

DPE



# FAIRFAX COUNTY

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

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September 28, 1999

Keith C. Martin, Esquire  
Walsh, Colucci, Stackhouse,  
Emrich and Lubeley, P.C.  
2200 Clarendon Boulevard  
Arlington, Virginia 22201-3359

RE: Rezoning Application  
Number RZ 1999-MA-014  
(Concurrent with PCA 88-M-077-2)

Dear Mr. Martin:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on September 13, 1999, granting Rezoning Application Number RZ 1999-MA-014 in the name of MFG 21-Madison Lane Limited Liability Company, to rezone certain property in the Mason District from the R-3 District and Highway Corridor Protection Overlay District to the PDH-20 District and Highway Corridor Protection Overlay District, subject to the proffers dated July 21, 1999, on subject parcel 61-4 ((1)) 17 consisting of approximately .38 acre.

The Conceptual Development Plan was approved; the Planning Commission having previously approved FDP 1999-MA-014 on July 21, 1999, subject to the Board's approval of RZ 1999-MA-014.

The Board also:

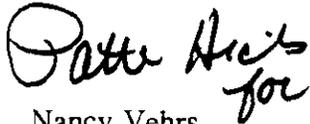
- **Waived the 200 square foot privacy yard requirement for single family attached units for both applications.**
- **Reaffirmed the modification of the transitional screening and barrier requirements granted with Rezoning Application RZ 88-M-077.**
- **Reaffirmed the waiver of the service drive along Columbia Pike northeast of the realigned Madison Lane.**

RZ1999-MA-014  
September 28, 1999

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- **Waived the minimum district size requirement for Rezoning Application RZ 1999-MA-014.**

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Katherine K. Hanley  
Supervisor- Mason District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay  
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation  
Ellen Gallagher, Project Planning Section, Dept. of Transportation  
Michelle Brickner, Deputy Director, DPW&ES  
DPW&ES - Bonds & Agreements  
Frank Edwards, Department of Highways - VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner  
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES  
Barbara J. Lippa, Executive Director, Planning Commission

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 13th day of September, 1999, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 1999-MA-014  
(CONCURRENT WITH PCA 88-M-077-2)

WHEREAS, MFG 21-Madison Lane Limited Liability Company filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-3 and Highway Corridor Overlay Districts to the PDH-20 and Highway Corridor Overlay Districts: 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

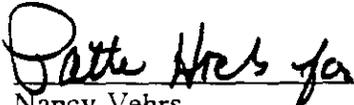
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

Be, and hereby is, zoned to the PDH-20 and Highway Corridor Overlay Districts; and said property is subject to the use regulations of said PDH-20 and Highway Corridor Overlay Districts; 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 13<sup>th</sup> day of September, 1999.

  
Nancy Vehrs  
Clerk to the Board of Supervisors

## PROFFERS

RZ 1999-MA-014

PCA 88-M-077

July 21, 1999

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 edition as amended, MFG 21-Madison Lane Limited Liability Company, their successors and assigns and owners for themselves, their successors and assigns (hereinafter referred to as the "Applicant"), in RZ 1999-MA-014 and PCA 88-M-077 filed for property identified on Fairfax County tax map as 61-4 ((1)) Parcel 17 (hereinafter referred to as the "Rezoning Property") and 61-4 ((1)) 14-16, 18-20; 61-4 ((42)) 52-67, C; and a portion of Madison Lane right-of-way (hereinafter referred to as the "PCA Property") agrees to the following proffers, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Rezoning Property from the R-3 District to the PDH-20 District in conjunction with a Conceptual/Final Development Plan (CDP/FDP) for single-family attached dwelling units and amendments to the proffers as approved with RZ 88-M-077 dated October 9, 1989 which shall be reaffirmed in part and incorporated into this proffer statement.

