

Proffers

PCA 99-LE-036

Tavares Concrete Company, Inc.

September 25, 2009

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned Owner, in this proffered condition amendment proffers that the development of the parcel under consideration (1.3 acres) also known as Fairfax County Tax Map as Tax Map Reference 99-2((16))B, part (hereinafter referred to as the "Property") will be in accordance with the following conditions (the "Proffered Conditions"), if and only if, said proffered condition amendment is granted. In the event said rezoning request is denied, these Proffered Conditions shall be null and void. The Owner, for themselves, their successors and assigns hereby reaffirms their responsibility for implementing and maintaining those previously approved proffers associated with RZ 99-LE-036 dated February 10, 2000 attached as Exhibit A. The Owner, for themselves, their successors and assigns also agrees that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. Both the Applicant, Tavares Concrete Company, Inc. and the Property Owner, Hawthorne Community Homeowners Association, acknowledge that a development agreement, dated August 14, 2008, exists between the two parties that requires the Applicant to construct the proposed improvements on the Property in accordance with the CDP/FDP and these additional proffers if the PCA application is approved. The additional Proffered Conditions applicable only to the Property on which the PCA application has been filed are:

1. Substantial Conformance. Subject to the provisions of Article 16 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP), prepared by Dewberry & Davis LLC, consisting of 8 sheets, dated December 18, 2008, revised through September 11, 2009.
2. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers, which may become occasioned as a part of final engineering design, may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Section 16-403 of the Zoning Ordinance.
3. Construction Access. Construction access for any improvements on the Property shall be from Cinder Bed Road through Lots 17, 18 and 19 and not through the Hawthorne subdivision.
4. Construction Hours. Construction shall only occur between the hours of 7:00 a.m. until 7:00 p.m. Monday through Friday, 8:00 a.m. until 6:00 p.m. on Saturday and 9:00 a.m. until 6:00 p.m. on Sunday. Construction activities shall not occur on the holidays of Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas, Easter, and New Years Day. The construction hours shall be posted on the property. The allowable hours of construction as specified in this proffer shall be listed within any contract with future sub-contractors associated with construction on the site. Prior to any construction activity on the property, a contact name and number for questions/issues regarding

construction shall be provided to the Lee District Supervisor's office, the Hawthorne Community Association and the Island Creek Homeowners Association .

5. Private Street. The private streets, as shown on the CDP/FDP, shall be constructed by the Applicant with materials and to the pavement thickness standard of public streets as set forth in the Public Facilities Manual (PFM), subject to DPWES approval.

6. Sidewalks/Open Space Amenities. Five (5) foot wide concrete sidewalks and other amenities shall be constructed as shown on the CDP/FDP in accordance with the PFM standards. Irrespective of that shown on the CDP/FDP, the trail as shown between the existing townhouses in the Hawthorne subdivision and the proposed parking shall be constructed of wood chip or other porous material.

7. Public Access Easements. A public access easement in a form approved by the County Attorney shall be placed on the private streets, trails and sidewalks within the Property boundaries.

8. Landscaping. Landscaping shall be consistent with the quality, quantity and general location shown on the Landscape Plan on Sheet 3 of the CDP/FDP. At the time of planting, the minimum caliper for deciduous trees shall be two and one-half (2.5) inches to three (3) inches and the minimum height for evergreen trees shall be seven (7) feet. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans approved by Urban Forest Management at the time of site plan approval.

9. Tree Preservation: The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 8 inches in diameter and greater (measured at 4 1/2 -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the CDP/FDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0506 and 12-0508. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

10. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-

preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, representative and a representative from the Lee District Land Use Committee to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

11. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.
12. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four

(4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

13. Tree Appraisal: "The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 8 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The

replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFM.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Application Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

14. Root Pruning. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

15. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

16. Emergency Access. The portion of the PCA property connecting to Cinder Bed Road which currently serves as emergency access for the Hawthorne subdivision will continue to be used only for emergency access and shall be unobstructed for that purpose at all times.

Successors and Assigns

These proffers shall bind and inure to the benefit of the Applicant and his/her successors and assigns.

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.

TITLE OWNERS AND APPLICANTS SIGNATURES TO FOLLOW ON THE NEXT PAGE:

TITLE OWNER OF
TM 99-2((16))B, part

Hawthorne Community Homeowners Association,
Inc.

BY: 
Eric S. Plessinger, Vice-President

BY: 
Andy C. Hargreaves, President

APPLICANT

TAVARES CONCRETE COMPANY, INC.

