County of Fairfax, Virginia
Planning Commission Meeting
January 15, 2025
Planning Commission Action

RZ-2023-PR-00018 – FAIRFAX COUNTY SCHOOL BOARD, A BODY CORPORATE
(Providence District)

PLANNING COMMISSION RECOMMENDATIONS:
On January 15, 2025, the Planning Commission voted 9-0-1 (Commissioner Wang was absent from the meeting. Commissioner Clarke abstained from the vote.) to recommend to the Board of Supervisors the following actions:

- Approval of RZ-2023-PR-00018, and the associated development plan, subject to the execution of proffers consistent with those dated January 13, 2025; and

- Approval of modification and waiver of the transitional screening and barrier requirements in favor of the landscaping shown on the GDP.

ATTACHED DOCUMENTS:
Proffers dated January 13, 2025

MJ

County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

MEMORANDUM

January 14, 2025

TO: Fairfax County Planning Commission

FROM: Katie Quinn, Zoning Evaluation Division, DPD

SUBJECT: Revised Proffers Dated January 13, 2025
RZ-2023-PR-00018
Fairfax County School Board, a body corporate
(Dunn Loring ES)

PC DECISION: January 15, 2025

Attached are revised proffers dated January 13, 2025. A summary of proffer revisions follows.

- **Revised Proffer 4 (Historical Documentation of the Property and the Existing Building):**
  Added permission for the History Commission and Heritage Resources to conduct tours, research, and a history field day on the site prior to building demolition.

- **Revised Proffer 5 (Interpretive Historical Exhibit and Historical Marker):**
  Added commitment to use best efforts to salvage existing school entrance and some of the exterior bricks for incorporation into the historical exhibit.

- **Revised Proffer 6 (Preservation and Conveyance of Historic Plaque):**
  Revised proffer to keep the preserved historical plaque onsite (in the historical exhibit) rather than potentially sent to the Virginia Room.

- **Deleted Proffer 7 (Salvaging Existing Bricks):**
  Deleted proposal to salvage 50 bricks from the historic building. Instead, Proffer 5 was revised to salvage an indeterminate number of bricks for the historic exhibit subject to physical condition and need.

- **Added Proffer 18 (Fencing along Northwestern Boundary with Wheystone Court Community):**
  Added commitment to install a 6’ tall chain link fence along Wheystone Court property line.

- **Added Proffer 19 (Offsite Pedestrian Connection to Cedar Lane):**
  Added $50,000 monetary contribution for the offsite pedestrian connection between Sawtooth Oak Court and Cedar Lane.

PLANNING & DEVELOPMENT

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- **Added Proffers 20, 21, and 22 (Coordination on School Events; Communication and Community Meetings During Construction; and Construction Noise and Lighting):** Added three new proffers to stagger school events to reduce event parking needs; to coordinate construction with adjacent communities; and to meet county noise and lighting regulations during construction.

- **Added Proffer 26 (Access Management Exception):** Added that the site plan will not be approved until VDOT approves the pending AME.

Staff continue to recommend approval of subject application.

Attachments

1. Draft Proffered Conditions (Redlined)
2. Draft Proffered Conditions (Clean)

FAIRFAX COUNTY SCHOOL BOARD
DUNN LORING ELEMENTARY SCHOOL

RZ-2023-PR-00018

PROFFER STATEMENT

July 15, 2024
August 23, 2024
September 19, 2024
December 27, 2024
January 13, 2025

Pursuant to Section 15.2-2303(A) of the Code of Virginia, as amended, and subject to the Fairfax County Board of Supervisors' (the "**Board**") approval of this application RZ-2023-PR-00018, as proposed, for rezoning from the R-1 District and the R-5 District, the Fairfax County School Board (the "**Applicant**") for itself and its successors and assigns, hereby proffers that development of the property identified as Fairfax County Tax Map Parcel 39-4-((1))-24 (the "**Property**"), containing approximately 9.975 acres, must be in accordance with the following proffered conditions (the "**Proffers**"), which, if approved, must replace and supersede all previous proffers approved for the Property, if any. In the event this application is denied, these Proffers must immediately be null and void and the previous proffers, if any, must remain in full force and effect.

GENERAL LAND USE

1. **Permitted Uses**. Use of the Property must be limited to public uses up to a maximum gross floor area of 130,000 square feet, which includes the floor area of any future modular classrooms as discussed further in Proffer ~~11~~**10**.

2. **Substantial Conformity**. The proposed school building must be developed in substantial conformance with the Generalized Development Plan ("**GDP**") dated January 9, 2024, revised through August 23, 2024, and prepared by Pennoni Associates Inc., consisting of twenty-seven (27) sheets, and further modified by these Proffers.

3. **Minor Modifications and Minor Variations**. Pursuant to Sect. 8100.5 of the Zoning Ordinance, minor modifications and minor variations from the approved GDP may be permitted as determined by the Zoning Administrator. Alterations of the proposed building may be made, so long as such changes are in substantial conformance with the GDP and these Proffers.

EXISTING SCHOOL BUILDING

4. **Historical Documentation of the Property and the Existing Building**. Prior to site plan approval for the new building or the issuance of the demolition permit for the existing building, whichever occurs first, in coordination with the Heritage Resources Branch of the Department of Planning and Development's Planning Division (the "**Heritage Resources Branch**"), the Applicant must conduct a Phase I Architectural Survey of the school to document the

architecture and building history. The survey must be conducted by a professional who meets the Secretary of the Interior's Qualifications Standards. If the Phase I survey results conclude that a Phase II study of the survey area is warranted, the Applicant must complete a Phase II Intensive Level Documentation, in accordance with Virginia Department of Historic Resources *Guidelines For Conducting Historic Resources Survey In Virginia*, October 2011, Revised September 2017, and provide that documentation to the Heritage Resources Branch. Also, prior to site plan approval for the new school building or the issuance of the demolition permit for the existing building, whichever occurs first, the building including the historic core and later additions, must be photographed to Historic American Buildings Survey (HABS) standards, using large-format photography technique, as outlined by the National Park Service, HABS/HAER/HALS Photography Guidelines, November 2011, updated June 2015. This documentation must be conducted by professionals who meet or exceed the professional qualifications listed in 36 CFR 61, Secretary of the Interior's Standards for History, Architectural History and Historic Preservation. The resulting product must include large format photography of all portions of the historic core of the school building, and a report containing, at a minimum: historical information (date of construction, architect, ownership history builder/supplier, original plans, and any alterations or additions), historic context narrative, architectural description (architectural character, description of exterior, description of interior, site description), and a bibliography containing sources of information. The completed surveys, photographs and negatives, or digital format photographs, must be submitted to the Heritage Resources Branch and to the Virginia Room of the Fairfax County Public Library, prior to site plan approval for the new building or demolition permit approval for the existing building, whichever occurs first. **Prior to approval of the demolition permit for the existing building, the Applicant will grant the Heritage Resources Branch and the Fairfax County History Commission (the "History Commission") reasonable access during normal business hours to the existing building and the Property to conduct tours and/or research related to the historic and cultural significance of the site. In addition, if as part of that access the Heritage Resources Branch and/or the History Commission desire to organize a history field day at the Property prior to issuance of the demolition permit for the existing building, the Applicant will participate and collaborate on such an event to incorporate programming that is developmentally appropriate for the student age population.**

