County of Fairfax, Virginia
Planning Commission Meeting
July 16, 2025
Planning Commission Action

Plan Amendment 2024-I-1J (PA 2024-00001) Concurrent with RZ/FDP 2019-PR-008 – 7426 IDYLWOOD ROAD
(Providence District)

RZ/FDP 2019-PR-008 Concurrent with PA 2024-I-1J – SPLC HOMES ASSOCIATION LLC
(Providence District)

PLANNING COMMISSION RECOMMENDATIONS:
On July 16, 2025, the Planning Commission voted 9-0-1 (Commissioners Carter and Thomas were absent from the meeting. Commissioner Cortina abstained from the vote) to recommend to the Board of Supervisors the adoption of PA 2024-I-1J, as shown in the staff report dated July 3, 2025.

Concurrently, the Planning Commission voted 10-0 (Commissioners Carter and Thomas were absent from the meeting) to recommend to the Board of Supervisors approval of the following actions:

- RZ-2019-PR-008 and associated CDP, subject to the execution of proffers consistent with those dated July 16, 2025;

- Waiver of 200-square foot privacy yard requirement for the rear-loading single-family attached units;

- Waiver of 600-foot maximum length for private streets;

- Modification of the barrier requirements along the western property line to that shown on the CDP/FDP;

- Waiver of the barrier requirements along the northern property line; and

- Modification of the transitional screening requirements along the western property line to that shown on the CDP/FDP.

In a related action, the Planning Commission voted 10-0 (Commissioners Carter and Thomas were absent from the meeting) to approve FDP-2019-PR-008.

ATTACHED DOCUMENTS:
Proffers dated July 16, 2025

CD

DRAFT
PROFFER STATEMENT
ST. PAUL'S LUTHERAN CHURCH
RZ 2019-PR-008

January 29, 2025
April 14, 2025
June 25, 2025
June 27, 2025
July 15, 2025
July 16, 2025

Pursuant to Section 15.2-2303(A) of the Code of Virginia (1950, as amended) and Section 8100.2 of the Fairfax County Zoning Ordinance (2021, as amended) (the "Zoning Ordinance"), Trustees of St. Paul's Lutheran Church, as the owner, for itself and its successors and assigns ("Owner") and SPLC Homes Associates LLC, as the applicant ("Applicant"), in this rezoning application hereby proffer that the development of the property identified as Fairfax County Tax Map Reference 40-3 ((1)) 6, 7, 7A, and 9 (the "Property") will be in accordance with the following conditions ("Proffers") if, and only if, the Fairfax County Board of Supervisors approves RZ 2019-PR-008 (the "Application"). In the event the Board of Supervisors denies the Application, the Proffers will immediately be null and void, and any and all existing development conditions applicable to the Property will remain in full force and effect.

GENERAL

1. Substantial Conformance. The Property will be developed in substantial conformance with the Conceptual Development Plan/Final Development Plan ("CDP/FDP") dated June 11, 2024, and revised through June 23, 2025, prepared by Walter L. Phillips, Inc., and consisting of fifty-four (54) sheets, as further described below.

2. CDP Elements. Notwithstanding that the Conceptual Development Plan and the Final Development Plan are presented on the same sheets and defined as the CDP/FDP in Proffer 1, it will be understood that the proffered elements of the CDP are limited to: (a) the maximum number of dwelling units as set forth on the CDP/FDP, (b) the general location and arrangement, minimum setbacks, and maximum building heights of the buildings on the Property as shown on the CDP/FDP, (c) the general location of the points of access to the Property and accompanying grid of streets, pedestrian and vehicular circulation routes through the Property as shown on the CDP/FDP, (d) the minimum amount of open space and the character and minimum amount of park space; and (e) the proposed uses (collectively "CDP Elements"). The Applicant reserves the right to request approval from the Fairfax County Planning Commission of a Final Development Plan Amendment ("FDPA") pursuant to 8100.2.E(2) of the Zoning Ordinance for elements other than CDP Elements for all or a portion of the Property and the CDP/FDP provided such FDPA is in substantial conformance with these Proffers.

3. Minor Modifications and Minor Variations. Minor modifications to the CDP/FDP and

these Proffers will be permitted pursuant to Section 8100.5 of the Zoning Ordinance when necessitated by sound engineering or when necessary as part of final site design or engineering. Minor variations to the CDP/FDP and/or Proffers may be permitted by approval of the Board of Supervisors with public notice, and may not need a public hearing or a CDPA, FDPA, or PCA, pursuant to Section 8100.5 of the Zoning Ordinance.

4. Declaration and Owners Association. The Applicant may cause the recordation of one or more declarations creating any necessary Umbrella Owners Association ("UOA") or Homeowners Association ("HOA") for the Property to address the general maintenance and other obligations (including but not limited to stormwater management and retaining walls) of the owner(s) (and their successors and assigns), including the fulfillment of these Proffers. If recorded or established, the declaration and/or UOA/HOA documents will separately identify those maintenance or proffer obligations that will or are expected to fall principally on owners or residents of the dwelling units, and such obligations (including budgets provided in any offering or sale materials) will be disclosed to the owners/residents prior to entering into a contract of sale.