BY: 
Armando J. Tavares, President

EXHIBIT A

PROFFERS

**RZ 1999-LE-036
Centex Homes - Hawthorne
February 10, 2000**

Pursuant to Section 15.2-2303A of the Code of Virginia (1950 as amended), the applicant hereby proffers to develop the subject property in accordance with the following conditions, provided the Board of Supervisors rezones the subject property to the PDH-4 Zoning District as proffered. For the purpose of these proffers, the term "Applicant" refers to the applicant herein, its successors or assigns.

1. **Conceptual/Final Development Plan:** Development of the property shall be in conformance with the plan entitled "Conceptual/Final Development Plan, Hawthorne (CDP/FDP)," prepared by Dewberry and Davis, revised as of January 10, 2000.

2. **Final Development Plan Amendment:** Notwithstanding, the CDP/FDP is presented on one sheet and said CDP/FDP is the subject of Proffer 1 above, the CDP shall constitute the entire plan relative to the points of access, the total number and types of units and general location of residential lots and common open space areas, and buffering adjacent to Island Creek Subdivision on the northern property line. 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.

3. **Energy Saver:** 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 Public Works and Environmental Services ("DPWES") for either electric or gas energy systems, as applicable.

4. **Limits of Clearing:** The Applicant shall conform to the limits of clearing and grading shown on the CDP/FDP, subject to modifications for the necessary installation of trails, utility lines and stormwater management facilities as approved by DPWES and the installation of supplemental landscaping as provided in paragraph 5 hereinafter. At the time of grading plan review, the Applicant shall designate limits of clearing and grading, in addition to those shown on the CDP/FDP, in areas where it is economically feasible to save additional trees without precluding construction of the project in accordance with the CDP/FDP, including but not limited to, the specific density and general development configuration shown thereon.

a. In order to preserve and protect the EQC, the limits of clearing and grading shall conform to the limits as shown on the CDP/FDP, subject to installation of utilities if necessary and, trails, if necessary, as approved by DPWES. If necessary, the trails and utilities outside the limits of clearing and grading will be located and installed in the least disruptive manner possible considering cost and engineering, as determined by the Urban Forester. A replanting plan in accordance with the Public Facilities Manual will be developed and implemented, as approved by the Urban Forester, for any areas outside the limits of clearing and grading that

must be disturbed. In addition, as shown on the CDP/FDP, several areas where clearing and grading will occur will be restored with a woody seed mix and appropriate tree plantings to encourage vegetative growth that will restore a natural appearance, as approved by the Urban Forestry Branch. Further, the Applicant will utilize the woody seed mix to restore the clearing and grading areas occurring off-site to accommodate the road connection to Morning View Lane.

b. Prior to any clearing and grading on-site, the final limits of clearing shall be confirmed in the field during the pre-construction meeting with the Applicant's certified arborist and the County Urban Forester. On the borders contiguous to Island Creek, tree protection fencing shall be erected at the limits of clearing and grading as shown on the tree preservation/landscaping plan. Materials and installation of tree protection fencing shall constitute a four (4) foot high, orange plastic fence attached to six (6) foot steel posts, driven eighteen (18) inches into the ground and placed no further than six (6) feet apart. The tree protection fencing shall be made clearly visible to all construction personnel. This fencing shall be maintained by the Applicant throughout the period of construction activities on this portion of the site. The fencing shall be installed prior to the performance of any clearing and grading activities on the site, including the demolition of any existing structures. If any trails, utility lines, or stormwater management 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, considering cost and engineering, as determined by DPWES, and subject to County Urban Forester approval. 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 the Urban Forestry Branch pursuant to Section 12-403 of the Public Facilities Manual.

c. The Applicant shall retain a certified arborist to prepare a tree preservation plan to be reviewed by the Urban Forestry Branch as part of the first site or subdivision plan submission, whichever comes first. The tree preservation plan shall consist of a tree survey which includes the location, species, size, crown spread and condition rating percentage of all trees twelve (12) inches in diameter and greater twenty (20) feet to either side of the proposed limits of clearing and grading and within other areas designated by the Urban Forestry Branch as potential save areas. The condition analysis shall be prepared using methods outlined in the latest edition of *The Guide for Plant Appraisal*. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be provided. Activities may include, but are not limited to, crown pruning, root pruning, mulching and fertilization. The installation of tree protection fencing shall be performed under the supervision of a certified arborist. Prior to commencement of any clearing, grading, or demolition activities, the project's certified arborist shall verify in writing that the tree protection fence referenced in paragraph b above, has been properly installed. A certified arborist shall monitor all construction work and tree preservation efforts in order to ensure conformance with the tree preservation plan. The monitoring schedule shall be described and detailed in the tree preservation plan which includes the submission of written reports to the Office of Site Development Services documenting all site monitoring visits and specifying any concerns associated with tree preservation issues.

