

**Carrhomes, LLC**  
**RZ 2007-MV-011**  
**Comparison of R-1 to PDH-2**

	<b><u>R-1</u></b>	<b><u>PDH-2</u></b>	<b><u>PDH-2 (Revised)</u></b>
<b>Site Area</b>	7.45 acres	7.45 acres	7.45 acres
<b>Comp. Plan Rec.</b>	1-2 du/acre	1-2 du/acre	1-2 du/acre
<b>Density</b>	7 homes – 1.0 du/ac	12 homes – 1.6 du/acre	11 homes – 1.47 du/ac
<b>Home Size</b>	5,093 sq. ft. (3 car garage)	3,790 sq. ft. (2 car garage)	3,790 sq. ft. (2 car garage)
<b>Open Space</b>	No requirement 10.9% provided	20% requirement 40% provided	20% requirement 50% provided
<b>Tree Save Area</b>	.94 acre or 12.6%	1.31 acres or 17.6%	1.61 acres or 21.5%
<b>Tree Coverage</b>	20% required 20% provided	20% required 26% provided	20% required 34% provided
<b>Minimum Lot Size</b>	36,000 sq. ft.	No minimum requirement 10,900 sq. ft. average	No minimum requirement 12,100 sq. ft. average
<b>Minimum Lot Width</b>	150 ft.	No minimum requirement	No minimum requirement
<b>Impervious Surface</b>	66,760 sq. ft.	79,670 sq. ft.	70,120 sq. ft.
<b>Setbacks</b>	Required: <ul style="list-style-type: none"> <li>· Front – 40 ft.</li> <li>· Side – 20 ft.</li> <li>· Rear – 25 ft.</li> </ul>	No minimum requirement: <ul style="list-style-type: none"> <li>· Front – 18 ft. proffered</li> <li>· Side – 7 ft. proffered (min.)</li> <li>· Rear – 25 ft.</li> <li>· Proffered to tree save around periphery ranging from 0 ft. to 110 ft.</li> <li>· Closest home – 40 ft.</li> </ul>	No minimum requirement: <ul style="list-style-type: none"> <li>· Front – 18 ft. proffered</li> <li>· Side – 7 ft. proffered (min.)</li> <li>· Rear – 25 ft.</li> <li>· Proffered to tree save around periphery ranging from 15 ft. to 135 ft.</li> <li>· Closest home – 50 ft.</li> </ul>
<b>Proffers</b>	None	<ul style="list-style-type: none"> <li>· Recordation of conservation easement on tree save areas to ensure preservation</li> <li>· Preparation of a tree preservation plan</li> <li>· Contribution to the Park Authority (\$16,460.00)</li> <li>· Contribution to schools (\$23,260.00)</li> <li>· Contribution to affordable housing (1/2% of sales price)</li> <li>· Building materials</li> <li>· Energy efficient homes/low volatile organic compound paint and carpet</li> <li>· Archeological study</li> </ul>	<ul style="list-style-type: none"> <li>· Recordation of conservation easement on tree save areas to ensure preservation</li> <li>· Preparation of a tree preservation plan</li> <li>· Contribution to the Park Authority (\$21,500.00)</li> <li>· Contribution to schools (\$23,260.00)</li> <li>· Contribution to affordable housing (1/2% of sales price)</li> <li>· Building materials</li> <li>· Energy efficient homes/low volatile organic compound paint and carpet</li> <li>· Archeological study</li> </ul>

## **DRAFT PROFFERS**

Carrhomes, LLC

RZ 2007-MV-011

~~August 22~~October 31, 2007

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Carrhomes, LLC (hereinafter referred to as the Applicant”), for itself, successors and assigns in RZ 2007-MV-011, filed for property identified as Tax Map 99-4 ((1)) 32 and 33, (hereinafter referred to as the “Application Property”) hereby proffers the following, provided that the Board of Supervisors approves a rezoning of the Application Property to the PDH-2 District in conjunction with a Conceptual/Final Development Plan (CDP/FDP) for residential development. These proffers shall replace and supersede any previous proffers approved on the Application Property.

### **1. CONCEPTUAL/FINAL DEVELOPMENT PLAN -**

- a. Subject to the provisions of Section 16-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the CDP/FDP, consisting of seven (7) sheets prepared by Charles P. Johnson & Associates, Inc. dated January 18, 2007 and revised through ~~August 22~~ \_\_\_\_\_, 2007.
- b. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the layout, internal lot lines, and lot sizes of the proposed subdivision at time of subdivision plan submission based on final house locations, building footprints, and utility locations, provided that there is no decrease to the amount and location of open space, tree save, limits of clearing and grading, or distances to peripheral lot lines as dimensioned on the CDP/FDP.

