

PROFFERS

Property Professionals, Inc.

Coventry Springs Estate

RZ 2001-DR-014
FDP 2001-DR-014
June 28, 2001
September 21, 2001
October 18, 2001
October 29, 2001
November 8, 2001
November 9, 2001
November 14, 2001
November 16, 2001

Pursuant to Section 15.2-2303(a) of the 1950 Code of Virginia, as amended, the undersigned Applicant and owners proffer for themselves and their successors and assigns the following conditions subject to the approval of the Board of Supervisors of Fairfax County, Virginia:

1. Conceptual / Final Development Plan

- a) Subject to Section 16-204 of the Fairfax County Zoning Ordinance, development of the subject property shall be in substantial conformance with the Conceptual / Final Development Plan (CDP/FDP) prepared by Land Design Consultants, Inc. dated March, 2001 and revised through September 21, 2001.

Notwithstanding the CDP/FDP is presented on four sheets and said CDP/FDP is the subject of Proffer 1 above, it will be understood that the Conceptual Development Plan will be the entire plan shown on Sheet 2 relative to the points of access, the total number of units and general location of the residential lots and common open space areas, and that the Developer has the option to request a Final Development Plan Amendment ("FDPA") from the Planning Commission in accordance with the provisions set forth in Sect. 16-402 of the Zoning Ordinance.

- b) Pursuant to Paragraph 5 of Section 16-204 of the Zoning Ordinance, minor modifications/adjustments/revisions/changes from the CDP/FDP may be permitted as determined by the Zoning Administrator. These modifications shall include only the locations of utilities as limited by proffer 1c, minor adjustment of property lines, and the general location of dwellings on the proposed lots provided that the total area of open space is not decreased from that shown hereon and the building setbacks along the site periphery outlined in the development conditions are honored.
- c) In order to preserve and protect the EQC, the limits of clearing and grading shall strictly conform to the limits as shown on the CDP/FDP, subject to installation of only those utilities which cannot be reasonably accommodated elsewhere on the site as determined by the Urban Forestry Division and approved by the Director, Department of Public Works and Environmental Services (DPWES). Any such utilities shall be located and installed in the least

disruptive manner possible to minimize damage to trees as determined by DPWES. The Applicant will work diligently with County agencies to permit the overlapping of easements for public water, sanitary sewer and storm sewer to reduce the clearing limits shown hereon. If such overlapping of easements is not approved by these agencies in the area west of the proposed homes through open-space parcel A, the clearing limits shall conform to those shown on the CDP/FDP.

A replanting plan in accordance with the Public Facilities Manual shall be developed and implemented, as approved by the Urban Forestry Division for any areas outside the limits of clearing and grading that must be disturbed. The EQC shall remain as undisturbed open space with the exception for removal of dead or dying vegetation, trail construction, and clearing and grading as shown on the CDP/FDP, and subject to the necessary installation of utilities as described above.

2. Tree Preservations, Landscaping and Open Spaces

- a) The Applicant shall contract with a certified arborist to prepare a tree preservation plan to be reviewed by the Urban Forestry Division as part of the first subdivision plan submission. The tree preservation plan shall consist of a tree inventory which includes the location, species, size, crown spread and condition rating of all trees 10 inches or greater in diameter, (1) on lots 1-7 within 20 feet of the rear property lines, and (2) offsite within 10 feet of the rear property lines of lots 6-7. The condition analysis shall be prepared using methods outlines in the latest edition of The Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be provided. Activities may include, but are not limited to, crown pruning, root pruning, mulching, and fertilization. Based upon these recommendations and subject to Urban Forest approval, minor adjustments to the limits of clearing and grading may be provided to preserve additional trees on the individual lots.
- b) At the time of grading plan review for the subdivision, the Developer shall designate limits of clearing and grading, in addition to those shown on the CDP/FDP, in areas where it is feasible to save additional trees without precluding construction of the project in accordance with the CDP/FDP, including but not limited to, the specific density and general development configuration shown thereon, and without requiring the additional installation of retaining walls or relocation of existing utilities or unfeasible relocation of proposed utilities.
- c) All trees and tree save areas shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing consisting of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 16 inches into the ground and placed no further than 10 feet apart shall be erected at the limits of clearing and grading as shown on the phase I & II erosion and sediment control sheets in all areas.