5. Buffer Area:

a. **Landscaping/Tree Save:** In the buffer areas on the northern property line adjacent to Island Creek, the Applicant shall install supplemental landscaping in accordance with the landscaping plan attached hereto as Exhibit "A" (page 1 of 2, dated December 10, 1999, and page 2 of 2, revised as of January 5, 2000) and incorporated herein by reference. The Applicant shall adhere to the tree save line shown on the CDP/FDP along the northern property line adjacent to Island Creek. However, in no event shall the tree save area width be less than fifteen feet (15') from the Island Creek property line.

b. **Fence:** A six (6) foot high board fence shall be installed within the buffer area as generally shown on page 2 of 2 (above). The fence material shall be equivalent to the fence currently enclosing Island Creek subdivision on Beulah Street. The fence will be maintained by the Applicant in good repair. The fence will be located generally on a line no closer than ten (10) feet from and parallel to the property line with Island Creek. However, the fence will deviate around a cluster of existing trees as generally depicted on page 2 of 2. Two (2) existing clumps of evergreen trees (Clump #1 and Clump #2 as shown on Exhibit A, page 2 of 2) shall be preserved. In addition, the Applicant shall meander the fence to avoid destruction of trees six (6) inches in diameter or greater. However, no deviation will cause the fence to be located closer than ten (10) feet to the property line with Island Creek. The Applicant stipulates that any proposal to remove or relocate the fence after installation will require a Proffer Condition Amendment.

6. Regional Stormwater Management Pond: The Applicant shall construct the on-site Regional Stormwater Management Pond. Plans for the Regional Stormwater Management Pond shall be approved by DPWES and the cost of construction of the Pond fully bonded with Fairfax County prior to the recordation of the first residential subdivision plan for the subject property. Further, subject to approval by DPWES, the Applicant shall provide revegetation in the area cleared for the Regional Stormwater Management Pond pursuant to the guidelines that were approved by the Board of Supervisors.

7. Stream Bank Stabilization: To protect against future stream bank erosion in the immediate vicinity of the Island Creek Section 4 stormwater management pond outfall and at all proposed concentrated storm sewer discharge locations on-site, the Applicant shall provide suitable bio-stabilization, or other protective measures, subject to coordination with the Northern Virginia Soil & Water Conservation District ("NVSWCD") and approval by DPWES.

8. Archeological Survey: The Applicant shall obtain a Phase I Archeological Survey of the area of the subject property outlined on Exhibit "B" attached hereto. Said survey shall be provided to the County Archaeologist within ninety (90) days after rezoning of the subject property. If said area is determined to contain potentially significant information after the initial testing phase, additional archeological work at the Phase II or Phase III level will be conducted if the site can not be avoided by the proposed construction. If the Fairfax County History Commission determines that this site is of historical significance and that installation of a historic marker is justified, the Applicant shall contribute up to \$2,000 to be utilized for the acquisition and installation of this marker on the site at a location to be determined by the Applicant, in consultation with the Commission.

9. **Cinder Bed Road:** At the time of record plat approval, or upon demand by the Board of Supervisors, whichever event first occurs, the Applicant shall dedicate right-of-way forty-five (45) feet from centerline across the Cinder Bed Road frontage of the subject property.

10. **Construction Vehicle:** During the site development phase and subject to Virginia Department of Transportation ("VDOT") and DPWES approval, the Applicant shall direct all subcontractors to utilize the Cinder Bed Road entrance to the site for their construction vehicles (i.e., heavy equipment, dump trucks, etc.).

11. **Public Access:** No public ingress and egress to the development from Cinder Bed Road shall be allowed except for temporary access for construction vehicles as set forth in paragraph 10 above and permanent access for public emergency vehicles only. All other vehicular access to the site will be limited to a connection at Morning View Lane (Route 8424).

12. **Recreational Facilities:** Pursuant to Section 6-110 of the Zoning Ordinance, the Applicant shall provide recreational facilities based upon an expenditure of \$955 per dwelling unit for the total number of dwelling units that will be developed, less and except affordable dwelling units. A portion of these funds may be used off-site for recreational facilities on land owned by the Island Creek Homeowners Association, if the application property is incorporated into the Island Creek Homeowners Association and residents on the application property obtain full membership rights in the association. Any surplus in these funds, after allowances for on-site recreational facilities and off-site facilities at Island Creek (if any) pursuant to Section 6-110, shall be contributed to the Fairfax County Park Authority for use on recreational facilities in the general vicinity. If approved by the Park Authority and sufficient funds are available, the Applicant shall use these surplus funds to construct a dog run facility and a tot lot on Tax Map 99-2 ((10)) Parcel H and a trail and fence on Tax Map 99-2 ((10)) Parcel F as specified in paragraph 17 hereinafter.

