County of Fairfax, Virginia
Planning Commission Meeting
October 14, 2026
Planning Commission Action

RZ/FDP-2023-SU-00007 CONCURRENT WITH PCA-75-2-016-04 (RZPA 2023-SU-00037) AND RZ/FDP-2025-SU-00024 CONCURRENT WITH PCA-75-2-016-05 – K. HOVNANIAN AT LINCOLN PARK, LLC
(Sully District)

PLANNING COMMISSION RECOMMENDATIONS:

On October 14, 2026, the Planning Commission voted 9-0-1 (Commissioners Clarke and James Thomas were absent from the meeting. Commissioner Batchelor-Causey abstained from the vote) to recommend to the Board of Supervisors approval of the following applications and adoption of the proposed ordinances amending the Zoning Ordinance and reflecting approval of these applications:

- PCA-75-2-016-04;
- PCA-75-2-016-05;
- RZ-2023-SU-00007 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated September 29, 2026;
- RZ-2025-SU-00024 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated September 29, 2026;
- Waiver of subsection 2105.5.B(2) requiring a minimum 200 square foot yard for each townhome unit;
- Modification of subsection 5107.3.A(2) to permit private streets not less than 22 feet in width from 24 feet in width; and
- Waiver of subsection 5107.3.A(3) to permit private streets greater than 600 feet in length, as shown on the CDP/FDP.

In a related action, the Planning Commission voted 9-0-1 (Commissioners Clarke and James Thomas were absent from the meeting. Commissioner Batchelor-Causey abstained from the vote) to approve FDP-2023-SU-00007 and FDP-2025-SU-00024.

ATTACHED DOCUMENTS:
Proffers dated September 29, 2026 (Lincoln Park I)
Proffers dated September 29, 2026 (Lincoln Park II)

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PROFFERS

RZ/FDP-2023-SU-00007, PCA-75-2-016-04
K. HOVNANIAN AT LINCOLN PARK, LLC

September 29, 2026

PREAMBLE

Pursuant to Section 15.2-2303(a) of the Code of Virginia (1950, as amended) and Article 8-8100.2.D of the Zoning Ordinance of Fairfax County (2021, as amended), the property owner and the Applicant, for themselves and their successors and/or assigns (hereinafter referred to as the "Applicant"), hereby proffer that the development of the parcels under consideration and shown on the Fairfax County tax map as Tax Map Numbers 024-4 ((01)) 0006F and 0006E (the "Property") must be in accordance with the following conditions if, and only if, Rezoning/Final Development Plan applications RZ/FDP-2023-SU-00007, and PCA-75-2-016-04 (this "Rezoning") are granted. Upon approval, these Proffers will supersede any and all previously approved proffers and development conditions associated with RZ-75-2-016 and subsequent amendments, as they apply to the Property.

GENERAL

1. Conceptual/ Final Development Plan. Any development of the Property must be in substantial conformance with the Conceptual Development Plan (“CDP”) and Final Development Plan (“FDP”) entitled “Lincoln Park I”, prepared by VIKA dated September 03, 2025 and revised through August 18, 2026.

2. Elements of CDP. Notwithstanding the fact that the CDP and FDP are presented on the same plan, the elements that are components of the CDP are limited to the perimeter’s general points of access, the general location of the buildings, the proposed uses, the maximum number of dwelling units, dwelling type, amount, general location and character of urban parkland, minimum amount of open space, the maximum building heights, build-to lines, the grid of streets, and general character and quality of streetscape, and only a future amendment to such elements will require a subsequent Conceptual Development Plan Amendment ("CDPA") and/or Proffered Condition Amendment ("PCA").

3. Minor Modifications. Minor modifications to the CDP/FDP may be permitted when necessitated by final site design or engineering, pursuant to Article 8 of the Zoning Ordinance.

4. Future Applications. Any portion of the Property may be the subject of a Conceptual Development Plan Amendment ("CDPA"), Final Development Plan Amendment (“FDPA”), Proffered Condition Amendment ("PCA"), Rezoning ("RZ"), Special Exception ("SE"), Special Exception Amendment (“SEA”), Special Permit ("SP"), Variance or other zoning action without the joinder and/or consent of the owner(s) of the other land area(s), provided that such application complies with Section 8100.2 of the Zoning Ordinance and Section 15.2-2302 of the Code of Virginia, as applicable. Previously approved proffered conditions or development conditions applicable to a particular portion of the Property that are not the subject of such an application will remain in full force and effect.

5. Model Home Sales Office. The Applicant will be permitted under 4102.8.G of the Zoning Ordinance to use any part, or all, of any unit, as a model home with a sales office, until these units are sold.

6. Maximum Unit Count. The maximum number of units must not exceed the maximum dwelling units for each unit type consisting of a maximum of 109 stacked (or back-to-back) townhomes and 75 single family attached for a total of 184 residential units as stated on the CDP/FDP tabulations sheet.

7. Establishment of Common Owners Association (COA). Prior to issuance of the first Residential Use Permit ("RUP") for the Property, the Applicant will establish a common association in accordance with Virginia law to govern the Property. The COA will include all of the reciprocal easement agreements, or declarations of covenants and agreements dealing with the governance of maintenance and operation of the Property or other governance documents which will legally bind the Property (collectively referred to as the "Governance Documents"). At a minimum, the COA and the owners of each townhouse unit must be members of the Common Association. The respective Governance Documents (including budgets provided in any offering or sale materials) must specify the various proffer and maintenance obligations set forth in these Proffers, including the maintenance of certain streets, retaining walls, stormwater facilities, associated sidewalks and streetscapes, and site amenities such as, but not limited to, the publicly accessible onsite recreation areas. The Governance Documents must disclose that the community open space areas are open to the general public.

8. Disclosure. Prior to entering into a contract of sale, prospective purchasers of any residential units must be provided with a disclosure package that will include a detailed description of how the Project is governed, and the maintenance responsibility for the private roadways, walkways, stormwater management facilities, retaining walls, common area landscaping and any other open space amenities. The package must also contain a disclosure explaining that the community open space areas are open to the general public.

9. Community Center Use. A community center use is permitted as a secondary use as shown on the CDP/FDP. This community center use, or club house adjacent to the pool is for the use of residents and their guests.

10. Interim Condition. Prior to the redevelopment of the property to the north (Tax Map # 0244 01 0006D3) the Applicant will provide the vehicular and pedestrian connections to the north, as noted in the CDP/FDP "Interim Condition" Sheet C-07A.

11. Architecture. At the time of site plan, it will be demonstrated to Land Development Services (LDS) that the architectural design of the proposed buildings must be in substantial conformance with the bulk, mass, proportion and type and quality of materials shown on the CDP/FDP. The primary building material of all facades of all units, including any ADU units (defined below), exclusive of trim, will include primarily high quality materials such as brick, stone, horizontal or vertical cementitious siding or other similar materials. In addition, any side or rear façade will also be constructed primarily of such high-quality materials as depicted in the CDP/FDP. The location and number of building exterior entrances/stoops are illustrative and will be finalized at the time of final site plan approval. The maximum permitted building height is 55' feet for the stacked townhomes, and 50' for the townhomes as depicted on the CDP/FDP. Final design of building architecture, landscape design, and public spaces may be permitted, so long as in substantial conformance with the CDP/FDP as described above. Units may include either peaked roofs or flat roofs, and may contain rooftop decks, as shown

on the CDP/FDP. Prior to the issuance of the building permit, it will be demonstrated to the satisfaction of Land Development Services (LDS) that the final architectural design is in substantial conformance with the general type, quality and proportion of materials depicted in building perspectives shown on the CDP/FDP and that the colors of the front, side and rear of the units are varied as shown on the CDP/FDP

12. Universal Design.

A. At the time of initial purchase of the units, where construction has not yet started, the Applicant will make available upon request to each purchaser the following Universal Design options at no additional cost:

i. Blocking for reinforcement of grab bars in accordance with the Fair Housing Accessibility Guidelines.

ii. Front entrance doors that are a minimum of 36 inches wide.

iii. Light switches and thermostats a maximum of 48 inches high, as measured from the floor to the bottom of the fixture.

iv. Lever door handles and faucets instead of knobs.

v. Electrical outlets a minimum of 18 inches high, as measured from the floor to the bottom of the fixture.

B. At the time of initial purchase of the units, where construction has not yet started, the Applicant must make available upon request to each purchaser additional Universal Design options at the purchaser's sole cost. These additional options may include, but are not limited to:

i. A shower with a maximum curb of 2 inches high.

ii. Clear knee space of 27 inches under the kitchen sink.

iii. A bathroom on the entry level (for ground level units) which meets the accessibility specifications for a Type A bathroom under the Fair Housing Accessibility Guidelines. This will not be construed to require step-less entry from the exterior into the house.

iv. Grab bars in the bathrooms that are ADA compliant.

v. Strobe lights as smoke alarms for hearing-impaired residents.

vi. If shown on the approved site plan, step-less entry from the garage to the house to the extent permitted by the then current edition of the Virginia Statewide Building Code and to the extent lot and site grading conditions allow.

