



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030



January 15, 1987

E. A. Prichard, Esquire
Boothe, Prichard and Dudley
8280 Greensboro Drive - Suite 900
McLean, Virginia 22102

Re: Rezoning Application
Number RZ 81-S-058
(Concurrent with RZ 86-S-096)

Dear Mr. Prichard:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on December 15, 1986, granting, as proffered, Rezoning Application RZ 81-S-058 in the name of The Pomeroy Companies, Incorporated, to rezone certain property in the Springfield District from the R-1 District to the PDH-12, PDC and PDH-20 Districts on subject parcels 65-1 ((1)) pt. 1, 3 and pt. 7 consisting of approximately 303.17 acres.

The Board also directed that the Director of the Department of Environmental Management waive the service drive requirement and the 600-foot private street length requirement.

Very truly yours,

Ethel W. Register, CMC, Agency Director
Office of The Clerk to the Board

EWR:ns

cc: Lurty C. Houff Jr.
Real Estate Division
Gilbert R. Knowlton, Deputy
Zoning Administrator
✓ Barbara A. Byron, Director
Zoning Evaluation Division
Fred R. Beales, Supervisor
Base Property Mapping/Overlay



At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Massey Building at Fairfax, Virginia, on the 15th day of December, 1986, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NO. RZ 81-S-058
(CONCURRENT WITH RZ 86-S-096)

WHEREAS, The Pomeroy Companies, Incorporated, filed in the proper form, an application requesting the zoning of a certain parcel of land hereinafter described, from the R-1 District to the PDH-12, PDC and PDH-20 Districts, and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

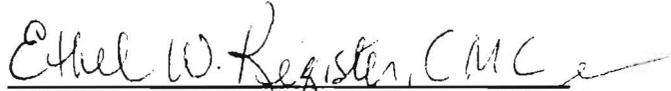
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Springfield District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the PDH-12, PDC and PDH-20 Districts, and said property is subject to the use regulations of said PDH-12, PDC and PDH-20 Districts, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.1-491(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 15th day of December 1986.


Ethel W. Register, CMC, Agency Director
Office of The Clerk to the Board



THE POMEROY COMPANIES (INC.)
HAZEL-PETERSON COMPANIES, INC.
CENTRE RIDGE
REZONING CASE NOS. 81-S-058 AND 86-S-096

TAX MAP PARCELS 65-1-((1))-Pt. 1, 3, and Pt. 7
FOR CASE NO. 81-S-058

TAX MAP PARCELS 65-1-((1))- Pt. 1, 5, Pt. 7, and 17
FOR CASE NO. 86-S-096

PROFFER STATEMENT

Revised 12/11/86

Pursuant to Section 15.1-491(a) of the Code of Virginia (1950 as amended) and Section 18-203 of the Zoning Ordinance of Fairfax County, the property owners and the applicants, for themselves and their successors or assigns (hereinafter collectively referred to as the "Applicant") proffer that the development of the parcels under consideration and shown on Fairfax County Tax Map as Tax Map References 65-1-((1))-Pt. 1, 3, and Pt. 7 for Case No. 81-S-058 and 65-1-((1))- Pt. 1, 5, Pt. 7, and 17 for Case No. 86-S-096, hereinafter collectively referred to as the "Property," will be in accordance with the following terms and conditions, if and only if, the Rezoning Application Nos. 81-S-058 and 86-S-096 are granted as applied for. In the event that said rezoning requests are denied or not granted as applied for, these proffers shall immediately be null and void and of no further force and effect. These proffered conditions supersede all previous proffers proposed for the Property. The proffered conditions are as follows:

General

1. The Property as delineated in Case No. 81-S-058 will be developed in accordance with the Conceptual Development Plan, as revised through November 13, 1986, and as delineated in Case No. 86-S-096 will be developed in accordance with the Conceptual Development Plan, as revised through November 24, 1986, provided, however, that reasonable modifications may be permitted when necessitated by sound engineering or architectural practices, or that may become necessary as part of the final site engineering and final architectural design provided that all modifications shall be in substantial conformance with the Conceptual and Final Development Plans.

Transportation

1. The Applicant will dedicate a right-of-way to thirty-six (36) feet from the center line of the proposed Route 28 southbound lanes (as shown on current VDH&T plans) and construct a third southbound lane along the Property's Route 28 frontage.
2. The Applicant will dedicate the right-of-way needed for a future diamond interchange at Route 28 and Braddock Road Extended, as determined by VDH&T, similar to the right-of-way area depicted on the Conceptual Development Plan for Case No. 81-S-058, and on the plan entitled "Braddock Road Extension Preliminary Plan" by Dewberry & Davis dated October, 1986.
3. The Applicant will design and construct St. Germaine Drive as a four-lane undivided roadway, across the Property's frontage to match the section to be built as the West Collector Road.
4. Within 90 days after zoning approval, the Applicant will let a contract for the design of Braddock Road Extended from Route 28 to existing Union Mill Road as a four-lane divided road to be built on right-of-way made available by others in accordance with sound engineering practice.
5. The Applicant will construct at Applicant's expense two lanes of the ultimate four-lane divided Braddock Road Extended from Route 28 to existing Union Mill Road, to include four-lane divided sections and transition lanes back to two lanes at both Route 28 and existing Union Mill Road on right-of-way made available by others, except as provided in Proffer 6 below, in accordance with sound engineering practice.
6. Applicant acknowledges that right-of-way is not presently available to extend Braddock Road Extended between Route 28 and Old Centreville Road. Approximately 250 feet of right-of-way and 120 feet in width is required to permit construction of an at-grade intersection between Route 28 and Braddock Road Extended (hereinafter "the right-of-way"). In the event the right-of-way does not become available by dedication or purchase by Virginia Department of Highways prior to the commencement of construction of Braddock Road Extended, Applicant will endeavor to obtain the right-of-way by purchase. If Applicant is unable to purchase the right-of-way Applicant will pay the cost of condemnation provided Fairfax County will promptly condemn the same.
7. In the event that on or before the Applicant begins construction of Braddock Road Extended funds are made available from others to pay for the remaining two lanes, the Applicant will construct a four-lane divided roadway.

