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in the initial marketing and sale of homes on the subject Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.

III. R-3 AREA

1. The use and development of the R-3 zoned area shall be limited to a church and school and those accessory uses authorized by the Zoning Ordinance and/or these proffers. This proffer shall not preclude a future proffer condition amendment application for any use authorized under the governing R-3 zoning.

2. The church shall have a maximum of 700 seats.

3. The private school of general education shall have a maximum daily enrollment of 300 students.

4. The design and architecture of the church shall be in substantial conformance with the conceptual renderings shown on Sheet 10A of the Plan. The four (4) units identified as "Pastoral Housing" on the Plan shall be designed with a type of quality and general proportion of materials that are similar to that used on the church structure, as determined by DPWES. It shall be further understood that final approval of the church architecture is subject to review and approval by the Architectural Review Board (ARB). This proffer shall not preclude implementation of the requirements of the ARB, provided such requirements are in substantial conformance with the layout and elevations on the Plan. Final ARB approval shall be obtained prior to the issuance of a building permit for any of the approved development on the R-3 zoned land.

5. The four (4) attached units identified as "Pastoral" housing on the Plans shall only be occupied by church employees.

6. At time of site plan review, pedestrian walkways connecting the parking area to the church building shall be provided in the form of sidewalks or demarcated walkways.

IV. TRANSPORTATION

1. In the event that the development of the Property precedes the commencement of construction of VDOT Project No. 0001-029, F2V, PE, 101, C501, RW-201 (herein "the VDOT Project"), the Applicant shall construct the left and right turn lanes into the Property entrance as generally shown on the Plan. Such turn lanes shall be of a design and configuration acceptable to VDOT and DPWES.

2. In the event construction of the VDOT Project has commenced, along the Property frontage, prior to the commencement of construction or land disturbing activity associated with the approved development, the Applicant shall remain responsible for providing left and right turn lanes into the site entrance of a size and configuration acceptable to VDOT and for DPWES. In the event the necessary turn lanes are constructed by VDOT as part of the implementation of a revised version of the plans for the VDOT Project, the Applicant shall reimburse VDOT for the actual cost difference attributable to VDOT's construction of the left and right turn lanes into the site entrance. If permitted, such reimbursement shall be calculated on a "unit price basis" and be approved by VDOT and/or DPWES.

3. Left and right turn access from Richmond Highway shall be installed prior to any construction or development related activities associated with delivering building materials or removing or hauling soil or materials to or from the site. No site or subdivision plan shall be approved until the Applicant has demonstrated to the satisfaction of VDOT and/or DPWES that the VDOT Project, in a current or amended form, provides for the full left and right turn access (not limited to right in/right out access) required by these Proffers.

4. In order to provide additional funds for the future widening of Richmond Highway along the Property frontage, the Applicant shall escrow the sum of \$145.00 per linear foot of Property frontage. The escrow shall be calculated based on the frontage of Land Bay I in connection with the PDH-3 subdivision plan and the frontage of Land Bay II in connection with the R-3 site plan associated with the actual construction of the Church and related facilities. The entire required escrow for each Land Bay, as

calculated above, shall be paid prior to the appropriate site or subdivision plan approval for any of the approved development on either Land Bay I or Land Bay II. The escrow for the R-3 portion shall not be required at the time of subdivision plan approval for the PDH-3 portion of the Property.

5. At the time of first site or subdivision plan approval, or on demand, whichever first occurs, the Applicant shall convey to the Board in fee simple, at no cost, any ancillary right-of-way or easements needed to facilitate the VDOT Project and/or the acceleration lane referenced in Proffer IV-8 below. Any right-of-way or ancillary easements required by this Proffered Condition shall be in substantial conformance with the Plan.

6. At the time of first site or subdivision plan approval, the Applicant shall provide, or, if permitted by County DOT, escrow funds in an amount determined by DPWES, for a bus shelter in a location acceptable to the Fairfax County Department of Transportation that is also in substantial conformance with the Plan. This Proffer Condition shall not obligate the Applicant to construct additional "pull off" lanes. If a shelter is constructed on the Property, the HOA established for the PDH-3 portion of the Property shall maintain and periodically remove trash from the shelter.

7. In the event all or a portion of the approved development precedes the VDOT Project for widening Richmond Highway, at the time of each site or subdivision plan submittal, the Applicant shall prepare and submit to VDOT, a traffic signal warrant analysis for a signal at the site entrance. If warranted, the required signal shall be installed at the site entrance prior to the issuance of any RUP or Non-RUP for the development shown on the site or subdivision plan. In the event the VDOT project

precedes, or is occurring concurrent with any of the approved development, if warranted, the signal shall be installed prior to the issuance of any RUP or Non-RUP, or on demand by VDOT and/or Fairfax County, at any subsequent time upon a determination by VDOT that signal warrants are met. If for any reason, it has been determined by VDOT that signal warrants are not met prior to the release of bonds for any individual phase of the approved development, funds for the future construction of the signal shall be placed in escrow, in a pro-rata basis, in an amount determined by DPWES prior to bond release.

8. Subject to VDOT approval, the Applicant shall, at the time of subdivision plan review, provide an acceleration lane from the site entrance to northbound Route 1 within the public right-of-way or that additional right-of-way dedicated pursuant to Proffer IV-5 above.

V. ENVIRONMENTAL

1. In order to restore a natural appearance to the proposed stormwater management ponds, a landscape plan shall be submitted as part of the first submission of any site or subdivision plan. The landscape plan shall show the restrictive planting easement for the pond, and extensive landscaping in all areas outside of that restrictive planting easement to the maximum extent feasible in accordance with the planting policies of Fairfax County.

2. The location and configuration of the stormwater management facilities shown on the Plan is subject to minor modifications based on final engineering; however, in no event shall any permitted reconfiguration of the stormwater management ponds diminish the landscaping or tree preservation areas identified on the Plan. In the event that the final design and engineering indicates that the applicable water quality/quantity

requirements require less land area than that shown on the Plan, those areas not required in connection with the stormwater pond or its associated grading shall be examined jointly by the Applicant and the County Urban Forester for feasibility as additional tree preservation areas. If found to be viable for tree preservation purposes by the Urban Forestry Division, these areas shall be protected in accordance with the requirements of these proffers. If such areas not used for stormwater management and are not deemed appropriate for tree preservation by the Applicant and the County Urban Forester, then such areas shall be landscaped with a type and amount of landscaping that is generally consistent with the landscape concepts generally described on the Plan as approved by the Urban Forestry Division.

3. The Applicant shall submit a tree preservation plan as part of the first and all subsequent site or subdivision plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect. The plan shall be reviewed and approved by the Urban Forestry Division and implemented as approved.

The tree preservation plan shall consist of the tree survey previously submitted by the Applicant and dated 5/6/2002, and shall address preservation issues with respect to the proposed design and engineering of the site. Additionally, the tree survey shall include detailed information regarding specific preservation practices for trees that may have been impacted by previous logging activity, and include recommendations for preservation or removal of trees that are either unhealthy and/or damaged beyond repair. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of

Arboriculture. Specific tree preservation activities that will maximize survivability of trees identified to be preserved, such as crown pruning, mulching, fertilization and others as necessary, shall be included. The tree preservation plan shall also include recommendations for the management of stump sprouted trees within preservation areas, and the removal of downed wood and/or debris from the areas.

4. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing consisting of a four (4) foot high, fourteen (14) gauge welded wire fence, attached to six (6) foot steel posts, which are driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart, shall be erected at the limits of clearing and grading as shown on the subdivision plan's Phase I and II erosion and sediment control sheets in all areas. All tree protection fencing shall be installed prior to any clearing and grading activities, including demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist. Three days prior to the commencement of any clearing, grading, or demolition activities, the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.

5. The Applicant shall retain the services of a certified arborist and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist shall walk the limits of clearing and grading with an Urban Forestry Division representative to determine where minor adjustments to the clearing limits can

be made to increase the survivability of trees at the edge of the limits of clearing and grading.

6. The limits of clearing and grading shown on the Plan shall be maximum limits and be strictly adhered to. Landscaping shall be provided in substantial conformance with the landscaping concepts shown on the Plan. Any adjustment of the limits of clearing and grading permitted pursuant to this Proffered Condition shall be subject to review and approval by the Urban Forestry Division.

7. At the time of site plan review and approval for the Church, the Applicant shall prepare a reforestation plan in substantial conformance with the Plan shown on Sheet 7 to re-vegetate those areas within those tree save areas located directly south of the parking area serving the church. The reforestation plan shall be submitted concurrently with the first and all subsequent site plans for the R-3 zoned area and shall be subject to review and approval by the Urban Forestry Division. The reforestation plan shall propose an appropriate selection of species based on existing and proposed site conditions to attempt to restore the area to a native forest cover type. The reforestation plan shall include, but not be limited to, the following:

- Plant list detailing species, sizes and stock type of trees to be planted;
- Soil fertilization, if needed;
- Mulching specifications;
- Methods of installation;
- Maintenance;
- Mortality threshold;
- Monitoring;

- Replacement schedule;
- As part of the reforestation plan, all portions of the site in the R-3 zoned area shall be evaluated for the removal and/or treatment of non-native, invasive vegetation. If it is determined that this vegetation is in need of removal, appropriate and accepted practices will be included in the reforestation plan.

8. The limits of clearing and grading shall not preclude the use of the protected area for passive recreation provided any such activities shall not result in the removal of any trees or erection of any structures or fences protected by the limits of clearing or otherwise conflict with the requirements of these proffers.

9. Along the northern property line, the Applicant reserves the right to enter the limits of clearing and grading for the sole purpose of installing the fencing and barrier generally shown parallel to the northern lot line. In order to maximize the preservation of existing vegetation, the location and configuration of the fence and the means to access the area of the fence installation shall be field located in consultation with the Urban Forestry Branch. To the extent possible, the fence shall be installed using hand tools and equipment; however, the requirements of this proffer shall not preclude the use of equipment necessary for the limited purpose of installing the brick piers required for the portions of the fence located generally west of the interparcel access to the Pohick Church property. Similarly, this proffer shall not preclude the installation of all or a portion of a fence on the Pohick Church property, subject to the Applicant receiving permission from the Pohick Church.

VI. NOISE MITIGATION

1. In order to reduce interior noise to a level of approximately DNL 45 dBA, the residential units, on the portion of the Property zoned PDH-3, within a highway noise impact zone of DNL 65-70 dBA shall employ the following acoustical treatment measures:

- Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
- Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20 percent of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20 percent of an exposed façade, then the glazing shall have an STC rating of at least 39.
- All surfaces shall be sealed and caulked in accordance with methods approved by the American Society of Testing and Materials (ASTM) to minimize sound transmission.

2. All lots affected by highway noise above DNL 65 dBA shall be identified on the Subdivision Plan. At the time of Subdivision Plan approval, the Applicant shall demonstrate, through a noise study approved by DPWES, in coordination with the Environmental and Design Review Branch, and DPWES, that exterior noise levels for unscreened common and private outdoor recreation areas in the PDH-3 development are reduced below DNL 65 dBA through the use of noise attenuation structures such as acoustical fencing, walls, earthen-berms, or combination thereof. If acoustical fencing or walls are used, they shall be architecturally solid from the ground up with no gaps or

openings. The structure (fence or wall) must be of sufficient height, that does not exceed twelve (12) feet, and is within the maximum limitations permitted by the Zoning Ordinance to adequately shield the impact area from the source of the noise.