5. **Interpretive Historical Exhibit and Historical Marker**. Prior to issuance of the demolition permit for the existing building, the Applicant must ~~**present an initial plan and design**~~**submit** to the Heritage Resources Branch ~~**and**~~**,** the History Commission **and the Fairfax County Architectural Review Board (the "ARB")** for review and comment**, an initial plan and design** for an interpretative **historical** exhibit ~~**displaying**~~**that explains** the history and evolution of the site and ~~**building to be installed inside the new school building**~~**the existing building, including ethnographic research of the local community members and descendants of those historically connected to the Property. The Applicant will use best efforts to salvage (i) the pediment and most or all of the associated entranceway to the existing school, and (ii) some of the existing exterior bricks, for the purpose of incorporating the pediment, associated entranceway and bricks into the interpretive historical exhibit. The portion of the existing entranceway to be incorporated into the interpretive historical exhibit will be subject to the Applicant's ability to save and repurpose the wood elements (e.g., decayed wood that cannot be reused will not be**

incorporated) and to display such elements inside the new school building to the extent permitted by the Virginia Uniform Statewide Building Code. The number of bricks to be salvaged will be based on the physical condition of the bricks and what is reasonably necessary to complete the plan for the interpretative historical exhibit. The Applicant ~~will~~must submit a final design plan for the interpretative ~~display~~historical exhibit, including the incorporation of all or such portions of the pediment, associated entranceway and salvaged bricks, to the Heritage Resources Branch ~~and~~, the History Commission and the ARB for review and comment prior to the installation of the interpretative ~~display~~historical exhibit. The interpretative ~~display is to~~historical exhibit must be installed inside the new school building prior to bond release. Additionally, ~~in coordination with the Heritage Resources Branch and collaboration with the History Commission,~~ the Applicant must ~~fabricate~~fund and install an interpretive wayside marker or ~~a~~an historical County marker, to be located on-site, to commemorate the family who conveyed the Property to the Applicant and the history of the Dunn Loring School, which will be installed prior to issuance of the Non-Residential Use Permit ("**Non-RUP**") for the new school building. The text, design and final location of ~~any exterior historical~~the marker ~~is to~~must be determined in collaboration with the Providence District Supervisor's Office, the Heritage Resources Branch and the History Commission ~~and depicted on the first site plan submission and must be installed prior to bond release~~.

6. **Preservation ~~and Conveyance~~ of Historic Plaque**. The "Federal Works Agency, Public Works Administration, Dunn Loring Elementary School" plaque, now located inside the historic core of the building, must be removed and ~~either (i) incorporated into the interpretative historical exhibit described in Proffer 5, or (ii) if not incorporated into the interpretative historical exhibit, then conveyed to the Virginia Room of the Fairfax County Library System,~~preserved prior to issuance of the demolition permit for the existing building. This plaque must be incorporated into the interpretative historical exhibit described in Proffer 5. Documentation of the incorporation of this plaque into the interpretative historical exhibit ~~or its conveyance to the Virginia Room~~ must be submitted to the Heritage Resources Branch, with a copy submitted to Land Development Services ("**LDS**").

~~7. Salvaging Existing Bricks. The Applicant must salvage at least fifty (50) of the bricks from the existing building and incorporate such bricks into the interpretative historical exhibit described in Proffer 5 or into a bench or other accessory structure or display located on the Property.~~

DESIGN

7. ~~8.~~ **Architecture**. The architectural design of the new school building must be in substantial conformance with the character of the elevations shown on Sheets 9 and 10 of the GDP. The elevations may be refined or modified as a result of final design and engineering so long as the character and quality of the building remain in substantial conformance with the GDP and these Proffers, as determined by the Zoning Administrator.

8. ~~9.~~ **Retaining Walls**. Subject to final engineering, the heights of the retaining walls will be generally as identified on the GDP up to a maximum height of eighteen (18) feet, which does not include the height of any pedestrian guard railing system on top of such walls. All retaining

walls taller than thirty (30) inches must not be blank, neutral color poured concrete in appearance. To break up and soften the appearance of retaining walls taller than thirty (30) inches, the Applicant must utilize decorative material or treatments compatible with the architecture of the new building, which may include, but are not limited to, modular block systems such as Magnum Stone instead of pour in place concrete, variations in façade color and/or texture, accent treatments and/or wall art. Examples of such retaining wall treatments are provided on the GDP. The Applicant also must install pedestrian guard railing systems, consisting of decorative aluminum powder coated open pickets with smooth top rail and bottom rail and matching posts at least forty-two (42) inches in height, on top of all retaining walls taller than thirty (30) inches.

9. ~~10.~~ **Electric Transformers and Loading/Trash/Service Area**. The location of the electric transformers shown on the GDP must be screened through the use of brick walls or solid fencing, with solid doors or similar treatments that are closed when not in use. The loading/trash/service area will be screened, to the extent practicable, from public view from Gallows Road and Idylwood Road through the use of landscaping, recessed entryways and/or similar treatments.

10. ~~11.~~ **Modular Classrooms**. The Applicant may install additional modular classrooms on the Property if needed to accommodate future enrollment. Modular classrooms must not be located in the areas identified on the GDP for recreational facilities or tree save. Any modular classrooms must be subject to review and approval by the Zoning Administrator and must meet all Zoning Ordinance requirements.

11. ~~12.~~ **Outdoor Lighting**. Exclusive of street lights, all on-site outdoor lighting provided with the new building will utilize LED lighting and will comply with the Outdoor Lighting Standards in the Zoning Ordinance, as may be amended. All proposed building-mounted security lighting on the Property will utilize full cut-off fixtures.

TRAFFIC AND PEDESTRIAN CIRCULATION

12. ~~13.~~ **Vehicle Management**. The Applicant must provide on-site traffic controls during the morning drop-off and afternoon pick-up periods consistent with Fairfax County Public Schools procedures in order to minimize the potential for conflicts between buses, vehicles and pedestrians, with a particular focus on mitigating potential adverse impacts on Idylwood Road. To minimize the potential for conflicts, the Applicant will restrict the easternmost entrance from Idylwood Road for school bus ingress and egress only during the morning drop-off and afternoon pick-up periods. Vehicles must not be permitted to use this entrance during the morning drop-off and afternoon pick-up periods. Signage must be posted on the Property along Idylwood Road identifying this entrance as being for bus use only during the morning drop-off and afternoon pick-up periods and identifying the times for drop-off and pick-up.

In addition, the Applicant must provide measures that have been successful for similar situations at other schools, which may include, without limitation, the following:

A. Stationing school staff along Idylwood Road and throughout the parking lots for the school to direct bus, vehicle and pedestrian traffic to mitigate any conflicts and to prevent vehicle queues from extending onto Idylwood Road;

B. Providing regular communications and reminders to the school community that all non-bus traffic to the Property during morning drop-off and afternoon pick-up periods must utilize the westernmost entrance from Idylwood Road;

C. Coordinating bus traffic such that the buses remain on-site until all buses are ready to leave the Property and are released to exit the Property together at the same time to avoid having buses both enter and exit through the entrance onto Idylwood Road at the same time.

D. Developing and implementing programs that promote school bus ridership, carpooling and safe pedestrian and bicycle routes to the school.

13. ~~**14.**~~ **Bicycle Parking**. The Applicant must provide bicycle racks as generally shown on the GDP. The ultimate quantity of bicycle racks provided will be consistent with the Applicant's elementary schools of comparable size and will be determined, in consultation with the Fairfax County Department of Transportation ("**FCDOT**") Bicycle Coordinator or their designee, at the time of site plan.

14. ~~**15.**~~ **Electric Vehicle Charging Stations**. Concurrent with the first site plan submission, the Applicant must identify a minimum of three (3) parking spaces for infrastructure for electric vehicle charging stations and install the conduit for future electric vehicle charging stations prior to the issuance of a Non-RUP for the new school building.

15. ~~**16.**~~ **Crosswalk Realignments**. Prior to issuance of the Non-RUP for the new school building, the Applicant must realign the crosswalks along the north and west legs of the signalized intersection at Gallows Road and Idylwood Road **generally** as shown on the GDP, subject to Virginia Department of Transportation ("**VDOT**") approval.

16. ~~**17.**~~ **Greenbrier Way and Idylwood Road Intersection**. Prior to site plan approval, the Applicant must prepare and submit to VDOT, in coordination with FCDOT, a study for a crosswalk across Idylwood Road to connect Greenbrier Way with the easternmost entrance to the Property. The Applicant also will work with VDOT to establish a school zone, with appropriate signage, during the morning and afternoon drop-off and pick-up periods for Idylwood Road along the frontage of the Property. If (i) the crosswalk study is approved by VDOT, (ii) a school zone is established by VDOT, and (iii) the Applicant's Office of Transportation Services determines that a crosswalk in that location provides safe access for students, the Applicant will install the crosswalk across Idylwood Road.

