



# FAIRFAX COUNTY

LED

OFFICE OF THE CLERK  
BOARD OF SUPERVISORS

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[www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm](http://www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm)

Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)

March 9, 2005

Thomas D. Fleury  
West\*Group Management LLC  
1600 Anderson Road  
McLean, Virginia 22102

RE: Proffered Condition Amendment Number PCA 1999-SU-018  
(Concurrent with RZ 2004-SU-028 and SE 2004-SU-027)  
(Amended to include complete set of proffers)

Dear Mr. Fleury:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on February 7, 2005, approving Proffered Condition Amendment PCA 1999-SU-018 in the name of West\*Group Properties, LLC, to amend the proffers for RZ 1999-SU-018 previously approved for industrial development at a Floor Area Ratio (FAR) of .35, to permit a reduction in land area to allow 26.77 acres to be rezoned per RZ 2004-SU-028, located on the west side of Stonecroft Boulevard approximately 1,500 feet south of Lee Jackson Memorial Highway on approximately 46.97 acres of land zoned I-5 District; Airport Noise Impact Overlay District (AN), and Water Supply Protection Overlay District (WS), Tax Map 33-4 ((1)) 3B, 3C, 3D1, 3F and 3G, subject to the proffers dated January 20, 2005, located in Sully District.

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

PCA 1999-SU-018

March 9, 2005

(Amended to include complete set of proffers)

- 2 -

cc: Chairman Gerald E. Connolly  
Supervisor Michael R. Frey, Sully District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch  
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.  
Charles Strunk, Project Planning Section, Dept. of Transportation  
Michelle Brickner, Deputy Director, DPWES  
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES  
Deloris Harris, DPWES  
Department of Highways - VDOT  
Kirk Holley, Park Planning Branch Mgr., FCPA  
District Planning Commissioner  
James Patteson, Director, Facilities Mgmt. Div., DPWES  
Barbara J. Lippa, Director Planning Commission  
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

RECEIVED  
Department of Planning & Zoning  
MAR 17 2005  
Zoning Evaluation Division

WEST\*GROUP MANAGEMENT LLC  
TMP 33-4-((1))- 3C, 3D1, 3F  
23.787 Acres

**PROFFER STATEMENT - PCA 1999-SU-018**  
January 20, 2005

Pursuant to Section 15.2-2303 (A) of the Code of Virginia 1950, as amended and Section 18-203 of the Zoning Ordinance of Fairfax County (1978, as amended), the Property Owner and Applicant and its successors or assigns (hereinafter collectively referred to as the "Applicant") proffer that the development of the Application Property shall be subject to the following proffers. In the event this application is approved, any previous proffers for the Application Property are hereby deemed null and void and hereafter shall have no effect on the Application Property.

**Requested Proffered Condition Amendment ("PCA")**

**Deletion of 26.77 Acres (Lots 3B and 3G)**

The Property identified as Tax Map Reference 33-4-01-3B and 3G consisting of approximately 26.77 acres of land is hereby removed and deleted from rezoning application 1999-SU-018 and all subsequent proffered amendments thereto, such that the proffered conditions associated with RZ 1999-SU-018, as amended shall be of no further force and effect with respect to such property. Hereafter the application property (the "Property") shall be defined as Tax Map Reference 33-4-01-3C, 3D1 and 3F consisting of approximately 23.787 acres of land.

**General**

1. Subject to the provisions of Section 18-204 of the Zoning Ordinance, the Property shall be developed in substantial conformance with the Proffer Condition Amendment Plan ("PCA") prepared by VIKA, Inc., sheet 4 of 9 dated January 5, 2005. Applicant reserves the right to determine final building footprints, dimensions and locations at the time of final site plan design.

- a. The Property shall have an FAR limit of 0.35 FAR or 362,656 gross square feet. Individual land bays may be developed at an intensity of up to 0.7 FAR, but in no event shall the Property have an over-all FAR exceeding 0.35 FAR.
- b. Building heights shall not exceed four (4) stories or a maximum of 60 feet unless an increase is permitted by the Board pursuant to Sec. 9-607 of the Zoning Ordinance.
- c. The Property shall be developed in accordance with the I-5 minimum yard requirements.
- d. A minimum of 20% of the Property shall be retained as open space. Open space areas shall include the stormwater management facility, the wetland area, as well as other landscaped areas within the Property.

e. The lot lines shown on the PCA Plan, sheet 4 of 9, are for illustrative purposes only and may be reconfigured at the sole discretion of Applicant provided that:

i. No buildable lot shall be less than 20,000 square feet or less than 100 feet in width.

ii. The total number of buildable lots shall not exceed 5 without a PCA and amendment to the GDP.

iii. The development of the individual lots, with regard to specific design elements such as building entrance features/landscaping, peripheral and interior parking lot landscaping and streetscape along the public access road shall be in general conformance with the illustrative exhibits as set forth on Sheet 4 of 9 and with this proffer statement.

