

STATEMENT OF PROFFERED DEVELOPMENT CONDITIONS  
PLAZA AMERICA DEVELOPMENT CORPORATION  
RZ 90-C-006  
DATED DECEMBER 7, 1990

Pursuant to Section 15.1-491(a) of the Code of Virginia, 1950, as amended, and Section 18-203 of the Fairfax County Zoning Ordinance, 1978, as amended, Plaza America Development Corporation, the applicant in Application RZ 90-C-006, and the owner of the parcels under consideration therein, for itself and its heirs, successors and assigns (collectively, the "Applicant") proffer that the development of the parcels under consideration in Application RZ 90-C-006 (collectively, the "Property") will be in accordance with the following terms and conditions if, and only if, the Fairfax County Board of Supervisors approves Application RZ 90-C-006 for a rezoning from the I-6 District to the PDC District for 1,126,000 square feet of gross floor area for office and other principal and accessory uses (this reflects an overall 0.9711 FAR for 26.27 acres of the Property and advanced density credit for 0.35 acres of land previously dedicated to Fairfax County for rights-of-way and approved by the Board of Supervisors on June 6, 1988). If Application RZ 90-C-006 is denied or withdrawn, these proffers shall immediately become null, void and of no further force and effect. If accepted, these proffers supersede and take the place of any other proffers, special exception conditions, special exception plats or

other development conditions that affect the Property. The Applicant proffers as follows:

I. GENERAL

1. The Property will be developed in accordance with the Conceptual Development Plan/Final Development Plan ("CDP/FDP") prepared by William H. Gordon Associates, Inc., dated June 4, 1990, as revised through August 13, 1990, with the Illustrative Ground Floor Plan prepared by Clark, Tribble, Harris and Li dated October 24, 1990; provided, however, that minor modifications to the CDP/FDP may be permitted when necessitated by sound engineering practices or other minor modifications that may become necessary as part of final site engineering design may be permitted if approved by the Fairfax County Department of Environmental Management.
2. Prior to submission of a site plan to DEM, the Applicant will cause landscape plans which show tree preservation areas, supplemental planting and tree relocation, if any, and architectural plans to be prepared for the building for which site plan approval is sought. The office buildings shall be designed with building facade materials which are predominantly granite, marble, precast concrete, dri-vit, architectural block, stone, glass or a combination thereof. Copies

of architectural elevations, landscape plans and site plans shall be provided to the Reston Community Association's Planning and Zoning Committee for review prior to final site plan approval. In addition, site plans, architectural elevations of buildings, structures, landscaping, lighting, materials, color and exterior signage shall be submitted to the Reston Industrial Architectural Board of Review for review and comment. Copies of architectural elevations, landscape plans and site plans shall be submitted to the Fairfax County Planning Commission for review and approval to ensure that the development respects the architectural guidelines set forth above.

3. Any change to the CDP/FDP or to these Proffers that requires a CDP/FDP Amendment or Proffered Condition Amendment, as well as the initial project design and any changes thereto, will be submitted to the Reston Commercial Industrial Design Review Board and the Reston Community Association for review and comment.
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- II. MASS TRANSIT PARK-AND-RIDE FACILITY AND CONTRIBUTIONS FOR IMPROVEMENT OF OFF-SITE PUBLIC TRANSPORTATION NETWORK
    1. If, by December 31, 1990, the Board of Supervisors designates the Property as the County's first choice for the mass transit park-and-ride facility near Reston

Parkway, the Applicant shall promptly enter into good faith negotiations with the appropriate representatives of the County with the intention of executing a mutually acceptable binding agreement on or before December 15, 1991, which shall provide for:

- (a) the timely dedication, by deed, lease or otherwise, and construction of the internal road network which will accommodate public commuter buses and commuter vehicles using the park-and-ride facility;
- (b) the provision of the necessary rights-of-way for public access to ensure proper interconnection with planned or existing public roads, including the connector road to Sunrise Valley Drive;
- (c) the eventual construction of a concourse facility to provide shelter and services for commuters as well as bus bays and bus stops;
- (d) the timely dedication, by deed, lease or otherwise, and provision of the areas for construction and operation public parking (interim and permanent) within parking structures or surface lots to be built on the Property;

(e) the provision by the Applicant or by others for the construction of the parking facility, including a contribution by the Applicant towards the cost of construction, said contribution to have a cumulative cash value of One Million Two Hundred Thousand Dollars (\$1,200,000.00).