5. Existing and Proposed Development. The Applicant may develop the Property with up to 71 single-family attached dwelling units ("Proposed Residential"). The existing approximately 17,196 square foot religious assembly use with up to 300 seats in the sanctuary, and child care for up to 99 children will remain ("Existing Church"), and may expand by the Owner up to a maximum of 27,928 square feet of gross floor area ("Church Expansion"), all as generally as shown on Sheet P-0301 of the CDP/FDP.

6. Future Applications. Any portion of the Property may be the subject of a Conceptual Development Plan Amendment ("CDPA"), FDPA, Proffered Condition Amendment ("PCA"), Rezoning ("RZ"), Special Exception ("SE"), Special Permit ("SP"), Variance or other zoning action without the joinder and/or consent of the owner(s) of the other land area(s), provided that such application complies with Section 8100.2 of the Zoning Ordinance and Section 15.2-2302 of the Code of Virginia, as applicable.

7. Phasing. Construction may proceed in phases as shown on Sheets P-0301 and P-0302 of the CDP/FDP. Right-of-way dedications, improvements to Idylwood Road and Leesburg Pike, and all park spaces will be provided in Phase 1.

RELIGIOUS ASSEMBLY AND CHILD CARE USES

8. Non-Residential Use Permit. A copy of the Non-Residential Use Permit (Non-RUP) for the religious assembly and child care uses must be posted in a conspicuous place and made available to all departments of the County of Fairfax during hours of operation.

9. Seating Capacity. The seating capacity of the main worship area of the religious assembly use must not exceed 300.

10. Child Care Enrollment. The maximum daily enrollment for the child care will not exceed ninety-nine (99) children.

11. Child Care Hours. The maximum hours of operation for the child care will be limited to 9:30 a.m. to 12:30 p.m., Monday through Friday.

12. Sign. The existing sign for the religious assembly use is permitted to remain and be maintained, refaced, and/or updated in its existing location, provided the sign area is not expanded.

BUILDING DESIGN

13. Architecture. At the time of site plan, it will be demonstrated to Land Development Services (LDS) that the architectural design of the Proposed Residential and/or Church Expansion are in substantial conformance with the bulk, mass, proportion and type and quality of materials shown in the on the CDP/FDP. At time of site plan for the Proposed Residential, it will also be demonstrated that the colors of the front, side and rear of the Proposed Residential are consistent with that shown on the CDP/FDP. At-grade building projections, above grade building projections, bay windows, balconies, awnings, and other architectural features may be provided along any façade of the residential buildings and may extend beyond the building footprints shown on the CDP/FDP as permitted under Article 5 of the Zoning Ordinance. Prior to the issuance of a building permit for the Proposed Residential or Church Expansion, it will be demonstrated to the satisfaction of LDS that the final architectural design is in substantial conformance with the general type, quality, and proportion of materials depicted on Sheets P-0606 through P-0617 of the CDP/FDP.

14. Universal Design.

    A. At time of initial purchase of any residential dwelling which has yet to begin construction, the Applicant will make available upon request to each purchaser the following universal design options at no additional cost:

        i. Blocking for reinforcement of grab bars in accordance with the Fair Housing Accessibility Guidelines.

        ii. Front entrance doors that are a minimum of 36 inches wide.

        iii. Light switches and thermostats a maximum of 48 inches high, as measured form the floor to the bottom of the fixture.

        iv. Lever door handles and faucets instead of knobs.

        v. Clear knee space of 27 inches under the sink.

        vi. Electrical outlets a minimum of 15 inches high, as measured from the floor to the bottom of the fixture.

B. At time of initial purchase of any residential dwelling unit which has yet to begin construction, the Applicant must make available upon request to each purchaser additional universal design options at the purchaser's sole cost. These additional options may include, but not be limited to:

i. A shower with a maximum curb of 2 inches high.

ii. A bathroom on the entry level which meets the accessibility specifications for a Type A bathroom under the Fair Housing Accessibility Guidelines. This must not be construed to require step-less entry from the exterior into the house.

iii. Grab bars in the bathrooms that are ADA compliant.

iv. Strobe lights as smoke alarms for hearing-impaired residents.

v. If shown on the approved site plan, step-less entry from the garage to the house to the extent permitted by the then current edition of the Virginia Statewide Building Code and to the extent lot and site grading conditions allow.

15. Building Height. The building heights for the Proposed Residential and Church Expansion will not exceed the maximum heights identified on Sheet P-0102 of the CDP/FDP. Building heights will be measured in accordance with the provisions of the Zoning Ordinance and will be exclusive of those accessory structures that are excluded from the maximum building height as set forth in Section 5100.2.C of the Zoning Ordinance. Notwithstanding the foregoing, however, nothing will preclude the Applicant/Owner from constructing the Proposed Residential and/or Church Expansion to lesser building heights than the maximum building heights shown on the CDP/FDP.

16. Retaining Walls. The maximum permitted retaining wall heights are depicted on the CDP/FDP and must be of high-quality materials. The retaining walls identified as high-visibility retaining walls on Sheet P-0306 will be in substantial conformance with the image included on Sheet L-0306 of the CDP/FDP. The Applicant/Owner reserve the right to install additional retaining walls up to three (3) feet in height and to modify existing retaining walls on the Property, subject to the approval of LDS, without the need for a PCA or CDPA/FDPA, if determined necessary at the time of site plan, so long as those existing retaining walls do not become taller in height.

