



FAIRFAX COUNTY

APPLICATION FILED: November 26, 2001
PLANNING COMMISSION: May 30, 2002
BOARD OF SUPERVISORS: Not Yet Scheduled

V I R G I N I A

May 29, 2002

STAFF REPORT ADDENDUM

RZ/FDP 2001-PR-050

PROVIDENCE DISTRICT

APPLICANT: Stanley-Martin Homebuilding, LLC

PRESENT ZONING: R-1 and HC

REQUESTED ZONING: PDH-12 and HC

PARCEL(S): 48-4 ((1)) 15 and 16

ACREAGE: 4.46 acres

FAR/DENSITY: 9.64 dwelling units per acre (du/ac)

OPEN SPACE: 31%

PLAN MAP: Residential, 8-12 du/ac

PROPOSAL: Rezone the subject site from R-1 and HC to PDH-12 and HC for the development of 43 single-family attached dwellings

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2001-PR-050 and the Conceptual Development Plan subject to the execution of proffers consistent with those contained in Attachment 1 of the staff report.

Staff also recommends that FDP 2001-PR-050 be approved subject to the proposed development conditions contained in Attachment 2 and the Board's approval of RZ 2001-PR-050 and the Conceptual Development Plan.

Staff recommends that the transitional screening and barrier requirements along the northern property line be modified to the 10-foot wide strip of landscaping and the barrier depicted on the CDP/FDP.

Staff recommends that the limitation on fence height be waived pursuant to Par. 8 of Sect. 16-401 to permit the proposed wall along Lee Highway to be up to eight (8) feet in height.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



REZONING APPLICATION /

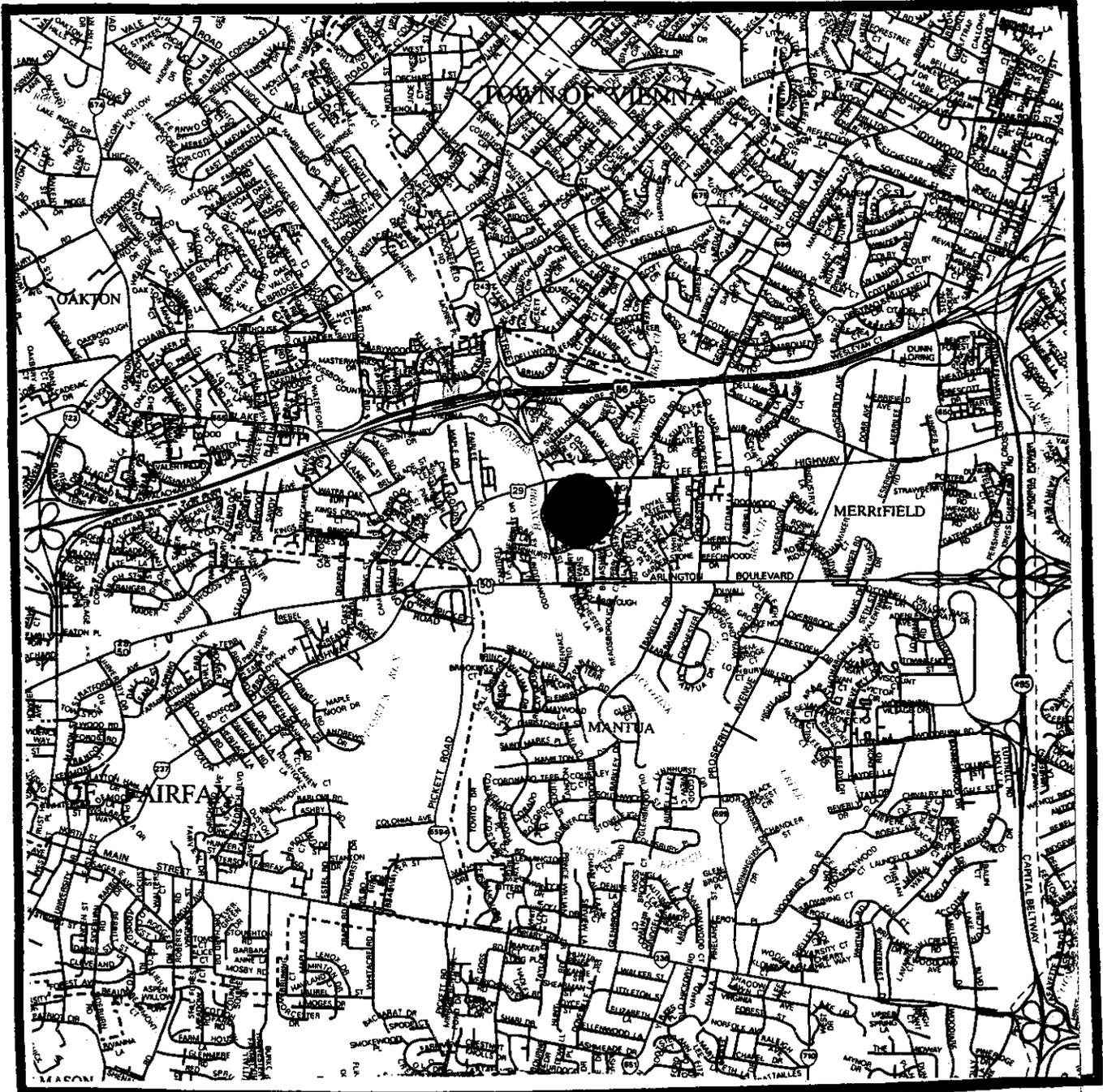
FINAL DEVELOPMENT PLAN

RZ 2001-PR-050

FDP 2001-PR-050

FILED 11/26/01
 STANLEY-MARTIN HOMEBUILDING L.L.C.
 TO REZONE: 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE
 PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE POM-12
 DISTRICT
 LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY
 600 FEET EAST OF ITS INTERSECTION WITH
 NUTLEY STREET
 ZONING: R-1
 TO: POM-12
 OVERLAY DISTRICT(S): MC
 MAP REF 048-4- /01/ /0015- .0016-

FILED 11/26/01
 STANLEY MARTIN HOMEBUILDING LLC
 FINAL DEVELOPMENT PLAN
 PROPOSED: RESIDENTIAL DEVELOPMENT
 APPROX. 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE
 LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY
 600 FEET EAST OF ITS INTERSECTION WITH
 NUTLEY STREET
 ZONING: POM-12
 OVERLAY DISTRICT(S): MC
 MAP REF 048-4- /01/ /0015- .0016-



