

~~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 DBA/ Bukont Homes

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
Revision Date: November 1, 2022

Pursuant to Va. Code Ann. § 15.2-2303 and § 18-249.1 of the Town of Vienna Zoning Ordinance, the property owners, contract purchaser 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 In the event this rezoning is not granted as applied for by the Applicant, then these proffers will be deemed withdrawn and no longer in effect.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 Sheet 1, 2, 3, 4, 6 & 7 of 7, with a revision date of 11/22, which is an excerpt that has been revised from 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, 26 Unit Alternate Plan”, and the renderings labeled Attachment 06, both prepared by Bukont Homes.

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Sheets 4A, 4B, and 5 from the plan set entitled "Rezoning of 127-133 Park St, N.E." prepared by LDC, dated June 28, 2022, with revision dated 11/22, will be subject to regulatory review and approval by Town staff.

DEVELOPMENT AND USE OF THE PROPERTY.

- 1.1 Development on the Property will be limited to the construction of ~~134~~ two-family dwellings (total of ~~268~~ 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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APPLICANT/CONTRACT PURCHASER

BFR CONSTRUCTION COMPANY -DBA/ BUKONT HOMES

By: _____

Name: _____

Title: _____

[SIGNATURES CONTINUE]

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VIENNA COURTS - 127 – 133 PARK STREET NE

OWNER (0382-52001)
VIENNA TRUSTEES OF PRESBYTERIAN CHURCH

By: _____
Name: _____
Title: _____

[SIGNATURES CONTINUE]

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VIENNA COURTS - 127 – 133 PARK STREET NE

OWNER (0382-52002 & 52005)

JOSEPH T. NOCERINO AND MARY ANN NOCERINO, TRUSTEES

By: _____

Name: _____

Title: _____

[SIGNATURES CONTINUE]

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VIENNA COURTS - 127 – 133 PARK STREET NE

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

By: _____

Name: _____

Title: _____

[SIGNATURES CONTINUE]

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VIENNA COURTS - 127 – 133 PARK STREET NE

OWNER (0382-52004)

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

By: _____

Name: _____

Title: _____

[SIGNATURES ~~CONTINUE~~END]

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VIENNA COURTS - 127 – 133 PARK STREET NE

~~APPLICANT/CONTRACT PURCHASER
FOR CONSTRUCTION COMPANY~~

By: _____

Name: _____

Title: _____

~~[SIGNATURES END]~~