



FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

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V I R G I N I A

March 31, 2004

Mr. Gregory L. Anderson, Project Manager
Bowman Consulting Group, Ltd.
14020 Thunderbolt Place, Suite 300
Chantilly, VA 20151

Re: Interpretation for RZ 2000-SU-050; Robertson Farm
Trail Construction

Dear Mr. Anderson:

This is in response to your letter dated February 28, 2004, requesting an interpretation of the approved Conceptual/Final Development Plan (CDP/FDP) and proffers accepted by the Board of Supervisors in conjunction with the approval of RZ 2000-SU-050. As I understand it, the question is whether construction of the trail along the Lee Highway frontage of the Robertson Farm property (Tax Map 56-3 ((15)) various) only would be in substantial conformance with the GDP and the proffers. Copies of the above-referenced letter, proffers and reduced plat are attached for reference.

Proffer 2.d. states, "Prior to final bond release, the Applicant shall construct a 10-foot wide trail within dedicated right-of-way along the Application Property's Lee Highway frontage as shown on the CDP/FDP." A note on Sheet 2 of the CDP/FDP states, "The...trail will be extended as far west (sic) as practicable to the western (sic) property line provided no construction easements from the adjacent property owner are needed..."

As proffered and shown on the CDP/FDP, the trail is to be constructed on the Robertson Farm frontage and extending east to the eastern edge of the adjacent property [Lee Plaza [(Tax Map 56-2 ((1)) 67)]. As I understand it, construction on Lee Plaza has commenced. You have stated that your client is concerned that his constructing the trail on the Lee Plaza site will interfere with that site's construction process. You have also expressed concern that the construction of Lee Plaza could damage the trail if already installed and that it would later need to be rebuilt by the developer of Lee Plaza. It is my further understanding that the trail is shown on the site plan for Lee Plaza (1741-SPV-01-B) and intended to be built by that developer.

It is my determination that limiting construction of the trail to the Lee Highway

Mr. Gregory Anderson

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frontage of the Robertson Farm property [(Tax Map 56-3 ((15)) various)] only would not be in substantial conformance with the CDP/FDP and the proffers. Construction of the trail, along Lee Highway, including the off-site portion as shown on the CDP/FDP must be completed by you or others prior to bond release for Robertson Farm. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator.

Please note that you do have the ability to request a partial release of the bond for all bonded items which have been completed. To do this, you may contact Judy Cronauer at (703) 324-1950 in the Bonds, Agreements, and Administration Section of the Environmental and Facilities Inspections Division, Department of Public Works and Environmental Services (DPWES).

It is recommended that the development and construction of these two adjacent properties be coordinated. In the event that the subject trail is constructed by the developers of Lee Plaza, the proffer shall be deemed satisfied. If you have any questions regarding this interpretation, please feel free to contact Kristen Shields at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

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Attachments: A/S

cc: Elaine McConnell, Supervisor, Springfield District
Peter F. Murphy, Planning Commissioner, Springfield District
Daryl Varney, Chief, Permit Review Branch, ZAD, DPZ
Michelle Brickner, Director, Office of Site Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Craig Carinci, Director, Environmental and Facilities Inspections Division,
DPWES
File: RZ 2000-SU-050; Imaging; Reading

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Zoning Evaluation Division

February 23, 2004

Barbara A. Byron, Director
Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

**Re: RZ 2000-SU-050 Robertson Farm
Interpretation Request**

Dear Ms. Byron:

Please accept this letter as a request for an interpretation of proffered conditions accepted in conjunction with the approval of RZ 2000-SU-050.

The Fairfax County Board of Supervisors approved RZ 2000-SU-050 on July 23, 2001, which rezoned approximately 18 acres from the R-1 District to the PDH-2 District. The rezoning was approved in conjunction with proffers dated June 29, 2001 and a Conceptual/Final Development Plan (CDP/FDP). The CDP/FDP includes a note indicating a trail to be extended offsite onto an adjacent property to the East. The developer of this community requests approval to construct the trail only across the Application property's Lee Highway frontage.

The approved CDP/FDP specifically states that the service drive and trail will be extended as far west as practicable to the western property line provided no construction easements from the adjacent property owner are needed.

The approved proffer 2d, states that prior to final bond release, the applicant shall construct a 10-foot wide trail within dedicated right-of-way along the application property's Lee Highway frontage as shown on the CDP/FDP.

I hereby request your administrative determination that construction of the trail across the Application property's Lee Highway frontage is in substantial conformance with the approved proffers and the CDP/FDP. The offsite trail to the East is proposed to be constructed with the "Lee Plaza" site plan (plan # 1741-SPV-01-B), the plan is currently under review by Fairfax County. In addition, the 10-foot trail specified in proffer 2d to

be constructed along the application property's Lee Highway frontage has been constructed directly in front of the applicant's property.

Should you have any questions regarding this request or require additional information, please do not hesitate to give me a call. I have enclosed a copy of the approved proffers, a copy of the originally approved CDP/FDP and a copy of the "Lee Plaza" site plan revision for your convenient reference. As always, I appreciate your cooperation and assistance.

Best regards,



Gregory L. Anderson
Project Manager

Enclosures

GLA/ar