

## **DRAFT PROFFERS**

### **SUNRISE DEVELOPMENT, INC.**

**September 7, 2018**

Pursuant to Section 15.2-2303(a) of the *Code of Virginia*, 1950, as amended, and Section 18-249.1 of the Zoning Ordinance of the Town of Vienna, Virginia, Sunrise Developer, Inc., for itself and its successors and assigns (collectively, "Applicant"), agrees that the redevelopment and use of the property that is the subject of this rezoning application and that is shown on the Fairfax County Tax Map as 38-4 ((2)) 125A (the "Subject Property") shall be in accordance with the following proffers if the rezoning is granted and the Subject Property is rezoned to the Maple Avenue Commercial ("MAC") District and an accompanying conditional use permit for an assisted living facility is approved:

1. Conformance to Concept Plan. The general character of the redevelopment of the Subject Property shall be in substantial conformance with the Concept Plan prepared by Walter L. Phillips, Inc. and Rust Orling Architects, Inc. dated September 5, 2018.
2. Uses of the Property. The Subject Property may be used for an assisted living facility with up to 85 units. The ground floor of the building may be developed with all uses permitted on the ground floor in Section 18-95.4 of the Town of Vienna Zoning Ordinance.
3. Architectural Design. The architectural design of the building on the Subject Property shall conform generally with the character and quality of the design shown on the elevations in the Concept Plan, subject to the approval of the Board of Architectural Review ("BAR") of the Town of Vienna.
4. Successors and Assigns. These proffers shall bind and inure to the benefit of the Applicant and its successors and assigns.

[SIGNATURES BEGIN ON NEXT PAGE]

APPLICANT/CONTRACT PURCHASER

TAX MAP REFERENCE 38-4 ((2)) 125A

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

[SIGNATURES CONTINUE]

OWNER

TAX MAP REFERENCE 38-4 ((2)) 125A

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

[SIGNATURES END]