

COMMONWEALTH CENTRE AT WESTFIELDS
PCA 2006-SU-025-02
CDPA 2006-SU-025

PROFFER STATEMENT

August 6, 2015
August 28, 2015
September 16, 2015
September 29, 2015
October 5, 2015

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and subject to the Fairfax County Board of Supervisors' (the "Board") approval of this application PCA 2006-SU-025-02 (the "Application"), Regency Centers Acquisition, LLC, (the "Applicant and Contract Purchaser") and Commonwealth Centre Investors, LLC, (the "Property Owner"), for themselves and their successors and assigns, hereby proffer that development of Fairfax County Tax Map Parcel 44-1-((1))-6 (Part), containing approximately 20.97 acres and otherwise described as Land Bays B and C of Commonwealth Centre (the "Property"), shall be in conformance with the following proffered conditions, which shall replace and supersede all previous proffers that pertain to the Property. In the event this application is denied, these proffers shall immediately be null and void and the previous proffers approved in RZ 2006-SU-025 dated September 27, 2007 (the "Original Proffers") and PCA 2006-SU-025 dated June 8, 2009 (the "Amended Proffers") shall remain in full force and effect. In any event, the Original Proffers and Amended Proffers shall continue to remain in full force and effect with respect to Land Bays A, D, E and F of Commonwealth Centre.

GENERAL

1. **Substantial Conformance.** The Property shall be developed in substantial conformance with the Conceptual Development Plan Amendment/Final Development Plan Amendment ("CDPA/FDPA") consisting of eighteen (18) sheets, dated February 16, 2015 and revised through September 16, 2015, prepared by Bohler Engineering, and further modified by these proffered conditions.
2. **Final Development Plan Amendments.** Notwithstanding that the CDPA consists of Sheets 1 through 18 and said CDPA is the subject of Paragraph 1 above, it shall be understood that (i) the CDPA shall consist of the entire plan shown on Sheet 3 relative to the general layout, points of access to the existing public street network, maximum square footage of development on the Property, peripheral setbacks, limits of clearing and grading, and the minimum amount of open space on the Property; and (ii) the Applicant has the option to request Final Development Plan Amendment ("FDPA") approvals from the Planning Commission in accordance with Section 16-402 of the Zoning Ordinance with respect to the remaining elements.
3. **Minor Modifications.** Pursuant to Section 16-403 of the Zoning Ordinance, minor modifications from the approved CDPA/FDPA may be permitted as determined by the

Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the CDPA/FDPA provided such changes are in substantial conformance with the CDPA/FDPA and proffers and do not increase the overall amount of gross floor area, increase building heights, or decrease the amount of open space or peripheral setbacks shown to be provided on the Property. The Applicant shall have the flexibility to modify the layout shown on the CDPA/FDPA as required by the Westfields Business Owners Association ("WBOA") or Architectural Review Board so long as the modifications are in substantial conformance with the CDPA/FDPA.

4. **Permitted Uses.** The following uses shall be allowed on the Property:

A. PDC District "Principal Uses" Permitted.

- Business service and supply service establishments
- Eating establishments
- Financial institutions (without drive-through) and/or bank teller machines, unmanned
- Garment cleaning establishments, with no processing on-site
- Hotels
- Offices, including medical offices/urgent medical care with no overnight stay
- Personal service establishments
- Public uses
- Repair service establishments, not to include auto repair service establishments
- Retail sales establishments

B. PDC District "Secondary Uses" Permitted.

- Accessory uses and accessory service uses as permitted by Article 10
- Amusement arcades
- Fast food restaurants, without drive-through windows
- Quick-service food stores
- Retail sales establishments – large
- Vehicle rental establishments, limited by the provisions of Sect. 9-518
- Billiard and pool halls
- Health clubs
- Medical care facilities
- Private clubs and public benefit associations
- Veterinary hospitals, without boarding or kennel facilities
- Child care centers

5. **Prohibited Uses.** The following uses shall not be established on the Property:

- Service stations
- Service station/mini-mart
- Vehicle light service establishments

- Vehicle sale and ancillary service establishments
 - Motel
 - Light public utility
 - Commercial off-street parking as a principal use
 - Transportation facilities
 - Vehicle transportation service establishments
 - Auto repair service establishments
 - Adult bookstore, adult video store or adult motion picture theatre
 - Tattoo establishment
 - Drive-through uses
6. **Building Heights.** Notwithstanding that shown on the CDPA/FDPA, building heights for the proposed buildings shall be in accordance with the provisions of the Fairfax County Zoning Ordinance. Any clock tower architectural feature provided with the proposed grocery store (Building 6), which is excluded from the maximum height limitations in Sect. 2-506 of the Zoning Ordinance, shall not exceed 80 feet in height.

TRANSPORTATION IMPROVEMENTS

7. **Definition of "Completed".** For purposes of these transportation proffers, the term "completed" shall mean constructed and available for use by the public.
8. **Road Improvements.** The following road improvements as generally shown on Sheet 9 of the CDPA/FDPA shall be completed by the Applicant and/or the Property Owner, subject to and as approved by VDOT and the Fairfax County Department of Public Works & Environmental Services ("DPWES"), prior to issuance of the first Non-RUP for Land Bay B or C, whichever first occurs:
- A. **Westfields Boulevard.**
- i. **Westbound Frontage Improvements.**
- (a) ***Additional Westbound Lane.*** Add a third westbound travel lane along the Property's frontage on Westfields Boulevard between the intersection of Newbrook Drive and Park Meadow Drive (the "Third Westfields Lane") to create a shared through-right turn lane (including restriping the existing right turn lane before the eastern intersection with Newbrook Drive) and then an exclusive northbound right turn lane from westbound Westfields Boulevard onto northbound Route 28 west of the Park Meadow/Newbrook intersection.
- (b) ***Westfields Boulevard Trail.*** Construct a ten-foot (10') wide asphalt shared-use path along the Property's frontage in the general location shown on the CDPA/FDPA (the "Westfields Trail"). The Westfields Trail shall be located within a 15-foot (15') public access easement to be granted to Fairfax County as part of site plan approval for Land Bay B. The Westfields Trail shall be

constructed prior to issuance of the first Non-RUP for the first building constructed in Land Bay B.