REZONING APPLICATION /

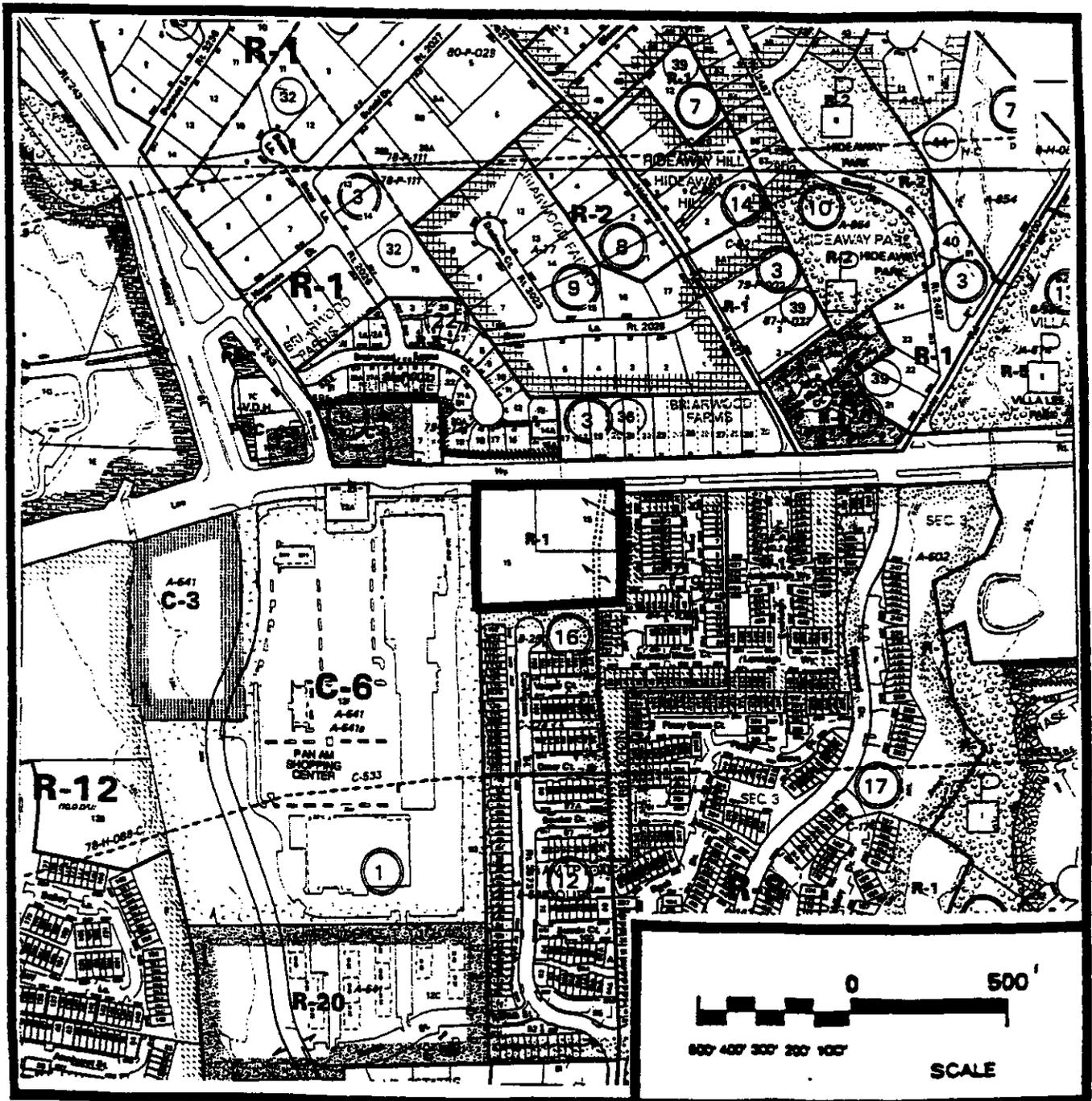
FINAL DEVELOPMENT PLAN

RZ 2001-PR-050

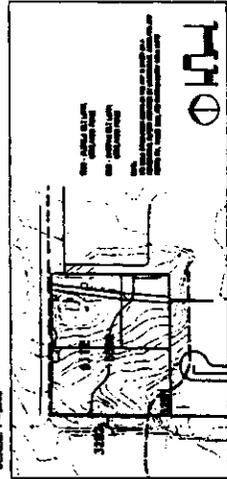
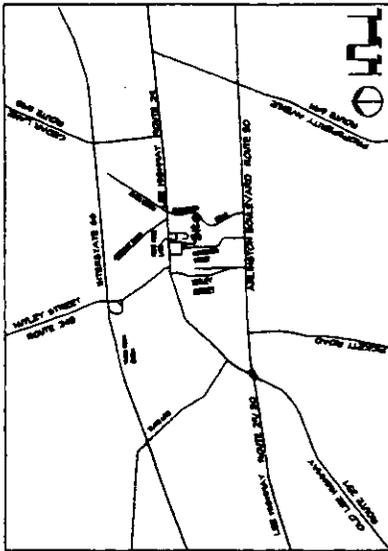
FDP 2001-PR-050

FILED 11/26/01
 STANLEY-MARTIN HOMEBUILDING L.L.C.
 TO REZONE: 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE
 PROPOSED: REZDNE FROM THE R-1 DISTRICT TO THE PDM-12
 DISTRICT
 LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY
 600 FEET EAST OF ITS INTERSECTION WITH
 NUTLEY STREET
 ZONING: R-1
 TO: PDM-12
 OVERLAY DISTRICT(S): NC
 MAP REF 048-4- /01/ /0015- .0016-

FILED 11/26/01
 STANLEY MARTIN HOMEBUILDING LLC
 FINAL DEVELOPMENT PLAN
 PROPOSED: RESIDENTIAL DEVELOPMENT
 APPROX. 4.46 ACRES OF LAND; DISTRICT - PROVIDENCE
 LOCATED: SOUTH SIDE OF LEE HIGHWAY APPROXIMATELY
 600 FEET EAST OF ITS INTERSECTION WITH
 NUTLEY STREET
 ZONING: PDM-12
 OVERLAY DISTRICT(S): NC
 MAP REF 048-4- /01/ /0015- .0016-



CONCEPTUAL DEVELOPMENT PLAN/ FINAL DEVELOPMENT PLAN CAREY PROPERTY PROVIDENCE DISTRICT FAIRFAX COUNTY, VIRGINIA RZ-FDP-2001-PR-050



SITE TABULATIONS

Total Site Area	4.463 Acres (194,232 sq ft)
Existing Zoning	R-1
Proposed Zoning	PDH-12
Minimum District Size Permitted	2 acres
Minimum District Size Proposed	2.463 acres
Total Dwelling Units Proposed	45 DU (9.6 DU/acre)
Minimum Front Yard	None
Minimum Side Yard	None
Minimum Rear Yard	None
Maximum Building Height	None
Minimum Lot Width	No min
Open Space Required (30% of Net Area)	1,292 sq ft
Open Space Provided (81.4%)	3,642 sq ft
Maximum Parcel Area	0.842 acres
Maximum Parcel Width	35 ft. min.
Maximum Parcel Depth	10 ft. min.
Maximum Parcel Area	0.842 acres
Maximum Parcel Width	35 ft. min.
Maximum Parcel Depth	10 ft. min.

Maximum Front Yard	None
Maximum Side Yard	None
Maximum Rear Yard	None
Maximum Building Height	None
Minimum Lot Width	No min
Open Space Required (30% of Net Area)	1,292 sq ft
Open Space Provided (81.4%)	3,642 sq ft
Maximum Parcel Area	0.842 acres
Maximum Parcel Width	35 ft. min.
Maximum Parcel Depth	10 ft. min.
Maximum Parcel Area	0.842 acres
Maximum Parcel Width	35 ft. min.
Maximum Parcel Depth	10 ft. min.

WAIVERS

The applicant requests a modification of Section 13-100 of the Fairfax County Zoning Ordinance, Transitional Screening and Barriers, to allow for a modification of the width and planting requirements for the Transitional Screening and Barriers development to the north. Applicant requests a reduction in transitional screening requirements to that shown on the plan.

SHEET INDEX

SHEET	DESCRIPTION
1 of 6	COVER SHEET
2 of 6	CONCEPTUAL/FINAL DEVELOPMENT PLAN
3 of 6	LANDSCAPE PLAN
4 of 6	DETAILS
5 of 6	PERMANENT PARK DETAILS
6 of 6	ARCHITECTURAL ELEVATIONS