VII. RECREATION

1. At the time of subdivision plan review, the Applicant shall demonstrate that the value of any proposed recreational amenities have a value equivalent to \$955.00 per unit as required by Article 6 of the Zoning Ordinance. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall have the option to: (1) provide additional on-site recreational amenities within the open space areas shown on the Plan, if it is determined that the location at such would be in substantial conformance with the FDP; or (2) contribute necessary funds to the Fairfax County Park Authority for off-site recreational purposes in locations within Mount Vernon District that an reasonably be expected to serve the future residents of the approved development, in accordance with Section 16-404 of the Ordinance.

VIII. OTHER

1. All monetary contributions required by these proffers, except that associated with Proffer #1 of the Section entitled "Recreation," shall be adjusted upward or downward, based on changes to the Construction Cost Index published in the Engineering News Record occurring subsequent to the date of rezoning approval.

2. Any retaining walls shall be constructed with low maintenance masonry type materials, such as brick, stone or veneer of similar quality. Hand rails and guard rails at the top of the retaining walls shall be provided as may be required by DPWES.

IX. ARCHEOLOGICAL

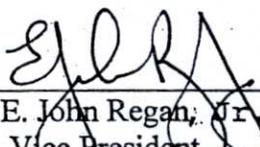
1. Prior to site or subdivision plan approval, the three areas identified in the January 5, 2002 memorandum from Mike Johnson to Barbara A. Byron shall be the subject of a Phase I archeological survey conducted in substantial conformance with the methodology identified in the January 5, 2002 memorandum. If warranted by the initial Phase I survey, subsequent Phase II and/or Phase III evolution and recovery shall occur with the scope of work of such potential Phase II and Phase III analyses being subject to review and approval by County Archeological Services.

{ the rest of this page has been intentionally left blank }

These proffers may be executed in counterparts and the counterparts shall constitute one and the same proffer statement.

Contract Purchaser:

CHRISTOPHER MANAGEMENT, INC.

By:  _____

Name: E. John Regan, Jr.

Title: Vice President

EXECUTIVE

TRC

TRUSTEES OF ENGLSIDE BAPTIST CHURCH

By: Allen R. Demetri Trustee

Name: Allen R. Demetri

Title: Chairman, Board of Trustees

By: Watson H. Morgan Trustee

Name: Watson H. Morgan, Trustee

By: David O. Zimmerman TRUSTEE

Name: David O. Zimmerman, Trustee

9233 RICHMOND HIGHWAY LIMITED
PARTNERSHIP

By: *G. Thomas Collins, Jr.*
Name: G. Thomas Collins, Jr.
Its: *General Partner*

\\REA\112696.39

CONCEPTUAL DEVELOPMENT PLAN
FINAL DEVELOPMENT PLAN
(CDP/FDP)

SUMMIT OAKS

GENERAL DEVELOPMENT PLAN/ SPECIAL EXCEPTION
(GDP/SE)

ENGLESIDE BAPTIST CHURCH

Mount Vernon District
Fairfax County, Virginia

DECEMBER, 2001
REVISED FEBRUARY 20, 2002
REVISED APRIL 22, 2002
REVISED JUNE 07, 2002
REVISED JUNE 14, 2002

DRAWING LIST

| SHEET # | TITLE |
|---------|------------------------------|
| 1 | COVER SHEET |
| 2 | NOTES |
| 3 | EXISTING VEGETATION |
| 3A | EXISTING TREE SURVEY |
| 4 | REZONING PLAT |
| 5 | PLAN OVERVIEW |
| 6 | CDPA/FDPA LAYOUT |
| 7 | GDP/SPECIAL EXCEPTION LAYOUT |
| 8 | LANDSCAPE PLAN |
| 9-10 | ARCHITECTURAL ELEVATIONS |

ATTORNEY:

McGuireWoods, LLP
1700 VINEYARD BOULEVARD, SUITE 1600
MCLEAN, VIRGINIA 22102-4818
(703) 718-5000 FAX: (703) 718-5060

CIVIL ENGINEER:

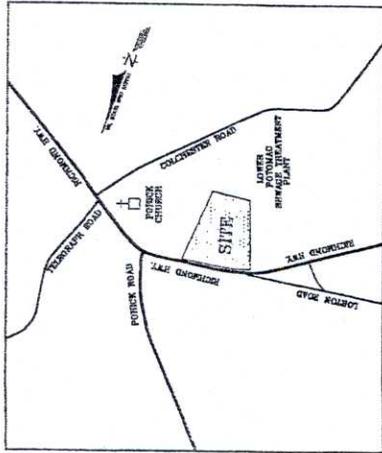
UFA
URBAN ENGINEERING & ASSOC., INC.
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS
7715 LITTLE RIVER TURNPIKE
ANNANDALE, VIRGINIA 22003 (703) 642-6000

PREPARED FOR:

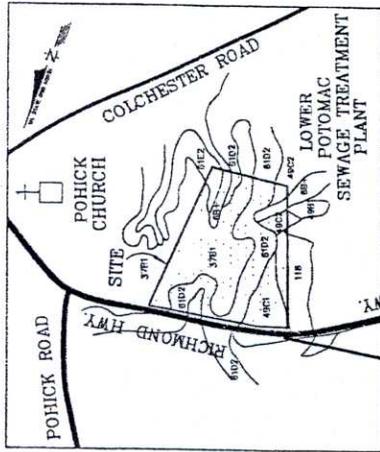
CHRISTOPHER MANAGEMENT, INC. ENGLESIDE BAPTIST CHURCH
1100 MAIN STREET, SUITE 400
ALEXANDRIA, VIRGINIA 22304
(703) 842-6685 FAX: (703) 842-0666



VICINITY MAP
SCALE: 1" = 1,000'



SOILS MAP
SCALE: 1" = 500'

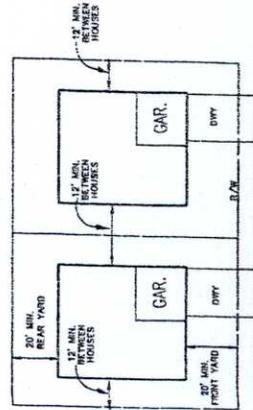


GENERAL NOTES:

- THE SUBJECT PROPERTY IS LOCATED ON FAIRFAX COUNTY TAX MAP 10B-1 (11) PAGES 27A & 27B AND 10B-3 (11) PAGE 18.
- SEE THE REZONING PLAN INCORPORATED IN THIS SET FOR THE PROPERTY OWNERS IN PARCEL. THE CONTRACT OWNER FOR THE PLANNED RESIDENTIAL DEVELOPMENT SHALL BE THE OWNER OF THE PLANNED CHURCH SITE IN ENGLESGRASS BAPTIST CHURCH.
- THERE ARE NO 100-YEAR FLOOD LIMITS OR IPA (RESOURCES PROTECTION AREA) ON THE SUBJECT PROPERTY.
- THERE ARE NO KNOWN GRAVES OR OBJECTS OR STRUCTURES MARKING PLACES OF BURIAL WITHIN THE SITE.
- THE PROPOSED DEVELOPMENT ON THE SUBJECT PROPERTY WILL NOT POSE ANY ADVERSE EFFECT ON ADJACENT OR NEIGHBORING PROPERTIES.
- ALL EXISTING STRUCTURES LOCATED ON THE PROPOSED SITE WILL BE DEMOLISHED AND THE EXISTING UTILITIES WILL EITHER BE UTILIZED OR RELOCATED AS WILL BE DETERMINED WITH THE FINAL ENGINEERING PLANS.
- THIS DEVELOPMENT WILL CONFORM TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS OR CODES OF FAIRFAX COUNTY, VIRGINIA. SUCH SHALL BE SPECIFICALLY NOTED WITH THE JUSTIFICATION FOR SUCH MODIFICATION.
- THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES LOCATED ON THE SUBJECT PROPERTY. ALL HAZARDOUS WASTE AS SET FORTH IN PARTS 111.4, 202.4 AND 303, ALL HAZARDOUS WASTE AS SET FORTH IN CHAPTER 11 OF VIRGINIA DEPARTMENT OF WASTE MANAGEMENT REGULATIONS AND/OR PETROLEUM PRODUCTS AS DEFINED IN 31.5, 40, CODE OF FEDERAL REGULATIONS PART 280, TO BE GENERATED, UNLOADED, STORED, TRANSPORTED, OR OTHERWISE HANDLED, MUST BE STORED AND CONTAINED IN ANY DESIGN OR PROVIDED STORAGE TANKS OF CONTAINER.
- BOUNDARY INFORMATION IS BASED ON DEEDS AND AVAILABLE INFORMATION PROVIDED BY VOT FOR ROUTE 1 FRONT-OF-WAY ADJUSTMENT, TOPOGRAPHY COUNTY PLAN # 42-95-Y-006.
- THIS PROJECT IS TO BE DEVELOPED IN MULTIPLE PHASES.
- THE BUILDING FOOTPRINTS REPRESENTED HEREON ARE APPROXIMATE. THE EXACT BUILDING FOOTPRINTS SHALL BE DETERMINED BY THE NUMBER OF RESIDENTIAL UNITS MAY BE DECREASED SO LONG AS THE OPEN SPACE PROVIDED IN THE TABULATION AND THE MINIMUM SETBACKS AND PERMETER SETBACKS AS SHOWN ON THE PLAN ARE NOT DIMINISHED AND SUCH MODIFICATIONS DO NOT DIMINISH LANDSCAPING.
- PARISHS WILL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11 OF THE ZONING ORDINANCE. SEE TABULATION ON SHEET 6.
- IN ACCORDANCE WITH PARAGRAPH 6 OF SECTION 16-204 OF THE ZONING ORDINANCE, MINOR MODIFICATIONS TO THE SIZE, DIMENSIONS, AND/OR UTILITIES MAY OCCUR WITH FINAL ENGINEERING AND DESIGN WITHOUT REVISION AND AMENDMENT TO THE COPA/TIPA, SO LONG AS SUCH MODIFICATIONS DO NOT DIMINISH LANDSCAPING WITH THE COPA/TIPA AND THE CONVEYING PROPERTIES.
- IN ACCORDANCE WITH PARAGRAPH 6 OF SECTION 16-204 OF THE ZONING ORDINANCE, THE LIMITS OF CLEARING AND GRADING AND THE LANDSCAPED AREAS SHALL BE DETERMINED BY THE FINAL ENGINEERING AND DESIGN. LANDSCAPING AND TREE COVER CONSISTING OF A COMBINATION OF LANDSCAPING AND TREE COVER SHALL BE PROVIDED AS SHOWN ON THE PLAN WITH THE APPLICABLE PROVISIONS OF ARTICLE 13 AND GOVERNING PROVISIONS.
- SUBJECT TO MARKET CONDITIONS, IT IS CURRENTLY ANTICIPATED THAT THE DEVELOPER SHALL BE RESPONSIBLE FOR THE COSTS OF THE PERMITS AS SOON AS ALL NECESSARY COUNTY APPROVALS AND FORMS ARE OBTAINED.
- PUBLIC WATER AND SEWER SHALL BE PROVIDED. ALL OTHER PUBLIC UTILITIES SHALL BE PROVIDED BY THE DEVELOPER. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE COSTS OF THE PERMITS AS SOON AS ALL NECESSARY COUNTY APPROVALS AND FORMS ARE OBTAINED. PRIVATE CONTRACTOR.
- THE DEVELOPER RESERVES THE RIGHT TO LOCATE TEMPORARY CONSTRUCTION MATERIALS AND EQUIPMENT ON THE SITE IN ACCORDANCE WITH COUNTY RECOMMENDATIONS.
- THIS PLAN IS IN CONFORMANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN.
- THERE ARE NO KNOWN EXISTING MAJOR UTILITY CATEGORIES OR GREATERS ON THE SUBJECT PROPERTY.
- THE LOT DECREASES IDENTIFIED ON THE COPA/TIPA LAYOUT ARE APPROXIMATE AND SUBJECT TO CHANGE WITH FINAL ENGINEERING.