- ii. Eastbound Improvements. Convert the existing right turn lane to a shared through-right turn lane from the northbound Route 28 exit ramp through the Park Meadow Drive/Newbrook Drive intersection as may be approved by VDOT.
- iii. Park Meadow Drive/(Western) Newbrook Intersection.
 - (a) **Existing Channelized Islands**. The Applicant shall remove the four (4) existing channelized islands ("Porkchops") and reconstruct the curb radii on all four (4) corners of the intersection.
 - (b) **Pedestrian Crosswalks**. If not already completed by others, pedestrian crosswalk striping and pedestrian signal heads and push buttons shall be provided on all four (4) legs of the intersection.
 - (c) **Dual Eastbound Left Turn Lanes**. Provide dual, channelized left-turn lanes from eastbound Westfields Boulevard onto northbound Newbrook Drive. The eastbound left-turn lanes shall include construction of a raised median within the right-of-way of Westfields Boulevard in order to separate turning vehicles from through vehicles and to preclude left turns from northbound Route 28 onto northbound Newbrook Drive at this western intersection.
 - (d) **Lane Configuration on Newbrook Drive and Park Meadow Drive**. Restripe Newbrook Drive to provide a southbound left turn lane, a through-right turn lane, and an exclusive right-turn lane. Restripe Park Meadow Drive as shown on Sheet 9 of the CDPA/FDPA. In the event VDOT designates an alternate striping plan, then the Applicant shall complete said alternative plan. In such event, no CDPA and/or FDPA shall be required.
 - (e) Per Paragraph 8(A)(v), provide traffic signal modifications to address the above intersection improvements, lane re-striping, and pedestrian crossings.
- iv. (Eastern) Newbrook Intersection.
 - (a) **Existing Channelized Islands**. Upon receipt of all necessary off-site rights-of-way and easements, if any, the Applicant shall remove the two (2) existing Porkchops and reconstruct the curb radii on these two corners of the intersection.
 - (b) **Pedestrian Crosswalks**. If not already completed by others, pedestrian crosswalk striping and pedestrian signal heads and push buttons, shall be provided on all four (4) legs of the intersection.

- (c) **Dual Eastbound Left Turn Lanes.** Provide dual eastbound left-turn lanes onto northbound Newbrook Drive, as more particularly shown on the CDPA/FDPA.
 - (d) **Lane Configuration on Newbrook Drive.** Restripe Newbrook Drive to provide a northbound through lane.
 - (e) Per Paragraph 8(A)(v), provide traffic signal modifications to address the above intersection improvements, lane re-striping, and pedestrian crossings.
- v. **Traffic Signal Timing Modifications.** If determined necessary by VDOT, at site plan approval for Land Bay B or C, whichever comes first, submit a traffic signal timing modification analysis to VDOT for Westfields Boulevard at its intersections with Walney Road, Newbrook Drive and Newbrook Drive/Park Meadow Drive. Such respective traffic signal timing modification analysis shall be for the purpose of determining whether adjustments to the signal timings at these intersections are warranted due to the additional lane configurations as set forth in this Proffer 8A. In the event that VDOT determines that adjustments to any such signal timings are warranted, then the Applicant shall make such adjustments prior to issuance of the Non-RUP for Building 6 (grocery store) on the Property. Should no timing adjustments be deemed necessary at these existing traffic signals based upon such respective analyses, then the Applicant's respective obligation for traffic signal timing modification under this proffer shall be deemed satisfied.
- vi. **Traffic Signal Coordination.** Coincident with any signal modifications associated with the Property and subject to VDOT approval, the Applicant and/or the Property Owner shall make such adjustments to the Westfields Boulevard corridor to coordinate the signals at the Westfields Boulevard/Walney Road, Westfields Boulevard/Newbrook Drive and Westfields Boulevard/Newbrook Drive/Park Meadow Drive intersections.

B. Newbrook Drive (Private Street).

- i. **Construction of Newbrook Drive.** Complete the proposed Newbrook Drive, connecting it on the east to Westfields Boulevard in the general locations and configuration (including turn lanes and medians) shown on the CDPA/FDPA ("Newbrook Drive"). Newbrook Drive shall be designed and maintained as a private street. The Applicant and/or Property Owner reserves the right to modify the geometrics of Newbrook Drive at time of site plan in consultation with Fairfax County Department of Transportation ("FCDOT") and/or VDOT. The Applicant and/or the Property Owner may install one or more speed table(s) or similar traffic control mechanisms across Newbrook Drive at locations determined by the Applicant and/or the Property Owner and approved by DPWES to

facilitate pedestrian crossings of Newbrook Drive. The Applicant and/or the Property Owner reserves the right (but shall not be obligated) to install reinforced concrete or similar material on those portions of Newbrook Drive over which transit buses may be expected to travel.

- ii. Public Access Easement. At the time of record plat recordation, the Applicant shall cause to be recorded among the land records a public access easement running to the benefit of Fairfax County, in a form acceptable to the County Attorney, over the private streets and sidewalks. Such facilities shall be maintained by the Applicant and/or Property Owner.
 - iii. Signage to Westfields Boulevard. Complete and maintain on-site signage which directs vehicles destined for southbound Route 28 and westbound Westfields Boulevard to exit Newbrook Drive at its eastern loop intersection with Westfields Boulevard in order to reduce weaving movements along westbound Westfields Boulevard immediately prior to its interchange with Route 28.
- C. Transportation Improvement Timing. Notwithstanding the foregoing, however, upon demonstration by the Applicant and/or the Property Owner that, despite diligent efforts or due to factors beyond the Applicant's and/or the Property Owner's control, the required removals and/or improvements have been delayed (such as the inability to secure off-site rights-of-way or VDOT approval) beyond the required time set forth above, the Zoning Administrator may agree to a later date for completion of the removal and/or construction of the required road improvements and/or traffic signal modifications.
- D. VDOT Evaluation. Changes from the CDPA/FDPA may be permitted in response to the review of site plans by VDOT, including adjustments to tree locations, lane use/pavement markings, signage, road alignments, traffic controls, the streetscape (including the landscaping and trail/sidewalks), without requiring approval of a PCA or an amendment to the CDPA/FDPA provided such modifications are approved by DPZ in consultation with other applicable agencies as determined by DPZ, which may include FCDOT, UFMD of DPWES, and the Zoning Administrator, and are in substantial conformance with the CDPA/FDPA and these proffers.

