

PROFFERS FOR R-3 AND PDH-2 DISTRICTS

A. **Applicable to the R-3 DISTRICT (108.82 ACRES)**

Pursuant to Section 15.1-491(a) of the 1950 Code of Virginia, as amended, the undersigned applicant and owners proffer the following conditions provided the Board of Supervisors approves SE 96-L-034, and the property is rezoned to the R-3 District as proffered. For the purpose of these proffers, the term "Applicant" refers to Springfield Campus, L.L.C., its successors or assigns. The term "subject property" refers to the 108.82 acres that are to be rezoned to the R-3 District.

- A-1. **Generalized Development Plan.** Subject to the provisions of Section 18-204 of the Zoning Ordinance, the subject property shall be developed in substantial conformance with the Generalized Development Plan ("GDP"), prepared by Dewberry & Davis, revised as of August 6, 1996. Said GDP provides for a maximum of 1,419 elderly housing units, 132 beds for assisted living and 240 beds for acute care, including skilled nursing care, and accessory uses, all as further specified on the GDP.
- A-2. **Tree Save Areas.** The Applicant shall conform to the limits of clearing and grading shown on the GDP subject to modifications for the installation of trails, fences, utility lines, sewer lines, and storm drainage facilities, where necessary, as well as grading and other improvements in Parcel A or Parcel B, as determined by the Department of Environmental Management ("DEM"). If any trails, fences, utility lines, sewer lines or storm drainage facilities are required to be located within the area protected by the limits of clearing and grading, they shall be located and installed in the least disruptive manner feasible, as determined by the Urban Forestry Branch of DEM, and subject to approval by the Director of DEM.

In the areas adjacent to the EQC, designated by the "*" symbol on the GDP, the Applicant will field locate existing trees greater than or equal to twelve (12) inches in diameter at breast height (12" dbh) between the EQC limit and a line parallel to and twenty-five (25) feet from the face of the proposed building(s).

The Applicant will use appropriate techniques and good engineering practices as determined by DEM, not to exceed the construction of any individual retaining walls exceeding six (6) feet in height and/or thirty (30) feet in length, to preserve the 12" dbh or greater trees in said preservation area, provided no dwelling units are lost, no revision to the buildings is necessary, and no Generalized Development Plan Amendment or Proffered Condition Amendment is required. It is not the intent of the Applicant to leave these tree preservation areas in an undisturbed state, but rather to preserve the existing quality deciduous trees 12" dbh or greater which are not closer than twenty-five (25) feet to the face of the proposed building, and to clear away undergrowth, and landscape these areas for the benefit of the residents of the elderly housing. A landscape plan which incorporates these tree preservation areas will be prepared as part of the site plan submission which includes these areas of the site and will be subject to the approval of the Urban Forestry Branch of DEM.

At the time of grading plan review, the Applicant shall prepare a tree preservation plan for approval by the Director of DEM. This plan shall designate the trees described in the paragraph above, the trees shown on the GDP to be preserved and additional tree save areas in addition to those shown on the GDP, in areas where it is reasonably feasible to save additional trees without precluding construction of the project in accordance with the GDP, as determined by DEM. Prior to any clearing and grading on-site, the approved limits of clearing shown on the development plan shall be flagged in the field so that DEM can verify said limits at the time of the preconstruction conference. If any trees within the area designated to be preserved are destroyed as a result of the Applicant's construction activities, the Applicant will provide appropriate replacement trees in terms of species, size and quantity as determined by DEM, pursuant to Section 12-0403 of the Public Facilities Manual ("PFM").

- A-3. **EQC Area.** Except for the installation of the trails, fences, utility lines, sewer lines, and storm drainage facilities, as shown on the GDP, no additional structures shall be placed in the EQC. If any trails, fences, utility lines, sewer lines or storm drainage facilities as shown on the GDP are required to be relocated within the EQC, they shall be relocated and installed in the least disruptive manner feasible, as determined by DEM, and subject to approval by the Director of DEM.
- A-4. **Trail.** The Applicant shall construct an eight (8) foot wide asphalt trail adjacent to the Accotink Creek as shown on the GDP and a six (6) foot wide asphalt trail adjacent to the Accotink Creek tributary also as shown on the GDP. Said trails shall be field located with a representative of the Park Authority prior to construction. The construction of these trails shall be completed prior to the issuance of a building permit for the second community center building or the fifth residential building, whichever shall first occur.
- A-5. **Public Recreational Facilities.** Prior to issuance of the first residential use permit for the fifth elderly housing residential building, the Applicant shall complete construction of two (2) soccer fields to the current PFM standards within the area shown as Parcels B and C on the GDP. Such construction shall be in accordance with the terms of an agreement between Applicant and the Fairfax County School Board.
- A-6. **Parking Lot.** Contemporaneously with the construction of the first soccer field referenced in Proffer A-5 above, the Applicant shall construct a parking lot in the area shown as Parcels B and C in a location determined by the School Board. The parking lot shall accommodate seventy (70) parking spaces and be constructed in accordance with the current PFM standards.
- A-7. **Dedication: Stream Valley Park.** The Applicant shall dedicate portions of the Accotink Stream Valley and its tributary designated on the GDP as Public Open Space to the Board of Supervisors for a Stream Valley Park. Dedication shall be in fee simple, and occur upon site plan approval for the adjacent sections of the

Continuing Care Retirement Community ("CCRC"). All such dedications shall be made with the express reservation that easements for utilities within the dedicated areas may be relocated if determined necessary and feasible by DEM, and approved by DEM.

