



County of Fairfax, Virginia

MEMORANDUM

DATE: February 3, 2014

TO: Chairman Murphy and Members
Planning Commission

FROM: Joe Gorney, AICP, Senior Staff Coordinator
DPZ, Zoning Evaluation Division

SUBJECT: Revised Materials, RZ 2013-SU-010 (Christopher Land, LLC)

PUBLIC MEETING: February 5, 2014

At the January 8, 2014 Planning Commission Public Hearing, the Commission deferred the decision-only for the Christopher Land, LLC Rezoning (RZ 2013-SU-010) to January 23, 2014. At the January 23, 2014 Planning Commission meeting, the Commission again deferred the decision-only to February 5, 2014. The additional time allowed the applicant to investigate potential off-site trail connections, in response to community input received at the Planning Commission Public Hearing and subsequent discussions with the Supervisor's Office. The applicant subsequently revised the plans and proffers. The following summarizes these revisions.

1. Revised Conceptual/Final Development Plan(CDP/FDP) (dated January 31, 2014)

- Plan revision to reflect new date of January 31, 2014;
- Elimination of the previous trail options through the 50-foot wide ingress-egress easement and the deletion of the associated CDP/FDP Sheets 11 and 12;
- Addition of a trail connection to the adjacent Tax Map 44-4 ((17)) A, which is an open space owned by The Preserve at Wynmar Community Association, Inc., located near the southwestern property line. The on-site portion of the trail would extend from the termination of the pond access road to the property line; and
- Addition of a potential future trail connection to Bennett Pond Court, from the terminus of the on-site trail and through the adjacent Tax Map 44-4 ((17)) A.

2. Revised Proffers (dated February 3, 2014)

- Proposed Proffers revised to reflect new date of February 3, 2014;
- Proffer #1 revised to reflect new plan date of January 31, 2014;
- Proffer #7 revised to reflect the elimination of trail options through the ingress-egress easement; the construction of an on-site trail to Tax Map 44-4 ((17)) A; the potential construction of an off-site trail to Bennett Pond Court through Tax Map 44-4 ((17)) A; and

Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505
Phone 703-324-1290
FAX 703-324-3924
www.fairfaxcounty.gov/dpz/

the removal of the gravel driveway, the reconditioning of the area, and the replanting of the area;

- Disclosure proffer (Proffer #17) revised to reflect a contribution of \$6,000 in the event that the proposed stormwater management pond is to be maintained by the future homeowners' association;

No other changes are proposed. Staff continues to find that the proposal is in conformance with the Comprehensive Plan and all applicable Zoning Ordinance provisions. Staff continues to recommend approval of RZ 2013-SU-010, as proffered.

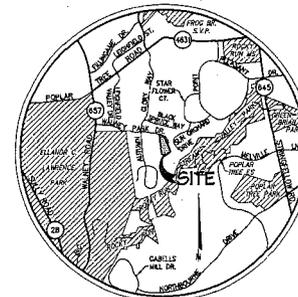
Attachments:

1. Revised CDP/FDP – Jennell Property, dated April 29, 2013, and revised through January 31, 2014
2. Proposed Proffers, dated February 3, 2014

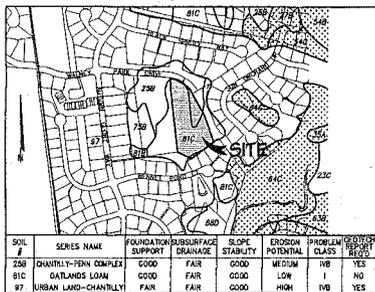
CONCEPTUAL / FINAL DEVELOPMENT PLAN JENNELL PROPERTY

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

RZ 2013-SU-010



VICINITY MAP
SCALE: 1" = 200'



SOILS MAP/DATA

SCALE: 1" = 500'

SOIL #	SERIES NAME	FOUNDATION/SUPPORT	DRAINAGE	SLOPE STABILITY	SLOPE POTENTIAL	EROSION CLASS	HYDROLOGIC REPORT
25B	CHAUNTY-PINN COMPLEX	GOOD	FAIR	GOOD	MEDIUM	1B	YES
81C	GATLANDS LOAM	GOOD	FAIR	GOOD	LOW	1	NO
87	URBAN LAND-CHAUNTY	FAIR	FAIR	GOOD	LOW	1B	YES