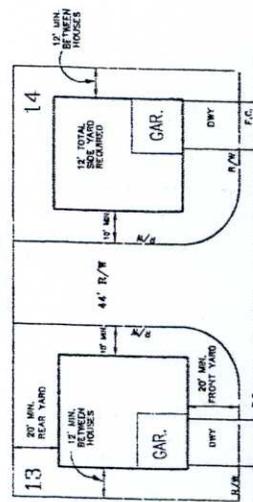
| ROW NO. | SEWER NAME | FOUNDATION SUPPORT | UNDERMINING DAMAGE | SOIL STABILITY | SEWER POTENTIAL | SEWER REPORT NO. | SEWER SOX CLASS |
|---------|--------------------------|--------------------|--------------------|----------------|-----------------|------------------|-----------------|
| 614 | WATTSVILLE | FAIR | MARGINAL | GOOD | SLIGHT | NO | B |
| 3781 | BELOTTVILLE | FAIR | MARGINAL | GOOD | MODERATE | NO | B |
| 6102 | LOANTY AND GRANVELLY RD. | MARGINAL | MARGINAL | MARGINAL | SEVERE | YES | A |
| 4901 | LINT (F.S.) | MARGINAL | FAR | MARGINAL | MODERATE | YES | A |
| 4902 | LINT (F.S.) | MARGINAL | FAR | MARGINAL | MODERATE | YES | A |
| 6112 | LOANTY AND GRANVELLY RD. | MARGINAL | MARGINAL | MARGINAL | SEVERE | YES | A |
| 11R | MARKLE CLAY | POOR | MARGINAL | POOR | SEVERE | YES | A |

TYPICAL LOT DETAIL:
NOT TO SCALE



NOTE: DECKS, BAY WINDOWS, FIRE PLACES AND HVAC UNITS CAN ENDOACH WITHIN SPECIFIED SETBACKS (LISTED ABOVE) AND PERMETER SETBACKS AS SHOWN COPA/TIPA LAYOUT SHEETS.

TYPICAL DETAIL: LOTS 13 & 14:
NOT TO SCALE



NOTE: DECKS, BAY WINDOWS, FIRE PLACES AND HVAC UNITS CAN ENDOACH WITHIN SPECIFIED SETBACKS (LISTED ABOVE) AND PERMETER SETBACKS AS SHOWN COPA/TIPA LAYOUT SHEETS.

| NO. | DATE | REVISION | DESCRIPTION |
|-----|----------|----------|------------------------------------------------|
| 1 | 08-14-02 | REVISION | TYPICAL LOT DETAIL |
| 2 | 08-14-02 | REVISION | REVISION APPROVED BY DIVISION OF DESIGN REVIEW |

URBAN ENGINEERING & ASSOC., INC.
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS
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ANNANDALE, VIRGINIA 22003 (703) 642-8080



SUMMIT OAKS / ENGLISIDE BAPTIST CHURCH
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: AS SHOWN
DATE: SEPTEMBER 2001
C.I. N/A

SHEET 2 OF 10
FILE NO. MEC-1805

ZONING TABULATION:

LAND BAY I CDP/FDP

ZONING AND AREA TABULATION FOR RESIDENTIAL

| | |
|---------------------|-------------------------------------------|
| TOTAL AREA | = 12.88 AC. OR 551,002.8 S.F. |
| PROPOSED ZONING | SRM-L-FAMILY DETACHED RESIDENTIAL |
| EXISTING ZONING | PH-1-3 |
| PROPOSED ZONING | = 4.50 AC. OR 196,000 S.F. (20% REQUIRED) |
| OPEN SPACE PROVIDED | = 37 SINGLE FAMILY ATTACHED UNITS |
| PROPOSED LOTS | = 37/12,600-2.87 DU/AC |
| DENSITY | = 37,300 S.F. |
| AVERAGE LOT AREA | = NO MINIMUM REQUIREMENT |
| HEIGHT REQUIREMENT: | = 35' |

PARKING TABULATION

| | | |
|-------------------------|-----|---------------|
| TOTAL # OF UNITS | 37 | 37 X 2.0 = 74 |
| PARKING SPACES REQ'D | | |
| PARKING SPACES PROVIDED | | |
| DRIVEWAY SPACES | 74 | |
| GARAGE SPACES | 74 | |
| TOTAL | 148 | 74 : 0.5 |

FINAL PARKING COUNT SUBJECT TO CHANGE WITH FINAL ENGINEERING PLANS

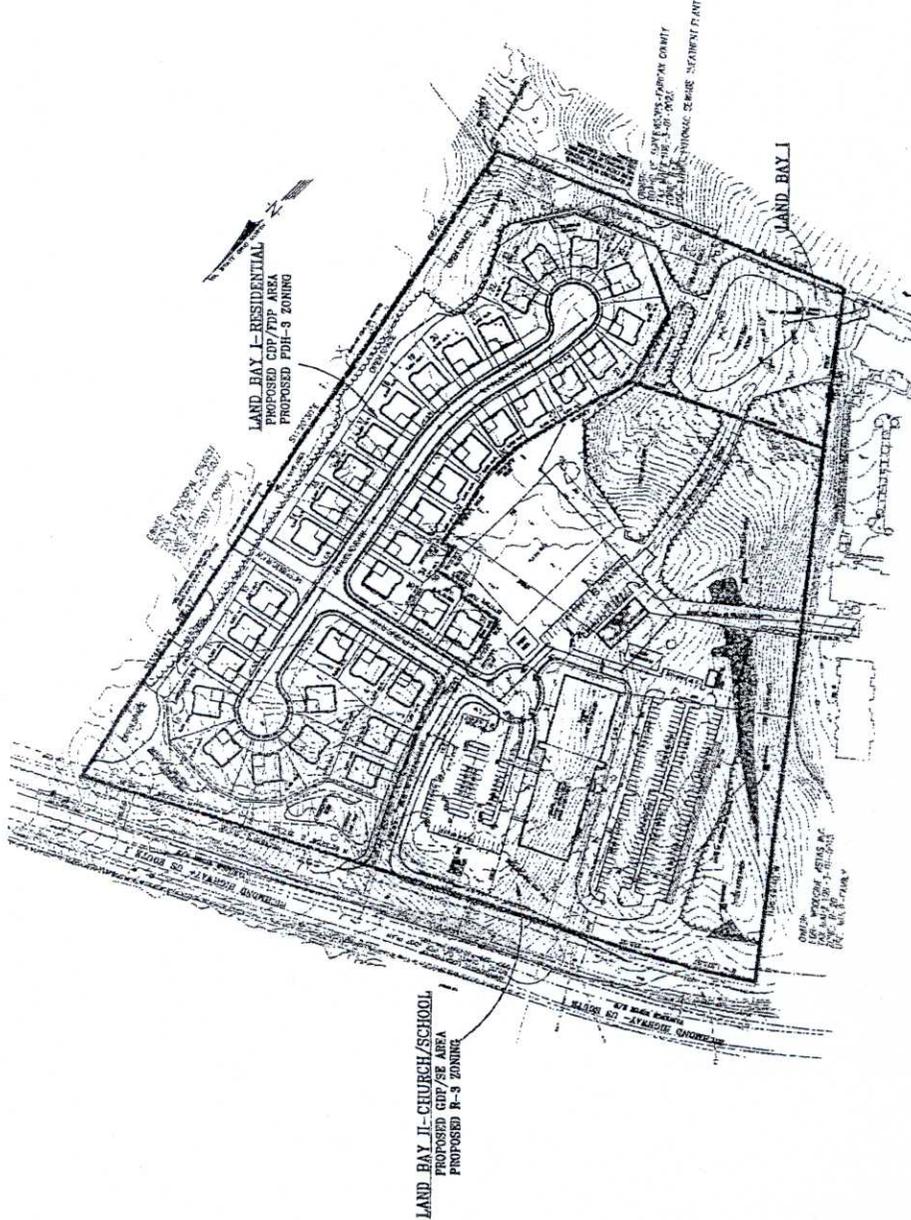
LAND BAY II GDP/SE

ZONING AND AREA TABULATION FOR CHURCH/SCHOOL

| | |
|------------------------------------------|-------------------------------------------|
| TOTAL AREA | = 12.24 AC. OR 531,404.3 S.F. |
| EXISTING ZONING | PH-4 |
| PROPOSED ZONING | PH-3 |
| OPEN SPACE PROVIDED | = 7.80 AC. OR 340,000 S.F. (64% REQUIRED) |
| PROPOSED HEIGHT | 60' |
| FLOOR AREA: | |
| CHURCH & OFFICES | = 18,000 S.F. |
| SCHOOL (200 STUDENTS & 32 STAFF PERSONS) | = 18,000 S.F. |
| GYM | = 12,000 S.F. |
| MEZZANINE OFFICES | = 3,000 S.F. |
| PASTORIAL HOUSING | = 10,000 S.F. |
| MAINTENANCE SHOP | = 5/6 S.F. |
| TOTAL | = 66,375 S.F. |
| FLOOR AREA RATIO: | 66,375 S.F./531,404 S.F. = .125 (20% MAX) |

PARKING TABULATION

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------|------------|
| PARKING SPACES REQ'D (CHURCH USE) | (180 SEAT CAPACITY) | 178 SPACES |
| PARKING SPACES PROVIDED | | |
| 2.3 SPACES PER PASTORIAL RESIDENCE | | 10 SPACES |
| 1 SPACES PER 32 STAFF PERSONS | | 0 SPACES |
| TOTAL REQUIRED | | 188 SPACES |
| TOTAL PROVIDED | | 200 SPACES |
| NOTE: NO ADDITIONAL SPACES PROVIDED FOR 32 STAFF PERSONS AS USE IS OPPOSITE OF CHURCH SERVICE USE PER SEC. 11-102 (A) OF THE Z.O. | | |



REQUESTED WAIVER MODIFICATIONS:

- TRANSITIONAL SCREENING 1 BETWEEN RESIDENTIAL AND CHURCH/SCHOOL USES AND SETBACKS ALONG NORTHERN PROPERTY BOUNDARY PER ZONING ORDINANCE ARTICLE 13 WILL BE PROVIDED AS SHOWN ON THE LANDSCAPE PLAN (SHEET 8 OF 10) IS BEING REQUESTED PURSUANT TO ARTICLE 13-304-3 OF THE ZONING ORDINANCE.
- ELIMINATE SERVICE ROAD REQUIREMENT PER PFM SEC. 7-0104

LEGEND:

--- TREE SAVE AREA

--- LIMITS OF CLEARING & GRADING

PLAN DATE:

| | |
|----------|--|
| 02-27-01 | |
| 12-09-01 | |
| 02-28-02 | |
| 05-07-02 | |
| 09-11-02 | |

REVISION APPROVED BY DIVISION OF DESIGN REVIEW

URBAN ENGINEERING & ASSOC., INC.