13. **Traffic Signal:** At the time of the subdivision plan approval, the Applicant shall escrow with DPWES the sum of \$35,000 toward the installation of a traffic signal at View Lane (Route 8420) and Beulah Street (Route 613).

14. **Left Turn Lane:** Subject to VDOT approval, the Applicant shall restripe the existing pavement on Morning View Lane to provide a left turn lane into the site and channelization for the left turn lane, all as shown on Exhibit C (attached). In addition, and subject to VDOT approval, the Applicant shall provide striping for a pedestrian crosswalk near this intersection, as determined by VDOT.

15. **Garages:** Garages will be used only for purposes which will not interfere with intended purposes of the garages, which are the parking of vehicles and the location of certain utilities. A restrictive covenant to that effect, approved by the County Attorney, and running to the Homeowners' Association and Fairfax County, shall be recorded among the land records of Fairfax County in conjunction with or prior to the recordation of the Deed of Dedication and Subdivision and this limitation on the use of garages shall be set out in the Homeowners' Association documents.

16. **Homeowners' Association:** The Applicant shall establish a Homeowners' Association for the proposed development to own, manage, and maintain the open space areas including any private streets, the recreational facilities and all other community-owned land and

improvements. Prior to entering into a contract of sale, prospective purchasers of houses shall be notified in writing by the Applicant of the maintenance responsibility of the private streets and open space areas on the site and said purchasers shall be required to acknowledge receipt of this information in writing.

17. **Trail:** Provided sufficient surplus funds are available from the Applicant's recreational facilities expenditure requirements pursuant to Section 6-110 of the Zoning Ordinance and, pursuant to paragraph 12 above, and subject to receiving Fairfax County Park Authority approval, the Applicant shall provide a six (6) foot wide trail off-site as shown on the CDP/FDP connecting to the existing trail on Tax Map 99-2 ((10)) Parcel 7 at its location near Cinder Bed Road. The exact location and configuration of the trail shall be determined in consultation with the Park Authority to minimize clearing and grading. If any refuse piles are located within the proposed trail bed, the Applicant shall clear and remove said refuse piles. The Applicant shall seek a waiver of the asphalt surface requirement for this trail from the Park Authority. If granted, the Applicant shall provide a natural surface trail. Further, if approved by the Park Authority, and provided sufficient surplus funds are available in the Section 6-110 fund, the Applicant will install a six (6) foot high fence along the southern boundary of Tax Map 99-2 ((10)) Parcel F, adjacent to the northern boundaries of Tax Map 99-2 ((1)) Parcels 17, 18 and 19.

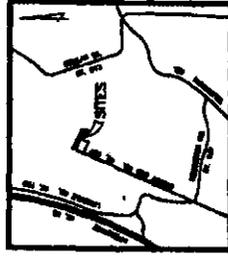
18. **Conservation Easement:** The Applicant shall create conservation easements, as defined below, for the tree save areas delineated on the CDP/FDP, and the restoration replanting areas designated on the CDP/FDP as the woody seed mix areas (the "Conservation Areas"). The Conservation Areas shall be 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 Board of Supervisors of Fairfax County, or in the alternative, another public entity approved by the Lee District Supervisor. These conservation easements shall also be disclosed in the Homeowners' Association Documents for the development. These easements shall prohibit the removal of trees, except for dead or dying trees, hazardous trees or for the installation of trails, utility lines, sewer lines, and storm drainage facilities, if necessary, as determined by DPWES. The determination that a given tree is dead, dying, or hazardous, shall be made by the Urban Forestry Branch of DPWES. If any trails, utility lines, sewer lines or storm drainage facilities are required to be located within the Conservation Areas, they shall be located and installed in the least disruptive manner feasible, as determined by DPWES, and subject to approval by the Director of DPWES.

19. **Counterparts:** These proffers may be executed in one or more counter parts, 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.

TAVARES CONCRETE COMPANY, INC.

Lee District Fairfax County, Virginia

Partial Proffered Condition Amendment/Final Developing Plan Amendment -
PCA/FDPA 1999-LE-036 (Existing PDH-4)
Proffered Condition Amendment - PCA 2000-LE-023 (I-5)
Rezoning/Final Development Plan - RZ/FDP 2009-LE-001 (PDH-5)



VICINITY MAP
SHEET 1 OF 2

Applicant: (Proposed PDH-5 Portion)
Tavares Family Limited Partnership
8000 Cinder Bed Road
Lorton, VA 22079

Applicant: (Remaining I-5 Portion)
Tavares Concrete Company, Inc.
8000 Cinder Bed Road
Lorton, VA 22079

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- Rezoning/Final Development Plan - RZ/FDP 2009-LE-001 (PDH-5)