2. If, (a) by December 31, 1990, the Board of Supervisors does not designate the Property for the mass transit park-and-ride facility or (b) the agreement as described in Paragraph II.1. is not finally executed by all parties thereto and all preconditions satisfied by December 15, 1991 and (ii) provided an alternative park-and-ride facility or facilities for at least 750 cars is or are committed and funded for construction within five (5) years within the immediate vicinity of the Dulles Access Toll Road between Hunter Mill Road and the Fairfax Parkway prior to June 1, 1991, the Applicant will assist in the construction or acquisition of public facilities and infrastructure and the acquisition of public buses or other public vehicles to be used for public mass transit services which will directly benefit the Property by contributing the following:

- a) an initial cash payment of Two Hundred Thousand Dollars (\$200,000.00) to be made within thirty (30) days of written notification from the Urban Mass Transportation Administration to Fairfax County which commits the funding for the facility described in Paragraph II.2. and all conditions precedent thereto have been satisfied.
- b) One Million Dollars (\$1,000,000.00) in additional cash payments to be made in four (4) equal annual payments of Two Hundred Fifty Thousand Dollars (\$250,000.00), to be paid according to the following schedule:
1. Two Hundred Fifty Thousand Dollars (\$250,000.00) one year from the date of the payment made pursuant to Paragraph II.2.a
  2. Two Hundred Fifty Thousand Dollars (\$250,000.00) two years from the date of the payment made pursuant to Paragraph II.2.a
  3. Two Hundred Fifty Thousand Dollars (\$250,000.00) three years from the date of the payment made pursuant to Paragraph II.2.a

4. Two Hundred Fifty Thousand Dollars

(\$250,000.00) four years from the date of the payment made pursuant to Paragraph II.2.a

3. Further, the Applicant will contribute the sum of Three Million One Hundred Sixty-Eight Thousand Eight Hundred Eighty Dollars (\$3,168,880.00) to a fund designated by Fairfax County for the improvement of the transportation network in the immediate vicinity of the Property as defined in Paragraph II.2. or for the implementation or subsidization of a public mass transit system which directly serves the Property as follows: (i) One Dollar and Fifty Cents (\$1.50) per gross square foot for each of the first 400,000 square feet of gross floor area; (ii) Two Dollars and Seventy-Five Cents (\$2.75) per gross square foot for each of the second 400,000 square feet of gross floor area; and (iii) Four Dollars and Fifty Cents (\$4.50) per gross square foot for each remaining square foot of gross floor area. Commencing January 1, 1996, the square foot contribution specified in (ii) and (iii) above shall be adjusted on an annual basis based upon the construction cost index (CCI) published by the Engineering News Record. These contributions will be due upon, and as a prerequisite to, the issuance of building permits for the respective office building. Said annual adjustment shall be calculated

based upon a moving average of the CCI for the preceding five year period; provided in no event shall the annual increase exceed six percent although any increase in excess of six percent shall be recaptured in later years to the extent the CCI is less than six percent. If, at the time these contributions become due, there is no funding mechanism in place for these improvements, then the Applicant will deposit the funds with Fairfax County in an interest bearing escrow account for the purposes set forth in this Paragraph.

