

## Proffers

Jemals Tysons Westwood, LLC

RZ 2002-HM-012

November 14, 2002

Pursuant to the provisions of *Virginia Code* Section 15.2-2303 *et. seq.*, Jemals Tysons Westwood, LLC, for itself and its successors and assigns (the "Owner"), in RZ 2002-HM-012 (the "Application") filed for the property identified as Tax Map 29-3 ((20)) 1 (the "Application Property") agree to the following proffers provided that the Board of Supervisors of Fairfax County, Virginia approves the Application and its companion case (SE 2002-HM-014).

1. The subject property (Tax Map Number 29-3 ((20)) 1 ) shall be maintained in substantial conformance with the Special Exception Plat/Generalized Development Plan ("GDP") prepared by Walter L. Phillips Incorporated, dated June 24 2001, (and revised through August 1, 2002). Minor modifications from the GDP may be permitted as determined by the Zoning Administrator. The Owner shall have the flexibility to modify the layouts shown on the GDP without requiring approval of an amended GDP provided such changes are in substantial conformance with the GDP as determined by the Zoning Administrator or her agents and neither increases the total gross floor area nor decreases the amount of open space. Notwithstanding the foregoing, in the event the companion case (SE 2002-HM-014) for a special exception for vehicle sales and rental use is approved but not established or established and later terminated, nothing in these proffers shall be construed to prevent the use of the area on the Application Property identified on the GDP as "Proposed Vehicle Display Area" from being used to meet Zoning Ordinance requirements for parking for other uses.

2. The following uses shall not be permitted on the Application Property:

- (a) Bowling alleys;
- (b) Swimming pools, tennis courts and similar courts
- (c) Dance halls,
- (d) Community clubs, centers and meeting halls;
- (e) Funeral homes;
- (f) Indoor archery ranges, fences and other similar indoor recreational uses;
- (g) Kennels;
- (h) Miniature golf courses, indoor;
- (i) Parking, commercial offstreet, as a principal use;
- (j) Quasi-public athletic fields and related facilities,

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(k) Skating facilities;

(l) Veterinary Hospitals;

3. The Owner shall encourage ride-sharing by office tenants with the objective of reducing peak-hour traffic generated by development on the subject site. In pursuit of this objective, the Owner shall implement the following specific strategies:

Within all leasing and/or sales agreements pertaining to office development on the subject property, provisions will be included which will stipulate that purchasers and/or lessees of such space engage in a program which will encourage ride-sharing and other measures designed to reduce peak-hour traffic generated by the development. Included within such provisions will be the following options:

a. That the employers establish, either individually or in common with other employers within the Tysons Corner area, a formal ride-sharing program whereby an employee(s) will be designated as a car-pool coordinator to work with fellow employees and the Fairfax County ride-sharing coordinator to actively encourage employees to participate in ride-sharing. Also, that employers provide distribution of public transit information.

b. That employers give consideration to active participation in the establishment and maintenance of a van-pooling program for their employees.

c. That employers give consideration to establishing and maintaining a system of flexible or staggered work hours.

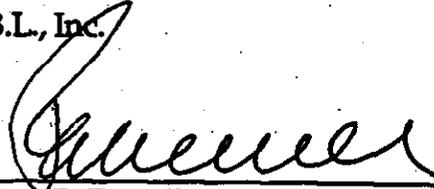
The Owner will either directly or indirectly through leasing and/or sales agreements cause certain convenient parking spaces within the subject site to be designated as preferred parking for car-pools/van-pools.