17. ~~**18.**~~ **Pedestrian Connection to Wheystone Court Community**. Prior to issuance of the Non-RUP for the new school building, the Applicant must provide a pedestrian connection on the Property from the travel aisle next to the paved play areas to the common property line with the Wheystone Court community to the north (Fairfax County Tax Map Parcel 39-4-((15)-A) ("**Parcel A**"), as generally shown on the GDP. Unless required by the Americans With Disabilities Act ("**ADA**"), this pedestrian connection does not have to be ADA-accessible. If

any easements are needed across Parcel A to provide an off-site pedestrian connection from this location to the existing sidewalk on Parcel A, the Applicant must make diligent efforts to obtain such off-site easements as demonstrated to LDS upon request at the time of site plan. Diligent efforts will include meeting with the Wheystone Court owners association, which will include the presentation of illustrative graphics and a description of the benefits of connectivity. In the event the Applicant obtains the necessary off-site easements, the Applicant will construct a pedestrian connection across Parcel A to the existing sidewalk located in the existing public access easement on Parcel A. In the event the Applicant cannot acquire the necessary off-site easements, despite the Applicant's diligent and good faith efforts, then the cost to construct the connection to the existing sidewalk located in the public access easement on Parcel A will be escrowed with the County for future construction by others. Such escrow payment will be made prior to the issuance of the Non-RUP for the new school building. Upon payment of such escrow, the obligations of this Proffer will be satisfied.

18. Fencing along Northwestern Boundary with Wheystone Court Community. The Applicant must install a six foot (6') tall chain link fence along the common property line with the Wheystone Court Community extending approximately 325 linear feet along the property line to a corner of the retaining wall with the pedestrian guard railing generally as shown on the illustration attached as Exhibit A.

19. Offsite Pedestrian Connection to Cedar Lane. Prior to site plan approval, the Applicant must make a one-time contribution of $50,000.00 to the Board to be used for the design and construction of an offsite pedestrian connection between Sawtooth Oak Court and Cedar Lane.

20. Coordination on School Events. The Applicant must schedule major school events to avoid having the students and/or parents of the entire student body attending at the same time. By way of example and not limitation, the Applicant must break up the annual back-to-school meetings into two or more evenings to spread the students and parents of the different grades over more than one evening. The Applicant will also provide the opportunity for neighbors to sign up on the Applicant's webpage for email notifications regarding events at the future school.

21. Communication and Community Meetings During Construction. The Applicant must comply with its communications and engagement plans for capital projects, which include creation and maintenance of a project web page featuring project status and engagement and feedback opportunities, and holding an in-person community pre-construction meeting prior to commencing construction of the new school building. At the community pre-construction meeting, the Applicant will provide contact information for the project staff member who can address questions and concerns by community members during construction.

22. Construction Noise and Lighting. Construction of the new school building must be subject to the Noise Ordinance of Fairfax County. All lights used to illuminate the construction site, including any staging areas, must be full cut-off or directionally shielded so that the directed light must be substantially confined to the construction site.

TRANSPORTATION

23. ~~19.~~ **Gallows Road Perpetual Street Easement**. Prior to site plan approval, the Applicant must dedicate a perpetual easement for public street purposes along the Property's Gallows Road frontage as shown on the GDP to accommodate future improvements to the roadway to be constructed by others. The total width of the perpetual easement is not to exceed seventy-nine (79) feet from existing centerline if the ultimate condition is determined to include a southbound right turn taper or sixty-seven (67) feet from existing centerline if the improvement of a southbound right turn taper is not warranted in the ultimate condition.

24. ~~20.~~ **Frontage Improvements and Shared Use Paths**. Prior to site plan approval, the Applicant must dedicate a perpetual easement for public street purposes along the Idylwood Road frontage of the Property to accommodate the frontage improvements as shown on the GDP. Prior to issuance of the Non-RUP for the new school building, the Applicant must construct the public street frontage improvements along Gallows Road and Idylwood Road as shown on the GDP, including a ten foot (10') wide shared use path along the Gallows Road and Idylwood Road frontages of the Property with connections to the internal pedestrian system on the Property as shown on the GDP, subject to VDOT approval. Such frontage improvements must be open to use by the public, although not necessarily accepted by VDOT, prior to issuance of the Non-RUP for the new school building.

25. ~~21.~~ **Traffic Signal Modifications**. Concurrent with the submission of the first site plan, the Applicant must submit to VDOT a signal timing plan to optimize the traffic signal for the Gallows Road intersection with Idylwood Road and must coordinate with VDOT and FCDOT to implement an approved plan prior to issuance of the Non-RUP for the new school building.

26. **Access Management Exception. In the event VDOT has not approved an access management exception ("AME") for the proposed eastern entrance to the Property, the Applicant will obtain approval of the AME prior to site plan approval.**

ENVIRONMENTAL, LANDSCAPING AND OPEN SPACE

27. ~~22.~~ **Limits of Clearing and Grading**. The Applicant must conform to the limits of clearing and grading as generally shown on the GDP, subject to allowances specified in these Proffers and for the installation of trails and utilities as determined necessary by the Director of LDS, as described herein. If it is determined necessary to install trails or utilities in areas protected by the limits of clearing and grading as shown on the GDP, such utilities must be located in the least disruptive manner necessary as determined by the Applicant and the Forest Conservation Branch ("**FCON**") of LDS. A replanting plan must be developed and implemented, subject to approval by FCON, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities.

28. ~~23.~~ **Open Space**. A minimum of twenty-five percent (25%) open space must be retained on the Property, as depicted on the GDP.

29. ~~24.~~ **Stormwater Management and Best Management Practices (BMPs)**. Stormwater management, BMPs, and adequate outfall must be provided for the building and related site

improvements, at a minimum, in substantial conformance with the performance criteria provided on the GDP and in accordance with the Public Facilities Manual (the "**PFM**") as determined by LDS. The Applicant must coordinate with the County's Stormwater Planning Division of the Department of Public Works and Environmental Services ("**DPWES**") to identify projects that can be pursued collaboratively to enhance stormwater detention and quality measures on or in the vicinity of the Property. At the time of site plan review, the Applicant may substitute alternative stormwater quality control facilities or measures, subject to the approval of the Stormwater Planning Division. However, these alternative measures must not include the purchase of off-site nutrient credits.

30. ~~25.~~ **Landscape Plan**. Landscaping must be generally consistent with the quality, quantity and locations shown on the Landscape Plan included as within the GDP (the "**Landscape Plan**"), which illustrates the plantings to be provided on the Property. The Landscape Plan is conceptual in nature and the tree species and planting locations may be modified by the Applicant, in coordination with FCON, as part of final engineering and building design and in response to the requirements of the Fire Marshal, provided such modifications provide a similar quality and quantity of landscape plantings and materials as shown on the Landscape Plan.

A. Landscape Planting Pre-Installation Meeting. Prior to installation of plants to meet the requirements of the Landscape Plan, the Applicant must coordinate a pre-installation meeting on-site with the landscape contractor and FCON. Any proposed changes to the planting locations, tree/shrub planting sizes, and any proposed species substitutions for the plants shown on the Landscape Plan must be reviewed and approved by FCON prior to planting. The installation of plants to meet the requirements of the Landscape Plan that are not approved by FCON may require the submission of a revision to the Landscape Plan, or part thereof, or removal and replacement with approved trees/shrubs prior to bond release.

Field location of planting material, when required by the Landscape Plan, must be reviewed at the pre-installation meeting. The Applicant must stake proposed individual planting locations prior to the pre-installation meeting. Stakes must be adjusted, as needed, during the course of the meeting as determined by FCON based on discussion with the Applicant.

B. Native, Non-Invasive Species. All landscaping provided must be native to the mid-Atlantic region to the extent available and feasible, and must be non-invasive (meaning the Applicant must not use any plant species identified in the 2014, or latest version, of the Virginia Invasive Plant Species List published by the Virginia Department of Conservation and Recreation). The Applicant reserves the right, in consultation with and approval by FCON, to modify the exact species to be used, such as when plant materials are not available or have been deemed by FCON to no longer be appropriate.

C. Soil Remediation. Soil in planting areas that contain construction debris and rubble, are compacted, or are unsuitable for the establishment and long-term survival of landscape plants, will be the subject of remedial action to restore

planting areas to satisfy cultural requirements of trees, shrubs and groundcovers specified in the Landscape Plan. The Applicant must provide notes and details specifying how the soil will be restored for the establishment and long-term survival of landscape plants for review and approval by FCON. Soil remediation must take place only after site disturbance is complete, including all vehicle and equipment traffic, but before placement of topsoil.

