

DRAFT PROFFER STATEMENT
VIENNA COURTS - 127 – 133 PARK STREET NE

Rezoning: PF-651311-CZ

Record Owners: Trustees of Vienna Presbyterian Church;
Joseph T. Nocerino and Mary Ann Nocerino, Trustees;
Ezra Partnership;
Manufacturers Standardization Society of the Valve and Fittings
Industry, Inc.

Applicant: BFR Construction Company

Property: 127 – 133 Park Street NE, Vienna, VA
Fairfax County Tax Map Reference: 38-2 ((52)) 0001 & 0002 &
0003 & 0004 & 0005 & 0006 & 0007 & 0008 & 0009 & 0010 &
0011 & 0012 and as shown on the Concept Plan (hereinafter “the
Property”)

Zoning: RM-2, Multifamily, Low Density

Project Name: Vienna Courts

Date: October 21, 2022

Pursuant to Va. Code Ann. § 15.2-2303 and § 18-249.1 of the Town of Vienna Zoning Ordinance, the property owners and applicant for themselves and their successors and/or assigns (collectively referred to as the “Applicant”) hereby proffer that the development and use of the Property, located at 127 -133 Park Street NE in the Town of Vienna, on the north side of Park Street NE and identified as Fairfax County Tax Map Reference 38-2 ((52)) 0001 & 0002 & 0003 & 0004 & 0005 & 0006 & 0007 & 0008 & 0009 & 0010 & 0011 & 0012 (the “Property”) will be in substantial conformance with the following conditions. In the event this rezoning is not granted as applied for by the Applicant, then these proffers will be deemed withdrawn and no longer in effect.

The term “Applicant” as referenced herein will include within its meaning the contract purchaser, current owners, all future owners, assigns, and successors in interest.

The term “Concept Plan” as referenced herein will refer to the plan set entitled “Rezoning of 127-133 Park St, N.E.” prepared by LDC, dated June 28, 2022, and the illustrative plan sheet entitled “Vienna Multi Family” prepared by Bukont Homes.

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1. **DEVELOPMENT AND USE OF THE PROPERTY.**

- 1.1 Development on the Property will be limited to the construction of 14 two-family dwellings (total of 28 units), private alleys, shared walkways and parking.
- 1.2 The development of the Property will be in substantial conformance with the Concept Plan, which is incorporated herein by reference.
- 1.3 Development of the Property will not include rooftop decks or terraces.
- 1.4 Drive aisle for the development of the Property shall access these buildings/units on the south eastern side of the project.
- 1.5 The Applicant, at its own expense, will install a 5' brick banded public sidewalk in the existing right of way. The sidewalk detail is subject to approval of the Town of Vienna's Department of Public Works.
- 1.6 The Applicant, at its own expense, will install street lights to match the fixtures prescribed for Church Street Corridor. The number, location and fixture selection is subject to approval of the Town of Vienna's Department of Public Works.
- 1.7 The Applicant, at its own expense, will underground power lines along the abutting Park Street NE right-of-way.
- 1.8 Notwithstanding the foregoing, upon the submission of final site plans, minor modifications and adjustments may be made including, but not limited to, road alignments, entrances, parking, dimensions of the SWM/BMP facilities, the exact configuration and location of building footprints provided it meets the approved setbacks, and other similar features shown on the Concept Plan necessary to accommodate best engineering practices.

[SIGNATURES BEGIN ON NEXT PAGE]

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CONTRACT PURCHASER
BFR CONSTRUCTION COMPANY

By: 

Name: Stephen Bukont

Title: PRESIDENT BFR CONSTRUCTION COMPANY

[SIGNATURES CONTINUE]

DRAFT PROFFER STATEMENT
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OWNER (0382-52001)
VIENNA ~~TRUSTEES~~ OF PRESBYTERIAN CHURCH

By: *Nina Graves*
Name: *Nina Graves*
Title: *Managing Director*

[SIGNATURES CONTINUE]

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OWNER (0382-52002 & 52005)

JOSEPH T. NOCERINO AND MARY ANN NOCERINO, TRUSTEES

By: Mary Ann Nocerino

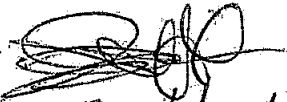
Name: Mary Ann Nocerino

Title: Joseph and Mary Ann Nocerino Family Revocable Trust

[SIGNATURES CONTINUE]

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OWNER (0382-52003 & 52006 & 52007 & 52008 & 52009 & 52010 & 52011 & 52012)
EZRA PARTNERSHIP

By: 
Name: Scott Lawson
Title: General Partner

[SIGNATURES CONTINUE]

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OWNER (0382-52004)

MANUFACTURERS STANDARDIZATION SOCIETY OF THE VALVE AND FITTINGS
INDUSTRY, INC.

By: David Thompson
Name: David Thompson
Title: Executive Director

[SIGNATURES CONTINUE]

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APPLICANT/CONTRACT PURCHASER
BFR CONSTRUCTION COMPANY

By: 

Name: Stephen Bokant

Title: President BFR Construction Company

[SIGNATURES END]