- A-8. **Dedication: Recreational Park.** Upon completion of construction of the access road to Bonniemill Lane over the 10± acre parcel shown on the GDP as Parcel A, the Applicant shall dedicate in fee simple Parcel A to the Board of Supervisors for recreational park purposes. Said dedication shall be subject to a combined fifty (50) foot wide landscaping easement and a fifteen (15) foot wide ancillary easement to the benefit of the Applicant on both sides of the access road where it traverses Parcel A. The purpose of said landscaping easement is to permit installation of landscaping and/or berming within said easement areas as determined by the Applicant, subject to review and approval by DEM. Said dedication shall also be subject to a temporary easement for location and use of Applicant's temporary marketing center, as shown on the GDP.
- A-9. **Conveyance: School Board.** The Applicant shall convey in fee simple the 2.3± acre parcel shown on the GDP as Parcel B to the Fairfax County School Board in accordance with the terms of an agreement between the School Board and the Applicant.
- A-10. **Future Road Alignment.** The Applicant shall dedicate and convey in fee simple to the Board of Supervisors, upon demand by the Board of Supervisors, a sixty (60) foot wide right-of-way for a future connection to the Franconia-Springfield Parkway across from Neuman Street as generally shown on the GDP. In the event that said access becomes available to an interchange at Neuman Street built by others, the Applicant shall construct a public roadway over said right-of-way with a maximum width of pavement of forty-four (44) feet, curb to curb to said future connection. The Applicant shall provide a letter of credit in escrow with Fairfax County for the sum of approximately \$150,000, based upon a cost estimate by DEM, to be used as security to ensure the design and construction of said connection. However, if said connection is not available within fifteen (15) years from the date of these proffers, or if said interchange is deleted from the County's Comprehensive Plan, whichever event first occurs, Applicant's obligations under this proffer shall terminate and cease and said escrow shall be terminated, and the letter of credit released to the Applicant. Applicant

reserves the right to construct a temporary construction road within said proposed right-of-way alignment that connects to the retirement community land bay south of the existing pond.

A-11. **Stormwater Management Wet Pond.** Pursuant to the Public Facilities Manual, a stormwater management wet pond shall be built by the Applicant within the general area shown on the GDP. Said pond shall be provided as follows:

- a. Maintenance of the stormwater management wet pond shall be the responsibility of the Applicant.
- b. The Applicant, or its successors in title and interest, shall indemnify and hold harmless the County and its agents and employees for any and all damages, accidents, casualties, occurrences or claims which might arise or be asserted against the County from the construction, presence, existence or maintenance of the stormwater management wet pond by the Applicant.

A-12. **Assisted Living Facility.** For the first three (3) years after issuance of the non-residential use permit for the assisted living facility, said facility may be open to the general public in accordance with Commonwealth of Virginia regulations governing Continuing Care Retirement Communities. Thereafter, use of the assisted living facility shall be limited solely to residents enrolled in the continuing care retirement community.

A-13. **Acute Care/Skilled Nursing Care Facility.** For the first three (3) years after the issuance of the non-residential use permit for the acute care/skilled nursing care center, said center may be open to the general public in accordance with Commonwealth of Virginia regulations governing Continuing Care Retirement Communities ("CCRC"). Thereafter, use of the center shall be limited solely to residents enrolled in the continuing care retirement community. The Acute Care/Skilled Nursing Care facility may be constructed in two (2) phases, if so, each phase may be open to the general public for the first three (3) years after the issuance of the non-residential use permit for the applicable phase. However, in no instance shall a resident of the CCRC be denied access to the Acute Care/Skilled Nursing Care facility because of occupancy of non-residents during either phase. It

being expressly understood that residents of the CCRC shall have priority over the general public.

A-14. **Noise Attenuation.** With reference to the Franconia-Springfield Parkway, the Applicant shall provide the following noise attenuation measures to achieve a maximum interior noise level of 45 dBA Ldn:

- a. All buildings that are designed to house residents and located within 280 feet of the centerline of the westbound lanes of the Franconia-Springfield Parkway impacted by highway noise having levels between 65 and 70 dBA Ldn, shall have the following acoustical attributes:
 - (1) Exterior walls will have a laboratory sound transmission class ("STC") of at least 39.
 - (2) Doors and windows will have a laboratory STC of at least 28. If windows constitute more than twenty (20) percent of any facade, they shall have the same laboratory STC rating as walls.
 - (3) Adequate measures to seal and caulk between surfaces will be provided.