D. Natural Landscaping. As part of the first and all subsequent site plan submissions, the Applicant must include a landscape planting plan and plant specifications for review and approval by FCON. The landscape planting plan and specifications must incorporate sustainable landscape planting techniques designed to reduce maintenance requirements and contribute to a cleaner and healthier environment with improved air quality, stormwater management, and resource conservation capabilities that can be provided by trees and other desirable vegetation. A selection of native or adapted species that are non-invasive plants must be incorporated to the maximum extent possible to encourage native pollinators to reduce the need for supplemental watering and the use of chemical fertilizers, herbicides and pesticides.

31. ~~26.~~ **Tree Preservation**. The Applicant must submit a Tree Inventory and Condition Analysis (the "**Tree Preservation Plan**") for any portion of the Property identified on the GDP as tree save area, as part of any site plan that includes such portion of the Property. The Tree Preservation Plan must be prepared by a certified arborist or registered consulting arborist and must include elements of PFM Sect. 12-0307 deemed appropriate to the Property as determined by FCON. The Tree Preservation Plan must include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for individual trees, living or dead, with trunks 10 inches in diameter and greater (measured at four and one-half (4½) 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 within 25 feet from the proposed limits of clearing and grading in the undisturbed area and within 10 feet of the proposed limits of clearing and grading in the area to be disturbed. All trees inventoried must be tagged in the field so they can be easily identified. The Tree Preservation Plan must provide for the preservation of those areas shown for tree preservation on the GDP. The Tree Preservation Plan must include all items specified in PFM Sect. 12-0507 and 12-0509, as amended or replaced.

A. Invasive Plant Species Management. Forested areas containing plant species that are known to be invasive in quantities that threaten the long-term health and survival of the existing vegetation present must be the subject of an invasive plant species management plan in order for the area to be awarded full 10-year canopy credit. At the time of site plan submission, the Applicant must provide a management plan for review and approval by FCON specifying the common and scientific name of invasive species proposed for management, the target area for management efforts, methods of control and disposal of invasive plants, timing of treatments and monitoring, duration of the management program, and potential reforestation as needed.

B. Tree Protection Fencing. All trees shown to be preserved on the Tree Preservation Plan must be protected by tree protection fencing. Tree protection fencing must be in the form of four-foot (4') high, fourteen (14) gauge welded wire attached to six-foot (6') steel posts driven eighteen inches (18") inches into the ground and placed no farther than ten (10) feet apart, or super silt fence so long as any required trenching is done per the root pruning guidelines.

All tree protection fencing must be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities. The installation of all tree protection fencing must be performed under the direct supervision of a certified arborist and/or registered consulting arborist (the "**Project Arborist**"), and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) business days prior to the commencement of any clearing or grading activities, but subsequent to the installation of the tree protection fencing, FCON must be notified and given the opportunity to inspect the Property to ensure that all tree protection fencing has been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities will occur until the fencing is installed correctly, as determined by FCON.

C. Tree Preservation Measures. Tree preservation measures must be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets of the Tree Preservation Plan. Tree preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching and watering. Specifications must be provided on the Tree Preservation Plan detailing how preservation measures must be implemented. Tree preservation activities must be completed during implementation of the Erosion and Sediment Control Plan.

D. Tree Preservation Walk-Through. The Applicant must retain the services of the Project Arborist and must have the approved 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 Project Arborist or a landscape architect must walk the limits of clearing and grading with FCON 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 must be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated must be removed using a chain saw and such removal must be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this must be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

E. Site Monitoring. The Project Arborist must be present on-site during implementation of the Tree preservation Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition

activities. During implementation of the Erosion and Sediment Control Plan, the Project Arborist must visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by FCON. Written reports must be submitted to FCON and Site Development and Inspections Division ("**SDID**") site inspectors detailing site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan.

32. ~~27.~~ **Noise Attenuation**. Concurrent with the second submission of the first site plan for the new building on the Property, the Applicant will submit to the County an acoustical analysis ("**Noise Study**") prepared by a qualified acoustical consultant, and based on final site grades as shown on the site plan and final architectural plans, to determine what noise attenuation measures are required to reduce the interior day-night average noise level (DNL) from transportation noise sources to no more than 45 dBA for the new building on the Property. Noise contours for any portion of the new building impacted with exterior DNL greater than 65 dBA must be shown on the site plans. If the Noise Study concludes that certain portions of the new building will be affected by an exterior DNL above 65 dBA then the Noise Study will make specific recommendations about construction methods and/or materials, including the upgrade of windows and patio doors, if necessary, needed to reduce the interior DNL to no more than 45 dBA for such portions of the new building. The Noise Study will be submitted to EDRB and LDS for review, and the Applicant will additionally notify the Chief of EDRB by letter that such submission has been made. The Applicant will implement the recommendations contained in the Noise Study to ensure that interior noise is mitigated to levels that do not exceed an average noise (from all sources) of 45 dBA DNL.

All site plans, building permit applications and building plans submitted to the County for the new building will indicate whether the building is required to include noise attenuation measures and, if so, the type of attenuation measure to be implemented. Construction measures to mitigate noise can include, but are not limited to, appropriate Sound Transmission Class ("STC") ratings for windows, doors, exterior walls, and roofs; stone wool, mineral wool, or other enhanced insulation materials; additional layers of dry wall; resilient channels or clips; and appropriate seals and caulking between surfaces. Building and site plans for the new building will depict the final noise impacts as determined by the Noise Study.

GREEN BUILDING

33. ~~28.~~ **Green Building Design**. The Applicant is a member of the Collaborative for High Performance Schools ("**CHPS**"). The building must be designed to meet the CHPS criteria. Prior to issuance of a Non-RUP for the new school building, documentation demonstrating that the CHPS (Designed) criteria have been incorporated into the design of the new building must be provided to the Environment and Development Review Branch ("**EDRB**") of the Department of Planning and Development ("**DPD**") and to LDS.

34. ~~29.~~ **Flexibility to Incorporate Additional Sustainability Measures**. The Applicant may incorporate additional sustainability measures into the development of the Property, including adding geothermal wells in the area of the recreational facilities and adding shade structures

over some of the impervious surfaces such as parking spaces and paved play areas. Shade structures may include photovoltaic panels. These measures must be permitted without the need for a PCA or amendment to the GDP even though they are not identified on the GDP, as long as such measures are in substantial conformance with the GDP and comply with the Zoning Ordinance.

MISCELLANEOUS

35. ~~30.~~ **Ballfield Lighting**. The ballfields to be constructed on the Property with the new school building must not be lighted fields, unless lighting is proposed in the future and is approved by the Board through an amendment to these Proffers or through approval of a minor variation pursuant to § 8100.5(A)(2) of the Zoning Ordinance, if applicable, or a comparable application or request.

36. ~~31.~~ **Timing**. Notwithstanding the foregoing, upon demonstration that, despite diligent efforts or due to factors beyond the Applicant's control, proffered commitments have been delayed beyond the timeframes specified in these Proffers, the Zoning Administrator may agree to a later date for completion of such commitments.

37. ~~32.~~ **Advance Density Credit**. Advance density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance, for all eligible dedications described herein or as may be required by Fairfax County or VDOT pursuant to the PFM, at the time of subdivision and/or site plan approval for the Property.

38. ~~33.~~ **Severability**. Any portion of the Property may be the subject of a PCA, GDP amendment, Special Exception ("**SE**") and/or Special Permit ("**SP**") without joinder and/or consent of the owners of other portions of the Property, if such PCA, GDP amendment, SE and/or SP does not have any material adverse effect on such other portions of the Property. Previously approved proffered conditions or development conditions applicable to the balance of the Property that is not the subject of the PCA, GDP amendment, SE and/or SP will otherwise remain in full force and effect.

39. ~~34.~~ **Successors and Assigns**. Each reference to "Applicant" in this Proffer Statement will include within its meaning, and will be binding upon, the Applicant's successors in interest, assigns, and/or developers of the Property or any portion of the Property.