Revised September 11, 2009
Revised August 11, 2009
Revised May 22, 2009
Revised April 10, 2009

December 18, 2006

MA-10726

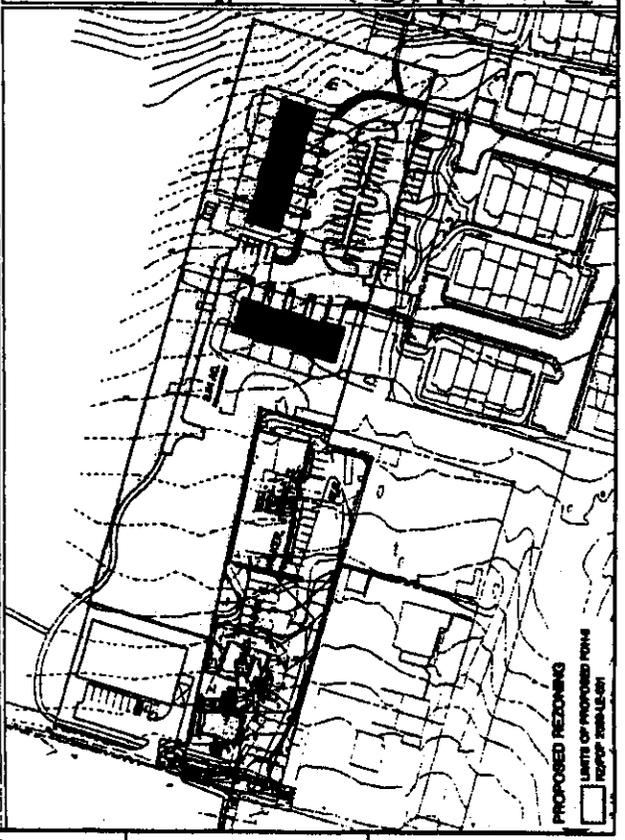
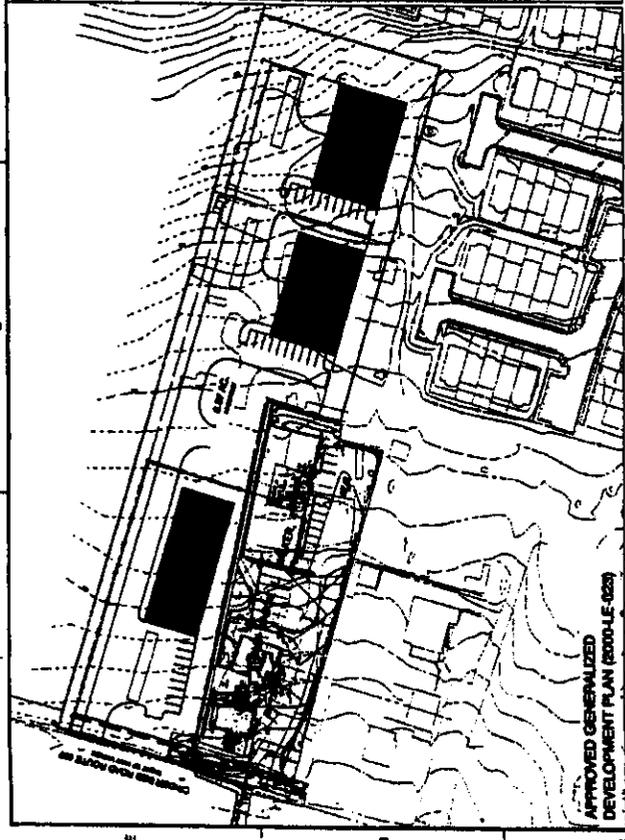
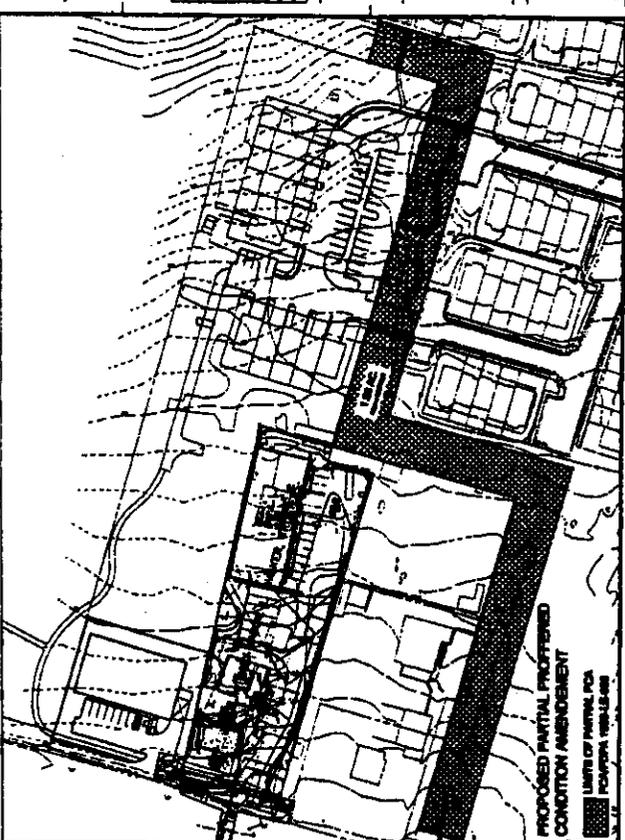
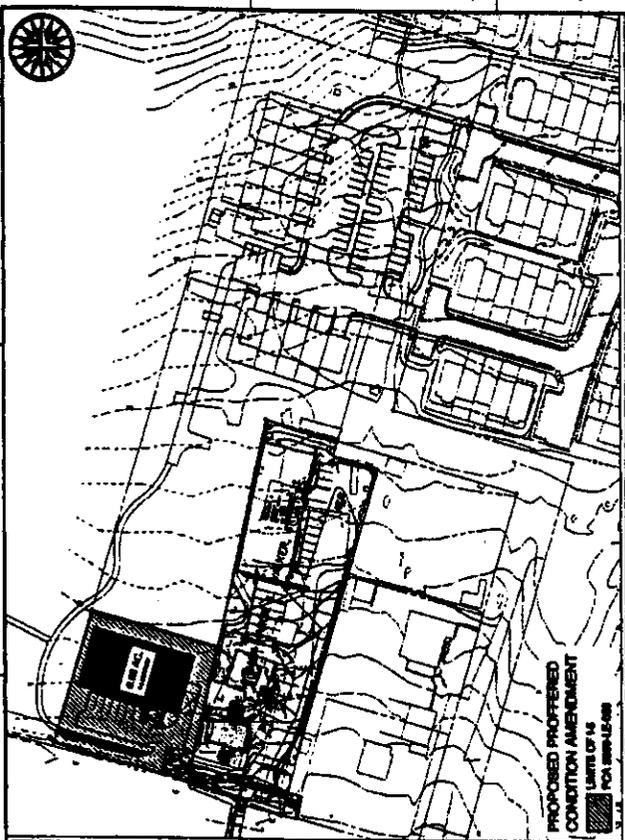
Dewberry & Davis, LLC
 1000 North 17th Street
 Suite 200
 Arlington, VA 22209
 (703) 243-7000
 www.dewberry.com