The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any clearing and grading activities on the site, including the demolition of any existing structures and shall remain in place until the completion of construction in the area and removal is approved by the Urban Forester. The installation of tree protection fence shall be performed under the supervision of a certified arborist. Prior to the commencement of any clearing, grading, or demolition activities, the projects certified arborist shall verify in writing that the tree protection fence has been

properly installed.

- d) Prior to any clearing or grading on the site, the limits of the EQC and the wetlands protected against clearing and grading as shown on the CDP/FDP, shall be fenced and flagged to prevent intrusions into these areas, subject to DPWES approval. The fencing or other suitable barriers shall remain in place during all phases of construction in the adjacent area, as determined by DPWES.
- e) The Applicant 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 shall walk the limits of clearing and grading with an Urban Forestry Branch representative to determine where minor adjustments to the clearing limits shall be made to increase the survivability of tress at the edge of the limits of clearing and grading. Trees that are not likely to survive construction due to their proximity to disturbance will also be identified at this time by the Urban Forester. The Applicant will be given the option of any tree at the edge of the limits of clearing and grading and within the tree preservation area that is designated for removal to permit removal by methods determined by the Urban Forester.
- f) The Applicant shall pursue joining the Wolf Trap Woods Homes Association (HOA) to own, manage, and maintain the open space in Parcels A and C and all other community owned land and improvements on the Application property. Restrictions placed on the use of the open space and maintenance responsibilities of the HOA shall be disclosed to all prospective homeowners in a disclosure memorandum at time of contract execution and included in the HOA documents. In the event that the proposed development does not join the Wolf Trap Woods Homes Association, a separate homeowners association will be established for the Application property.
- g) Initial purchasers of units which abut EQC shall be advised in writing prior to entering a contract of sale of the existence of this feature and of the prohibition against clearing beyond the property line or using the area as a depository for trash, lawn clippings, or other debris. The homeowner's association documents shall contain this information.

3. Transportation

- a) All dedications contained herein are made subject to Paragraph 5 of Section 2-308 of the Fairfax County Zoning Ordinance as dedications for which density is reserved.
- b) The Applicant shall construct off site improvements to Hidden Hill Lane within the existing public right of way as shown on the CDP / FDP and in accordance with State and County standards, as determined by DPWES.
- c) The Applicant reserves the right to apply, at the time of Subdivision Plan approval, for a modification to reduce the minimum permitted radius of the cul-de-sac pavement section and right-of-way on Riesley Lane to permissible VDOT standards. If the modification is granted, the Applicant shall be permitted to reduce this cul-de-sac without interpretation or amendment by the Department of Planning and Zoning provided that the clearing and grading limits shown hereon are not expanded.
- d) All internal public roads shall be constructed to applicable VDOT and County standards, unless otherwise modified by the approving authority.

4. Storm Water Management and Best Management Practices

- a) The Applicant shall provide stormwater management (SWM) and best management practice (BMP) techniques, as depicted on the CDP/FDP, to control the quantity and quality of stormwater runoff from the Application property unless otherwise waived or modified as determined by DPWES.
- b) If a dry extended detention pond is provided on site in the location shown on the CDP / FDP, the Applicant intends to meet BMP's through conservation easements placed on open space parcels as well as measures within the detention pond. This pond would also collect runoff from the adjoining Wolf Trap Woods, Section 2 subdivision which is currently discharged onto the subject property undetained, as depicted on the CDP/FDP.
- c) In the event that the SWM pond needs to increase in size beyond the limits of clearing and grading as shown on the CDP/FDP in order to meet PFM requirements, the Applicant shall apply for a Final Development Plan Amendment application to relocate or increase the size of the pond. In no event shall there be any additional clearing in the EQC for construction of this facility beyond that shown on the CDP/FDP. Modifications to the pond through the final Development Plan Amendment process may result in a loss of lots on the Application property.
- d) Strict adherence to the limits of clearing and grading depicted along the south side of the SWM/BMP facility shall be maintained in order to prevent damage to the vegetative buffer provided adjacent to Wolf Trap Woods, Section 2.
- e) In order to restore a natural appearance to the proposed SWM pond, a landscape plan shall be submitted as part of the first submission of the subdivision plan for the pond showing landscaping in all possible planting areas of the pond, in keeping with the planting policies of Fairfax County as determined by Urban Forestry Branch and approved by the Director, DPWES.
- f) If a waiver for stormwater management (detention) is granted, the Applicant shall meet the BMP criteria by providing all tree preservation areas within open space parcels on the CDP/FDP as determined by DPWES. If the detention waiver is not granted, the applicant shall continue to place all tree preservation areas within open space parcels in a separate conservation easement as determined by DPWES.

