



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

July 23, 2007

John Amatetti, P.E.
VIKA Incorporated
8189 Greensboro Drive, Suite 200
McLean, VA 22102

Re: Fairfax Ridge, RZ 2000-PR-056, Tax Map 56-2 ((1)) 21: Dedication of EQC

Dear Mr. Amatetti:

This is in response to your letter of June 18, 2007, requesting clarification of the proffers and Conceptual/Final Development Plan (CDP/FDP) accepted by the Board of Supervisors in conjunction with RZ 2000-PR-056. As I understand it, the question concerns the timing of dedication of the Environmental Quality Corridor (EQC) pursuant to Proffer #11. This determination is based on your letter, an exhibit entitled "Fairfax Ridge, CDP/FDP/SE Plat," prepared by Land Design, Inc. last revised May 7, 2001, which shows the area proposed to be dedicated, and the proffers. Copies of your letter and relevant documents are attached.

You have indicated that the regional stormwater management pond has been constructed on the property as proffered and you are presently pursuing bond release for the project. Proffer #11 Dedication of Environmental Quality Corridor ("EQC") states the following. "*The Applicant shall dedicate and convey in fee simple to the Board of Supervisors the EQC as generally depicted and described on the CDP/FDP for Land Bay A. Dedication shall occur at the time of pond completion and bond release.*"

Given the proffer language, dedication of the EQC must occur prior to the County releasing the bond for the project. Also, please note the following. First, the "completion" status of the pond shall be determined by the Department of Public Works and Environmental Services (DPWES). Second, the proffers accepted by the Board of Supervisors with RZ 2000-PR-056 are part of the zoning regulations governing the property; as such, they run with the land and are incumbent upon the current owners and any future owners unless they are amended.

Please feel free to contact Mary Ann Godfrey at 703-3241290 if you have questions about this interpretation.

Sincerely,

Kevin J. Guinaw, Chief
Special Projects/Applications Acceptance Branch
Zoning Evaluation Division, DPZ

KG/MAG/O:\mgodfr\ProfferInterpretations\RZ 2000-PR-056 (Fairfax Ridge) Proffer #11. doc

Attachments: A/S

cc: Linda Q. Smyth, Supervisor, Providence District
Kenneth Lawrence, Planning Commissioner, Providence District
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson Quinn, Deputy Zoning Administrator, DPZ
Kenneth Williams, Plan Control, Office of Land Development Services, DPWES
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
File: RZ 2000-PR-056, PI 0706 062, Imaging, Reading File

Department of Planning and Zoning
Zoning Evaluation Division

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

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June 18, 2007

VIA E-MAIL & MAIL
kguin@fairfaxcounty.gov

Mr. Kevin Guinaw
Fairfax County Office of Planning and Zoning
Fairfax County, Virginia
12055 Government Center Parkway
Suite 801
Fairfax, VA 22035

**RE: Alexan at Fairfax Ridge
RZ #2000-PR-056
VIKA #6301C**

Dear Mr. Guinaw:

VIKA, Inc. is responsible for reviewing the site related proffers associated with the referenced rezoning for Fairfax Ridge. The Site Plan is Fairfax County # 3993-SP-05.

The purpose of this letter is to request you review Proffer #11 of RZ 2000-PR-056 and determine if the timing has been met that requires the dedication of the EGC portion of the property. The pond has been constructed and I am actively pursuing bond release of the referenced Site Plan.

I have enclosed a sketch of the area to be dedicated. Please review it to determine if this area meets the requirements of the proffer. The property is currently owned by Fairfax Ridge Condominium Association. Your earliest response would be appreciated.

Sincerely,
VIKA, Inc.

John F. Amatetti, P.E.
Principal

Enclosure

X:\DATA\6000-6999\6301c\Letter\Guinaw (Proffer #11) 6-18-07.doc

