

PROFFER STATEMENT
380 MAPLE AVENUE WEST
36,842 square feet/ 0.85 acres

Rezoning: PF-58-18-MAC

Record Owner Red Investment, LLC and MJW Maple Avenue, LLC

Applicant: Red Investment, LLC and MJW Maple Avenue, LLC

Property: Parcel 0382-02-0025, in the Land Records of Fairfax County, and as shown on the Concept Plan (hereinafter “the Property”)

Zoning: C-1 and RS-16 to Maple Avenue Commercial (MAC)

Project Name: 380 Maple

Date: May 22, 2019

Pursuant to Va. Code Ann. § 15.2-2303 and § 18-249.1 of the Town of Vienna Zoning Ordinance, Red Investment, LLC and MJW Maple Avenue, LLC, the undersigned, hereby proffer that the development and use of the Property, located at 374-380 Maple Avenue West in the Town of Vienna, on the east side of Maple Avenue West at its intersection with Wade Hampton Drive SW, will be in substantial conformance with the following conditions. In the event this rezoning is granted as applied for by the Applicant, then these proffers will supersede and replace in their entirety all other proffers made prior hereto. In the event this rezoning is not granted as applied for by the Applicant, then these proffers will be deemed withdrawn and will be null and void.

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

The term “Concept Plan” as referenced herein will refer to the plans entitled “MAC Zoning Plan for 380 W Maple Avenue,” prepared by Greenway Engineering, and dated May 22, 2019 and “380 Maple Avenue MAC Rezoning Design Plan,” prepared by Kylo + Pattana, and dated May 22, 2019.

1. DEVELOPMENT AND USE OF THE PROPERTY

1.1. Development on the Property will be limited to the construction of approximately 7,500 square feet of retail space, and a maximum of 40 multi-family dwelling units. The ground floor of the building may be developed with all uses permitted on the ground floor in § 18-95.4 of the Town of Vienna Zoning Ordinance.

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1.2. The architectural design of the building on the Property will conform generally with the character and quality of the design shown on the elevations in the Concept Plan, subject to consistency with the approved Concept Plan and the final approval of the Board of Architectural Review ("BAR") of the Town of Vienna.

1.3. The maximum height of the structure will be fifty-four feet (54') as measured pursuant to the Town of Vienna Code.

1.4. The development of the Property will be in substantial conformance with the Concept Plan, which is incorporated herein by reference.

1.5. The Applicant will install solar panels on the roof of the structure.

1.6. Notwithstanding the foregoing, upon the submission of final site plans, minor modifications and adjustments may be made to the road alignments, entrances, parking, dimensions of the SWM/BMP facilities, the exact configuration and location of building footprints, and other similar features shown on the Concept Plan necessary to accommodate best engineering practices.

2 MAINTENANCE OF THE PROPERTY.

2.1 The Applicant will maintain all exterior areas of the Property, or will ensure that such maintenance obligations are appropriately assigned to Unit or Property Owners Associations for ongoing maintenance thereof.

3 TRANSPORTATION AND MOBILITY.

3.1 The Applicant will either

3.1.1 complete the site work shown on the approved site plan for Glen Avenue at the Applicant's expense, or

3.1.2 contribute the sum of \$79,950.00 at the time of site plan approval for the purpose of traffic safety improvements along Wade Hampton Drive and Roland Street.

3.1.3 Either such alternative shall be at the sole election of the Town.

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3.2 The Applicant will construct sidewalks on Maple Avenue and Wade Hampton Drive as shown on the approved concept plans and exhibits.

4 TRANSPORTATION DEMAND MANAGEMENT (TDM).

4.1 The Applicant will implement the following TDM measures:

4.1.1 Within 180 days of issuance of the first Certificate of Occupancy for residential use, the Applicant will designate a Transportation Management Coordinator (TMC). The TMC will advise residents, tenants, and employees, of the TDM program at least once a quarter. The TMC position may be part of other duties assigned to the individual. The TMC duties will include the following:

- (i) Assist residents and employees in making effective and efficient commuting choices.
- (ii) Disseminate Metrorail, Fairfax Connector, ridesharing, and other relevant transit options to new residents, tenants, and employees.
- (iii) Solicit support from the Metropolitan Washington Council of Governments (MWCOC) Commuter Connections program, the Washington Metropolitan Area Transit Authority (WMATA), the Town of Vienna, and others.
- (iv) Provide assistance to residents and employees in forming and maintaining carpools and vanpools.
- (v) Disseminate park-and-ride lot information to prospective carpoolers and vanpoolers.
- (vi) Encourage residents and employees to ride bikes or walk to work.
- (vii) Promote the TDM Program among residents and employees through printed materials and web sites.

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5 LIGHTING.

5.1 All lighting at the rear and sides of the building along Glen Avenue and Wade Hampton Drive will be downward facing.

6 LANDSCAPING.

6.1 The applicant will place the following types of trees along the south side of Glen Avenue in the Town of Vienna right-of-way: white pine, red cedar, holly and short leaf pine. Trees selection and spacing will be done by the arborist for Town of Vienna at the time of site plan submission.

7 UTILITIES.

7.1 The electrical, telephone, and cable lines between the two utility poles located along Maple Avenue at the frontage of the Property will be placed underground. Notwithstanding this requirement, undergrounding will not require the Applicant to place such lines beneath Maple Avenue without the participation of Dominion Energy or other third parties.

[Signatures on following page.]

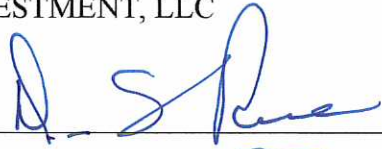
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SIGNATURE PAGE

APPLICANT:

RED INVESTMENT, LLC

By:



Name:

Dennis S. Rice

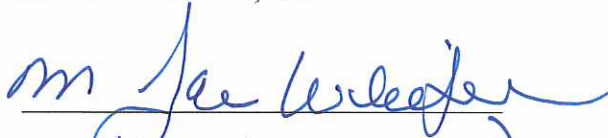
Title:

Managing Partner

APPLICANT:

MJW MAPLE AVENUE, LLC

By:



Name:

Jack Wilkenfeld

Title:

MANAGING PARTNER