17. Green Building. The Applicant must seek certification for the single-family attached dwellings from one of the following programs and must notify the Environmental Branch of the Department of Planning and Development (DPD) of the program selection at time of site plan submission.

A. EarthCraft. If the Applicant selects EarthCraft for any single-family attached dwelling units, then the Applicant must provide documentation from the EarthCraft

project manager demonstrating that the project has been registered, completed final inspection, and has met the requirements to attain EarthCraft Certification prior to RUP issuance for each dwelling unit. The applicant will provide documentation to LDS and the Environmental Branch of DPD demonstrating certification for the Proposed Development prior to final bond release.

B. NGBS for single-family structures. Certification in accordance with the most current version of National Green Building Standard (NGBS) using the ENERGY STAR® Qualified Homes path for energy performance, as demonstrated through documentation submitted to LDS and DPD from a home energy rater certified through Home Innovation Research Labs that demonstrates that the dwelling unit has attained the certification prior to the issuance of the RUP for each dwelling.

C. LEED for Homes. The Applicant will include, as part of the site plan submission and building plan submission, a list of specific credits within the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design—Homes. A LEED-accredited professional (LEED-AP) who is also a professional engineer or licensed architect will provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED certification of the project.

   i. Green Building Escrow. Prior to building plan approval, the Applicant will post a "green building escrow," in the form of cash or a letter of credit from a financial institution acceptable to LDS as defined in the Public Facilities Manual, in the amount of (80% of the square footage of the building multiplied by $2). This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of certification, by the U.S. Green Building Council, under the most current version of the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design for Homes (LEED® for Homes) rating system. The provision to the Environmental Branch of DPD of documentation from the U.S. Green Building Council that each building has attained LEED certification will be sufficient to satisfy this commitment. If the Applicant fails to provide documentation to the Environmental Branch of DPD demonstrating attainment of LEED certification within one year of issuance of the final RUP, the escrow will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

   ii. LEED Online System. Prior to building plan approval, the Applicant will designate DPZEDRB@fairfaxcounty.gov as a team member in the USGBC's LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any

documentation or paperwork.

iii. Release of Green Building Escrow. If the Applicant provides to the Development Review Branch of DPD, within one year of issuance of the final RUP for the building, documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the U.S. Green Building Council to fall within three points of attainment of LEED certification, 50% of the escrow will be released to the Applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the Applicant fails to provide, within one year of issuance of the final RUP, documentation to the Environmental Branch of DPD demonstrating attainment of LEED certification or demonstrating that the development has fallen short of certification by three points or more, the entirety of the escrow for the development will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives. If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environmental Branch of DPD, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the proffered time frame will be extended until such time as evidence is obtained, and no release of escrowed funds will be made to the Applicant or to the County during the extension.

D. Alternative Program. The Applicant may utilize an equivalent alternative program selected in consultation with and approved by the Environmental Branch of DPD prior to the site plan approval.

18. Noise Attenuation. The Applicant must incorporate construction measures as part of the Proposed Residential consistent with those found in St. Paul's Lutheran Transportation Noise Impact Analysis report prepared by Phoenix Noise & Vibration, LLC, dated February 26, 2024 and revised through April 18, 2025, to ensure that interior noise in dwelling units will not be in excess of DNL 45 dBA and outdoor recreation areas will not exceed DNL 65 dBA. If mitigation measures are required for dwelling units, then site and building plans for each unit that is subject to noise mitigation must depict the final noise contours as determined by the noise study; measures that will be incorporated must be included on site/building plans.

A. Noise Barriers. Noise barriers will be in substantial conformance with that shown on the CDP/FDP.

B. Notifications. The Applicant will notify potential purchasers of individual residential units with balconies/rooftop decks in their sales contracts if exterior

noise levels may exceed DNL 65 dBA. Rooftop decks will not be constructed in areas where the noise level is projected to exceed DNL 65 dBA unless notification is provided to prospective and future residents.

C. Refined Acoustical Analysis. A refined acoustical analysis, to include a Building Shell and Barrier analysis, will be submitted by the Applicant concurrent with the first site plan submission for the Proposed Residential to LDS for review and approval and distribution to the Development Review Branch (DRB) of DPD for review and approval. Mitigation measures appropriate to reduce indoor noise for residential units to no more than DNL 45 dBA and outdoor recreation areas to DNL 65 dBA, consistent with the sound attenuation recommendations in the study must be incorporated into the development. All residential units will be outside of the DNL 75 dBA. The noise contours of DNL 65 dBA and greater affecting residential units must be shown on the site plan and will be identified on the building plans.

D. Alternative Measures. As an alternative to the noise attenuation measures described above, the Applicant reserves the right to pursue other methods of mitigating highway related noise impacts that can be demonstrated prior to the filing of a building permit, through an additional noise study as reviewed and approved by DRB, provided such methods will be effective in reducing interior noise levels to no more than 45 dBA DNL.