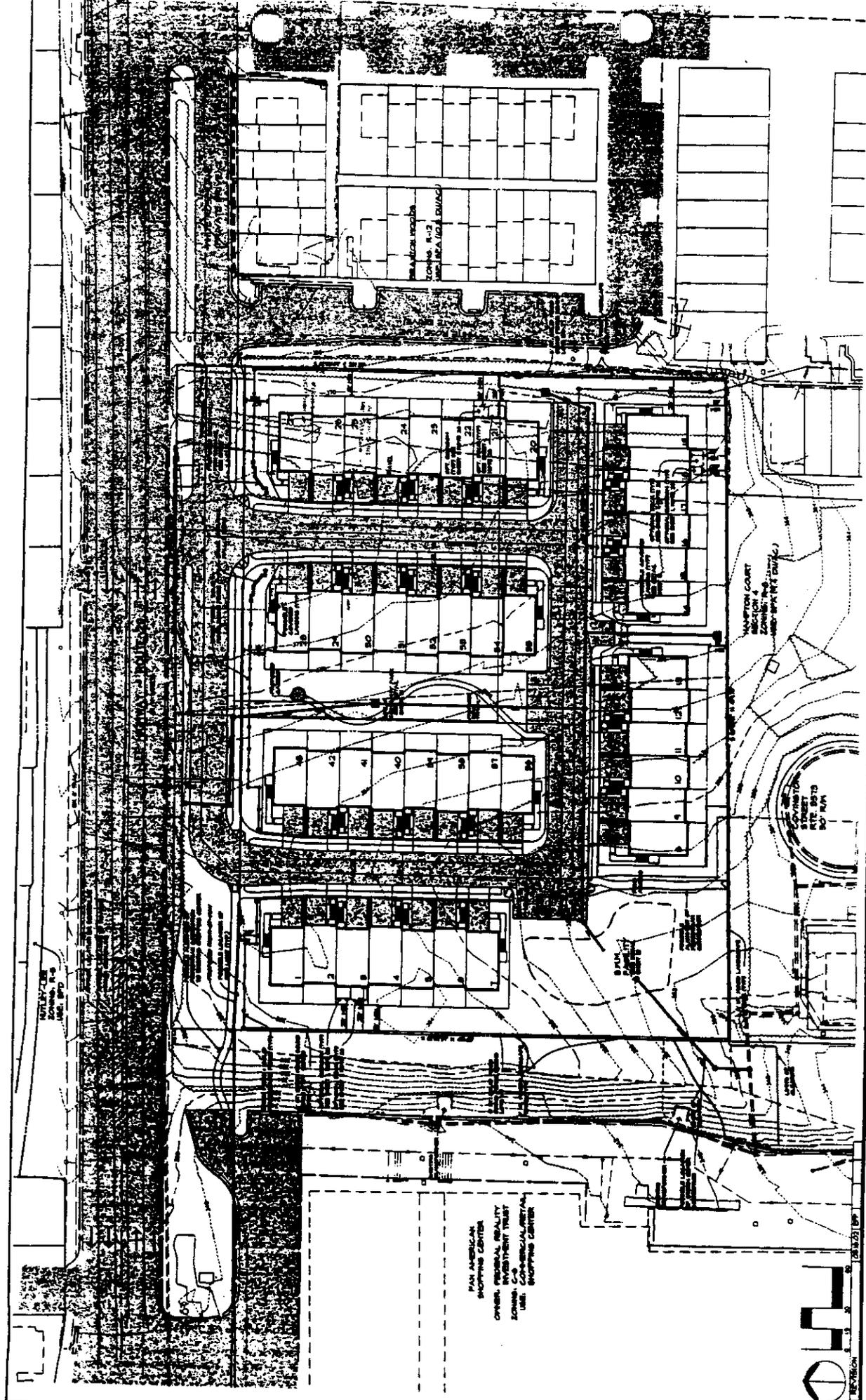
PH&A

Professional Planning & Architecture, Inc.
11111 Lee Highway, Suite 200
Falls Church, VA 22041
Tel: 703-261-1111
Fax: 703-261-1111

GENERAL NOTES

- The property is currently zoned R-1. The existing zoning is located in Fairfax County. The proposed zoning is PDH-12. The property is currently zoned R-1. The existing zoning is located in Fairfax County. The proposed zoning is PDH-12.
- The property consists of the following:
 - 46-1 (0.0) Parcel 16: 0.0% area
 - 46-1 (0.0) Parcel 17: 1.87% area
 - 46-1 (0.0) Parcel 18: 4.46% area
- Parcel 18 is currently owned by the Lee Carey and Robert Carey, Inc. Parcel 18 is currently owned by the Lee Carey and Robert Carey, Inc. Parcel 18 is currently owned by the Lee Carey and Robert Carey, Inc.
- The contract owner/developer is Shenoy-Parlin Investments, L.L.C.
- Existing lot and zoning information for the site is as follows:
 - North: R-8 Use: Single Family Detached (North of Lee Highway Route 28)
 - East: R-12 Use: Single Family Attached (0.8 DU/acre)
 - South: R-5 Use: Single Family Attached (9.4 DU/acre)
- The boundary information was prepared by Patton Harris Real Estate Associates (PH&A), based on a survey from 2001 recorded against the land records of Fairfax County, Virginia. Topographic information taken from Fairfax County maps and available records. The setback interval shown is two (2) feet.
- Parcel 18 is currently vacant. Parcel 18 is currently developed with a two-story brick single family dwelling (circa 1980), gravel driveway, and lawn. The existing structures are proposed to be demolished.
- Per the approved Fairfax County Transportation Plan, a bicycle trail is required in Lee Highway, and will be constructed in the future by others with VDOT project 0094-091-16.
- No floodplain exists on the subject property as determined by the Federal Insurance Administration, United States Geological Survey, or Fairfax County. The Resource Protection Area (RPA) or Environmental Quality Corridor (EQC) exists on the property per the Fairfax County Chesapeake Bay Preservation Area Maps. The site is in a Resource Management Area (RMA).
- The existing vegetation to remain on the existing vegetation map (EVM) that is included with this application.
- The proposed stormwater management (SWM) facility will be a dry SWP pond. Based on preliminary engineering, the proposed volume is approximately 9,000 CF.
- Utilities are shown on the site plan. The applicant is responsible for obtaining all necessary permits and approvals from the appropriate agencies.
- There are no existing utility easements having a width of twenty-five (25) feet or more on this site.
- In our assessment, there are no existing scenic assets or natural features that justify special protection or preservation.
- As the result of our knowledge and belief, there are no graves or burial sites located on the property.
- The Comprehensive Plan for Fairfax County, Area II proposes a recommended land use residential, R-13 with no more. The applicant for future development understands that the Lee Carey Planning Sector VI is to be developed in the Shenoy-Parlin Neighborhood.
- The proposed development and conform to the provisions of all applicable ordinances, regulations, and adopted standards, except for the requested waivers and/or modifications noted on this plan.
- The special arrangement that will be provided within the development may include landscape walls, fences, and fencing, enhanced landscaping, benches, and decorative site lighting. A linear park with walkway and benches is proposed in a central location with the proposed development. The applicant is responsible for obtaining all necessary permits and approvals from the appropriate agencies.
- The applicant will be subject to market conditions. The applicant reserves the right to develop the site in phases.
- Lee Highway right-of-way dedication will be provided, approximately 5 feet from the edge of the pavement. The applicant is responsible for obtaining all necessary permits and approvals from the appropriate agencies.
- Setbacks shall be established along with an entrance from Lee Highway, will be constructed with this project, as shown on sheet 2, CDP/FDP.

APPROVED FOR THE BOARD OF SUPERVISORS
DATE: 11/14/02
BY: [Signature]



DATE	PHASE	REVISION
APRIL 2000	PHASE A	1
APRIL 2000	PHASE A	2
APRIL 2000	PHASE A	3
APRIL 2000	PHASE A	4
APRIL 2000	PHASE A	5
APRIL 2000	PHASE A	6
APRIL 2000	PHASE A	7
APRIL 2000	PHASE A	8
APRIL 2000	PHASE A	9
APRIL 2000	PHASE A	10

PHRA
 Planning & Design
 1000 North 1st Street
 Suite 200
 Raleigh, NC 27601
 Phone: 919.833.1100
 Fax: 919.833.1101
 www.phra.com

CONCEPTUAL/FINAL DEVELOPMENT PLAN

CAREY PROPERTY
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



NO.	REVISION	DATE	BY	CHKD.
1	REVISION	04/10/00	PHR	PHR
2	REVISION	04/10/00	PHR	PHR
3	REVISION	04/10/00	PHR	PHR
4	REVISION	04/10/00	PHR	PHR
5	REVISION	04/10/00	PHR	PHR
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8	REVISION	04/10/00	PHR	PHR
9	REVISION	04/10/00	PHR	PHR
10	REVISION	04/10/00	PHR	PHR

PAN AMERICAN SHOPPING CENTER
 OWNER: FEDERAL REALTY INVESTMENT TRUST
 ZONE: C-1 COMMERCIAL GENERAL
 USE: SHOPPING CENTER

STRAVINSKY ZONING DISTRICT
 1987, 1970

HAMILTON COURT SECTION 4
 ZONE: C-1 COMMERCIAL GENERAL
 USE: SHOPPING CENTER

CONVENT STREET
 ZONE: C-1 COMMERCIAL GENERAL
 USE: SHOPPING CENTER

LEGEND

LANDSCAPE TREE (1" = 10' CAL.)

SHADE TREE (2" = 10' CAL.)