OPEN SPACE, PARKS, ACTIVE RECREATION FACILITIES

13. Amenity Areas. The amenity areas will include elements consistent with the type and quality depicted on the CDP/FDP, which could include but are not limited to lawns, paved seating areas with shade structures, outdoor kitchen, paved pathways, landscaping, children's playground, fitness stations, and other amenities reflected on the CDP/FDP. These recreation elements may be revised at Site Plan subject to FCPA and LDS approval, provided the quality and character of the amenity areas and facilities are generally consistent with those shown on the CDP/FDP.

14. Publicly Accessible Parks. Parks, trails, and open space shown as publicly accessible on the CDP/FDP for the Property must be located within a public access easement in a form approved by the County Attorney, and recorded among the land records of Fairfax County at the time of record plat recordation, and will be subject to the review and approval of the Fairfax County Park Authority at the time of site plan review. Such public access easement must provide for perpetual private maintenance of the publicly accessible outdoor recreation facilities. The applicant reserves the right to set reasonable rules, regulations, and hours of operation for use of all outdoor recreation areas. Park spaces that are open to the public will be open for periods of time consistent with other nearby County parks and subject to usual and customary rules and regulations. Signage directing the public to publicly accessible parks will be provided and will state that such areas are open to the public.

    Publicly accessible open space will be provided in the areas delineated and identified as Urban Park on the CDP/FDP and as described below:

    A. Urban Park A. (Common Green) This park serves as the recreation and social focus for the community as well as the neighboring development. A central lawn supports open play, picnicking, gathering, and informal sports. A paved seating area with trellis shade structure is provided, along with an outdoor kitchen, and a focal element such as a sculpture or water feature. Landscaped pathways meander through the park connecting the passive recreation and active recreation areas. This park is approximately 22,000 square feet in size. The Applicant will complete Urban Park A prior to the issuance of the first RUP for any residential unit.

    B. Urban Park B. (Pocket Park) This park is located in a mews style space between townhomes where it is easily accessible and visible from the street. It consists of hardscape seating areas, and landscaped areas, providing casual but intimate open space for individuals or small social interactions. This park is approximately 2,000 square feet in size. The Applicant will complete Urban Park B prior to the issuance of the first RUP for any residential units abutting the park (units 97-116).

    C. Urban Park C. (Pocket Park) This park is located in a mews style space between townhomes where it is easily accessible and visible from the street. It consists of hardscape seating areas, and landscaped areas, providing casual but intimate open space for individuals or small social interactions. This park is approximately 2,100 square feet in size. The Applicant will complete Urban Park C prior to the issuance of the first RUP for any residential units abutting the park (units 137-156).

    D. Urban Park D. (Recreation-Focused Park) This park includes a children's playground, bosque seating plaza, open play areas for daily use by residents and visitors, and paths. The open space area provides flexible space for lawn games, dog walks, people watching, picnicking, and more.

This park is approximately 5,500 square feet in size. The Applicant will complete Urban Park D prior to the issuance of the first RUP for any residential units abutting the park (units 165-174).

E. Urban Park E. (Linear Park) This linear park is an approximately ¼ mile long paved trail at the perimeter of the southern edge of the development. It links fitness stations, seating plazas, a trellis shade structure with a dining area, and open play areas. This trail is a critical link in providing safe sidewalk connections from neighboring developments to the adjacent middle school and other nearby parks and retail areas. This park is approximately 45,000 square feet in size. The Applicant will complete Urban Park E prior to the issuance of the first RUP for any residential units abutting the park (units 1-40).

15. Private Active Recreation Facilities. Pursuant to the Zoning Ordinance regarding developed recreational facilities in Sections 8100.2.E(4) and 2105.5.B(4), the Applicant must provide the recreational facilities to serve the Property as shown on the CDP/FDP. At the time of site plan review, the Applicant must demonstrate that the value of any proposed recreational amenities that meet the qualifications for recreation facilities in Section 8100.2.E(4) are equivalent to a minimum of $ 2,520 per non-ADU residential unit. In the event it is demonstrated that the proposed facilities do not have sufficient value, prior to the first RUP, the Applicant must contribute funds in the amount needed to achieve the overall proffered amount of $ 2,520 per non-ADU residential unit to the Fairfax County Park Authority ("FCPA") for off-site recreational facilities to serve the future residents within the Sully District.

TRANSPORTATION

16. Private Streets. The on-site private streets will be constructed in conformance with the Public Facilities Manual (the "PFM") and will be constructed of materials and depth of pavement consistent with the PFM, subject to any design modifications as to pavement and easement width and use of curb, that are approved by the Director of LDS. The COA/HOA Association will be responsible for the maintenance of the on-site private streets. All prospective purchasers will be advised of this maintenance obligation prior to entering into a contract of sale and said obligation will be disclosed in the COA documents.

17. Parking Adjustment. A Parking Adjustment may be requested per Section 6100.6 of the Zoning Ordinance without the need for a PCA/CDPA/FDPA.

18. Public Access Easements. At the time of record plat recordation, the Applicant must cause to be recorded among the land records a public access easement running to the benefit of Fairfax County, in a form acceptable to the County Attorney, over all the private streets, sidewalks, trails and open space as shown on the CDP/FDP. Such facilities must be maintained by the COA. This public access will include all sidewalks, trails and open space areas on common property, subject to reasonable rules and regulations provided by the COA. Such public access also includes emergency vehicle access, in a form acceptable to the County Attorney.

19. Centreville Road Frontage Improvements and Dedication. Prior to the issuance of the first RUP on the Property, frontage improvements will be constructed, but not necessarily accepted, along this property frontage as generally depicted on the CDP/FDP, in accordance with VDOT standards. This

includes a public right-of-way dedication as noted on the CDP/FDP.

20. Bicycle Parking. The Applicant will provide short term bicycle parking within the parks spaces, in accordance with Fairfax County Bicycle Parking Guidelines. The final location, quantity, and type of bicycle racks will be determined in consultation with the Fairfax County Department of Transportation Bicycle Coordinator or his/her designee prior to site plan approval.

21. Construction Access. The staging and parking of construction vehicles must occur on the Property, including personal vehicles utilized by construction workers. The hours of outdoor construction must be posted in English and in Spanish. The Applicant must provide the Sully District Supervisor's office with a point of contact for construction related issues. The Applicant must provide an initial response to construction related issues within 24 hours of receiving notice.

22. Garages. Garages will only be used for a purpose that will not interfere with parking vehicles. This restriction must be disclosed in the COA documents. Prospective purchasers will be advised of this use restriction, in writing, prior to entering into a contract of sale. Additionally, information regarding the exact dimensions of the garages with a graphic depicting the area available for the parking will also be disclosed per the parameters in this proffer. The initial deeds of conveyance and COA governing documents will expressly contain these disclosures. A covenant setting forth these restrictions will be recorded among the land records of Fairfax County in a form approved by the Office of the County Attorney prior to the sale of any lots and will run to the benefit of the COA and the Board of Supervisors. Notwithstanding the above, the Applicant will be entitled to use these garage spaces for temporary sales offices until these units are sold. Prior to the occupancy of these residential units, the garage spaces must be converted to garage space and will be subject to this proffer.

23. Driveways. All driveways counting towards the parking requirement must be a minimum of 18 feet in length as measured outward from the face of the garage door to the edge of the alleyway to ensure that no vehicles will overhang the alleys.

24. Crosswalks and ADA Curb Ramps. Along the public streets, prior to the issuance of the first RUP on the Property, the Applicant will construct crosswalks as shown on the CDP/FDP, in accordance with VDOT standards. Crosswalks will include ADA-compliant curb ramps. These improvements are subject to VDOT review and approval at site plan.

    On the Property, prior to the issuance of the first RUP for the row of residential units abutting any specific crosswalk, the Applicant will construct crosswalks as shown on the CDP/FDP. Crosswalks will include ADA-compliant curb ramps.

25. Interparcel Vehicular Connections to the Northeast. Prior to the issuance of the first RUP, the interparcel vehicular connections to the north will be constructed, on the Property, as shown on the CDP/FDP, as close as possible to the Property line without requiring easements on the adjacent property.

    The Applicant will make a good faith effort to obtain easements from the adjacent property owner to the northeast (Tax Map 0244 01 0006D6) to permit full construction of the connection, which

would overlap onto their property, as shown on the CDP/FDP. And if such are granted, will construct the improvements as shown on the CDP/FDP.

In addition, prior to site plan approval, the applicant will provide interparcel access, and construction easements to the adjacent parcel to the northeast (Tax Map 0244 01 0006D6) as generally shown on the CDP/FDP to provide future access between the adjacent properties.

26. Interparcel Pedestrian Connections to the North and South. Prior to the issuance of the first RUP, the interparcel pedestrian connections to the north and south will be constructed, on the Property, as shown on the CDP/FDP, as close as possible to the Property line without requiring easements on the adjacent properties.