### **2. TRANSPORTATION -**

- a. Subject to Virginia Department of Transportation (VDOT) and Department of Public Works and Environmental Services (DPWES) approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way for a public street to serve the residential community as shown on the CDP/FDP. Dedication shall be made at time of recordation of the final subdivision plat.
- b. Subject to VDOT and DPWES approval, the Applicant shall construct a public street ~~within to serve~~ the residential community within the dedicated right-of-way, as

shown on the CDP/FDP. Pipestem driveways shall be maintained by the homeowners association established for the Application Property. Said maintenance responsibilities and public pedestrian easements as applicable shall be disclosed to initial prospective purchasers prior to entering into a contract of sale, and shall be disclosed in the homeowners association documents.

- c. The Applicant shall construct a five (5) foot wide concrete sidewalk on both sides of the street within the dedicated right-of-way as shown on the CDP/FDP. The width of the sidewalk may vary as necessary to transition to an existing four (4) foot sidewalk located in the adjacent community.

- d. All construction traffic shall use Winstead Manor Drive to access the Application Property and not Telegraph Road. All construction personnel, including contractors, shall be informed of this restriction.

- ~~d.e.~~ Applicant reserves density credit as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance for all dedications described herein or as may be reasonably required by Fairfax County or VDOT whether such dedications occur prior to or at time of subdivision plat approval.

### 3. LANDSCAPING AND OPEN SPACE -

- a. Applicant shall provide landscaping on the Application Property as generally shown on the CDP/FDP. Said landscaping shall incorporate native species to the extent feasible.

- b. In addition to the landscaping shown on the CDP/FDP, the Applicant shall plant ornamental grasses and shrubs between the proposed stormwater management pond and Telegraph Road. Said plantings shall be provided to the extent possible as permitted by the regulations of DPWES and the restrictions of existing easements.

- ~~b.c.~~ The tree save areas shown on the CDP/FDP shall remain as undisturbed open space, subject to a recorded conservation easement as shown on the CDP/FDP running to the benefit of Fairfax County, in a form approved by the County Attorney, which prohibits removal of trees except those which are dead, diseased, noxious or hazardous. Parcel A shall be owned and maintained by the homeowners' association established for the development. The homeowners' association covenants shall contain clear language delineating the tree save areas subject to a conservation easement, the restrictions within those areas, and the responsibility of individual homeowners.

- ~~e.d.~~ The subdivision plan submitted by the Applicant shall provide for the management and treatment of harmful or invasive plants that occur in the areas to be left undisturbed. The management plan shall be submitted for review and approved by

the Urban Forest Management Division (UFM), and shall incorporate generally accepted industry standards for removal and management of invasive plants.

4. TREE DESIGNATION -

A tree preservation plan shall be submitted as part of the first and all subsequent subdivision submissions as follows:

- a. Tree Designation Plan. The tree designation plan shall be prepared by a professional with experience in the preparation of tree designation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of UFM. The tree designation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater, and 15 feet to either side of the limits of clearing and grading shown on the CDP/FDP. The tree designation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the CDP/FDP, and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan. The use of motorized equipment in the forested portion that is protected by the limits of clearing and grading for each phase of the project shall be limited to hand-operated equipment such as chainsaws, wheel barrows, rakes, and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless previously approved by UFM.
- b. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with a UFM representative to discuss 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 specifically by UFM in writing as dead or dying 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 the adjacent

trees and associated understory vegetation and soil conditions.

- c. Tree Protection Fencing. All trees shown to be preserved on the tree designation plan shall be protected by a tree protection fencing in the form of 4 foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart, or other forms of tree protection fencing approved by UFM. Tree protection fencing shall be erected at the limits of clearing and grading as shown on the CDP/FDP. Trenching for the fence shall not sever or wound compression roots which can lead to structural failure and/or uprooting of trees.

All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. Nothing contained in these Proffers shall preclude approval of a grading plan to allow demolition of the existing structure prior to subdivision plan approval. The installation of all tree protection fence types shall 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 days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, UFM and the Mount Vernon District Supervisors office, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

- d. Demolition of Existing Structures. The demolition of existing structures on the Application Property shall be conducted in a manner approved in writing by UFM, that minimizes impact on individual trees and/or groups of trees that are required to be saved. The Applicant shall gain written approval from UFM prior to seeking a demolition permit from Fairfax County.

Due to the close proximity of the existing residence to the sweet gum tree identified on the CDP/FDP, a A pre-demolition meeting shall be conducted with UFM, the Applicant and its contractor, which shall occur prior to any demolition work. A Project Arborist representing the Applicant shall be on-site during all demolition activities. All demolition work around the sweet gum tree and holly trees shall be done with the greatest care possible. Once demolition materials have been removed from the site, the disturbed area shall be carefully backfilled, and the disturbed area treated with topsoil, mulched and stabilized, using hand tools only.