EXISTING TREE (6-8" DBH)

CONSERVATION TREE (8" DBH)

AREA OF INTEREST

EXISTING ROAD COVER

ROAD CENTER

LANDMARK

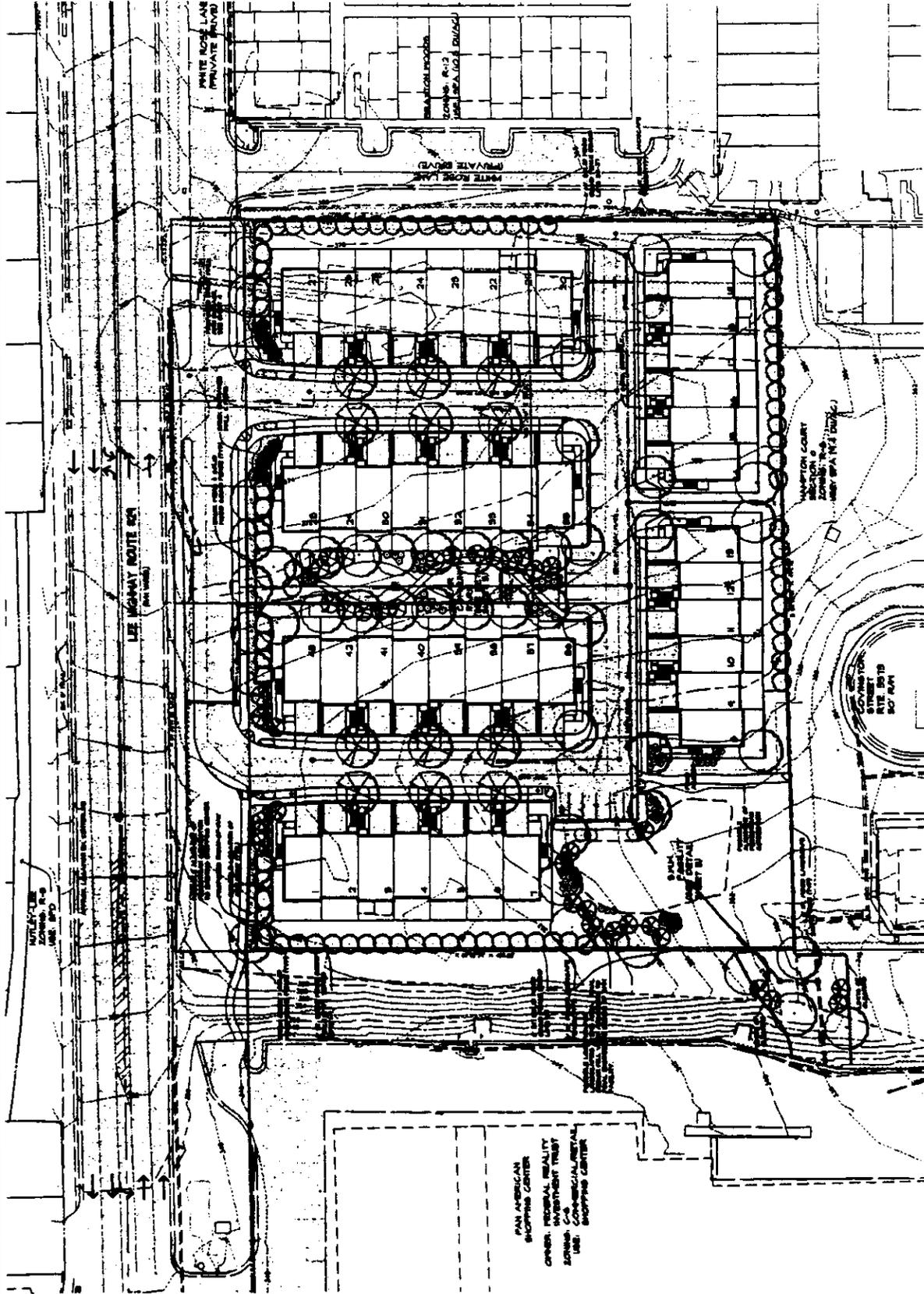
LANDSCAPE NOTE

Unless otherwise specified, plant material should consist of a variety of native tree species of various sizes. Native species may include Yellow Oak, Red Oak, White Oak, Paper Birch, and Service Berry.

TREE COVERAGE CALCULATION

Total Site Area 4.44 acres
 Proposed Right-of-Way Deduction 0.94 acres
 Net Site Area 3.50 acres
 Proposed Zoning PDH-12
 Tree Coverage Required 19% (67,500 sq ft)
 Tree Coverage Provided 19.2% (68,500 sq ft)

NOTE: THIS PLAN IS FOR LANDSCAPE PURPOSES ONLY AND IS SUBJECT TO MINOR MODIFICATION AT FINAL SITE PLAN.



DATE	DESCRIPTION	BY	APP'D
APRIL 2003	REVISED	PHR/A	PHR/A
APRIL 2003	REVISED	PHR/A	PHR/A
APRIL 2003	REVISED	PHR/A	PHR/A

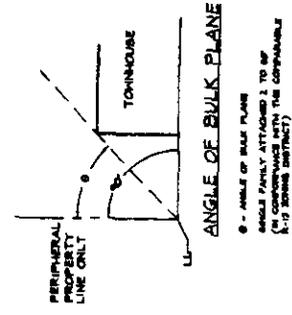
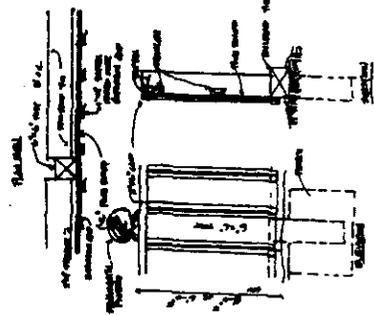
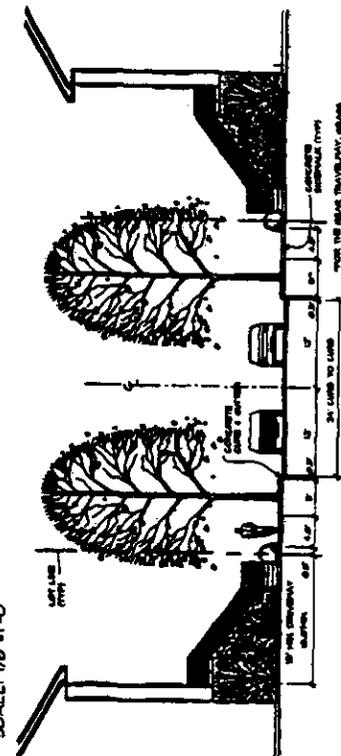
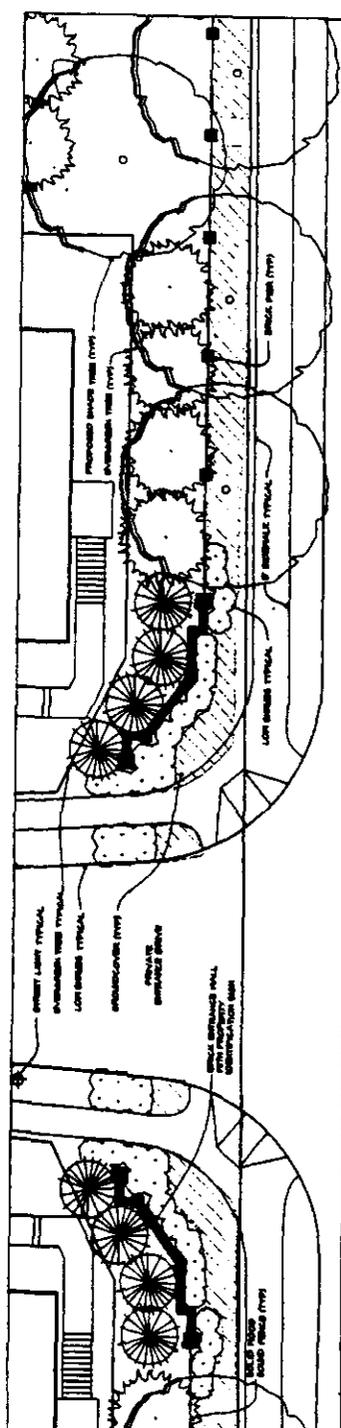
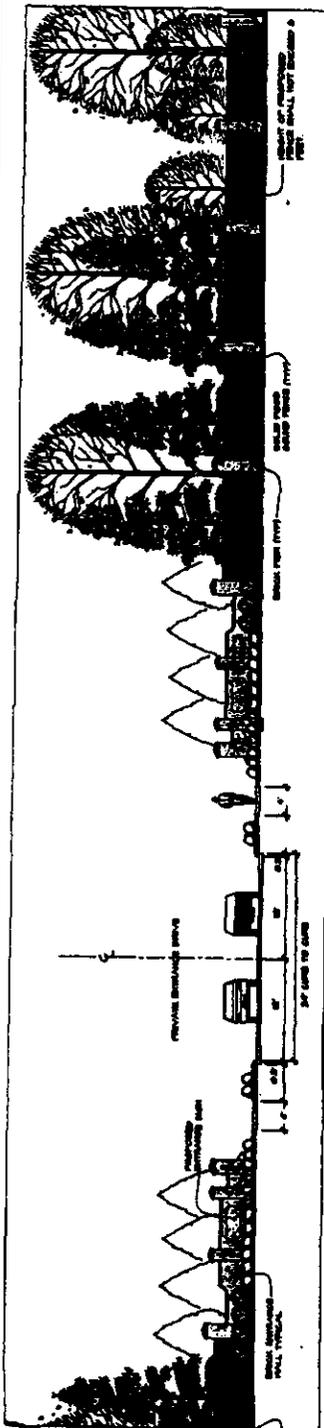
PHR&A
 Planning & Landscape Architecture
 1000 N. 1st Street, Suite 100
 Raleigh, NC 27601
 Phone: 919.978.1111
 Fax: 919.978.1112
 Website: www.phranda.com

