

CONCEPTUAL DEVELOPMENT PLAN CONDITIONS

CDP 2012-DR-016

January 14, 2014

1. As provided by law, within 60 days of the approval of the Rezoning application, the Applicant shall provide a written notice to the Director of the Real Estate Division of the Fairfax County Department of Tax Administration requesting a lump sum payment amount that represents the County's estimate of the present value of the future special improvements taxes that would have been payable to the Route 28 Highway Transportation Improvement Tax District ("Route 28 Tax District") attributable to the portion of the Property under the current PDC zoning classification and hereby rezoned to the PRM district to be developed for residential use. Such amount shall be determined in accordance with the formula and provisions as adopted by the Board of Supervisors for optional residential development within the Route 28 Tax District pursuant to Section 15.2-4608(C) of the Code of Virginia. After such payment, the portion of the Property used for residential uses shall not be subject to the applicable special improvement taxes for the Route 28 Tax District until and unless such land is thereafter developed with non-residential uses. Any special improvement taxes previously paid in the year the application is approved shall be credited towards the one-time payment on a prorated basis.

2. As provided by law, at least 60 days prior to recording residential condominium documents for the residential building, the Applicant shall provide a written notice to the Director of the Real Estate Division of the Fairfax County Department of Tax Administration advising that the Owners intend to record condominium documents for the residential building. Prior to recording the condominium documents, the Owners shall pay to Fairfax County a sum equal to the present value of the Dulles Rail Phase II Transportation Improvement District taxes that will be lost as a result of the parcel being removed from the tax district as required by Virginia Code Section 33.1 - 437.B. After such payment, the portion of the Property used for residential uses shall not be subject to the applicable special improvement taxes for the Dulles Rail Phase II Transportation Improvement District until and unless such land is thereafter developed with non-residential uses. Any special improvement taxes previously paid in the year the application is approved shall be credited towards the one-time payment on a prorated basis.