

PROFFERS**SUNOCO, INC. (R&M)****PCA 90-L-050-03****August 10, 2012**

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Sunoco, Inc. (R&M) (hereinafter referred to as the "Applicant"), for themselves, successors and assigns in PCA 90-L-050-03, filed for property identified as Tax Map 80-4 ((1)) 11 and 11A (hereinafter referred to as the "Application Property") hereby proffers that the development of the Application Property shall be in accordance with the following proffers, provided that the Board of Supervisors approves PCA 90-L-050-03 and SEA 90-L-045-03. These proffers shall supersede and replace all previously approved proffers applicable to the Application Property.

1. GENERALIZED DEVELOPMENT PLAN

- a. Subject to the provisions of 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the generalized development plan/special exception amendment plat ("GDP/SEA Plat") consisting of fourteen (14) sheets, prepared by Bergmann Associates dated March 14, 2012 and revised through August 9, 2012.
- b. Subject to the provisions of Section 18-204 of the Zoning Ordinance, minor modifications to the GDP/SEA Plat may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to modify the layout shown on the GDP/SEA Plat at time of site plan based on final engineering and design provided that there is no decrease in the amount or location of open space or landscaping as shown on the GDP.

2. USES

As shown on the GDP/SEA Plat, the Application Property shall be permitted to be developed with a service station and quick service food store.

3. TRANSPORTATION

- a. The Applicant shall provide interparcel access to the property identified as Tax Map 80-3 ((1)) 6 ("Parcel 6"). This interparcel access shall be provided as generally shown on the GDP/SEA Plat, subject to the approval of the owner of Parcel 6, in the form of an easement in a form acceptable to the Fairfax County Attorney. If the owner of Parcel 6 and the Applicant

cannot agree on a location for the interparcel access in spite of diligent efforts to come to an agreement, the Applicant shall have no further obligation to provide the interparcel connection under these proffers.

- b. Upon demand by Fairfax County, the Applicant shall grant an easement at no cost to Fairfax County to accommodate a possible landing area and/or other appurtenances necessary to serve a future mid-block, grade-separated pedestrian crossing over Old Keene Mill Road in proximity to the Application Property, should such an easement be necessary based on final design of the pedestrian crossing. Should an easement be requested by the County, the easement shall be no larger than 400 square feet and provided in a location approved by the Applicant.
- c. The Applicant shall provide crosswalk across Springfield Boulevard as generally shown on the GDP/SEA Plat.

4. STORMWATER MANGEMENT/BEST MANAGEMENT PRACTICES

- a. At time of site plan approval, the Applicant shall provide stormwater management (SWM) and Best Management Practices (BMPs) as generally shown on the GDP/SEA Plat. Said facilities shall be designed in accordance with the requirements of the Public Facilities Manual and Chesapeake Bay Preservation Ordinance, unless modified by the Department of Public Works and Environmental Services (DPWES). In the event that the SWM or BMPs are relocated to meet PFM requirements, those modifications to the SWM/BMP facilities shown on the GDP/SEA Plat shall not require the approval of a proffered condition amendment as determined by the Department of Planning and Zoning (DPZ).
- b. The Applicant shall implement low impact development techniques on the Application Property to the extent feasible. Such techniques shall include a rain garden as shown on the GDP/SEA Plat.

5. LANDSCAPING AND OPEN SPACE

- a. The Applicant shall provide landscaping on the Application Property as generally shown on the GDP/SEA Plat. Deciduous trees shall have a minimum of two (2) to three (3) inch caliper.
- b. All landscaping shall be maintained in good health by the Applicant. Any items that should die shall be promptly replaced by the Applicant.
- c. The Applicant shall submit a detailed landscape plan as part of the site plan submission for review and approval by Urban Forest Management

Division (UFM). The Applicant shall utilize native species where possible as coordinated with UFM.

6. GREEN BUILDING PRACTICES

- a. To the extent feasible, the Applicant shall incorporate energy efficient practices and techniques in the proposed development.
- b. Green building practices may include, but not be limited to, the use of Glycol refrigerant, use of LED lights in medium temperature refrigerated display cases, use of high-efficiency light fixtures and bulbs, and use of recycled products and products that have low indoor air quality emissions.

7. DESIGN AND OPERATION

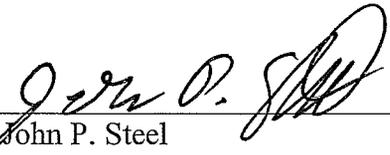
- a. The Applicant shall construct an eight (8) foot stamped concrete sidewalk as generally shown on the GDP/SEA Plat on Old Keene Mill Road and Springfield Boulevard. The Applicant shall use its best efforts to match the color of the stamped concrete to the brick pavers that will be installed pursuant to RZ 2010-LE-013 and located on property identified among the Fairfax County tax assessment records as 80-4 ((9)) 4, 5, and 6.
- b. The Applicant shall regularly monitor the parking lot for trash.
- c. The Applicant shall regularly monitor the Application Property to ensure that vehicles do not block site access points or parking areas.

8. LIGHTING

All lighting standards shall comply with Zoning Ordinance Article 14, Part 9, Outdoor Lighting Standards.

[SIGNATURES BEGIN ON NEXT PAGE]

SUNOCO, INC. (R&M)


By: John P. Steel
Its: Disposition Manager

[SIGNATURES END]