4. If neither Paragraph II.1. nor Paragraph II.2. is applicable, then the Applicant will be relieved of its commitments contained in Paragraphs II.1, II.2 and II.3 and, in lieu of those commitments, the Applicant will contribute the sum of Four Million Three Hundred Sixty-Eight Thousand Eight Hundred Eighty Dollars (\$4,368,880.00) to a fund designated by Fairfax County for the improvement of the transportation network in the immediate vicinity of the Property or for the implementation or subsidization of a public mass transit system which directly serves the Property in the amount of Three Dollars and Eighty-Eight Cents (\$3.88) per gross square foot of gross floor area. This square foot contribution shall be adjusted on an annual basis based upon the construction cost index (CCI) published

by the Engineering News Record. Said annual adjustment shall be calculated based upon a moving average of the CCI for the preceding five year period; provided in no event shall the annual increase exceed six percent although any increase in excess of six percent shall be recaptured in later years to the extent the CCI is less than six percent. This contribution will be due upon, and as a prerequisite to, the issuance of building permits for the respective office building. If, at the time this contribution becomes due, there is no funding mechanism in place for these improvements, then the Applicant will deposit the funds with Fairfax County in an interest bearing escrow account for the purposes set forth in this Paragraph.

### III. TRANSPORTATION

1. The design and construction of all of the following transportation improvements, whether on-site or within existing rights-of-way, shall be in accordance with the governing standards of and subject to approval by  
(a) the Virginia Department of Transportation ("VDOT")  
or (b) the Fairfax County Department of Environmental Management ("DEM").

2. To the extent not already constructed and dedicated, the Applicant will construct, dedicate and convey in fee simple to the Fairfax County Board of Supervisors, upon demand by the Board of Supervisors or at the time of site plan approval for the first building, whichever event occurs first, that portion of Sunset Hills Road (Route 675) directly fronting the Property to the following standards and configuration as depicted on the CDP/FDP:

- (i) as a half-section of a six-lane divided road, with three through lanes along the frontage and with double left-turn lanes from Sunset Hills Road at the eastern entrance to the Property, to a standard as established by VDOT;
- (ii) the lane immediately adjacent to the Property from the easternmost entrance to the eastern boundary will be striped and barricaded on-site as directed by VDOT to provide for a transition from three through lanes to two through lanes along the frontage of the Property.

3. In order to provide safe access to the Property and to Sunset Hills Road, the Applicant will cause any curb cuts onto Sunset Hills Road at the eastern end of the Property to align, subject to review and approval by

VDOT, with the proposed curb cuts onto Sunset Hills Road from the Waterbridge Square development as shown on its currently approved Final Development Plan.

4. The Applicant will not construct or if constructed will close the western entrance for the Property at such time as a public road or non-exclusive public access at the intersection of Old Reston Avenue and Sunset Hills Road is provided with acceptable site access and identification for the Property through the Reston Land Property which lies immediately to the west of the Property. Applicant will join in the execution of any such reasonably required plats of dedication or deeds of easement as are necessary to accomplish same. Such non-exclusive public access shall meet Virginia Department of Transportation driveway standards.
  
5. If a.m. or p.m. peak-hour traffic conditions at the Sunset Hills Road/eastern entrance intersection or at the Sunset Hills Road/central entrance intersection or on Sunset Hills Road across the site frontage reach and sustain an overall Level of Service E as outlined in the 1985 Highway Capacity Manual, published by the Transportation Research Board, and if alternative left-turn ingress from and egress to westbound Sunset Hills Road serving the Property of equivalent capacity

to that provided by the central entrance is constructed either (a) directly onto the Property to the west of the central entrance or (b) onto the Reston Land property, located immediately to the west of the Property, at the intersection of Old Reston Avenue and Sunset Hills Road and the interconnection, as contemplated by Paragraph III-4 of these proffers, between the Reston Land property and the Property exists; then, the Applicant will convert the central entrance to an entrance limited to right-turns in and right-turns out by closing the median opening in Sunset Hills Road as directed by VDOT. For the purpose of this paragraph the phrase "reach and sustain a Level of Service E" shall be interpreted to mean a majority of traffic counts (conducted by either VDOT or Fairfax County within any consecutive six month period during which period a minimum of five counts have been taken) which indicate Level of Service "E" conditions during either a.m. or p.m. peak hours.