In the event VDOT does not approve any of the design waivers filed in support of the CDPA/FDPA, then the Applicant shall meet with FCDOT and VDOT to determine the impacts of any denials on the CDPA/FDPA. If modifications to the CDPA/FDPA are required, the Applicant, with notice to FCDOT, shall meet with DPZ to determine if such modifications may be permitted in accordance with Proffer 3.

The aforesaid notwithstanding, should VDOT not approve the waivers permitting the proffered shared through-right turn lane onto Newbrook Drive from

westbound Westfields Boulevard at its eastern or western intersections with Newbrook Drive, then the Applicant shall take such steps as are necessary to provide an alternative design such as, but not limited to, a right turn lane, two through lanes, and a left turn lane on Westfields Boulevard at these intersections, which adjustment shall not require a CDPA/FDPA.

9. **Bus Shelter.** Only to the extent existing need for service is demonstrated by Fairfax County, the Applicant or Property Owner shall install no more than two (2) bus shelters (the "Bus Shelter(s)") on the Property in the general location(s) shown on Sheet 3 of the CDPA/FDPA or in an alternate location such as along Westfields Boulevard as otherwise approved by FCDOT as part of site plan approval for Land Bay B or C, as may be applicable. The design and materials of the Bus Shelter(s) shall be of similar size and quality to those of a typical bus shelter installed elsewhere in Fairfax County and shall include benches and trash receptacles. The Applicant shall be responsible for the general maintenance and upkeep of the Bus Shelter(s), including trash removal.
10. **Bicycle Parking.** The Applicant shall provide bicycle racks throughout the Property, the specific locations of which shall be determined at the time of site plan subject to the approval of FCDOT. The bicycle racks shall be inverted U-style racks or other design approved by FCDOT. The total number, including the sixteen provided with the grocery store, of bicycle parking/storage spaces shall be consistent with the Fairfax County Policy and Guidelines for Bicycle Parking for each building or group of buildings.

ENVIRONMENTAL, LANDSCAPING AND OPEN SPACE

11. **Stormwater Management.** Stormwater Management/Best Management Practices ("SWM/BMPs") for the Property shall be provided pursuant to the overall SWM/BMP plan previously constructed offsite on other portions of Tax Map Parcel 44-1-((1))-6 pursuant to Site Plan 6178-SP-091-2 for Commonwealth Centre. Stormwater Management Ordinance determination #6178-SWOD-001-1 was approved by DPWES on February 3, 2015. Other low impact development water quality measures may be installed on the Property at the option and sole discretion of the Applicant without the need for a PCA/CDPA/FDPA.
12. **Landscape Plan.** Landscaping shall be generally consistent with the quality, quantity and locations shown, respectively, on the Conceptual Landscape Plan included as Sheets 4, 5 and 6 of the CDPA/FDPA ("Conceptual Landscape Plan"), which illustrate the plantings and other features to be provided on the Property, including streetscapes, plazas, and linear open space area. The Conceptual Landscape Plan is conceptual in nature and the tree species and planting locations may be modified by the Applicant, in coordination with UFMD, as part of final engineering and building design, provided such modifications provide a similar quality and quantity of landscape plantings and materials as shown on the Conceptual Landscape Plan.
 - A. **Landscape Pre-Installation Meeting.** Prior to installation of plants to meet requirements of the approved Landscape Plan, the Applicant/Contractor/Developer shall coordinate a pre-installation meeting on site with the landscape

contractor and UFMD. Any proposed changes to the location of planting, size of trees/shrubs, and any proposed plant substitutions for species specified on the approved plan shall be reviewed at this time and must be approved prior to plantings. The installation of plants in lieu of plants specified on the approved Landscape Plan, and not previously approved by UFMD, may require submission of a revision to the Landscape Plan or removal and replacement with approved material.

Field location of planting material, when required by the approved Landscape Plan, shall be reviewed at the pre-installation meeting. The Applicant/Contractor/Developer shall stake proposed individual planting locations prior to the pre-installation meeting. Stakes shall be adjusted, as needed, during the course of the meeting as determined by UFMD staff based on discussion with the Applicant and the Applicant's agents.

- B. **Native, Non-Invasive Species.** All landscaping provided shall be native to the mid-Atlantic region to the extent available and feasible, and shall be non-invasive (meaning the Applicant shall not use any plant species identified in the 2014, or latest version, Virginia Invasive Plant Species List published by the Virginia Department of Conservation and Recreation). The Applicant reserves the right, in consultation with and approval by UFMD, to modify the exact species to be used, such as when plant materials are not available or have been deemed by UFMD to no longer be appropriate.

13. **Tree Preservation.** The Applicant shall submit a Tree Preservation Plan and Narrative (the "Tree Preservation Plan") for the Property's Westfields Boulevard frontage as part of the first and all subsequent site plan submissions for Land Bay B. The Tree Preservation Plan shall be prepared by a Certified Arborist or a Registered Consulting Arborist and shall be subject to the review and approval of the UFMD. The Tree Preservation Plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for individual trees, living or dead, with trunks ten (10) inches in diameter and greater (measured at 4½ feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture), located within 25 feet outside of the proposed limits of clearing and grading in the undisturbed area and within 10 feet of the proposed limits of clearing and grading in the area to be disturbed. All trees inventoried shall be tagged in the field so they can be easily identified. The Tree Preservation Plan shall provide for the preservation of those areas shown for tree preservation on the CDPA/FDPA, outside of the limits of disturbance. The Tree Preservation Plan shall include all items specified in PFM Sections 12-0507 and 12-0509 as amended or replaced. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, bio-char derived from wood and compost amendments, Cambistat, compost tea, and others as necessary, determined by the certified arborist shall be included in the Tree Preservation Plan.

