

**MOTION: COVINGTON**

January 17, 2006  
Regular Meeting  
Ord. No. 06-07

**SECOND: JENKINS**

**RE: REZONING #PLN2004-00105, WELLINGTON GLEN -  
BRENTSVILLE MAGISTERIAL DISTRICT**

**ACTION: APPROVED**

**WHEREAS**, this is a request to rezone +/- 182 ac. from A-1, Agricultural, to Planned Mixed Use District and Office/Flex. The site is located approximately 800 feet northwest of the intersection of Wellington Road and the Prince William Parkway (RT. 234), and is identified as GPIN 7596-63-0490. The site is zoned A-1, Agricultural, and is designated Regional Employment Center, Flexible Use Employment Center and Environmental Resource in the Comprehensive Plan; and

**WHEREAS**, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

**WHEREAS**, the Planning Commission held a public hearing on this item on November 2, 2005, and recommended approval, as stated in Planning Commission Res. No. 05-124; and

**WHEREAS**, a public hearing, duly advertised in a local newspaper for a period of two weeks, was held on January 17, 2006, and interested citizens were heard; and

**WHEREAS**, general welfare and good zoning practice are served by the approval of the application;

**NOW, THEREFORE, BE IT ORDAINED** that the Prince William Board of County Supervisors does hereby approve Rezoning #PLN2004-00105, Wellington Glen, subject to the proffers dated January 17, 2006;

**BE IT FURTHER ORDAINED** that the Prince William Board of County Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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**Votes:**

**Ayes:** Barg, Caddigan, Connaughton, Covington, Jenkins, Nohe, Stewart, Stirrup

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** None

**For Information:**

Planning Director

Michael Lubeley

Walsh, Colucci, Lubeley, Emrich & Terpak, P.C.

4310 Prince William Parkway, Suite 300

Prince William, VA 22192

CERTIFIED COPY

*Phillip J. Campbell*

Clerk to the Board

## PROFFER STATEMENT

**RE:** REZ #PLN2004-00105, Wellington Glen

Applicant/Record Owner: Thomas D. Larkin, Jr. and Wachovia Bank, N.A.,  
Successor Trustee

Property: Contract Purchaser: Neil K. Reinhard (as to a portion)  
G.P.I.N. 7596-63-0490

Brentsville Magisterial District

166.9 Acres A-1, Agricultural to PMD, Planned Mixed  
Use District (PMD)

15.0 Acres A-1, Agricultural to O(F), Office Flex

Date: January 17, 2006

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions. In the event the above referenced rezoning is not granted as applied for by Applicant, these proffers shall be withdrawn and are null and void. The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest.

References in this Proffer Statement to plans and exhibits shall include the following:

1. Master PMD Zoning Plan/General Development Plan – Wellington Glen, prepared by Burgess & Niple, consisting of the following sheets:
  - a. Master Zoning Plan and Generalized Development Plan (sheet 1 of 5) ("Land Use Plan"), dated September 24, 2003, last revised September 22, 2005
  - b. Transportation & Utility Plan (sheet 3 of 5) ("Transportation Plan"), dated September 24, 2003, last revised September 22, 2005
  - c. Open Space and Buffer Plan (sheet 4 of 5) ("Open Space Plan"), dated September 24, 2003, last revised September 22, 2005
2. Illustrative Plan – Wellington Glen, prepared by Burgess & Niple and dated September 24, 2003, last revised May 24, 2005 ("Illustrative Plan").
3. Wellington Glen Development Design Guidelines, dated November 22, 2004 ("Design Guidelines")

**APPROVED**

**PROFFER/DEVELOPMENT PLAN**

*Francis Burneyowski*  
Signed

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## TRANSPORTATION

### 1. Sudley Manor Drive

- a. The Applicant shall reserve and dedicate, at no cost to Prince William County ("County") or the Virginia Department of Transportation (VDOT), right of way required up to a maximum of one hundred eighteen feet (118') in width plus temporary and permanent construction, grading and slope maintenance easements and additional right of way as necessary for turn lanes through the Property in the location substantially as shown on the Transportation Plan. Said dedication shall be made at the time of final site/subdivision plan for that portion of the Property located adjacent to said right of way. In the event the dedication is requested prior to the processing of a site/subdivision plan for the Property, the Applicant shall not be responsible for the preparation or processing of plans, plats, deeds and related documents necessary for said dedication.
- b. The Applicant shall reserve and dedicate, at no cost to the County or VDOT, right-of-way consisting of approximately 6.5 acres for an urban diamond interchange at Sudley Manor Drive and the Prince William Parkway/Route 234 Bypass as substantially shown on the Transportation Plan. In the event the County or VDOT determines at any time in the future that said right-of-way will not be used for interchange purposes, the County (or VDOT) shall convey back to the Applicant said 6.5 acres if it has been dedicated to the County (or VDOT) and the Applicant shall be allowed to develop said property in accordance with the applicable zoning at the time or as it may be modified and the Applicant shall have no further obligation with reference to the reservation and dedication of right-of-way for interchange purposes. Said dedication shall be made at the time of final site/subdivision plan for the portion of the Property abutting this 6.5 acres. In the event that the dedication is requested by the County prior to the processing of a site/subdivision plan for portions of the Property which abut the area targeted for the urban diamond interchange, the Applicant shall not be responsible for the preparation or processing of plans, plats, deeds and related documents necessary for said dedication.

### 2. Wellington Road

- a. Crossover locations on Wellington Road along the frontage of the Property shall be as substantially shown on the Transportation Plan. With reference to the location of the crossover at the intersection of Street E and Wellington Road, it is specifically acknowledged by the Applicant that said intersection may be less than the desired spacing requirement from the intersections of Sudley Manor Drive and Hornbaker Road and, therefore, the location of said crossover shall be subject to review and approval by Prince William County and VDOT at the time of site

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plan.