- e. Existing Trees within Parcel A. In order to effectively preserve and protect the sweet gum tree, identified on the CDP/FDP, the Applicant shall provide tree care and appropriate construction practices prior, during and after construction work, which shall be included in the tree designation plan. Techniques to minimize and reduce construction impacts to the sweet gum tree, and holly trees (if preserved) including

techniques that address the installation of utilities near the tree, and shall be included in the to be submitted tree designation plan and all subdivision plans.

5. PARKS AND RECREATION -

- a. Pursuant to Paragraph 2 of Section 6-110 and Paragraph 2 of Section 16-404 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall contribute the sum of ~~Nine Hundred Fifty-five Dollars (\$955.00)~~ One Thousand Five Hundred Dollars (\$1,500.00) per approved lot to the Fairfax County Park Authority at time of subdivision plan approval for ~~recreation facilities in the vicinity of the Application Property.~~ recreation facilities, expansion and/or maintenance of Lavelle Dupelle Park, which is located in the vicinity of the Application Property.
- b. At time of subdivision plan approval, the Applicant shall contribute the sum of five thousand dollars (\$5,000.00) to the Fairfax County Park Authority, in addition to the amount described in Proffer 5.a., for recreation facilities, expansion, and/or maintenance of Lavelle Dupelle Park, which is located in the vicinity of the Application Property.

6. SCHOOL CONTRIBUTION -

Applicant shall contribute the sum of twenty-three thousand, two hundred sixty dollars (\$23,260.00) to the Fairfax County Board of Supervisors for capital improvements to Fairfax County Schools serving this development. Said contribution shall be payable at time of subdivision plan approval for the Application Property.

7. STORMWATER MANAGEMENT - BEST MANAGEMENT PRACTICES

- a. The Applicant shall provide stormwater management (SWM) and Best Management Practices (BMP) in a location as generally shown on the CDP/FDP and in accordance with the requirements of the Public Facilities Manual and Chesapeake Bay Preservation Ordinance, unless modified by DPWES. In the event that on-site stormwater management or BMPs are modified by DPWES, modification of the SWM/BMP pond shown on the CDP/FDP shall not require the approval of a proffered condition amendment or an amendment to the CDP/FDP. Any open space resulting from any modification shall remain as open space. Said modifications shall not substantially alter the lot layout configuration or the location of the retaining wall and landscaping as shown on the CDP/FDP.
- b. A landscape plan shall be submitted as part of the first and subsequent submissions of the subdivision plans and shall provide additional landscaping around and within the SWM facility in accordance with the planting policies of DPWES.

## 8. EROSION AND SEDIMENTATION CONTROL -

- a. Applicant shall design, as an integral part (phase I) of the initial erosion and sediment control plan, a sediment basin located at the site of the proposed permanent SWM pond. Where Virginia Erosion and Sedimentation Control Handbook (VESCH) design differs from the Applicant's design, the permanent design dimensions of the permanent SWM pond shall supercede those in the VESCH. All clearing and earthwork necessary for the construction of this basin shall be included in the initial phase I construction limits of clearing and grading and shall be the minimum amount necessary. No other clearing and grading operations, other than those required for other sediment and erosion control practices on-site shall be permitted until basin is operational for sediment control purposes. In no event shall said basin exceed the size of the proposed SWM pond as shown on the CDP/FDP.
- b. Applicant shall direct as much on-site disturbed areas to the sediment basin during all phases of construction as is reasonably possible and shall show such drainage areas on the phase I and II erosion and sediment control plans.
- c. Once rough grade has been achieved on any portion of the Application Property, that area shall be hydroseeded to meet or exceed the Fairfax County standards for critical slope areas as set forth in the Public Facilities Manual (PFM) with an appropriate seed mixture and mulched to prevent erosion during storms.

## 8.9. AFFORDABLE HOUSING -

At the time of final subdivision plat approval for the Application Property, the Applicant shall contribute to the Fairfax County Housing Trust Fund one-half of one percent (1/2%) of the estimated sales price of each new dwelling for the provision of affordable housing. The estimated sales price shall be determined by the Applicant in consultation with the staff of the Fairfax County Department of Housing and Community Development (HCD) and the DPWES. The timing and amount of this contribution may be modified at the Applicant's sole option based on the adoption of a future amendment to the formula adopted by the Board of Supervisors.

## 9.10. DESIGN -

- a. Applicant shall construct the residential dwellings as conceptually shown on the CDP/FDP. The fronts of the residential dwelling units shall include a majority of brick, masonry, stone or other comparable materials. Architectural features may include dormers, gables, bay windows and porches.
- b. A minimum side yard of seven (7) feet shall be provided for all proposed residential dwelling units, exclusive of Zoning Ordinance extensions permitted in Article 2 for bay windows, chimneys and similar features.