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7712 LITTLE RIVER TURNPIKE
ANNANDALE, VIRGINIA 22003 (703) 642-0060



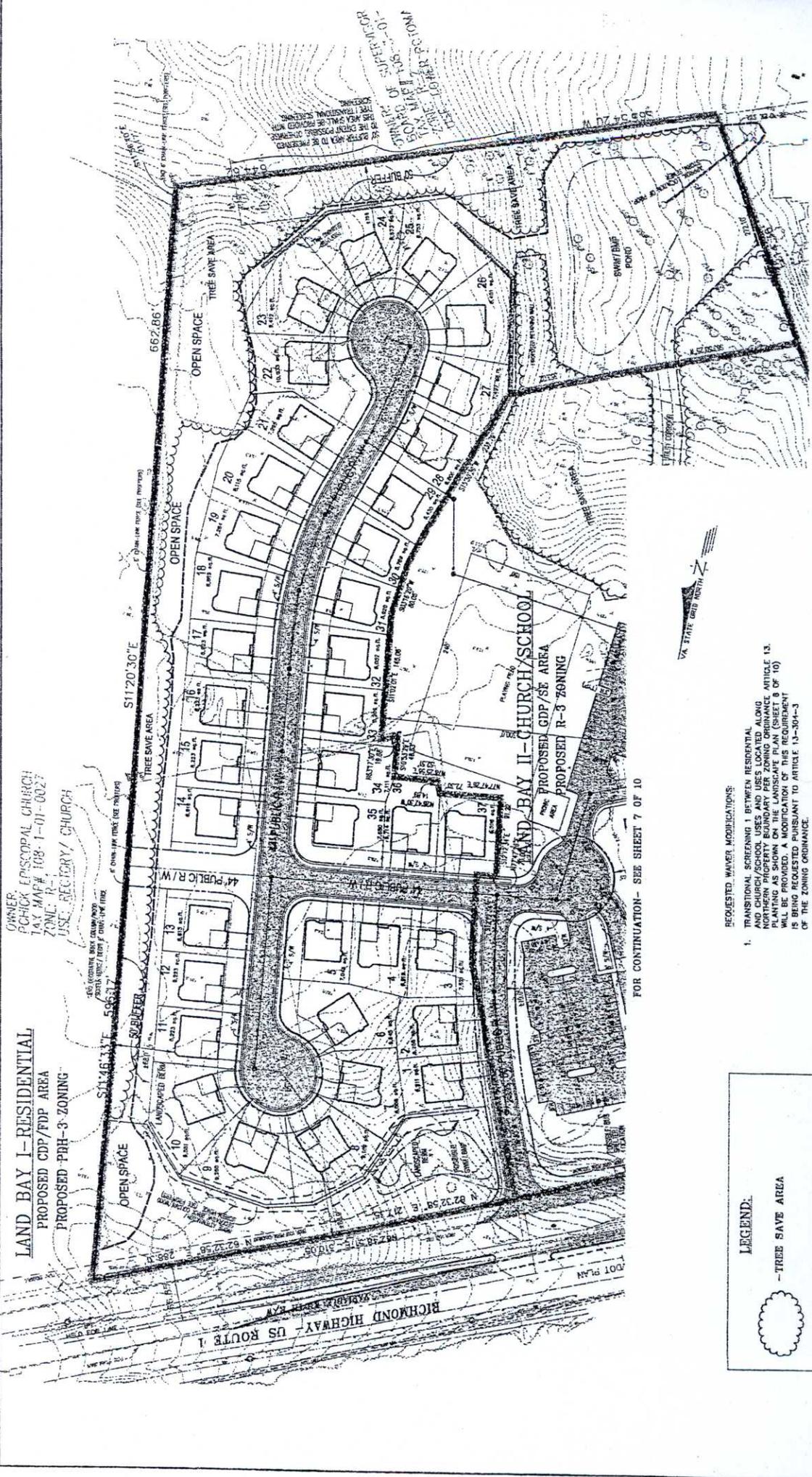
SUMMIT OAKS/ ENGLISIDE BAPTIST CHURCH
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 100'

DATE: SEPTEMBER, 2001

PLAN OVERVIEW

| | |
|-----------|----------|
| SHEET | 6 |
| OF | 10 |
| TITLE No. | MDU-1520 |



OWNER:
 PECHICK EPISCOPAL CHURCH
 TAX MAP # 108-1-01-0023
 ZONE: R-1
 USE: RECTORY/ CHURCH

LAND BAY I - RESIDENTIAL
 PROPOSED CDP/FDP AREA
 PROPOSED PRH-3 ZONING

1-10 (CONTAINING ROCK CEMENT MUD
 2000-1000/1000/1000/1000/1000)

1-10 (CONTAINING ROCK CEMENT MUD
 2000-1000/1000/1000/1000/1000)

662.86'
 662.86'
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LEGEND:

- TREE SAVE AREA
- LIMITS OF CLEARING & GRADING

- REQUESTED WAIVER MODIFICATIONS:
- TRANSITIONAL SCREENING 1 BETWEEN RESIDENTIAL AND CHURCH/SCHOOL USES AND USES LOCATED ALONG WITHIN THE ZONING DISTRICT PER ZONING ORDINANCE ARTICLE 13. PLANTING AS SHOWN ON THIS PLAN IS IN COMPLIANCE WITH ARTICLE 13.1 OF 10) IS BEING REQUESTED PURSUANT TO ARTICLE 13.3-304-3 OF THE ZONING ORDINANCE.
 - ELIMINATE SERVICE ROAD REQUIREMENT PER PFM SEC. 7-014

FOR CONTINUATION- SEE SHEET 7 OF 10

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------|
| <p>CDP/FDP LAYOUT</p> <p>SUMMIT OAKS/ ENGLISIDE BAPTIST CHURCH</p> <p>MOUNT VERNON DISTRICT FAIRFAX COUNTY, VIRGINIA</p> <p>SCALE: 1" = 80'</p> <p>DATE: SEPTEMBER, 2001</p> | | <p>SHEET 6 OF 10</p> <p>FILE NO. 10</p> <p>MFC-1665</p> |
| | | |
| <p>URBAN ENGINEERING & ASSOC., INC.</p> <p>CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS</p> <p>7712 LITTLE RIVER TURNPIKE ANNANDALE, VIRGINIA 22003 (703) 842-0050</p> | | |
| <p>PLAN DATE</p> <p>09-27-01</p> <p>11-28-01</p> <p>02-09-02</p> <p>04-22-02</p> <p>08-07-02</p> <p>09-11-02</p> | <p>REVISION</p> <p>APPROVED BY DIVISION OF DESIGN REVIEW</p> | <p>DATE</p> <p>DESCRIPTION</p> |



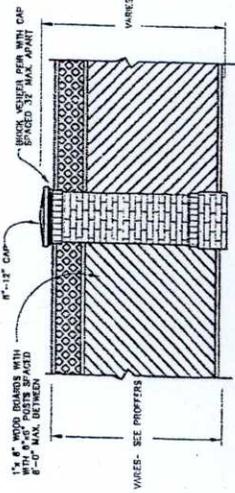
TREE COVER CALCULATIONS-BY LAND BAY

LAND BAY I
 TOTAL TREE COVER = 117,284 SF
 TOTAL TREE COVER IN 10' WINDSPEED = 117,284 SF
 TOTAL TREE COVER IN 15' WINDSPEED = 117,284 SF
 TOTAL TREE COVER IN 20' WINDSPEED = 117,284 SF

LAND BAY II
 TOTAL TREE COVER = 117,284 SF
 TOTAL TREE COVER IN 10' WINDSPEED = 117,284 SF
 TOTAL TREE COVER IN 15' WINDSPEED = 117,284 SF
 TOTAL TREE COVER IN 20' WINDSPEED = 117,284 SF

LEGEND

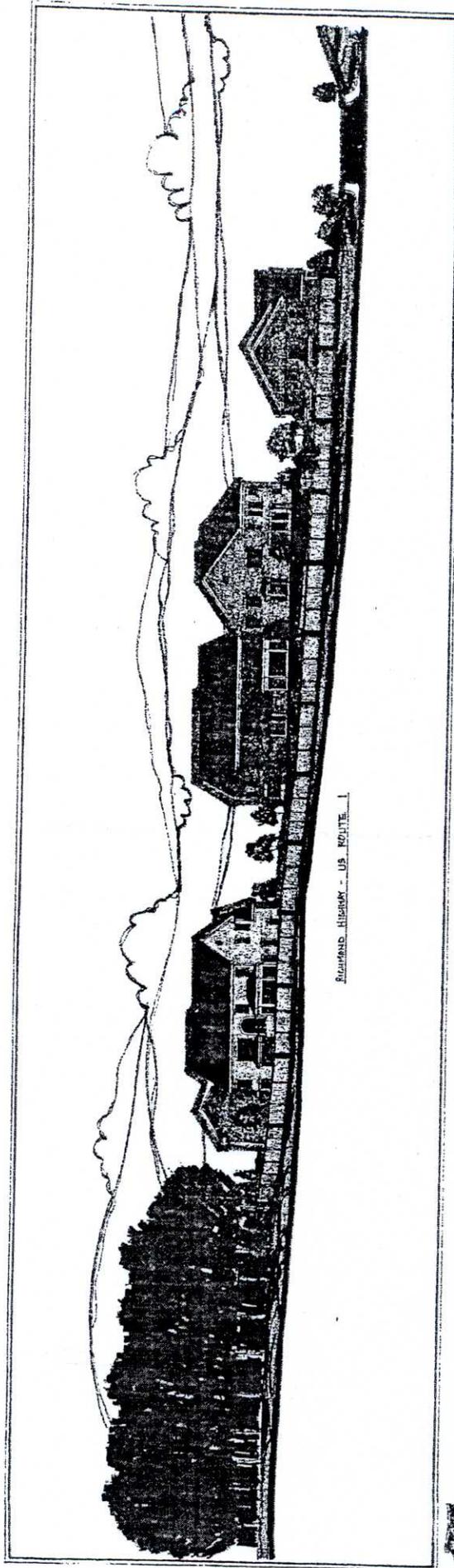
- ⊕ - STREET TREES / LARGE CANOPY TREES 2'-2 1/2' CALIPER
- ⊗ - MEDIUM EVERGREEN TREE / 4'-6' HEIGHT
- ⊙ - TREE SAVE AREA
- - - - - LIMITS OF CLEARING & GRADING