TAVARES CONCRETE
 COMPANY, INC.
 REZONING /
 FINAL DEVELOPMENT PLAN /
 PROPOSED CONDITION AMENDMENT
 1000 NORTH 17TH STREET
 ARLINGTON COUNTY, VIRGINIA



NO.	DATE	DESCRIPTION
1	08/14/13	ISSUED FOR PERMITTING
2	08/14/13	ISSUED FOR PERMITTING
3	08/14/13	ISSUED FOR PERMITTING
4	08/14/13	ISSUED FOR PERMITTING
5	08/14/13	ISSUED FOR PERMITTING
6	08/14/13	ISSUED FOR PERMITTING
7	08/14/13	ISSUED FOR PERMITTING
8	08/14/13	ISSUED FOR PERMITTING
9	08/14/13	ISSUED FOR PERMITTING
10	08/14/13	ISSUED FOR PERMITTING

TAVARES CONCRETE
 COMPANY, INC.
 REZONING /
 FINAL DEVELOPMENT PLAN /
 PROPOSED CONDITION AMENDMENT
 1000 NORTH 17TH STREET
 ARLINGTON COUNTY, VIRGINIA



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 Fax: 703.243.1701
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TAVARES CONCRETE COMPANY, INC.
 CONCEPTUAL DEVELOPMENT
 PLAN / FINAL DEVELOPMENT PLAN /
 IMPROVED CONDITION AGREEMENT
 14000 WOODBURN DRIVE
 WOODBURN, VIRGINIA

