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OFFICE OF COMPREHENSIVE PLANNING

APR 13 1998

ZONING EVALUATION DIVISION

PROFFERS

Compton Commons
GDP 1997-SU-045
March 18, 1998

Pursuant to Section 15.2-2303(a), Code of Virginia, 1950 as amended, Fairland Development & Investment Corporation, the Applicant and Title Owner in RZ/FDP 1997-SU-045 for themselves, their successors and assigns, filed for property identified as Tax Map 65-3((1))33 (hereinafter referred to as the "Application Property") agrees to the following proffers, provided that the Board of Supervisors approves the rezoning of the Application Property to the R-3 District.

1. Generalized Development Plan. Development of the Application Property shall be in substantial conformance with the Generalized Development Plan ("GDP"), prepared by McGettigan & Dalton, dated January 19, 1998.
2. Minor Modifications. Pursuant to Paragraph 5 of Section 18-204 of the Zoning Ordinance, minor modifications to the GDP may be permitted as determined by the Zoning Administrator. The applicant reserves the right to request a waiver for SWM/BMP from the Department of Environmental Management (DEM). If such waiver is applied for and granted, then the area reserved for SWM/BMP on the GDP shall be added to the open space. If Applicant intends to apply for a waiver to use Parcel "A" Section 1 of Confederate Ridge for SWM/BMP, then Applicant will request permission from the Confederate Ridge Homeowners Association to accept the storm water runoff from the Application Property.
3. Compton Road.
 - a. Dedication. Subject to Virginia Department of Transportation (VDOT) and DEM approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way as shown on the GDP. Dedication shall be made at the time of recordation of the final subdivision plat or upon demand from Fairfax County, whichever occurs first.
 - b. Construction. Subject to VDOT and DEM approval, the Applicant shall construct frontage improvements on Compton Road as shown on the GDP.
 - c. Trail. The Applicant shall provide a ten (10) foot wide trail easement and shall construct a six (6) foot wide asphalt trail along the Application Property's frontage on Compton Road as shown on the GDP.
4. Limits of Clearing and Grading. The Applicant shall conform to the limits of clearing and grading as shown on the GDP subject to the installation of necessary utilities as

determined by DEM. If it is necessary to locate the utility lines within the limits of clearing and grading, those lines shall be located and installed in the least disruptive manner possible, considering cost and engineering, as determined by the Urban Forester. Prior to subdivision plat approval, a replanting plan shall be developed and implemented, as approved by the Urban Forester, for any such areas that must be disturbed.

5. Transportation. The developer of the subject property shall commit to spend \$1,300 per residential unit as adjusted by any increase in the Construction Cost Index as published in the Engineering News Record from the date of rezoning approval until paid, to construct improvements to Compton Road as shown on the GDP.

In addition to the above, the developer shall contribute at the time of subdivision plat approval the sum of \$300 per residential unit as adjusted by any increase in the Construction Cost Index as published in the Engineering News Record from the date of rezoning approval until paid, to be used for transportation improvements in the general vicinity of the subject property.

6. Energy Conservation. The Development of the proposed residential dwelling units on the Application Property will utilize the VIRGINIA ENERGY SAVER HOMES PACKAGE energy conservation techniques and design features or an equivalent program approved by DEM.
7. Park Contribution. At the time of subdivision plat approval, the Applicant shall contribute \$500 per residential unit to the Fairfax County Park Authority for off-site recreational facilities in the immediate vicinity of the Application Property.
8. Cultural Resources. The Applicant shall, at the time of subdivision plat approval, contribute the sum of \$2,000 to the Fairfax County Park Authority for the purpose of assisting in the placing of the Centreville Military Railroad on the National Register of Historic Places.
9. Historical and Environmental Resources. Parcel "A" located on the GDP shall, at the time of subdivision plat approval, be dedicated to either the Park Authority or to the Board of Supervisors for purposes of preserving the historical rail bed.
10. Blasting. If blasting is required, and before any blasting occurs on the Applicant Property, the Applicant will insure that the Fairfax County Fire Marshal has review the blasting plans and all safety recommendations of the Fire Marshal, including, without limitation, the use of blasting mats shall be implemented. In addition, the Applicant shall:
 - a. Require a professional consultant to perform a pre-blast survey of all structures located within 150 feet of the Applicant Property boundary.
 - b. Require the consultant to request access to structures located within 150 feet of the blast site, to determine the pre-blast conditions of these structures.

- c. Require the consultant to place seismographic instruments near these structures prior to blasting to monitor the shock waves.
 - d. Be fully insured to federal requirements.
 - e. Repair any damages to structures located within 150 feet of the blast site which are attributable to the blasting activity.
 - f. Give twenty-four (24) hours advance notice to an abutting property owners before commencing blasting.
11. Construction Traffic. Unless precluded by County or State regulations, Applicant will incorporate into all contractor agreements a provision limiting access to the property, during construction, to Compton Road.
12. Utility Easements. Applicant will attempt to ascertain from NOVEC its desired location for utility easements along Application Property allowing for future upgrade and relocation of existing electric lines serving Confederate Ridge. Applicant will grant said easements provided such easements do not materially affect the development of the Application Property.
13. House Sizes. The Applicant shall construct homes on the Application Property which contain a minimum gross floor area of 1,800 square feet above grade. At least half of the homes constructed on the Application Property shall have basements. At least 7 of the homes will contain two-car garages.
14. Successors and Assigns. These proffers shall bind and inure to the benefit of the property owners, Applicant and its successors and assigns.
15. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.

Fairland Development & Investment Corp.

By: Mostafa Howeedy 4/6/98
Mostafa Howeedy, Vice President