FAIRFAX COUNTY SCHOOL BOARD
Applicant and Title Owner of
Tax Map Parcel 39-4-((1))-24

By:_____
Name:_____
Title:_____

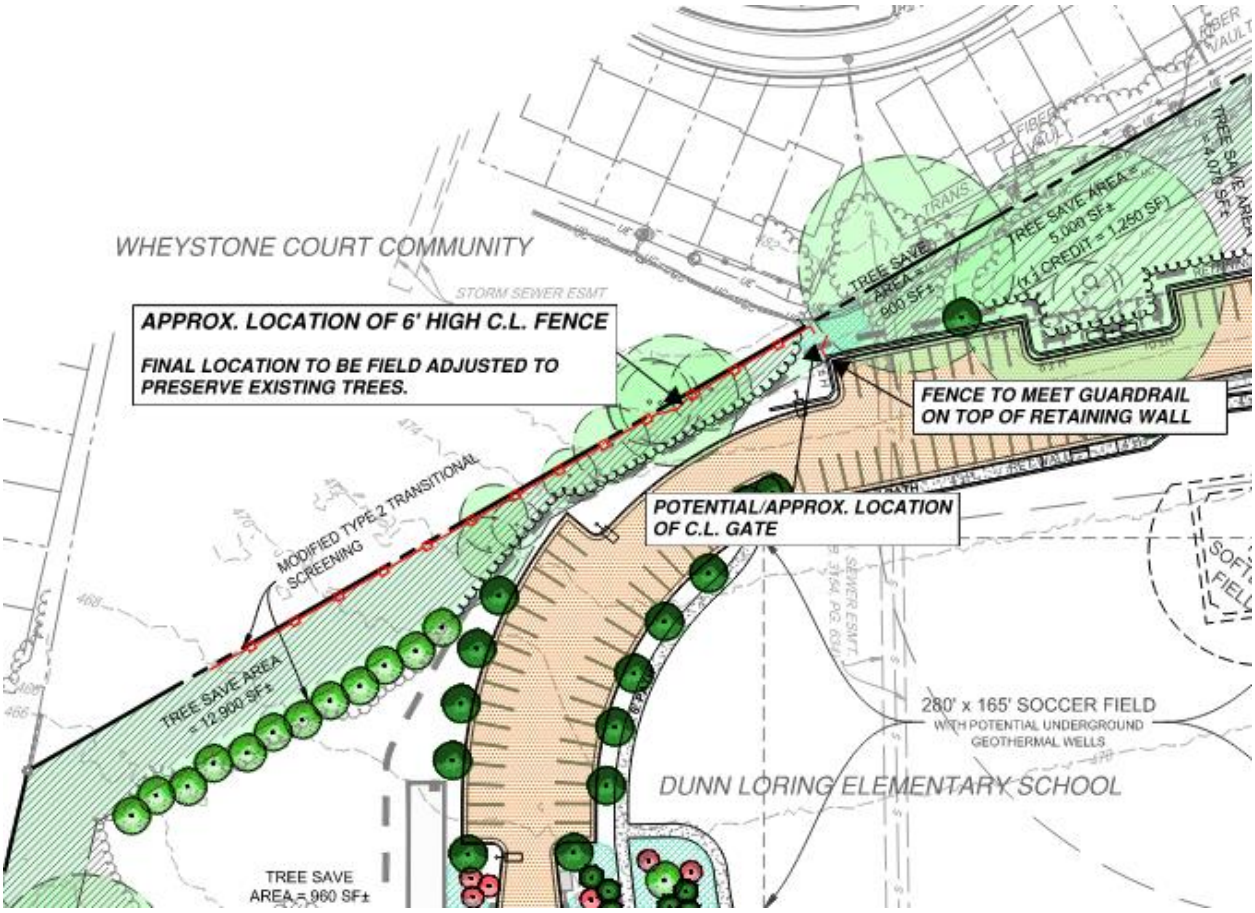
Summary report: **Litera Compare for Word 11.9.1.1 Document comparison done on 1/13/2025 4:10:52 PM**	
Style name: Firm Standard	
Intelligent Table Comparison: Active	
Original DMS: iw://dms.hunton.com/DMS/304301225/16	
Modified DMS: iw://dms.hunton.com/DMS/304301225/20	
Changes:	
Add	67
~~**Delete**~~	49
~~Move From~~	0
Move To	0
Table Insert	0
~~**Table Delete**~~	0
Table moves to	0
~~Table moves from~~	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	116

DUNN LORING ELEMENTARY SCHOOL

RZ-2023-PR-00018

EXHIBIT A

(REFERENCE TO PROFFER 18)



FAIRFAX COUNTY SCHOOL BOARD
DUNN LORING ELEMENTARY SCHOOL

RZ-2023-PR-00018

PROFFER STATEMENT

July 15, 2024
August 23, 2024
September 19, 2024
December 27, 2024
January 13, 2025

Pursuant to Section 15.2-2303(A) of the Code of Virginia, as amended, and subject to the Fairfax County Board of Supervisors' (the "**Board**") approval of this application RZ-2023-PR-00018, as proposed, for rezoning from the R-1 District and the R-5 District, the Fairfax County School Board (the "**Applicant**") for itself and its successors and assigns, hereby proffers that development of the property identified as Fairfax County Tax Map Parcel 39-4-((1))-24 (the "**Property**"), containing approximately 9.975 acres, must be in accordance with the following proffered conditions (the "**Proffers**"), which, if approved, must replace and supersede all previous proffers approved for the Property, if any. In the event this application is denied, these Proffers must immediately be null and void and the previous proffers, if any, must remain in full force and effect.

GENERAL LAND USE

1. **Permitted Uses**. Use of the Property must be limited to public uses up to a maximum gross floor area of 130,000 square feet, which includes the floor area of any future modular classrooms as discussed further in Proffer 10.

2. **Substantial Conformity**. The proposed school building must be developed in substantial conformance with the Generalized Development Plan ("**GDP**") dated January 9, 2024, revised through August 23, 2024, and prepared by Pennoni Associates Inc., consisting of twenty-seven (27) sheets, and further modified by these Proffers.

3. **Minor Modifications and Minor Variations**. Pursuant to Sect. 8100.5 of the Zoning Ordinance, minor modifications and minor variations from the approved GDP may be permitted as determined by the Zoning Administrator. Alterations of the proposed building may be made, so long as such changes are in substantial conformance with the GDP and these Proffers.

EXISTING SCHOOL BUILDING

4. **Historical Documentation of the Property and the Existing Building**. Prior to site plan approval for the new building or the issuance of the demolition permit for the existing building, whichever occurs first, in coordination with the Heritage Resources Branch of the Department of Planning and Development's Planning Division (the "**Heritage Resources Branch**"), the Applicant must conduct a Phase I Architectural Survey of the school to document the

architecture and building history. The survey must be conducted by a professional who meets the Secretary of the Interior's Qualifications Standards. If the Phase I survey results conclude that a Phase II study of the survey area is warranted, the Applicant must complete a Phase II Intensive Level Documentation, in accordance with Virginia Department of Historic Resources *Guidelines For Conducting Historic Resources Survey In Virginia*, October 2011, Revised September 2017, and provide that documentation to the Heritage Resources Branch. Also, prior to site plan approval for the new school building or the issuance of the demolition permit for the existing building, whichever occurs first, the building including the historic core and later additions, must be photographed to Historic American Buildings Survey (HABS) standards, using large-format photography technique, as outlined by the National Park Service, HABS/HAER/HALS Photography Guidelines, November 2011, updated June 2015. This documentation must be conducted by professionals who meet or exceed the professional qualifications listed in 36 CFR 61, Secretary of the Interior's Standards for History, Architectural History and Historic Preservation. The resulting product must include large format photography of all portions of the historic core of the school building, and a report containing, at a minimum: historical information (date of construction, architect, ownership history builder/supplier, original plans, and any alterations or additions), historic context narrative, architectural description (architectural character, description of exterior, description of interior, site description), and a bibliography containing sources of information. The completed surveys, photographs and negatives, or digital format photographs, must be submitted to the Heritage Resources Branch and to the Virginia Room of the Fairfax County Public Library, prior to site plan approval for the new building or demolition permit approval for the existing building, whichever occurs first. Prior to approval of the demolition permit for the existing building, the Applicant will grant the Heritage Resources Branch and the Fairfax County History Commission (the "**History Commission**") reasonable access during normal business hours to the existing building and the Property to conduct tours and/or research related to the historic and cultural significance of the site. In addition, if as part of that access the Heritage Resources Branch and/or the History Commission desire to organize a history field day at the Property prior to issuance of the demolition permit for the existing building, the Applicant will participate and collaborate on such an event to incorporate programming that is developmentally appropriate for the student age population.

