

PROFFER STATEMENT
RZ-2003-LE-050
March 22, 2004

Pursuant to Section 15.2-2303 (A), Code of Virginia, 1950, as amended, ECHO Inc. (hereinafter referred to as the "Applicant") for the owners, themselves, successors and assigns in RZ-2003-LE-050, filed for the property identified as Tax Map Reference No. 90-1(1) 51 (hereinafter referred to as the "Property") proffers the following provided that the Fairfax County Board of Supervisors approves this application:

1. Development to be Consistent with Generalized Development Plan The Property shall be developed in substantial accordance with the Generalized Development Plan prepared by Walter L. Phillips, Incorporated (referred to as the "GDP/SE Plat") comprised of four sheets and dated May 9, 2003, revised as of June, 27, 2003, revised as of February 2, 2004, and as revised as of March 11, 2004.

2. Building Elevations The Applicant agrees that the elevations of the ECHO building shall be substantially in accordance with the conceptual rendering (prepared by Interspec Consulting Services, and dated February 11, 2004) attached to this proffer statement as Exhibit A. The final exterior materials shall include a standing seam metal roof, brick veneer (color and style to match existing brick which materials may be masonry or other material with the appearance of masonry), glass block and "EFIS" in the locations on the facades and roof substantially as shown on Exhibit A and substantially in the colors shown in Exhibit A or colors consistent with the color schemes recommended by C-SPARC for similar buildings in the nearby Springfield Revitalization District. The applicant shall submit the final color selections to DPWES prior to building permit approval.

3. Hours of Operation The Applicant agrees that the hours of operation shall be limited to from 8 a.m. until 9 p.m. Monday through Friday, 9 a.m. until 6 p.m. Saturday and from Noon on Sunday until 6 p.m.

4. Transportation Improvements At the time of site plan approval, the Applicant shall reserve for future dedication in fee simple to the Board of Supervisors of Fairfax County the area shown on the GDP/SE Plat as "Future Cul-De-Sac" (referred to as the "Future Cul-De-Sac Area") including the provision of ancillary utility and grading easements determined by VDOT as necessary to construct the cul-de-sac. At such time as the cul-de-sac and ancillary and grading easements are needed for the construction of the entire cul-de-sac, the Applicant shall provide the dedication area in fee simple and all necessary ancillary and grading easements upon demand by the Fairfax County Board of Supervisors or VDOT, whichever occurs first, at no cost. Such ancillary and grading easements shall not interfere the use of Applicant's parking area as shown on Sheet 2A of the GDP/SEA Plat. Until such time as this future area and ancillary and grading easements are granted, the Applicant shall maintain and have the usage of the dedicated area for parking. Upon dedication of the right-of-way for the construction of the cul-

de-sac, the applicant shall reconfigure the access and parking on site as illustrated on Sheet 2A of the GDP/SEA Plat

5. Advanced density credit shall be reserved as may be permitted by the provisions of Paragraph 5 of Section 308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein, including road dedications, park dedications, and school dedications, or as may be required by Fairfax County or Virginia Department of Transportation ("VDOT") at the time of the site plan approval

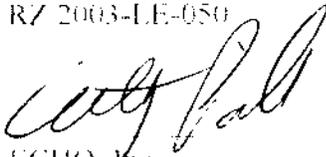
6. A landscape plan shall be submitted as part of the first and all subsequent submissions of the site plan and shall be coordinated with and approved by the Urban Forester. This plan shall be in substantial conformance with the landscape concepts illustrated on the GDP/SEA. Exact location and type of plantings may be modified based on utility location, sight distance easements, and final engineering details as approved by the Urban forester provided they are in substantial conformance with the GDP/SEA Plat. In order to restore a natural appearance to the proposed stormwater management dry pond at the front of the property, the landscape shall show the restrictive planting easement for the pond, and landscaping in all areas outside of that restrictive planting easement be provided to the maximum extent reasonably feasible in accordance with the planting policies of Fairfax County.

7. Irrespective of the sign illustrated on the GDP/SEA Plat, all signage shall be provided in accordance with Article 12 of the Zoning Ordinance

8. Irrespective of the shed illustrated on the GDP/SEA Plat, the proposed shed will meet the location requirements of the Zoning Ordinance for accessory structures

Proffers

RZ 2003-LE-050



ECIO, Inc

By: Anthony Pomilla, President

Applicant: Owner

March 22, 2004
Date