**CDP/FDP
 LANDSCAPE PLAN**

CAREY PROPERTY
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



NO.	DESCRIPTION	DATE	BY	APP'D
1	REVISION	02/20/03	PHR/A	PHR/A
2	REVISION	02/20/03	PHR/A	PHR/A
3	REVISION	02/20/03	PHR/A	PHR/A
4	REVISION	02/20/03	PHR/A	PHR/A
5	REVISION	02/20/03	PHR/A	PHR/A
6	REVISION	02/20/03	PHR/A	PHR/A
7	REVISION	02/20/03	PHR/A	PHR/A
8	REVISION	02/20/03	PHR/A	PHR/A
9	REVISION	02/20/03	PHR/A	PHR/A
10	REVISION	02/20/03	PHR/A	PHR/A



NOTE: THIS INFORMATION REPRESENTS THE GENERAL CHARACTER OF THE DEVELOPMENT AND LANDSCAPE FEATURES. THE DESIGN IS SUBJECT TO MODIFICATION WITH FINAL ENGINEERING, ARCHITECTURE, AND LANDSCAPE DESIGN.

DESIGN	EFF	DATE	BY
DESIGN	EFF	2002 APRIL 2002	AS SHOWN

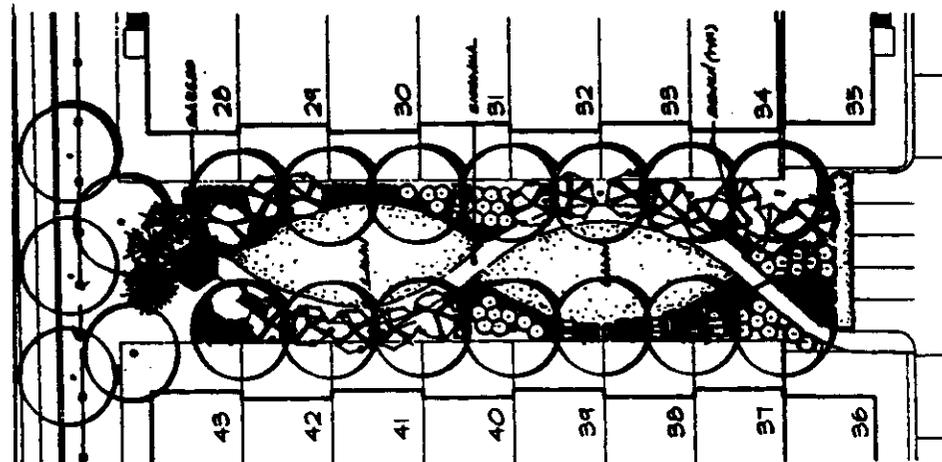
PHR&A
Professional Services, Inc.
1000 North 1st Street, Suite 100
Arling, VA 22201
703-241-1100

DETAILS

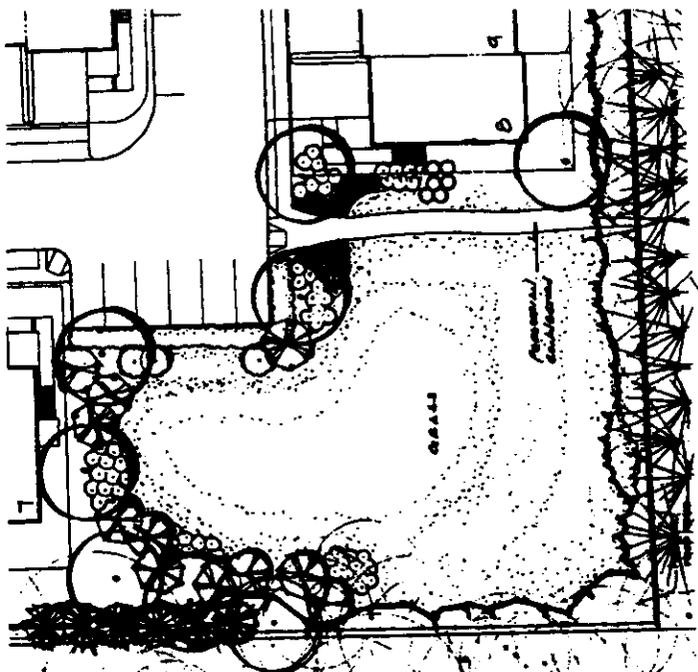
CAREY PROPERTY
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA



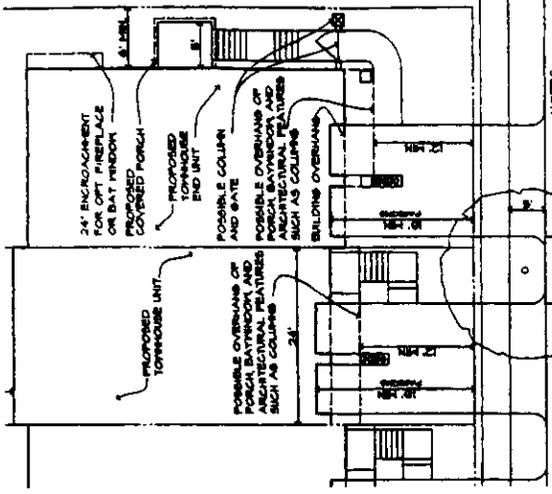
NO.	REVISION	DATE	BY	CHKD
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2	REVISION	04/18/02	AS	
3	REVISION	04/18/02	AS	
4	REVISION	04/18/02	AS	
5	REVISION	04/18/02	AS	



PARK LANDSCAPE DETAIL
SCALE: 1/16"=1'-0"

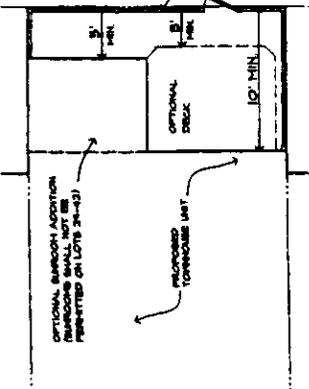


POND LANDSCAPE DETAIL
SCALE: 1/16"=1'-0"



TYPICAL FRONT AND SIDE YARD DETAIL
SCALE: 1/8"=1'-0"

NOTES:
1 FOR THE UNITS ALONG THE SOUTHERN BOUNDARY, NO STREET TREES WILL BE PROVIDED.
2 THE PURPOSE OF THIS DETAIL IS ONLY TO ILLUSTRATE PROPOSED SETBACKS, ACTUAL BUILDING OVERHANGS, OPTIONS AND CONSIDERATION OF TREES AND SITE PLAN. SUBJECT TO VARIATION AT FINAL SITE PLAN.



TYPICAL REAR YARD FENCING PLAN DETAIL
SCALE: 3/16"=1'-0"

NOTE: THE INFORMATION ON THIS PLAN REPRESENTS THE GENERAL CHARACTER AND THEME OF THE PROPOSED DEVELOPMENT AND LANDSCAPE DESIGN. THE DESIGN IS SUBJECT TO MINOR MODIFICATION WITH FINAL ENGINEERING, ARCHITECTURE, AND LANDSCAPE DESIGN.

REVISION	DATE	BY	APPR. BY
1	04/18/2013	...	...
2	04/18/2013	...	...
3	04/18/2013	...	...
4	04/18/2013	...	...
5	04/18/2013	...	...
6	04/18/2013	...	...
7	04/18/2013	...	...
8	04/18/2013	...	...
9	04/18/2013	...	...
10	04/18/2013	...	...