6. At such time following the issuance of any building permit for office space, if VDOT requires or the Applicant desires with VDOT approval to install traffic signalization for the eastern and central entrances to the Property from Sunset Hills Road, the Applicant will (i) fully fund the design, acquisition and construction

of traffic signalization for the central entrance to the Property from Sunset Hills Road and (ii) fully fund the design, acquisition and construction of traffic signalization for the eastern entrance to the Property from Sunset Hills Road. If signalization of the eastern entrance is funded by others, an amount equivalent to fifty percent (50%) of the cost of such traffic signalization will be contributed for road improvements in the immediate vicinity of the Property to DEM at the time of site plan or public improvement plan approval, whichever first occurs, for the eastern entrance.

7. The Plaza America Transportation Systems Management Program.

(A) The Applicant will work with the Fairfax County Office of Transportation and will implement the following Transportation Systems Management Program (the "TSM Program"). The objective of this TSM Program is to achieve at a minimum, at the time of project build-out, a twenty percent (20%) reduction from the non-TSM traffic projections of peak-hour, single-occupant vehicle traffic demands generated from the development of the Property calculated per the Institute of Transportation Engineers Trip Generation Manual (Fourth Edition) formula for office buildings, through the

implementation of the recommendations contained in the Traffic Impact Study prepared by Gorove/Slade Associates entitled "Plaza America, Reston, Virginia" and dated July 3, 1990, with addendum dated July 27, 1990, (the "Gorove/Slade study"). A copy of the formula and an illustrative table showing the projected, non-TSM modified, trip rates for the Property is attached hereto (Attachment 1). Among the incentives to be implemented as a part of the TSM Program will be an encouragement of the use of public transportation, ridesharing opportunities, and staggered work hours. The program will have three general components which are:

- (1) The funding, by the Applicant, using TSM fund proceeds, of a designated transportation coordinator (the "TSM Coordinator") who will have authority to implement the incentives of the Applicant's TSM Program. The responsibilities of the TSM Coordinator will be assigned prior to the occupancy of the second office building constructed on the Property. At all times thereafter, the Applicant will assure the responsibilities of the TSM Coordinator are fully discharged until such time as the Fairfax County Office of

Transportation (or its successor in authority) determines that this TSM Coordinator is no longer necessary.

- (2) Ongoing coordination by the TSM Coordinator with a designated Fairfax County Office of Transportation agent or staff (the "County Coordinator"), on a quarterly basis, to provide opportunities for adjustments to the TSM Program in accordance with "state-of-the-art" transportation strategies and recommendations. The TSM Coordinator shall also work closely with other private transportation coordinators designated for the vicinity, including LINK, the Reston Transportation Management program. If requested to do so by Fairfax County, the TSM Coordinator will provide an annual report to the Planning Commission describing the TSM strategies implemented at Plaza America and their observed effects.
- (3) Incentive traffic mitigation programs to be implemented by the TSM Coordinator may include the following:
  - (a) A Designated Transportation Coordinator;

(b) Parking Management Program;

- Preferential Parking for Ride Sharers;
- Paid Parking with Progressively Reduced Fees Favoring HOV;
- Shared Parking;
- Structured Parking;
- On-Street Parking Prohibition;

(c) Participation in the Fairfax County Ride Share Program;

- Computerized Matching Services;
- Ridesharing Information Kits for New Employees;
- Ridesharing Display Maps and Forms in Each Office Building;

(d) Promotion of Transit Services;

- Transit Subsidies;
- Transit Information Center;
- Shuttle Service to Facilitate Transfer Between Local and Regional Service;
- Shuttle Service;

(e) Provision for Bus Stops and Shelters throughout Plaza America;

- (f) Sidewalk System Designed to Facilitate Pedestrian Circulation and Emphasizing Covered Access;
- (g) Promotion of Staggered Work Hours Program and Flex-Time;
- (h) Lease Rate Incentives to Encourage Participation in Selected Programs;
- (i) Provision for Adequate Bicycle Storage.