- A. **Tree Preservation Fencing.** All trees shown to be preserved on the Tree Preservation Plan shall be protected by tree protection fencing. Tree protection fencing in the form of four-foot (4') high, fourteen (14) gauge welded wire attached to six-foot (6') steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart, or super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be erected at the limits of clearing and grading as shown on the phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer herein.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) business days prior to the commencement of any clearing or grading activities, but subsequent to the installation of the tree protection devices, UFMD shall be notified and given the opportunity to inspect the Property to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFMD.

- B. **Root Pruning.** The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the Land Bay B site plan. The details for these treatments shall be reviewed and approved by UFMD, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18-24 inches.
- Root pruning shall take place prior to any clearing and grading.
- Root Pruning shall be conducted with the supervision of the Certified Arborist or Registered Consulting Arborist.
- UFMD shall be informed when all root pruning and tree protection fence installation is complete.

- C. **Tree Preservation Walk-Through.** The Applicant shall retain the services of a certified arborist and/or a Registered Consulting Arborist and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree preservation walk-through meeting, the Applicant's certified arborist, registered consulting arborist or landscape architect shall walk the limits of clearing and grading with UFMD to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. The Applicant shall invite a representative or representatives from the WBOA on the

site walk. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

D. **Limits of Clearing and Grading.** The Applicant shall conform to the limits of clearing and grading as shown on the CDPA/FDPA, subject to allowances specified in these Proffers and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDPA/FDPA, they shall be located in the least disruptive manner necessary as determined by the Applicant and UFMD. A replanting plan shall be developed and implemented, subject to approval by UFMD, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities. Alteration of the limits of clearing and grading due to the circumstances described above shall not require the approval of a PCA, CDPA, or FDPA.

E. **Site Monitoring.** During any clearing on the Property, a representative of the Applicant shall be present to monitor the clearing and ensure that the activities are conducted in substantial conformance with these Proffers and as approved by UFMD. The Applicant shall retain the services of a certified arborist or a Registered Consulting Arborist to monitor all construction and tree preservation efforts in order to ensure conformance with all tree preservation commitments and UFMD approvals. The monitoring schedule shall be described and detailed in the Tree Preservation Plan, and reviewed and approved by UFMD.

F. **Existing Westfields Stone Walls.** In the event the existing stone wall(s) located at the corners of Westfields Boulevard are either removed or modified, any work shall be accomplished without impacting the existing trees to be preserved as shown on the CDPA/FDPA. All work shall be done by hand, and any use of power tools will be limited to small, hand-operated equipment. Any work requiring the use of larger motorized equipment such as, but not limited to, tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, or any accessory or attachment connected to such equipment shall not occur unless approved in writing by the Director of UFMD, or unless the activity has been specifically addressed within the approved tree preservation plan narrative as part of the site plan.

14. **Plazas and Linear Open Space.** The Applicant shall provide public outdoor open spaces and plaza/amenities within the Property as follows:

A. **Plazas.** To create a sense of place and public gathering areas to serve as an amenity for the Property and the local community, the Applicant shall provide

public outdoor spaces (the "Public Plazas") generally in the locations shown on Sheets 7 and 8 of the CDPA/FDPA. The Public Plazas shall include both vegetation and hardscape materials and features such as, but not limited to: (i) specialty paving and landscape planters, (ii) outdoor furniture and/or benches/seating areas, and/or (iii) pedestrian-scaled lighting to activate the space at night as conceptually shown on Sheets 7 and 8 of the CDPA/FDPA. Additional amenities may be provided in the plaza areas which may include, but not be limited to, bike racks, flagpoles, walls and/or fencing. Without the necessity for a PCA, CDPA and/or FDPA, the Applicant may adjust the type and location of vegetation, the design of the open spaces, and the features/amenities comprising the Public Plazas as approved by Fairfax County Zoning Evaluation Division ("ZED") and UFMD, provided the general character and quality of the Public Plazas are consistent with Sheets 7 and 8 of the CDPA/FDPA. The Applicant shall construct the Public Plazas concurrent with the adjacent building(s).

- B. **Linear Open Space.** The Applicant shall provide a public outdoor linear open space (the "Linear Open Space") along Newbrook Drive generally in the location and configuration shown on the CDPA/FDPA. The Applicant shall provide the Linear Open Space with the intent to create a passive recreation area to serve as an amenity for the Property and the local community. The Applicant shall install a six-foot (6') wide sidewalk within the Linear Open Space as generally shown on Sheet 6 of the CDPA/FDPA. The Applicant may adjust the type and location of vegetation, sidewalk, the design of the open spaces, and the features/amenities comprising the Linear Open Space as approved by ZED and UFMD, provided the general character and quality of the Linear Open Space are consistent with Sheet 6 of the CDPA/FDPA. The Applicant shall install the sidewalk within the Linear Open Space prior to the issuance of the Non-RUP for Building 6. The Applicant shall install the remaining elements of the Linear Open Space prior to the issuance of the Non-RUP for the third building in Land Bay B to be constructed on the Property.
- C. **Features/Amenities.** The specific features/amenities such as, but not limited to, landscape planters, outdoor furniture and/or benches/seating areas, lighting, fitness stations, information kiosks, and/or public art within the public plazas and linear open space shall be pedestrian in scale, and shall be consistent with the character and quality of that shown on Sheets 5, 6, 7 and 8 of the CDPA/FDPA but may vary in terms of exact arrangement and location from that shown on the CDPA/FDPA. The features/amenities for the public plazas and linear open space shall include some unifying elements, such as, but not limited to, color or material, to complement the design and character of the architecture of the surrounding buildings. Additional features/amenities may be provided within the public plazas and/or linear open space as long as they are consistent with the design and character of the public plazas and linear open space as shown on the CDPA/FDPA.
- D. **Public Access.** As part of site plan approval, the Applicant shall grant a public access easement and an emergency vehicle access easement for the area