5. **Interpretive Historical Exhibit and Historical Marker**. Prior to issuance of the demolition permit for the existing building, the Applicant must submit to the Heritage Resources Branch, the History Commission and the Fairfax County Architectural Review Board (the "**ARB**") for review and comment, an initial plan and design for an interpretative historical exhibit that explains the history and evolution of the site and the existing building, including ethnographic research of the local community members and descendants of those historically connected to the Property. The Applicant will use best efforts to salvage (i) the pediment and most or all of the associated entranceway to the existing school, and (ii) some of the existing exterior bricks, for the purpose of incorporating the pediment, associated entranceway and bricks into the interpretive historical exhibit. The portion of the existing entranceway to be incorporated into the interpretive historical exhibit will be subject to the Applicant's ability to save and repurpose the wood elements (e.g., decayed wood that cannot be reused will not be incorporated) and to display such elements inside the new school building to the extent permitted by the Virginia Uniform Statewide Building Code. The number of bricks to be salvaged will be based on the physical condition of the bricks and what is reasonably necessary to complete the plan for the

interpretative historical exhibit. The Applicant must submit a final design plan for the interpretative historical exhibit, including the incorporation of all or such portions of the pediment, associated entranceway and salvaged bricks, to the Heritage Resources Branch, the History Commission and the ARB for review and comment prior to the installation of the interpretative historical exhibit. The interpretative historical exhibit must be installed inside the new school building prior to bond release. Additionally, the Applicant must fund and install an interpretive wayside marker or an historical County marker, to be located on-site, to commemorate the family who conveyed the Property to the Applicant and the history of the Dunn Loring School, which will be installed prior to issuance of the Non-Residential Use Permit ("**Non-RUP**") for the new school building. The text, design and final location of the marker must be determined in collaboration with the Providence District Supervisor's Office, the Heritage Resources Branch and the History Commission.

6. **Preservation of Historic Plaque**. The "Federal Works Agency, Public Works Administration, Dunn Loring Elementary School" plaque, now located inside the historic core of the building, must be removed and preserved prior to issuance of the demolition permit for the existing building. This plaque must be incorporated into the interpretative historical exhibit described in Proffer 5. Documentation of the incorporation of this plaque into the interpretative historical exhibit must be submitted to the Heritage Resources Branch, with a copy submitted to Land Development Services ("**LDS**").

DESIGN

7. **Architecture**. The architectural design of the new school building must be in substantial conformance with the character of the elevations shown on Sheets 9 and 10 of the GDP. The elevations may be refined or modified as a result of final design and engineering so long as the character and quality of the building remain in substantial conformance with the GDP and these Proffers, as determined by the Zoning Administrator.

8. **Retaining Walls**. Subject to final engineering, the heights of the retaining walls will be generally as identified on the GDP up to a maximum height of eighteen (18) feet, which does not include the height of any pedestrian guard railing system on top of such walls. All retaining walls taller than thirty (30) inches must not be blank, neutral color poured concrete in appearance. To break up and soften the appearance of retaining walls taller than thirty (30) inches, the Applicant must utilize decorative material or treatments compatible with the architecture of the new building, which may include, but are not limited to, modular block systems such as Magnum Stone instead of pour in place concrete, variations in façade color and/or texture, accent treatments and/or wall art. Examples of such retaining wall treatments are provided on the GDP. The Applicant also must install pedestrian guard railing systems, consisting of decorative aluminum powder coated open pickets with smooth top rail and bottom rail and matching posts at least forty-two (42) inches in height, on top of all retaining walls taller than thirty (30) inches.

9. **Electric Transformers and Loading/Trash/Service Area**. The location of the electric transformers shown on the GDP must be screened through the use of brick walls or solid fencing, with solid doors or similar treatments that are closed when not in use. The loading/trash/service area will be screened, to the extent practicable, from public view from

Gallows Road and Idylwood Road through the use of landscaping, recessed entryways and/or similar treatments.

10. **Modular Classrooms**. The Applicant may install additional modular classrooms on the Property if needed to accommodate future enrollment. Modular classrooms must not be located in the areas identified on the GDP for recreational facilities or tree save. Any modular classrooms must be subject to review and approval by the Zoning Administrator and must meet all Zoning Ordinance requirements.

11. **Outdoor Lighting**. Exclusive of street lights, all on-site outdoor lighting provided with the new building will utilize LED lighting and will comply with the Outdoor Lighting Standards in the Zoning Ordinance, as may be amended. All proposed building-mounted security lighting on the Property will utilize full cut-off fixtures.

TRAFFIC AND PEDESTRIAN CIRCULATION

12. **Vehicle Management**. The Applicant must provide on-site traffic controls during the morning drop-off and afternoon pick-up periods consistent with Fairfax County Public Schools procedures in order to minimize the potential for conflicts between buses, vehicles and pedestrians, with a particular focus on mitigating potential adverse impacts on Idylwood Road. To minimize the potential for conflicts, the Applicant will restrict the easternmost entrance from Idylwood Road for school bus ingress and egress only during the morning drop-off and afternoon pick-up periods. Vehicles must not be permitted to use this entrance during the morning drop-off and afternoon pick-up periods. Signage must be posted on the Property along Idylwood Road identifying this entrance as being for bus use only during the morning drop-off and afternoon pick-up periods and identifying the times for drop-off and pick-up.

    In addition, the Applicant must provide measures that have been successful for similar situations at other schools, which may include, without limitation, the following:

    A. Stationing school staff along Idylwood Road and throughout the parking lots for the school to direct bus, vehicle and pedestrian traffic to mitigate any conflicts and to prevent vehicle queues from extending onto Idylwood Road;

    B. Providing regular communications and reminders to the school community that all non-bus traffic to the Property during morning drop-off and afternoon pick-up periods must utilize the westernmost entrance from Idylwood Road;

    C. Coordinating bus traffic such that the buses remain on-site until all buses are ready to leave the Property and are released to exit the Property together at the same time to avoid having buses both enter and exit through the entrance onto Idylwood Road at the same time.

    D. Developing and implementing programs that promote school bus ridership, carpooling and safe pedestrian and bicycle routes to the school.

13. **Bicycle Parking**. The Applicant must provide bicycle racks as generally shown on the GDP. The ultimate quantity of bicycle racks provided will be consistent with the Applicant's elementary

schools of comparable size and will be determined, in consultation with the Fairfax County Department of Transportation ("**FCDOT**") Bicycle Coordinator or their designee, at the time of site plan.

14. **Electric Vehicle Charging Stations**. Concurrent with the first site plan submission, the Applicant must identify a minimum of three (3) parking spaces for infrastructure for electric vehicle charging stations and install the conduit for future electric vehicle charging stations prior to the issuance of a Non-RUP for the new school building.

15. **Crosswalk Realignments**. Prior to issuance of the Non-RUP for the new school building, the Applicant must realign the crosswalks along the north and west legs of the signalized intersection at Gallows Road and Idylwood Road generally as shown on the GDP, subject to Virginia Department of Transportation ("**VDOT**") approval.

16. **Greenbrier Way and Idylwood Road Intersection**. Prior to site plan approval, the Applicant must prepare and submit to VDOT, in coordination with FCDOT, a study for a crosswalk across Idylwood Road to connect Greenbrier Way with the easternmost entrance to the Property. The Applicant also will work with VDOT to establish a school zone, with appropriate signage, during the morning and afternoon drop-off and pick-up periods for Idylwood Road along the frontage of the Property. If (i) the crosswalk study is approved by VDOT, (ii) a school zone is established by VDOT, and (iii) the Applicant's Office of Transportation Services determines that a crosswalk in that location provides safe access for students, the Applicant will install the crosswalk across Idylwood Road.