If a waiver of stormwater management (detention) is granted, the Applicant will comply with all waiver conditions, as established by DPWES. Note that these waiver conditions may include the completion of off site improvements on parcels 28-2 ((1)) 6 and 6A as guided by an environmental consultant. These improvements may consist of stream stabilization including the removal of dead and dying trees, placement of rip-rap, bio-mat materials and the planting of vegetation within the stream bank. As part of these offsite improvements for stream stabilization, additional trees may be removed on parcels 28-2 ((1)) 6 and 6A, subject to Urban Forestry approval.

5. Proposed Houses and Development Plan

- a) All new homes on the property shall meet the thermal guidelines of the Virginia Power Energy Saver Program for energy-efficient homes or its equivalent.

- b) The Applicant shall provide the following exterior treatments for all proposed dwellings:
- Adherence to the Wolf Trap Woods Homes Association architectural guidelines.
 - No white, yellow or mint green siding shall be permitted.
 - Rugged shake-like dimensional roof shingles.

These commitments will be shown on the architectural building plans.

- c) Dwellings shall be constructed in substantial conformance with the building elevations depicted on sheet 1 of the CDP/FDP as it relates to general architectural style and building materials which shall include a combination of shake siding with brick and stone accents. Shake siding will be provided on all four sides of the proposed dwellings. Variations including the number and location of windows and other architectural details may occur so long as the final product retains the character and quality of that depicted. On lots 7, 12 and 13, a three-level unit, which includes a low-level front loading garage unit, will be designed which is consistent with the general architectural style and building materials mentioned above.
- d) The maximum building height shall be 35 feet.
- e) The minimum driveway length shall be 18 feet in order to permit the parking of vehicles without overhanging into the sidewalk.
- f) The proposed retaining walls shall have a textured block or other similar textured finish to soften the visual impact of the wall on the abutting residences.

6. Contributions

- a) In accordance with Section 16-404 of the Fairfax County Zoning Ordinance, the Applicant shall contribute \$955.00 per building lot to on site improvements consisting of the 6' stone dust private trail, as generally shown on the CDP/FDP. In accordance with paragraph 2b of Section 16-404 of the Fairfax County Zoning Ordinance, funds which are not utilized on site shall be contributed to the Wolf Trap Woods Homes Association for the installation of two picnic tables and four benches on the offsite property. Any remaining funds shall be contributed to the Fairfax County Park Authority for use in a nearby park.
- b) At the time of final subdivision plan approval, the Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one-half a percent (0.5%) of the projected sales price of the house to be on each lot to assist Fairfax County's Low and Moderate income housing goals. The projected sales price shall be determined by the Applicant in consultation with the Fairfax County Department of Housing and Community Development.

7. Miscellaneous

- a) No temporary signs (including 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 during the marketing of the homes on the Application property. The Applicant shall not post or cause others to post temporary signs to

market the homes on the Application Property.

- b) **Successors and Assigns.** These proffers shall bind the Applicant and his/her successors and assigns.
- c) **Counterparts.** These proffers may be executed on one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.

Signatures:



11/16/01

John F. Sekas, President
Property Professionals, Inc.
Applicant / Contract Purchaser



11/16/01

Craig O. Jones
Property Owner
Parcel 28-2 ((1)) 5 & 7 and 28-2 ((6)) A1

FINAL FDP DEVELOPMENT CONDITIONS

FDP 2001-DR-014

November 14, 2001

If it is the intent of the Planning Commission to approve Final Development Plan Application FDP 2001-DR-014 from the R-1 District to the PDH-2 District for residential development located at Tax Map 28-2 ((1)) 5, 7 and 28-2 ((6)) A1, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Minimum yards provided shall be in substantial conformance with those depicted on the CDP/FDP with the following exceptions:
 - Lots 6 and 7 20 foot minimum rear yards
 - Lots 11, 12, 14 30 foot minimum rear yards
 - Lots 15 and 16 35 foot minimum rear yards