    The Applicant will make a good faith effort to obtain easements from the adjacent property owners to the north (Tax Map 0244 01 and 0006D6) and south (Tax Maps 0244 07 B and 0244 07 D1) to permit full construction of the connections, which would overlap onto their properties, as shown on the CDP/FDP. And if such are granted, will construct the improvements as shown on the CDP/FDP.

    In addition, prior to site plan approval, the applicant will provide interparcel access, and construction easements to the adjacent parcels to the north (Tax Map 0244 01 0006D6) and south (Tax Maps 0244 07 B and 0244 07 D1) as generally shown on the CDP/FDP to provide future access between the adjacent properties.

    Where such permissions necessary for these proffered improvements cannot be obtained, despite such good faith efforts, the Applicant shall be released from the obligation to acquire such permissions and the obligation to install the offsite improvements. In such case, an alternative design will be constructed, in coordination with FCDOT and ZED.

27. Electric Vehicle Charging. The Applicant must offer initial purchasers of all residential units the option, at the purchaser's cost, to install the required electrical panels for electric vehicle ready charging, which means the provision of space, conduit banks, conduits and access points allowing for the easy installation of an electric vehicle charging station in the future, and does not include the installation of transformers, switches, wiring or charging.

28. Centreville Road Crosswalk. Prior to the issuance of the first RUP, the Applicant must construct the southern and western legs of the Centreville Road crosswalks as shown on the CDP/FDP, in accordance with VDOT standards. This includes high visibility crosswalks, a raised pedestrian refuge within the median of Centreville Road, and new ADA-compliant curb ramps to serve the crosswalks, along with pedestrian signal heads. The design of the raised pedestrian refuge and median, crosswalks or associated accessibility ramps will be submitted to both VDOT and FCDOT for review and approval as part of the site plan for the Property. If any of the medians, crosswalks or associated accessibility ramps are not approved and/or subsequently permitted for construction by VDOT, these can be modified in coordination with FCDOT and VDOT without the need for a PCA, CDPA, FDPA, and/or interpretation/determination of substantial conformance.

29. EDS Drive Shared Use Path. Prior to the issuance of the first RUP for any residential unit, the Applicant must construct the shared use path along EDS Drive, as shown on the CDP/FDP, in accordance with VDOT standards. The path will be on private property, and will include a public

access easement in a form acceptable to the County Attorneys office, as shown on the CDP/FDP. The property owner will be responsible for maintenance of the trail.

ENVIRONMENTAL

30. Landscape Plan. The CDP/FDP includes a conceptual landscape plan for the Application Property and detail sheets illustrating the plantings and other features to be provided. As part of each site plan submission, the Applicant must submit to Forest Conservation Division (FCON) of LDS for review and approval a detailed landscape plan (the "Landscape Plan), which must be consistent with the quality and quantity of plantings and materials shown on the CDP/FDP. Adjustments to the type and location of vegetation and the design of landscaped areas and streetscape improvements/plantings may be permitted to avoid conflicts with utilities and other site engineering considerations in consultation with the Department of Planning and Development ("DPD"), and as approved by FCON. All landscaping within a public access easement must be installed prior to the issuance of the first RUP on the Application Property, for that abutting row of residential units, or if within the publicly accessible park abutting EDS Drive, as specified in proffer #14 "Publicly Accessible Parks" above, or as determined by FCON for this specific project.

    A. Sustainable Elements. To the extent practicable and consistent with the design of the CDP/FDP, the landscape planting plan and specifications must incorporate sustainable landscape planting techniques in coordination with FCON at the time of site plan.

    B. Native Landscaping. The Landscape Plan must be generally consistent with the quality, quantity and the locations shown on the CDP/FDP and must be non-invasive. The landscaping will be predominantly native species and include a plant selection that includes species that will reduce the need for supplemental watering and the use of chemical fertilizers, herbicides and pesticides. All landscaping provided must be native to the to the mid-Atlantic region to the extent available and feasible, and must be non-invasive (meaning the Applicant must not use any plant species identified in the 2014, or latest version, of the Virginia Invasive Plant Species List published by the Virginia Department of Conservation and Recreation). The Applicant reserves the right, in consultation with and subject to the approval of FCON, to modify the exact species to be used, such as when plant materials are not available or have been deemed by FCON to no longer be appropriate. A limited amount of adaptive species may be allowed, subject to the approval of FCON. Non-invasive seasonal plantings may be permitted.

    C. Tree Space Requirements. For trees counting towards tree cover credit, tree planting spaces proposed in the streetscape and other areas restricted by barriers to root growth must provide a planter open surface area at least 6 x 6 feet. Where minimum planting areas cannot be met and planting spaces at least 8 feet wide cannot be provided, rooting zone width a minimum of 8 feet must be provided beneath paved surfaces using structural cell technology or other solutions acceptable to FCON that provide uncompacted soil within the planting space, with planting sites meeting the following specifications:

        i. A minimum of 6 feet open surface width and 36 square feet open surface area.

ii. Rooting area beneath paved surfaces a minimum of 8 feet wide, taking into consideration sloped sides as may be needed to support adjacent compacted soils for roadways and pedestrian walkways. Planting space depth must be 4 feet within four feet of the tree on all sides. Soil depth in areas beyond four feet may be shallower or narrower as long as specified minimum soil volumes are met. Paved surfaces over the specified rooting area must not be dependent upon compacted soil for structural support.

iii. Soil volume for Category III or IV trees (as indicated in Table 12.14 of the Public Facilities Manual) shall be a minimum of 700 cubic feet per tree for single trees. For two trees planted in a contiguous planting area, a total soil volume of at least 1200 cubic feet must be provided. For three trees or more planted in a contiguous area, the soil volume must equal at least 500 cubic feet per tree. A contiguous area must be defined as any area with a soil depth of 3-4 feet, within which lateral root growth is unrestricted.

iv. Soil in planting sites must be as specified in planting notes to be included in site plans reviewed and approved by FCON.

v. The Applicant must contact FCON (703-324-1720) at least 3 business days prior to installation of trees and provide an opportunity for FCON staff to verify conformance with these requirements.

31. Soil Remediation. Planting areas containing construction debris, rubble, compacted soil, or other unsuitable conditions for the establishment and long-term survival of landscape plants will undergo remedial action. These actions will restore the soil to meet the requirements of trees, shrubs, and groundcovers specified in the landscape planting plan. The Applicant will provide notes and details on the site/subdivision plan outlining the soil restoration process for review and approval by Forest Conservation.

32. Limits of Clearing and Grading. The Applicant must conform to the limits of clearing and grading generally as shown on the CDP/FDP, as may be modified by final engineering and the tree preservation walk-through, in consultation with FCON and LDS. Encroachments may be permitted for the installation of utilities and/or trails due to unforeseen existing utilities locations. Utilities and/or trails in areas protected by the limits of clearing and grading must be located in the least disruptive manner necessary as determined by LDS in consultation with FCON and LDS.

33. Demolition. The demolition of all existing structures and site features within or adjacent to tree preservation areas must be accomplished in the least disruptive manner practical as reviewed and approved by FCON. All tree protection fencing must be in place and verified by a County representative prior to commencement of demolition activities.

34. Stormwater. The Applicant must implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property in accordance with the Fairfax County

Public Facilities Manual, Stormwater Ordinance, and Virginia Department of Environmental Quality (DEQ), as approved by LDS. Stormwater management facilities/Best Management Practices ("BMPs") must be provided as depicted on the CDP/FDP. The Applicant reserves the right to pursue additional or alternative stormwater management measures provided the same are in substantial conformance with the CDP/FDP. However, these alternative measures must not include the purchase of off-site nutrient credit. At the time of site plan the Applicant must demonstrate adequate outfall in accordance with applicable County ordinances. All BMPs must be provided onsite.

The Applicant will provide a minimum of 19,559 cubic feet of on-site stormwater detention storage volume, which will be achieved through underground detention vaults, bioretention tree pits, and/or other approved stormwater management devices. The final type, size, configuration, and location of these facilities will be determined during final site plan review, subject to approval by LDS, provided that the minimum required detention storage volume of 19,559 cubic feet is maintained.

The Applicant will incorporate supplementary on-site water quality strategies including but not limited to manufactured treatment devices, bioretention tree pits, bioretention, soil amendments, or other strategies. The final locations of said strategies will be determined at the final site plan.

35. Invasive Plant Species Management. Forested areas containing plant species that are known to be invasive in quantities that threaten the long term health and survival of the existing vegetation present must be the subject of an invasive plant species management plan in order for the area to be awarded full 10-year canopy credit. At the time of site plan submission the applicant must provide a management plan for review and approval by FCON specifying the common and scientific name of invasive species proposed for management, the target area for management efforts, methods of control and disposal of invasive plants, timing of treatments and monitoring, duration of the management program (related to bond release timing), and potential reforestation as needed. The Applicant, or the Common Owners Association, must monitor the managed areas for a period of five (5) years upon substantial completion of the development.

36. Tree Preservation. The Applicant must submit a Tree Preservation Plan and Narrative with each site plan submission. The Tree Preservation Plan and Narrative must be prepared by a Certified Arborist or a Registered Consulting Arborist and must include elements of the PFM deemed appropriate to the project site as determined by FCON.