NOTES

- THE PROPERTY DELINEATED ON THIS PLAN IS LOCATED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NUMBER 44-4(11)18. THE SITE IS CURRENTLY ZONED R-1 & WSP00. THE PROPOSED ZONE IS PDH-2 & WSP00.
- THE PROPERTY HEREON IS CURRENTLY IN THE OWNERSHIP OF MARGUERITE A. JENNELL IN DEED BOOK 4882 AT PAGE 638 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA.
- BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM A FIELD RUN SURVEY PREPARED BY CHARLES P. JOHNSON & ASSOCIATES, DATED AUGUST 2012. CONTOUR INTERVAL EQUALS TWO FEET NAVD 1928.
- THERE ARE NO 100-YEAR FLOODPLAINS ON-SITE. NO FLOODPLAIN OR DRAINAGE STUDIES ARE REQUIRED FOR THIS PROJECT.
- THERE IS A RESOURCE PROTECTION AREA (RPA) ON THIS SITE, BUT NO ENVIRONMENTAL QUALITY CORRIDOR (EQC). A WATER QUALITY IMPACT ASSESSMENT WILL BE REQUIRED.
- TO THE BEST OF OUR KNOWLEDGE, THE SITE HAS NO SCENIC ASSETS OR NATURAL FEATURES DESERVING OF PROTECTION AND PRESERVATION.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO KNOWN HUMAN GRAVES, OBJECTS, OR STRUCTURES MARKING A PLACE OF BURIAL.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITY EASEMENTS HAVING A WIDTH OF 25 FEET OR GREATER, NOR ANY MAJOR UNDERGROUND UTILITY EASEMENTS LOCATED WITHIN THE SITE.
- EXISTING WELLS ON-SITE ARE TO BE CAPPED AND ABANDONED IN ACCORDANCE WITH HEALTH DEPARTMENT REGULATIONS.
- SEE SHEET "J" FOR A DESCRIPTION OF THE EXISTING VEGETATION.
- EXISTING STRUCTURES ARE TO BE REMOVED. THE EXISTING DWELING WAS CONSTRUCTED IN 1970.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 119.4, 302.4, AND 304. ALL HAZARDOUS WASTE AS SET FORTH IN COMMONWEALTH OF VIRGINIA/DEPARTMENT OF WASTE MANAGEMENT VR 672-10-1 - VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS; AND/OR PETROLEUM PRODUCTS AS DEFINED IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 260, TO BE GENERATED, UTILIZED, STORED, TREATED, AND/OR DISPOSED OF ON-SITE AND THE SIZE AND CONTENTS OF ANY EXISTING OR PROPOSED STORAGE TANKS OR CONTAINERS.
- THE SUBJECT PROPERTY LIES WITHIN THE WATER SUPPLY PROTECTION OVERLAY DISTRICT (WSP00).
- THERE ARE NO AFFORDABLE DWELLING UNITS (ADU4) REQUIRED FOR THIS PROJECT.
- NO DENSITY REDUCTIONS ARE REQUIRED BY ZONING ORDINANCE SECTION 2-308.
- IN ACCORDANCE WITH THE ADOPTED COMPREHENSIVE PLAN, THE PROPOSED DEVELOPMENT WILL PROVIDE RESIDENTIAL DEVELOPMENT AT 137 DWELLING UNITS PER ACRE AND WILL CONFORM TO ALL APPLICABLE ORDINANCES, REGULATIONS, AND ADOPTED STANDARDS, EXCEPT AS NOTED BELOW:
 - A DEVIATION FROM THE TREE PRESERVATION TARGET AREA OF FPM #12-508 IS HEREBY REQUESTED (SEE SHEET G).
 - A WAIVER OF THE MAXIMUM 600' PRIVATE STREET LENGTH OF 2.0 ARTICLE 11-202.2 IS HEREBY REQUESTED.
 - A MODIFICATION OF THE MINIMUM 60'-0" CE-5AC RADIUS IS HEREBY REQUESTED.
- PROPOSED PUBLIC IMPROVEMENTS:
 - WATER SERVICE TO BE PROVIDED BY AN EXISTING 8" MAIN LOCATED NEAR THE SOUTHEAST CORNER OF THE SITE
 - SANITARY SERVICE TO BE PROVIDED BY AN EXISTING 8" MAIN LOCATED IN SUN ORCHARD DRIVE
- THERE ARE NO RECREATIONAL FACILITIES PROPOSED WITH THIS DEVELOPMENT.
- A SITTING AREA IS BEING PROPOSED AS A SPECIAL AMENITY.
- A DEVELOPMENT SCHEDULE HAS NOT BEEN DETERMINED AT THIS TIME.
- SEE SHEET "I" FOR ARCHITECTURAL ELEVATIONS.
- A TRAIL IS NOT REQUIRED FOR THIS PROJECT PER THE FAIRFAX COUNTY TRAILS PLAN.
- PARCEL "A" WILL BE CONVEYED TO A HOMEOWNERS ASSOCIATION FOR OWNERSHIP AND MAINTENANCE.
- THE APPLICANT RESERVES THE RIGHT TO LOCATE ONE OR MORE TEMPORARY SALES OFFICES ON THE PROPERTY IN ACCORDANCE WITH ARTICLE 8-004 OF THE ZONING ORDINANCE.
- MINOR MODIFICATIONS TO THE BUILDING FOOTPRINTS, LOT AREAS, DIMENSIONS, UTILITY LAYOUT, AND LIMITS OF CLEARING AND GRADING MAY OCCUR WITH THE FINAL ENGINEERING DESIGN, IN SUBSTANTIAL CONFORMANCE WITH THE COP/DFP, PROVIDED SUCH ARE IN ACCORDANCE WITH THE MINOR MODIFICATIONS PROVISION IN SECTION 16-403 OF THE ZONING ORDINANCE.
- EXISTING CULVERT "A-1", OF 21,457 SQUARE FEET, IS RESERVED FOR PUBLIC STREET PURPOSES (RECORDED IN DEED BOOK 12145 AT PAGE 1943), AND IS BEING DEDICATED FOR PUBLIC STREET PURPOSES BY PLAT #000247-HP-004.

NO.	SHEET NUMBER AND REVISION DESCRIPTION	DATE
1	(1) REVISED SITE TABS. (2) REVISED LAYOUT & CLEARING LIMITS. (3) REVISED LANDSCAPING, TREE COVER CHANGES & TREE PRESERVATION TARGET REQUEST. (4) REVISED TREE PRESERVATION INVENTORY. (5) REVISED CALCULATIONS & NARRATIVES. (6) REVISED NOTICES & COMPUTATIONS. (7) NEW SHEET.	7-29-13
2	(1) REVISED SITE TABS & BARRIER REQUESTS. (2) REVISED LAYOUT & CLEARING LIMITS. (3) REVISED TREE COVER CALCULATIONS. (4) REVISED CALCULATIONS & NARRATIVES. (5) REVISED NOTICES & COMPUTATIONS.	9-19-13
3	(1) REVISED SITE TABS & TYPICAL LOT LAYOUT. (2) REVISED POND, CE-5AC, OFFICE CONNECTION & CLEARING LIMITS. ADJUSTED TRAIL & STREAM LOCATIONS, ADDED PARKING & FENCE ALONG WESTERN BOUNDARY & STREET SECTION DETAIL. (3) REVISED DRAINAGE DETAILS. (4) REV. NOTICES & COMPS. ADDED BREACH ANALYSIS.	10-1-13
4	(1) REVISED SITE TABS & TYPICAL LOT LAYOUT. (2) ADDED SPURVALE IN FRONT OF LOTS 3-7. (3) REVISED LANDSCAPING AROUND POND.	10-10-13
5	(1) REV. SHOW OF MAINTENANCE PLAN, CONSERVATION EASEMENTS, ADDED WATER EASEMENTS. (2) REV. DRAINAGE RELIEF AND ADDED RECREATION & TRAIL DESIGN NOTES.	10-21-13
6	(1) (1) (1) NEW SHEET.	12-20-13
7	(1) RELOCATED OFF-SITE TRAIL FROM E. BOUNDARY TO BELOW POND, REMOVED SITTING AREA, ADDED PARKING. (1) (1) (1) REMOVED SHEETS.	1-31-14

NO CHANGES, OTHER THAN THOSE SPECIFIED ABOVE, HAVE BEEN MADE TO THIS PLAN FROM WHAT WAS PREVIOUSLY SUBMITTED OR APPROVED.