- b. All buildings that are designed to house residents and located within 130 feet of the centerline of the westbound lanes of the Franconia-Springfield Parkway impacted by highway noise having levels between 70 and 75 dBA Ldn shall have the following acoustical attributes:
 - (1) Exterior walls shall have a laboratory sound transmission classification ("STC") rating of at least 45.
 - (2) Doors and windows shall have a laboratory STC rating of at least 37. If windows constitute more than twenty (20) percent of any facade, they shall have the same laboratory STC rating as walls.
 - (3) Adequate measures to seal and caulk between surfaces will be provided.

- c. As an alternative to a or b above, the Applicant may elect to have a refined acoustical analysis performed, subject to approval of DEM, to verify or amend the noise levels and impact areas set

forth above and/or to determine which units/buildings may have sufficient shielding to permit a reduction in the mitigation measures prescribed above.

- A-15. **Intersection Improvements.** With reference to the intersection of the Franconia-Springfield Parkway with Bonniemill Road, the Applicant shall construct the northern leg of said intersection to include three (3) exits lanes from the proposed development as shown on the GDP. If determined necessary by the Virginia Department of Transportation ("VDOT") and the Office of Transportation, the Applicant shall also provide separate right, left, and through lanes on the southern leg of the intersection in the area between Hooes Road and the Franconia-Springfield Parkway. The Applicant shall also design and construct signal improvements as may be required by VDOT and approved by VDOT to accommodate the above-referenced road improvements.
- A-16. **Accessible Parking.** Accessible parking shall be provided by the Applicant in the amount specified in the applicable ordinances, regulations and other standards at a minimum, as determined by DEM.
- A-17. **Ancillary Easements.** Upon demand by the Board of Supervisors, the Applicant will provide fifteen (15) foot wide ancillary easements along the frontage of the Franconia-Springfield Parkway right-of-way to facilitate future construction of the Parkway/Neuman Street interchange. Applicant will provide ancillary easements for this purpose in excess of fifteen (15) feet in width where feasible, given considerations related to the timing of construction of the interchange relative to timing of construction of the Continuing Care Retirement Community improvements shown on the GDP.
- A-18. The eight (8) foot tall security fence shall be located outside of the EQC designated on the GDP. If a variance is required to permit a fence with a height in excess of the limitations of Article 10 of the Zoning Ordinance is not granted, the height of the fence shall not exceed the height permitted by the Zoning Ordinance.
- A-19. The stormwater management facility located west of Parcel B shall be reduced in storage volume to seventeen (17) acre feet; however, the amount of storage may be increased above seventeen (17) acre feet at the time of site plan approval if determined

necessary by DEM. The area around the pond and the land disturbed by its construction shall be reforested as determined by DEM. However, reforestation shall be designed to not interfere with access to, or with the maintenance of the stormwater management facility. The reforestation plan shall contain a mixture of native plant material selected to provide a staggered canopy at maturity. The planting plan may include, subject to the approval of DEM, trees, saplings, and shrubs which do not meet the standards of the Public Facilities Manual. DEM shall determine the appropriate mixture of plants and the timing of the reforestation at the time of site plan approval.

- A-20. All areas which are designated as EQC on the GDP shall be dedicated to the County for park purposes.
- A-21. The number of parking spaces shall be reduced to an overall total resulting from a calculation of 0.5 spaces per elderly housing unit plus one space per employee on the major shift. Some of these spaces may be constructed as overflow parking on a dustless surface which is not paved. It is intended by this condition that additional areas of tree save and landscaped open space occur among the buildings. To this end, the reduced number of parking spaces should be achieved by eliminating large areas of parking. The parking areas designated on the GDP which are not constructed pursuant to this development condition are to be considered areas of possible expansion of parking areas should it be demonstrated that the total number of parking spaces resulting from the above calculation is inadequate for the needs of the continuing care retirement community. Construction of these parking areas may occur upon submission of a written justification to the Office of Comprehensive Planning for its review and approval, followed by the review and approval by DEM of the appropriate plans as may be required pursuant to Article 17, Site Plans.
- A-22. Notice shall be provided to future owners and operators of the continuing care retirement community that the access from the Franconia-Springfield Parkway may be shifted from the intersection at Bonniemill Lane to the future interchange at Neuman Street. Such notice shall also be provided to any "Resident's Council" or other similar body or organization established for the residents of the community to participate in the operation and management of the continuing care retirement community. Accordingly, the notice which is provided to future owners and/or operators of the

community will include notice of the requirements to inform the "Resident's Council."

A-23. The marketing trailer shown on the GDP requires approval of a temporary special permit in accordance with the provisions of the Zoning Ordinance. It shall be removed upon the issuance of the Non-Residential Use Permit for the first community center building occupied within the continuing care retirement community.