8. The Applicant will build Braddock Road Extended as a four-lane divided road, from Route 28 to the first intersection west of the elementary school site.

9. The Applicant will dedicate 90 feet of right-of-way for Braddock Road Extended from Centre Ridge Drive to I-66 and will dedicate 110 feet of right-of-way, from Centre Ridge Drive to Route 28 as shown on the two Conceptual Development Plans.

10. The Applicant agrees for itself and for any purchaser of its residentially zoned land (to be enforced by contract requirements) that full disclosure of all planned transportation improvements affecting the Property will be made to all prospective residents. The Applicant will also cause all initial home purchasers south of Newgate Forest to be informed of the existence of the firing ranges on the Isaac Walton League property.

11. The Applicant will cooperate with the Fairfax County ride sharing program by notifying residents of said program on a regular basis via newsletters, signage, or other similar means.

12. Subject to VDH&T approval, the Applicant will construct right-in and right-out entrances from Land Bay 10 to Route 28, and from Land Bay 10 to Braddock Road Extended, and will maintain the entrances until such time as a grade-separated interchange is constructed at Route 28 and Braddock Road Extended. Upon construction of such an interchange, the Applicant agrees to remove the right-in and right-out access points at the Applicant's expense, if so directed by VDH&T.

13. All road construction shall be in accordance with VDH&T and Fairfax County standards.

Phasing

1. The Centre Ridge project shall be occupied over a span of years and in no event shall the occupancy exceed 600 dwelling units per year on a cumulative basis, beginning in 1987.

2. Prior to issuance of a residential use permit for the 600th dwelling unit, the Applicant will complete the design of Braddock Road Extended.

3. Prior to issuance of a residential use permit for the 1,200th dwelling unit, the Applicant will construct a third southbound lane on Route 28 pursuant to Transportation Proffer 1.

4. Prior to issuance of a residential use permit for the 1,200th dwelling unit, the Applicant will complete Centre Ridge Drive from Route 29 to Braddock Road Extended and Braddock

Road Extended from Route 28 to Centre Ridge Drive as four-lane divided roadways.

5. Prior to issuance of a residential use permit for the 2,400th dwelling unit, the Applicant will complete the construction of Braddock Road Extended in accordance with Transportation Proffer 5.

6. All of the aforesaid construction and phasing are in anticipation of contributions by other developers toward transportation improvements in the Centreville area and the timely receipt of all appropriate and necessary governmental approvals and the timely availability of all necessary rights-of-way.

7. Braddock Road Extended shall be put in service along the elementary school site frontage prior to the opening of the elementary school in Land Bay 12.

Land Use

1. St. Germaine Drive and Machen Drive will be closed to all construction traffic from the project until such time as Centre Ridge Drive is open to Route 29 or an entrance to Route 28 has been opened. The Route 28 construction entrance or the Centre Ridge Drive construction entrance shall be signed as the Main Construction Entrance.

2. St. Germaine Drive at the southern edge of Newgate Forest will remain closed to all traffic until occupancy of the first units in Land Bay 12. Thereafter, construction traffic will be prohibited by signage through Newgate Forest.

3. The uses to be contained in the PDC portion of the Property shall not exceed 200,000 square feet and will be a mixture of retail and office uses and may include other principal and secondary uses permitted by the Zoning Ordinance except as limited in Land Use Proffer 5.

4. Land Bay 7 will be developed as single family detached residences (up to 44 dwelling units). Each dwelling unit will have a floor area of at least 1,700 square feet.

5. The Applicant reserves the right to present those secondary uses permitted by Section 6-103 and 6-203 of the Zoning Ordinance during the processing of final development plan approval in any land bay except Land Bays 4, 5, 6, 7, 8A or 12. The following uses shall not be applied for or developed on the Property: billiard and pool halls, bowling alleys, miniature golf courses, golf driving ranges, riding stables, veterinary hospitals, dormitories, fraternities, residence halls, bus stations, helistops or heliports.

6. The Applicant will provide a strip of land fifty feet (50') in width between the residential lots in the Newgate Forest subdivision and Land Bays 7 and 12 ("the strip"). The strip will be subject to a covenant running with the land which will require the preservation of healthy trees six inches or greater diameter at breast height and which will prevent the construction of buildings or structures except line fences within the strip. One-half of the strip (twenty-five feet) will be conveyed to the owners of adjacent residential lots in Newgate Forest and the remaining one-half will be included within lots subdivided from Land Bays 7 and 12. The part of the strip to be conveyed to lot owners in Newgate Forest will be divided by extending lot lines across the strip at a 90 degree angle from the corners of lots in Newgate Forest. In the event any lot owner in Newgate Forest declines to accept the conveyance of the part of the strip adjacent to his lot that part of the strip will be conveyed to an adjacent lot owner in Newgate Forest and in the event no lot owner in Newgate Forest is willing to accept that part of the strip it will be included in a lot in Land Bay 7 or 12, as the case may be. The covenant will be disclosed to prospective purchasers of lots in Land Bays 7 and 12.