TYPICAL NOISE ATTENUATION / DECORATIVE FENCE

NTS

| | | | | | |
|---------------------------------------------------------------------------------------------------------------|--|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <p>DATE: 08-27-01 11-29-01 02-20-02 04-23-03 06-17-03</p> | | <p>PLAN DATE</p> | <p>URBAN ENGINEERING & ASSOC., INC. CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS 7712 LITTLE RIVER TURNPIKE ANNANDALE, VIRGINIA 22003 (703) 642-8080</p> | <p>LANDSCAPE PLAN SUMMIT OAKS / ENGLISIDE BAPTIST CHURCH MOUNT VERNON DISTRICT FAIRFAX COUNTY, VIRGINIA</p> | <p>SHEET 8 OF 10 FILE NO. MEC-1282</p> |
| <p>REVISION APPROVED BY DIVISION OF DESIGN REVIEW</p> | | | | | |



Richmond Highway - US Route 1

SUMMIT OAKS
CONCEPTUAL STREET SCAPE

TIM CURTIS
ARCHITECTS
7712 LITTLE RIVER TURNPIKE
ANNANDALE, VIRGINIA 22003



THIS SHEET FOR ILLUSTRATIVE PURPOSES ONLY

| PLAN DATE |
|-----------|
| 8-17-01 |
| 12-08-01 |
| 04-20-02 |
| 08-07-02 |
| 08-14-02 |

| No. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |

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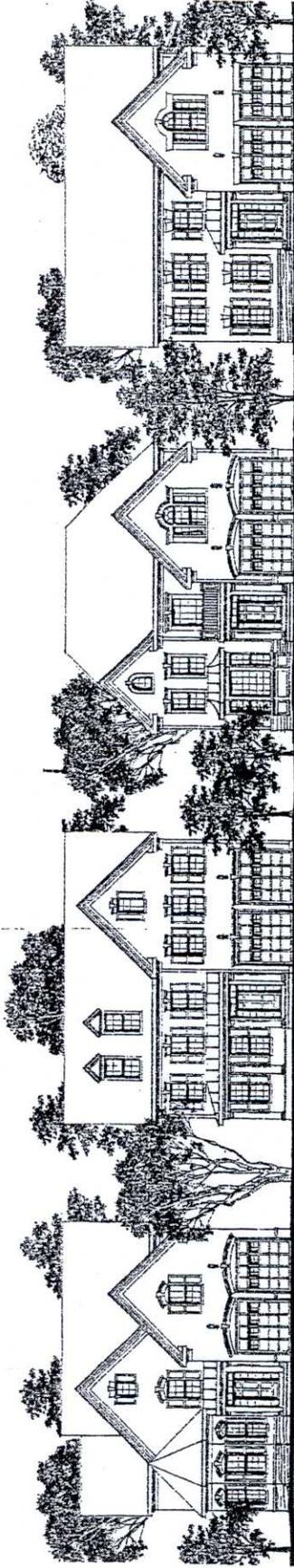


ILLUSTRATIVE ARCHITECTURAL ELEVATIONS
SUMMIT OAKS / ENGLETSIDE BAPTIST CHURCH
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: AS SHOWN C.E. N/A

DATE SETTEMBER 2001

SHEET
9
OF
10
FILE No.
MISC-1285

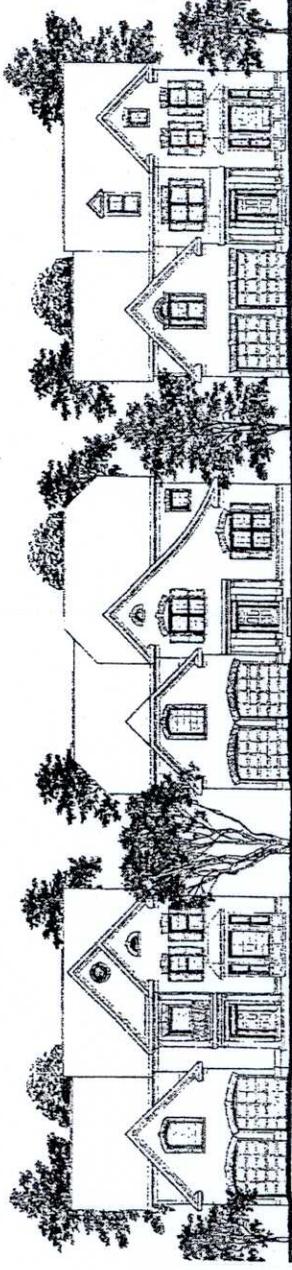


FRONT ELEVATION 4
Shown w/ optional BRICK
shown w/ opt. 1st Floor NBR.

FRONT ELEVATION 2
Shown w/ 5' porch

FRONT ELEVATION 3
Shown w/ optional BRICK UNDER TREES

FRONT ELEVATION 1
Shown w/ optional BRICK



FRONT ELEVATION 2

FRONT ELEVATION 3

FRONT ELEVATION 1

THIS SHEET FOR ILLUSTRATIVE PURPOSES ONLY!

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |


URBAN ENGINEERING & ASSOC., INC.
 CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS
 7712 LITTLE RIVER TURNPIKE
 ANNANDALE, VIRGINIA 22003 (703) 642-6000



ILLUSTRATIVE ARCHITECTURAL ELEVATIONS
SUMMIT OAKS / ENGLISIDE BAPTIST CHURCH
 MOUNT VERNON DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 SCALE AS SHOWN C.I. N/A
 DATE: SEPTEMBER 2001
 SHEET 10 OF 10
 FILE NO. MHC-1866

REVISION APPROVED BY DIVISION OF DESIGN REVIEW



County of Fairfax, Virginia

MEMORANDUM

DATE: May 9, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PAN*
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: RZ/FDP 2011-MV-001 & PCA 2002-MV-020
Summit Oaks, Section II

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject rezoning application for this property and the revised Conceptual / Final Development Plan (CDP/FDP) dated April 11, 2011. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

Fairfax County Comprehensive Plan, 2011 Edition, Area IV, Lower Potomac Planning District, as amended through October 19, 2010, LP2-Lorton-South Route 1 Community Planning Sector, Sub-unit G-2, page 95, the Plan states:

“Sub-unit G2 . . . is located on the east side of Route 1 and south of Pohick Road. It is also located within the Pohick Church Historic Overlay District. The area is planned for residential use at a density of 3-4 dwelling units per acre with an option for a density of 4-5 dwelling units per acre for housing for the elderly. Churches or other institutional uses may be appropriate. All uses should be compatible with the Pohick Church Historic Overlay District, as described under Sub-unit G1. Substantial buffering shall be provided along any portion of a property line which is adjacent to the Pohick Church or Noman M. Cole, Jr. Pollution Control Plant properties.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on pages 7 and 8, the Plan states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County’s streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation. . . .
- Encourage cluster development when designed to maximize protection of ecologically valuable land. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes. . . .”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 10, the Plan states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance....”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010 on page 11, the Plan states:

“ Federal agencies with noise mitigation planning responsibilities have worked with the health community to establish maximum acceptable levels of exposure (Guidelines for Considering Noise in Land Use Planning and Control). These guidelines expressed in terms of sound pressure levels are; DNL 65 dBA for outdoor activity areas, DNL 50 dBA for office environments, and DNL 45 dBA for residences, schools, theaters and other noise sensitive uses. . . .

Objective 4: Minimize human exposure to unhealthful levels of transportation generated noise.

Policy a: Regulate new development to ensure that people are protected from unhealthful levels of transportation noise.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010 on page 12 the Plan states:

“Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.

Policy a: Limit densities on slippage soils, and cluster development away from slopes and potential problem areas.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 18, the Plan states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices. . . .

Policy c: Use open space/conservation easements as appropriate to preserve woodlands, monarch trees, and/or rare or otherwise significant stands of trees, as identified by the County.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 19, the Plan states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

- Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:
- Environmentally-sensitive siting and construction of development.
 - Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*).
 - Optimization of energy performance of structures/energy-efficient design.
 - Use of renewable energy resources.
 - Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.
 - Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.
 - Reuse of existing building materials for redevelopment projects.
 - Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
 - Use of recycled and rapidly renewable building materials.
 - Use of building materials and products that originate from nearby sources.

- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . . .

- Policy c. Ensure that zoning proposals for residential development will qualify for the ENERGY STAR Qualified Homes designation, where such zoning proposals seek development at the high end of the Plan density range and where broader commitments to green building practices are not being applied.”

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

Stormwater Management: The subject property falls within the Pohick Creek Watershed. The applicant seeks a waiver of onsite stormwater detention and water quality control measures. The agent for the applicant indicates that the two existing off-site ponds have been designed to meet water quality and water quantity control requirements for this property, and that runoff from the site will be reduced to pre-development conditions. Stormwater management/best management practice measures and outfall adequacy are subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Transportation Generated Noise: The subject property is subject to transportation generated noise impacts from adjacent Richmond Highway. The applicant has submitted a preliminary acoustical analysis from Wyle Laboratories dated March 10, 2011 for this application. Based on that analysis, Lots 1, 2, 4, 5, 6, 7, 8, 9, and 10 will be affected by highway noise. A seven foot high acoustical wall (board on board fence with no columns) is shown on the most current development plan to mitigate traffic noise on the affected lots. The following elements should be

included on the development plan to demonstrate conformance with the Policy Plan guidance regarding mitigation of transportation generated noise upon new residential development.

- The noise level contours 65 dBA, 70 dBA, and 75 dBA should be identified on the development plan;
- Specification of all walls and windows for the affected façades should be stipulated in the proffers.
- The location of the noise wall is shown on the development plan and the height of the noise wall is shown as 7' high on the west end, but the depiction does not specify the wall height on the east end near Lot 1. Furthermore, the plan does not clearly show where the wall will terminate on the east side. This information should be clarified on the development plan and affirmed in the proffers for this application.

Soil Constraints: The first page of the development includes information about the soils which characterize the subject property. The soil types identified range from marginal to poor in most categories including foundation support, drainage and erosion potential. In addition, an area of Marine Clay is shown along the southwestern boundary of the site within the existing conservation easements. Note 23 on the development plan indicates that a geotechnical report will be submitted with the final subdivision plan.

The applicant is encouraged to submit the geotechnical study at an earlier time than the final subdivision plan submission because the specific soil information may influence the site design as well construction techniques for the homes and the proposed retaining walls.

Tree Preservation and Restoration: The applicant is encouraged to re-affirm the commitment to specific tree preservation areas and reforestation areas which were identified during the 2002 rezoning application. In addition, the applicant should work with the Urban Forestry Management Branch of DPWES to provide a correct existing vegetation survey, as well as to identify the most suitable areas for tree preservation for this application.