A-24. In lieu of providing affordable dwelling units pursuant to Section 2-800 et seq. of the Zoning Ordinance, the Applicant shall provide the following affordable dwelling unit program:

a. Twelve and one-half (12-1/2) percent of the independent living units will be made available by the completion of the independent living portion of this Continuing Care Retirement Community under this affordable dwelling unit program. Two thirds (2/3) of these affordable units will be made available to residents whose annual income does not exceed seventy (70) percent of the median income of the Washington Standard Metropolitan Statistical Area as designated by the Department of Housing and Urban Development and as adjusted for family size. One third (1/3) of these available units will be made available to residents whose income does not exceed fifty (50) percent of the median income of the Washington Standard Metropolitan Statistical Area as designated by the Department of Housing and Urban Development and as adjusted for family size. In addition, ADU applicants will be required to qualify for residence in the CCRC pursuant to criteria applicable to all CCRC applicants. The principle qualification criteria for residence in the continuing care community are as follows:

- (1) Provide the required entrance deposit;
- (2) Provide proof that a potential resident's assets (including the entrance deposit) are equal to 1.5 times the entrance deposit required for the unit selected; and
- (3) Pass appropriate psycho-social examination for the level of care selected.

b. The monthly fee for units occupied by qualified residents shall not exceed the following specifications:

(1) For those efficiency and one bedroom designated units which are the unit types that will be occupied by residents whose annual income does not exceed fifty (50) percent of the median income of the Washington Standard Metropolitan Statistical Area:

(a) Efficiency units: \$1,047.00 per month.

(b) Smaller one bedroom units: \$1,180.00 per month.

(c) Larger one bedroom units: \$1,206.00 per month.

The above fees shall be subject to inflationary adjustments from the date of these proffers based upon the Consumer Price Index for All Urban Consumers, All Items, U.S. City Average (1982-1984 = 100), published by the Department of Labor, Bureau of Labor Statistics.

(2) For those efficiency, one bedroom, and two bedroom units which are the unit types that will be occupied by residents whose annual income does not exceed seventy (70) percent of the median income of the Washington Standard Metropolitan Statistical Area:

(a) Efficiency units: \$1,047.00 per month.

(b) Smaller one bedroom units: \$1,180.00 per month.

(c) Larger one bedroom units: \$1,206.00 per month.

(d) One bedroom, den units: \$1,368.00 per month.

(d) Two bedroom, one bath units: \$1,381.00 per month.

(e) Two bedroom, two bath units: \$1,500.00 per month.

- (f) Larger two bedroom, two bath units:
\$1,587.00 per month.

Prior to issuance of a Residential Use Permit for a given unit referenced in this paragraph (2), the monthly fee for that unit will increase no faster than the Consumer Price Index referenced in paragraph (1) above. After initial occupancy of a given unit, the monthly fee for that unit may be increased at the same rate as the comparable, market-based unit within the CCRC.

- (3) Units designated as affordable dwelling units under these proffers shall have the same amenities, size and service package as comparable market-based units within the CCRC.
- c. The Applicant shall provide a monthly written report to the Department of Housing and Community Development specifying the names and incomes of those residents whose annual income falls within the above proffered income limits at the time of designation as a participant in this program and who are occupying units with fees governed by the provision of paragraph b. In addition, the units occupied by each such resident, the fee payable by each such resident and the units available but unfilled by qualified applicants shall be specified.
- d. In the event that the number of independent living units occupied by qualifying residents falls below the requisite number of units in any given month, a corresponding number of unoccupied independent living units will be held open for a period of up to ninety (90) days for qualifying residents. If after ninety (90) days, no applicant whose income qualifies for ADU participation under this program is found for a given unit, that unit may be filled from the waiting list with any CCRC applicant.
- e. Occupancy of seventy-five (75) percent of the qualifying ADU units under this program shall occur prior to occupancy of more than seventy-five (75) percent of the Continuing Care units. Occupancy of one hundred (100) percent of the qualifying ADU units shall occur prior to occupancy of the final market based independent living units.

- f. The provisions of this proffered program shall apply for a period of thirty-five (35) years from the date of the issuance of the Residential Use Permit for the fiftieth (50th) qualifying unit except as provided in paragraph (h) hereinafter. However, after the initial ten (10) years and after provision of one hundred twenty (120) day written notice to the Housing Authority and the residents of the affordable dwelling units, the applicant may elect to file a rezoning application and comply with whatever requirements result therefrom, or may elect to pay to the Fairfax County Housing Trust Fund an amount equivalent to the then fair market value of the land attributable to all bonus and affordable dwelling units and provide relocation assistance to the tenants of the affordable dwelling units in accordance with the requirements of Article 4 of Chapter 12 of The Code. Thereupon, the units previously controlled by these proffers as affordable dwelling units shall be released fully.
- g. In the event the CCRC is sold to another business entity, written notification of the existence of this proffered affordable dwelling unit program shall be delivered to said entity prior to consummation of the sale.
- h. In the event that Section 2-800 et seq. is amended to provide less stringent requirements than the requirements provided in the program proffered herein, then the applicant may elect to comply with the less stringent requirements.