Jemals Tysons Westwood, LLC

  
\_\_\_\_\_  
Douglas David Jemal  
Managing Member

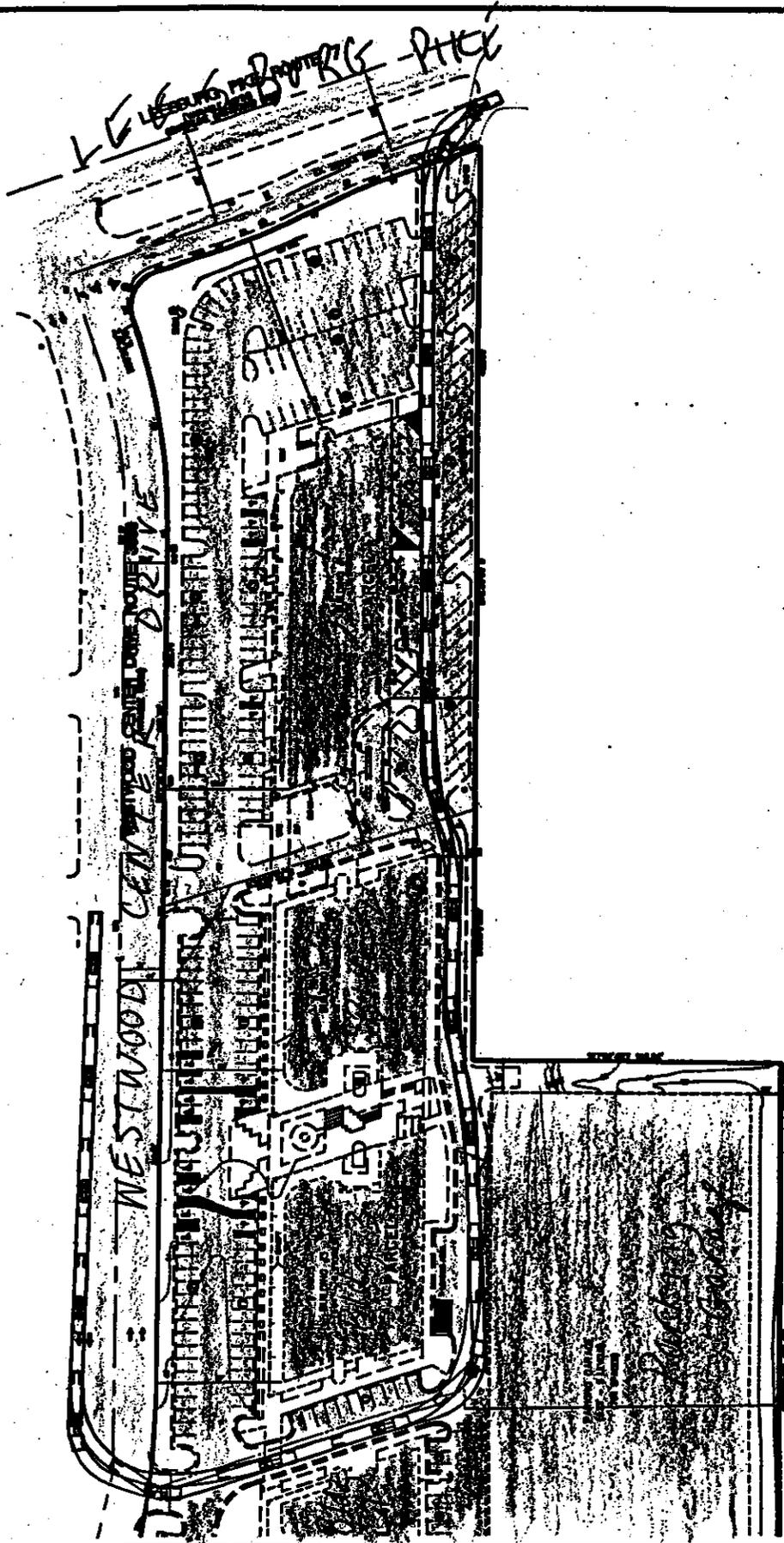
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H.B.L., Inc.

A handwritten signature in cursive script, appearing to read "R. Farrell", written over a horizontal line.

Robert F. Farrell, President






**WALTER L. PHILLIPS**  
 INCORPORATED  
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**TRUCK CIRCULATION EXHIBIT**  
**WESTWOOD CORPORATE CENTER**  
 FARRAX COUNTY, VIRGINIA

Plan No. TR-21 For Map No. 29-3 Job No. 01-001 CIVIL FILE NAME TRUCKS/LAND INF. DRAWN BY: JLN SCALE: N/A