(B) An annual sum of ten cents (\$0.10) per square foot of occupied gross floor area will be contributed by the Applicant to a designated TSM fund ("TSM Fund") to be used by the TSM Coordinator for the implementation of this TSM Program. Said funding shall continue for a period of fifty (50) years from date of issuance of the building permit for each square foot of gross floor area. The expenditure of these sums will be subject to audits, as deemed necessary, by the Fairfax County Office of Transportation; to the extent funds are available, the cost of such audit may be recovered by the Fairfax County Office of Transportation from the TSM fund. These contributions may, at the discretion of the Applicant, be accelerated.

The on-site incentive program will be developed by the TSM Coordinator relying, in part, upon the recommendations of the County Coordinator and other appropriate TSM coordinators designated for projects in the vicinity of the Property. The TSM Program will include provisions in tenant leases which will encourage or require cooperation with the TSM Coordinator in the implementation of the TSM Program, including cooperation in conducting surveys of employees and the distribution of transportation management information and regulations to employees.

- (C) Upon achieving an occupancy level of 250,000 gross square feet (as evidenced by the issuance of Non-RUPs), the TSM Coordinator will conduct a survey designed to determine the transportation characteristics of the building tenants and employees. This survey will be the basis for improving the effectiveness of the elements of the TSM Program. Based on the survey data and in coordination with the County Coordinator, the TSM Coordinator will allocate monies from the TSM fund for implementation of the TSM Program.

The elements for the TSM Program will include, but not be limited to, the following:

- (1) Reservation of and subsidy of parking spaces for car pools and staggered work hour participants.
  - (2) Monitoring of the effectiveness of the TSM Program, including biennial traffic studies as further set forth in these proffers.
  - (3) Prior to the occupancy of 381,000 square feet of gross floor area, the Applicant will commence or cause to be commenced the operation of van service to provide transit service to designated retail, service use destinations and public transit transfer points.
  - (4) Finally, the Applicant will, through project design, provide for food and business services establishments throughout the Property in order to reduce the need for individual building occupants to utilize an automobile.  
See Paragraph V.5.
- (D) Upon the issuance of building permits for fifty percent (50%) of the gross floor area of the

Property (approximately 563,000 sq. ft.) and on a biennial basis thereafter, or less frequently if permitted by the Fairfax County Office of Transportation, the Applicant shall cause a traffic study to be undertaken to verify the accuracy of the total peak-hour vehicle trip generation projections for the Property (the "Projections"), based upon the ITE Trip Rates used to generate volume counts contained in Attachment 1. If the biennial traffic study indicates that a fifteen percent (15%) reduction in the non-TSM program projections forecast in the Gorove/Slade study has not occurred, then, until such time as a follow-up traffic study verifies that the Projections have been met, an additional five cents (\$0.05) per square foot of occupied gross floor area per year will be contributed to the TSM Fund for use by the TSM Coordinator or by a federal, state or local transportation authority for the purpose of mitigating traffic impacts in the immediate vicinity of the Property.