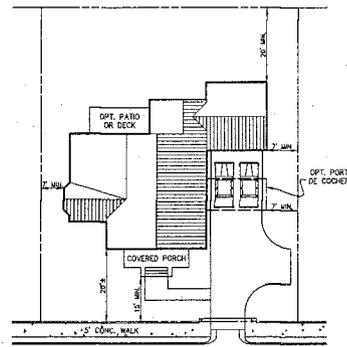
SITE TABULATIONS

LOT AREA	74,046 sq (1,681 Ac)
PARCEL "A"	79,175 sq (1,818 Ac)
PARCEL "B"	6,358 sq (0.146 Ac)
RIGHT-OF-WAY DEDICATION (ON-SITE)	1,589 sq (0.045 Ac)
TOTAL	161,170 sq (3,700 Ac)

NOTE: 21,457 sq of RIGHT-OF-WAY IS TO BE DEDICATED OFF-SITE
* PARCEL "B" IS TO BE DEDICATED FOR FUTURE DEVELOPMENT, AND HAS NOT BEEN INCLUDED IN THE DENSITY OR OPEN SPACE CALCULATIONS

PDH-2 ZONE

	REQUIRED	PROVIDED
NUMBER OF UNITS	---	7 SINGLE-FAMILY DETACHED
MAXIMUM DENSITY	2 DU/AC	1.97 DU/AC
MINIMUM LOT AREA	N/A	9,800 sq ±
AVERAGE LOT AREA	N/A	10,500 sq ±
MAXIMUM BUILDING HEIGHT	N/A	35'
MINIMUM YARDS	N/A	SEE DETAIL THIS SHEET
OPEN SPACE	20% (0.74 Ac)	28% (1.04 Ac ±)
PARKING	3 spaces/unit 21 total spaces	3 spaces/unit 21 total spaces



TYPICAL LOT LAYOUT

SCALE: 1" = 20'

- NOTES:
- DIMENSIONS INTO REQUIRED YARDS ARE TO BE PERMITTED IN ACCORDANCE WITH ARTICLE 2-412.
 - EACH UNIT IS TO HAVE TWO(2) 8.5' x 10.5' PARKING SPACES IN THE DRIVEWAY.



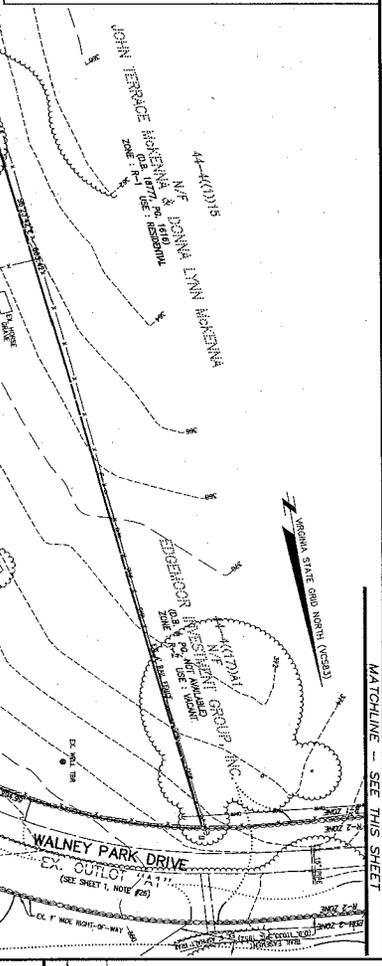
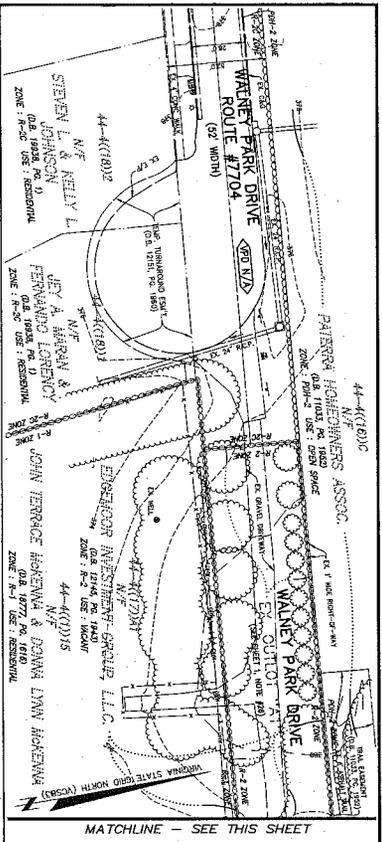
DEVELOPER
THE CHRISTOPHER COMPANIES
10461 WHITE GRANTE ROAD
SUITE 103
OAKTON, VIRGINIA 22124
(703) 352-5950

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- DRAINAGE MAPS & NARRATIVES
- OVERALL DRAINAGE MAP
- ARCHITECTURAL ELEVATION

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
3189 Parker Dr., Ste. 200 Fairfax, VA 22030 703-258-7325 Fax: 703-273-8845
www.cpj.com • 2018 Parker Dr., Charlottesville, VA • College Park, MD • Potomac, MD • Fairfax, VA

DATE: APRIL 29, 2013
REVISED: JULY 29, 2013
OCTOBER 1, 2013
OCTOBER 10, 2013
OCTOBER 21, 2013
DECEMBER 20, 2013
JANUARY 31, 2014



LEGEND

- EXISTING CONTOUR
- EXISTING NECE CONTOUR
- PROPERTY BOUNDARY HAZARDED BY ADJACENT ENVIRONMENTAL
- ECE BOUNDARY
- EXISTING THREHLINE
- EX ZONING BOUNDARY
- EX STORM DRAIN & EASEMENT
- EX SAN, SEWER & EASEMENT
- EX WATERMAIN & EASEMENT
- EXISTING UTILITY LINE & POLE