7. The total number of dwelling units to be constructed on the Property shall not exceed 3,350 units.

8. At least ten percent (10%) of the multi-family rental units developed in Land Bays 1, 2, 3, 4, 5, and 11 will be offered at rental rates affordable by households with incomes of eighty percent (80%) of the Washington, D.C. SMA median household income, as published and adjusted periodically by the U.S. Department of Housing and Urban Development, for a minimum period of twelve (12) years from date of zoning approval.

Environment

1. All detention ponds and storm water management facilities constructed on the Property and/or associated with the development of the project shall be Best Management Practices (BMP) facilities in accordance with the County's written criteria for such facilities.

2. The Applicant will preserve environmental quality corridors and steep slopes bordering the same as undisturbed open space except for areas where storm water detention ponds are needed where streets, utility lines and walkways cross such corridors, and where recreational facilities are proposed, all subject to DEM approval.

3. The following noise attenuation measures shall be provided:

a. In areas located within 300 feet of the center line of Interstate Route 66 that experience noise levels of 70-75

dBa Ldn, the Applicant will construct the proposed dwelling units utilizing the following measures to mitigate the impact of highway noise:

(1) Construction materials and techniques known to have physical properties or characteristics suitable to achieve a Sound Transmission Classification (STC) of 45 for exterior walls; and

(2) Windows either double-glazed or fitted with storm windows.

b. In areas located within 640 feet of the center line of Interstate Route 66 that experience noise levels of 65-70 dBa Ldn, the Applicant shall construct the proposed dwelling units utilizing the following measures to mitigate the impact of highway noise:

(1) Construction materials and techniques known to have physical properties or characteristics suitable to achieve an STC of 29 for exterior walls; and

(2) Windows shall be either double-glazed or fitted with storm windows.

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

4. The Applicant will apply for a sewer service area extension to include the portion of the Property and the portion of the existing Newgate Forest Community not currently in an approved sewer service area.

Site Design

1. A trail system will be provided as shown on the two submitted Conceptual Development Plans that will link the residential, recreational and retail areas, subject to DEM approval.

2. The Applicant will construct a walkway across the frontage of the site on St. Germaine Drive from Newgate Forest to the beginning of the trail system that is shown on the Conceptual Development Plan.

3. A signage system shall be developed that will be of quality design and theme.

4. The Applicant will build a landscaped earthen berm and a four to six foot fence along the Meadows of Newgate border at Land Bay 3 within the 25 foot transitional screen area, subject to County Arborist approval.

5. The Applicant will build a landscaped earthen berm within the 25 foot transitional screen area along the Property's border at the south side of Land Bay 8A as shown on the final development plan for Land Bay 8A subject to County Arborist approval.

6. The Applicant will construct on its Property within Land Bay 3 twenty (20) parking spaces as an extension of Golden Oak Court and will convey said parking area to the Meadows of Newgate Homeowners Association, or a similar entity. Maintenance of such parking area shall be the responsibility of the Meadows of Newgate Homeowners Association.

7. The construction of the St. Germaine Drive-West Collector Drive intersection shown on the Final Development Plan for Land Bay 7 shall not be completed until roadways are in service from the West Collector Drive to Route 28 or Route 29.

8. The Applicant agrees to comply with all applicable County ordinances regarding signs.

Public and Community Facilities

1. The Applicant will dedicate to the Fairfax County Park Authority approximately 41 acres of land for public park use as shown on the two Conceptual Development Plans. Open space, as shown on the CDP's and the FDP's, that is not dedicated to the Park Authority, shall be dedicated to the applicable homeowners associations and property management companies for open space purposes. In the area to be dedicated for park purposes adjacent to the proposed bridge crossing of Braddock Road Extended at I-66, the dedication shall be subject to temporary grading and construction easements necessary for the construction of Braddock Road Extended bridge over I-66.

2. The Applicant will construct one soccer field and one softball field on the proposed public park in Land Bay 6.

3. The Applicant shall provide, at Applicant's expense, at a minimum, the following private recreational facilities:

- a. 6 tot lots
- b. 6 multi-purpose courts/volleyball courts
- c. 8 tennis courts
- d. 6 swimming pools
- e. 2 indoor recreation rooms

4. The Applicant will dedicate a 13.9 acre elementary school site in the location shown on the Conceptual Development Plan for Case No. 86-S-096. If acceptable to the Fairfax County School Board, the deed will contain a covenant preventing the erection of flood lights on athletic fields. Also, the Applicant agrees for itself and any purchasers of residentially zoned land (to be enforced by contract requirements) that the location of the school site will be disclosed to all prospective residents.

5. Residents of Newgate Forest will be permitted to join the recreation association serving Land Bay 8 and those residents who join will have access to the recreational facilities serving the association. The cost of membership, including initiation and monthly fees, for Newgate Forest residents will be the same as that charged home builders and residents in Centre Ridge.

6. The Applicant will erect an interpretive sign to mark the site of the Civil War military railroad terminus and will maintain the immediate area as open space, as shown on the Conceptual Development Plan For Case No. 86-S-096.

7. Immediately after approval of the two rezoning applications, the County Archeologist will have a period of six (6) months to survey and explore the Property for the purpose of locating and removing fossils and artifacts.

Applicant/Property Owner

THE POMEROY COMPANIES, (INC.)

By: 

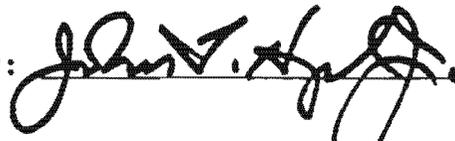
Applicant

HAZEL-PETERSON COMPANIES, INC.