comprising the Public Plazas and Linear Open Space to Fairfax County as shown on the CDPA/FDPA. The public access easement shall provide that the Public Plazas and Linear Open Space shall, at a minimum, be open to the general public from sunrise to sunset, provided that the Applicant reserves the right to: (i) establish reasonable rules and regulations governing the use of the Public Plazas and Linear Open Space, (ii) temporarily limit access to the Public Plazas and Linear Open Space for reasonable periods of time for purposes of safety, construction and/or maintenance, and (iii) temporarily limit access to the Public Plazas and parking spaces as may be necessary to host programmed quasi-public community-oriented events such as, but not limited to, seasonal farmers markets, festivals, and promotional events, subject to necessary permits and/or approvals.

15. **Green Building Practices.**

Buildings 1 through 5. The Applicant shall pursue certification for Buildings 1 through 5 through one of the Leadership in Energy and Environmental Design ("LEED") rating systems of the Green Building Certification Institute ("GBCI"). The Applicant shall include, as part of the site plan submission and building plan submission, a list of specific credits within any current version of the GBCI's LEED®-NC rating system, LEED-CS, LEED for Retail, LEED-Campus or other LEED rating system determined to be applicable to the building(s) by the GBCI, that the Applicant anticipates attaining. A LEED accredited professional (LEED-AP), who is also a professional engineer, licensed architect, and/or licensed landscape architect, will provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED certification of the project.

Prior to approval of the building plan(s) for Buildings 1-5 in Land Bay B, the Applicant shall post a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the PFM, in the amount of \$25,000 per building. In the event the Applicant elects to attain LEED Certification under the current version of the LEED-Campus rating system (for multiple buildings on a shared site) for Buildings 1-5; the Applicant shall post a green building escrow in the form of cash or a letter of credit from a financial institution acceptable to DPWES as defined in the PFM, in the amount of \$92,000 (which is based on the LEED-Campus rating system of \$2 per square foot based on the total gross floor area for Buildings 1-5). In the event the Applicant elects to attain LEED Certification under the current version of the LEED-Campus rating system for any number fewer than five of the buildings in Land Bay B, the Applicant shall post a green building escrow for those buildings in the form of cash or a letter of credit from a financial institution acceptable to DPWES as defined in the PFM in the amount arrived at by reducing \$92,000 on a pro-rata basis for the total building area of the requested buildings, as compared to the total area of all the buildings approved for Land Bay B. Additionally, in such an event, for any building not included as part of the LEED-Campus certification, the

Applicant shall pursue LEED certification through another LEED rating system and post a green building escrow in the amount of \$25,000 for said building.

- i. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of LEED Certification or higher level of certification, by the Green Building Certification Institute ("GBCI"), under any current version of the LEED-New Construction ("LEED®-NC") rating system, LEED-CS, LEED for Retail, LEED-Campus or other LEED rating system determined to be applicable by the GBCI. Upon provision to the Environment and Development Review Branch of DPZ ("EDRB"), within three years of issuance of the non-RUP for the respective building (or "campus"), of documentation from the GBCI that the building (or "campus") has attained LEED certification, the escrow will be released to Applicant.
- ii. If the Applicant provides to EDRB, within three years of issuance of the final non-RUP for the respective building (or "campus"), documentation demonstrating that LEED Certification for the building has not been attained but that the building has been determined by the GBCI to fall within three points of attainment of LEED Certification, 50% of the escrow will be released to the Applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.
- iii. If the Applicant fails to provide, within three years of issuance of the final non-RUP for the respective building (or "campus"), documentation to EDRB demonstrating that the building has fallen short of LEED Certification by more than three points, the entirety of the escrow for that respective building (or "campus") will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.
- iv. If, within three years of issuance of the non-RUP for the respective building (or "campus"), the Applicant provides documentation from the GBCI demonstrating, to the satisfaction of EDRB, that GBCI completion of the review of the LEED Certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the time frame for provision of such documentation to EDRB may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds shall be made to the Applicant or to Fairfax County during the extension until the appropriate determination has been made by EDRB.
- v. In addition, prior to site plan approval, the Applicant will designate the Chief of EDRB, or its designee, as a team member in the GBCI's LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the

project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

vi. As an alternative to the escrow described above, the Applicant may choose at its sole discretion to pursue a certification level higher than LEED Certification, in which case the LEED-AP will provide certification statements at the time of building plan review confirming that the items on the list of specific credits will meet at least the minimum number of credits necessary to attain LEED Silver Certification.

(a) Prior to building plan approval for the building to be constructed, the Applicant shall submit documentation to EDRB regarding the GBCI's preliminary review of design-oriented credits in the LEED program. This documentation will demonstrate that the building is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED-NC Silver Certification. Under this alternative, the Applicant is not required to provide a "green building escrow" unless the Applicant fails to provide the above referenced documentation that the building is anticipated to attain LEED-NC Silver certification. Prior to final bond release of each building site, the Applicant shall submit documentation to EDRB, confirming the status of LEED Silver Certification.

(b) If the Applicant is unable to provide such preliminary review of the design-related credit documentation prior to the building permit approval but does anticipate receiving the documentation prior to the attainment of the certification, the Applicant may, prior to the issuance of the building permit, post an escrow identical to the one previously described. This escrow will be released upon submission of the documentation to EDRB from the GBCI demonstrating that the building is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED Silver Certification.

