

January 31, 1989
Revised May 11, 1989

PROFFERS/DEVELOPMENT CONDITIONS

RZ 88-C-116
PCA 85-C-079-2
CDPA 85-C-079-2
FDPA 85-C-079-2

Pursuant to Section 15.1-491 (a) of the Code of Virginia, 1950 edition as amended, the Applicant agrees to the following conditions contingent upon approval of Rezoning Application RZ 88-C-116 to the PDH-3 District and approval of Proffered Condition Amendment 85-C-079-2, Conceptual Development Plan Amendment (CDPA) 85-C-079-2 and Final Development Plan Amendment (FDPA) 85-C-079-2:

1. The subject property shall be developed in conformance with the Conceptual Development Plan Amendment last revised March 23, 1989 as prepared by Dewberry and Davis and the Final Development Plan Amendment (6 sheets) last revised March 10, 1989 as prepared by Dewberry & Davis permitting a maximum of 351 dwelling units and the FDPA (#85-C-079-1) previously approved April 15, 1987, for the area located west of the Springfield Bypass.
2. Applicant's Conceptual Development Plan Amendment reconfirms the plan to construct single family detached dwellings west of the Fairfax County Parkway previously approved as part of Rezoning Application RZ-85-C-079 on July 24, 1986. Due to VDOT imposed restrictions on access to the Parkway under the Conceptual Development Plan Amendment, access to the western land bay will be limited to right-in, right-out movements only in the location as shown on the CDPA. Total open space provided is 26% of the total site area.
3. Applicant shall on demand dedicate for public street purposes to the Board of Supervisors and convey in fee simple a maximum 160' right-of-way for the Fairfax County Parkway in the location shown on the CDPA, plus construction and grading easements as shown on the currently approved Virginia Department of Transportation (VDOT) plans for the Fairfax County Parkway.
4. All other road improvements shall be in conformance with the CDPA and FDPA to include:
 - a. Vehicular access points to Thompson Road shall be limited to two locations as shown on the CDPA and FDPA subject to VDOT approval.
 - b. A maximum 250 foot turn lane and 100 foot taper on the property side of Thompson Road shall be constructed at each site entry on Thompson Road subject to VDOT approval.
 - c. A maximum 250 foot turn lane and 100 foot taper on the property side of Ox Trail shall be constructed at the site entry on Ox Trail proximate the child care center site subject to VDOT approval.

Development Conditions

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d. Any private streets indicated on the FDPA shall be constructed in accordance with the Public Facilities Manual Standard TS-5A; specifically with a minimum pavement width of 24 feet face of curb to face of curb within a minimum 32 or 34 foot easement with sidewalk on one side where traffic counts are less than 250 vehicles per day and a minimum pavement width of 26 feet face of curb to face of curb within a minimum 40 foot easement with sidewalk on both sides where traffic counts are more than 250 vehicles per day. In addition, in the endeavor to create a more sensitive and innovative neighborhood street system, the Applicant reserves the right to construct the landscaped islands as represented on the graphic and to use selective pavement materials. Maintenance of the private streets shall be provided by a homeowners association.

e. Applicant shall provide a 52' wide public access easement to the adjacent property to the south of the proposed western land bay.

f. Applicant shall provide the actual cost not to exceed \$25,000 for either a contribution towards a traffic signal at West Ox Road and Ox Trail, when and if West Ox Road is widened, or intersection improvements at West Ox Road and Thompson Road as determined by Fairfax County.

5. All common open space as shown on the CDPA and FDPA shall be dedicated to a homeowners association.

6. Applicant shall prepare a landscaping and/or berming plan for its Thompson Road frontage to buffer the existing residential property to the north. Such plan shall be reviewed and approved by the County Arborist at time of site plan review.

7. Applicant shall provide developed recreational facilities pursuant to the required \$300 per dwelling unit allocation which shall be used for two tennis courts, swimming pool and bath house. Bike racks shall be provided for twenty (20) bikes at the recreation site.

8. Fairfax County Health Department shall be notified before any pool waters are discharged during drainage or cleaning operations to determine whether proper neutralization of pool waters has been completed.

9. To mitigate the impact of unacceptable noise levels emanating from the Fairfax County Parkway, Applicant shall implement the following noise mitigation measures to the satisfaction of DEM:

a. Where the exposed facades of units located between 220 feet to 690 feet from the center line of the Fairfax County Parkway are projected to experience highway noise levels between 65 and 70 dBA Ldn, the Applicant shall construct said units utilizing the following mitigation measures:

- 1) Construction materials and techniques known to have physical properties or characteristics suitable to achieve a Sound Transmission Classification (STC) of at least 39 for exterior walls.