GRAPHIC SCALE
SCALE 1" = 30'

NO.	DESCRIPTION	REVISION	DATE

EXISTING CONDITIONS PLAN

JENNELL PROPERTY

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

NO.	DATE	REVISION	PRIOR TO APPROVAL

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
3950 Pooder Dr., Ste. 202 Fairfax, VA 22030 703-585-7003 Fax: 501-271-6655
www.cpj.com • Silver Spring, MD • Gaithersburg, MD • College Park, MD • Potomac, MD • Fairfax, VA

Date Plotted: 12/27/2013 10:51:31 AM
 User: W:\2013\10-11-13\10-11-13.dwg
 Plot Scale: 1" = 30'
 Plot Date: 12/27/2013 10:51:31 AM
 Plot User: W:\2013\10-11-13\10-11-13.dwg

January 31, 2014

Project: Jennell Property
 3000 Executive Drive, Suite 212 • Fairfax, VA 22031 • Tel: 703-273-5858 • www.cpi.com

Client: Jennell Property

Prepared by: [Name]

Checked by: [Name]

Approved by: [Name]

The purpose of this sheet is to provide a calculation of the percentage of canopy cover provided by the proposed landscape plan. The calculation is based on the following assumptions:
 1. The proposed landscape plan is based on the site plan and the landscape plan.
 2. The calculation is based on the area of the site and the area of the proposed landscape plan.
 3. The calculation is based on the percentage of canopy cover provided by the proposed landscape plan.
 4. The calculation is based on the percentage of canopy cover provided by the proposed landscape plan.
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 9. The calculation is based on the percentage of canopy cover provided by the proposed landscape plan.
 10. The calculation is based on the percentage of canopy cover provided by the proposed landscape plan.

**THIS SHEET IS FOR
 LANDSCAPE PURPOSES ONLY**

Table 12.10 - 10-YEAR TREE CANOPY CALCULATION WORKSHEET

Item	Description	Area (sq ft)	Canopy Area (sq ft)	Percentage (%)
1	Total site area	23,444		
2	Area of existing trees	1,234		5.3%
3	Area of proposed trees	12,345		53.1%
4	Total canopy area	13,579		58.0%
5	Area of existing trees	1,234		5.3%
6	Area of proposed trees	12,345		53.1%
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LEGEND

- 12" - 18" SHADE TREE (2" CAL.)
- 18" - 24" SHADE TREE (2" CAL.)
- 24" - 30" SHADE TREE (2" CAL.)
- 30" - 36" SHADE TREE (2" CAL.)
- 36" - 42" SHADE TREE (2" CAL.)
- 42" - 48" SHADE TREE (2" CAL.)
- 48" - 54" SHADE TREE (2" CAL.)
- 54" - 60" SHADE TREE (2" CAL.)
- 60" - 66" SHADE TREE (2" CAL.)
- 66" - 72" SHADE TREE (2" CAL.)
- 72" - 78" SHADE TREE (2" CAL.)
- 78" - 84" SHADE TREE (2" CAL.)
- 84" - 90" SHADE TREE (2" CAL.)
- 90" - 96" SHADE TREE (2" CAL.)
- 96" - 102" SHADE TREE (2" CAL.)
- 102" - 108" SHADE TREE (2" CAL.)
- 108" - 114" SHADE TREE (2" CAL.)
- 114" - 120" SHADE TREE (2" CAL.)
- 120" - 126" SHADE TREE (2" CAL.)
- 126" - 132" SHADE TREE (2" CAL.)
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- 318" - 324" SHADE TREE (2" CAL.)
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- 678" - 684" SHADE TREE (2" CAL.)
- 684" - 690" SHADE TREE (2" CAL.)
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- 696" - 702" SHADE TREE (2" CAL.)
- 702" - 708" SHADE TREE (2" CAL.)
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- 714" - 720" SHADE TREE (2" CAL.)
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- 738" - 744" SHADE TREE (2" CAL.)
- 744" - 750" SHADE TREE (2" CAL.)
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- 774" - 780" SHADE TREE (2" CAL.)
- 780" - 786" SHADE TREE (2" CAL.)
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- 840" - 846" SHADE TREE (2" CAL.)
- 846" - 852" SHADE TREE (2" CAL.)
- 852" - 858" SHADE TREE (2" CAL.)
- 858" - 864" SHADE TREE (2" CAL.)
- 864" - 870" SHADE TREE (2" CAL.)
- 870" - 876" SHADE TREE (2" CAL.)
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- 882" - 888" SHADE TREE (2" CAL.)
- 888" - 894" SHADE TREE (2" CAL.)
- 894" - 900" SHADE TREE (2" CAL.)
- 900" - 906" SHADE TREE (2" CAL.)
- 906" - 912" SHADE TREE (2" CAL.)
- 912" - 918" SHADE TREE (2" CAL.)
- 918" - 924" SHADE TREE (2" CAL.)
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- 942" - 948" SHADE TREE (2" CAL.)
- 948" - 954" SHADE TREE (2" CAL.)
- 954" - 960" SHADE TREE (2" CAL.)
- 960" - 966" SHADE TREE (2" CAL.)
- 966" - 972" SHADE TREE (2" CAL.)
- 972" - 978" SHADE TREE (2" CAL.)
- 978" - 984" SHADE TREE (2" CAL.)
- 984" - 990" SHADE TREE (2" CAL.)
- 990" - 996" SHADE TREE (2" CAL.)
- 996" - 1002" SHADE TREE (2" CAL.)
- 1002" - 1008" SHADE TREE (2" CAL.)
- 1008" - 1014" SHADE TREE (2" CAL.)
- 1014" - 1020" SHADE TREE (2" CAL.)
- 1020" - 1026" SHADE TREE (2" CAL.)
- 1026" - 1032" SHADE TREE (2" CAL.)
- 1032" - 1038" SHADE TREE (2" CAL.)
- 1038" - 1044" SHADE TREE (2" CAL.)
- 1044" - 1050" SHADE TREE (2" CAL.)
- 1050" - 1056" SHADE TREE (2" CAL.)
- 1056" - 1062" SHADE TREE (2" CAL.)
- 1062" - 1068" SHADE TREE (2" CAL.)
- 1068" - 1074" SHADE TREE (2" CAL.)
- 1074" - 1080" SHADE TREE (2" CAL.)
- 1080" - 1086" SHADE TREE (2" CAL.)
- 1086" - 1092" SHADE TREE (2" CAL.)
- 1092" - 1098" SHADE TREE (2" CAL.)
- 1098" - 1104" SHADE TREE (2" CAL.)
- 1104" - 1110" SHADE TREE (2" CAL.)
- 1110" - 1116" SHADE TREE (2" CAL.)
- 1116" - 1122" SHADE TREE (2" CAL.)
- 1122" - 1128" SHADE TREE (2" CAL.)
- 1128" - 1134" SHADE TREE (2" CAL.)
- 1134" - 1140" SHADE TREE (2" CAL.)
- 1140" - 1146" SHADE TREE (2" CAL.)
- 1146" - 1152" SHADE TREE (2" CAL.)
- 1152" - 1158" SHADE TREE (2" CAL.)
- 1158" - 1164" SHADE TREE (2" CAL.)
- 1164" - 1170" SHADE TREE (2" CAL.)
- 1170" - 1176" SHADE TREE (2" CAL.)
- 1176" - 1182" SHADE TREE (2" CAL.)
- 1182" - 1188" SHADE TREE (2" CAL.)
- 1188" - 1194" SHADE TREE (2" CAL.)
- 1194" - 1200" SHADE TREE (2" CAL.)