- b. Within existing right of way, the Applicant shall construct improvements to existing Wellington Road to provide a 4-lane divided roadway with sidewalk or trail as shown on the Transportation Plan from Hornbaker Road to a transition to the existing two lane roadway at the northwestern boundary of the Property. Turn lanes shall be constructed at the intersections along the said section of Wellington Road as required in accordance with applicable County and VDOT regulations, or as otherwise approved by the Department of Public Works. Said improvements shall be bonded prior to the issuance of a building permit for the first residential unit to be constructed on the Property and shall be completed in that it shall be open for public use prior to the issuance of a building permit that results in the generation of the 7,000<sup>th</sup> cumulative vehicle trip per day (vpd) from the Property, subject to reasonable traffic control measures to accommodate ongoing development of the Property. Compliance with this proffer shall require the Applicant to provide on each final site plan a tabulation of the cumulative vpd's based on all approved final plans for the Property.
- c. If requested by the County and VDOT at the time of final site/subdivision plan review or at the time of completion of development of the Property, the Applicant shall conduct a traffic signal warrant study for each entrance at a crossover on Wellington Road along that portion of the frontage of the Property reflected on each such plan and shall submit said study to the County and VDOT for review and approval. This obligation set forth herein shall not apply to Parcels J and K. In the event the warrant study concludes that a traffic signal is warranted at an intersection, and if so requested by the County and VDOT, the Applicant shall be responsible for the provision and installation of said signal, at no cost to the County or VDOT. In the event said signal is not warranted, the Applicant shall have no further obligation with reference to said signalization. All such traffic signals installed by the Applicant shall be synchronized.

3. Hornbaker Road

- a. The Applicant shall reserve and dedicate, at no cost to Prince William County or the Virginia Department of Transportation (VDOT), right of way required up to a maximum of forty-six feet (46') from the existing centerline of Hornbaker Road across the frontage of the Property plus temporary and permanent construction, grading and slope maintenance easements and additional right of way as necessary for turn lanes at the entrance to the Property. Said dedication shall be made at the time of final site/subdivision plan for that portion of the Property located adjacent to said right of way. In the event the dedication is requested prior to the processing of a site/subdivision plan for the Property, the Applicant

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shall not be responsible for the preparation or processing of plans, plats, deeds and related documents necessary for said dedication.

- b. At the time the connection is made to Hornbaker Road from the Property, the Applicant shall construct a half section of a 4-lane undivided roadway (MC-1, Cat. V1) across the frontage of the Property plus turn lanes as required in accordance with applicable County and VDOT regulations, or as otherwise approved by the Department of Public Works.
  - c. If requested by the County and VDOT at the time of final site/subdivision plan for Parcel J or at the time of completion of development of the Property, the Applicant shall conduct a traffic signal warrant study for the intersection of Hornbaker Road and Street G (Parcel J) and shall submit said study to the County and VDOT for review and approval. This obligation set forth herein shall apply only to Parcels J and K. In the event the warrant study concludes that a traffic signal is warranted at said intersection, and if so requested by the County and VDOT, the Applicant shall be responsible for the provision and installation of said signal, at no cost to the County or VDOT. In the event said signal is not warranted, the Applicant shall have no further obligation with reference to said signalization.
4. With the approval of VDOT and the County, at the time a site plan is submitted for Parcel A, the existing tie-in of Hayden Road to Wellington Road shall be constructed as a cul-de-sac by the Applicant or eliminated altogether with primary access being provided via a relocated Hayden Road through Parcel A, as shown on the Transportation Plan.
  5. The on-site road network shall be provided as shown on the Transportation Plan subject to the approval of required permits by the applicable local, state and federal agencies. Said roadways shall be constructed at the time the adjacent Parcels are developed. Minor modifications shall be permitted at the time of final site plan based on design and engineering details.
  6. The Applicant shall provide for a public street connection from Parcel J to the Hornbaker Industrial Park property to connect to Mike Garcia Drive.
  7. The Applicant shall dedicate, and convey in fee simple, to the Prince William Board of County Supervisors, at no cost to the County, approximately 80 acres of land identified as Parcel B as generally shown on the exhibit entitled "Exhibit Wiita at Vint Hill", prepared by Burgess & Niple, Inc. and dated March 22, 2005 ("Wiita Property Exhibit"), attached hereto and incorporated herein by reference (also being identified as portions of GPINs 7395-58-5685 and 7396-11-9874), a portion of which is to be used for right of way for Rollins Ford Road between the existing committed right of way and Vint Hill Road. Said

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dedication shall be made no later than six months following Final Rezoning of the Property by the Board of County Supervisors as applied for by the Applicant. "Final Rezoning", as the term is used herein, shall be defined as that zoning which is in effect on the day following the last day upon which the Prince William Board of County Supervisors' decision granting the rezoning may be contested in the appropriate court or, if contested, the day following entry of a final court order affirming the decision of the Board of Supervisors which has not been appealed, or if appealed, the day following which the decision has been affirmed on appeal.

8. If during the course of development of the Property, it is determined by the operator of the intra- or inter-County bus system that the Property is an appropriate location for a bus stop, the Applicant shall construct a bus shelter on the Property conforming to the applicable transit company standards at a location acceptable to the Applicant and to the bus system operator for the use of the patrons of the bus system. The Applicant shall contact a representative of the applicable transit company at the time a preliminary plan is filed to determine whether a bus shelter shall be located on the Property and, if so, the appropriate location shall be identified on the applicable final plan. Confirmation from the transit company operator shall be provided with the preliminary plan noting the location of the bus shelter and outlining the terms and conditions of the installation of the bus shelter, if applicable.