17. **Pedestrian Connection to Wheystone Court Community**. Prior to issuance of the Non-RUP for the new school building, the Applicant must provide a pedestrian connection on the Property from the travel aisle next to the paved play areas to the common property line with the Wheystone Court community to the north (Fairfax County Tax Map Parcel 39-4-((15)-A) ("**Parcel A**"), as generally shown on the GDP. Unless required by the Americans With Disabilities Act ("**ADA**"), this pedestrian connection does not have to be ADA-accessible. If any easements are needed across Parcel A to provide an off-site pedestrian connection from this location to the existing sidewalk on Parcel A, the Applicant must make diligent efforts to obtain such off-site easements as demonstrated to LDS upon request at the time of site plan. Diligent efforts will include meeting with the Wheystone Court owners association, which will include the presentation of illustrative graphics and a description of the benefits of connectivity. In the event the Applicant obtains the necessary off-site easements, the Applicant will construct a pedestrian connection across Parcel A to the existing sidewalk located in the existing public access easement on Parcel A. In the event the Applicant cannot acquire the necessary off-site easements, despite the Applicant's diligent and good faith efforts, then the cost to construct the connection to the existing sidewalk located in the public access easement on Parcel A will be escrowed with the County for future construction by others. Such escrow payment will be made prior to the issuance of the Non-RUP for the new school building. Upon payment of such escrow, the obligations of this Proffer will be satisfied.

18. **Fencing along Northwestern Boundary with Wheystone Court Community**. The Applicant must install a six foot (6') tall chain link fence along the common property line with the Wheystone Court Community extending approximately 325 linear feet along the property line

to a corner of the retaining wall with the pedestrian guard railing generally as shown on the illustration attached as **Exhibit A**.

19. **Offsite Pedestrian Connection to Cedar Lane**. Prior to site plan approval, the Applicant must make a one-time contribution of $50,000.00 to the Board to be used for the design and construction of an offsite pedestrian connection between Sawtooth Oak Court and Cedar Lane.

20. **Coordination on School Events**. The Applicant must schedule major school events to avoid having the students and/or parents of the entire student body attending at the same time. By way of example and not limitation, the Applicant must break up the annual back-to-school meetings into two or more evenings to spread the students and parents of the different grades over more than one evening. The Applicant will also provide the opportunity for neighbors to sign up on the Applicant's webpage for email notifications regarding events at the future school.

21. **Communication and Community Meetings During Construction**. The Applicant must comply with its communications and engagement plans for capital projects, which include creation and maintenance of a project web page featuring project status and engagement and feedback opportunities, and holding an in-person community pre-construction meeting prior to commencing construction of the new school building. At the community pre-construction meeting, the Applicant will provide contact information for the project staff member who can address questions and concerns by community members during construction.

22. **Construction Noise and Lighting**. Construction of the new school building must be subject to the Noise Ordinance of Fairfax County. All lights used to illuminate the construction site, including any staging areas, must be full cut-off or directionally shielded so that the directed light must be substantially confined to the construction site.

TRANSPORTATION

23. **Gallows Road Perpetual Street Easement**. Prior to site plan approval, the Applicant must dedicate a perpetual easement for public street purposes along the Property's Gallows Road frontage as shown on the GDP to accommodate future improvements to the roadway to be constructed by others. The total width of the perpetual easement is not to exceed seventy-nine (79) feet from existing centerline if the ultimate condition is determined to include a southbound right turn taper or sixty-seven (67) feet from existing centerline if the improvement of a southbound right turn taper is not warranted in the ultimate condition.

24. **Frontage Improvements and Shared Use Paths**. Prior to site plan approval, the Applicant must dedicate a perpetual easement for public street purposes along the Idylwood Road frontage of the Property to accommodate the frontage improvements as shown on the GDP. Prior to issuance of the Non-RUP for the new school building, the Applicant must construct the public street frontage improvements along Gallows Road and Idylwood Road as shown on the GDP, including a ten foot (10') wide shared use path along the Gallows Road and Idylwood Road frontages of the Property with connections to the internal pedestrian system on the Property as shown on the GDP, subject to VDOT approval. Such frontage improvements must be open to

use by the public, although not necessarily accepted by VDOT, prior to issuance of the Non-RUP for the new school building.

25. **Traffic Signal Modifications**. Concurrent with the submission of the first site plan, the Applicant must submit to VDOT a signal timing plan to optimize the traffic signal for the Gallows Road intersection with Idylwood Road and must coordinate with VDOT and FCDOT to implement an approved plan prior to issuance of the Non-RUP for the new school building.

26. **Access Management Exception**. In the event VDOT has not approved an access management exception ("**AME**") for the proposed eastern entrance to the Property, the Applicant will obtain approval of the AME prior to site plan approval.

ENVIRONMENTAL, LANDSCAPING AND OPEN SPACE

27. **Limits of Clearing and Grading**. The Applicant must conform to the limits of clearing and grading as generally shown on the GDP, subject to allowances specified in these Proffers and for the installation of trails and utilities as determined necessary by the Director of LDS, as described herein. If it is determined necessary to install trails or utilities in areas protected by the limits of clearing and grading as shown on the GDP, such utilities must be located in the least disruptive manner necessary as determined by the Applicant and the Forest Conservation Branch ("**FCON**") of LDS. A replanting plan must be developed and implemented, subject to approval by FCON, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities.

28. **Open Space**. A minimum of twenty-five percent (25%) open space must be retained on the Property, as depicted on the GDP.

29. **Stormwater Management and Best Management Practices (BMPs)**. Stormwater management, BMPs, and adequate outfall must be provided for the building and related site improvements, at a minimum, in substantial conformance with the performance criteria provided on the GDP and in accordance with the Public Facilities Manual (the "**PFM**") as determined by LDS. The Applicant must coordinate with the County's Stormwater Planning Division of the Department of Public Works and Environmental Services ("**DPWES**") to identify projects that can be pursued collaboratively to enhance stormwater detention and quality measures on or in the vicinity of the Property. At the time of site plan review, the Applicant may substitute alternative stormwater quality control facilities or measures, subject to the approval of the Stormwater Planning Division. However, these alternative measures must not include the purchase of off-site nutrient credits.

30. **Landscape Plan**. Landscaping must be generally consistent with the quality, quantity and locations shown on the Landscape Plan included as within the GDP (the "**Landscape Plan**"), which illustrates the plantings to be provided on the Property. The Landscape Plan is conceptual in nature and the tree species and planting locations may be modified by the Applicant, in coordination with FCON, as part of final engineering and building design and in response to the requirements of the Fire Marshal, provided such modifications provide a similar quality and quantity of landscape plantings and materials as shown on the Landscape Plan.

A. Landscape Planting Pre-Installation Meeting. Prior to installation of plants to meet the requirements of the Landscape Plan, the Applicant must coordinate a pre-installation meeting on-site with the landscape contractor and FCON. Any proposed changes to the planting locations, tree/shrub planting sizes, and any proposed species substitutions for the plants shown on the Landscape Plan must be reviewed and approved by FCON prior to planting. The installation of plants to meet the requirements of the Landscape Plan that are not approved by FCON may require the submission of a revision to the Landscape Plan, or part thereof, or removal and replacement with approved trees/shrubs prior to bond release.

Field location of planting material, when required by the Landscape Plan, must be reviewed at the pre-installation meeting. The Applicant must stake proposed individual planting locations prior to the pre-installation meeting. Stakes must be adjusted, as needed, during the course of the meeting as determined by FCON based on discussion with the Applicant.

B. Native, Non-Invasive Species. All landscaping provided must be native to the mid-Atlantic region to the extent available and feasible, and must be non-invasive (meaning the Applicant must not use any plant species identified in the 2014, or latest version, of the Virginia Invasive Plant Species List published by the Virginia Department of Conservation and Recreation). The Applicant reserves the right, in consultation with and approval by FCON, to modify the exact species to be used, such as when plant materials are not available or have been deemed by FCON to no longer be appropriate.

C. Soil Remediation. Soil in planting areas that contain construction debris and rubble, are compacted, or are unsuitable for the establishment and long-term survival of landscape plants, will be the subject of remedial action to restore planting areas to satisfy cultural requirements of trees, shrubs and groundcovers specified in the Landscape Plan. The Applicant must provide notes and details specifying how the soil will be restored for the establishment and long-term survival of landscape plants for review and approval by FCON. Soil remediation must take place only after site disturbance is complete, including all vehicle and equipment traffic, but before placement of topsoil.