B. Applicable to the PDH-2 DISTRICT (58.2 ACRES)

Pursuant to Section 15.1-491(a) of the 1950 Code of Virginia, as amended, the undersigned applicant and owners proffer to develop the subject property in accordance with the following conditions provided the Board of Supervisors rezones the subject property to the PDH-2 Zoning District as proffered. For the purpose of these proffers, the term "Applicant" refers to Springfield Campus, L.L.C., its successors or assigns. The term "subject property" refers to the 58.2 acres that are to be rezoned to the PDH-2 District.

- B-1. Conceptual/Final Development Plan.** Subject to the provisions of Section 16-403 of the Zoning Ordinance, development of the property shall be in conformance with the plan entitled "Conceptual/Final Development Plan ("CDP/FDP"), prepared by Dewberry & Davis, revised

as of August 6, 1996. Said plan provides for a maximum of 105 single-family detached dwelling units.

- B-2. **Final Development Plan Amendment.** Notwithstanding, the CDP/FDP is presented on one sheet and said CDP/FDP is the subject of Proffer B-1 above. The CDP shall constitute the entire plan relative to the points of access, the total number of units and general location of residential lots and common open space areas. The Applicant shall have the option to request Final Development Plan Amendments ("FDPA") from the Planning Commission for portions of the Plan in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance.
- B-3. **Energy Saver Program.** All homes on the property shall meet the thermal guidelines of the Virginia Power Energy Saver program for energy-efficient homes or its equivalent, as determined by the Department of Environmental Management ("DEM") for either electric or gas energy systems, as applicable.
- B-4. **Tree Save Areas.** The Applicant shall conform to the limits of clearing and grading shown on the CDP/FDP subject to modifications for the installation of trails, utility lines, sewer lines, and storm drainage facilities, if necessary, as determined by DEM. If any trails, utility lines, sewer lines or storm drainage facilities are required to be located within the area protected by the limits of clearing and grading, they shall be located and installed in the least disruptive manner feasible, as determined by DEM, and subject to approval by the Director of DEM. At the time of grading plan review, the Applicant shall prepare a tree preservation plan for approval by the Urban Forestry Branch of DEM. This plan shall designate additional tree save areas, in addition to those shown on the CDP/FDP, in areas where it is reasonably feasible to save additional trees without precluding construction of the project in accordance with the CDP/FDP, as determined by DEM. Prior to any clearing and grading on-site, the approved limits of clearing shown on the development plan shall be flagged in the field so that DEM can verify said limits at the time of the preconstruction conference. If any trees within the area designated to be preserved are destroyed as a result of the Applicant's construction activities, the Applicant will provide appropriate replacement trees in terms of species, size and quantity as determined by DEM pursuant to Section 12-0403 of the Public Facilities Manual ("PFM").

- B-5. **EQC Area.** Except for the installation of the trails, fences, utility lines, sewer lines, and storm drainage facilities as shown on the CDP/FDP, no additional structures shall be placed in the EQC. If any trails, fences, utility lines, sewer lines or storm drainage facilities as shown on the CDP/FDP are required to be located within the EQC, they shall be located and installed in the least disruptive manner feasible, as determined by DEM, and subject to approval by the Director of DEM.
- B-6. **Dedication: Stream Valley Park.** The Applicant shall dedicate in fee simple portions of the Accotink Stream Valley and its tributary designated on the CDP/FDP as Public Open Space to the Board of Supervisors for a Stream Valley Park. Dedication shall be in fee simple and occur upon site plan approval for the adjacent sections of the single-family residential community. All such dedications shall be made with the express reservation that easements for utilities within the dedicated areas may be relocated if determined necessary and feasible by DEM, and approved by DEM.
- B-7. **Buffer Areas.** The Applicant shall create conservation easements, as defined below, along the rear property lines of the proposed lots bordering on the existing subdivisions to the north and east, as generally shown on the CDP/FDP. The conservation easements shown on the CDP/FDP shall be shown on the subdivision record plat. At the time of subdivision plat approval, the Applicant shall record the conservation easements among the land records of Fairfax County in a form approved by the County Attorney. These easements shall be recorded to the benefit of the homeowners' association for the PDH-2 District established pursuant to Section 2-702 of the Zoning Ordinance in a form approved by the County Attorney. These conservation easements shall also be disclosed on all sales literature and referenced in the deed to each lot. These easements shall provide for the preservation of vegetation on the proposed single family dwelling lots within an area that extends to fifty (50) feet from and parallel to the common eastern property boundary line and fifty (50) feet from and parallel to the gas line easement on the northern property line, all as shown on the CDP/FDP, except for that portion of the stormwater management pond area which is also shown on the CDP/FDP. These easements shall prohibit the removal of trees, except for dead or dying trees and hazardous trees. They shall permit selected clearing of undergrowth and the removal of dead, dying or hazardous

trees within the conservation areas indicated on the CDP\FDP. The determination that a tree is dead, dying, or hazardous, and the nature and extent of the clearing of undergrowth shall be made by the Urban Forestry Branch of DEM. In addition, these easements shall prohibit the construction of accessory structures within the easement areas except for fences, utility lines, storm and sanitary sewer facilities, which, if constructed, shall be done so in the least disruptive manner possible, involve minimal tree removal, and shall be subject to the review and approval of DEM.