#### **USES AND SITE DEVELOPMENT**

9. Development of the Property will be in substantial conformance with the Land Use Plan. The exact boundaries and acreage of each Parcel within the PMD may be increased or decreased at the time of site plan/subdivision, not to exceed ten percent (10%) of the gross area of the larger Parcel impacted by each such change.
10. The maximum number of residential units constructed on the Property shall not exceed 624 units and all such units shall be multi-family.
11. The Applicant shall construct a minimum of 40,000 square feet of nonresidential gross floor area (gfa) prior to the issuance of the building permit release letter for the multi-family building that results in the cumulative 326<sup>th</sup> residential unit. For the purposes of interpreting this proffer, construction of nonresidential gfa shall mean a building under roof with the exterior building skin in place.
12. Prior to the issuance of the building permit for the 326<sup>th</sup> cumulative residential unit on the Property, the Applicant shall construct infrastructure in Parcel J in order that Parcel J is available for immediate nonresidential development, said improvements to include, at a minimum, construction of Streets F and G and construction of the water and sanitary sewer improvements to serve Parcel J. The Applicant shall file plans for the said

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infrastructure improvements to be provided in Parcel J no later than with the first final plan for residential units on the Property.

13. The Applicant shall have the right to construct retail commercial uses on the Property in accordance with the use and development parameters of the respective zoning classifications but in no event shall the maximum retail commercial component be greater than ten percent (10%) of the gross floor area (gfa) of the cumulative nonresidential gfa constructed on the Property at any time. The Applicant shall provide a tabulation on each final site plan filed for the nonresidential PMD zoned portion of the Property identifying the cumulative retail gfa, both in square feet and as a percentage of the total cumulative nonresidential gfa.
14. No building permit release letter shall be issued for residential units on the Property prior to construction of Sudley Manor Drive from its existing terminus northeast of Linton Hall Road to the Prince William Parkway or twelve (12) months after rezoning of the Property, whichever occurs first. For purposes of interpreting this proffer, construction of Sudley Manor Drive shall mean that said road is open for public use, though not necessarily yet accepted into the State System for maintenance. This proffer shall not preclude the processing of plans through the County but shall only apply to the issuance of a building permit release letter for residential units.
15. Handicapped parking spaces shall be provided in connection with development of the Property in accordance with the Prince William County Design and Construction Standards Manual.

#### COMMUNITY DESIGN

16. All development on the Property shall be in substantial conformance with the design concepts and details set forth in the Design Guidelines. The building layout for the residential development in Parcel C shall be substantially as shown on the Illustrative Plan (as opposed to the Illustrative Layout Plan contained in the Design Guidelines) subject to modifications required to accommodate stormwater management facilities within said Parcel. Notwithstanding, the building layout and configuration in the nonresidential areas as depicted on the Illustrative Plan may be modified to accommodate specific users but in no event shall the layout and configuration on those portions of the Parcels located immediately adjacent to Wellington Road and Hornbaker Road result in more than fifty percent (50%) of the parking being located between the Wellington Road and Hornbaker Road frontages and the buildings.
17. The Applicant shall create covenants, conditions and restrictions to coordinate development within each Parcel, which include such items as architectural controls, signage, building materials, lighting and landscaping, all in accordance with the Design

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Guidelines. Association(s) or other identifiable single entity (i.e., owner) shall be formed to oversee the on-going management and maintenance of property within each Parcel, including landscaping and maintenance of common areas.

18. Applicant shall provide a pedestrian network, consisting of sidewalks or trails along streets within each Parcel and additional pedestrian connections between Parcels. The pedestrian connections may vary in width, but shall be a minimum of four feet in width. All pedestrian links shall be shown on the applicable final site plan for the portion of the Property to be developed, shall consist of materials appropriate to serve their function and the character of the area, and shall be designed and constructed at the time each Parcel, or portion thereof, is developed.
19. Subject to approval by Prince William County, the Applicant shall provide a streetscape along the Sudley Manor Drive and Wellington Road frontages of the Property in accordance with the following and as more particularly shown on the Open Space Plan. Said streetscape shall be shown on each final site/subdivision plan that includes frontage on Wellington Road and/or Sudley Manor Drive.
  - a. A landscape area a minimum of sixty feet (60') in width from the existing edge of right of way on the south side of Wellington Road along the frontage of the Property, with the exception of the areas encumbered by the Transcontinental Gas Pipe Line Easement and Resource Protection Area ("RPA"). Within said landscape area, trees shall be planted at a rate of one tree every fifty feet (50') with lower shrubbery interspersed among the trees and existing vegetation shall be retained in the areas encumbered by the said easements and RPA.
  - b. A landscape area a minimum of fifty feet (50') in width from the existing edge of right of way on the north side of Wellington Road along the frontage of Parcels A, B and F, with the exception of the areas encumbered by the GTE Easement and RPA. Within said landscape area, trees shall be planted at a rate of one tree every fifty feet (50') with lower shrubbery interspersed among the trees and existing vegetation shall be retained in the areas encumbered by the said easements and RPA.
  - c. A landscape area a minimum of thirty feet (30') in width from the edge of right of way along the Sudley Manor Drive frontages of the Property, with the exception of the areas encumbered by the Transcontinental Gas Pipe Line Easement and RPA. Within said landscape area, trees shall be planted at a rate of one tree every fifty feet (50') with lower shrubbery interspersed among the trees and existing vegetation shall be retained in the areas encumbered by the said easements and RPA.

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20. Landscaping provided on the Property shall include drought resistant and native species appropriate to the location and climate of the area, compliance with which shall be demonstrated on all final site/subdivision plans.
21. The Applicant shall have the right to construct covered parking spaces (carports) and/or detached garages in Parcel C for the residential units, provided that no such garage units shall be located between a residential building and immediately adjacent public right-of-way.
22. Comprehensive Sign Plan. Prior to the approval of the first final site plan for the nonresidential Parcels, the Applicant shall develop a comprehensive sign plan for the nonresidential portion of the Planned Mixed Use District (PMD). Said comprehensive sign plan shall be in accordance with all applicable ordinances and shall be submitted to the Planning Director, or his designee, for review and approval, including the approval of sign permits.
23. The Applicant shall have the right to locate project identification signs for the residential and nonresidential uses at the respective entrances to the Property in the locations as generally shown on the Open Space Plan, subject to approved sign permits. The exact location of each said sign shall be determined at the time the comprehensive sign plan is submitted to the Planning Director for review and approval pursuant to proffer #22 above provided, however, that the Applicant shall be allowed to locate said identification signs on one or both sides of the road at the respective entrances.