- 2) Windows either double-glazed or fitted with storm windows.
- 3) Doors known to have physical characteristics suitable to achieve a sound transmission classification (STC) of at least 28.
- 4) Adequate measure to seal and caulk between surfaces to minimize sound transmission.

b. Where the exposed facades of units located between 70 feet to 220 feet from the center line of the Fairfax County Parkway are projected to experience highway noise levels between 70 and 75 dBA Ldn, Applicant shall construct said units utilizing the following mitigation measures:

- 1) Construction materials and techniques known to have physical properties or characteristics suitable to achieve a Sound Transmission Classification (STC) of at least 45 for exterior walls.
- 2) Windows either double-glazed or fitted with storm windows.
- 3) Doors known to have physical characteristics suitable to achieve a sound transmission classification (STC) of at least 37.
- 4) Adequate measures to seal and caulk between surfaces to minimize sound transmission.

c. In the alternative, the Applicant may have a refined acoustical analysis performed to determine which units/buildings may require sufficient shielding to permit a reduction in the mitigation measures prescribed above. Said analysis shall be subject to approval by the Department of Environmental Management.

d. In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation structures such as acoustical fencing, earthen berms or combinations thereof shall be provided for those affected rear yards unshielded by topography or built structures. If acoustical fencing is used, it shall be architecturally solid from ground up with no gaps or openings. The structure(s) employed shall be of sufficient height to adequately shield the impacted area from the source of the noise.

e. Nothing herein shall be construed to restrict or otherwise limit the use of decks, balconies or patios on residential units.

10. For purposes of energy conservation Applicant shall construct dwelling units utilizing R-30 insulation in ceilings and at least R-11 batt insulations in exterior wall sections above grade.

11. A child care center shall be located in area shown on the CDPA and FDPA adjacent to the Navy Elementary School property. The center will serve a maximum of 140 children between the operating hours of 6:30 AM and 6:30 PM. The center site will contain a building no greater than 7,000 square feet in area, an outside play area approximately 15,000 square feet and parking for 23 cars.

The juxtaposition of the building, play area and parking lot is shown on sheet 2 of 5 of the FDPA. The general building design will be architecturally compatible with the overall Century Oak community as determined by DEM. Applicant shall provide sufficient landscaping as determined by the County Arborist between the parking lot and Ox Trail to screen the parking area from the residences on the south side of Ox Trail. In the areas immediately north and west of the child care center site improvements will be landscaped as shown on Sheet 2 of 6 of the FDPA subject to County Arborist approval.

12. A sidewalk shall be provided along the north side of Ox Trail to the Navy School.

13. Applicant shall prepare a limits of clearing and grading plan to preserve the existing vegetation for the common open space area that will be reviewed and approved by the County Arborist. For all areas platted in lots, Applicant agrees to work with the County Arborist to preserve mature trees to the extent feasible.

14. In areas indicated as "Habitat Planting Areas" on the FDPA, Applicant shall plant vegetation in general conformance with the planting prototype plan (Sheet 6 of 6) subject to County Arborist approval; the purpose of said vegetation to induce/preserve wildlife indigenous to the area.

15. Applicant shall maintain an open space corridor averaging 100 feet in width along the stream (except in the areas of perpendicular street and utility crossings) in Section 3 as shown on the FDPA. Within the open space corridor Applicant shall preserve existing vegetation to the extent possible and supplement with new vegetation in accordance with the habitat planting plan as shown on Sheet 6 of 6 of the FDPA subject to review by the County Arborist.

16. The site shall be developed in accordance with the recommendations included in the geotechnical report dated October 27, 1986 with addenda dated December 11, 1987 and May 26, 1988 prepared by Schnabel Engineering Associates and as approved by the Department of Environmental Management by letter dated June 8, 1988.

17. Applicant shall use best efforts to limit all construction traffic to the site via Ox Trail and West Ox Road, and not Thompson Road and/or Rugby Road.

18. Construction of dwelling units on the subject property will commence in the eastern most portion of the property proximate Ox Trail.

19. Applicant shall provide best management practices (BMP's) for those portions of the property subject to the provisions of the Water Supply Protection Overlay District of the Zoning Ordinance.

20. Applicant shall disclose to all prospective purchasers the location of the Fairfax County Parkway as it traverses the subject property.

21. Applicant shall make available to all purchasers material published by the Virginia Cooperative Extension Service regarding gypsy moth control.

THOMPSON ROAD GENERAL PARTNERSHIP

5/11/89
Date

John E. Cowles
By: John E. Cowles, President
Fourth Carr Properties, Inc., Partner

COOPER G. CURTICE

5/11/89
Date

Cooper G. Curtice

WILLIAM L. BERRY AND COMPANY, INC.

5/12/89
Date

William L. Berry
By: William L. Berry, President

VAN METRE DEVELOPMENT, INC.

5/17/89
Date

Richard J. Rabin
By: Richard J. Rabin, Executive Vice President

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