Conservation Easements: This property was the site of an illegal logging operation and a subsequent zoning enforcement action prior to the 2002 rezoning application. Thus, two existing conservation easements which represent 2.70 acres of land currently exist on the subject property. As stated in the deed for this property, these easements were created as part of the prior rezoning for RZ 2002-MV-020 “. . . for the purpose of conserving and preserving undisturbed the natural vegetation, topography, habitat and other natural features now on, upon and across the Church Parcel. . . .” The deed also includes additional restrictive conditions which state that no use shall be made of the land within the easements without prior approval from Fairfax County.

Note 32 on the development plan states that portions of the existing easements will be vacated and new smaller easements will be recorded for this application. The proposed vacation of the existing easements and the reduction in the amount of land to be preserved raises a concern about the original purpose and the intent of easements to mitigate for the illegal logging activity.

Neither the statement of justification nor the current development plan addresses the conservation easements and the reasons for their establishment. This issue remains unresolved.

Green Buildings: In accordance with Policy Plan guidance the applicant is encouraged to commit to obtaining Energy Star Qualified for Homes, EarthCraft, or LEED for Homes.

Countywide Trails Plan: A major paved trail and an on-road bike lane are shown along the Richmond Highway frontage of the subject property. However, the applicant has requested a waiver of these requirements, because a 5 foot wide sidewalk already exists adjacent to the subject property within the Richmond Highway right-of-way. In addition, the applicant has offered to place funds in escrow for the future re-striping for the bike lane.

PGN/MAW



County of Fairfax, Virginia

MEMORANDUM

DATE: 18 May 2011

TO: Bob Katai, ZED Coordinator

FROM: Linda Cornish Blank, Historic Preservation Planner *ACB*

SUBJECT: RZ/FDP 2001-MV-001, Tax map 108-3 ((1)) 16A. Architectural Review Board (ARB) review and recommendation

Planning Location: Fairfax County Comprehensive Plan, 2011 Edition, Area IV, Lower Potomac Planning District, Amended through 10-19-2010, LP2-Lorton-South route 1 Community Planning Sector, Land Use Recommendations, Land Unit G-2, page 93 & 95:

“Land Unit G

Land Unit G is generally bounded by Route 1 to the north and west; Old Colchester Road, Fort Belvoir and the Northern Virginia Regional Park Authority property to the east; and Gunston Road to the south (see Figure 35). A large portion of the area is occupied by the Noman M. Cole, Jr. Pollution Control Plant site and its expansion site. Other uses include scattered retail development, single-family detached homes and a developing townhouse project.

. . . contains the Pohick Church site and a portion of the Pohick Church Historic Overlay District. The provisions of the Pohick Church Historic Overlay District can be found in Appendix A, A1-100 of the Zoning Ordinance. Property located within this district should be developed in accordance with the following recommendations:

- The area should remain residential in character;
- Buildings taller than Pohick Church (39.5 feet) shall not be allowed and freestanding signs shall not exceed 10 feet in height;
- All improvements, to include public facilities, parking lots, structures, signs, fences, street furniture, outdoor graphics and public and private utilities shall be designed and installed to be compatible with the Pohick Church in terms of mass, scale, height, color, type of material and visual impact. Any widening of Route 1 should be accomplished only by taking land on the north side of the existing roadway. All development within the historic overlay district must be reviewed by the Architectural Review Board. No incompatible development shall encroach upon the district; . . .

Sub-unit G2

Sub-unit G2 (see Figure 35) is located on the east side of Route 1 and south of Pohick Road. It is also located within the Pohick Church Historic Overlay District. The area is planned for residential use at a density of 3-4 dwelling units per acre with an option for a density of 4-5 dwelling units per acre for housing for the elderly. Churches or other institutional uses may be appropriate. All uses should be compatible with the Pohick Church Historic Overlay District, as described under Sub-unit G1. Substantial buffering shall be provided along any portion of a property line which is adjacent to the Pohick Church or Noman M. Cole, Jr. Pollution Control Plant properties.”

Department of Planning and Zoning
 Planning Division
 12055 Government Center Parkway, Suite 730
 Fairfax, Virginia 22035-5509
 Phone 703-324-1380
 Fax 703-324-3056
www.fairfaxcounty.gov/dpz/



Heritage Resource comment:

The subject area of the RZ/FDP application is located within the Pohick Church Historic Overlay District. The following section of the Zoning Ordinance applies:

Zoning Ordinance

"7- 204 Administration of Historic Overlay District Regulations

Once established, Historic Overlay Districts shall be subject to administrative procedures for the enforcement of such regulations as provided in this Section.

1. All applications for rezoning, special exception, special permit, variance, sign permits, building permits, as qualified below, and all site plans, subdivision plats and grading plans shall be referred to the ARB for its review and recommendation in accordance with the provisions of this Part.
2. The ARB review and recommendation on applications for a rezoning, special exception, special permit, variance and for site plans, subdivision plats and grading plans shall include consideration of the potential impact of the proposal on the historical, architectural, or archaeological significance of the district . . .
3. ARB approval shall be required prior to the issuance of Building Permits by the Director and approval of sign permits by the Zoning Administrator for the following: . . ."
8. Approval authorizing issuance of a Building Permit or a sign permit by the ARB, or Board of Supervisors on appeal as provided for below, shall be valid for two (2) years or for such longer period as may be deemed appropriate by the approving body from the date of approval . . . and shall continue for the life of the Building Permit or sign permit. . . ."

ARB review and Recommendation:

In a workshop session at the ARB's March 10, 2011 meeting, the applicant's representative presented the application on the proposed rezoning of the property located at Tax Map # 108-3 ((1)) 16A, approximately 11.75 acres, in the Pohick Church Historic Overlay District from R-3 to PDH-3 to allow for development of 30 single family detached dwellings, Summit Oaks, Section 2.

At its April 14, 2011 meeting, the ARB recommended approval of RZ 2011-MV-001/PCA 2002-MV-020 for a rezoning of the property located at Tax Map # 108-3 ((1)) 16A, approximately 11.75 acres, in the Pohick Church Historic Overlay District from R-3 to PDH-3 to allow for development of 30 single family detached dwellings, Summit Oaks, Section 2. (Item **ARB-11-PHC-01**)

The ARB review focused on landscaping and grading. Members cited the need for a mix of tree size and type, the need to enhance understory plantings and for tree planting within each rear yard. It was acknowledged that county Urban Forestry Management staff would review and approve proposed tree plantings. Members confirmed that the natural contours would be retained outside of actual building sites and that the dwellings would be "pushed up the hill" to retain the existing slope rather than cutting into the hill and installing retaining walls.

Heritage Resource comment: Proffers dated April 26, 2011 stipulate ARB review and approval of architecture and landscaping with incorporation of that approval into final plans.



County of Fairfax, Virginia

MEMORANDUM

DATE: April 5, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Comprehensive Planning

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 2011-MV-001)

SUBJECT: Transportation Impact Addendum

REFERENCE: RZ 2010-MV-001; Summit Oaks – Section 2
Traffic Zone: 1639 Land Identification Map: 108-3 ((01)) 16A

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plan dated March 11, 2011 and proffers dated March 29, 2011.

The applicant proposes to rezone 11.75 acres from the R-3 zoning district to the PDH-3 zoning district to develop 30 new single family detached dwelling units at a density of 2.55 dwelling units per acre.

The following issues remain outstanding from this department's March 16, 2011 memo.

- The applicant would need to file a trail waiver now, with results determined now.

VDOT Comments:

- The subdivision is subject to SSAR regulations. The four requirements of SSAR should be addressed prior to zoning approval. The four requirements are :
Connectivity Index
Provision of Multiple Street Connections in Multiple Directions
Pedestrian Accommodations
Public Service Requirements
- The location of subdivision street may require an exception/ waiver for the distance from Birch Crest Way.
- Sight distance for the proposed intersections should be verified by VDOT prior to zoning approval.

Note: VDOT's SSAR requirements, subdivision street waivers and sight distance requirements, as well as the County's trail requirement must be resolved at the rezoning stage.

AKR/ak cc: Michele Brickner, Director, Design Review, DPW & ES



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

May 4, 2011

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development Section

Subject: RZ 2011-MV-001/PCA 2002-MV-020; Summit Oaks Section 2
Tax Map No: 108-3 ((1)) 16A

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

All previous VDOT comments have been addressed.



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

February 25, 2011

To: Ms. Regina Coyle
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development Section

Subject: RZ 2011-MV-001; Summit Oaks Section 2
Tax Map No: 108-3 ((1)) 16A

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the subject plan and offer the following comments:

1. The subdivision is subject to SSAR regulations. The four requirements of SSAR should be addressed prior to zoning approval to determine what Exceptions are needed. The four requirements are as follows;
Connectivity Index
Provision of Multiple Street Connections in Multiple Directions
Pedestrian Accommodations
Public Service Requirements
2. The location of the subdivision street(s), although best suited for the lot yield, may require an Exception/Waiver for the distance from Birch Crest Way.
3. Bump outs for driveway aprons should be shown where needed.
4. CG-12 ramps should be installed at all relevant locations.
5. Sight distance for the proposed intersections should be verified prior to zoning approval.
6. Right of way dedication along Route 1 should be in accordance with Comprehensive Plan.



County of Fairfax, Virginia

APPENDIX 9

MEMORANDUM

DATE: April 28, 2011

TO: Bob Katai, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning/Final Development Plan Application #RZ/FDP 2011-MV-001
concurrent with PCA 2002-MV-020, Summit Oaks Section 2, Conceptual/
Final Development Plan dated April 12, 2011, LDS Project #1748-ZONA-
001-3, Tax Map #108-3-01-0016A, Mount Vernon District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site.

Water quality controls are required for this development (PFM 6-0401.2A) Two off-site ponds and new conservation easements are proposed to meet the BMP requirements. The conservation easements are not depicted on the CFDP. Areas suitable for conservation easements will be limited to perpetually undisturbed areas, e.g., the existing sanitary easement is not suitable.

In its March 11 comment/response letter, the applicant states that an "overall" phosphorus removal rate of 42.9% will be provided. No BMP calculations were provided with this submittal.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no relevant downstream drainage complaints on file.

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



Bob Katai, Staff Coordinator

Rezoning/Final Development Plan Application #RZ/FDP 2011-MV-001, Summit Oaks Section 2

April 28, 2011

Page 2 of 2

Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). The applicant intends to use existing off-site ponds to meet the detention requirement. A waiver of on-site detention will be necessary before site plan approval. As long as the ponds have sufficient volume to provide detention, this type of waiver is likely to be approved. The drainage areas proposed to be served by the ponds are larger than those in the design drawings (Subdivision Plan #1748-SD-001). At the subdivision plan stage, the drainage diversion must be justified (PFM 6-0202.2A).

The material of the access road should be specified (ZO 18-202 paragraph 10.F(1)(d)).

Site Outfall

An outfall narrative has been provided. The condition of the outfall, in terms of its stability and adequacy, should be described from the property downstream to Pohick Creek (ZO 18-202 paragraph 10.F(2)(c)).