#### PARKS AND RECREATION

24. The Applicant shall dedicate, and convey in fee simple, to the Prince William Board of County Supervisors, at no cost to the County, the approximately 80 acres of land referenced in proffer #7 above and as generally shown on the Wiita Property Exhibit (also being identified as portions of GPINs 7395-58-5685 and 7396-11-9874), said property to be used for parks and recreation purposes less that portion to be dedicated for public street purpose for Rollins Ford Road as set forth in proffer #7 above. Said dedication and conveyance shall be made no later than six months following Final Rezoning of the Property by the Board of County Supervisors as applied for by the Applicant.
25. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$250,000 to be used for engineering, design, planning and/or development of recreational facilities on the property dedicated to the County pursuant to proffer #24 above. Said contribution shall be paid at the time the building permit release letter is issued for the first residential building on the Property.

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26. Applicant shall provide recreational amenities for the residential units located on the Property, said amenities to include, at a minimum, a minimum 25-meter, six lane, swimming pool and clubhouse, a multi-purpose or tennis court and a tot lot. The Applicant shall file a final site plan for the recreation center/clubhouse complex and shall in good faith and with due diligence pursue its approval prior to or concurrent with the first final site plan for residential units on the Property. Following approval of the site plan for the recreation center/clubhouse complex, the Applicant shall commence construction on said facilities as soon as reasonably practicable with the stated objective of completing construction of said facilities as part of the first phase of the residential development.

### CULTURAL RESOURCES

27. At the time a Sketch Plan is submitted to the County for Parcels F and G, as said Parcels are identified on the Land Use Plan, the Applicant shall provide a cemetery delineation to determine the extent to which a cemetery, if any, is located in Parcels F and G. In the event there is an existing cemetery, or portion thereof, on these Parcels, said cemetery or portion thereof shall be protected in accordance with the Zoning Ordinance.
28. The Applicant shall perform a Phase I cultural resource investigation as defined by the Virginia Division of Historic Landmarks for that portion of the property located within Parcels I, J and K, as said Parcels are identified on the Land Use Plan. A report documenting the results of the investigation shall be submitted to the Planning Director no later than with the submission of the Sketch Plan for Parcels I, J and K. In the event the findings of the Phase I indicate that sufficient further investigation is warranted to justify a Phase II or Phase III investigation with reference to specific locations and/or resources on Parcels I, J and K, the Applicant shall conduct such Phase II and/or Phase III investigation in connection with such sites and resources to the extent that they are located on Parcels I, J and K prior to and as a condition of final plan approval for the affected areas and shall implement the recommendations of said investigations.

### ENVIRONMENTAL

29. Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre for water quality monitoring. Said contribution shall be paid prior to and as a condition of the issuance of the first land development permit for each plan and shall be based on the gross acreage reflected on each such approved plan.
30. The specific design of wet and dry ponds and the plant materials shall be determined at the time of final site/subdivision plan, however, the following parameters shall be applied:

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*Francis Burnogynski*  
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- a. In the event the SWM/BMP facilities are constructed as dry ponds, the perimeter of each such dry pond shall be landscaped with a minimum of fifty (50) plant units per one hundred linear feet around the perimeter of the pond exclusive of dam embankment.
  - b. In the event wet ponds are constructed, landscaping for such ponds shall utilize a wetland bench for emergent vegetation. In addition, shrubs, ornamental trees and shade trees shall be planted around the pool.
31. Applicant shall provide double tiered erosion and sedimentation control measures or its equivalent in connection with development and land disturbing activity on the Property which is within fifty feet (50') of slopes greater than twenty-five percent (25%) and located adjacent to intermittent streams or located immediately adjacent to an RPA on the Property. A note shall be included on the applicable final site plan(s) that identifies the specific measures to be utilized on the Property.
  32. The final location of stormwater management ponds/facilities shall be determined at the time of final plan. In the event the location of the SWM ponds/facilities as shown on the Transportation Plan and Illustrative Plan change at the time of final site plan, the areas shown as "Potential SWM Ponds" on the Transportation Plan and Illustrative Plan shall be incorporated into the respective land bay and may be developed with the uses permitted in each respective land bay subject to restrictions as may otherwise be set forth in the proffers.

#### **LIBRARIES**

33. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$224 per multi-family unit constructed on the Property to be used for library purposes. Said contribution shall be paid prior to and as a condition of the issuance of a building permit release letter for each residential building constructed on the Property and the amount paid shall be based on the number of units in each said building.

#### **FIRE & RESCUE**

34. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$346 per multi-family unit constructed on the Property to be used for fire and rescue facilities. Said contribution shall be paid prior to and as a condition of the issuance of a building permit release letter for each residential building constructed on the Property and the amount paid shall be based on the number of units in each said building.

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*Francis Burmagynski*  
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35. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in an amount not to exceed a maximum of \$0.38 per square foot of gross floor area of nonresidential space constructed on the Property to be used for fire and rescue purposes in the area. Said contribution shall be paid prior to and as a condition of the issuance of the building permit release letter for each building constructed on the Property and the amount paid shall be based on the gross floor area of each said building.

### SCHOOLS

36. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$3,492 per multi-family unit constructed on the Property to be used for school facilities. Said contribution shall be made on a per unit basis prior to and as a condition of the issuance of a building permit release letter for each residential building constructed on the Property and the amount paid shall be based on the number of units in each said building.

### AFFORDABLE HOUSING

37. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$250 per dwelling unit to be used for the Housing Preservation and Development Fund. Said contribution shall be paid prior to and as a condition of the issuance of a building permit release letter for each residential building constructed on the Property and the amount paid shall be based on the number of units in each said building.

### WATER AND SEWER

38. The Property shall be served by public sanitary sewer and water and the Applicant shall be responsible for the costs and construction of those on and off-site improvements required in order to provide such service for the demand generated by the development on the Property.
39. Acceptance and approval of this rezoning application by the Board of County Supervisors authorizes the location and provision of those public uses and facilities specifically referenced on the MZP/GDP, Transportation & Utilities Plan, in this proffer statement, and the extension and construction of water and sewer lines and facilities and roads necessary to serve this property pursuant to the Virginia Code Section 15.2-2232 and the Prince William County Code Section 32-201.13.1. The general area of location of these uses and facilities are as shown on the Transportation & Utilities Plan with the exact locations to be determined based on final engineering and as approved by Prince William County.

