

**PROFFERED CONDITIONS  
("PROFFERS")**

**MTC Commercial LLC  
PCA 2003-PR-009**

**August 26, 2010**

Pursuant to Section 15.2-2303 (A), Code of Virginia, 1950 as amended, MTC Commercial LLC, and the owners, for themselves, their successors and assigns (hereinafter referred to as the "Applicant", for PCA 2003-PR-009 and FDPA 2003-PR-009 filed for a property identified as 49-4 ((17)) (2) C1 agree to the following proffered conditions, provided the Fairfax County Board of Supervisors (hereinafter referred to as the "Board" approves the PCA.

The Proffered Conditions ("Proffers") are:

We hereby reaffirm all Proffers of the RZ 2003-PR-009 dated February 20, 2004 except the following two (2) proffers which will be modified for this PCA as follows:

**I. (1.) Substantial Conformance.** Subject to the Proffers and the provisions of Article 16 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, the development shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP) containing eighteen (18) sheets prepared by dewberry & Davis LLC, dated January 14, 2003 and revised through December 12, 2003 except as specifically amended by the addition of two (2) sheets titled CDPA/FDPA as prepared by VIKA, Inc. dated March 30, 2010 and revised through August 26, 2010 to clarify area and extent of CDPA/FDPA. Regardless of the notes on the Development Plan, the maximum number of residential units shall be 270 and the maximum FAR for the site shall be 1.35.

**V. (10.) Interparcel Access.** Interparcel access shall be provided to Tax Maps 49-4 ((1)) 5, 6, 7 and 7A to the North. If approved by VDOT and Fairfax County DPWES, a connection to Route 29 can be constructed as shown on the CDPA/FDPA. Interparcel access to the side street shown on the Development Plan will be provided to Tax Map 49-3 ((1)) 80A to the west. The applicant reserves the right to provide multiple connections to Tax Map 49-3 ((1)) 80A to the west, including but not limited to garage entrances, loading entrances, additional travel lanes as generally shown on the CDPA/FDPA. The Applicant shall provide public access easements in a form

approved by the County Attorney to permit the Interparcel access on the side street and service drive. Temporary Construction easements shall be granted to facilitate Interparcel access.

In addition to Interparcel access, the proposed entrance to the loading area on the north side of the proposed north building will be so designed that it can provide access to a loading area for a proposed consolidated development program on adjacent Lots 5, 6, 7, 7A.

Signature Pages to follow

**MTC Commercial, LLC**

By: Uniwest Development, LLC, its Manager

A handwritten signature in black ink, appearing to read 'M. Collier', written over a horizontal line.

By: Michael D. Collier,  
President of Uniwest Development, LLC