Stormwater Planning Comments

The Pohick Creek Watershed Plan was adopted last year. The subwatershed where this site is located received a Low Water Quality composite score. It is suggested that water quality controls greater than the minimum PFM requirement might be appropriate for this site. Low-impact development controls are encouraged in addition to the structural controls proposed.

Please contact me at 703-324-1720 if you require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

May 16, 2011

TO: Bob Katai, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jessica Strother, Urban Forester II
Forest Conservation Section, UFMD, DPWES

SUBJECT: Summit Oaks, Section 2, RZ/FDP 2011-MV-001

RE: Your Request for Additional Information Regarding Tree Preservation

This review is based on the Conceptual/Final Development Plan (CDP/FDP) stamped as received by the Department of Planning and Zoning (DPZ) on April 26, 2011.

Another site visit was conducted on May 16, 2011.

The issue at hand was if the Applicant's proposed tree canopy calculation and tree preservation target information was correct and accurate. The following information and recommendations are as follows.

1. **Comment:** The proposed calculations are not accurate for the following reasons:

Portions of the proposed tree preservation areas do not meet the Public Facilities Manual definition for health and structural stability. This is due to the area being previously logged and some forest trees being damaged and or stump-sprouted. One stand of trees adjacent to Section 1 contains some construction impacted trees that are declining. Additionally, the portion of Parcel A along the frontage of Richmond Highway should not receive canopy credit because the vegetation consists of young locust trees that will be susceptible to disease and potential failure on a steep slope that is affected by construction.

Recommendation: The credit factor (1.25) for calculating square footage of preserved forest canopy should be changed to a factor of (1.0) for the area the entire area to the south of the existing sanitary sewer area. This computes to an area encompassing approximately 15, 000 square feet. The small stand of trees adjacent to Section 1 should also be credited in the same manner and this area is approximately 3,000 square feet. The noted area along Richmond Highway is the more easterly section that is approximately 4,000 square feet.

- Once the calculations have been revised accordingly, they can be re-evaluated. If the site does not meet the tree preservation target, a deviation should be considered and may be appropriate for submittal at this time, as part of the development plan.

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division

12055 Government Center Parkway, Suite 518

Fairfax, Virginia 22035-5503

Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769

www.fairfaxcounty.gov/dpwes



Summit Oaks
RZ/FDP 2001-MV-001., PCA 2002-MV-020
Comments and Recommendations
May 16, 2011
Page 2

2. **Comment:** During the most recent site visit, a very large diameter white oak, approximately 50-60 inches in diameter was observed to the south of the existing sanitary sewer easement. It appears this tree will be preserved, however it is advisable to have it located and evaluated via a condition analysis at this time.

Recommendation: This tree is recommended for preservation based on the results of the condition analysis. If the analysis is favorable, it should be shown to be preserved on the development plan.





FAIRFAX COUNTY
PUBLIC SCHOOLS

Department of Facilities and Transportation Services
Office of Facilities Planning Services
8115 Gatehouse Road, Suite 3300
Falls Church, Virginia 22042

January 31, 2011

TO: Fairfax County Department of Planning & Zoning
Zoning Evaluation Division

FROM: Denise M. James, Director *DMJ*
Office of Facilities Planning Services

SUBJECT: RZ/FDP 2011-MV-001, Summit Oaks, Section 2

ACREAGE: 11.75 acres

TAX MAP: 108-3 ((1)) 16A

PROPOSAL: Rezone property from the R-3 District to the PDH-3 District to permit 30 new single family homes.

COMMENTS: The proposed rezoning area is within the Gunston Elementary School, Hayfield Secondary School boundaries. The chart below shows the existing school capacity, enrollment, and projected five year enrollment.

| School | Capacity | Enrollment (9/30/10) | 2011-2012 Projected Enrollment | Capacity Balance 2011-2012 | 2015-16 Projected Enrollment | Capacity Balance 2015-16 |
|-------------|----------|-------------------------|--------------------------------------|----------------------------------|------------------------------------|--------------------------------|
| Gunston ES | 611 | 560 | 630 | -19 | 680 | -69 |
| Hayfield MS | 1214 | 982 | 958 | 257 | 1044 | 171 |
| Hayfield HS | 2235 | 1959 | 1960 | 275 | 1939 | 296 |

Capacity and enrollment are based on the FCPS FY 2012-16 CIP.

The school capacity chart shows a snapshot in time for student enrollment and school capacity balance. Student enrollment projections are done on a six year timeframe, currently through school year 2015-16 and are updated annually. At this time, if development occurs within the next six years, Gunston is projected to have a capacity deficit and the rezoning application is anticipated to contribute to this projected capacity deficit. Beyond the six year projection horizon, enrollment projections are not available.

The rezoning application proposes to rezone property from the R-3 District to the PDH-3 District to permit 30 single family detached dwelling units. The property contains 11.75 acres and is undeveloped. Based on the information provided by the applicant, if developed by-right under the R-3 District regulations, 35 single family homes would be permitted.

The chart below shows the number of projected students by school level based on the current countywide student yield ratio.

| School level | Single family detached ratio | Proposed # of units | Student yield | Single family detached ratio | Current # of units permitted by-right | Student yield |
|--------------|------------------------------|---------------------|-----------------|------------------------------|---------------------------------------|-----------------|
| Elementary | .266 | 30 | 8 | .266 | 35 | 9 |
| Middle | .084 | 30 | 3 | .084 | 35 | 3 |
| High | .181 | 30 | 5 | .181 | 35 | 6 |
| | | | 16 total | | | 18 total |

SUMMARY:

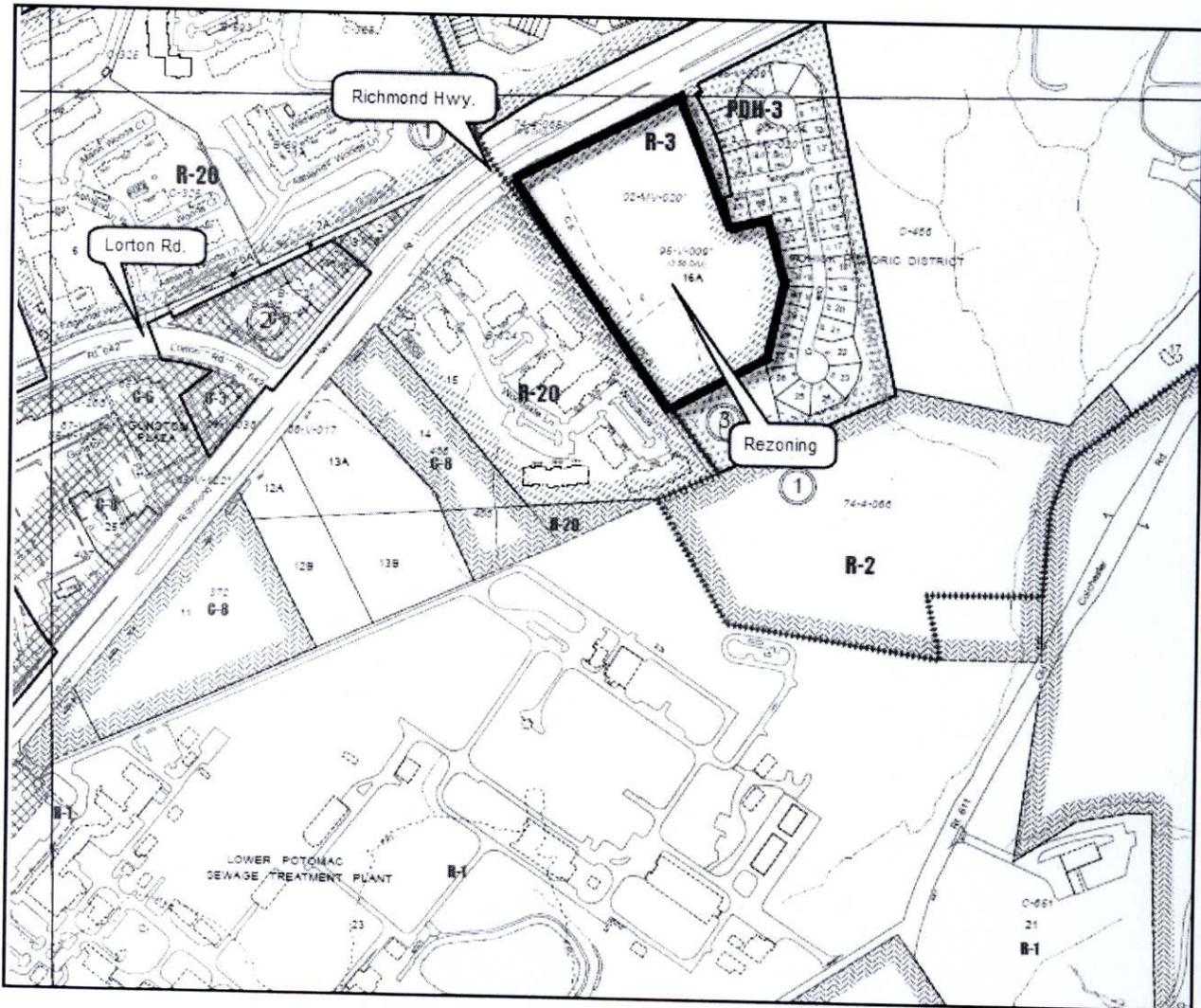
Suggested Proffer Contribution

The proposed rezoning application is not anticipated to yield any new students over what would be anticipated if the area is developed by-right. However, should the applicant be inclined to make a proffer contribution, the current per student proffer amount is \$9,378 and would be greatly appreciated.

Attachment: Locator Map

cc: Daniel G. Storck, School Board Member, Mount Vernon District
 Ilryong Moon, School Board Member, At-Large
 James L. Raney, School Board Member, At-Large
 Martina A. Hone, School Board Member, At-Large
 Dean Tistadt, Chief Operating Officer, FCPS
 Scott Brabrand, Cluster IV, Assistant Superintendent
 Tonya Cox, Principal, Gunston Elementary School
 David Tremaine, Principal, Hayfield Secondary School

Fairfax County Public Schools
Office of Facilities Planning Services





FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Manager 
Park Planning Branch, PDD

DATE: April 29, 2011 - REVISED

SUBJECT: RZ/FDP 2011-MV-001, Summit Oaks – Section 2
Tax Map Number: 108-3 (91)) 16A

BACKGROUND

This memo replaces the previous comments dated February 7, 2011. The Park Authority staff has reviewed the proposed Development Plan dated November 2010, as updated through April 2011, for the above referenced application. The Development Plan shows 30 new single-family homes to be constructed on an 11.75-acre parcel to be rezoned from the R-3 to the PDH-3 zoning district. Based on an average single-family household size of 2.93 in the Lower Potomac Planning District, the development could add 87 new residents (30 du @ 2.93 persons/du = 87.9) to the Mount Vernon Supervisory District. The subject property lies within the Pohick Church Historic Overlay District.