PHR&A
 PHR & ASSOCIATES
 1000 JAMES H. HARRIS BLVD.
 SUITE 200
 FAIRFAX, VA 22031
 (703) 261-1100
 www.phr.com

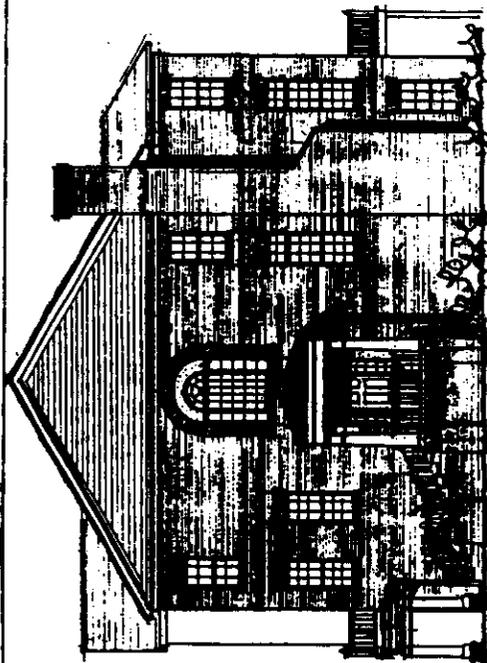
LANDSCAPE AND TYPICAL LOT DETAILS

CAREY PROPERTY
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

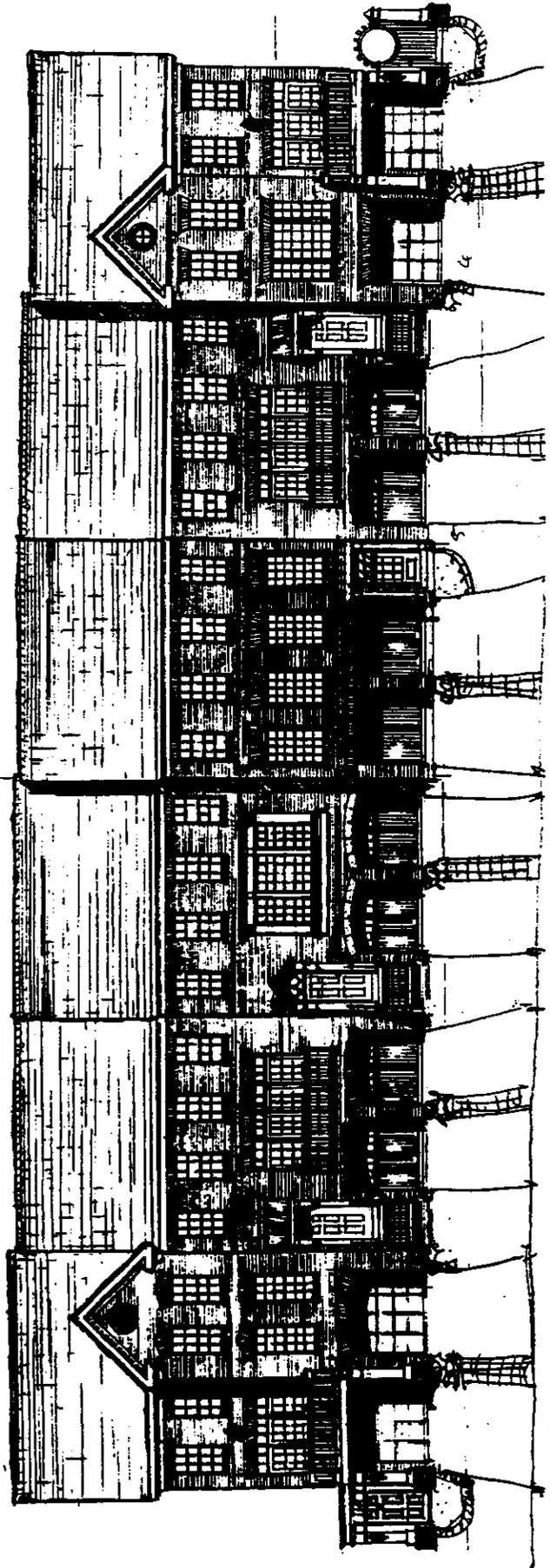


NO.	REVISION	DATE	BY	APPR. BY
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7	REVISION	04/18/2013
8	REVISION	04/18/2013
9	REVISION	04/18/2013
10	REVISION	04/18/2013

NOTE:
 The typical building elevations shown on this plan were provided by Ramsey Martin, Compensation Inc. The elevations represented in these drawings are an artist's interpretation and are subject to change due to final architectural design.



RIGHT SIDE ELEVATION AT ROUTE 29 WITH OPTIONAL SUNROOM
 SCALE: 3/16"=1'-0"



TYPICAL FRONT ELEVATION
 SCALE: 3/16"=1'-0"

NO.	REVISION	DATE	BY	CHKD BY

CAREY PROPERTY
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

ARCHITECTURAL ELEVATIONS

PHR&A
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 10000 WOODBURN ROAD, SUITE 100
 FALLS CHURCH, VA 22044
 (703) 271-1100

DATE	APRILL 2002
SCALE	3/16"=1'-0"
PROJECT	PHS
SHEET	6 OF 6
DATE	11/24/01

BACKGROUND

Rezoning Application RZ/FDP 2001-PR-050 (Stanley-Martin Homebuilding, LLC) was filed on December 26, 2001. This application seeks to rezone the subject 4.46 acre site from the R-1 and H-C Districts to the PDH-12 and H-C Districts for the development of 43 single-family attached dwellings at a density of 9.64 dwelling units per acre (du/ac).

On May 1, 2002, the staff report for RZ/FDP 2001-PR-050 was published. In this report, staff recommended that RZ 2001-PR-050 and the Conceptual Development Plan be approved subject to the execution of proffers consistent with those dated May 1, 2002. Staff also recommended that FDP 2001-PR-050 be approved subject to the proposed development conditions dated May 1, 2002, and the Board's approval of RZ 2001-PR-050 and the Conceptual Development Plan.

The Planning Commission public hearing was originally scheduled for May 16, 2002; however, at the request of the applicant, that hearing was deferred until May 30, 2002. The Board of Supervisors public hearing has not yet been scheduled.

DISCUSSION

The applicant has submitted a revised Conceptual/Final Development Plan (CDP/FDP), as revised through May 16, 2002. A copy of the revised CDP/FDP is included at the front of this addendum. The revised plan contains two changes. First, new architectural elevations has been included on Sheet 6. These elevations depict a new front elevation, as well as the right side elevation of the units along Lee Highway with the optional sunroom.

Second, the applicant has increased the distance between the optional sunroom and the southern and eastern periphery of the site from 20 to 25 feet. The applicant has proposed this increase in distance in order to address staff's concern about the impact that the proposed three (3) story sunroom additions may have on the abutting residences to the south and east. However, staff does not believe that the additional setback of five feet addresses the additional bulk created by the sunrooms. Even with the minimum setback of 25 feet, staff believes that the sunrooms will continue to adversely impact the abutting residences. Therefore, staff continues to recommend a development condition which would limit the height of the sunrooms to two stories in height along the southern and eastern property lines.

CONCLUSION

Staff recommends approval of RZ 2001-PR-050 and the Conceptual Development Plan subject to the execution of proffers consistent with those contained in Attachment 1 of the staff report.

Staff also recommends that FDP 2001-PR-050 be approved subject to the proposed development conditions contained in Attachment 2 and the Board's approval of RZ 2001-PR-050 and the Conceptual Development Plan.

Staff recommends that the transitional screening and barrier requirements along the northern property line be modified to the 10-foot wide strip of landscaping and the barrier depicted on the CDP/FDP.

Staff recommends that the limitation on fence height be waived pursuant to Par. 8 of Sect. 16-401 to permit the proposed wall along Lee Highway to be up to eight (8) feet in height.

ATTACHMENTS

1. Draft proffers, dated May 23, 2002
2. Proposed development conditions, dated May 1, 2002

DRAFT

PROFFERS

RZ 2001-PR-050
STANLEY-MARTIN HOMEBUILDING, L.L.C.

May 23, 2002

Pursuant to Section 15-2.2303A of the 1950 Code of Virginia, as amended, the undersigned applicant and owners, for themselves and their successors or assigns (hereinafter referred to as "Applicant"), hereby proffer the following conditions provided the Subject Property is rezoned as proffered herein.