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*Francis Burnegzynski*  
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40. The Applicant shall provide a thirty foot (30') wide sanitary sewer easement along the southeastern boundary of Parcels J and K from Hornbaker Road to the southwestern boundary of the Property for purposes of construction of a 36" sanitary sewer force main by the Service Authority as a part of the upgrade/replacement of the Linton Hall Sewage Pump Station. Said easement shall be granted to the Service Authority upon the request of and at no cost to the Service Authority. This easement may cross the required perimeter buffer along the property boundary but shall not be located parallel within said buffer and shall be located on the development side of the said buffer.

#### MISCELLANEOUS

41. In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors ("Board") within eighteen (18) months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in this Proffer Statement which are paid to the Board after eighteen (18) months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of 6 percent (6%) per year, noncompounded.

#### WAIVERS/MODIFICATIONS

42. Modification of Sections 250.31 and 280.14 of the Zoning Ordinance and Sections 802.10, 802.11 and 802.12 of the DCSM to waive all internal buffers between uses on the Property, except as set forth in paragraph a. below, and to modify the PMD perimeter buffer in accordance with the following:
- a. The open space/conservation area located in Parcels C and E, as shown on the Open Space Plan, and the existing vegetation located therein, shall satisfy the buffer requirement and planting standard between the residential units in Parcel C and the nonresidential uses in Parcel E.
  - b. Waive the buffer along the eastern boundary of Parcel I and the northern boundary of Parcel J adjacent to vacant land owned by the Commonwealth of Virginia.
  - c. Sixty foot (60') wide landscape area shall be provided along the southwest side of Wellington Road (along the frontage of Parcels C, E and H). Within said

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*Francis Buraczynski*

Signed

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landscape area, existing utilities shall be permitted and landscaping shall be provided in accordance with the streetscape treatment set forth in proffer #19.a above.

- d. Waive the buffers along the northern, southern and eastern boundaries of Parcel F except where Parcel F abuts the Route 234 Bypass in which case a fifty foot (50') wide buffer shall be provided.
  - e. Fifty foot (50') wide landscape area shall be provided along the northeast side of Wellington Road along the frontage of Parcels A, B and F. Within said landscape area, existing utilities shall be permitted and landscaping shall be provided in accordance with the streetscape treatment set forth in proffer #19.b above.
  - f. Waive the buffers along the southern and western boundaries of Parcel G, except that a 25' wide buffer shall be provided on Parcel G adjacent to the existing cemetery located on the adjacent property to the east.
  - g. Where the buffers and landscape areas set forth above are located within RPAs or major utility easements (Transcontinental and Colonial), existing vegetation shall satisfy the planting standard for such buffers areas and no supplemental plantings shall be required.
43. Modification of Section 32-306.10 of the Zoning Ordinance to allow a single multi-family unit type in Parcel C rather than two unit types with associated development standards as set forth in the Design Guidelines.

**APPROVED**

PROFFER/DEVELOPMENT PLAN

*Francis Burnsynski*  
Signed

1/17/06

Date

OFFICE OF PLANNING

REZ #PLN2004-00105, WELLINGTON GLEN  
SIGNATURE PAGE

Thomas D. Larkin, Jr.  
Thomas D. Larkin, Jr.

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
Francis A. Burgin  
Signed  
1/17/06  
Date  
**OFFICE OF PLANNING**