Notwithstanding the tree preservation shown on the CDP/FDP, the Applicant may provide 0 square feet of tree preservation if, in consultation with FCON, it is determined that any of the identified trees are unable to be preserved, In this case the Applicant will be ineligible to apply any additional multiplier to compensate for the loss of this particular canopy and will replace the trees in a 1:1 basis with eligible native Category IV trees.

37. Tree Preservation Measures. As part of site plan submission, tree preservation measures will be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets and Tree Preservation Plan. Tree preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching, watering, etc. Specifications must be provided on the plan detailing how preservation measures will be implemented. Tree preservation activities must be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

38. Tree Preservation Walk-Through. The Applicant must schedule a walk-through meeting with FCON, LDS prior to any site clearing. The Applicant must retain a certified arborist or a Registered Consulting Arborist to flag the limits of clearing and grading prior to the meeting. The Applicant's certified arborist or landscape architect or designated representative must walk the limits of clearing and grading with FCON, LDS, representative to determine where adjustments to the clearing limits could be made to increase the area of tree preservation, and/or where alternative preservation efforts that could save more trees are more effective. Such agreed upon adjustments must be implemented without requiring revisions to the clearing plan, unless explicitly required because the field conditions do not permit the preservation as detailed.

    Dead or dying trees within tree save areas may be removed by hand under the supervision of the project arborist and prior approval from FCON. Any tree so designated may be removed using a chain saw or other method that minimizes disturbance to surrounding live trees and understory vegetation.

39. Project Arborist/Pre-construction Meeting. Prior to the pre-construction meeting the Applicant must have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant must retain the services of a Certified Arborist or Registered Consulting Arborist (Project Arborist) to attend the pre-construction meeting to review the limits of clearing and grading with an FCON representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading. Such adjustments must be recorded by the Project Arborist and tree protection fencing must be implemented under the Project Arborist's supervision based on these adjustments.

40. Site Monitoring. The Applicant's Project Arborist must be present on-site during implementation of the Phase 1 Erosion and Sediment Control Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of Phase 2 Erosion and Sediment Control Plan, the Project Arborist must visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by FCON. Written reports must be submitted to FCON and SDID site inspector detailing site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan.

41. Landscape Planting Pre-installation Meeting. Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer must coordinate a pre-installation meeting on the site with the landscape contractor, FCON staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan must be reviewed and must be approved by FCON staff prior to planting. The installation of plants not approved by FCON may require the submission of a revision to the landscape plan or removal and replacement with approved trees/shrubs prior to bond release.

42. Transfer of Tree Preservation Plan Information. As a permittee that will convey ownership of forested areas in common open space to the Homeowners Association, the Applicant must, at the time the COA takes over management of the open space parcels, convey to the COA any long-term tree and forested area management information that was prepared to satisfy tree conservation plan

requirements of the subdivision plan. Information must include data collected for the Tree Inventory, updated to note completion of tree preservation activities required by the Tree Preservation Plan approved with the subdivision plan and any additional work performed for preservation and/or maintenance of trees located in common open space.

43. Green Building. In support of energy conservation and green building techniques; the Applicant, in consultation with the Environment Branch of the Department of Planning and Development (DPD), must seek certification for this development from one of the following programs that offers third party review of "green building" or energy efficient measures for the residential dwellings on the Property. The Applicant must have sole discretion to choose the program or programs that will be utilized.

    A. Certification in accordance with the EarthCraft House Program as demonstrated through documentation provided to LDS and DPD prior to the issuance of the residential use permit (RUP) for each dwelling unit. If certification is still in process at time of RUP issuance, the applicant must provide documentation from the EarthCraft project manager demonstrating that the project has been registered, completed final inspection, and has met the requirements to attain EarthCraft Certification prior to RUP issuance for each dwelling unit. The applicant must provide documentation to LDS and DPD demonstrating that certification for the Proposed Development has been attained prior to final bond release; or

    B. Certification in accordance with the most current version of National Green Building Standard (NGBS) using the ENERGY STAR® Qualified Homes path for energy performance, as demonstrated through documentation submitted to LDS and DPD from a home energy rater certified through Home Innovation Research Labs that demonstrates that the dwelling unit has attained the certification prior to the issuance of the RUP for each dwelling; or

    C. The Applicant reserves the right to utilize an equivalent program in consultation with and approved by the Environmental Branch of DPD prior to site plan approval.

44. Noise Attenuation. All residential units on the Property must employ construction measures designed to ensure that interior noise resulting from all transportation sources, including airplane overflights, is mitigated to levels that do not exceed a modal max of 45 dBA, or less. Construction measures must be in accordance with the recommendations made in the Lincoln Park I Site Noise Analysis report, prepared by Hush Acoustics LLC dated September 29, 2025, and may include, but not be limited to, appropriate and upgraded Sound Transmission Class ("STC") ratings for windows, doors, exterior walls, and roofs; stone wool, mineral wool, or other enhanced insulation materials; additional layers of dry wall; resilient channels or clips; and appropriate seals and caulking between surfaces. At the time of building permit issuance, compliance with these requirements must be certified by an acoustical engineer licensed in the Commonwealth of Virginia.

    Prior to the issuance of the first RUP, the Applicant must conduct post-development interior noise testing of any model homes constructed on the property, with such tests certified by an acoustical engineer, to demonstrate that an interior noise level of 45 dBA, or less, has been achieved. The results of such post-development interior noise testing must be provided to the Public Facilities and Development Review Branch (PFDRB) of DPD. In addition, and if requested by the County, the Applicant must conduct additional tests of no more than five units, which should be dispersed

throughout the development. Corrective measures, if necessary, to achieve an interior noise level of 45 dBA, or less, could include, but are not limited to, installing windows and doors with higher STC ratings, adding additional insulation or dry wall, and improving seals and caulking between surfaces. Notwithstanding the limitation for testing of five additional units, corrective measures must be applied to any number of units as necessary to ensure that all units achieve an interior noise level of 45 dBA, or less.

45. Airport Noise Disclosure Statement. Prior to entering into a contract of sale, prospective purchasers must be notified in writing by the Applicant of the proximity of Dulles International Airport, including the distance to the airport, that homes are located within an area that may be impacted by aircraft overflights and aircraft noise, that the noise from individual aircraft flying over the property may exceed the average aircraft noise levels for the Property, that the frequency of overflights may increase over time, and that the Property is encumbered by an avigation easement. In addition, a map showing Dulles International Airport, the DNL 60 and 65 dBA contour lines as adopted by Fairfax County, and the general locations of residential units and private active recreation spaces must accompany such disclosure notification. Such disclosure must be accomplished by inclusion of this information in all sales contracts, Master COA disclosure statements, and Master COA governing documents so as to give notice to all initial and subsequent purchasers, and by inclusion in the land records. In addition, marketing collateral in any sales office, such as marketing site plans, home brochures, and standard features lists, must note that the property is impacted by noise from planes flying overhead.

46. Avigation Easement and Airport Noise Notification. Prior to the issuance of the first RUP, the Applicant must dedicate and record an avigation easement over the entire Property to the benefit of the Metropolitan Washington Airports Authority, in form approved by the Office of the County Attorney, indicating the right of aircraft flight to pass over the Subject Property. The Master COA Documents required pursuant to Proffer 7 must contain a notification that the site is in close proximity to Dulles International Airport, that the dwelling units may experience aircraft noise, that noise contour lines may change in the future, and that aircraft noise may increase.

47. Lighting. All on-site and outdoor lighting will not exceed that permitted under the Outdoor Lighting Standards of Section 5109 of the Zoning Ordinance, as may be amended, and will be energy efficient to the extent feasible. All light fixtures will be LED and fully cut off to minimize spillover light. Lighting, including pedestrian-scale lighting, will be provided as generally shown on the CDP/FDP.

48. Sanitary Sewer. Prior to site plan submission, the Applicant is required to provide a final sewer capacity analysis study up to manhole 024-4-011 to Wastewater Planning and Monitoring Division of DPWES to ensure that existing sewers have the capacity to serve the proposed uses. If any sanitary sewers are identified as not having adequate capacity for the proposed uses, the Applicant will be required to perform necessary upgrades.

CONTRIBUTIONS

49. Recreation Contribution. Prior to the issuance of the first RUP, the Applicant must contribute a lump sum of $893 per resident estimated to be generated by the proposed development to the Fairfax County Park Authority for use at off-site recreational facilities intended to serve the future residents

of the Sully District, as determined by the Fairfax County Park Authority in consultation with the Sully District Supervisor.

50. School Contribution. A contribution of $14,956 per projected student for the number of units constructed in each phase must be made to the Board of Supervisors for transfer to Fairfax County Public Schools (FCPS) and designated for capital improvements at the public schools serving the development. The contribution must be made at the time of the first building permit for the units in that phase. Following approval of this Application and prior to the Applicant's payment of the amount(s) set forth in this Proffer, if Fairfax County should modify the ratio of students per unit or the amount of contribution per student, the Applicant must pay the modified contribution amount for the development to reflect the then-current ratio and/or contribution. Concurrent with the submission to Fairfax County for the first site plan on the Property, the Applicant must notify Fairfax County Public Schools Office of Facilities Planning Services, in writing, that submission has occurred.

