County of Fairfax, Virginia
Planning Commission Meeting
March 18, 2026
Planning Commission Action

RZ-2025-FR-00009 – JOSHUA M. AND MADISON G. PATTERSON
(Franconia District)

PLANNING COMMISSION RECOMMENDATIONS:
On March 18, 2026, the Planning Commission voted 10-0 (Commissioners Batchelor-Causey and Thomas were absent from the meeting) to recommend to the Board of Supervisors approval of RZ-2025-FR-00009, subject to the proffers consistent with those dated February 24, 2026.

ATTACHED DOCUMENTS:
Proffers dated February 24, 2026

MJ

DRAFT PROFFERS

JOSHUA M. PATTERSON AND MADISON G. PATTERSON

RZ-2025-FR-00009

October 31, 2025
December 22, 2025
February 13, 2026
February 24, 2026

Pursuant to Section 15.2-2303(A) of the Code of Virginia, (1950, as amended) and Section 8100.2.D of the Fairfax County Zoning Ordinance (2021, as amended) (the "Zoning Ordinance"), Joshua M. Patterson and Madison G. Patterson, as the owners, for themselves, successors and assigns (hereinafter together referred to as the "Applicant"), in this rezoning application hereby proffer that the development of the property identified as Fairfax County Tax Map Reference 90-2 ((12)) 0002 (the "Property") will be in accordance with the following conditions (the "Proffers") if, and only if, the Fairfax County Board of Supervisors approves RZ-2025-FR-00009 (the "Application") to rezone the Property from the R-1 District to the R-4 District. In the event the Application is not so approved, then these Proffers will thereby be null and void.

GENERAL

1. Substantial Conformance. Subject to the provisions of Section 2102.7, Section 8100 and Section 8100.2.D of the Zoning Ordinance, development of the Property will be in substantial conformance with the Generalized Development Plan ("GDP") dated July 8, 2025, and revised through February 19, 2026, prepared by GJB Engineering, Inc., and consisting of sixteen (16) sheets.

2. Minor Modifications. Minor modifications to the GDP will be permitted pursuant to Section 8100.5 of the Zoning Ordinance as determined by the Zoning Administrator.

3. Existing and Proposed Development. The Applicant will develop the Property with up to four (4) single family detached dwelling units (the "Proposed Development"), as generally shown on Sheet 5 of the GDP. The existing single-family detached unit located on the Property (the "Existing Lot 3 Home"), depicted on Lot 3 of the GDP, may remain on the Property. The Existing Lot 3 Home may be modified or replaced within the building envelope as depicted on the GDP.

BUILDING DESIGN

4. Architecture. The colors, fenestration and window treatment of those facades of the structure on Lot 2 which faces Summerton Way and Elder Avenue must be consistent with those of the front facades.

SUSTAINABLE DESIGN

5. Certification. The Applicant will seek certification for the development from one of the following programs and will notify the Environmental Branch of DPD of the program selection at time of building permit submission for each dwelling. The Applicant will have sole discretion to choose the program or programs that will be utilized.

    a. NGBS. 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 Residential Use Permit ("RUP") for each dwelling; or

    b. Equivalent Program. The Applicant reserves the right to utilize an equivalent program in consultation with and approved by the Environmental Branch of the DPD prior to building permit submission for each dwelling.

6. Electric Vehicle Charging Facilities. The Applicant will offer initial purchasers of the dwellings the option, at the purchaser's cost, to install the required electrical panels for electric vehicle charging which means the provisions 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

7. Elder Avenue and Summerton Way Sidewalk Widening and Accessible Ramps. Prior to bond release for the Proposed Development and subject to VDOT and LDS approval, as part of the required Subdivision Construction Plan ("SD Plan"), the Applicant will design a new five-foot wide sidewalk and associated ADA-compliant accessible ramps to replace the existing four-foot-wide sidewalk and ramps along the Property's frontage on Elder Avenue and Summerton Way (the "Pedestrian Improvements"). Design is subject to VDOT and LDS approval and shall be generally as shown on Sheet 5 of the GDP. The exact quantity, location, configuration, and design of these ramps will be determined during SD Plan review. Construction of these public improvements must occur during the bonded construction period (subsequent to SD Plan approval and recordation of the Subdivision Plat) and must be subject to LDS inspection and approval and must be satisfactory to VDOT for their acceptance for maintenance. The existing ramps and four-foot-wide sidewalk must be accessible for pedestrians during construction of the Proposed Development and will remain available for use until the installation of the Pedestrian Improvements.