AFFORDABLE HOUSING

19. Affordable Dwelling Units. In conjunction with the Proposed Residential, the Applicant will provide four (4) affordable dwelling units ("ADUs") at 70% of the Area Median Income (AMI) or below to be administered in accordance with Section 5101 of the Zoning Ordinance, unless modified by the ADU Advisory Board, and to the satisfaction of the Department of Housing and Community Development. Each ADU constructed by the Applicant will provide, as part of the base unit design and at no additional cost to the initial purchaser, an exterior deck.

TREE PRESERVATION AND LANDSCAPING

20. Landscape Plan. The Applicant will implement the landscape design as shown on Sheets L-0101 through L-0401 of the CDP/FDP (the "Conceptual Landscape Plan"), which illustrate the plantings and other features to be provided with the Proposed Residential, including the open space, streetscapes, and park areas. The Conceptual Landscape Plan is conceptual in nature and the tree species and planting locations may be modified by the Applicant as part of final engineering and building design, provided such modifications provide a similar quality and quantity of landscape plantings and materials as shown on the Conceptual Landscape Plan, as determined by the Zoning Administrator with input from the Forest Conservation Branch ("FCON") of the Site Development and Inspections Division ("SDID") of LDS.

A. Native Landscaping. Landscaping must be generally consistent with the quality,

quantity, and the locations shown on the CDP/FDP and must be non-invasive, predominantly native species and include a plant selection that includes species that will reduce the need for supplemental watering and the use of chemical fertilizers, herbicides and pesticides. 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

B. Site Plan. As part of the site plan submission for the Proposed Residential, the Applicant will submit to FCON for review and approval a detailed landscape and tree cover plan (the "Landscape Plan") for the Proposed Residential, which will include, among other things:

1. Irrigation information;

2. Design details for tree wells and other similar planting areas above structures and along streets; and

3. Composition of the planting materials used for street trees or where plantings are to be located within or on top of structures and other methods to be used to ensure the viability of the proposed plantings.

C. Planting Quality. Each Landscape Plan will be consistent with the quality and quantity of plantings and materials shown on the Conceptual Landscape Plan, as may be modified by the Applicant as described above, and may include the use of additional shade trees and other plant materials as determined by the Applicant. The Applicant may adjust the type and location of vegetation and the design of the open spaces, streetscapes, courtyards, and park improvements and plantings as approved by the Zoning Evaluation Division ("ZED") of DPD and FCON, provided such adjustments otherwise are in substantial conformance with the CDP/FDP.

D. Pre-Installation Meeting. Prior to the installation of plants to meet the requirements of the approved Landscape Plan and these Proffers, the Applicant will coordinate a pre-installation meeting on site with the landscape contractor and a representative of FCON to review the landscape requirements of the approved Landscape Plan. Any proposed changes to the location of planting, size of trees/shrubs, and any proposed plant substitutions of species specified on the approved Landscape Plan will be reviewed at this time and must be approved by FCON prior to planting.

E. Open Space Designs. As part of final engineering and design, and subject to review and approval by the Zoning Administrator, the Applicant may elect to

modify the designs of the various open space areas from the designs shown on Sheets L-0101 through L-0401 of the CDP/FDP, provided that such modifications offer a similar quality of design and quantity of plantings, materials, and improvements as those shown on the CDP/FDP.

F. Fire Marshal Coordination. The Applicant has coordinated with the Fire Marshal regarding the site design and layout of the Proposed Residential as shown on Sheet P-0601 of the CDP/FDP. Notwithstanding such coordination, however, if it is determined during site plan review that elements of the streetscapes, courtyards, parks, and/or open space designs conflict with subsequent comments from the Fire Marshal, the Applicant will be permitted to relocate, remove, or modify such conflicting elements in response to the Fire Marshal's comments without the need for a PCA, CDPA, or FDPA, provided any such modifications: (i) are made in consultation with, and subject to the approval of, DPD and FCON, (ii) the character and quality of the streetscapes, courtyards, parks, and/or open space designs otherwise substantially conform to that shown on the CDP/FDP to the extent possible given the Fire Marshal's comments, and (iii) the overall tree canopy shown on the CDP/FDP is not reduced.

21. Tree Survey and Preservation Plan. As part of site plan approval for the Proposed Residential and/or Church Expansion, the Applicant and/or Owner will demonstrate that the Proposed Residential and/or Church Expansion will meet the tree preservation requirements of this Proffer.

A. Preservation of Existing Trees. The Applicant will implement tree preservation measures generally in accordance with the preliminary tree preservation plan shown on Sheet P-0401 of the CDP/FDP (the "Preliminary Tree Preservation Plan"). The Preliminary Tree Preservation Plan may be modified by the Applicant in consultation with FCON at the time of site plan to address conflicts or information discovered following approval of the CDP/FDP or as part of final engineering and design. As part of the first site plan submission, the Applicant will submit a detailed tree preservation plan (the "Tree Preservation Plan") prepared by a professional with experience in the preparation of tree preservation plans, such as International Society of Arboriculture (ISA) Certified Arborist or a Registered Consulting Arborist, which will be subject to the review and approval of FCON.