    At the time of the approval of these proffers, the maximum of 184 total residential units (109 stacked or "back-to-back" townhouse units and 75 townhouse units) produces 86 students, per the 2022 FCPS School Impact Proffer Formula and Student Yield Ratio memo. This results in a required contribution of $1,286,216.00, subject to the stipulations described above.

51. Escalation in Contribution Amounts. All monetary contributions required by these proffers (except School-related proffer), must escalate on a yearly basis from the base year of 2025, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI"), as permitted by Virginia State Code Section 15.2-2303.3. 3.

SIGNAGE

52. Signage. Signage for the Property will be provided in accordance with the requirements of the Zoning Ordinance or pursuant to a Special Exception approved by the Board of Supervisors in accordance with the Zoning Ordinance. The Applicant will install signage noting the public accessibility of specific open spaces and trails on the Property, in accordance with Article 7 of the Zoning Ordinance.

53. Park Wayfinding Signage. Wayfinding and signage will be developed in coordination with FCPA at the time of site plan approval or Special Exception approval and will be installed by the Applicant at the time of the development of the open space to ensure the public can easily identify and access all publicly-accessible parks. Wayfinding and signage will be in accordance with the Fairfax County Park Authority's Privately Owned Public Space ("POPS") sign guidelines. This includes one POPS park access sign for each Urban Park identified on the CDP/FDP. The Applicant must select the materials, dimensions, content, and location of the POPS signage in accordance with the policies of the Fairfax County Park Authority and the Zoning Ordinance. Temporary or interim signage will be provided prior to Special Exception approval, as necessary, and as permitted by the Zoning Ordinance, in consultation with FCPA.

AFFORDABLE DWELLINGS

54. Affordable Dwelling Units ("ADUs"). The applicant will provide ADUs in accordance with Section 5101 of the Zoning Ordinance. The ADUs will be provided pursuant to said Ordinance and the Administrative Regulations Concerning the Sale and Rental of Affordable Dwelling Units, as amended and to the satisfaction of the Department of Housing and Community Development.. The ADUs will be evenly geographically distributed throughout the Property.

WORKFORCE DWELLINGS

55. Workforce Dwelling Units ("WDUs"). In addition to any ADUs that may be required, the Applicant must also provide for-sale and/or rental WDUs in accordance with the Guidelines for Provision of Workforce Dwelling Units, Appendix 1 in the Housing Element of the Comprehensive Plan's Policy Plan and the Area Plans, as amended, as well as the Board's Workforce Dwelling Unit Administrative Policy Guidelines, adopted March 18, 2025, and to the satisfaction of the Department of Housing and Community Development. The total number of WDUs will result in not less than eight percent (8%) of the total rental housing units and twelve percent (12%) of the total for-sale housing units constructed.

    A. Income Tiers. The distribution of affordability will depend on the tenure of the units developed as provided below:

        i. Rental Income Tiers. If developed as rental units, the Applicant will provide the total number of WDUs to be provided on the Property pursuant to this proffer as follows: (i) twenty-five percent (25%) to persons/households making sixty (60%) of the Washington Metropolitan region's Area Median Income ("AMI"), (ii) twenty-five percent (25%) of the WDUs to persons/households making seventy percent (70%) of the regional AMI, and (iii) fifty percent (50%) of the WDUs to persons/households making eighty percent (80%) of the regional AMI.

        ii. For-sale Income Tiers. If developed as for-sale units, the Applicant will provide the total number of WDUs to be provided on the Property pursuant to this proffer as follows: (i) thirty-three percent (33%) to persons/households making seventy (70%) of the Washington Metropolitan region's Area Median Income ("AMI"), (ii) thirty-three percent (33%) of the WDUs to persons/households making eighty percent (80%) of the regional AMI, and (iii) thirty-three percent (33%) of the WDUs to persons/households making hundred percent (100%) of the regional AMI.

    B. WDU Agreement. Notwithstanding the foregoing, the Applicant reserves the right to enter into a separate binding written agreement with the appropriate Fairfax County agency as to the terms and conditions of the administration of the WDUs (if any) following approval of this Application (the "WDU Agreement"). The WDU Agreement will be on terms mutually acceptable to both the Applicant and Fairfax County and may only become effective after the approval of this Application. Neither the Board of Supervisors nor Fairfax County will be obligated to execute such an agreement. If the WDU Agreement is executed by all applicable parties, then the WDUs will be administered solely in accordance with the WDU Agreement and the provisions of this

proffer, as it applies to WDUs, will become null and void. The WDU Agreement and any modifications thereto will be recorded in the land records of Fairfax County.

OTHER

56. Route 28 Prepayment of Taxes. In accordance with Virginia Code Ann. § 15.2-4608(C)(Ch. 770, 2002 Acts of Assembly; H. 735), the Applicant must prepay, in full, the taxes that would have been attributable to the residential portion of the Property in its current non-residential zoning district (that is, the special improvements taxes estimated by the County to be lost as a result of the change in zoning classification requested in this rezoning application), in accordance with the formula and provisions adopted by the Board of Supervisors for optional residential development within the Route 28 Tax District. The prepayment of taxes must be made in full within sixty (60) days after the Board of Supervisors approves this Rezoning application, and the effective date of this rezoning must be deferred until such payment in full is made. The Applicant recognizes that failure to provide payment to the County in the full amount determined by the Board's formula within 60 days of the Board of Supervisors' approval of this rezoning means that the rezoning will not become effective and that the ordinance rezoning the Property and the Board's rezoning decision must both be void in accordance with Virginia Code Ann. § 15.2-4608(C).

57. Advanced Density Credit. Advanced density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT.

58. Zoning Administrator Consideration. Notwithstanding the foregoing, upon demonstration that despite diligent efforts or due to factors beyond the Applicant's control proffered improvements such as, but not limited to, transportation, publicly accessible park areas, off site easements, have been delayed (due to, but not limited to, an inability to secure necessary permission for utility relocations, or any necessary easements and/or site plan approval approvals from non-County parties such as VDOT, MWAA, etc.) beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of these proffered improvement(s).

59. Successors and Assigns. These Proffers will bind and inure to the benefit of the Applicant and their successors and assigns. Each reference to "Applicant" in this proffer statement must include within its meaning and must be binding upon Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

60. Counterparts. These Proffers may be executed in one or more counterparts, each of which when so executed and delivered must be deemed an original, and all of which taken together must constitute but one and the same instrument.

SIGNATURES TO FOLLOW ON NEXT PAGE

PROFFERS

RZ/FDP-2025-SU-00024, PCA-75-2-016-05
K. HOVNANIAN AT LINCOLN PARK II, LLC

September 29, 2026

PREAMBLE

Pursuant to Section 15.2-2303(a) of the Code of Virginia (1950, as amended) and Article 8-8100.2.D of the Zoning Ordinance of Fairfax County (2021, as amended), the property owner and the Applicant, for themselves and their successors and/or assigns (hereinafter referred to as the "Applicant"), hereby proffer that the development of the parcel under consideration and shown on the Fairfax County tax map as Tax Map Number 024-4 ((01)) 0006D3 (the "Property") must be in accordance with the following conditions if, and only if, Rezoning/Final Development Plan applications RZ/FDP-2025-SU-00024, and PCA-75-2-016-05 (this "Rezoning") are granted. Upon approval, these Proffers will supersede any and all previously approved proffers and development conditions associated with RZ-75-2-016 and subsequent amendments, as they apply to the Property.

GENERAL

1. Conceptual/ Final Development Plan. Any development of the Property must be in substantial conformance with the Conceptual Development Plan (“CDP”) and Final Development Plan (“FDP”) entitled “Lincoln Park II”, prepared by VIKA dated December 8, 2025 and revised through August 18, 2026.

2. Elements of CDP. Notwithstanding the fact that the CDP and FDP are presented on the same plan, the elements that are components of the CDP are limited to the perimeter’s general points of access, the general location of the buildings, the proposed uses, the maximum number of dwelling units, dwelling type, amount, general location and character of urban parkland, minimum amount of open space, the maximum building heights, build-to lines, the grid of streets, and general character and quality of streetscape, and only a future amendment to such elements will require a subsequent Conceptual Development Plan Amendment ("CDPA") and/or Proffered Condition Amendment ("PCA").

3. Minor Modifications. Minor modifications to the CDP/FDP may be permitted when necessitated by final site design or engineering, pursuant to Article 8 of the Zoning Ordinance.

4. Future Applications. Any portion of the Property may be the subject of a Conceptual Development Plan Amendment ("CDPA"), Final Development Plan Amendment (“FDPA”), Proffered Condition Amendment ("PCA"), Rezoning ("RZ"), Special Exception ("SE"), Special Exception Amendment (“SEA”), Special Permit ("SP"), Variance or other zoning action without the joinder and/or consent of the owner(s) of the other land area(s), provided that such application complies with Section 8100.2 of the Zoning Ordinance and Section 15.2-2302 of the Code of Virginia, as applicable. Previously approved proffered conditions or development conditions applicable to a particular portion of the Property that are not the subject of such an application will remain in full force and effect.