REZ #PLN2004-00105, WELLINGTON GLEN  
SIGNATURE PAGE

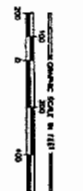
Wachovia Bank, N.A., Successor Trustee

By: Paul E. Bennett

Name: Paul E. Bennett

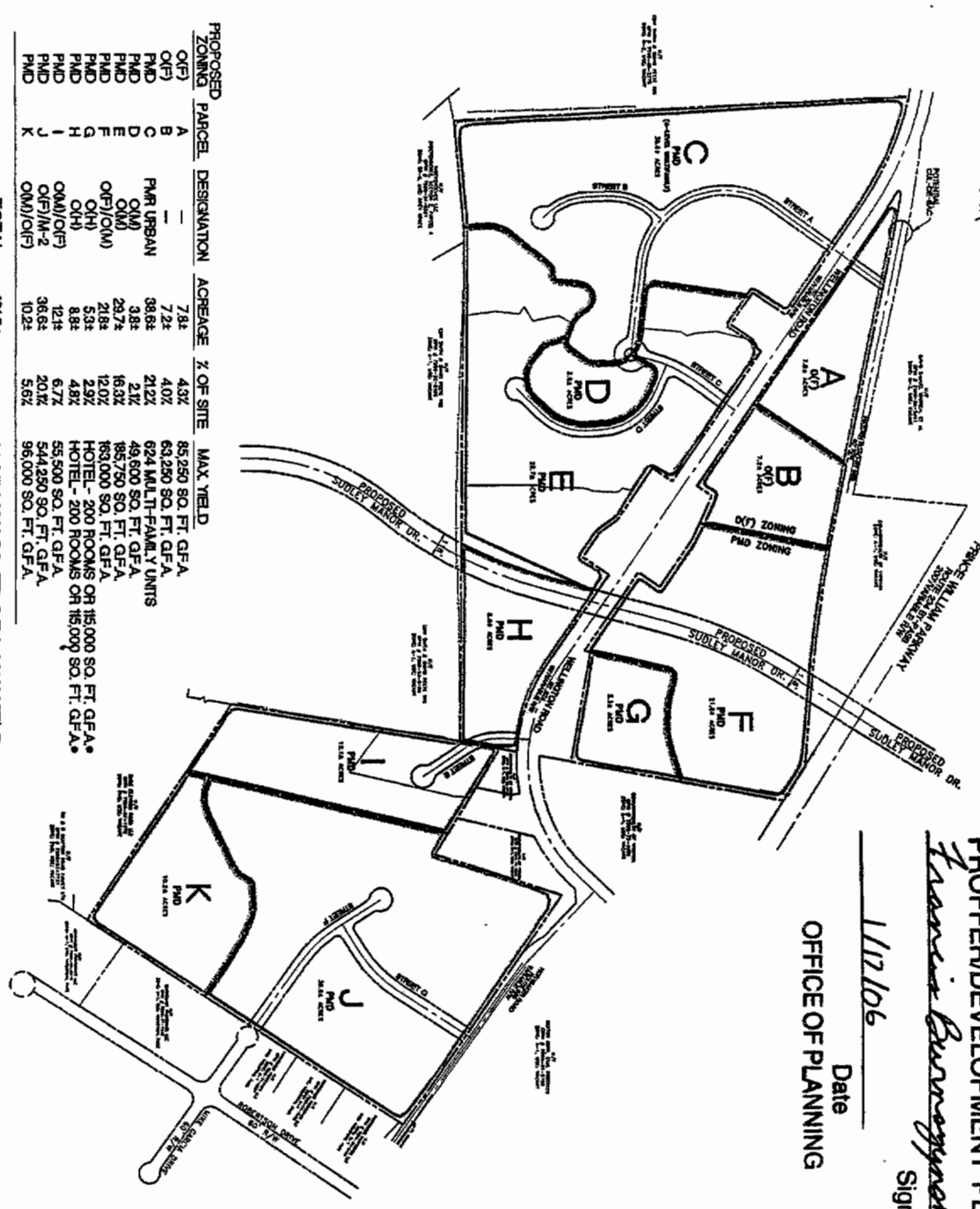
Title: Vice President

APPROVED  
PROFFER/DEVELOPMENT PLAN  
Trana O. Burns  
Signed  
1/17/06  
Date  
OFFICE OF PLANNING

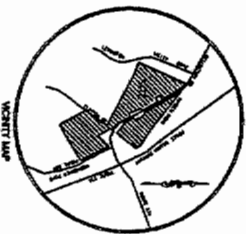


PROPOSED ZONING	PARCEL	DESIGNATION	ACREAGE	% OF SITE	MAX. YIELD
OF(F)	A	—	7.84	4.3%	85,250 SQ. FT. G.F.A.
PMD	B	PMR URBAN	98.84	4.0%	63,250 SQ. FT. G.F.A.
PMD	C	—	3.84	2.1%	624 MULT-FAMILY UNITS
PMD	D	—	28.74	16.3%	48,800 SQ. FT. G.F.A.
PMD	E	OF(F)/OH(M)	21.84	12.0%	85,750 SQ. FT. G.F.A.
PMD	F	OH(H)	5.34	2.9%	83,000 SQ. FT. G.F.A.
PMD	G	OH(H)	8.84	4.8%	HOTEL - 200 ROOMS OR 115,000 SQ. FT. G.F.A.
PMD	H	OH(M)/OF(F)	12.14	6.7%	HOTEL - 200 ROOMS OR 115,000 SQ. FT. G.F.A.
PMD	I	OH(M)/OF(F)	36.64	20.4%	55,500 SQ. FT. G.F.A.
PMD	J	OH(M)/OF(F)	10.24	5.6%	544,250 SQ. FT. G.F.A.
PMD	K	—	10.24	5.6%	96,000 SQ. FT. G.F.A.
<b>TOTAL:</b>			<b>181.94</b>		

12 MILLION SQ. FT. G.F.A. MAX YIELD  
 • PLUS 400 ROOMS OR UP TO  
 230,000 SQ. FT. ADDITIONAL G.F.A.



**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
*Francis Burroughs & Niple*  
 Signed  
 Date 1/17/06  
 OFFICE OF PLANNING



- GENERAL NOTES:**
- TITLE BLOCK HAS BEEN FURNISHED BY WAINWRIGHT, FROSTICK & ASSOCIATES, INC.
  - PROPERTY SHOWN HEREIN IS LOCATED ON G.E. 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
- DEVELOPMENT NOTES:**
- PROPOSED ZONING IS: OF(F) - 184.54 ACRES
  - OF(F) - 184.54 ACRES WITH 11.19 ACRES WITHIN 100' BUFFER OF 800' AND OTHER STRIPS OF ASBESTOS YARDING WAINWRIGHT AND ENHANCED STRIPS.
  - OF(F) - 184.54 ACRES WITHIN 100' BUFFER OF 800' AND OTHER STRIPS OF ASBESTOS YARDING WAINWRIGHT AND ENHANCED STRIPS.