NO.	DATE	DESCRIPTION	APPROVED BY
1			
2			
3			
4			
5			

JENNELL PROPERTY

SULLY DISTRICT
 FAIRFAX COUNTY, VIRGINIA

CONCEPTUAL LANDSCAPE PLAN

DESIGN: [Name]
 DRAFT: [Name]
 APPROVED: [Name]
 DATE: APRIL 2013
 SCALE: 1" = 30'
 SHEET: 5 OF 10

JENNELL PROPERTY

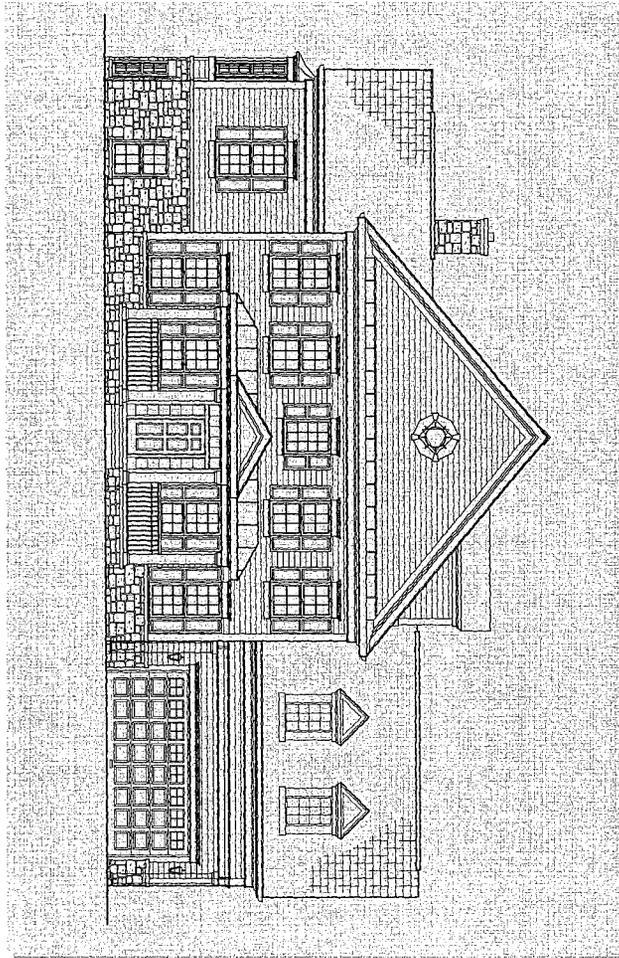
SULLY DISTRICT
 FAIRFAX COUNTY, VIRGINIA

CONCEPTUAL LANDSCAPE PLAN

DESIGN: [Name]
 DRAFT: [Name]
 APPROVED: [Name]
 DATE: APRIL 2013
 SCALE: 1" = 30'
 SHEET: 5 OF 10

CPI Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 3000 Executive Dr., Ste. 200 Fairfax, VA 22030 703-545-7555 Fax: 703-575-4599
 www.cpi.com • Silver Spring, MD • Gaithersburg, MD • College Park, MD • Frederick, MD • Fairfax, VA

THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY



Plot Size: 17/20/2013 Plot Printed: 1/21/2014 5:24 PM Sheet: V:\2013\Jennell\00-00000

DESIGN	ORIGINATOR
KJV	KJV
APPROVED	
DATE	
APRIL 2013	
SCALE	
SHEET	
10	
10	
10	

NO.	DESCRIPTION	REVISIONS	DATE



ARCHITECTURAL ELEVATION

JENNELL PROPERTY

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

NO.	DATE	REVISION	APPROVAL

7-20-13 NEW SHEET (KJV)

CPJ Associates Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
2950 Piedmont Dr., Ste. 202 Fairfax, VA 22030 703-346-7565 Fax: 703-373-8095
www.cpa.com • Silver Spring, MD • Gaithersburg, MD • College Park, MD • Frederick, MD • Fairfax, VA

PROFFER STATEMENT**February 3, 2014****RZ/FDP 2013-SU-010
Christopher Land, LLC**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned Owner/Applicant, in this rezoning proffers that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 44-4 ((1)) 18 (hereinafter referred to as the "Property") will be in accordance with the following conditions (the "Proffered Conditions"), if and only if, said rezoning request for the PDH-2 Zoning District is granted. In the event said rezoning request is denied, these Proffered Conditions shall be null and void. The Owner/Applicant, for themselves, their successors and assigns hereby agree that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. The Proffered Conditions are:

I. GENERAL

1. Substantial Conformance. Subject to the provisions of Article 16 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP) titled "Jennell Property", prepared by Charles P. Johnson & Associates, Inc. consisting of Ten (10) sheets, dated April 29, 2013 as revised through January 31, 2014 and further modified by these proffered conditions.
2. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers, which may become occasioned as a part of final architectural and/or engineering design, may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Section 16-403 of the Zoning Ordinance. Additionally, except as may be further qualified by these proffered conditions, minor modifications to the building envelopes including footprints, lot areas, dimensions, utility layouts and limits of grading and clearing and house location may be permitted in accordance with Section 16-403 of the Zoning Ordinance as long as such changes do not materially decrease the amount of open space, the building set backs are not violated on the CDP/FDP's typical lot layout, and the limits of clearing and grading are adhered to on the perimeter of the property. As shown on the typical lot layout in the CDP/FDP, under no circumstances shall the houses be less than 12' apart.