- (E) Building permits for more than seventy-five percent (75%) of the total gross floor area permitted by the zoning of the Property (i.e., 844,500 square feet) shall not be issued until a traffic

study verifies that the actual traffic generation of the Property is at least fifteen percent (15%) lower than the non-TSM Program projections set forth in the Gorove/Slade study; provided, however, if such study verifies that the actual traffic generation of the Property is at least ten percent (10%) lower than the non-TSM projections, the Applicant shall be allowed building permits for up to eighty-five percent (85%) of the total gross floor area permitted by the zoning of the Property upon the condition that the Applicant makes annual contributions to the Fairfax County Board of Supervisors, for the improvement of the transportation network in the vicinity of the Property, in the amount of Fifty Thousand Dollars (\$50,000.00) per year for each year it fails to achieve a fifteen percent (15%) reduction with an aggregate maximum contribution not to exceed Four Hundred Thousand Dollars (\$400,000.00). This contribution shall be in addition to those set forth in Paragraphs 5(A), 6(B), and 6(D) above. In order to assure Fairfax County that these payments will be made, the Applicant will post at the time of building permit issuance a revolving Letter of Credit, in favor of Fairfax County, to be

replenished annually in the amount still due under this commitment. Any costs and attorney fees expended by Fairfax County for enforcement of the Letter of Credit will be reimbursed by the Applicant.

- (F) Building permits for more than eighty-five percent (85%) of the total gross floor area permitted by the zoning of the Property (i.e., 957,100 square feet) shall not be issued until a traffic study verifies that the actual traffic generation of the Property is at least twenty percent (20%) lower than the non-TSM Program projections set forth on the Gorove/Slade study.
  
- (G) The Applicant shall be relieved of the requirements of its TSM Program at such time as the County of Fairfax implements a mandatory TSM Program affecting the Property and having substantially the same or greater goals and performance standards as those set forth in this TSM Program. Further, the Applicant shall be relieved of obligations for funding its TSM Program if the County initiates such a mandatory TSM Program.

8. At the time signalization is provided at the eastern entrance or prior to the issuance of a non-RUP for the first office building whichever first occurs, an at-grade pedestrian crossing of Sunset Hills Road and pedestrian signalhead will be provided at the eastern entrance to the Property, subject to VDOT approval.

#### IV. ENVIRONMENTAL

1. During construction of the office buildings, the Applicant shall install sediment basins within the development boundaries to ensure an eighty percent (80%) efficiency for erosion and sediment control.
2. The Applicant shall submit a pedestrian circulation plan to DEM, at the time of preliminary subdivision plat application, that provides for sidewalks linking the buildings on the Property and a sidewalk along Sunset Hills Road. This circulation plan shall be implemented in phases consistent with approved site plans. The Applicant shall provide canopies, bus shelters or similar pedestrian structures on-site at public bus stops where such stops have been approved by either the Fairfax County Office of Transportation or the Washington Metropolitan Area Transit Authority ("WMATA"). Park benches and similar amenities will be incorporated within the development boundaries as shown

on the individual site plans for either office or infrastructure (roads and streets) improvements.

3. The Applicant shall submit to the Fairfax County Arborist, for review and approval at the time of site plan review, a tree preservation and landscape plan, in accordance with the provisions of Article 12 of the Fairfax County Public Facilities Manual and Article 13 of the Fairfax County Zoning Ordinance, to ensure the preservation and planting of trees on-site which will provide a minimum of ten percent (10%) tree cover over the life of the development. The existing, healthy trees shall be preserved to the extent practicable, as determined by the Fairfax County Arborist, provided the trees do not conflict with the development of the Property in accordance with the CDP/FDP and provided the trees do not interfere with the location of utilities or any road widening or road improvements which may be necessary.
  
4. Stormwater detention for the development shall be provided in the wetpond/BMP storage facility shown on the CDP/FDP. Phosphorus reduction measures will be provided for the 19.5 acre portion of the Property which drains to the pond, achieving an approximate phosphorus removal percentage of thirty percent (30%) for the

entire Property. As an added water quality protection measure, subject to approval by the Fairfax County Department of Public Works and DEM, runoff from all levels of the proposed parking facilities will be directed to flow to the proposed stormwater detention facility.