COMPREHENSIVE PLAN CITATIONS

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

ANALYSIS AND RECOMMENDATIONS

Needs Assessment and Facility Standards Analysis:

The Lower Potomac Planning District is notable for the presence of several large tracts of parkland, including Fairfax County's Laurel Hill Park. Much of parkland, particularly in the Mason Neck region, is resource-based and owned by regional, state and federal agencies rather than the Park Authority. In seeking a balanced park system, there remains a significant need for

local serving parks and recreational facilities in this area. Existing nearby parks (Pohick Estates, Southgate, Lorton and Lower Potomac Parks) will meet only a portion of the demand for park resources generated by residential development in the Richmond Highway corridor. In addition to parkland, the recreational facilities in greatest need in this area include rectangle fields, adult softball fields, basketball courts, playgrounds, neighborhood skate parks and dog parks as well as trails.

Recreational Impact:

The Fairfax County Zoning Ordinance requires provision of open space and recreational features within Planned Development Districts (see Zoning Ordinance Sections 6-110 and 16-404). The minimum expenditure for park and recreational facilities within these districts is set at \$1,600 per non-ADU residential unit for outdoor recreational facilities to serve the development population. Whenever possible, the facilities should be located within the residential development site. With 30 non-ADUs proposed, the Ordinance-required amount to be spent onsite is \$48,000. Any portion of this amount not spent onsite should be conveyed to the Park Authority for recreational facility construction at one or more park sites in the service area of the development.

The Park Authority acknowledges the Applicant's draft Proffer #24 which commits to provision of the required \$1,600 per non-ADU. The development plan does indicate an area as "Proposed Passive Recreation Area" although no additional detail is provided in the plans or within the Statement of Justification. As such, the current plan does not demonstrate that it meets the intent of the Zoning Ordinance for P-Districts.

In keeping with the P-District intent, the preference of the Park Authority would be for the P-District recreation contribution to be spent on site to directly serve the future residents of the application. The Park Authority continues to request additional detail to fairly evaluate the ability of the proposal to effectively meet the recreational needs of the future residents. Modifications to the layout are noted that enhance access to the passive recreation area behind lots 25 through 28. Consideration should be given to the continuation of the internal trail system, continuing from the stormwater access drive, behind lots 15 through 21 and between Lots 12 and 13 to provide additional opportunities for internal pedestrian linkages that interface with open areas rather than the street edges. Connections around the stormwater management area and into adjacent communities should also be explored. Construction of a permanent trail surface would enhance the connections and could be applied directly to the P-District recreational facility expenditure.

The \$1,600 per unit funds required by Ordinance offset only a portion of the impact to provide recreational facilities for the new residents generated by this development. Typically, a large portion if not all of the Ordinance-required funds are used for outdoor recreational amenities onsite. As a result, the Park Authority is not compensated for the increased demands caused by residential development for other recreational facilities that the Park Authority must provide.

With the Countywide Comprehensive Policy Plan as a guide (Appendix 9, #6 of the Land Use section, as well as Objective 6, Policy a, b and c of the Parks and Recreation section), the Park Authority requests a fair share contribution of \$893 per new resident with any residential rezoning application to offset impacts to park and recreation service levels. This allows the Park Authority to build additional facilities needed as the population increases. The Park Authority acknowledges the Applicant's draft Proffer #24 which commits to the contribution of \$77,691 to

offset impacts to parks within the service area of the application. This contribution, however, should be made directly to the Park Authority rather than the Board of Supervisors. The Park Authority requests the language of Proffer #24 be modified to reflect this.

Clarification:

It is noted that the proffers include the term “recreational amenities” in Proffers #25 and #26. Proffer #25 clarifies what site features may be constructed to fulfill the P-District recreational contribution. Proffer #26 speaks to elements that might be included in the passive recreation area, including additional landscaping. It should be made clear to the Applicant, however, that per Section 16-404 of the Zoning Ordinance, landscape plantings may not be used to satisfy the P-District recreation contribution.

Cultural Resources Impact:

The parcel was subjected to archival review and, as previously noted, lies within the Pohick Church Historic Overlay District. The subject property has previously been the subject of a Phase I archaeological survey. Three sites were identified; however, all were determined to be ineligible for inclusion into the National Register of Historic Places. As the sites may yet possess some regional significance, the Park Authority requests permission from the Applicant to access to the property for the purpose of performing additional archaeological work prior to commencement of any ground disturbing activities associated with the proposed development.

Draft Proffer #29 unnecessarily states that a Phase I Archaeological Study will be conducted, as this study has previously been completed. The Park Authority requests the first portion of Proffer #29 be stricken, retaining permission for Cultural Resource Management and Protection staff to access the property for additional study.

~~Archeological Study. Prior to any land disturbing activities on the Application Property, Applicant shall conduct a Phase I archaeological study on those areas of the Application Property identified by the Heritage Resources Branch of the Fairfax County Park Authority (“Heritage Resources”) and provide the results of such study to Heritage Resources. The study shall be conducted by a qualified archaeological professional approved by Heritage Resources, and shall be reviewed and approved by Heritage Resources. The study shall be completed prior to Record Plat recordation. If the Phase I study concludes that significant artifacts are present on the Application Property, Heritage Resources shall notify Applicant, in writing within thirty (30) days of the submission of the study results to Heritage Resources, of its desire to conduct additional investigations. If warranted by the initial Phase I survey, as determined by the County Archeologist, subsequent Phase II and/or Phase III evaluation and recovery shall occur, with the scope of work of such potential Phase II and Phase III analyses being subject to review and approval by County Archeological Services. Such Phase II and Phase III evaluation if applicable, shall not be a pre-condition of subdivision plan approval. Applicant shall provide access to the Application Property so that Heritage Resources~~
Cultural Resource Management and Protection staff may conduct additional investigations for a period of two (2) months from the date of notification provided that said investigations shall not interfere with the proposed construction and development schedule of the Application Property or affect the number of lots or lot layout as shown on the CDP/FDP. Additional time may be permitted to conduct such investigations if mutually agreed to by the Applicant and Heritage Resources.

SUMMARY OF RECOMMENDATIONS

This section summarizes the recommendations included in the preceding analysis section. Following is a table summarizing required and recommended recreation contribution amounts:

| Proposed Units | P-District Onsite Expenditure | Requested Park Proffer Amount | Total |
|---------------------------------|--------------------------------------|--------------------------------------|--------------|
| 30 Single-family detached units | \$48,000 | \$77,691 | \$125,691 |

In addition, the analysis identified the following major issues:

- Provide additional detail to clarify how the required P-District recreational contribution will be satisfied on site;
- Consider provision of additional points of access and trail connections for residents to open space areas;
- Revised Proffer #24 to note that funds should be contributed directly to the Park Authority;
- Note that landscape plantings cannot be counted towards fulfillment of the P-District recreational contribution;
- Revise Proffer #29 as noted above.

Please note the Park Authority would like to review and comment on proffers related to park and recreation issues. We request that draft and final proffers be submitted to the assigned reviewer noted below for review and comment prior to completion of the staff report and prior to final Board of Supervisors approval.

FCPA Reviewer: Gayle Hooper
DPZ Coordinator: Bob Katai

Copy: Cindy Walsh, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
Chron Binder
File Copy

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

DATE: January 13, 2011

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025)
System Engineering & Monitoring Division
Office of Waste Management, DPW&ES

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: ApplicationNo. RZ/FDP2011-MV-001conc/wPCA2002-MV-02
Tax MapNo. 108-3-((01))-0016A

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

- The application property is located in the Pohick Creek (N1) watershed. It would be sewered into the Noman M. Cole, Jr. Pollution Control Plant.
- Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8 inch line located in an easement and on the property is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

| Sewer Network | Existing Use +Application | | Existing Use + Application Previous Rezoning | | Existing Use + Application + Comp Plan | |
|---------------|------------------------------|---------|----------------------------------------------------|---------|----------------------------------------------|---------|
| | Adeq. | Inadeq. | Adeq. | Inadeq. | Adeq. | Inadeq. |
| Collector | X | | X | | X | |
| Submain | X | | X | | X | |
| Main/Trunk | X | | X | | X | |
| Interceptor | | | | | | |
| Outfall | | | | | | |

5. Other pertinent information or comments:

Fairfax Water

APPENDIX 14

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

January 19, 2011

Ms. Barbara Berlin, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 2011-MV-001
FDP 20111-MV-001
Summit Oaks Section 2
Tax Map: 108-3

Dear Ms. Berlin:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property can be served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 12-inch water main in Birch Crest Way. See the enclosed water system map and the Generalized Development Plan for comments.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,



Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosures

cc: Matt Marshall, Land Design Consultants
Lisa Chiblow, Mcguire Woods

FORT BELVOIR
MILITARY RES.

AREA S.
FORT E



Lower Potomac Sewage Treatment Plant
 is property of Fairfax County and will
 be maintained by Public Works.
 See Note S-144-1
 Fire Hydrants maintained by F.C.W.A.

LOWER POTOMAC
 SEWAGE TREATMENT PLANT

FORT BELVOIR
 MILITARY RESERVATION
 See (115-2X1-D)

AREA SERVED BY
 FORT BELVOIR

T 11 102-1 100

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

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|---------|-------------------------------------------------------|---------|------------------------------------------------|
| A&F | Agricultural & Forestal District | PDH | Planned Development Housing |
| ADU | Affordable Dwelling Unit | PFM | Public Facilities Manual |
| ARB | Architectural Review Board | PRC | Planned Residential Community |
| BMP | Best Management Practices | RC | Residential-Conservation |
| BOS | Board of Supervisors | RE | Residential Estate |
| BZA | Board of Zoning Appeals | RMA | Resource Management Area |
| COG | Council of Governments | RPA | Resource Protection Area |
| CBC | Community Business Center | RUP | Residential Use Permit |
| CDP | Conceptual Development Plan | RZ | Rezoning |
| CRD | Commercial Revitalization District | SE | Special Exception |
| DOT | Department of Transportation | SEA | Special Exception Amendment |
| DP | Development Plan | SP | Special Permit |
| DPWES | Department of Public Works and Environmental Services | TDM | Transportation Demand Management |
| DPZ | Department of Planning and Zoning | TMA | Transportation Management Association |
| DU/AC | Dwelling Units Per Acre | TSA | Transit Station Area |
| EQC | Environmental Quality Corridor | TSM | Transportation System Management |
| FAR | Floor Area Ratio | UP & DD | Utilities Planning and Design Division, DPWES |
| FDP | Final Development Plan | VC | Variance |
| GDP | Generalized Development Plan | VDOT | Virginia Dept. of Transportation |
| GFA | Gross Floor Area | VPD | Vehicles Per Day |
| HC | Highway Corridor Overlay District | VPH | Vehicles per Hour |
| HCD | Housing and Community Development | WMATA | Washington Metropolitan Area Transit Authority |
| LOS | Level of Service | WS | Water Supply Protection Overlay District |
| Non-RUP | Non-Residential Use Permit | ZAD | Zoning Administration Division, DPZ |
| OSDS | Office of Site Development Services, DPWES | ZED | Zoning Evaluation Division, DPZ |
| PCA | Proffered Condition Amendment | ZPRB | Zoning Permit Review Branch |
| PD | Planning Division | | |
| PDC | Planned Development Commercial | | |