

PROFFERS
PCA 2004-DR-023-03
August 26, 2011
Revised October 5, 2011
Revised October 18, 2011
Revised October 25, 2011
Revised December 5, 2011
Revised December 8, 2011
Revised January 19, 2012

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned for themselves, their successors, and assigns in PCA 2004-DR-023-03, proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 21-3 ((1)) 56A (hereinafter referred to as the "Property") shall be in accordance with the following conditions (the "Proffered Conditions"), if and only if, said PCA request is granted. In the event said PCA request is denied, these Proffered Conditions shall be null and void. The Owner and Applicant, for themselves, their successors and assigns hereby agree that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. These Proffered Conditions supersede those adopted in conjunction with the approval PCA 2004-DR-023-02. The Proffered Conditions are:

1. Development of the Application Property shall be in substantial conformance with the SEA Plat/GDP, which was prepared by VIKA dated March 11, 2011 as revised through October 18, 2011, entitled "Trinity Group LLC" and containing two sheets.
2. The Applicant shall maintain materials on the modular buildings with the following characteristics to achieve a maximum interior noise level of 45 of BA Ldn:
 - a. Exterior walls shall have a laboratory STC rating of at least 39.
 - b. Doors and windows shall have a laboratory STC rating of at least 28.
If windows constitute more than 20% of any façade, they should have the same laboratory STC as walls.
3. To ensure the general adequacy of on-site parking and to further ensure that parking impacts are confined to the subject property, parking marshal(s) shall measure and record parking lot usage in a manner approved by FCDOT. Records of this monitoring shall be made available upon request to the Dranesville District Supervisor's office and a neighborhood representative, if one is identified. Once parking lot usage exceeds 95% of the total spaces on site for any individual service for four consecutive weeks, commencing from the issuance of a Non-Rup for the church, then within 30 days, the Applicant shall have in place a traffic marshal to direct and control traffic on Balls Hill Road at either of the site's entrances, to be determined by the traffic marshal, for a 30 minute period before and after church

service(s). The purpose of the traffic marshal shall be to ensure through-traffic flow on Balls Hill Road is reasonably unimpeded through regulating the release of cars from the site's entrance(s). Additionally, the Applicant shall have in place a parking plan which could include, but not be limited to, the following mitigation measures:

- a. Additional worship services shall be added to better disburse the demand for parking;
- b. Other methods of reducing on-site parking demand as the same may be identified in consultation with representatives of the local community, FCDOT, and the Dranesville District Supervisor.

Monitoring of the usage of the parking lot shall continue monthly for an indefinite period of time after the mitigation measures are in place to determine and monitor the continued effectiveness of the mitigation measures. If monitoring shows that usage continues to exceed 95% during monthly monitoring for a two month period, provisions shall be made to locate additional parking at an off-site location with shuttle service to the site and a sum of \$35,000 shall be placed in an established church bank account. Evidence of this escrow amount shall be provided to both the Dranesville District Supervisor's office and a neighborhood representative, if one is identified. These escrow funds shall be utilized to fund the parking mitigation measures outlined in this proffer, to include but not be limited to, the fee charged for the traffic marshal. If usage falls below 95% for all services for four consecutive Sundays, any remaining escrow funds may be removed from the account. A return of the escrow funds shall not serve to eliminate the ongoing monitoring and mitigation obligation of this proffer, to include re-establishment of the escrow fund if such is dictated by this proffer.

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.

Signatures on Following Pages

Oakcrest School
a District of Columbia corporation
Title Owner of 21-3((1))56A

By: Ellen M. Cavanagh (seal)
Name: Ellen M. Cavanagh
Title: Head of Oakcrest School

Trinity Group, LLC
Contract Purchaser of 21-3((1))56A

By: *M.A. Youngkin* (seal)
Name: *Glenn A. Youngkin*
Title: *MANAGER*