

## PROFFERS

RZ 1999-MA-014

PCA 88-M-077

July 21, 1999

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 edition as amended, MFG 21-Madison Lane Limited Liability Company, their successors and assigns and owners for themselves, their successors and assigns (hereinafter referred to as the "Applicant"), in RZ 1999-MA-014 and PCA 88-M-077 filed for property identified on Fairfax County tax map as 61-4 ((1)) Parcel 17 (hereinafter referred to as the "Rezoning Property") and 61-4 ((1)) 14-16, 18-20; 61-4 ((42)) 52-67, C; and a portion of Madison Lane right-of-way (hereinafter referred to as the "PCA Property") agrees to the following proffers, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Rezoning Property from the R-3 District to the PDH-20 District in conjunction with a Conceptual/Final Development Plan (CDP/FDP) for single-family attached dwelling units and amendments to the proffers as approved with RZ 88-M-077 dated October 9, 1989 which shall be reaffirmed in part and incorporated into this proffer statement.

**RZ 1999-MA-014**

### 1. CONCEPTUAL/FINAL DEVELOPMENT PLAN (CDP/FDP)

- a. Subject to the provisions of Section 16-403 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Rezoning Property shall be in substantial conformance with the CDP/FDP, prepared by Bowman Consulting Group, Ltd. dated May 1997 as revised through May 17, 1999. The CDP shall constitute the entire plan relative to the points of access, total number of units, the general location of residential lots, common open space areas and landscaping.
- b. Development of the Rezoning Property shall be in substantial conformance with the proffers as approved in RZ 88-M-077 dated October 9, 1989 as set forth in paragraphs 2 through 14 and 17 through 19 as applicable and as determined by DPWES and DPZ.
- c. Development of the Rezoning Property shall be in conjunction with development of the PCA Property.

### 2. RECREATION

- a. Prior to the issuance of the 1st Residential Use Permit (RUP) on the Rezoning Property, the Applicant shall contribute \$955.00 per residential unit on the Rezoning Property to the homeowners association for recreational improvements on the Rezoning Property and the PCA Property.

3. HOUSING TRUST FUND

- a. Prior to approval of a site plan for the units on the Rezoning Property, the Applicant shall contribute 1% of the aggregate sales price of all units on the Rezoning Property to the Fairfax County Housing and Redevelopment Authority for low to moderate income housing in Fairfax County.

PCA 88-M-077

The Applicant hereby reaffirms the proffers dated October 9, 1989 as approved in RZ 88-M-077 which are attached hereto and incorporated herein subject to the following amendments:

Revise paragraph 1 to read:

1. Subject to the provisions of Section 16-403 of the Fairfax County Zoning Ordinance (hereinafter referred to as "Zoning Ordinance"), development of the PCA Property shall be in substantial conformance with the CDP/FDP, prepared by Bowman Consulting Group, Ltd. dated May 1997 as revised through May 17, 1999. The CDP shall constitute the entire plan relative to the points of access, total number of units, the general location of residential lots, common open space areas and landscaping.

APPLICANT/OWNER

MFG 21-MADISON LANE LIMITED LIABILITY COMPANY

By: 

Name: Scott Heerich

Title: Member