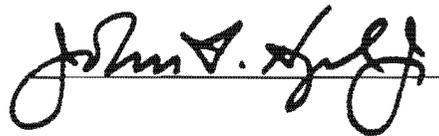
By: 

Property Owners

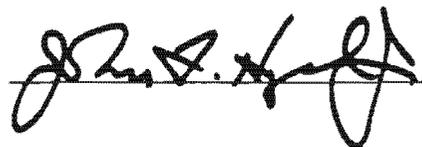
CENTRE RIDGE DEVELOPMENT
COMPANY

By:  _____

BURKE INVESTMENT ASSOCIATES

By:  _____

MASON ASSOCIATES

By:  _____



AUGUST 25, 1986

DESCRIPTION OF
PART OF THE PROPERTY OF
CLARENCE R. PAYNE
AND
IRVIN PAYNE, JR.
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
PARCEL A

Beginning at a point marking the intersection of the Westerly R/W line of Centreville Road (Route #28) with the Northwesterly R/W line of Old Centreville Road (Route #657); thence with the Northwesterly R/W line of Old Centreville Road the following courses: S 74° 39' 43" W, 234.07 feet; S 67° 59' 39" W, 143.30 feet; S 62° 29' 37" W, 398.10 feet; S 60° 30' 11" W, 266.06 feet; S 61° 29' 17" W, 82.52 feet; S 53° 56' 39" W, 57.22 feet; S 44° 30' 18" W, 285.49 feet and S 36° 57' 37" W, 103.28 feet to a point; thence departing from the road and running through the property of Clarence R. Payne and Irvin Payne, Jr N 18° 30' 38" E, 367.01 feet to a point; thence continuing through the property of Clarence R. Payne and Irvin Payne, Jr and the Easterly line of Newgate Forest N 46° 37' 04" W, 3591.23 feet to a point on the Southeasterly R/W line of Interstate Route #66; thence with the Southeasterly R/W line of Interstate Route #66 N 34° 15' 14" E, 988.09 feet; N 41° 00' 53" E, 201.55 feet and N 24° 47' 20" E, 37.37 feet to a point marking the Southwesterly corner of The Meadows of Newgate; thence departing from the road and running with the Southerly lines of The Meadows of Newgate the following courses: S 66° 36' 31" E, 122.65 feet; S 55° 36' 30" E, 115.50 feet; S 76° 36' 31" E, 115.50 feet; S 82° 36' 31" E, 198.00 feet; S 65° 36' 30" E, 247.50 feet; S 83° 36' 30" E, 231.00 feet and N 88° 23' 29" E, 508.20 feet to a point marking the Southeasterly corner of The Meadows of Newgate; thence



Description of
Part of the Property of
Clarence R. Payne
and Irvin Payne, Jr.
Springfield District
Fairfax County, Virginia
August 25, 1986
Page Two

with the Easterly lines of The Meadows of Newgate and continuing with the Southerly lines of Newgate Apartments and Newgate Associates N 01° 27' 50" E, 957.00 feet and S 89° 05' 16" E, 2107.64 feet to a point; thence through the property of Clarence R. Payne and Irvin Payne, Jr., the following courses: S 02° 49' 17" W, 300.17 feet; S 16° 44' 57" W, 390.68 feet; S 38° 05' 45" W, 443.76 feet; S 47° 35' 38" W, 197.57 feet; S 51° 29' 27" W, 237.70 feet; S 35° 19' 22" W, 340.72 feet; S 13° 25' 21" W, 308.30 feet; S 00° 01' 42" W, 465.79 feet; S 15° 56' 36" W, 266.23 feet; S 26° 12' 20" W, 265.16 feet; S 22° 02' 43" W, 185.99 feet; S 07° 26' 16" W, 378.37 and N 75° 35' 23" E, 1181.00 feet to a point on the aforementioned Westerly R/W line of Centreville Road; thence with the Westerly R/W line of Centreville Road S 29° 53' 05" W, 663.68 feet to the point of beginning, containing 220.241 acres of land.



Description of
Part of the property of
Clarence R. Payne
and
Irvin Payne, Jr.
Springfield District
Fairfax County, Virginia
Parcel A-1
August 25, 1986
Page Three

PARCEL A-1

Beginning at a point on the Northwesterly R/W line of Interstate Route #66 marking the Southeasterly corner of John R. Minchew; thence with the Northwesterly R/W line of Interstate Route #66 S 20° 13' 04" W, 206.15 feet and S 34° 15' 14" W, 939.88 feet to a point marking the most Easterly corner of Newgate Associates; thence departing from the road with the Northeasterly line of Newgate Associates N 46° 37' 04" W, 170.82 feet to a point on the Southeasterly line of the aforementioned John R. Minchew; thence with the Southeasterly line of Minchew the following courses: N 64° 20' 44" E, 264.00 feet; N 24° 20' 44" E, 165.00 feet; N 35° 20' 44" E, 231.00 feet; N 34° 20' 44" E, 264.00 feet; N 35° 20' 44" E, 173.25 feet and N 41° 13' 35" E, 54.04 feet to the point of beginning containing 1.656 acres of land.