3. Architectural Design. The building elevations prepared by Devereaux & Associates, P.C., shown on Sheet 10 of the CDP/FDP, are provided to illustrate the architectural theme and design intent of the residential dwellings. The architectural design of the proposed dwellings shall generally conform to the character and quality of these illustrative elevations, but the Applicant reserves the right to modify these elevations and revise architectural ornamentation based on final architectural design.

The building materials shall vary and may be a combination of brick, stone, and siding supplemented with trim and detail features. Dwellings shall incorporate a brick or stone water table on all facades visible from public or private streets. Any facade visible from public or private streets shall vary and may be a combination of brick, stone or cementitious siding supplemented with trim and detail features.

4. Universal Design. Dwelling units shall offer optional features designed with a selection of Universal Design features as determined by the Applicant which may include, but not be limited to, a seat in the Master Bath shower where possible, emphasis on lighting in stairs and entrances, lever door hardware, slip resistant flooring, optional hand-held shower heads at tubs and showers, and optional front-loading washers and dryers.
5. Parcel B. Parcel B is a +/- 6,358 square foot area of land that shall be dedicated to the future Homeowner's Association. This area is reserved for future driveway connections and/or development rights of Fairfax Tax Map 44-4 ((1)) 15, if/when that property is developed in the future, and has not been included in the density calculations for this rezoning. The Homeowners Association may be compensated for any connections or development rights it deems to be appropriate to convey. If any landscaping is removed from this Parcel as part of the redevelopment of the adjacent property, that property owner must replace the landscaping on the Jennell Property's Open Space area or another area that the Homeowner's Association deems appropriate.
6. Blasting. If blasting is required, the Applicant shall ensure that blasting is done pursuant to Fairfax County Fire Marshal requirements and all safety recommendations of the same, including without limitation, the use of blasting mats. In addition, the Applicant shall:
 - A. Retain a professional consultant, to perform a pre-blast survey of each occupied structure or building, to the extent that any of these structures are located within two hundred and fifty (250) feet of the property line of the Application Property and within two hundred and fifty (250) feet of any off-site blasting area;

- B. Prior to any blasting being done, the Applicant shall provide written confirmation to DPWES that the pre-blast survey has been completed and provide a copy of the survey to Fairfax County upon request. The blasting survey shall be deemed complete no later than thirty (30) days after notice to owners;
- C. Require the blasting consultant to request access to any houses, wells, buildings, businesses, or swimming pools, by notification to owners within two hundred and fifty (250) feet of the property line of the Application Property and within two hundred and fifty (250) feet of any off-site blasting area, if permitted by owner, to determine the pre-blast conditions of these structures. The Applicant's consultant will be required to give a minimum of fourteen (14) days' notice of the scheduling of the pre-blast survey. If an owner does not reply to the Applicant's consultant within the fourteen (14) day notice is given then the owner is deemed to have waived his right to claim any damage from the Applicant's blasting activity. The Applicant shall provide the residents entitled to pre-blast inspections, the name, address and phone number of the blasting contractor's insurance carrier;
- D. The Applicant shall require his consultant to place seismographic instruments prior to blasting to monitor shock waves. The Applicant shall provide seismographic monitoring records to County agencies upon their request;
- E. Notify owners within two hundred and fifty (250) feet of the property line of the Application Property and within two hundred and fifty (250) feet of any off-site blasting area, ten (10) days prior to blasting. No blasting shall occur until such notice has been given;
- F. Upon receipt of a claim of actual damage resulting from said blasting, the Applicant shall cause his consultant to respond within five (5) days of meeting at the site of the alleged damage to confer with the property owner;
- G. The Applicant will require blasting subcontractors to maintain necessary liability insurance to cover the costs of repairing any damages to structures, which are directly attributable to the blasting activity and shall take necessary action to resolve any valid claims in an expeditious matter.

II. RECREATION FACILITIES

7. Recreation Contribution.

- A. Pursuant to Sect. 16-404 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall provide recreational facilities to serve the property as shown on the CDP/FDP. Per Sect. 16-404, recreational facilities such as tot lots, gazebos, trails and sitting areas, retaining walls and similar features may be used to fulfill this requirement. The siting and installation of such features shall not interfere with tree save areas. In the event it is demonstrated that the proposed facilities do not have sufficient value, at the time of the issuance of the first Residential Use Permit, the Applicant shall contribute funds in the amount needed to achieve the overall required amount of \$1,700 per unit for the seven (7) homes to be built on the Property.
- B. The Applicant shall construct a 6' wide asphalt trail connection from the extension of Walney Park Road to the Walney Woods subdivision trail, as shown on the CDP/FDP, provided that permission is received from the respective landowner.
- C. The Applicant shall construct a 5' wide asphalt trail from the terminus of the pond access road to the property boundary, as shown on the CDP/FDP. The Applicant Shall in good faith attempt to obtain permission to extend the trail from the property boundary to Bennet Pond Court through the Preserve at Wynmar Community Association, Inc. open space by the time Final Site Plan is approved. If the Applicant is unable to obtain this permission, then the Applicant shall contribute \$10,000 to the Sully District trail fund for this future connection. The Applicant shall work with DPWES to minimize the area affected ghyuand to replace the impacted conservation easement area with a similar or greater area on adjacent property.
- D. The Applicant shall remove the existing gravel driveway that is serving the property and recondition the area in accordance with the PFM standards, provided that permission is received from the respective landowners. The area shall be graded to ensure that stormwater runoff is not directed to the adjacent residential properties and shall be replanted, as shown on the CDP/FDP.