1. **Conceptual/Final Development Plan.** Development of the property shall be in conformance with the plan entitled "Conceptual/Final Development Plan/Carey Property" ("CDP/FDP"), prepared by Patton Harris Rust & Associates, pc. (Sheets 1 through 6), revised as of April 29, 2002. Notwithstanding, the CDP/FDP is combined on one sheet, the CDP portion thereof (Section 16-501) shall constitute the entire plan relative to the points of access, the total number of units, type of units and general location of residential lots and common open space areas and distances from peripheral lot lines. Units shall be no closer to the periphery of the site than shown on the CDP/FDP. All unit driveways shall be a minimum of eighteen (18) feet in length to the edge of the sidewalk so that there is no overhang of cars within the sidewalk. The Applicant shall have the option to request Final Development Plan Amendments ("FDPAs") from the Planning Commission for portions of the Plan in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance.
2. **Energy Saver.** All homes on the property shall meet the thermal guidelines of the Virginia Power Energy Saver Program for energy-efficient homes or its equivalent, as determined by the Department of Public Works and Environmental Services ("DPWES") for either electric or gas energy systems, as applicable.
3. **Recreational Facilities.** At the time of site plan approval, pursuant to Section 6-110 of the Zoning Ordinance, the Applicant shall contribute the sum of \$955 per approved dwelling unit for the total number of dwelling units on the site plan, to the Fairfax County Park Authority for use on recreational facilities in a Fairfax County Park in the general vicinity of the Subject Property, subject, however, to a credit for expenditures on-site for a gazebo, benches, a four (4) foot wide sidewalk within the linear park and a four (4) foot wide trail connecting to the Hampton Commons Homeowners' Association. ~~In the event that~~ A fence will be is constructed on the common property line with the Hampton Commons Homeowners' Association. A gate will be provided where the trail to Hampton Commons Homeowners' Association intersects with this fence. This gate will

conform in design and material with the rest of the fence. A latch and lock fixture shall be provided by the Applicant and attached to the Hampton Commons Homeowners' Association side of the gate. The keys to the lock shall be retained by the Hampton Commons Homeowners' Association, who shall determine in its sole discretion whether the gate should be locked or unlocked.

4. **Road Dedication/Construction.** At the time of site plan approval, or upon demand by Fairfax County, whichever occurs first, right-of-way along the Lee Highway frontage necessary for public street purposes and as shown on the CDP/FDP, shall be dedicated and conveyed to the Board of Supervisors in fee simple. The Applicant shall also construct road widening, including a service drive, with curb gutter and sidewalk along the Lee Highway frontage of the Subject Property as shown on the CDP/FDP.
5. **Stormwater Management Pond Landscaping.** In order to restore a natural appearance to the proposed stormwater management pond and to create a wetlands habitat, if consistent with volume storage requirements, the landscape plan to be submitted as part of the first submission of the site plan shall show the maximum feasible amount of landscaping that will be allowed in the planting areas of the pond, in keeping with the planting policies of Fairfax County. In addition, the Applicant shall provide landscaping off-site around the area that is cleared for the stormwater management pond outfall as shown on Sheet 3 of the CDP/FDP. This stormwater management pond outfall shall be located and installed in the least disruptive manner feasible, ~~considering cost and engineering,~~ as determined by DPWES, and subject to approval by the Urban Forestry Division. Clearing will be minimized to the maximum extent feasible. If any off-site trees within the area designated to be preserved are destroyed as a result of the Applicant's construction activities, the Applicant will provide appropriate replacement trees in terms of species, size and quantity as determined by the Urban Forestry Division pursuant to Section 12-403 of the Public Facilities Manual. The Applicant shall install said landscaping in accordance with said plan, subject to Urban Forestry approval. The stormwater management pond landscaping shall be in substantial conformance with the landscaping depicted on Sheet 5 of the CDP/FDP.
6. **Homeowners' Association.** The Applicant shall establish a Homeowners' Association for the proposed development to own, manage and maintain the open space areas, private streets, common parking areas, and all other community-owned land and improvements.
7. **Private Streets.** The on-site private streets shall be constructed in conformance with the Public Facilities Manual ("PFM"). Said streets shall be constructed of materials and depth of pavement consistent with the PFM for public streets. Initial purchasers shall be advised in writing prior to entering into a contract of sale that the Homeowners' Association ("HOA") shall be responsible for the maintenance of all the private streets in the development. The HOA documents

shall specify that the HOA is responsible for the maintenance of the private streets. A public ingress-egress shall be granted over the private streets, sidewalks and the trail to the Hampton Commons Homeowners' Association. Said easement shall be recorded at the time of site plan approval. Subject to review and approval by the County Attorney, the HOA documents shall provide for establishment of a Reserve Fund to be used as funding for maintenance of these private streets. At the time of settlement on each new unit, the Applicant shall place a minimum of \$125 per dwelling unit into this Reserve Fund, as approved by the County Attorney's office.

8. **Affordable Housing Contribution.** At the time of site plan approval, the Applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to one half of one percent (.5%) of the projected sales price of the new homes to be built on-site, as determined by the Department of Housing and Community Development and DPWES in consultation with the Applicant to assist the County in its goal to provide affordable dwellings elsewhere in the County.
9. **Density.** All density and intensity of use attributable to land areas dedicated and conveyed to the Board of Supervisors pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and density hereby reserved to be applied to the residue of the Subject Property.
10. **Traffic Signal.** Prior to site plan approval, the Applicant shall prepare and submit a Virginia Department of Transportation ("VDOT") Warrant Study to VDOT. Said study shall be designed to determine the feasibility of installing a traffic signal and a pedestrian signal at the intersection of Lee Highway and Ellenwood Road. Said study shall be based upon current VDOT intersection design as well as the future intersection design by VDOT, taking into account reconfigured access to Lee Highway as well as projected traffic. When completed, copies of the Warrant Study shall be forwarded to the Supervisor and Planning Commissioner for Providence District. In addition to providing the Warrant Study, the Applicant shall make a contribution of \$21,500 to Fairfax County to be utilized for design and/or installation of this traffic signal. Said contribution shall be made prior to site plan approval.
11. **Off-Site Trail.** The Applicant shall construct a five (5) foot wide asphalt path extending westward within the Lee Highway right-of-way from the western edge of the Subject Property to the existing pavement area within the right-of-way adjacent to the Pan Am Shopping Center as shown on the CDP/FDP. Said path may meander, if necessary, to minimize clearing and grading. Alternatively, the Applicant shall connect said path directly to the parking lot island in the Pan Am Shopping Center, adjacent to the right-of-way, if the owner of Tax Map 48-4 ((1)) Parcel 12F grants the necessary easements at no cost to the Applicant. Lighting shall be provided by the Applicant along the trail, as shown on the CDP/FDP. This trail, and lighting for the trail, shall be bonded and constructed contemporaneously with the construction of the service drive.

12. **Tree Relocation Plan.** The Applicant shall prepare and implement a tree relocation plan to transfer certain holly trees, as specified on Sheet 5 of the CDP/FDP, onto an off-site property within a five (5) mile radius of the Subject Property; the off-site location to be subject to the approval of the Urban Forestry Division and the owner of the recipient off-site property. This plan shall be submitted with the construction plans for the subdivision. Specifically, existing holly trees worthy of transplantation, as identified by the Applicant's arborist on a tree relocation plan, shall be relocated from the on-site areas to the recipient off-site property. The following components shall be included in the relocation plan: identification of the existing locations of the trees to be relocated; an assessment of the condition and survival potential of said trees; the proposed location receiving said trees; the timing of relocation in the development process (the tree relocations shall occur at the start of site development work as approved by the receiving property owners and the County Urban Forester); the proposed time of year of the relocation; the relocation methods to be used, including tree spade size if one is used; the relocation site preparation materials and methods; and initial care after transplanting, including mulching and watering specifications to be conducted. Said plan shall be subject to review and approval of the Urban Forestry Division and shall be implemented by the Applicant.
13. **Tree Preservation.** The Applicant shall prepare a tree preservation plan for the purposes of maximizing the preservation of existing off-site trees located in the Hampton Commons Homeowners' Association open space area immediately adjacent to the common property line with the Subject Property that may be impacted by construction activities on-site or construction activities by the Applicant off-site on Tax Map 48-4 ((16)) Parcel 101A and Braxton Woods Homeowners Association (Tax Map 48-4 ((19)) Parcel A). The tree preservation plan shall be submitted to the Urban Forestry Division of DPWES for review and approval as part of the first site plan submission. This tree preservation plan shall be prepared by a certified arborist and coordinated with and approved by the Urban Forestry Division. The tree preservation plan shall include specific tree preservation activities designed to maximize the survivability of trees designated for preservation, subject to the installation of the utility lines shown on the CDP/FDP. Utility lines shall be located and installed in the least disruptive manner feasible, ~~considering cost and engineering,~~ as determined by DPWES, and subject to approval by the Urban Forestry Division. If any off-site trees within the area designated to be preserved are destroyed as a result of the Applicant's construction activities within a two (2) year time period after the completion of construction activities, the Applicant will provide appropriate replacement trees in terms of species, size and quantity as determined by the Urban Forestry Division pursuant to Section 12-403 of the Public Facilities Manual. Tree preservation activities may include, but are not limited to, crown pruning, root pruning, mulching and fertilization. All trees shown to be protected on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing consisting of 14-gauge welded wire fencing attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten

(10) feet apart shall be erected at the limits of clearing and grading on-site. This temporary fencing shall be installed prior to any work being conducted on-site, including demolition and clearing for Phase I of the Erosion and Sediment Control Plan. Signage shall be securely attached to the protective fencing, identifying the area as a tree preservation area and made clearly visible to all construction personnel. Signs shall measure a minimum of 10 x 12 inches and read: "TREE PRESERVATION AREA – KEEP OUT."

