

**RZ-2000-MV-034
W&N COMPANY
PROFFER STATEMENT**

**OCTOBER 13, 2000
NOVEMBER 2, 2000
NOVEMBER 7, 2000
NOVEMBER 14, 2000
NOVEMBER 30, 2000
DECEMBER 11, 2000**

Pursuant to Section 15.2-2303(A) of the Code of Virginia, as amended, and subject to the Board of Supervisors' approval of rezoning application RZ-2000-MV-034, as proposed, for rezoning from the R-1 to the I-6 District, W&N Company (the "Applicant"), for themselves and their successors and assigns, hereby proffer that development of Tax Map Parcels 113-1-((1))-12 and 13 (the "Property"), containing approximately 9.48645 acres, shall be in accordance with the following proffered conditions:

1. **Substantial Conformity.** Subject to provisions of Section 18-204 of the Zoning Ordinance, the Property shall be developed in substantial conformance with the Generalized Development Plan and Special Exception Plat prepared by William H. Gordon Associates, Inc., dated June, 2000 with revisions through November 2, 2000 (the "GDP/SE Plat"), as further modified by these proffered conditions.
2. **Minor Modifications to Design.** Pursuant to Paragraph 5 of Section 18-204 of the Zoning Ordinance, the Applicant may make minor adjustments which may be required as a result of final engineering to modify the layout, if such changes are in substantial conformance with the GDP and these proffers, and if the changes do not decrease the distance to property lines as shown on this GDP/SE Plat or reduce open space.
3. **Limits of Clearing and Grading.** The Applicant shall conform to the limits of clearing and grading shown on the GDP/SE Plat, subject to the installation of utilities, trails, and stormwater management facilities, if necessary, as approved by DPWES. Any such installation shall occur in the least disruptive manner practicable, considering cost and engineering, as determined in consultation with the Department of Public Works and Environmental Services ("DPWES").
4. **Reservation for Potential Furnace Road Improvements.** The Applicant shall reserve the area along the Furnace Road frontage of the Property to a depth of 56 feet, from centerline for potential future improvements to Furnace Road. The Applicant or its successor shall, upon request of Fairfax County, dedicate in fee simple to the Board of

Supervisors all or the necessary portion of the aforesaid reservation area when the expansion of Furnace Road has been designed for construction in a configuration that would require all or such portion of the reserved area from the subject property. Prior to dedication, the Applicant will be permitted to use said area for open space purposes. No structures shall be constructed in the reservation area.

5. Ancillary Easements. The Applicant shall grant temporary construction and grading easements to the Board of Supervisors up to a maximum of fifteen (15) feet parallel to the Furnace Road right-of-way ultimately dedicated pursuant to Proffer 4, above. Said easements shall be granted by the Applicant at the time of dedication, or upon demand of Fairfax County or VDOT, and shall not preclude the Applicant from developing the Property as shown on the GDP/SE Plat.
6. Escrow of Funds for Furnace Road. At the time of final site plan approval the Applicant shall escrow with DPWES funds equal to the total estimated cost for construction of ½ section of the planned four-lane divided Furnace Road, in an amount determined by DPWES. The total estimated cost shall not include, and the Applicant shall not be responsible for, any costs associated with the relocation of fiber optic lines.
7. Density Credit. All intensity of use (i.e., density credit) attributable to land areas dedicated and conveyed to the Board of Supervisors pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and is hereby reserved to the residue of the subject Property.
8. Stormwater Management. Unless waived by DPWES, the Applicant shall implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property as determined by DPWES. The Applicant shall provide stormwater management facilities for the Property in accordance with the PFM standards, as generally depicted on the GDP.
9. Archeology. Prior to any construction or grading activity, the Applicant shall perform a Phase I archeological survey, including a tight interval survey only for the westernmost area identified in the staff referral dated August 2, 2000. If a Phase II and/or Phase III Archeological Study is determined by the County Archeologist to be necessary, the Applicant shall grant permission to the County Archeologist or his agents, at their own risk, to enter the property to perform any necessary tests and to remove artifacts for examination, provided that testing and removal do not unreasonably interfere with or delay the Applicant's construction schedule.
10. Fencing. The Applicant shall install a six-foot (6') board-on-board fence around the perimeter of the site, as shown on the GDP/SE Plat. Along the Furnace Road frontage,

however, the Applicant may, in its discretion, provide any combination of fencing, berming and/or landscaping in addition to the landscaping shown on the GDP in order to screen the building from the roadway, as approved by DPWES; the landscaping shown on the GDP along the Furnace Road frontage shall be provided in any event.

11. Lighting. All on-site lighting shall be directed downward and inward, to prevent light spilling onto adjacent properties. In order to provide maximum security, energy efficiency and quality ambient lighting, full cut-off light fixtures shall be used for all parking lot and outdoor security lighting.
12. Loudspeakers. No outdoor loudspeakers shall be permitted.
13. Limitation of Time for On-site Storage. Materials which are brought on site to be sorted shall be sorted and removed from the site within thirty (30) days.
14. Permitted Use. The site shall be utilized as a mixed waste reclamation facility, consistent with the GDP/SE Plat.
15. Lorton Road Fund. In addition to the transportation-related commitments contained in Proffers 4, 5, and 6 above, at the time of final site plan approval the Applicant shall contribute \$37,500 to Fairfax County for off-site road improvements identified in the Lorton-Route 1 South Community Planning Section (LP2).
16. 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 developer(s) of the site or any portion of the site.
17. Counterparts. To facilitate this execution, this Proffer Statement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of all the parties to the Proffer Statement appear on each counterpart of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.

[SIGNATURE ON FOLLOWING PAGE]

W&N COMPANY
Applicant and Title Owner

By: 
Title: 