The Tree Preservation Plan will consist of a tree survey that identifies the general location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on-site and off-site trees, living or dead, with trunks twelve (12) inches in diameter and greater located within 25 feet to either side of the limits of clearing and grading shown on the CDP/FDP. The Tree Preservation Plan will 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 will 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 must be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets and Tree Preservation Plan. Tree preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching, watering, etc. Specifications must be provided on the plan detailing how preservation measures must be implemented. Tree preservation activities must be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

B. Tree Preservation Walk-Through. The Applicant will retain the services of a Certified Arborist or Registered Consulting Arborist, and will have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree preservation walk-through meeting, the Applicant's Certified Arborist or Registered Consulting Arborist will walk the limits of clearing and grading with a representative of FCON to determine where adjustments to the clearing limits can be made, if any, 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 adjustments, if any, will be memorialized in writing and implemented by the Applicant. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated will be removed using a chain saw and such removal will be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this will 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.

C. Limits of Clearing and Grading. The Applicant will conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these Proffers and for the installation of utilities and/or trails as determined necessary by the Director of LDS, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they will be located in the least disruptive manner necessary as determined by the Applicant and FCON. A replanting plan will 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 trails or utilities. Alteration of the limits of clearing and grading due to the circumstances described above will not require the approval of a PCA, CDPA, or FDPA.

D. Tree Preservation Fencing. All trees shown to be preserved on the Tree Preservation Plan will be protected by tree protection fencing. Tree protection fencing may be in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart, or super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, will be erected at

the limits of clearing and grading as shown on the Phase I & II erosion and sediment control sheets.

All tree protection fencing will be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities. The installation of all tree protection fencing will 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 business days prior to commencement of any clearing or grading activities, but subsequent to the installation of the tree protection devices, the Applicant will provide FCON notice and the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the tree preservation fencing has not been installed correctly, no grading or construction activities will occur until the fencing is installed correctly, as determined by FCON.

E. Root Pruning. The Applicant will root prune, as needed, to comply with the tree preservation requirements of these Proffers. All treatments will be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the submitted site plan. The details for these treatments will be reviewed and approved by FCON and accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to, the following:

i. Root pruning will be done with a trencher or vibratory plow to a depth of 18 inches.
ii. Root pruning will take place prior to any clearing and grading.
iii. Root pruning will be conducted under the supervision of a Certified Arborist.
iv. A FCON representative will be informed when all root pruning and tree protection fence installation is complete.

G. Site Monitoring. The Applicant's Project Arborist must be present on-site during the implementation of all tree preservation measures and monitor any construction activities conducted within or adjacent to areas where trees are identified for preservation. Construction activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During the implementation of the remaining Erosion and Sediment Control devices, 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 as approved by FCON. Written reports, including dated photographs supporting site conditions, must be submitted to FCON and the SDID Site Inspector detailing the site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan on the first and all subsequent submissions of the site plan.

H. Invasive Plant Species Management. At the time of site plan submission, the Applicant will provide a management narrative for review and approval by FCON specifying the common and scientific name of invasive species proposed for management, the target area along the limits of clearing and within any tree preservation areas located inside of the clearing limits for management efforts, methods of control and disposal of invasive plants, timing of treatments and monitoring, duration of the management program, and potential replanting along the limits of clearing as may be needed.

I. Soil Remediation. Planting areas containing construction debris, rubble, compacted soil, or other unsuitable conditions for the establishment and long-term survival of landscape plants will undergo remedial action. These actions will restore the soil to meet the requirements of trees, shrubs, and groundcovers specified in the landscape planting plan. The Applicant will provide notes and details on the site/subdivision plan outlining the soil restoration process for review and approval by Forest Conservation.

J. Demolition. The demolition of all existing structures and site features within or adjacent to tree preservation areas must be accomplished in the least disruptive manner practical as reviewed and approved by FCON. In the event that early demolition of buildings is contemplated prior to site plan approval, all tree protection fencing directly adjacent to buildings to be demolished must be in place and verified by a County representative prior to commencement of demolition activities.

K. Transfer of Tree Preservation Information. The Applicant will provide information to the UOA/HOA regarding tree and forested area management information that was prepared to satisfy tree conservation plan requirements as part of the site plan at such time that the UOA/HOA assumes maintenance of common areas. Such information must include data collected for the Tree Inventory, updated to note completion of tree preservation activities required by the Tree Preservation Plan as approved with the site plan, and any additional work performed for tree preservation and/or maintenance of trees located in common areas.

L. Trail Location. Before submitting the first site plan, the Applicant will coordinate with FCON to field-locate trails as generally shown on the CDP/FDP and determine if minor modifications are needed to maximize protection for existing trees.

PARKS AND OPEN SPACES

22. Publicly Accessible Urban Parks and Open Spaces. The Applicant will provide a series of publicly accessible parks and open spaces throughout the Property to provide active and passive recreation areas for residents of the Proposed Residential and for the benefit of the public, generally as shown on the CDP/FDP (collectively, the "Park Spaces"). Prior to bond release for the Proposed Residential, the Applicant will record a public access

easement over the Park Spaces in a form acceptable to the Office of the County Attorney to ensure the areas are available for use by the public between dawn and dusk, subject to reasonable rules and regulations established by the Applicant and/or any successor UOA/HOA. Prior bond release for the Proposed Residential, the Applicant will provide wayfinding signage for the Park Spaces, which will state that the Park Spaces are open to the public. Park Areas must be provided prior to the issuance of the first RUP.