- c. A minimum driveway of eighteen (18) feet from the property line to the garage door shall be provided for all proposed residential dwelling units.
- d. All residential dwellings constructed on the Application Property shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES for either electric or gas energy systems. This shall include the use of energy star appliances.
- e. All residential dwellings shall be constructed with low volatile organic compound paint and carpet.
- f. All proposed residential dwelling units shall have a maximum height of thirty-five (35) feet as defined by the Zoning Ordinance

~~10.11.~~ 11. GEOTECHNICAL -

- a. Prior to subdivision plan approval, the Applicant shall submit a Geotechnical Report to DPWES for the Application Property as required by DPWES, for review and approval, and shall implement the recommendations outlined in the approved study, including additional measures recommended by DPWES.
- b. Applicant shall strictly adhere within five feet to the limits of clearing and grading as shown on the CDP/FDP as amended by the tree designation plan, except for the installation of utilities, including water, as determined by final engineering. In order to preserve these limits, the Applicant shall implement a variety of techniques as reviewed and approved by DPWES. The design and placement of all utilities shall consider the tree designation plan and protection of forested open space conservation easements, to the greatest extent possible. Retaining walls, if constructed, shall have a facade of stone or masonry as shown on the CDP/FDP. Retaining walls may be terraced and shall be landscaped. Retaining walls in excess of four (4) feet shall include handrails and guardrails as required by DPWES.

~~11.12.~~ 12. NOISE ATTENUATION -

Applicant shall achieve an interior noise level of approximately 45 dBA Ldn in all units located within 190 feet from the centerline of Telegraph Road in the area identified as having levels between 65 through 70 dBA Ldn. All units within this impacted area will have the following acoustical attributes as determined by DPWES:

- a. Exterior walls shall have a laboratory Sound Transmission Classification (STC) of at least 39.



- b. Doors and windows shall have an STC of at least 28. If glazing constitutes more than 20 percent of any façade, they shall have the same laboratory STC ratings specified for exterior walls.
- c. Adequate measures to seal and caulk between surfaces shall be provided.

Applicant shall achieve an exterior noise level of approximately 65 dBA Ldn for all units adjacent to Telegraph Road.

Nothing herein shall be construed to restrict or otherwise limit the use of balconies, patios or decks on residential units.

The Applicant reserves the right to pursue additional methods of mitigating highway noise impacts that can be demonstrated, through an independent noise study as reviewed and approved by DPWES, that these methods will be effective in reducing interior noise levels to 45 dBA Ldn or less, and exterior noise levels to 65 dBA Ldn or less.

~~12.13.~~ HERITAGE RESOURCES -

Prior to any land disturbing activities on the Application Property, Applicant shall conduct a Phase I archaeological study of the Application Property, and provide the results of such study to the Park Authority Cultural Resources Management and Protection Section (CRMPS). The study shall be conducted by a qualified archaeological professional approved by CRMPS, and shall be reviewed and approved by CRMPS within a reasonable time period so as to not delay construction. The Phase I study shall be performed in accordance with a scope provided by CRMPS. The study shall be completed prior to subdivision plat recordation.

There shall be no land disturbing activities on the Application Property until the Phase I study has been reviewed and approved by CRMPS. If any archeological resources are found by the Phase I study and determined to be potentially significant, then the Applicant shall conduct a Phase II archeological study. The Phase II study data recovery shall be performed in accordance with a scope provided by CRMPS. Archeological reports produced as a result of the Phase I and/or Phase II studies shall be submitted for approval to CRMPS. Said approval process shall be completed within a reasonable time period so as to not delay construction.

~~13.14.~~ MISCELLANEOUS -

- a. Applicant shall install three (3) purple martin houses on the Application Property in proximity to the SWM pond. The location and design of said houses shall be coordinated with appropriate representatives of the Fairfax County Park Authority.

- |      a.b.      These proffers shall bind and inure to the benefit of the Applicant and his or her successors and assigns.
- |      b.c.      These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.
- |      e.d.      All of the improvements described herein shall be constructed concurrent with development of the Application Property.

**[SIGNATURES BEGIN ON THE FOLLOWING PAGE]**

APPLICANT/CONTRACT PURCHASER OF TAX MAP  
99-4 ((1)) 32 AND 33

CARRHOMES, LLC

By: Carr Management, Inc., its Manager

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By: Thomas E. Jordan  
Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 99-4 ((1)) 32 AND 33

THE TRUST COMPANY OF VIRGINIA,  
SUCCESSOR TRUSTEE OF THE MARY ANN  
G. LEATHERLAND FAMILY TRUST

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By: Thomas R. Harrison  
Its: Senior Vice President

[SIGNATURES END]