D. Natural Landscaping. As part of the first and all subsequent site plan submissions, the Applicant must include a landscape planting plan and plant specifications for review and approval by FCON. The landscape planting plan and specifications must incorporate sustainable landscape planting techniques designed to reduce maintenance requirements and contribute to a cleaner and healthier environment with improved air quality, stormwater management, and resource conservation capabilities that can be provided by trees and other desirable vegetation. A selection of native or adapted species that are non-invasive plants must be incorporated to the maximum extent possible to encourage native pollinators to reduce the need for supplemental watering and the use of chemical fertilizers, herbicides and pesticides.

31. **Tree Preservation**. The Applicant must submit a Tree Inventory and Condition Analysis (the "**Tree Preservation Plan**") for any portion of the Property identified on the GDP as tree save area, as part of any site plan that includes such portion of the Property. The Tree Preservation Plan must be prepared by a certified arborist or registered consulting arborist and must include elements of PFM Sect. 12-0307 deemed appropriate to the Property as determined by FCON. The Tree Preservation Plan must include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for individual trees, living or dead, with trunks 10 inches in diameter and greater (measured at four and one-half (4½) 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 within 25 feet from the proposed limits of clearing and grading in the undisturbed area and within 10 feet of the proposed limits of clearing and grading in the area to be disturbed. All trees inventoried must be tagged in the field so they can be easily identified. The Tree Preservation Plan must provide for the preservation of those areas shown for tree preservation on the GDP. The Tree Preservation Plan must include all items specified in PFM Sect. 12-0507 and 12-0509, as amended or replaced.

    A. Invasive Plant Species Management. Forested areas containing plant species that are known to be invasive in quantities that threaten the long-term health and survival of the existing vegetation present must be the subject of an invasive plant species management plan in order for the area to be awarded full 10-year canopy credit. At the time of site plan submission, the Applicant must provide a management plan for review and approval by FCON specifying the common and scientific name of invasive species proposed for management, the target area for management efforts, methods of control and disposal of invasive plants, timing of treatments and monitoring, duration of the management program, and potential reforestation as needed.

    B. Tree Protection Fencing. All trees shown to be preserved on the Tree Preservation Plan must be protected by tree protection fencing. Tree protection fencing must be in the form of four-foot (4') high, fourteen (14) gauge welded wire attached to six-foot (6') steel posts driven eighteen inches (18") inches into the ground and placed no farther than ten (10) feet apart, or super silt fence so long as any required trenching is done per the root pruning guidelines.

    All tree protection fencing must be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities. The installation of all tree protection fencing must be performed under the direct supervision of a certified arborist and/or registered consulting arborist (the "**Project Arborist**"), and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) business days prior to the commencement of any clearing or grading activities, but subsequent to the installation of the tree protection fencing, FCON must be notified and given the opportunity to inspect the Property to ensure that all tree protection fencing has been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities will occur until the fencing is installed correctly, as determined by FCON.

C. Tree Preservation Measures. Tree preservation measures must be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets of the Tree Preservation Plan. Tree preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching and watering. Specifications must be provided on the Tree Preservation Plan detailing how preservation measures must be implemented. Tree preservation activities must be completed during implementation of the Erosion and Sediment Control Plan.

D. Tree Preservation Walk-Through. The Applicant must retain the services of the Project Arborist and must have the approved 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 Project Arborist or a landscape architect must walk the limits of clearing and grading with FCON 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 must be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated must be removed using a chain saw and such removal must be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this must be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

E. Site Monitoring. The Project Arborist must be present on-site during implementation of the Tree preservation Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of the Erosion and Sediment Control Plan, the Project Arborist must visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by FCON. Written reports must be submitted to FCON and Site Development and Inspections Division ("**SDID**") site inspectors detailing site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan.

32. **Noise Attenuation**. Concurrent with the second submission of the first site plan for the new building on the Property, the Applicant will submit to the County an acoustical analysis ("**Noise Study**") prepared by a qualified acoustical consultant, and based on final site grades as shown on the site plan and final architectural plans, to determine what noise attenuation measures are required to reduce the interior day-night average noise level (DNL) from transportation noise sources to no more than 45 dBA for the new building on the Property. Noise contours for any portion of the new building impacted with exterior DNL greater than 65 dBA must be shown on the site plans. If the Noise Study concludes that certain portions of the new building will be affected by an exterior DNL above 65 dBA then the Noise Study will make specific recommendations about construction methods and/or materials, including the upgrade of windows and patio doors, if necessary, needed to reduce the interior DNL to no more than 45

dBA for such portions of the new building. The Noise Study will be submitted to EDRB and LDS for review, and the Applicant will additionally notify the Chief of EDRB by letter that such submission has been made. The Applicant will implement the recommendations contained in the Noise Study to ensure that interior noise is mitigated to levels that do not exceed an average noise (from all sources) of 45 dBA DNL.

All site plans, building permit applications and building plans submitted to the County for the new building will indicate whether the building is required to include noise attenuation measures and, if so, the type of attenuation measure to be implemented. Construction measures to mitigate noise can include, but are not limited to, appropriate Sound Transmission Class ("STC") ratings for windows, doors, exterior walls, and roofs; stone wool, mineral wool, or other enhanced insulation materials; additional layers of dry wall; resilient channels or clips; and appropriate seals and caulking between surfaces. Building and site plans for the new building will depict the final noise impacts as determined by the Noise Study.

GREEN BUILDING

33. **Green Building Design**. The Applicant is a member of the Collaborative for High Performance Schools ("**CHPS**"). The building must be designed to meet the CHPS criteria. Prior to issuance of a Non-RUP for the new school building, documentation demonstrating that the CHPS (Designed) criteria have been incorporated into the design of the new building must be provided to the Environment and Development Review Branch ("**EDRB**") of the Department of Planning and Development ("**DPD**") and to LDS.

34. **Flexibility to Incorporate Additional Sustainability Measures**. The Applicant may incorporate additional sustainability measures into the development of the Property, including adding geothermal wells in the area of the recreational facilities and adding shade structures over some of the impervious surfaces such as parking spaces and paved play areas. Shade structures may include photovoltaic panels. These measures must be permitted without the need for a PCA or amendment to the GDP even though they are not identified on the GDP, as long as such measures are in substantial conformance with the GDP and comply with the Zoning Ordinance.

MISCELLANEOUS

35. **Ballfield Lighting**. The ballfields to be constructed on the Property with the new school building must not be lighted fields, unless lighting is proposed in the future and is approved by the Board through an amendment to these Proffers or through approval of a minor variation pursuant to § 8100.5(A)(2) of the Zoning Ordinance, if applicable, or a comparable application or request.

36. **Timing**. Notwithstanding the foregoing, upon demonstration that, despite diligent efforts or due to factors beyond the Applicant's control, proffered commitments have been delayed beyond the timeframes specified in these Proffers, the Zoning Administrator may agree to a later date for completion of such commitments.

37. **Advance Density Credit**. Advance density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance, for all eligible dedications described herein or as may be required by Fairfax County or VDOT pursuant to the PFM, at the time of subdivision and/or site plan approval for the Property.

38. **Severability**. Any portion of the Property may be the subject of a PCA, GDP amendment, Special Exception ("**SE**") and/or Special Permit ("**SP**") without joinder and/or consent of the owners of other portions of the Property, if such PCA, GDP amendment, SE and/or SP does not have any material adverse effect on such other portions of the Property. Previously approved proffered conditions or development conditions applicable to the balance of the Property that is not the subject of the PCA, GDP amendment, SE and/or SP will otherwise remain in full force and effect.

39. **Successors and Assigns**. Each reference to "Applicant" in this Proffer Statement will include within its meaning, and will be binding upon, the Applicant's successors in interest, assigns, and/or developers of the Property or any portion of the Property.

FAIRFAX COUNTY SCHOOL BOARD
Applicant and Title Owner of
Tax Map Parcel 39-4-((1))-24

By:_____
Name:_____
Title:_____

DUNN LORING ELEMENTARY SCHOOL

RZ-2023-PR-00018

EXHIBIT A

(REFERENCE TO PROFFER 18)