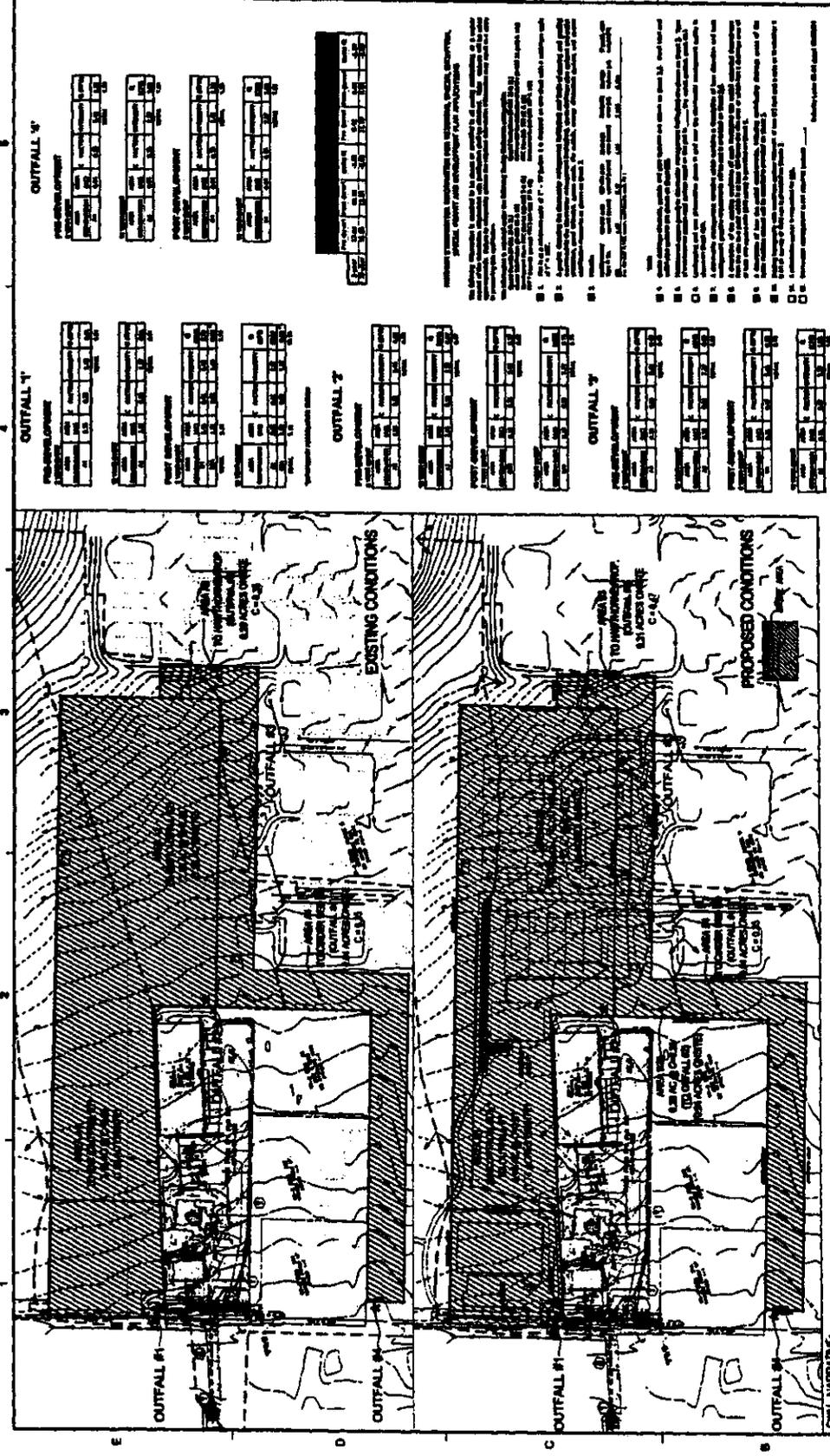


DATE: 08/11/10

SCALE: 1" = 100'

NO.	DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR PERMITS	08/11/10
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10

TAVARES CONCRETE COMPANY, INC.
 CIVIL / PAVEMENT
 14000 WOODBURN DRIVE
 WOODBURN, VIRGINIA



GENERAL NOTES:

1. THE STORM DRAINAGE SYSTEM IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE (VDOT) AND THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (VDEQ).
2. THE STORM DRAINAGE STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE (VDOT) AND THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (VDEQ).
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STORM DRAINAGE COMPUTATIONS

NO.	AREA (SQ. FT.)	COEFFICIENT	RAINFALL (IN.)	TIME OF CONCENTRATION (MIN.)	PEAK FLOW (GPM)	PEAK FLOW (MGD)
1
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Dewberry & Davis LLP
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 Washington, D.C. 20004
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 Fax: 202-462-3601
 www.dewberry.com

TAVARES CONCRETE
 CONCEPTUAL DEVELOPMENT
 PLAN / FINAL DEVELOPMENT PLAN /
 IMPROVED CONDITION ALIGNMENT
 US COUNTY
 MARICOPA COUNTY, ARIZONA



1	DATE	DESCRIPTION
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TAVARES CONCRETE
 COMPANY, INC.
 6001 W. WILSON
 PHOENIX, AZ 85034
 TEL: 602-998-8888
 FAX: 602-998-8889
 WWW.TAVARES-CONCRETE.COM

DEVIATION REQUEST LETTER - PCA_2000-LE-0213

Dewberry

Project Name: [Redacted]
 Project No: [Redacted]
 Date: [Redacted]

Dear Sirs:

We are pleased to provide you with this letter regarding the deviation request for the [Redacted] project. The deviation request was received on [Redacted] and has been reviewed by our design team. We have determined that the proposed deviation is acceptable and will not affect the overall performance or safety of the project. We have updated the design documents to reflect these changes and have provided you with the necessary information to proceed with the construction. We appreciate your attention to detail and your commitment to the project. If you have any questions or need further information, please do not hesitate to contact us. We are confident that the project will be completed successfully and to your satisfaction.