B. **Building 6 (Grocery Store)**. The retail-sales establishment – large ("Grocery Store") shall incorporate into the building program, at a minimum, the respective green building elements of the then-current Wegmans Sustainability Program identified in **Exhibit A**, entitled, "Grocery Store Green Building Element Checklist," dated August 28, 2015, attached hereto, which elements are based on the principles of the GBCI, under any current version of the LEED-New Construction ("LEED@-NC") rating system, LEED-CS, LEED for Retail, LEED-Campus or an alternative rating system that may be applicable at the time of the building design as determined in consultation with EDRB, DPZ. The Applicant will include, as part of the site plan submission for the building, a statement

certifying that a LEED-AP who is also a professional engineer, licensed landscape architect, and/or a licensed architect, is a member of the design team, and that the LEED-AP is working with the team to incorporate the green building elements identified in Exhibit A, or other equivalent green building elements, into the building.

Prior to approval of the building permit for the building, the Applicant shall post a "green building escrow," in the form of cash or a letter of credit from a financial institution acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$75,000 for the building.

The escrow will be in addition to and separate from other bond requirements and shall be released once the following conditions have been met:

- i. Prior to final construction bond release for the building, the LEED-AP shall submit a certification statement including supporting documentation as detailed below, confirming that the green building elements listed in Exhibit A for the building has been incorporated into the design and construction of the building.
- ii. Concurrence and acceptance of the certification statement by EDRB.

If the Chief of EDRB does not concur or accept the certification statement, and a review of the documentation determines that the green building elements have not been implemented or included in the design and construction of the building, then the Chief of EDRB shall notify the Applicant's LEED-AP. The Applicant's LEED-AP and the Chief of EDRB shall meet to discuss the potential deficiencies and to develop appropriate resolutions, which may include substitute techniques or elements that achieve the same intended sustainability or energy conservation benefits. Thereafter, if the Applicant provides to EDRB, within two years after issuance of the final Non-RUP for the building, a revised certification statement by the LEED-AP with supporting documentation demonstrating that the green building elements, as modified by the Chief of EDRB and the LEED-AP (a) have been attained, then if accepted by EDRB, the escrow shall be released to the Applicant; or (b) have not been attained but that the building has been determined by the LEED-AP professional to provide 90% of the green building elements identified in Exhibit A for such building, 50% of the escrow will be released to the Applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the Applicant fails to provide, within two years after issuance of the final Non-RUP for the building, a revised certification statement by the LEED-AP with supporting documentation to EDRB demonstrating that 90% of the green building elements identified in Exhibit A for the building has not been achieved, after sufficient written notice to the Applicant, the entirety of the escrow for the

building will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the Applicant provides documentation demonstrating, to the satisfaction of EDRB, that implementation of the green building elements for the building has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the above two-year time frame for that building may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds for that building shall be made to the Applicant or to the County during the extension unless the respective certification statement by the LEED-AP has been submitted to and accepted by EDRB.

SITE AND PROJECT AMENITIES

16. **Building Design and Materials.** The proposed buildings shall be designed as follows to present an attractive visual orientation toward Westfields Boulevard:
 - A. Buildings shall be architecturally finished on all four sides with similar materials, detailing and features on fronts, sides and rears of buildings.
 - B. Buildings shall consist of high quality materials, such as, but not limited to, masonry, stone, cast stone, aluminum, metal, glass, steel, split-face block and/or pre-cast panels, clay tiles, slate or wood or comparable materials. Final architectural details and accents may include other materials. Except as to Building 6, EIFS shall be limited solely to use on mechanical penthouses and architectural detailing not to exceed five percent of the building's façade.
 - C. There shall be no outdoor storage associated with Buildings 1-5 on the Property. The areas in front of the Grocery Store and/or Buildings 1-5 may be used for outdoor display of goods for sale so long as they do not impede vehicular or pedestrian circulation.
 - D. Telecommunications equipment, mechanical units, and all appurtenant facilities may be placed on the rooftop of the proposed buildings, shall comply with the applicable requirements of the Zoning Ordinance, and shall be screened and/or set back sufficiently from the perimeter of the roof so that such equipment and facilities generally are prominently not visible when viewed from Westfields Boulevard. Any antennae mounted on the face of building(s) shall be designed to be a part of the architectural treatment of the building and painted to match the building.
17. **Trash Enclosures.** Trash enclosures shall be constructed of materials that are compatible with the building design. All dumpsters shall be fully screened from view through the use of solid, opaque enclosures.

18. **Signage.**

- A. **Signs.** All signage provided on the Property shall comply with Article 12 of the Zoning Ordinance and the Westfields Development Guidelines or with a Comprehensive Sign Plan, as may be amended, approved by the Westfields Architectural Review Board and the Planning Commission.
- B. **Illegal Signs.** No temporary signs (including "popsicle" paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in the marketing and/or sale of any of the proposed retail uses located on the Property. Furthermore, the Applicant and any tenants shall direct their respective agents and employees involved in marketing the Property to adhere to this Proffer.
- C. **Retail Space Signage.** The lessor of the retail space(s) shall include within any retail lease the requirement that the lessor or the management company approve any sign application prior to its submission to the County for approval. Further, each such lease shall also include the provision that a copy of all approved sign permits shall be provided to the management company and if any sign is not approved by the County but erected, the management company has the right to remove it.

19. **Pedestrian Circulation System.** Sidewalks shall be constructed to Public Facilities Manual ("PFM") standards generally as depicted on Sheet 3 of the CDPA/FDPA. With the exception of the six-foot (6') wide sidewalk in the Linear Open Space, all sidewalks shall be constructed concurrent with the development of the Property. All onsite sidewalks and/or trails not located in public rights-of-way shall be maintained by the Applicant and/or Umbrella Owners Association. Sidewalk and trail improvements located within the existing right-of-way shall be as approved by VDOT.

20. **Open Space.** A minimum of sixteen (16%) percent of the Property shall be retained in open space.

21. **Cultural Resources.** If any grave sites are discovered during construction on the Property, the Applicant shall cease all site development activity within 100 feet of that location, shall notify the Cultural Resource Management and Protection Branch ("CRMP") as soon as possible and shall ensure that remains or associated artifacts be left in place and covered with a tarp or plywood to protect them from damage or disturbance until a representative from the CRMP can be sent. Relocation of any grave site(s) shall be in accordance with the Virginia Antiquities Act, §10.1-2300 of the Code of Virginia.