14. Noise Attenuation. With reference to Lee Highway, the Applicant shall provide the following noise attenuation measures:

- a. In order to achieve a maximum interior noise level of 45 dBA Ldn, the Applicant proffers that all residential units located between 119 feet and 257 feet from the centerline of Lee Highway, impacted by highway noise having levels between 65 and 70 dBA Ldn, shall have the following acoustical attributes:
 - (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 39.
 - (2) Doors and glazing shall have a laboratory STC of at least 28. If glazing constitutes more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
 - (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

- b. In order to achieve a maximum interior noise level of 45 dBA Ldn, the Applicant proffers that all residential units located within 119 feet from the centerline of Lee Highway, impacted by highway noise having levels between 70 and 75 dBA Ldn, shall have the following acoustical attributes:
 - (1) Exterior walls shall have a laboratory sound transmission class ("STC") of at least 45.
 - (2) Doors and glazing shall have a laboratory STC of at least 37. If glazing constitutes more than twenty percent (20%) of any facade, they shall have the same laboratory STC rating as walls.
 - (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

c. In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation measures such as acoustical (architecturally solid, no gaps) fencing, walls, earthen berms, or combinations thereof, shall be provided for rear yard, ground level areas, unshielded by topography or built structures, in accordance with noise wall specifications depicted on the CDP/FDP, unless alternative specifications are approved by DPWES and the Department of Planning and Zoning ("DPZ").

d. The Applicant may elect to have a refined acoustical analysis performed to verify or amend the noise levels and impact areas set forth above to revise interior noise attenuation measures as prescribed above and/or to revise exterior noise mitigation in order to determine if the height of the acoustical fencing as detailed on Sheet 4 of the CDP/FDP may be reduced to six feet. The refined acoustical analysis and revisions to noise attenuation measures is subject to the approval of DPWES and the Department of Planning and Zoning.

~~d. As an alternative to "a", "b," or "c" above, the Applicant may elect to have a refined acoustical analysis performed, subject to the approval of DPWES and the Department of Planning and Zoning, to verify or amend the noise levels and impact areas set forth above to revise noise attenuation measures and/or to determine which units/buildings may have sufficient shielding to permit a reduction in the interior or exterior mitigation measures prescribed above. The acoustical fencing detailed on Sheet 4 of the CDP/FDP may be reduced in height if it is demonstrated to DPWES and DPZ that a lower height will provide the required noise mitigation.~~

15. **Architecture.** The front exterior facades and the side exterior facades of Units 1, 27, 28 and 43 shall be constructed with brick facing. In addition, sunroom walls shall have brick facing where the sunroom walls are an extension of a unit sidewall having brick facing. All other front or side facades shall be constructed of brick or cementitious siding (e.g., HardiPlank by James Hardie Building Products) or a combination thereof. With regard to the townhouse units contiguous to the linear park, optional sunroom extensions will only be permitted on Units 28 and 43. No sunrooms shall be permitted on Units 29 through 42. Sunrooms shall be permitted on all other units as an option. The architecture of the units shall substantially conform to the elevations depicted on Sheet 4 ~~6~~ of the CDP/FDP. The architectural treatment of fencing on the perimeter of the site shall be in accordance with Sheet 6 of the CDP/FDP. Sunrooms shall be no closer than five (5) feet from the rear property line and no closer than twenty-five (25) feet from the boundary line of the Subject Property.

16. **School Contribution.** ~~At the time of site plan approval, the Applicant shall donate new computer equipment to Fairhill Elementary School (the "School") as follows: ten (10) computer workstations at a cost not to exceed \$1,500 per~~

~~workstation, each workstation shall include equipment acceptable to the School Principal and be compatible with the School's computer system. The Applicant shall provide documentation to DPWES that the Applicant has donated the sum of \$28,165 to Fairhill Elementary School prior to the issuance of the first building permit. These funds are to be applied towards the purchase of two (2) Wireless Networking and Mobile Lab Units in support of Fairhill's Technology Project. At the time the funds are received, more advanced technologies may be substituted, at the discretion of the principal for the actual purchases that will be made and installed through the Fairfax County Public School System.~~

17. **Rear Yard Fencing.** Except for required acoustical fencing, rear yard fencing for the rear yards of units contiguous to the linear park shall not exceed a height of five (5) feet and all other rear yard fencing shall be in accordance with the Typical Rear Yard Fencing Plan Detail depicted on Sheet 5 of the CDP/FDP.
18. **Setback.** The common open space area (i.e., the area that is not included within an individual lot) adjacent to the common property of the Hampton Commons Homeowners' Association and the Braxton Woods Homeowners Association, Inc., shall be a minimum width of fifteen (15) feet along these two property lines as shown on the CDP/FDP.
19. **Landscaping.** Pursuant to Section 16-403 of the Zoning Ordinance, landscaping shall be in substantial conformance with the Landscape Plan (Sheet 3). Landscaping along the border with the Hampton Commons Homeowners' Association property shall be in accordance with the Landscape Plan (Sheet 3) unless an alternative landscape plan is approved by the Applicant and the Hampton Commons Homeowners' Association and the Braxton Woods Homeowners Association, subject to the approval of the Urban Forestry Division.
20. **Construction Hours.** Exterior construction hours shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. No exterior construction shall be permitted on Sundays or holidays.
21. **Signs.** No temporary signs (including "popsicle" style 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 by the Applicant or at the Applicant's direction to assist in the initial sale of homes on the Subject Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and sale of residential units on the Subject Property to adhere to this proffer.
22. **Garages.** The Applicant shall place a covenant on each townhouse garage unit that prohibits the use of the garage for any purpose which precludes motor vehicle storage. This covenant shall be recorded among the land records of Fairfax County prior to the sale of lots and shall run to the benefit of the Homeowners

Association and to the Board of Supervisors. Prior to recordation, the covenants shall be approved by the Fairfax County Attorney's office. The Homeowners Association documents shall expressly state this use restriction.

23. **Sewer Line.** The Applicant shall seek to obtain a sewer line easement over the Hampton Commons Property through Tax Map 48-4((16)) Parcel 101A. If successful, the Applicant shall connect its sewer line through this parcel in lieu of utilizing the existing sewer easement located adjacent to the property in Braxton Woods.
24. **Counterparts.** These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

[SIGNATURES ON THE FOLLOWING PAGE]

**APPLICANT/CONTRACT PURCHASER OF TAX
MAP 48-4 ((1)) PARCELS 15 AND 16**

STANLEY-MARTIN HOMEBUILDING, L.L.C.

By: _____
Steven B. Alloy, Managing Member

OWNER OF TAX MAP 48-4 ((1)) PARCELS 15 AND 16

COVINGTON FAMILY LIMITED PARTNERSHIP

By: _____
Ida Lee Carey, General Partner



PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS

FDP 2001-PR-050

May 1, 2002

If it is the intent of the Planning Commission to approve Final Development Plan Application FDP 2001-PR-050 for Tax Map Parcels 48-4 ((1)) 15 and 16, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. Prior to site plan approval the applicant shall demonstrate to the satisfaction of DPWES that all grading for the site has been coordinated with the Fairfax County Department of Transportation along with the Virginia Department of Transportation (VDOT) in order to ensure that the final grades of the subject site tie into the grades proposed with the future widening of Lee Highway.
2. A copy of each site plan submission shall be forwarded to the Providence District Planning Commissioner for review and comment.
3. Sunroom options for units along the southern and eastern property lines (proposed units 8 through 27) shall be limited to a maximum of two stories in height from finished grade.
4. A vehicular turnaround shall be provided at the eastern end of the private street serving Lots 14-19.

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