5. The following noise attenuation measures shall be provided:

- (A) In areas within Three Hundred Eighty (380) feet of the centerline of the Dulles Airport Access Road that experience noise levels of 70 to 75 dBA Ldn, the Applicant will construct the principal structures (excluding attached parking garages) to achieve a maximum interior noise level of 50 dBA Ldn utilizing the following noise mitigation measures:

1. Exterior walls shall have a laboratory sound transmission class ("STC") rating of at least 39.
2. Doors and windows shall have a laboratory STC rating of at least 28. If windows function as walls (as determined by DEM), they should have the same laboratory STC rating as walls.

3. Measures to seal and caulk between surfaces should follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

(B) In areas within Three Hundred Thirty (330) feet of the centerline of the Dulles Airport Access Road that experience noise levels in excess of 75 dBA Ldn, the Applicant will construct the principal structures (excluding attached parking garages) to achieve maximum interior noise level of 50 dBA Ldn utilizing the following noise mitigation measures:

1. Exterior walls shall have a laboratory sound transmission class ("STC") rating of at least 45.
2. Doors and windows shall have a laboratory STC rating of at least 37. If windows function as walls (as determined by the DEM), they should have the same laboratory STC rating as walls.
3. Measures to seal and caulk between surfaces should follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

6. The Applicant shall preserve as open space those areas so indicated on the CDP/FDP, and the wetpond/BMP storage facility will be preserved and maintained as an open space amenity.

V. COMMUNITY SERVICES

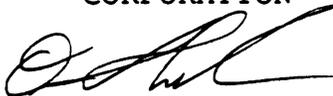
1. The Applicant will make available, in the first office building, five thousand (5,000) square feet of rentable space for a child care center with an outdoor play area in the vicinity of the building. The maximum daily enrollment for the child care facility shall not exceed 150 students. If the child care center is operated by a nonprofit community service organization, the rental rate shall be seventy-five percent (75%) of the market rate then prevailing in Reston for comparable space. In the event that no nonprofit organization chooses to locate in the building prior to or within three (3) months subsequent to issuance of a non-RUP for the building, the Applicant will make the space available to a for-profit day care facility at a rental rate no higher than the market rate then prevailing in Reston for comparable space. Upon commencement of construction, the Applicant will notify the District Supervisor's office and the Office of Children that such space will be available.

2. In addition, and also upon the request of Fairfax County, the Applicant will make available to a user, in the aggregate for all buildings, five hundred (500) to one thousand five hundred (1500) square feet of rent-able office space, such space to be used for non-profit community service organization use in a manner consistent with other uses on the Property. The space will be provided for a twenty-year term at a rental rate which shall be seventy-five percent (75%) of the market rate then prevailing in Reston for comparable space. Notice of availability will be given to the District Supervisor's office upon commencement of construction for each building with notice of acceptance by Fairfax County to occur within ninety days of such notice.
3. The Applicant will consult with the Reston Board of Commerce and/or other similar organizations and will provide compatible recreational facilities, such as a jogging trail and parcourse, on-site to serve the growing needs of the community.
4. The Applicant will locate underground those utilities fronting on the south side of Sunset Hills Road at the front of the Property.
5. The Applicant will incorporate into the lower or ground floor level design of at least one of the first three

buildings area(s) for the following representative secondary uses: automated teller machines; fast food restaurants (no drive-through); health clubs; quick service food store; private clubs and public benefit association; accessory uses as permitted by Article 10 of the Fairfax County Zoning Ordinance. All proposed uses will be located within the building footprints at ground floor or below for office/parking structures. An illustrative floor plan depicting the type and location of secondary uses at the ground floor is incorporated into the FDP/CDP. Secondary uses will not exceed sixteen and one-half percent (16.5%) of the permitted gross floor area. Parking for such uses will be provided in accordance with the current provisions of Article 11 of the Fairfax County Zoning Ordinance.

PLAZA AMERICA DEVELOPMENT  
CORPORATION

By:



Orna L. Shulman,  
Vice President

Date:

Dec. 7, 1990

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