HOMEOWNERS ASSOCIATION

8. Establishment. Prior to record plat approval, the Applicant will provide Land Development Services (LDS) with documentation that the Applicant has established an HOA in accordance with the Zoning Ordinance. The purpose of the HOA will be, among other things, establishing the necessary residential covenants governing the use and operation of the stormwater management facilities and use of the garages and to provide a mechanism for ensuring the ability to complete the maintenance obligations and other provisions noted in these proffer conditions, including an estimated budget for such common maintenance items.

9. Disclosure. Prior to entering into a contract of sale, prospective purchasers will be notified in writing by the Applicant of the maintenance responsibility of the HOA for the stormwater management facilities, in addition to the garage usage restriction detailed in the proffer below. In addition, prospective purchasers of Lot 4 will be notified in writing by the Applicant of the 10-foot-wide private storm sewer easement and its restriction on the usage of that area. Each deed of conveyance and the HOA documents must expressly contain these disclosures.

10. Garages. Garages must be designed to accommodate two (2) vehicles, and driveways must be a minimum of 18 feet in length. Any conversion or use of garages that will preclude the parking of two vehicles within the garage is prohibited.

AFFORDABLE HOUSING

11. Prior to the issuance of each RUP for the dwelling units, the Applicant will contribute to the Fairfax County Housing Trust Fund the sum equal to one-half percent (0.5%) of the projected sales price of the new single-family dwelling constructed to assist Fairfax County's low- and moderate-income housing goals. The projected sales price will be based on the sales price of the unit subject to the contribution and is estimated through comparable sales of similar types of units. The projected sales price will be determined by the Department of Housing and Community Development ("HCD"), in consultation with the Applicant and the Department of Land Development Services and will be approved by HCD.

PARKS AND OPEN SPACE

12. Recreation Contribution. Prior to the issuance of the second RUP for the Proposed Development, which would represent the first additional dwelling on the Property, 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 additional dwellings (three) created within the approved subdivision plat to the Fairfax County Park Authority for use at off-site recreational facilities intended to serve the future residents of the Franconia District, as determined by the Fairfax County Park Authority in consultation with the Franconia District Supervisor.

PUBLIC SCHOOLS CONTRIBUTION

13. 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 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 second RUP for the Proposed Development, which would represent the first additional dwelling unit on the Property, and will be based upon the actual number of three additional dwelling units. At the time of subdivision plan submission for the single family detached dwellings, the Applicant will notify the Office of Facilities Planning Services 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.

TREE PRESERVATION

14. Tree Inventory and Condition Analysis. The Applicant must submit a Tree Inventory and Condition Analysis as part of the first and all subsequent subdivision plan submissions. The Tree Inventory and Condition Analysis must be prepared by a Certified Arborist or Registered Consulting Arborist and must include elements of PFM 12-0307 deemed appropriate to the project site as determined by FCON.

15. Tree Preservation Plan. The Applicant must submit a Tree Preservation Plan and Narrative as part of the first and all subsequent subdivision plan submissions. The Tree Preservation Plan and Narrative must be prepared by a Certified Arborist or Registered Consulting Arborist, and must include elements of PFM 12-0309 deemed appropriate to the project site as determined by FCON. The Applicant must preserve the two trees identified as #219 and #258 as shown on Sheet 13 of the GDP.

16. Project Arborist/Pre-construction Meeting. Prior to the pre-construction meeting the Applicant must have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant must retain the services of a Certified Arborist or Registered Consulting Arborist (Project Arborist) to attend the preconstruction meeting to review the limits of clearing and grading with an FCON representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading. Such adjustments must be recorded by the Project Arborist and tree protection fencing must be implemented under the Project Arborist's supervision based on these adjustments.

17. Tree Protection Fencing. The Applicant must provide appropriate tree protection devices, based on site conditions and proposed construction activities as reviewed and approved by

FCON. Tree protection fence must consist of four-foot-high welded wire attached to six-foot steel posts driven 18 inches into the ground and space no further than 10 feet apart; or super silt fence.

18. Tree Preservation Measures. Tree preservation measures 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.

19. Site Monitoring. The Applicant's Project Arborist must be present on-site during implementation of the Phase 1 Erosion and Sediment Control 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 Phase 2 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 SDID site inspector detailing site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan.

20. Invasive Plant Species Management. At the time of SD 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.

21. Non-Invasive/Native Species. Landscaping must be generally consistent with the quality, quantity and the locations shown on the GDP and must be non-invasive, predominantly native 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.

22. Landscape Planting Pre-Installation Meeting. Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the Applicant must coordinate a pre-installation meeting on the site with the landscape contractor, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes,

and species substitutions shown on the approved plan must be reviewed and must be approved by FCON staff prior to planting. The installation of plants not approved by FCON may require the submission of a revision to the landscape plan or removal and replacement with approved trees/shrubs prior to bond release.