A. Entrance Park. The Applicant will construct a publicly-accessible community gathering space as shown on Sheet L-201 of the CDP/FDP to accommodate passive and active uses for the Proposed Residential and neighboring communities. The Entrance Park will include a multi-purpose lawn for free play/lawn games and informal recreation, children's play area, amphitheater seat walls, and landscaping.

B. Mews. The Applicant will construct a publicly-accessible active and passive recreation area as shown on Sheet L-202 (the "Mews"). The Mews will include a lawn for free play/lawn games and informal recreation, seating area, and landscaping.

C. Leesburg Pike Park. The Applicant will construct a vegetated open space as shown on Sheet L-203 ("Leesburg Pike Park"). The Leesburg Pike Park will include mixed ornamental grasses and perennials and a connection from the Property to Leesburg Pike to enhance pedestrian connectivity to the west of the Property.

D. Nature Trail. The Applicant will construct a publicly-accessible Nature Trail as shown on the CDP/FDP on Sheet L-204 to provide opportunities for active and passive recreation (the "Nature Trail"). The Nature Trail will be naturalized or constructed wood chips, or similar materials, to maximize tree preservation opportunities.

23. Private Amenities and Recreation Facilities for Residents. Pursuant to Section 2105.2.B(4)(b) of the Zoning Ordinance, the Applicant will provide on-site recreational facilities for the future residents of the Proposed Residential and will expend a minimum of $2,150.00 per non-ADU residential unit on such recreational facilities. In the event the total cost of recreational facilities constructed on the Property is demonstrated to be less than $2,150.00 per non-ADU unit, the Applicant will contribute the balance of any funds not expended for on-site recreational facilities to the Fairfax County Park Authority ("FCPA") prior to bond release for the Proposed Residential for the provision of recreational facilities in the vicinity of the Property.

24. Recreation Contribution. Prior to issuance of a RUP, the Applicant must contribute a lump sum of $893 per resident as based on the published household sizes in the most recent Fairfax County Demographic reports and, based on the number of units within the approved site plan to the Fairfax County Park Authority for use at off-site recreational facilities intended to serve the future residents of the Providence District, as determined by the Fairfax County Park Authority in consultation with the Providence District

Supervisor.

PARKING

25. Parking and Future Parking Reductions. Parking will be provided in accordance with the parking requirements of Article 6 of the Zoning Ordinance, provided that the Applicant may elect to adjust its parking rates in response to amendments to the same adopted by the Board of Supervisors from time to time. The Applicant reserves the right to reduce the number of parking spaces shown on the CDP/FDP so long as the minimum number of parking spaces required by the Zoning Ordinance is provided. The Applicant further reserves the right to pursue a parking reduction, as may be permitted by Article 6 of the Zoning Ordinance and approved by the Board of Supervisors.

26. On-Street Parking Spaces. The Applicant will provide on-street parking on the private streets as shown on the CDP/FDP and as may be adjusted at the time of site plan approval. The Applicant reserves the right to limit such parking to residents and/or visitors of the Proposed Residential through appropriate signage or such other means as determined appropriate by the Applicant. On-street parking spaces along any private streets that otherwise are not required to satisfy the minimum parking requirements for the Proposed Residential may be used as temporary or short-term parking/loading, car-sharing parking, and/or similar uses.

27. Electric Vehicle Charging Facilities. The Applicant must offer initial purchasers of all residential units the option, at the purchaser's cost, to install the required electrical panels for electric vehicle ready charging, which means the provision of space, conduit banks, conduits and access points allowing for the easy installation of an electric vehicle charging station in the future, and does not include the installation of transformers, switches, wiring or charging.

TRANSPORTATION IMPROVEMENTS

28. Right-of-Way Dedication. Prior to site plan approval for the Proposed Residential, the Applicant will dedicate the right-of-way shown as "PROPOSED R/W DEDICATION" on Sheet P-0301 of the CDP/FDP in fee simple to the Board of Supervisors for public street purposes.

29. Interparcel Access Easement. Prior to site plan approval for the Proposed Residential, the Applicant will provide an interparcel access easement to the property identified as Tax Map 40-3 ((1)) 4 ("Parcel 4") to allow for vehicular, pedestrian, and bike connectivity. The easement will be provided within one of the areas identified on Sheet P-0301 on the CDP/FDP, subject to the approval of the owner of Parcel 4, in a form acceptable to the Fairfax County Attorney. The easement may be relocated from the locations shown on the CDP without the need for a CDPA. The Applicant will coordinate with the owner of Parcel 4 to provide temporary construction easements, as may be necessary. If it is determined by FCDOT prior to a future site plan approval for Parcel 4 that a vehicular connection cannot be reasonably accommodated between the Property and Parcel 4, the recorded easement will allow pedestrian connectivity between the Property and Parcel 4.