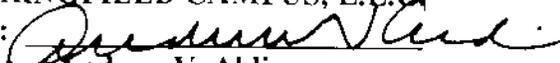
- B-8. **Gas Pipe Line.** No dwelling unit, porch, deck or garage shall be located closer than fifty (50) feet from the edge of the existing Washington Gas Pipe Line Easement.
- B-9. **Trail.** Prior to the issuance of the 51st Residential Use Permit, the Applicant shall construct a trail connecting the subject property with the Accotink Creek Stream Valley Park. Said trail shall be constructed of asphalt and be six (6) feet in width. Said trail shall be located generally as shown on the CDP/FDP.
- B-10. **Lot Sizes.** The single family detached dwelling lots that abut the northern boundary of the subject property (Lots 1-16, 21-23) and the open space parcel located between Lots 16 and 21 that abut the northern boundary of the subject property will have an average lot size not less than 24,000 square feet and a minimum width at the rear lot line of 100 feet. The single family detached dwelling lots (Lots 23-33) and the open space parcel located between Lots 24 and 25 that abut the eastern boundary of the subject property will have an average lot size not less than 25,000 square feet and a minimum width at the rear lot line of 100 feet. Said lot size and minimum width averages may be reduced to accommodate an emergency access to Ridgeway Drive, if such access is required by VDOT and/or Fairfax County.
- B-11. **Notice.** The Applicant shall advise all prospective purchasers of new homes within the PDH-2 District that vehicular access to the Franconia-Springfield Parkway may be relocated from the Bonniemill Lane intersection to a Neuman Street intersection at some later time, subject to VDOT and Fairfax County approval. The Applicant shall also advise in writing the homeowners' association established for the maintenance of the Common Areas that said access may be relocated and provide a written statement to this effect in the corporate documents of incorporation.

- B-12. **Berm.** To create a visual buffer, the Applicant shall construct a berm, not to exceed twelve (12) feet in height, in the area within the Franconia-Springfield Parkway right-of-way and adjoining subject property, south of and adjacent to Tax Map Parcels 90-1((1))55A and 90-1((7))24, and west of Ridgeway Drive. Said berm, in areas where it does not exceed six (6) feet in height, shall be planted with evergreen trees six (6) feet to eight (8) feet in height, spaced eight (8) feet to ten (10) feet on center. The Applicant may substitute landscaping materials subject to approval by DEM. Said berm shall be subject to VDOT approval, and subject to the condition that no acquisition of easements at the expense of the Applicant will be required.
- B-13. **Recreational Facilities.** The Applicant shall comply with paragraph 2 of Section 6-110 of the Zoning Ordinance by providing developed recreational facilities on site equivalent to a value of \$300 per dwelling unit. The easternmost tot lot may be relocated, subject to the approval of DEM. In the event that the Board of Supervisors amends the Zoning Ordinance to permit off-site contributions in lieu of on-site construction of recreational facilities, Applicant may contribute a portion or all of these funds to the Fairfax County Park Authority for use in the Park referenced in paragraph A-8 above, subject to appropriate ordinance authority and approval by the Park Authority.
- B-14. The proposed stormwater/BMP facility depicted on the CDP/FDP shall be relocated by the Applicant to the southeast and the adjacent lots reconfigured to accommodate this relocation, all as generally shown on the plan which is attached hereto as Exhibit "A" and incorporated herein by reference.
- B-15. The Applicant shall construct an emergency vehicle access road as generally shown on the plan which is attached hereto as Exhibit "B" and incorporated herein by reference. Said road shall be no greater than eighteen (18) feet in width, or a lesser width, if approvable, and the surface of the road within the dedicated right-of-way shall be constructed with a Grasspave' porous paving system, or the equivalent, and seeded so as to provide a lawn appearance. An alternative location for this emergency vehicle access road may be provided, subject to approval of the Office of Transportation and VDOT.

C. **Applicable to both the R-3 and the PDH-2 Districts**

- C-1. **Affordable Dwelling Units.** The Applicant shall provide fourteen (14) affordable dwelling units within the continuing care retirement community to satisfy the affordable dwelling unit requirement for the single family detached community in the PDH-2 District in accordance with part 8 of Article 2 of the Zoning ordinance. These ADUs shall be provided as housing units for the elderly, subject to any modifications to the program requirements approved by the ADU Advisory Board upon request of the Applicant pursuant to Section 2-814 of the Zoning Ordinance. The Applicant shall comply with the requirements of Section 2-808 of the Zoning Ordinance by providing all of said affordable dwelling units within the continuing care retirement community before building permits are issued for the last twenty-five (25) percent of the total number of approved units in the PDH-2 District, unless Section 2-808 is subsequently amended to provide less stringent requirements, in which case, the Applicant shall comply with Section 2-808 as so amended.
- C-2. **Dedications.** All land dedications to the Fairfax County Board of Supervisors and the Fairfax County School Board, as provided herein, shall be made with the understanding that the density credit related thereto shall be reserved for the subject parent parcels in accordance with the provisions set forth in paragraph 4 of Section 2-308 of the Zoning Ordinance.
- C-3 **Counterparts.** These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