PWC PROJ# PPI 2003-00083  
 PWC REZ # PLN 2004-00105

<p>MASTER ZONING PLAN AND GENERALIZED DEVELOPMENT PLAN</p> <p><b>WELLINGTON GLEN</b></p> <p>BRENTSVILLE MAGISTERIAL DISTRICT              PRINCE WILLIAM COUNTY, VIRGINIA</p>		<p>DATE: 1-17-06</p> <p>BY: [Signature]</p> <p>FOR: [Signature]</p>	<p>BURGESS &amp; NIPLE</p> <p>1700 BAY FORTY LANE, SUITE 100, FARMERSBURG, VA 22432</p> <p>PH: (540) 876-8800 FAX: (540) 876-8700</p>
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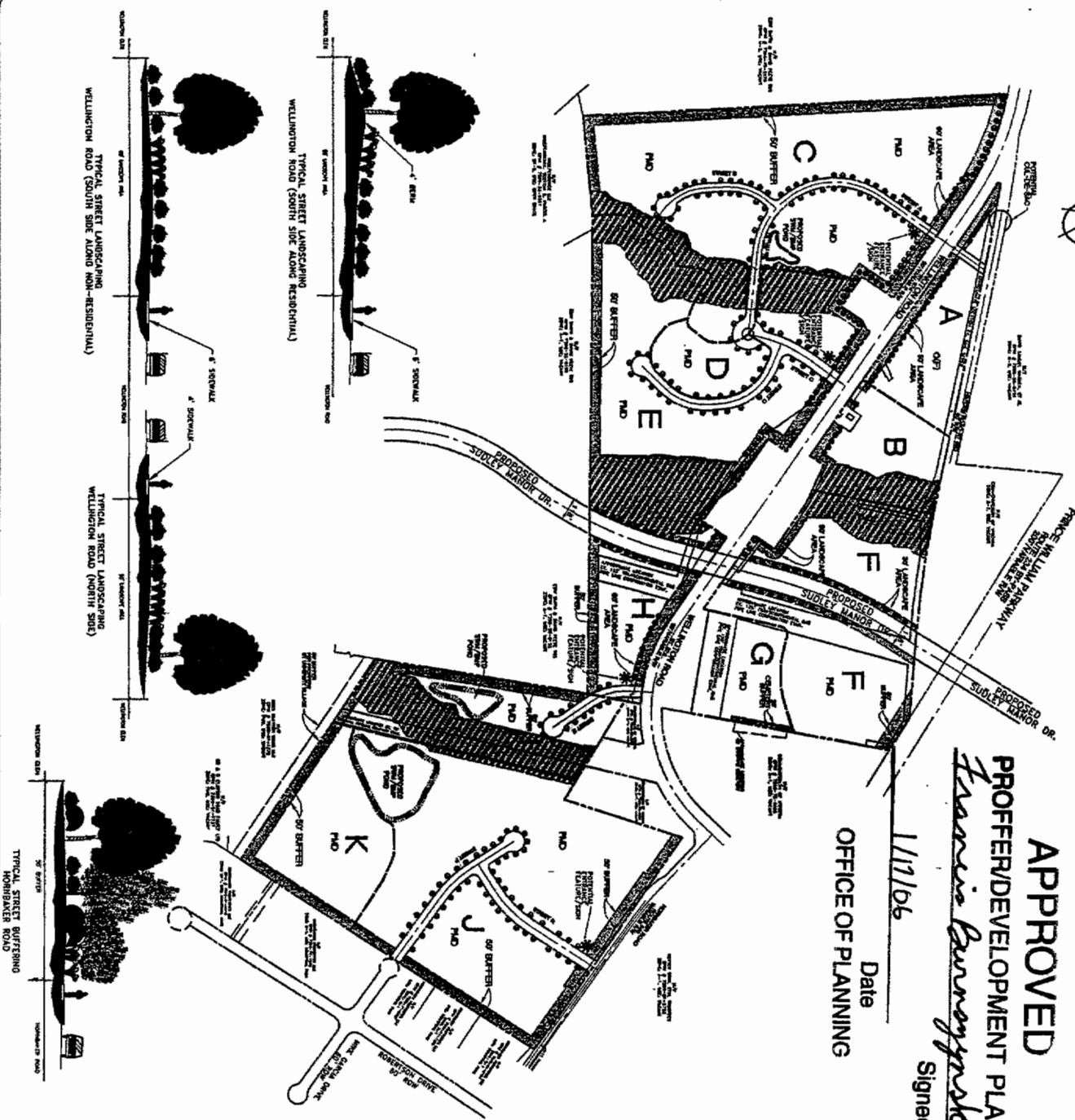
**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
*Francis Burrows*  
 Signed

1/11/06  
 Date  
 OFFICE OF PLANNING

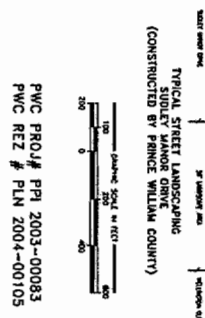


**GENERAL NOTES:**

1. THE ABSTRACT HAS BEEN FURNISHED BY WANDERBROOK, PROFFICK AND HERBMAN, DATED JANUARY 23, 2003.
2. THE ADJACENT SECTION HEREON IS LOCATED ON A.P.M. PLAN NUMBER 2187, SUBDIVISION 11, WASHINGTON COUNTY, VIRGINIA.
3. THE PROPERTY IS CURRENTLY ZONED M-1, 1770 WASHINGTON ROAD.
4. THE OWNER OF THE PROPERTY ARE THOMAS D. CARSON, JR. AND BONNORRY INFORMATION SHOWN HEREON IS TAKEN FROM A PUBLIC LAND TITLE SURVEY PREPARED BY BURNESS & NIPLC, INC. DATED MAY 13, 2003.
5. THE TOTAL AREA OF THIS SITE IS 181.88 ACRES.
6. THE PROPERTY SHOWN HEREON IS NOT IMPACTED BY A 100-YEAR FLOODPLAIN. FLOODPLAIN INFORMATION DETERMINED IN ACCORDANCE WITH SECTION 46.2-400 OF THE VIRGINIA CODE AS AMENDED, EFFECTIVE DATE, JANUARY 2, 1993. (VIRGINIA NUMBER 1979-2-12).
7. THE SITE IS LOCATED ON CHESAPEAKE OVERLAY DISTRICT SHEET S OR S1555/00000. EFFECTIVE DATE, JANUARY 2, 1993. (VIRGINIA NUMBER 1979-2-12).
8. THERE ARE NO KNOWN CHALLENGES ON HISTORICAL SITES ON THE PROPERTY.
9. A REPORT ON SITE ASSESSMENT FOR LANDMARK PROPERTY (PLANS-0411) WAS APPROVED JULY 21, 2003. THIS PLAN HAS BEEN REVIEWED WITH PFD 104-00019 FOR WELLINGTON GLEN IN AUGUST, 2003.
- 10.
- 11.