### **Landscaping and Screening**

2. Landscaping and screening shall be provided in general conformance with the illustrative exhibits as set forth on Sheet 4 of 9. More specifically, the following buffer and wetland preservation shall be incorporated with the subsequent development plans on the Property:

(i). Along the common property line with Tax Map 33-4 ((5)) G, Applicant shall provide a buffer no less than approved by County Site Plan Number 0312-SP-04.

(ii). The cumulative coverage of the landscaping provided as outlined in Paragraphs 1d, 1e(iv), 2(i), and 2(ii) herein shall result in a minimum composite site plan tree coverage calculation of seventeen percent (17%) of the gross site. Individual lots and phased site plans may provide less than seventeen percent (17%) tree coverage.

### **Uses**

3. The proposed development shall exclude the following uses:

- a. Crematory, human or animal
- b. Kennels
- c. Storage yards
- d. Lumber yards and building material yards
- e. Recycling center

**Stormwater Management**

4. Stormwater Management (including BMPs) shall be provided for the total site, for an individual lot, for multiple lots or any combination thereof, unless otherwise modified or waived by the Director of DPWES. If the subject property is served by a singular stormwater management/BMP facility, the singular facility shall be placed in a location generally consistent with the location as shown on the GDP. All SWM/BMP facilities shall be in accordance with the Public Facilities Manual and approved by the Director of DPWES. Landscaping, if so permitted by DPWES and the Urban Forester, may be provided around the perimeter of the facility(ies).

**Off-Street Parking**

5. Each parcel shall accommodate the minimum number of parking spaces as required per the Zoning Ordinance for the corresponding gross floor area and specific use(s).

**On-Site Transportation Improvements.**

6. The internal spine road depicted on the GDP shall be designed and constructed in accordance with VDOT public street standards and dedicated for public maintenance. During final engineering design, the specific alignment for this spine road may vary from the GDP location due to final lot layout, geological constraints and/or topographic requirements. Applicant shall provide a four-foot sidewalk on one-side of the spine road.

**Architectural Theme**

7. In order to insure a consistent architectural theme and character throughout the Property, Applicant shall utilize a combination of similar building materials and architectural design features for building facades as utilized on Tax Map 33-4 ((1)) 3C and 3F and incorporate common landscaping features, walkways, signage, lighting and other similar design elements.

Applicant shall adopt restrictive covenants applicable to all lots within the Property to be implemented through an architectural review process with the objective to create a coordinated image for the Property.

**Signage**

8. All signs shall be of a size, location and setback consistent with the applicable provisions of the Zoning Ordinance. All signs shall incorporate similar design elements such as building materials, color, font-style and lighting to insure a coordinated image for the Property, subject to allowances for individual company logos.

**Binding Effect**

9. These proffers shall be binding on Applicant and its successors and assigns.

**Execution in Counterparts**

10. To facilitate 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 this Proffer Statement appear on each counterpart of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.

**WEST\*GROUP PROPERTIES LLC**

By: G.T. Halpin —

G. T. Halpin, President

Owner of Tax Map Parcels 33-4((1)) 3B, 3D1, 3G

**TIC CHANTILLY INVESTORS LLC**

By: TIC Properties, LLC, its sole member

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS I, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS II, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS III, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS IV, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS V, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS VI, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS VII, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS VIII, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS IX, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS X, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS XI, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

**CHANTILLY INVESTORS XII, LLC**

By: Paul M. Aiesi Agent/Attorney-in-fact

Name: Paul M. Aiesi

Title: Agent/Attorney-In-Fact

Owner of Tax Map Parcels 33-4((1)) 3F

Stonecroft LLC

By: 

*as its* Durward Faries, Jr., Manager

Owner of Tax Map Parcels 33-4-((1)) 3C