Sincerely,
 [Redacted Signature]

DEVIATION REQUEST LETTER - RZ/FDP 2009-LE-0011

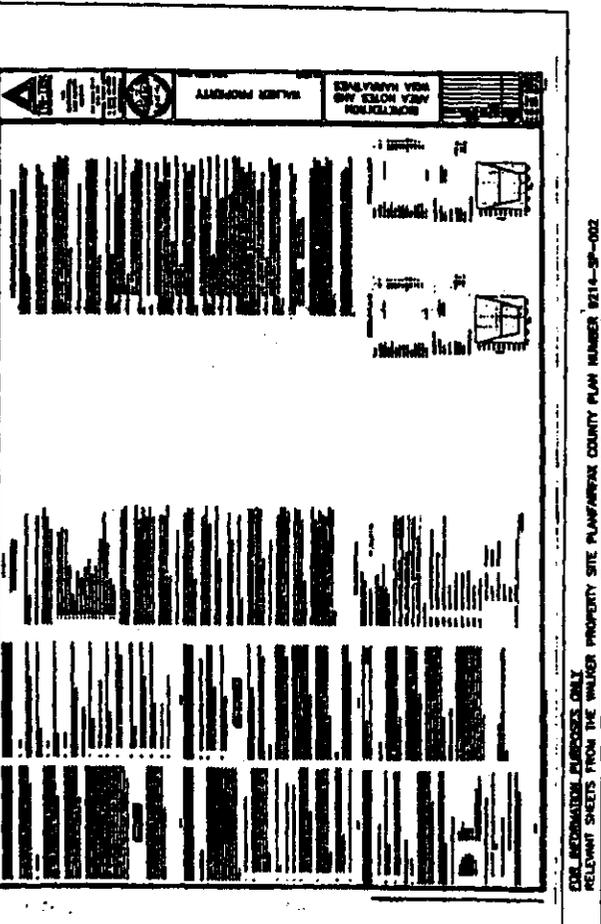
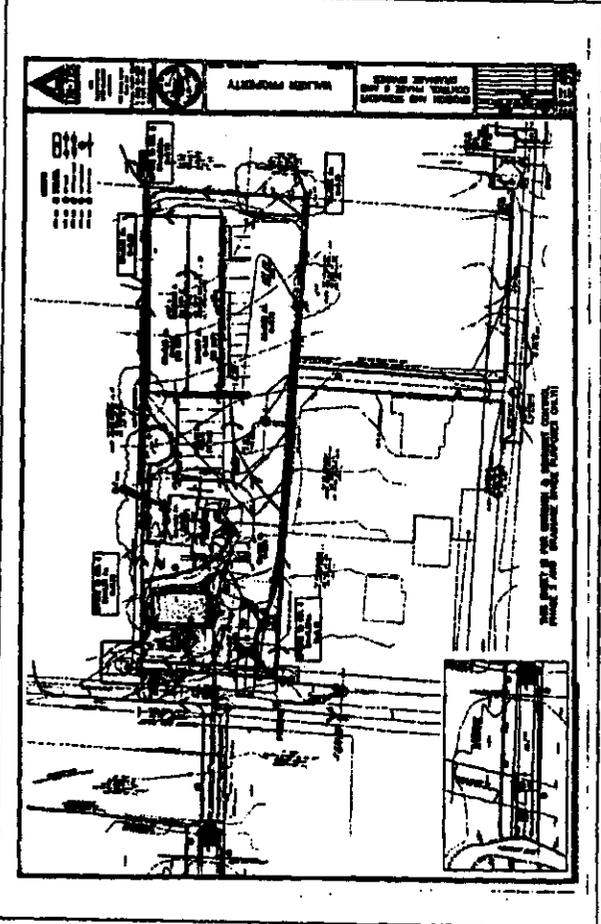
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Sincerely,
 [Redacted Signature]



FOR INFORMATION PURPOSES ONLY
 RELEVANT SHEETS FROM THE WILSON PROPERTY SITE PLAN/ARIZONA COUNTY PLAN NUMBER 0211-SP-002