SPRINGFIELD CAMPUS, L.L.C

By: 
Andrew V. Aldi

Its: Vice President of Development

William Dowdy, Trustee
T. WILLIAM DOWDY, TRUSTEE

Shirley M. Hunter, Trustee
SHIRLEY M. HUNTER, TRUSTEE

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SHIRLEY M. HUNTER

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10/25/96 12:18 pm

EXHIBIT B

RIDGEWAY DR.

RT. 6011

RT. 1135

6" W

MAXIMUM 18" WIDE SEEDED GRASS PAVERS OR LESS AS MAY BE APPROVED BY THE DIRECTOR OF DEM. THE EXACT ALIGNMENT MAY BE ADJUSTED IN THE FIELD TO PRESERVE THE MAXIMUM NUMBER OF TREES AS POSSIBLE AS DETERMINED BY THE DIRECTOR OF DEM.

6" DIA. STEEL PIPE BOLLARD PAINTED BLACK (TYP.)

WESLEY RD.

HEAVY DUTY STEEL GATE WITH LOCK AND WITH BOARD ON BOARD FENCING TO APPEAR LIKE AN EXTENSION OF THE ADJOINING SECTIONS OF BOARD FENCE. GATE/FENCE IS TO BE LOCATED 11' WEST OF PROPERTY LINE WITHIN THE CONSERVATION EASEMENT.

S02°27'05"E 2073.37'