30. Idylwood Road Improvements. Prior to the issuance of the first RUP, and subject to FCDOT and VDOT approval, the Applicant will construct improvements and modify Idylwood Road as shown on Sheet P-0302. Improvements will result in the following:

    A. Four (4) foot landscape strip, eight (8) foot sidewalk, and three (3) foot buffer;

    B. One southwest bound travel lane;

    C. Left turn lane into the entrance of the Property;

    D. Left turn lane into Churchill Square community;

    E. Left turn lane from Idylwood Road to westbound Leesburg Pike;

    F. One through travel lane on northeast bound Idylwood Road;

    G. One right turn lane on northeast bound Idylwood Road onto eastbound Leesburg Pike;

    H. Crosswalk on Idylwood Road to the southwest of access to the Property;

    I. "Don't Block the Box" Striping and signage on Idylwood Road; and

    J. Modifications to the signal at Leesburg Pike and Idylwood Road.

31. Idylwood Road Alternative Design. If required by VDOT or FCDOT at time of site plan, the Applicant will modify the design of Idylwood Road shown on Sheet P-0302 of the CDP/FDP, subject to VDOT and FCDOT approval. Such modifications may include, but not be limited to, shifts in the exact Property access locations, signage, striping, channelization, reduced transitional screening, provision of a 6-foot masonry wall, and/or reduced tree preservation.

32. McLean Park Road Access. The Owner and/or Applicant reserve the right to modify the Property access opposite McLean Park Road. Such modifications may include, but not be limited to, striping and/or restricting access to the north of the Entrance Park to one-way access.

33. Leesburg Pike Improvements. Prior to the issuance of the first RUP, and subject to approval of VDOT and FCDOT, the Applicant will construct an eight and a half foot (8.5') landscape strip, ten (10) foot sidewalk, and three (3) foot buffer as shown on Sheet P-0302.

34. Curb Ramps. Prior to the issuance of the first RUP, the Applicant will install curb ramps for the intersection of Idylwood Road and Leesburg Pike. Improvements in the northeast quadrant of the intersection will be limited to the installation of curb ramps.

35. Bus Stop Improvements. Prior to the issuance of the first RUP and subject to the review and approval of FCDOT, the Applicant will install ADA compliant bus stop

improvements at the following existing transit stops: Stop ID 5748 and Stop ID 5001506 along Leesburg Pike and Idylwood Road as shown on the CDP/FDP. Each bus stop will include an ADA bus pad, a bench, and an FCDOT approved bus shelter ("Bus Stop Improvements"). FCDOT, in its sole discretion, may require the Applicant to provide a contribution in lieu of constructing the Bus Stop Improvements equal to the Applicant's cost to construct the Bus Stop Improvements, to be used for improvement of transit facilities in the Providence District.

36. Pedestrian Improvements. Prior to issuance of the first RUP, the Applicant will provide additional pedestrian improvements including, but not be limited to the following, subject to VDOT approval:

    A. Installing ramps with detectable warning surfaces at intersection of Idylwood Road and Leesburg Pike.

    B. Upgrading curb ramps at site accesses to include detectable warning surfaces.

    C. Installing high-visibility crosswalk across Idylwood Drive at site entrance to include Rectangular Rapid Flashing Beacons.

37. Bicycle Racks. The Applicant will provide bicycle racks throughout the Proposed Residential in keeping with Zoning Ordinance requirements. The final locations of the bicycle racks will be determined at the time of site plan approval for the Proposed Residential in consultation with FCDOT.

38. Bikeshare Station. The Applicant will install a concrete pad and bikeshare docking station with a maximum of twelve (12) docking stations (the "Bikeshare Station"), subject to an easement and/or license agreement, as depicted on the CDP/FDP. The final location and number of docking stations for the Bikeshare Station will be determined at time of site plan for the Proposed Residential in coordination with FCDOT and will be installed concurrent with the applicable phase of development as depicted on the Phasing Plan. Following installation of the Bikeshare Station, the Applicant will have no further obligation to maintain, fund, or provide future Bikeshare Stations or relocation of the installed Bikeshare Station.

39. Public Access Easements. At the time of record plat recordation for the Proposed Residential, the Applicant must record a public access easement running to the benefit of Fairfax County in the land records, in a form acceptable to the County Attorney, over all private streets, sidewalks, trails, and park spaces as shown on the CDP/FDP for the Proposed Residential. Such facilities must be maintained by the UOA/HOA where appropriate. This public access will include all sidewalks, trails and open space areas on common property, subject to reasonable rules and regulations provided by the UOA/HOA. Such public access also includes emergency vehicle access, in a form acceptable to the County Attorney.

STORMWATER MANAGEMENT

40. Stormwater Management Design. As part of site plan approval for the Proposed Residential and/or Church Expansion, the Applicant will demonstrate that it will meet applicable Fairfax County Public Facilities Manual ("PFM") requirements for stormwater quantity and stormwater quality in effect at the time of the approval of this Application. Stormwater management facilities/Best Management Practices ("BMPs") will be provided as generally depicted on the CDP/FDP. The Applicant reserves the right to pursue additional or alternative stormwater measures provided the same are in substantial conformance with the CDP/FDP. No offsite nutrient credits will be purchased.

41. Impact of New Regulations. Should new stormwater management regulations be issued affecting the Property, or if the Applicant determines to install alternate water quantity and quality control facilities in accordance with Proffer 38, the Applicant reserves the right to accommodate necessary changes to its stormwater facility designs without necessitating a PCA, CDPA, or FDPA, provided the facility designs substantially conform to the CDP/FDP and does not result in an expansion of the limits of clearing.