5. Model Home Sales Office. The Applicant will be permitted under 4102.8.G of the Zoning Ordinance to use any part, or all, of any unit, as a model home with a sales office, until these units are sold.

6. Maximum Unit Count. The maximum number of units must not exceed the maximum dwelling units for each unit type consisting of a maximum of 52 stacked (or back-to-back) townhomes and 42 single family attached for a total of 94 residential units as stated on the CDP/FDP tabulations sheet.

7. Establishment of Common Owners Association (COA). Prior to issuance of the first Residential Use Permit ("RUP") for the Property, the Applicant will establish a common association in accordance with Virginia law to govern the Property. The COA will include all of the reciprocal easement agreements, or declarations of covenants and agreements dealing with the governance of maintenance and operation of the Property or other governance documents which will legally bind the Property (collectively referred to as the "Governance Documents"). At a minimum, the COA and the owners of each townhouse unit must be members of the Common Association. The respective Governance Documents (including budgets provided in any offering or sale materials) must specify the various proffer and maintenance obligations set forth in these Proffers, including the maintenance of certain streets, retaining walls, stormwater facilities, associated sidewalks and streetscapes, and site amenities such as, but not limited to, the publicly accessible onsite recreation areas. The Governance Documents must disclose that the community open space areas are open to the general public.

8. Disclosure. Prior to entering into a contract of sale, prospective purchasers of any residential units must be provided with a disclosure package that will include a detailed description of how the Project is governed, and the maintenance responsibility for the private roadways, walkways, stormwater management facilities, retaining walls, common area landscaping and any other open space amenities. The package must also contain a disclosure explaining that the community open space areas are open to the general public.

9. Architecture. At the time of site plan, it will be demonstrated to Land Development Services (LDS) that the architectural design of the proposed buildings must be in substantial conformance with the bulk, mass, proportion and type and quality of materials shown on the CDP/FDP. The primary building material of all facades of all units, including any ADU units (defined below), exclusive of trim, will include primarily high quality materials such as brick, stone, horizontal or vertical cementitious siding or other similar materials. In addition, any side or rear façade will also be constructed primarily of such high-quality materials as depicted in the CDP/FDP. The location and number of building exterior entrances/stoops are illustrative and will be finalized at the time of final site plan approval. The maximum permitted building height is 55' feet for the stacked townhomes, and 50' for the townhomes as depicted on the CDP/FDP. Final design of building architecture, landscape design, and public spaces may be permitted, so long as in substantial conformance with the CDP/FDP as described above. Units may include either peaked roofs or flat roofs, and may contain rooftop decks, as shown on the CDP/FDP. Prior to the issuance of the building permit, it will be demonstrated to the satisfaction of Land Development Services (LDS) that the final architectural design is in substantial conformance with the general type, quality and proportion of materials depicted in building perspectives shown on the CDP/FDP and that the colors of the front, side and rear of the units are varied as shown on the CDP/FDP

10. Universal Design.

A. At the time of initial purchase of the units, where construction has not yet started, the Applicant will make available upon request to each purchaser the following Universal Design options at no additional cost:

   i. Blocking for reinforcement of grab bars in accordance with the Fair Housing Accessibility Guidelines.

   ii. Front entrance doors that are a minimum of 36 inches wide.

   iii. Light switches and thermostats a maximum of 48 inches high, as measured from the floor to the bottom of the fixture.

   iv. Lever door handles and faucets instead of knobs.

   v. Electrical outlets a minimum of 18 inches high, as measured from the floor to the bottom of the fixture.

B. At the time of initial purchase of the units, where construction has not yet started, the Applicant must make available upon request to each purchaser additional Universal Design options at the purchaser's sole cost. These additional options may include, but are not limited to:

   i. A shower with a maximum curb of 2 inches high.

   ii. Clear knee space of 27 inches under the kitchen sink.

   iii. A bathroom on the entry level (for ground level units) which meets the accessibility specifications for a Type A bathroom under the Fair Housing Accessibility Guidelines. This will not be construed to require step-less entry from the exterior into the house.

   iv. Grab bars in the bathrooms that are ADA compliant.

   v. Strobe lights as smoke alarms for hearing-impaired residents.

   vi. If shown on the approved site plan, step-less entry from the garage to the house to the extent permitted by the then current edition of the Virginia Statewide Building Code and to the extent lot and site grading conditions allow.

OPEN SPACE, PARKS, ACTIVE RECREATION FACILITIES

11. Amenity Areas. The amenity areas will include elements consistent with the type and quality depicted on the CDP/FDP, which could include but are not limited to lawns, paved seating areas, paved pathways, landscaping, a dog run, and other amenities reflected on the CDP/FDP. These recreation elements may be revised at Site Plan subject to FCPA and LDS approval, provided the quality and character of the amenity areas and facilities are generally consistent with those shown on the CDP/FDP.

12. Publicly Accessible Parks. Parks, trails, and open space shown as publicly accessible on the CDP/FDP for the Property must be located within a public access easement in a form approved by the County Attorney, and recorded among the land records of Fairfax County at the time of record plat recordation, and will be subject to the review and approval of the Fairfax County Park Authority at the time of site plan review. Such public access easement must provide for perpetual private maintenance of the publicly accessible outdoor recreation facilities. The applicant reserves the right to set reasonable rules, regulations, and hours of operation for use of all outdoor recreation areas. Park spaces that are open to the public will be open for periods of time consistent with other nearby County parks and subject to usual and customary rules and regulations. Signage directing the public to publicly accessible parks will be provided and will state that such areas are open to the public.

    Publicly accessible open space will be provided in the areas delineated and identified as Urban Parks on the CDP/FDP and as described below:

    A. Urban Park A. (Trail Connection) This park provides a trail connection and expansion to offsite park space. This park is approximately 1,700 square feet in size. The Applicant will complete Urban Park A prior to the issuance of the first RUP for the development.

    B. Urban Park B. (Recreation-Focused Park) This park serves as the recreation and social focus for the community as well as the neighboring development. It includes a landscaped seating plaza with shade umbrellas, open play area for exercise, gathering, and lawn games, and a dog run. This park is approximately 13,300 square feet in size. The Applicant will complete Urban Park B prior to the issuance of the first RUP for the development.

    C. Urban Park C. (Pocket Park) This landscaped pocket park is located in a mews style space between townhomes where it is easily accessible and visible from the street. It consists of hardscape seating areas, and landscaped areas, providing casual but intimate open space for individuals or small social interactions. This park is approximately 3,400 square feet in size. The Applicant will complete Urban Park C prior to the issuance of the first RUP for any residential units abutting the park.

    D. Urban Park D. (Pocket Park) This landscaped pocket park is located in a mews style space between townhomes where it is easily accessible and visible from the street. It consists of hardscape seating areas, and landscaped areas, providing casual but intimate open space for individuals or small social interactions. This park is approximately 2,200 square feet in size. The Applicant will complete Urban Park D prior to the issuance of the first RUP for any residential units abutting the park.

    E. Urban Park E. (Pocket Park) This landscaped pocket park is located in a mews style space between townhomes where it is easily accessible and visible from the street. It consists of hardscape seating areas, and landscaped areas, providing casual but intimate open space for individuals or small social interactions. This park is approximately 2,400 square feet in size. The Applicant will complete Urban Park E prior to the issuance of the first RUP for any residential units abutting the park.

13. Private Active Recreation Facilities. Pursuant to the Zoning Ordinance regarding developed recreational facilities in Sections 8100.2.E(4) and 2105.5.B(4), the Applicant must provide the

recreational facilities to serve the Property as shown on the CDP/FDP. At the time of site plan review, the Applicant must demonstrate that the value of any proposed recreational amenities that meet the qualifications for recreation facilities in Section 8100.2.E(4) are equivalent to a minimum of $ 2,520 per non-ADU residential unit. In the event it is demonstrated that the proposed facilities do not have sufficient value, prior to the first RUP, the Applicant must contribute funds in the amount needed to achieve the overall proffered amount of $ 2,520 per non-ADU residential unit to the Fairfax County Park Authority ("FCPA") for off-site recreational facilities intended to serve the future residents within the Sully District.

TRANSPORTATION

14. Private Streets. The on-site private streets will be constructed in conformance with the Public Facilities Manual (the "PFM") and will be constructed of materials and depth of pavement consistent with the PFM, subject to any design modifications as to pavement and easement width and use of curb, that are approved by the Director of LDS. The COA/HOA Association will be responsible for the maintenance of the on-site private streets. All prospective purchasers will be advised of this maintenance obligation prior to entering into a contract of sale and said obligation will be disclosed in the COA documents.

15. Parking Adjustment. A Parking Adjustment may be requested per Section 6100.6 of the Zoning Ordinance without the need for a PCA/CDPA/FDPA.