III. SCHOOLS

8. Contribution. Prior to the issuance of the first Building Permit, a contribution of \$20,976 shall be made to Fairfax County to be transferred to the Fairfax County School Board to be utilized for capital improvements or capacity enhancements to schools within the Chantilly High School pyramid which serves the Property.

IV. ESCALATION

9. Escalation. All monetary contributions required by these proffers shall be adjusted upward or downward based on the percentage change in the annual rate of inflation with a base year of 2014, and change effective each January 1 thereafter, as calculated by referring to the Consumer Price Index for all urban customers (CPI-U), (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics occurring subsequent to the date of final site plan approval and up to the date of payment. In no event shall an adjustment increase exceed the annual rate of inflation as calculated by the CPI-U.

V. CONSTRUCTION HOURS

10. Construction Hours. Construction shall occur between the hours of 7:00 a.m. until 7:00 p.m. Monday through Friday, 8:00 a.m. until 6:00 p.m. on Saturday and 9:00 a.m. until 6:00 p.m. on Sunday. Construction activities shall not occur on the holidays of Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas, Easter, and New Year's Day. The construction hours shall be posted on the property. The allowable hours of construction as specified in this proffer shall be listed within any contract with future sub-contractors associated with construction on the site.

VI. SEPTIC TANK / WELL ABANDONMENT

11. Abandonment. The existing septic tank and well shall be properly abandoned as required by the Fairfax County Health Department prior to the approval and issuance of the demolition permit for the existing single family detached residential unit.

VII. ENERGY CONSERVATION

12. Energy Star Qualification. The dwelling units shall be constructed to achieve one of the following:
 - A. Qualification in accordance with ENERGY STAR® (version 3.0) or Homes, as demonstrated through documentation submitted to the Environment and Development review Branch of the Department of Planning and Zoning (DPZ) and from a home energy rater certified through the Home Innovation Research Labs that demonstrates that each dwelling unit has attained the certification within thirty (30) days after the issuance of the Residential Use Permit (RUP) for each dwelling; or
 - B. Certification in accordance with the National Green Building Standard (NGBS) using the ENERGY STAR® (version 3.0) Qualified Homes path for energy performance, as demonstrated through documentation submitted to the

Environment and Development review Branch of the Department of Planning and Zoning (DPZ) and from a home energy rater certified through the Home Innovation Research Labs that demonstrates that each dwelling unit has attained the certification within thirty (30) days after the issuance of the Residential Use Permit (RUP) for each dwelling; or

- C. Certification in accordance with the Earth Craft House Program, as demonstrated through documentation provided to DPWES and DPZ within thirty (30) days the issuance of the RUP for each dwelling.

Certification testing shall be accomplished prior to the issuance of a RUP for each dwelling. The Certification testing requirement shall be met by e-mailing the building inspector, the preliminary inspection report of the third party inspector prior to the issuance of the RUP. Prior to Bond Release, the Applicant shall show proof to DPWES that all units met one of the conditions A-C.

VIII. GARAGE CONVERSION

- 13. Garage Conversion. Any conversion of garages that will preclude the parking of vehicles within the garage shall be prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA and the Board of Supervisors. This restriction shall also be disclosed in the HOA documents. Prospective purchasers shall be advised of this use restriction, in writing, prior to entering into a contract of sale.

VIX. HOME OWNERS ASSOCIATION

- 14. Establishment of HOA. Prior to record plat approval, the Applicant shall establish a Homeowners Association (HOA) in accordance with Sect. 2-700 of the Zoning Ordinance for the purpose of, among other things, establishing the necessary residential covenants governing the design and operation of the approved development and to provide a mechanism for ensuring the ability to complete the maintenance obligations and other provisions noted in these proffer conditions. Tax Map 44-4 ((1)) 15 shall be permitted to join the HOA at such time as it develops.
- 15. Dedication to HOA. At the time of subdivision plat recordation, open space, common areas, private streets, fencing, and amenities not otherwise conveyed or dedicated to the County shall be dedicated to the HOA and maintained by the same. The HOA reserves the right to grant easements for any purpose on the common areas as the HOA deems necessary.

16. Best Management Practice ("BMP") Maintenance. After establishing the HOA, the Applicant shall provide the HOA with written materials describing proper maintenance of the approved BMP facilities.
17. Disclosure. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicant of the maintenance responsibility for the streets, storm water management facilities, common area landscaping and any other open space amenities and shall acknowledge receipt of this information in writing. The homeowner association covenants shall contain clear language delineating the tree save areas as shown on the CDP/FDP. The covenants shall prohibit the removal of the trees except those trees which are dead, diseased, noxious or hazardous and shall outline the maintenance responsibility of the homeowners association and individual homeowners. The initial deeds of conveyance and HOA governing documents shall expressly contain these disclosures. The HOA documents shall stipulate that a reserve fund be established by the HOA for the private street maintenance. The Applicant shall be responsible for placing the sum of \$14,000 in such reserve fund prior to the issuance of the first Residential Use Permit (the "RUP") for the proposed single family dwelling units. At Final Site Plan Approve, if the Storm Water Management pond is maintained by the future HOA, then the Applicant shall contribute \$6,000 to the HOA for future maintenance. If the pond is maintained by the County, then there shall be no contribution by the Applicant. The Contribution shall be made prior to the issuance of the first Residential Use Permit (the "RUP") for the proposed single family dwelling units.
18. Public Access Easement. A public access easement in a form approved by the County Attorney shall be placed on the private streets, sidewalks and trails within the approved development. The requirements of this proffer condition shall be disclosed in the HOA documents.
19. Potential Interparcel Access. The applicant or the future homeowners association shall permit the recording a public or private access easement to permit future connection of the private street to the adjacent property identified as Tax Map 44-4 ((1)) 15 at a location mutually acceptable to both parties. At such time, the applicant shall reserve for future dedication the 41-foot wide area designated on the CDP/FDP as a "Future Connection to Adjacent Property" easement. The future connection and expansion are to be provided by others. However, the Property owner of Tax Map 44-4 ((1)) 15 shall be responsible for removing any landscaping or retaining walls on the property necessary to accommodate the construction by others, and replacing the landscaping elsewhere on the property.