42. Stormwater Maintenance. Prior to site plan approval for the Proposed Residential, the Applicant will execute an agreement with the County in a form satisfactory to the Office of the County Attorney (the "SWM Agreement") providing for the perpetual maintenance of the stormwater management facilities that are part of the Proposed Residential (the "SWM Facilities"). Should future County policy permit all or part of the SWM Facilities on the Property to be eligible for County Maintenance, then the Applicant or the successors may request County maintenance for eligible facilities.

43. Salt Management. Salt should only be applied during freezing inclement weather only to paved surfaces where and when needed for safety. When no longer needed, the UOA/HOA will direct its maintenance personnel to remove excess or leftover salt for reuse or proper disposal. Residual salt must not be swept or shoveled into planted landscape areas, wet ponds, or bioretention ponds. When not in use, salt should be stored in a covered area to protect it from precipitation.

PUBLIC SCHOOLS CONTRIBUTION

44. Fairfax County Public Schools Contribution. Per the Residential Development Criteria Implementation Motion adopted by the Board of Supervisors on September 9, 2002, as amended, the Applicant will contribute $14,956 per new expected student from the Proposed Residential (based on a ratio of 0.467 students per single family attached dwelling) based on formulas adopted by Fairfax County Public Schools (FCPS). Said contribution is to be utilized by FCPS for capital improvements to schools that serve the Property. Such contribution will be made on or before the issuance of the first RUP and will be based upon the actual number of dwelling units included on the approved site plan. At the time of site plan submission for the single family detached dwellings, the Applicant will notify the Office of Facilities Planning Services in the Department of Facilities and Transportation Services of FCPS of the approximate timing for construction of the residential dwellings. Following approval of this Application and prior to the Applicant's payment of this contribution, if Fairfax County should modify the ratio of students per unit or the amount of contribution per student, the Applicant will pay the modified

contribution amount for that phase of development to reflect the then-current ratio and/or contribution.

MISCELLANEOUS

45. Garage Use Restrictions. Any conversion or use of the single-family attached garages that precludes the parking of vehicles and the storage of trash and recycling containers within such garages is prohibited. Owners of the single-family attached dwelling units will be required to store trash and recycling containers inside their garages, except on collection days. A covenant setting forth these restrictions will be recorded among the land records of Fairfax County in a form approved by the County Attorney, which may be part of any recorded UOA/HOA declaration, prior to the sale of any single-family attached dwelling units and will run to the benefit of the UOA/HOA and the Board of Supervisors. These restrictions will be included in the marketing materials for the initial sales of the single-family attached units and disclosed in the UOA/HOA documents. Prospective purchasers will be advised of these restrictions, including the dimensions of the garage, in writing, prior to entering into a contract of sale for any single-family attached dwelling unit.

46. Transformer Locations. The Applicant will install transformers to serve the Proposed Residential. The final locations of the transformers will be determined prior to site plan approval for the Proposed Residential in accordance with the design requirements of Dominion Energy Virginia or other utility provider(s). The siting of the transformers will not require approval of a PCA, CDPA, or FDPA provided the Proposed Residential otherwise remains in substantial conformance with the CDP/FDP and these Proffers.

47. Telecommunications Equipment. Telecommunications equipment, and all appurtenant facilities, may be placed on the rooftop of the Existing Church or Church Expansion. All such facilities must comply with the applicable requirements of the Zoning Ordinance and be screened and/or set back sufficiently from the perimeter of the roof so that such equipment and facilities generally are not visible when viewed from the surrounding streets at street level. Other screening measures may be used such as screening such facilities with architectural features and/or landscaping compatible with the building architecture, screening with rooftop amenities, incorporating such facilities as part of the architecture of the buildings, utilizing compatible colors, or telecommunications screening material and flush-mounted antennas. The Applicant also may integrate telecommunications equipment architecturally into building facades where necessary to ensure on-street and/or open space coverage.

48. Density Credit. The Applicant hereby reserves all intensity/density credit attributable to any eligible dedications and/or conveyances of land pursuant to these Proffers or as may be required by Fairfax County or VDOT in accordance with applicable provisions of the Zoning Ordinance.

49. Binding Effect. These Proffers will bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in this proffer statement will include within its meaning and will be binding upon the Applicant's successor(s) in

interest of the Property or any portion of the Property. If any portion of the Property is sold or otherwise transferred, the associated Proffers become the obligation of the purchaser or other transferee and will no longer be binding on the seller or other transferor.

50. Counterparts. These Proffers may be executed in one or more counterparts, each of which when so executed and delivered will be deemed an original, and all of which taken together will constitute but one and the same instrument.

51. Escalation in Contribution Amounts. All monetary contributions specified in these Proffers, with the exception of Proffer 44 Public School Contributions, the contribution amount will escalate or de-escalate, as applicable, on a yearly basis from the base year of 2025 and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI"), as permitted by Section 15.2-2303.3 of the Code of Virginia, as amended.

52. Zoning Administrator Extensions. Notwithstanding the foregoing commitments in these Proffers, upon demonstration by the Applicant that, despite diligent efforts by the Applicant or due to factors beyond the Applicant's control, any improvements and/or contributions required under these Proffers have been delayed or will be delayed beyond the timeframes specified for the completion of such improvements and/or contributions, the Zoning Administrator may extend the timeframes for completion to a later date as determined by the Zoning Administrator.

[SIGNATURES ON FOLLOWING PAGES]