Description of
Part of the Property of
Clarence R. Payne
and
Irvin Payne, Jr.
Springfield District
Fairfax County, Virginia
August 25, 1986
Page Four

PARCEL B

Beginning at a point on the Westerly R/W line of Centreville Road (Route #28) said point being S 29° 53' 05" W, 1111.41 feet from a point on the Westerly R/W line of Centreville Road marking the Southeasterly corner of Eula Ehinger; thence with the Westerly R/W line of Centreville Road S 29° 53' 05" W, 925.00 feet to a point; thence departing from the road and running through the property of Clarence R. Payne and Irvin Payne Jr., the following courses: S 75° 35' 23" W, 1181.00 feet; N 07° 26' 16" E, 378.37 feet; N 22° 02' 43" E, 185.99 feet; N 26° 12' 20" E, 265.16 feet; N 15° 56' 36" E, 266.23 feet; N 00° 01' 42" E, 327.79 feet; S 60° 19' 52" E, 401.49 feet; S 45° 12' 30" E, 303.20 feet; N 79° 57' 19" E, 296.02 feet and N 78° 46' 15" E, 448.63 feet to the point of beginning, containing 25.699 acres of land.



Description of
Part of the Property of
Clarence R. Payne
and
Irvin Payne, Jr.
Springfield District
Fairfax County, Virginia
August 25, 1986
Page Five

PARCEL C

Beginning at a point on the Westerly R/W line of Centreville Road (Route #28) marking the Southeasterly corner of Eula Ehinger; thence with the Westerly R/W line of Centreville Road S 29° 53' 05" W, 1111.41 feet to a point; thence departing from the road and running through the property of Clarence R. Payne and Irvin Payne, Jr., the following courses: S 78° 46' 15" W, 448.63 feet; S 79° 57' 19" W, 296.02 feet; N 45° 12' 30" W, 303.20 feet; N 60° 19' 52" W, 401.49 feet; N 00° 01' 42" E, 138.00 feet; N 13° 25' 21" E, 308.30 feet; N 35° 19' 22" E, 340.72 feet; N 51° 29' 27" E, 237.70 feet; N 47° 35' 38" E, 197.57 feet; N 38° 05' 45" E, 443.76 feet; N 16° 44' 57" E, 390.68 feet and N 02° 49' 17" E, 300.17 feet to a point on the Southerly line of Newgate Associates; thence with the Southerly line of Newgate Associates S 89° 05' 16" E, 275.00 feet and S 27° 24' 42" E, 140.98 feet to a point marking the most Westerly corner of Lakin and Leonard; thence with the Southwesterly line of Lakin and Leonard S 36° 34' 00" E, 553.11 feet to a point on the Northwesterly line of M. Vallery; thence with the Northwesterly lines of M. Vallery, John H. Light; Ewell S. Mohler and the aforementioned Eula Ehinger S 39° 49' 10" W, 559.37 feet to a point marking the most Westerly corner of Ehinger; thence with the Southwesterly line of Ehinger S 55° 32' 14" E, 144.26 feet and S 59° 36' 01" E, 484.08 feet to the point of beginning, containing 55.576 acres of land.

All being more particularly described on a plat attached hereto
and made a part hereof.
MP/pyg



F A I R F A X C O U N T Y

BOARD OF SUPERVISORS ACTION
 ZONING MAP AMENDMENT
 DATE OF ACTION 12/15/86

APPLICATION NUMBER: RZ 81-S-058

SPRINGFIELD DISTRICT

APPLICANT: POMEROY COMPANIES, INC.

STAFF: THEILACKER

GRANTED THE REQUESTED ZONING DISTRICT(S) SHOWN BELOW
 APPROVED THE CONCEPTUAL DEVELOPMENT PLAN
 AND ACCEPTED PROFFERS.

APPLICATION DATA

 EXISTING ZONING AND ACREAGE

ZONING: R-1

ACRES: 303.17

PROPOSED:

ACTION:

| | | | | | |
|--------|-------|--------|--------|-------|--------|
| PDH-12 | PDC | PDH-20 | PDH-12 | PDC | PDH-20 |
| 221.90 | 25.70 | 55.57 | 221.90 | 25.70 | 55.57 |

TOTAL ACRES

303.17

TOTAL ACRES

303.17

MAP NUMBERS

065-1- /01/ /0001- P,0003- ,0007- P

REMARKS:

ZONING MAP AMENDMENT

RZ 81-S-058

ZONING DISTRICT DATA

ZONING DISTRICT: PDH-12

PROFFERED/CONDITIONED DWELLING UNIT DATA

| TYPES | UNITS | ACRES | DENSITY | RANGE | LOMOD INCL | LOMOD ADD |
|-------|-------|--------|---------|-------|------------|-----------|
| SFD | 44 | | | | | |
| SFA | 820 | | | | | |
| LOR | 1,292 | | | | | |
| MID | | | | | | |
| HI | | | | | | |
| ----- | | | | | | |
| TOT | 2,156 | 221.90 | | | | |

PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

| USE | GFA | FAR | USE | GFA | FAR |
|-------------------|-----|-----|-------------------|-----|-----|
| COMMERCIAL-GEN | | | PUBLIC/QUASI PUB | | |
| HOTEL/MOTEL | | | OFFICE | | |
| INDUSTRIAL-GEN | | | TRAN-UTIL-COMM | | |
| CULT/EDU/RELG/ENT | | | RETAIL-EATING EST | | |
| INDUST-WAREHOUSE | | | *****TOTAL***** | | |

REMARKS:

ZONING MAP AMENDMENT

RZ 81-S-058

ZONING DISTRICT DATA

ZONING DISTRICT: PDC

PROFFERED/CONDITIONED DWELLING UNIT DATA

| TYPES | UNITS | ACRES | DENSITY | RANGE | LOMOD INCL | LOMOD ADD |
|-------|-------|-------|---------|-------|------------|-----------|
| SFD | | | | | | |
| SFA | | | | | | |
| LOR | | | | | | |
| MID | | | | | | |
| HI | | | | | | |
| ----- | ----- | ----- | ----- | ----- | ----- | ----- |
| TOT | | | | | | |

PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

| USE | GFA | FAR | USE | GFA | FAR |
|-------------------|---------|-----|-------------------|---------|-----|
| COMMERICAL-GEN | 200,000 | .17 | PUBLIC/QUASI PUB | | |
| HOTEL/MOTEL | | | OFFICE | | |
| INDUSTRIAL-GEN | | | TRAN-UTIL-COMM | | |
| CULT/EDU/RELG/ENT | | | RETAIL-EATING EST | | |
| INDUST-WAREHOUSE | | | *****TOTAL***** | 200,000 | .17 |

REMARKS:

100,000 SQ FT OFFICE & 100,000 SQ FT RETAIL (INCL HOTEL)

ZONING MAP AMENDMENT

RZ 81-S-058

ZONING DISTRICT DATA

ZONING DISTRICT: PDH-20

PROFFERED/CONDITIONED DWELLING UNIT DATA

| TYPES | UNITS | ACRES | DENSITY | RANGE | LOMOD INCL | LOMOD ADD |
|-------|-------|-------|---------|-------|------------|-----------|
| SFD | | | | | | |
| SFA | | | | | | |
| LOR | 1,034 | 54.00 | 19.10 | | | |
| MID | | | | | | |
| HI | | | | | | |
| ----- | | | | | | |
| TOT | 1,034 | 54.00 | 19.10 | | | |

PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

| USE | GFA | FAR | USE | GFA | FAR |
|-------------------|-----|-----|-------------------|-----|-----|
| COMMERICAL-GEN | | | PUBLIC/QUASI PUB | | |
| HOTEL/MOTEL | | | OFFICE | | |
| INDUSTRIAL-GEN | | | TRAN-UTIL-COMM | | |
| CULT/EDU/RELG/ENT | | | RETAIL-EATING EST | | |
| INDUST-WAREHOUSE | | | *****TOTAL***** | | |

REMARKS:

RZ 81-S-058

CONDITION/CONTRIBUTION DATA

| COND CODE DESCRIPTION | COND CODE DESCRIPTION |
|-------------------------------------|--------------------------------------|
| 1B CONCEPTUAL DEVEL PLAN | 1E CONDITIONS, PROFFERED |
| 1H WAIVER APPROVED | 2E DEDICATION: PARKLAND |
| 2G DEDICATION: HOMEOWNRS OPEN SPACE | 2H RECREATION FACIL/SITES |
| 2K SETBACK | 2M DEVELOPMENT PHASING |
| 3B RIGHT-OF-WAY: DEDICATION/RESERV | 3C FACIL: CONSTR/REALGN/WIDEN/EXPND |
| 3F PEDESTRIAN FACILITY/TRAIL | 3G CONTRUCTION TRAFFIC RESTRICTION |
| 3H ADJ DEVEL-ACCESS/NO ACCESS/CONDS | 3L DISCLOSURE OF TRANSPORTAT\$N PROJ |
| 4A STORMWATER MANAGEMENT/QUALITY | 4D BUFFER |
| 4E NOISE ATTENUATION | 4F STREAM VALLEY/EQC/FLOODPLAIN |
| 4H LANDSCAPING | 5Z OTHER - MODERATE PRICED HOUSING |

| CONTRIB DATA: | CND CODE | AMOUNT | CONDITIONED | EXPIRES | CONTRIB CODE |
|---------------|----------|--------|-------------|----------|--------------|
| | | \$0 | | 00/00/00 | |
| | | \$0 | | 00/00/00 | |
| | | \$0 | | 00/00/00 | |
| | | \$0 | | 00/00/00 | |

REMARKS:

12/15/86

3:30 p.m. Items - RZ-81-S-058 - THE POMEROY COMPANIES, INC.
RZ-86-S-096 - THE POMEROY COMPANIES, INC.
Springfield District

On Thursday, December 11, 1986, the Planning Commission voted unanimously (Commissioner Koch not present for the vote; Commissioners Fasteau, Thillmann and Thomas absent from the meeting) to recommend the following actions to the Board of Supervisors pertinent to the subject applications:

- 1) That the Board of Supervisors amend the Zoning Ordinance, as it applies to RZ-81-S-058, from the R-1 District to the PDH-12, PDH-20 and PDC Districts, subject to the execution of the draft proffer statement dated 12-11-86;
- 2) Recommend approval of the conceptual development plan and recommend that the Board direct the DEM Director to waive the service drive requirement along the site's Route 28 frontage and the 600-foot private street length requirement;
- 3) Approval of Final Development Plans 81-S-058-1, 81-S-058-2, 81-S-058-3 and 81-S-058-4, subject to the Board of Supervisors's approval of RZ-81-S-058 and the conceptual development plan;
- 4) That the Board of Supervisors amend the Zoning Ordinance, as it applies to RZ-86-S-096, from the R-1 District to the PDH-2 District, subject to the execution of the draft proffer statement dated 12-11-86;
- 5) Recommend approval of the conceptual development plan and that the Board direct the DEM Director to waive the 600-foot private street length requirement;
- 6) Approval of FDP-86-S-096, subject to Board approval of RZ-86-S-096 and its conceptual development plan.

Planning Commission Meeting
December 11, 1986
Verbatim Excerpts

RZ-81-S-058, FDP-81-S-058-1, FDP-81-S-058-2, FDP-81-S-058-3, FDP-81-S-058-4,
RZ-86-S-096 and FDP-86-S-096 - THE POMEROY COMPANIES, INC.