- LEGEND:**
- OPEN SPACE - 4628 ACRES
  - RESOURCE PROTECTION AREA INCLUDED IN OPEN SPACE CALCULATION
  - TYP. DISCOURAGED STREET TREE
  - ★ POTENTIAL ENTRANCE PLANTING



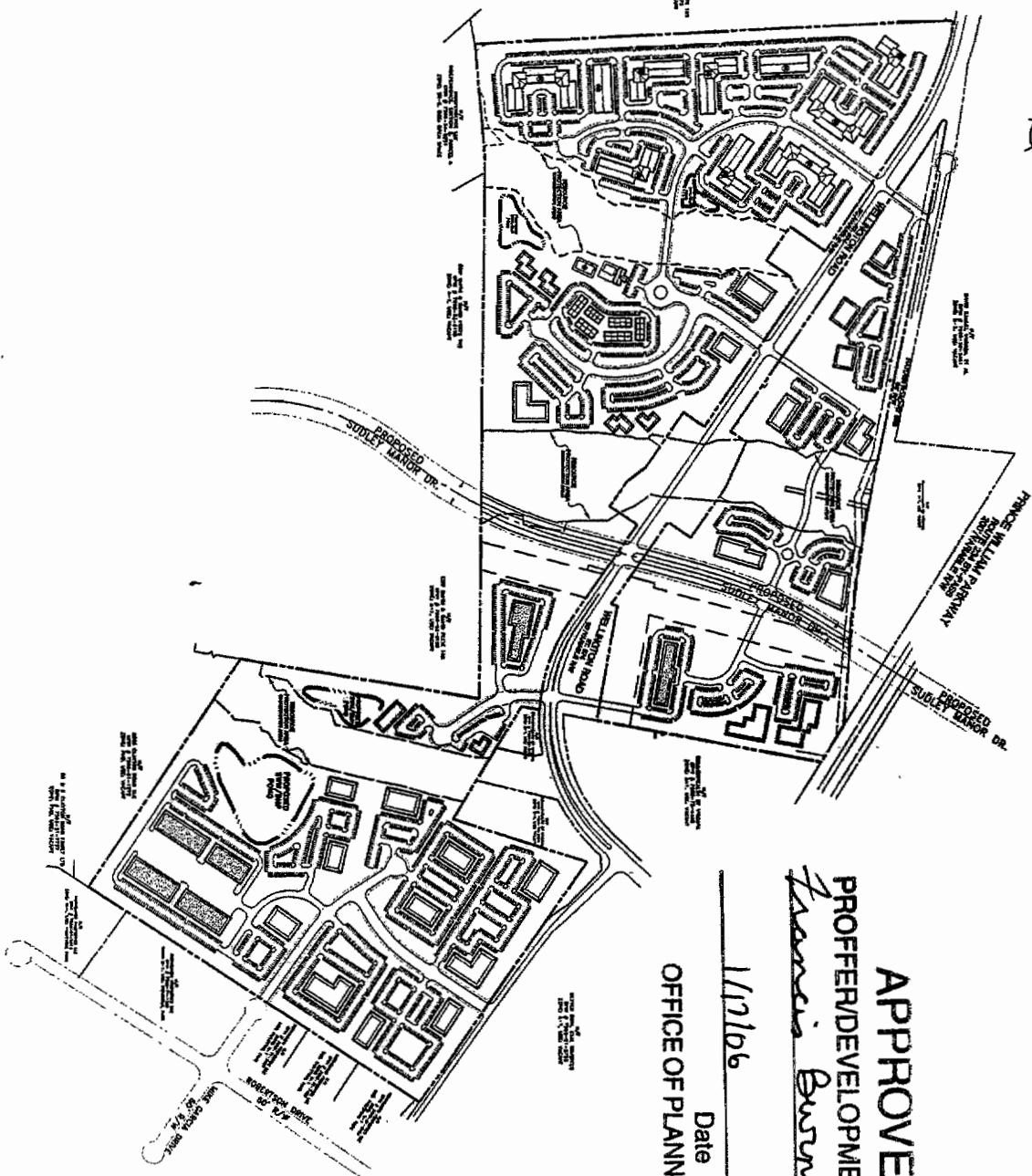
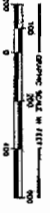
PWC PROJ# PPI 2003-00083  
 PWC REG # PLAN 2004-00705

DATE	BY	SCALE
11/1/06	JTB	AS SHOWN
11/1/06	JTB	AS SHOWN
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OPEN SPACE AND BUFFER PLAN  
**WELLINGTON GLEN**  
 BRENTSVILLE MAGISTERIAL DISTRICT  
 PRINCE WILLIAM COUNTY, VIRGINIA

PER COUNTY COMMENTS	DATE
LAND USE BOARD	8-27-05
PLN. BLDG. SPACE PER COUNTY COMMENTS	8-27-05
PER COUNTY COMMENTS	7-24-05
PER COUNTY COMMENTS	8-2-05
PER COUNTY COMMENTS	7-1-05
PER COUNTY COMMENTS	8-1-05
PER COUNTY COMMENTS	8-1-05
PER COUNTY COMMENTS	8-1-05
PER COUNTY COMMENTS	8-1-05
PER COUNTY COMMENTS	8-1-05

**BURGESS & NIPLC**  
 1730 BLACK FORT LANE, SUITE 100, WOODBRIDGE, VA 22192  
 PH: (703) 670-6100 FAX: (703) 670-4250



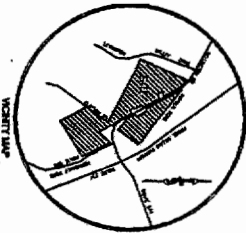
**APPROVED**

**PROFFER/DEVELOPMENT PLAN**

*Francis Burzynski*  
Signed

1/12/06

Date  
OFFICE OF PLANNING



**LEGEND**

CENTRAL WASHINGTON  
ORANGEVALE, VA

PNC PROJ # PPL 2003-00083  
PNC REZ # PLM 2004-00103

**ILLUSTRATIVE PLAN**  
**WELLINGTON GLEN**

BRENTSVILLE MAGISTERIAL DISTRICT  
PRINCE WILLIAM COUNTY, VIRGINIA

COUNTY COMMENTS	5-24-2005
REVISIONS	DATE

**BURGESS & NIPLE**  
13700 BLACK FOREST LANE, SUITE 400, ROANOKE, VA 24012  
PH (703) 679-0428 FAX (703) 679-8228