### RZ 1999-MA-014

#### 1. CONCEPTUAL/FINAL DEVELOPMENT PLAN (CDP/FDP)

- a. Subject to the provisions of Section 16-403 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Rezoning Property shall be in substantial conformance with the CDP/FDP, prepared by Bowman Consulting Group, Ltd. dated May 1997 as revised through May 17, 1999. The CDP shall constitute the entire plan relative to the points of access, total number of units, the general location of residential lots, common open space areas and landscaping.
- b. Development of the Rezoning Property shall be in substantial conformance with the proffers as approved in RZ 88-M-077 dated October 9, 1989 as set forth in paragraphs 2 through 14 and 17 through 19 as applicable and as determined by DPWES and DPZ.
- c. Development of the Rezoning Property shall be in conjunction with development of the PCA Property.

#### 2. RECREATION

- a. Prior to the issuance of the 1st Residential Use Permit (RUP) on the Rezoning Property, the Applicant shall contribute \$955.00 per residential unit on the Rezoning Property to the homeowners association for recreational improvements on the Rezoning Property and the PCA Property.

PROFFERS  
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PCA 88-M-077  
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3. HOUSING TRUST FUND

- a. Prior to approval of a site plan for the units on the Rezoning Property, the Applicant shall contribute 1% of the aggregate sales price of all units on the Rezoning Property to the Fairfax County Housing and Redevelopment Authority for low to moderate income housing in Fairfax County.

PCA 88-M-077

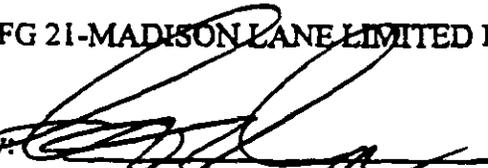
The Applicant hereby reaffirms the proffers dated October 9, 1989 as approved in RZ 88-M-077 which are attached hereto and incorporated herein subject to the following amendments:

Revise paragraph 1 to read:

1. Subject to the provisions of Section 16-403 of the Fairfax County Zoning Ordinance (hereinafter referred to as "Zoning Ordinance"), development of the PCA Property shall be in substantial conformance with the CDP/FDP, prepared by Bowman Consulting Group, Ltd. dated May 1997 as revised through May 17, 1999. The CDP shall constitute the entire plan relative to the points of access, total number of units, the general location of residential lots, common open space areas and landscaping.

APPLICANT/OWNER

MFG 21-MADISON LANE LIMITED LIABILITY COMPANY

By: 

Name: Scott Herold

Title: Member

## **PROPOSED DEVELOPMENT CONDITIONS**

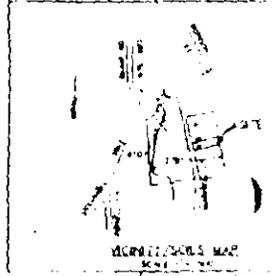
### **FDPA 88-M-077-2 and FDP 1999-MA-014**

**July 7, 1999**

If it is the intent of the Planning Commission to approve FDPA 88-M-077-2 and FDP 1999-MA-014 located at Tax Map 61-4 ((1)) 14-20 and 61-4 ((42)) 52-67, C (formerly 61-4 ((1)) parts of 1-4 and 14-20), the staff recommends that the approval be subject to the following development conditions:

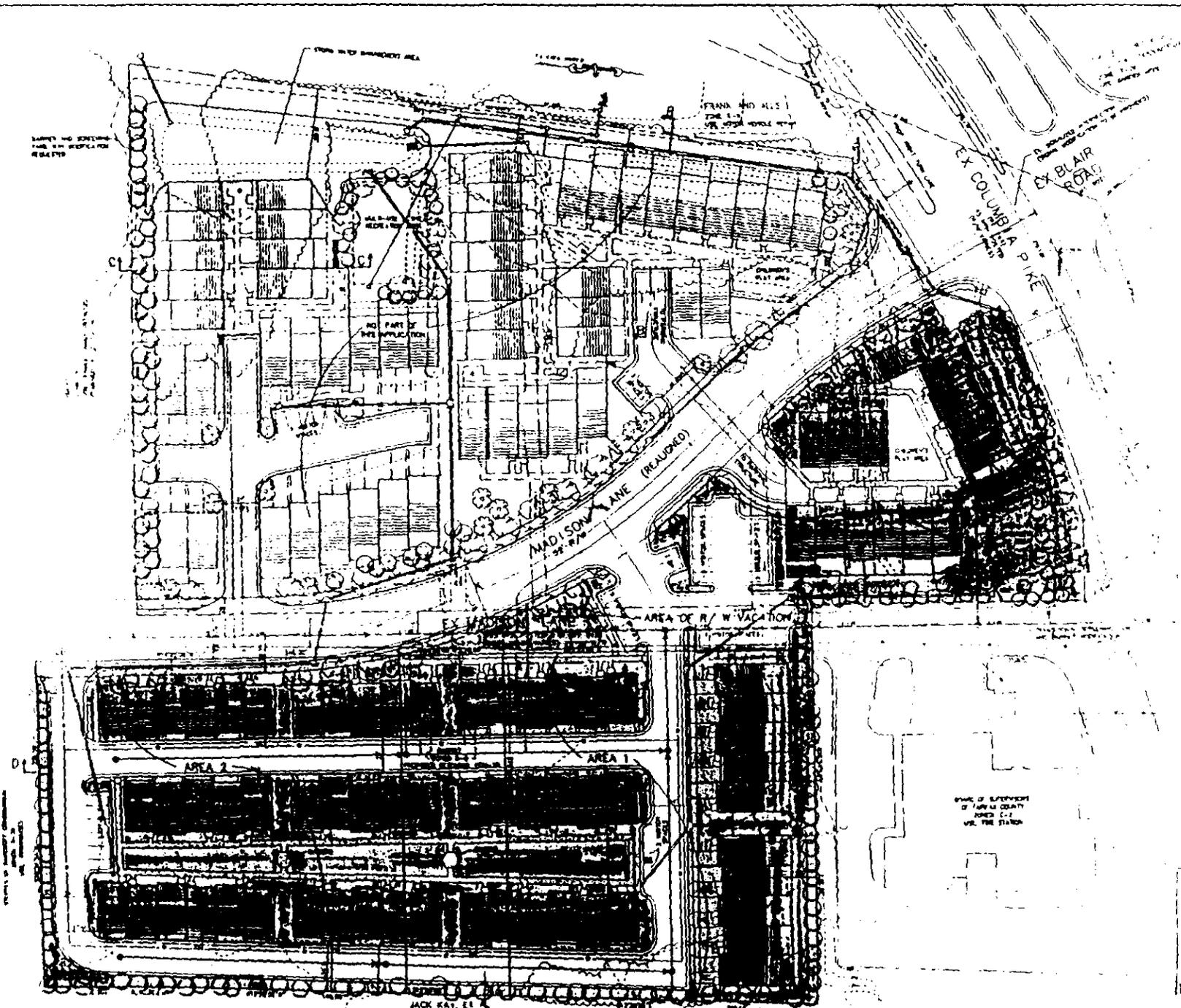
1. Development of the subject property shall be in conformance, as defined by Section 16-403 of the Zoning Ordinance, with the Final Development Plan entitled "Partial Conceptual/Final Development Plan Amendment, Madison Lane," prepared by Bowman Consulting Group, and dated May 1997 as revised through June 10, 1999.
2. A comprehensive landscape plan which includes diverse native species, inclusive of groundcover, shrubs and trees, shall be submitted at the time of site plan review for review and approval by the Urban Forestry Branch of DPWES. At a minimum, landscaping shall be consistent with the quality, quantity and locations depicted on Sheet 1 of the FDP, as determined by the Urban Forestry Branch of DPWES.

NO.	DATE	REVISION	BY	CHKD.
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GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL UTILITIES TO BE DELETED AND RELOCATED AS SHOWN.
3. ALL EXISTING UTILITIES TO BE PROTECTED.
4. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN.
5. ALL EXISTING UTILITIES TO BE PROTECTED.
6. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN.
7. ALL EXISTING UTILITIES TO BE PROTECTED.
8. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN.
9. ALL EXISTING UTILITIES TO BE PROTECTED.
10. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN.



ANGLE OF VIEW FROM  
TO PERIPHERAL PROCEEDURES

NO. 100	DATE	REVISION	BY	CHKD.
1				
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JACK RAY, ET AL  
PLANNERS