Decision Only During Commission Matters

Commissioner Murphy: Mr. Chairman, I have two decisions only scheduled tonight in the Springfield District. I'm going to do one now and I'm going to do one, if I may, later on in the evening. The one I would like to do now is RZ-85-S-058 (sic) and RZ-86-S-096 and those applications' final development plans. The decision only was deferred pending further resolution of some of the issues that were addressed at the public hearing and some of the issues that were still concerning staff. Staff has subsequently published an addendum dated December 10, 1986, and the staff is recommending either that these cases be deferred or denied. However, after close analysis of what exactly the applicant has submitted by way of proffers in addressing the issues, it is my opinion at this time that we must look at the totality of the application and judge it on its merits. I believe that the applicant has done everything in his power to address the issues that the staff has raised, that the citizens have raised and that the Planning Commission has raised. Not only in the public hearing, but also in the many citizens meetings we've had in the Springfield District on these applications for many, many months. I guess everyone, at one time or another, can be guilty of the sin of omission. And when we closed the public hearing, I thanked a lot of people for their time and their tenacity while these meetings were going on dealing with these applications and I neglected to mention that Commissioner Koch, who was not able to vote on this application, was of great assistance to me and to the citizens in coming to a resolution of some of these issues. I am going to move affirmatively on this application. I think, as I've said before, it does address the issues that were raised to my satisfaction. I think the three issues that were still burning in my mind were the phasing issues, the transportation issues and the issue of the applicant donating a sufficient amount of money voluntarily to a fund to improve the roads in the Centreville area. As you can see in the proffer statement, the applicant has agreed to phasing and has also agreed to put in place the transportation amenities that would be required, if you will, under a typical rezoning of this particular, of this particular nature. But in addition to that, the applicant, in my opinion, has gone far and above the call of duty and has, in fact, proffered a total of almost nine million dollars in road improvements. And that is in pavement, not in dollars. I would like at this time to name the ten major transportation improvements, but I'm not going to do that because we are on verbatim and this has to go to the Board on Monday. But I do have a copy of them, of these transportation improvements if anyone would like to see them. So those three issues, I think, have been addressed. Also, the applicant has addressed most of the development issues that the staff has raised, including, on page 5, the applicant has addressed the multi-family rental units as far as affordable housing is concerned by proffering that at least ten percent of the multi-family rental units in Land Bays 1, 2, 3, 4, 5 and 11 will be offered at rental rates affordable by households with 80 percent of the Washington, D.C. SMA median household income as published and adjusted periodically by the U.S. Department of Housing and Urban Development for a minimum period of twelve

RZ-81-S-058, FDP-81-S-058-1, FDP-81-S-058-2, FDP-81-S-058-3,
FDP-81-S-058-4, RZ-86-S-096 and FDP-86-S-096

years from the date of zoning approval. The application also has a number of other amenities, to include a school site, parks, recreational facilities, which I think makes it, in its total, a good application that should go forward to the Board. It is in conformance with the Comprehensive Plan. It has 3,350 dwelling units, which is mid-range in the Plan, with a density of 7.47 dwelling units per acre, and in addition has 200,000 square feet of commercial space. This is all on a parcel of 448 acres. Having said all that, Mr. Chairman, and reiterating the fact that this is in conformance with the Comprehensive Plan and the adopted Centreville Core Study---and adding to that also that I felt that during the public hearing one of the things that impressed me was that there was almost total support by the citizens in the West Fairfax Citizens Association, both its Land Use Committee and its total membership who were represented here. And they all came to the podium and supported the application. I would also like to enter into the record at this time a letter from Mrs. Karen Hogan who has some issues listed in her letter that have been raised, and the applicant has told me that he will address these issues with Mrs. Hogan prior to the Board of Supervisors meeting. And therefore, Mr. Chairman, I have a series of motions. First, I would like to move on RZ-81-S-058 and I would MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE ZONING ORDINANCE, AS IT APPLIES TO THE PROPERTY WHICH IS THE SUBJECT OF RZ-81-S-058, BE AMENDED FROM THE R-1 DISTRICT TO THE PDH-12 DISTRICT, PDH-20 DISTRICT AND THE PDC DISTRICT, SUBJECT TO THE EXECUTION OF THE DRAFT PROFFER STATEMENT DATED DECEMBER 12, 1986.

Commissioner Sparks: Second.

Chairman Lilly: Seconded by Mr. Sparks. Is there discussion of the motion?

Commissioner Harsel: Mr. Chairman?

Chairman Lilly: Mrs. Harsel.

Commissioner Harsel: Just glancing---and I must admit, Mr. Murphy, I'm going very quickly through these, but two things that were brought up at the public hearing that I don't seem to find that the applicant did agree upon was, number one, the Isaac Walton League. And also the fact that the dedicated, but not built, part of Braddock Road would be so designated. Have I missed that somewhere?

Commissioner Murphy: Mr. Chairman?

Chairman Lilly: Mr. Murphy.

Commissioner Murphy: Yes, all the disclosures have been made. I can't put my finger on the exact number of the proffer right now, but it has been disclosed. Braddock Road Extended has been disclosed. The school site has been disclosed and the Isaac Walton---proximity to the Isaac Walton League has been disclosed. The hang up that I had, and the applicant has addressed this,

RZ-81-S-058, FDP-81-S-058-1, FDP-81-S-058-2, FDP-81-S-058-3,
FDP-81-S-058-4, RZ-86-S-096 and FDP-86-S-096

with the Braddock Road Extended to the east, the parcel that was needed for right-of-way, they have agreed to take care of that issue.

Commissioner Sell: Mr. Chairman?

Chairman Lilly: Mr. Sell.

Commissioner Sell: Can we have a viewgraph of the conceptual development plan?