22. **Off-Site Turf Field Contribution.** Prior to submission of the application/request for issuance of the Non-RUP for Building 6, the Applicant shall contribute \$175,000 to the Fairfax County Park Authority ("FCPA") to be used in connection with the creation of a second turf (all-weather/synthetic) field at Chantilly High School. If said funds are not

able to be expended for, or are not necessary for, that turf field within twenty-four (24) months after issuance of the Non-RUP for Building 6, said funds shall be used for the construction of a turf field elsewhere within the Chantilly High School pyramid area. The use of these funds shall be determined in consultation with the Sully District Supervisor and the Sully District Park Authority Board Representative.

MISCELLANEOUS

23. **Traffic Signal Preemption Devices.** Prior to the first site plan approval for the Property, the Applicant shall contribute \$20,000 to the Capital Project titled Traffic Light Signals - FRD Proffers in Fund 300-C30070, Public Safety Construction, for use in the installation of preemptive traffic signal devices on traffic signals within the Sully District, as determined by the Fire and Rescue Department and reviewed for approval by VDOT. The Applicant shall have no responsibility for the maintenance of any devices after installation.
24. **Advance Density Credit.** Advance density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance, for all eligible dedications described herein or as may be required by Fairfax County or VDOT pursuant to the PFM, at the time of site plan approval for the Property.
25. **Location of Utilities.** Utility lines shall be generally located so as not to interfere with the landscaping concepts shown on the CDPA/FDPA. The Applicant reserves the right to make minor modifications to such landscaping to reasonably accommodate utility lines provided such relocated landscaping shall retain a generally equivalent number of plantings and shall continue to reflect the concepts illustrated on the CDPA/FDPA.

To the extent feasible and as permitted by the applicable utility companies, the Applicant shall place all utilities serving the Property underground. Upon request by the Applicant, the Zoning Administrator may waive/modify the requirement to place utilities underground without approval of a PCA upon a determination that such requirement (a) is infeasible or impractical or (b) would require the Applicant to secure easements or consents from third parties that, despite having been diligently pursued by the Applicant, are not available.
26. **Severability.** Any portion of the Property may be the subject of a PCA, CDPA, FDPA, Special Exception ("SE") and/or Special Permit ("SP") without joinder and/or consent of the owners of other portions of the Property, if such PCA, CDPA, FDPA, SE and/or SP does not have any material adverse effect on such other portions of the Property. Previously approved proffered conditions or development conditions applicable to the balance of the Property that is not the subject of the PCA, CDPA, FDPA, SE and/or SP shall otherwise remain in full force and effect.
27. **Successors and Assigns.** Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest, assigns, and/or developer(s) of the Property or any portion of the Property.

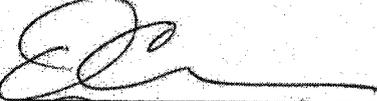
28. **Counterparts.** These Proffers may be executed in one or more counterparts, each of which when so executed shall be deemed an original and all of which when taken together shall constitute but one and the same instrument.

[SIGNATURES ON THE FOLLOWING PAGE]

REGENCY CENTERS ACQUISITION, LLC
Applicant and Contract Purchaser of the Property

BY: Regency Centers, L.P., its Manager

BY: Regency Centers Corporation, its
General Partner

By: 
Name: D. DEVIN CORINA
Title: VICE PRESIDENT

COMMONWEALTH CENTRE INVESTORS,
LLC
Title Owner of Parcel 44-1-((1))-6

By: _____
Name: _____
Title: _____

REGENCY CENTERS ACQUISITION, LLC
Applicant and Contract Purchaser of the Property

BY: Regency Centers, L.P., its Manager

BY: Regency Centers Corporation, its
General Partner

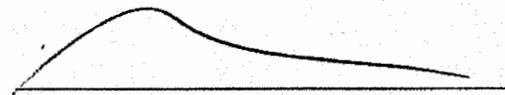
By: _____

Name: _____

Title: _____

COMMONWEALTH CENTRE INVESTORS,
LLC

Title Owner of Parcel 44-1-((1))-6

By:  _____

Name: Barry Howard

Title: Chairman of the Board, Vice President and
Assistant Secretary

EXHIBIT A

Grocery Store Green Building Element Checklist

October 5, 2015

Green building elements for inclusion in the project:

1. The Applicant shall include a LEED®-accredited professional as a member of the design team. The LEED-accredited professional will work with the team to incorporate sustainable design elements and innovative technologies into the project with a goal of having the project attain LEED certification. At the time of site plan submission, the Applicant will provide documentation to the Environment and Development Review Branch (EDRB) of Department of Planning & Zoning (DPZ) demonstrating compliance with the commitment to engage such a professional.
2. The Applicant shall provide secure bicycle racks and/or storage for sixteen (16) bicycles within 200 yards of a building entrance. The Applicant shall provide proof of installation and plan location.
3. The Applicant shall provide preferred parking spaces for three (3) low emissions vehicles. The location of the spaces shall be labeled on the site plan and the spaces shall be demarked with Reserved for Low Emissions Vehicle Parking sign. The Applicant shall provide proof of installation and plan location.
4. Developer will address LEED site items as a part of its certification.
5. The Applicant shall install a roofing membrane with a Solar Reflectance Index (SRI) appropriate to the slope of the roof (i.e. for a low-sloped roof ($\leq 2:12$) equal to or greater than 78 for a minimum of 75% of the total roof area, and for a high-sloped roof ($> 2:12$) equal to or greater than 29). The Applicant shall provide proof of installation, roof area calculations and manufacturers' product data.
6. The Applicant shall provide a light pollution reduction strategy in excess of required codes and ordinances for interior and exterior lighting as listed below (examples include LED lighting for signage/interior lighting; reduction by automatic device below the interior lighting power maximum allowances per International Energy Conservation Code (IECC) Table 505.5.2 for all nonemergency interior luminaries with a direct line of sight to any openings in the envelope (translucent or transparent) between certain hours, with an after-hours override provided by a manual or occupant-sensing device provided the override lasts no more than 30 minutes; or for exterior lighting, the input power of exterior lighting shall be reduced (by automatic device) by more than the Zoning Ordinance's current minimum of 50%). The Applicant shall provide proof of installation and plan locations.
7. The Applicant shall install motion sensor faucets and urinal flush valves and ultralow-flow plumbing fixtures that have a maximum water usage as listed below (to be modified

with the project-specific fixtures to be included). The Applicant shall provide proof of installation and manufacturers' product data.