16. Public Access Easements. At the time of record plat recordation, the Applicant must cause to be recorded among the land records a public access easement running to the benefit of Fairfax County, in a form acceptable to the County Attorney, over all the private streets, sidewalks, trails and open space as shown on the CDP/FDP. Such facilities must be maintained by the COA. This public access will include all sidewalks, trails and open space areas on common property, subject to reasonable rules and regulations provided by the COA. Such public access also includes emergency vehicle access, in a form acceptable to the County Attorney.

17. EDS Drive Frontage Improvements and Dedication. Prior to the issuance of the first RUP on the Property, frontage improvements will be constructed, but not necessarily accepted, along this property frontage as generally depicted on the CDP/FDP, in accordance with VDOT standards. This includes a public right-of-way dedication as noted on the CDP/FDP.

18. Bicycle Parking. The Applicant will provide short term bicycle parking within the parks spaces, in accordance with Fairfax County Bicycle Parking Guidelines. The final location, quantity, and type of bicycle racks will be determined in consultation with the Fairfax County Department of Transportation Bicycle Coordinator or his/her designee prior to site plan approval.

19. Construction Access. The staging and parking of construction vehicles must occur on the Property, including personal vehicles utilized by construction workers. The hours of outdoor construction must be posted in English and in Spanish. The Applicant must provide the Sully District Supervisor's office with a point of contact for construction related issues. The Applicant must provide an initial response to construction related issues within 24 hours of receiving notice.

20. Garages. Garages will only be used for a purpose that will not interfere with parking vehicles. This restriction must be disclosed in the COA documents. Prospective purchasers will be advised of this use restriction, in writing, prior to entering into a contract of sale. Additionally, information regarding the exact dimensions of the garages with a graphic depicting the area available for the parking will also be disclosed per the parameters in this proffer. The initial deeds of conveyance and COA governing documents will expressly contain these disclosures. A covenant setting forth these restrictions will be recorded among the land records of Fairfax County in a form approved by the Office of the County Attorney prior to the sale of any lots and will run to the benefit of the COA and the Board of Supervisors. Notwithstanding the above, the Applicant will be entitled to use these garage spaces for temporary sales offices until these units are sold. Prior to the occupancy of these residential units, the garage spaces must be converted to garage space and will be subject to this proffer.

21. Driveways. All driveways counting towards the parking requirement must be a minimum of 18 feet in length as measured outward from the face of the garage door to the edge of the alleyway to ensure that no vehicles will overhang the alleys.

22. Crosswalks and ADA Curb Ramps. Along the public street, prior to the issuance of the first RUP on the Property, the Applicant will construct crosswalks as shown on the CDP/FDP, in accordance with VDOT standards. Crosswalks will include ADA-compliant curb ramps. These improvements are subject to VDOT review and approval at site plan.

    On the Property, prior to the issuance of the first RUP for the row of residential units abutting any specific crosswalk, the Applicant will construct crosswalks as shown on the CDP/FDP. Crosswalks will include ADA-compliant curb ramps.

23. Interparcel Vehicular Connections to the North, East, and South. Prior to the issuance of the first RUP, the interparcel vehicular connections to the north, east, and south will be constructed, on the Property, as shown on the CDP/FDP, as close as possible to the Property line without requiring easements on the adjacent properties.

    The Applicant will make a good faith effort to obtain easements from the adjacent property owners to the north (Tax Map 0244 01 0006D6), east (Tax Map 0244 01 0006D6), and south (Tax Maps 0244 01 0006F and 0244 01 0006E) to permit full construction of the connection, which would overlap onto their properties, as shown on the CDP/FDP. And if such are granted, will construct improvements, as shown on the CDP/FDP.

    In addition, prior to site plan approval, the applicant will provide interparcel access, and construction easements to the adjacent parcel(s) to the north (Tax Map 0244 01 0006D6), east (Tax Map 0244 01 0006D6), and south (Tax Maps 0244 01 0006F and 0244 01 0006E) as generally shown on the CDP/FDP to provide future access between the adjacent properties.

24. Interparcel Pedestrian Connections to the North, East, and South. Prior to the issuance of the first RUP, the interparcel pedestrian connections to the north, east, and south will be constructed, on the Property, as shown on the CDP/FDP, as close as possible to the Property line without requiring easements on the adjacent properties.

The Applicant will make a good faith effort to obtain easements from the adjacent property owners to the north (Tax Map 0244 01 0006D6), east (Tax Map 0244 01 0006D6), and south (Tax Maps 0244 01 0006F and 0244 01 0006E) to permit full construction of the connections, which would overlap onto their properties, as shown on the CDP/FDP. And if such are granted, will construct improvements, as shown on the CDP/FDP.

In addition, prior to site plan approval, the applicant will provide interparcel access, and construction easements to the adjacent parcel(s) to the north (Tax Map 0244 01 0006D6), east (Tax Map 0244 01 0006D6), and south (Tax Maps 0244 01 0006F and 0244 01 0006E) as generally shown on the CDP/FDP to provide future access between the adjacent properties.

25. Electric Vehicle Charging. The Applicant must offer initial purchasers of all residential units the option, at the purchaser's cost, to install the required electrical panels for electric vehicle ready charging, which means the provision of space, conduit banks, conduits and access points allowing for the easy installation of an electric vehicle charging station in the future, and does not include the installation of transformers, switches, wiring or charging.

26. Centreville Road Crosswalk. Prior to the issuance of the first RUP, the Applicant must construct the northern leg of the Centreville Road crosswalk as shown on the CDP/FDP, in accordance with VDOT standards. This includes high visibility crosswalks, a raised pedestrian refuge within the median of Centreville Road, and new ADA-compliant curb ramps to serve the crosswalks, along with pedestrian signal heads. The design of the raised pedestrian refuge and median, crosswalks, associated accessibility ramps, and pedestrian signal heads will be submitted to both VDOT and FCDOT for review and approval as part of the site plan for the Property. If any of the medians, crosswalks or associated accessibility ramps are not approved and/or subsequently permitted for construction by VDOT, these can be modified in coordination with FCDOT and VDOT without the need for a PCA, CDPA, FDPA, and/or interpretation/determination of substantial conformance.

ENVIRONMENTAL

27. Landscape Plan. The CDP/FDP includes a conceptual landscape plan for the Application Property and detail sheets illustrating the plantings and other features to be provided. As part of each site plan submission, the Applicant must submit to Forest Conservation Division (FCON) of LDS for review and approval a detailed landscape plan (the "Landscape Plan), which must be consistent with the quality and quantity of plantings and materials shown on the CDP/FDP. Adjustments to the type and location of vegetation and the design of landscaped areas and streetscape improvements/plantings may be permitted to avoid conflicts with utilities and other site engineering considerations in consultation with the Department of Planning and Development ("DPD"), and as approved by FCON. All landscaping within a public access easement must be installed prior to the issuance of the first RUP on the Application Property, for that abutting row of residential units, or if within the publicly accessible park abutting EDS Drive, as specified in proffer #14 "Publicly Accessible Parks" above, or as determined by FCON for this specific project.

    A. Sustainable Elements. To the extent practicable and consistent with the design of the CDP/FDP, the landscape planting plan and specifications must incorporate sustainable landscape planting techniques in coordination with FCON at the time of site plan.

B. Native Landscaping. The Landscape Plan must be generally consistent with the quality, quantity and the locations shown on the CDP/FDP and must be non-invasive. The landscaping will be predominantly native species and include a plant selection that includes species that will reduce the need for supplemental watering and the use of chemical fertilizers, herbicides and pesticides. All landscaping provided must be native to the to the mid-Atlantic region to the extent available and feasible, and must be non-invasive (meaning the Applicant must not use any plant species identified in the 2014, or latest version, of the Virginia Invasive Plant Species List published by the Virginia Department of Conservation and Recreation). The Applicant reserves the right, in consultation with and subject to the approval of FCON, to modify the exact species to be used, such as when plant materials are not available or have been deemed by FCON to no longer be appropriate. A limited amount of adaptive species may be allowed, subject to the approval of FCON. Non-invasive seasonal plantings may be permitted.

C. Tree Space Requirements. For trees counting towards tree cover credit, tree planting spaces proposed in the streetscape and other areas restricted by barriers to root growth must provide a planter open surface area at least 6 x 6 feet. Where minimum planting areas cannot be met and planting spaces at least 8 feet wide cannot be provided, rooting zone width a minimum of 8 feet must be provided beneath paved surfaces using structural cell technology or other solutions acceptable to FCON that provide uncompacted soil within the planting space, with planting sites meeting the following specifications:

i. A minimum of 6 feet open surface width and 36 square feet open surface area.

ii. Rooting area beneath paved surfaces a minimum of 8 feet wide, taking into consideration sloped sides as may be needed to support adjacent compacted soils for roadways and pedestrian walkways. Planting space depth must be 4 feet within four feet of the tree on all sides. Soil depth in areas beyond four feet may be shallower or narrower as long as specified minimum soil volumes are met. Paved surfaces over the specified rooting area must not be dependent upon compacted soil for structural support.

iii. Soil volume for Category III or IV trees (as indicated in Table 12.14 of the Public Facilities Manual) shall be a minimum of 700 cubic feet per tree for single trees. For two trees planted in a contiguous planting area, a total soil volume of at least 1200 cubic feet must be provided. For three trees or more planted in a contiguous area, the soil volume must equal at least 500 cubic feet per tree. A contiguous area must be defined as any area with a soil depth of 3-4 feet, within which lateral root growth is unrestricted.

iv. Soil in planting sites must be as specified in planting notes to be included in site plans reviewed and approved by FCON.

v. The Applicant must contact FCON (703-324-1720) at least 3 business days prior to installation of trees and provide an opportunity for FCON staff to verify conformance with these requirements.

