

RZ 1998-MV-032; RZ 1998-MV-033

FREDERICK P. GRIFFITH, JR. WATER TREATMENT PLANT

PROFFER STATEMENT

December 1, 1998

Pursuant to Section 15.2-2303(A) of the Code of Virginia, as amended, and subject to the Board of Supervisors' approval of rezoning applications RZ 1998-MV-032 and RZ 1998-MV-033, as proposed for rezoning from the R-C and NR District to the R-1 and NR District, the Fairfax County Water Authority (the "Applicant") proffers that development of Tax Map Parcels 106-4-((1))-56 (formerly 106-4-((1))-54 (part)) (the "Property") shall be developed in accordance with the following proffered conditions:

1. Substantial Conformity. Subject to the provisions of Section 18-204 of the Zoning Ordinance, the Property shall be developed in substantial conformance with the Generalized Development Plan/Special Exception Amendment Plat entitled Frederick P. Griffith, Jr. Water Treatment Plant, prepared by Dewberry & Davis and dated February 5, 1998, and revised through November 30, 1998, as further modified by these proffered conditions.
2. Athletic Fields. The Applicant shall provide to the Board of Supervisors (the "Board") and/or the Fairfax County Park Authority (the "Park Authority") an area in the northeast portion of the Property of approximately 3 acres that is not being used for the proposed water treatment plant, the associated drainfield and/or any other appurtenant facilities, for use as athletic fields. Such area shall be provided pursuant to a written license agreement between the Applicant and the Board and/or Park Authority which includes provisions for appropriate insurance acceptable to the Applicant to cover claims, attorneys fees, costs and the like. The actual location shall be mutually agreed upon by the Applicant and the Board and/or Park Authority prior to final site plan approval for the water treatment and appurtenant facilities. Any fields constructed in such area shall be constructed, operated and maintained at no cost to the Applicant. The Applicant reserves the right to make any use of the designated area by providing the Board and/or Park Authority with one (1) year prior written notice.
3. Successors and Assigns. Each reference to "Applicant" in this proffer statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest and/or the developer(s) of the site or any portion of the site.

APPLICANT/OWNER:

FAIRFAX COUNTY WATER AUTHORITY

By: Charlie Clowder Jr
Its: General Manager