Water Closet (gallons per flush, gpf) 1.28
Urinal (gpf) 0.5
Showerheads (gallons per minute, gpm*) 2.0
Lavatory faucets (gpm**) 1.5
Kitchen and janitor sink faucets 2.20
Metering faucets 0.25

* When measured at a flowing water pressure of 80 pounds per square inch (psi).

** When measured at a flowing water pressure of 60 pounds per square inch (psi).

8. The Applicant shall hire a commissioning authority and develop and incorporate commissioning requirements into the design and construction of the building. The commissioning authority hired by the Applicant shall develop and implement a commissioning plan and verify the installation and performance of the systems to be commissioning, as well as preparing a final report. The Applicant shall provide the final report.
9. The project shall not have any chlorofluorocarbon (CFC) based refrigerants in any of the building systems, or not use refrigerants. The Applicant shall provide manufacturer's specification sheets for any refrigerant installed in the building.
10. The project shall demonstrate a 10% reduction in energy use, either through whole building energy simulation, or by demonstrating a reduction in energy use based on a mutually-agreed upon comparison building. The Applicant shall provide proof of energy savings, either with a report on the energy simulation, or by a report detailing the difference between the subject building and comparison building's utilities for the first six months of operation after the issuance of the Non-Residential Use Permit (Non-RUP).
11. One year after issuance of the final Non-RUP, and every year on or around that date for the subsequent five years, the Applicant shall provide nonproprietary energy and water consumption data, as practicable, for the Grocery Store building. The data will be in the format of gallons of water used and kWh used. The data shall be provided to the Chief, EDRB or their designee. This data will not be shared in disaggregated form with non-DPZ staff or Planning Commissioners without the written consent of the Applicant. The information obtained shall be for information purposes only and provision of the information will not result in any negative consequences to the Applicant. This proffer may be modified related to the amount, type, format, frequency, and scope of data provided and the duration of the data provision requirement upon the mutual agreement of DPZ and the Applicant without requiring a Proffered Condition Amendment (PCA). Additionally, if the required data cannot be obtained by the Applicant from utility providers because of applicable law, the utility provider's policy, privacy issues, legal precedence, or collection of the data is administratively burdensome to the Applicant or the County, then the Applicant or the County, as applicable, shall provide written notice to the Chief, EDRB or the Applicant, as applicable, describing why the data cannot be obtained and/or why provision of that data is administratively burdensome. The

Applicant and DPZ shall thereafter meet to discuss possible modifications to this proffer. If, after the meeting between the Applicant and DPZ, the Applicant or DPZ determines that provision of the data, as provided herein or as modified, is not practicable, then they shall provide notice of the same and the Applicant shall be relieved of the obligation to provide the data required under this proffer/condition.

12. The Applicant shall provide an area for the separation, collection and storage of glass, paper, metal, plastic and cardboard generated by both customers and employees. There shall be a dedicated area on the Property for the storage of the recycled materials. The Applicant shall provide proof of installation, installation locations and a copy of the Applicant's recycling hauling contract.
13. The Applicant shall have a construction waste management plan that consists of hiring a waste removal and diversion company to process all construction waste at a recycling center. The Applicant shall provide a copy of the waste removal contract as proof of compliance.
14. The Applicant shall install carbon dioxide (CO₂) monitors with demand control mechanical ventilation. CO₂ monitors shall be located in all occupied spaces with a design occupancy of 25 or more people per 1,000 square feet. Monitors shall be located between 3 and 6 feet above the floor. The Applicant shall configure all monitoring equipment to generate increased ventilation to restore proper ventilation levels per ASHRAE 62.1-2010, or its equivalent. The Applicant shall provide proof of installation, the manufacturers' product data and installation locations.
15. The Applicant shall develop and implement a construction indoor air quality management plan during construction, meeting or exceeding the recommended control measures of the SMACNA IAQ Guidelines for Occupied Buildings Under Construction, including using MERV 8 return air grille filters on each permanently installed air handler used during construction. The Applicant shall provide the plan, proof of installation, and the manufacturers' product data.
16. The Applicant shall use low-emitting materials for all adhesives, sealants, paints, coatings, flooring systems, composite wood, and agrifiber products, as well as furniture and furnishings if available. Low-emitting is defined according to the following table:

<u>Materials</u>	(VOC Limit g/L less water)
Carpet Adhesive	50
Rubber floor adhesive	60
Ceramic tile adhesive	65
Anti-corrosive/ anti-rust paint	250
Clear wood finishes	350

The Applicant shall provide proof of installation and the manufacturers' product data.

17. The Applicant shall install carpet and carpet padding that shall meet the testing and product requirements of the Carpet and Rug Institute Green Label Plus Program. The Applicant shall provide proof of installation and the manufacturers' product data.

18. The Applicant shall install vinyl composition tile and rubber tile flooring that shall meet the requirements of the FloorScore certification program. The Applicant shall provide proof of installation and the manufacturers' product data and certification letter.
19. The Applicant shall install only LED and/or compact fluorescent lamps in all interior building lighting fixtures. The Applicant shall provide proof of installation, energy usage calculations and manufacturers' product data.
20. The Applicant shall increase the R-value of thermal insulation for the roof to R-30 and for the cavity walls to R-24 to reduce heat loss/gain. The Applicant shall provide proof of installation and manufacturers' product data.