X. STORMWATER MANAGEMENT

20. Stormwater Management. Subject to review and approval by DPWES, stormwater management ("SWM") and Best Management Practice ("BMP") measures for the Property shall be provided in a Dry Pond and shall be developed in accordance with the PFM, unless waived or modified by DPWES. The stormwater management system shall be reviewed for adequacy by DPWES at the time of site plan review; if any inadequacies are identified; appropriate corrective measures shall be employed to the satisfaction of DPWES, prior to final site plan approval.

XI. TREE PRESERVATION

21. Tree Preservation Plan. The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division ("UFMD"), Department of Public Works and Environmental Services ("DPWES").

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture), located 25 feet outside the limits of clearing and grading and 10 feet inside of the limits of clearing and grading. Trees that are dead or a potential hazard to human health and property which are 12 inches in diameter or greater and located 100 feet outside the limits of clearing and grading and 10 feet within the limits of clearing and grading shall be identified in the inventory as well. The tree preservation plan and narrative shall include all applicable items specified in PFM 12-0501 and 12-0502. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

22. Tree Preservation Walk-Through. The applicant should retain the services of a Certified Arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree preservation walk-through meeting, the Applicant's appointed representative shall walk the limits of clearing a grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented.

Trees that are identified as dead or dying within the tree preservation area may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associate understory vegetation and soil conditions.

23. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these development conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. Five (5) foot wide wood chip trails shall be coordinated and field located with a UFMD representative. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any area protected by the limits of clearing and grading that must be disturbed for such utilities.
24. Tree Preservation Fencing. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further that ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and Phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing should be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. No grading or construction activities shall occur until the fencing is installed correctly, as determined by UFMD, DPWES.

25. Root Pruning. The Applicant shall root prune as needed to comply with the

tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a minimum depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

26. Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant should retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffer, development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

27. Reforestation Plan: A reforestation plan for the areas to be reforested, as designated on the CDP/FDP, shall be submitted concurrently with the first and all subsequent site plan submissions for review and approval by Urban Forest Management Division, and shall be implemented as approved. The plan shall provide seedling plantings that include an appropriate selection of native species based on existing and proposed site conditions to restore the area to a native forest cover type. In addition to the reforestation with seedlings, a minimum of 10 overstory and 10 understory deciduous trees having a minimum one-inch caliper shall be provided. The reforestation plan shall include, but not be limited to the following:

- A. Plant list detailing species, sizes, and stock type of trees and other vegetation to be planted;
- B. Soil treatments and amendments, if necessary;
- C. Methods to reduce deer browse;
- D. Methods to reduce weed competition;
- E. Mulching specifications;
- F. Details and methods of installation;
- G. Maintenance activities (such as weeding and watering);
- H. Mortality threshold; and
- I. Monitoring and replacement schedule.

XII. TRANSPORTATION

28. Transportation. The Applicant shall construct the extension of the public street Walney Park Drive to the proposed development. The Applicant will remove the temporary turn around on Tax Map 44-4 ((18)) parcels 1 & 2 and establish front yards on both parcels and extend the sidewalk along both parcels. Also the Applicant shall install two (2) Stop signs at the intersection of Walney Park and Autumn Glory with the permission of VDOT.

XIII. AFFORDABLE HOUSING

29. Housing Trust Fund. At the time each residential lot is issued a building permit, the Applicant shall contribute to Habitat for Humanity of Northern Virginia or the Fairfax County Housing Trust Fund, at the direction of the Sully District Supervisor, the sum of four thousand dollars (\$4,000.00) (equal to \$28,000 for seven (7) new dwelling units), which is equal to one half of one percent (1/2%) of the projected sale price for the new dwelling unit on the residential lot subject to the building permit. At the time of transfer to an initial third party purchaser, the Applicant shall contribute an amount equal to one half of one percent (1/2%) of that portion of the actual sale price over \$800,000 (i.e. if the sale price is \$850,000, the 1/2% of \$50,000) to Habitat for Humanity of Northern Virginia or the Fairfax County Housing Trust Fund, at the direction of the Sully District Supervisor.

XIV. SIGNS

30. Signs. Any sign installed by the Applicant shall be in conformance with Article 12 of the Zoning Ordinance.

XV. ARCHAEOLOGICAL STUDY

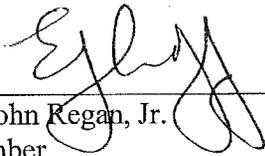
31. Archaeological Review. At least 30 days prior to any land disturbing activities on the Property and prior to any land-disturbing activities associated with these Proffers on Tax Map 44-4 ((1)) 18, the Applicant shall conduct a Phase I archaeological study on the entire Property and provide the results of such study to the Cultural Resources Management and Protection Section of the Fairfax County Park Authority ("CRMP") for review and approval. The study shall be conducted by a qualified archaeological professional approved by CRMP. No land disturbance activities shall be conducted until this study is submitted to CRMP. If the Phase I study concludes that an additional Phase II study of the Property is warranted, the Applicant shall complete said study and provide the results to CRMP. If the Phase II study concludes that additional Phase III evaluation and/or recovery is warranted, the Applicant shall also complete said work in consultation and coordination with CRMP, however that process shall not be a precondition of site plan approval but rather shall be carried out in conjunction with site construction.

XVI. SUCCESSORS AND ASSIGNS

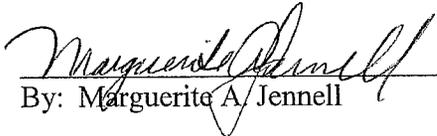
32. Successors and Assigns. These proffers shall bind and inure to the benefit of the Applicant and his/her successors and assigns.

APPLICANT/CONTRACT PURCHASER OF TAX MAP
44-4 ((1)) 18

CHRISTOPHER LAND, LLC


By: E. John Regan, Jr.
Its: Member

TITLE OWNER OF TAX MAP
44-4 ((1)) 18


By: Marguerite A. Jennell