Mr. Theilacker: This is the conceptual development plan for RZ-81-S-058.

Commissioner Sell: Okay. Take me to---there's a proffer in here under "Public and Community Facilities", the last page of the new proffers, number 6, "The applicant will erect an interpretative sign to mark the site of the Civil War military railroad terminus and will maintain the immediate area as open space as shown on the conceptual development plan." Where is---

Mr. Theilacker: That's the historic---that's the site of the historic site and where the interpretative sign will be located. It's on rezoning application RZ-86-S-096.

Commissioner Sell: Okay.

Mr. Theilacker: It's in Land Bay 12 of the Centre Ridge development.

Commissioner Sell: Okay. I just---I wanted to get an idea of what they were talking about, the immediate area as open space on that. Mr. Chairman?

Chairman Lilly: Mr. Sell.

Commissioner Sell: Although this public hearing was conducted on December the third and I was not here, I have, obviously, read the staff report. I have read the verbatim of the citizen testimony, the addendum and the latest proffer statement. And my opinion of this case is that in the Centreville area we keep talking about ideas that can improve the quality of life. It appears to me that this application, as proffered, would do that. And I intend to support Mr. Murphy's motion.

Commissioner Annunziata: Mr. Chairman?

Chairman Lilly: Mrs. Annunziata.

Commissioner Annunziata: Let me simply associate myself with the remarks of Commissioner Sell from his first statement that he was absent on the evening of the hearing, through his statement about reading all the materials, to his support, for the same reasons. Thank you.

Chairman Lilly: Anyone else? Well, I am in the same position as Mr. Sell.

December 11, 1986

RZ-81-S-058, FDP-81-S-058-1, FDP-81-S-058-2, FDP-81-S-058-3,
FDP-81-S-058-4, RZ-86-S-096 and FDP-86-S-096

I wasn't here either, but I have read the material, the verbatims and the information, the staff report addendum, and so forth and so on. And it's my intention to support Mr. Murphy's motion. All right. All those in favor of the motion say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries.

Commissioner Murphy: Mr. Chairman?

Chairman Lilly: Mr. Murphy.

Commissioner Murphy: I also MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE CONCEPTUAL DEVELOPMENT PLAN BE APPROVED AND THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO WAIVE THE SERVICE DRIVE REQUIREMENT ALONG THE SITE'S ROUTE 28 FRONTAGE AND THE 600-FOOT PRIVATE STREET LENGTH REQUIREMENT.

Commissioner Annunziata: Second.

Chairman Lilly: Seconded by Mrs. Annunziata. Discussion of the motion? If not, all those in favor say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries. Mr. Murphy.

Commissioner Murphy: Mr. Chairman, lastly, on this application I recommend that the Planning Commission approve---I MOVE THAT THE PLANNING COMMISSION APPROVE THE FINAL DEVELOPMENT PLANS 81-S-058-1, 81-S-058-2, 81-S-058-3 AND 81-S-058-4, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ-81-S-058 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Annunziata: Second.

Chairman Lilly: Seconded by Mrs. Annunziata. Discussion of the motion? If not, all those in favor say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries. Mr. Murphy.

Commissioner Murphy: Mr. Chairman, now moving to RZ-86-S-096, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE ZONING ORDINANCE, AS IT APPLIES TO THE SUBJECT PROPERTY OF RZ-86-S-096, BE AMENDED FROM THE R-1 DISTRICT TO THE PDH-2 DISTRICT, SUBJECT TO THE EXECUTION OF THE DRAFT PROFFER STATEMENT DATED DECEMBER 12, 1986.

RZ-81-S-058, FDP-81-S-058-1, FDP-81-S-058-2, FDP-81-S-058-3,
FDP-81-S-058-4, RZ-86-S-096 and FDP-86-S-096

Commissioner Annunziata: Second.

Chairman Lilly: Seconded by Mrs. Annunziata. Discussion of that motion? If not, all those in favor say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries. Mr. Murphy.

Commissioner Murphy: Mr. Chairman, I further MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE CONCEPTUAL DEVELOPMENT PLAN AND DIRECT THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO WAIVE THE 600-FOOT PRIVATE STREET LENGTH REQUIREMENT.

Commissioner Sparks: Second.

Chairman Lilly: Seconded by Mr. Sparks. Is there discussion of that motion? If not, all those in favor say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries. Mr. Murphy.

Commissioner Murphy: One more, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE THE FINAL DEVELOPMENT PLAN 86-S-096, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ-86-S-096 AND ITS CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Annunziata: Second.

Chairman Lilly: Seconded by Mrs. Annunziata. Is there discussion of that motion? If not, all those in favor say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries. Is that it?

Commissioner Murphy: Mr. Chairman, just one other---

Chairman Lilly: Mr. Murphy.

Commissioner Murphy: Thank you to Mr. Theilacker for hanging tough through this entire process and for his professionalism and a fine staff report.

Commissioner Annunziata: Second.

Chairman Lilly: All right. Anything else

Mr. Theilacker: Mr. Murphy? I'm sorry---Mr. Chairman?

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RZ-81-S-058, FDP-81-S-058-1, FDP-81-S-058-2, FDP-81-S-058-3,
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Chairman Lilly: Mr. Theilacker.

Mr. Theilacker: The proffers are dated December 11th---just to make a note of that for the record.

Commissioner Murphy: All right. I'm sorry. Can I change that? I'm sorry. Yeah. Thank you.

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(All motions carried unanimously with Commissioner Koch not present for the vote; Commissioners Fasteau, Thillmann and Thomas absent from the meeting.)

GW