PROP. 50' WIDE CONSERVATION EASEMENT

LIMITS OF CLEARING & GRADING

27

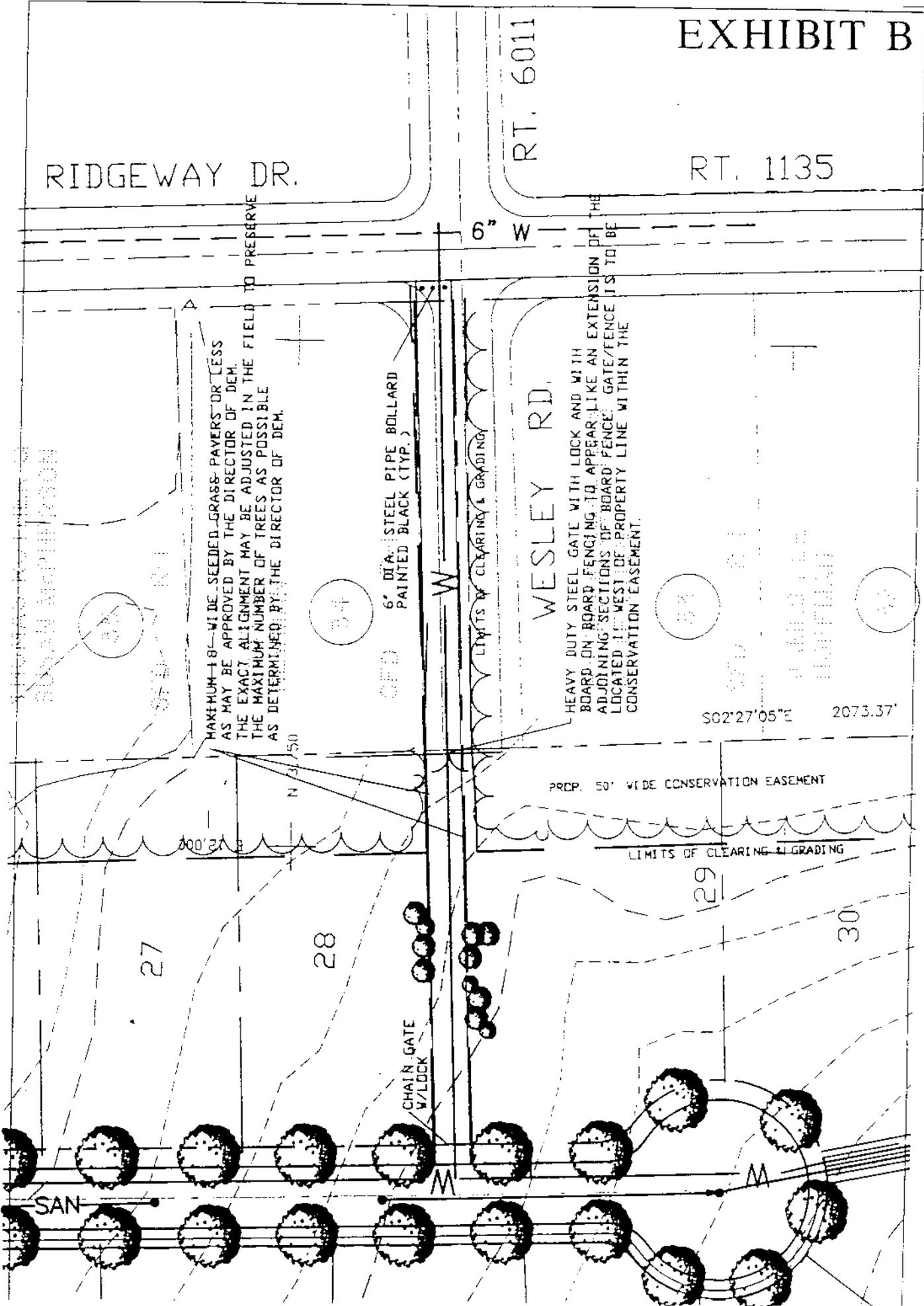
28

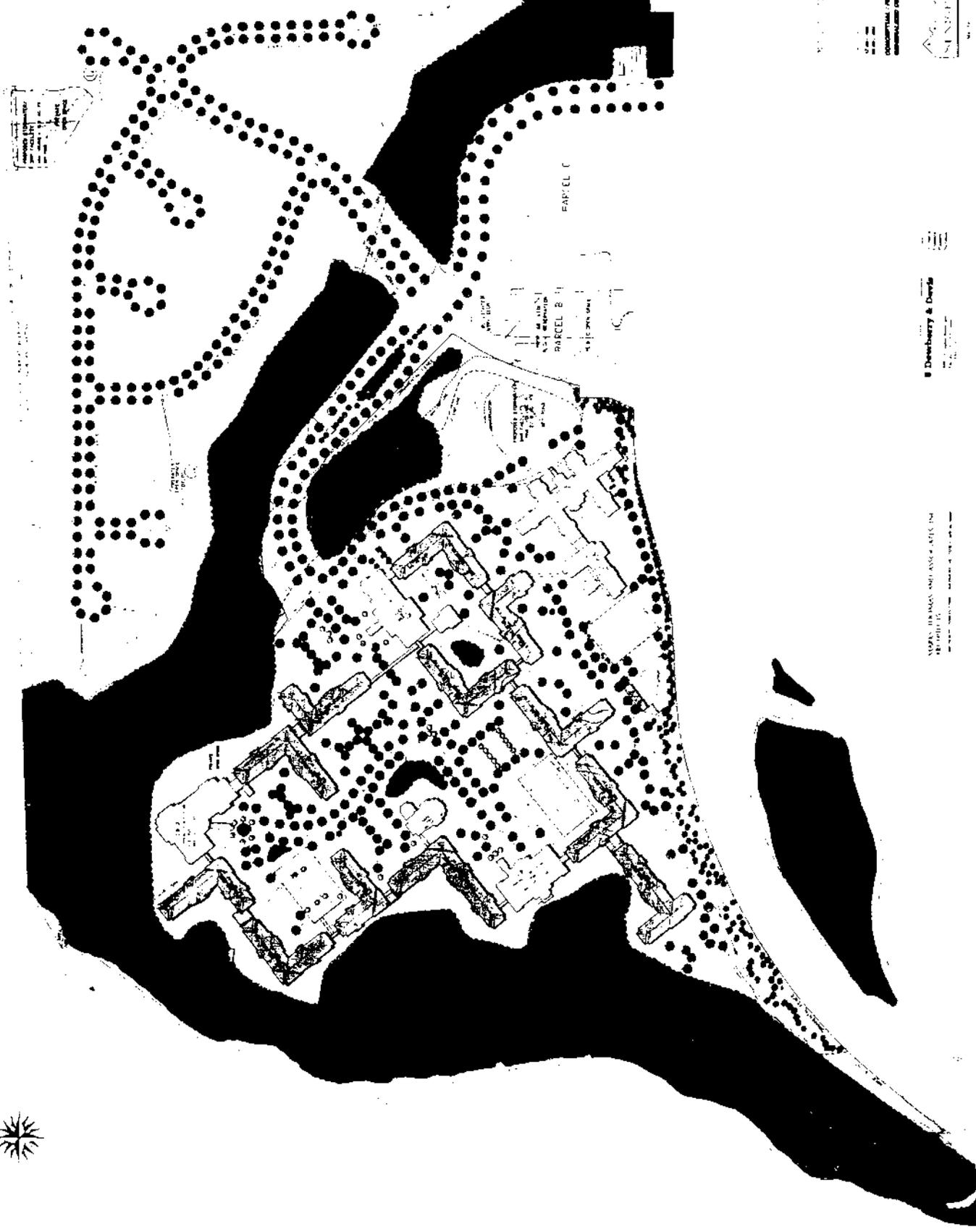
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CHAIN GATE W/LOCK

SAN





CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101, LIFE SAFETY CODE.

DATE: 10/15/2010

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