The Applicant must submit a landscape plan that shows, at a minimum, landscaping as depicted on the GDP, concurrently with the first subdivision plan submission, and all subsequent submissions, of the subdivision plan for review and approval by FCON. The landscape plan will incorporate the use of native species to the extent feasible. All landscaping must be installed prior to the issuance of the first RUP on the Property, or as determined by FCON for a particular project, but no later than bond release.

23. Landscape Plan. The Applicant must submit a landscape plan at time of subdivision plan submission that shows, at a minimum, landscaping as generally shown on the GDP for review and approval by FCON. The landscape plan must be designed to ensure adequate planting space for all trees based on the requirements in the PFM. Plantings must include only non-invasive species and, to the extent practical, native species. The plant selection will include species that will reduce the need for supplemental watering and the use of chemical fertilizers, herbicides and pesticides. Adjustments to the type and location of vegetation and the design of landscaped areas from that shown on the GDP will be permitted as approved by FCON. The landscape planting plan and specifications must incorporate sustainable landscape planting techniques designed to reduce maintenance requirements. The Applicant reserves the right to make minor modifications to landscaping to reasonably accommodate utilities and other design considerations, as approved by FCON, provided that such modifications provide a similar quality of landscaping as that shown on the Landscape SD Plan and the GDP, as determined by FCON.

24. 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 subdivision plan outlining the soil restoration process for review and approval by Forest Conservation.

STORMWATER MANAGEMENT

25. Stormwater Management Design. The Applicant will implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property in accordance with the Fairfax County Public Facilities Manual, Stormwater Ordinance, and Virginia Department of Environmental Quality (DEQ), as approved by LDS. Stormwater management facilities/Best Management Practices ("BMPs") will be provided as generally depicted on the GDP and must be installed concurrently with the construction of the first dwelling unit on the Property. During SD Plan review for the Proposed Development, and prior to the purchase of any offsite nutrient credits, the Applicant will evaluate the feasibility of implementing alternative low impact development (LID) measures. The Applicant reserves the right to pursue additional or alternative stormwater management

measures provided the same are in substantial conformance with the GDP. At the time of SD Plan for the Proposed Development the Applicant will demonstrate adequate outfall in accordance with applicable County ordinances.

26. 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 this proffer, the Applicant reserves the right to accommodate necessary changes to its stormwater/BMP facility designs without the requirement of a PCA, or gain approval of any administrative modifications to the GDP or proffers, provided the facility designs substantially conform with the GDP and that the facility does not result in an expansion of the limits of clearing.

27. Maintenance. The requirements for maintaining non-County maintained SWM/BMP improvements will be in a standard maintenance agreement between the County and the Applicant, its successors and assigns ("the SWM Agreement"). The maintenance responsibilities under the SWM Agreement must be disclosed to future purchasers prior to entering into a contract for sale and specified in the HOA documents. After establishing the HOA pursuant to these proffers, the Applicant must provide the HOA with written materials describing proper maintenance of the approved SWM/BMP facilities in accordance with the PFM and County guidelines. This agreement will be recorded in the County land records and will run with the land. In addition, and prior to bond release, the Applicant will contribute to the HOA funds in the amount of $10,000 for SWM/BMP maintenance. Should future County policy permit all or part of the SWM/BMP facilities on the Property to be eligible for County Maintenance, then the Applicant or the successors may request County maintenance for eligible facilities.

MISCELLANEOUS

28. Advanced Density Credit. Advanced density credit will be reserved as may be permitted by the provisions of 5100.2.E(5) of the Zoning Ordinance for all eligible dedications and/or conveyances of land pursuant to these Proffers, or as may be required by the Virginia Department of Transportation (VDOT) at time of subdivision plan approval.

29. Timing of Improvements. Upon demonstration by the Applicant that, despite diligent efforts or due to factors beyond the Applicant's control, the required improvements have been delayed or will be delayed beyond the time set forth in these Proffers, the Zoning Administrator may agree to a later date for the completion of such improvements.

30. Escalation. All monetary contributions required by these proffers will escalate 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 Virginia Code Section 15.2-2303.3.

31. Severability. Any of these dwellings within the Property may be subject to Proffered Condition Amendments without the joinder or consent of the property owners of the owner dwellings.

32. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and its successors and assigns.

[SIGNATURES ON THE FOLLOWING PAGE]

APPLICANT/TITLE OWNER

JOSHUA M. PATTERSON

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[SIGNATURES CONTINUE ON NEXT PAGE]

APPLICANT/TITLE OWNER

MADISON G. PATTERSON

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[SIGNATURES END]