28. Soil Remediation. Planting areas containing construction debris, rubble, compacted soil, or other unsuitable conditions for the establishment and long-term survival of landscape plants will undergo remedial action. These actions will restore the soil to meet the requirements of trees, shrubs, and groundcovers specified in the landscape planting plan. The Applicant will provide notes and details on the site/subdivision plan outlining the soil restoration process for review and approval by Forest Conservation.

29. Limits of Clearing and Grading. The Applicant must conform to the limits of clearing and grading generally as shown on the CDP/FDP, as may be modified by final engineering and the tree preservation walk-through, in consultation with FCON and LDS. Encroachments may be permitted for the installation of utilities and/or trails due to unforeseen existing utilities locations. Utilities and/or trails in areas protected by the limits of clearing and grading must be located in the least disruptive manner necessary as determined by LDS in consultation with FCON and LDS.

30. Demolition. The demolition of all existing structures and site features within or adjacent to tree preservation areas must be accomplished in the least disruptive manner practical as reviewed and approved by FCON. All tree protection fencing must be in place and verified by a County representative prior to commencement of demolition activities.

31. Stormwater. The Applicant must implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property in accordance with the Fairfax County Public Facilities Manual, Stormwater Ordinance, and Virginia Department of Environmental Quality (DEQ), as approved by LDS. Stormwater management facilities/Best Management Practices ("BMPs") must be provided as depicted on the CDP/FDP. The Applicant reserves the right to pursue additional or alternative stormwater management measures provided the same are in substantial conformance with the CDP/FDP. However, these alternative measures must not include the purchase of off-site nutrient credit. At the time of site plan the Applicant must demonstrate adequate outfall in accordance with applicable County ordinances. All BMPs must be provided onsite.

    The Applicant will provide a minimum of 6,347 cubic feet of on-site stormwater detention storage volume, which will be achieved through underground detention vaults, bioretention tree pits, and/or other approved stormwater management devices. The final type, size, configuration, and location of these facilities will be determined during final site plan review, subject to approval by LDS, provided that the minimum required detention storage volume of 6,347 cubic feet is maintained. The final provided volume may be adjusted in coordination with SDID staff during the final site plan review. Any adjustments to this provided volume will not require an interpretation.

    The Applicant will incorporate supplementary on-site water quality strategies including but not limited to manufactured treatment devices, bioretention tree pits, dry swales, or other strategies. The final locations of said strategies will be determined at the final site plan.

32. Invasive Plant Species Management. Forested areas containing plant species that are known to be invasive in quantities that threaten the long term health and survival of the existing vegetation

present must be the subject of an invasive plant species management plan in order for the area to be awarded full 10-year canopy credit. At the time of site plan submission the applicant must provide a management plan for review and approval by FCON specifying the common and scientific name of invasive species proposed for management, the target area for management efforts, methods of control and disposal of invasive plants, timing of treatments and monitoring, duration of the management program (related to bond release timing), and potential reforestation as needed. The Applicant, or the Common Owners Association, must monitor the managed areas for a period of five (5) years upon substantial completion of the development.

33. Tree Preservation. The Applicant must submit a Tree Preservation Plan and Narrative with each site plan submission. The Tree Preservation Plan and Narrative must be prepared by a Certified Arborist or a Registered Consulting Arborist and must include elements of the PFM deemed appropriate to the project site as determined by FCON.

34. Tree Preservation Measures. As part of site plan submission, tree preservation measures will be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets and Tree Preservation Plan. Tree preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching, watering, etc. Specifications must be provided on the plan detailing how preservation measures will be implemented. Tree preservation activities must be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

35. Tree Preservation Walk-Through. The Applicant must schedule a walk-through meeting with FCON, LDS prior to any site clearing. The Applicant must retain a certified arborist or a Registered Consulting Arborist to flag the limits of clearing and grading prior to the meeting. The Applicant's certified arborist or landscape architect or designated representative must walk the limits of clearing and grading with FCON, LDS, representative to determine where adjustments to the clearing limits could be made to increase the area of tree preservation, and/or where alternative preservation efforts that could save more trees are more effective. Such agreed upon adjustments must be implemented without requiring revisions to the clearing plan, unless explicitly required because the field conditions do not permit the preservation as detailed.

    Dead or dying trees within tree save areas may be removed by hand under the supervision of the project arborist and prior approval from FCON. Any tree so designated may be removed using a chain saw or other method that minimizes disturbance to surrounding live trees and understory vegetation.

36. Project Arborist/Pre-construction Meeting. Prior to the pre-construction meeting the Applicant must have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant must retain the services of a Certified Arborist or Registered Consulting Arborist (Project Arborist) to attend the pre-construction meeting to review the limits of clearing and grading with an FCON representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading. Such adjustments must be recorded by the Project Arborist and tree protection fencing must be implemented under the Project Arborist's supervision based on these adjustments.

37. Site Monitoring. The Applicant's Project Arborist must be present on-site during implementation of the Phase 1 Erosion and Sediment Control Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities include, but may not be

limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of Phase 2 Erosion and Sediment Control Plan, the Project Arborist must visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by FCON. Written reports must be submitted to FCON and SDID site inspector detailing site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan.

38. Landscape Planting Pre-installation Meeting. Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer must coordinate a pre-installation meeting on the site with the landscape contractor, FCON staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan must be reviewed and must be approved by FCON staff prior to planting. The installation of plants not approved by FCON may require the submission of a revision to the landscape plan or removal and replacement with approved trees/shrubs prior to bond release.

39. Transfer of Tree Preservation Plan Information. As a permittee that will convey ownership of forested areas in common open space to the Homeowners Association, the Applicant must, at the time the COA takes over management of the open space parcels, convey to the COA any long-term tree and forested area management information that was prepared to satisfy tree conservation plan requirements of the subdivision plan. Information must include data collected for the Tree Inventory, updated to note completion of tree preservation activities required by the Tree Preservation Plan approved with the subdivision plan and any additional work performed for preservation and/or maintenance of trees located in common open space.

40. Green Building. In support of energy conservation and green building techniques; the Applicant, in consultation with the Environment Branch of the Department of Planning and Development (DPD), must seek certification for this development from one of the following programs that offers third party review of "green building" or energy efficient measures for the residential dwellings on the Property. The Applicant must have sole discretion to choose the program or programs that will be utilized.

    A. Certification in accordance with the EarthCraft House Program as demonstrated through documentation provided to LDS and DPD prior to the issuance of the residential use permit (RUP) for each dwelling unit. If certification is still in process at time of RUP issuance, the applicant must provide documentation from the EarthCraft project manager demonstrating that the project has been registered, completed final inspection, and has met the requirements to attain EarthCraft Certification prior to RUP issuance for each dwelling unit. The applicant must provide documentation to LDS and DPD demonstrating that certification for the Proposed Development has been attained prior to final bond release; or

    B. Certification in accordance with the most current version of National Green Building Standard (NGBS) using the ENERGY STAR® Qualified Homes path for energy performance, as demonstrated through documentation submitted to LDS and DPD from a home energy rater certified through Home Innovation Research Labs that demonstrates that the dwelling unit has attained the certification prior to the issuance of the RUP for each dwelling; or

C. The Applicant reserves the right to utilize an equivalent program in consultation with and approved by the Environmental Branch of DPD prior to site plan approval.

41. Noise Attenuation. All residential units on the Property must employ construction measures designed to ensure that interior noise resulting from all transportation sources, including airplane overflights, is mitigated to levels that do not exceed a modal max of 45 dBA, or less. Construction measures must be in accordance with the recommendations made in the Lincoln Park I Site Noise Analysis report, prepared by Hush Acoustics LLC dated September 29, 2025, and may include, but not be limited to, appropriate and upgraded Sound Transmission Class ("STC") ratings for windows, doors, exterior walls, and roofs; stone wool, mineral wool, or other enhanced insulation materials; additional layers of dry wall; resilient channels or clips; and appropriate seals and caulking between surfaces. At the time of building permit issuance, compliance with these requirements must be certified by an acoustical engineer licensed in the Commonwealth of Virginia.

    Prior to the issuance of the first RUP, the Applicant must conduct post-development interior noise testing of any model homes constructed on the property, with such tests certified by an acoustical engineer, to demonstrate that an interior noise level of 45 dBA, or less, has been achieved. The results of such post-development interior noise testing must be provided to the Public Facilities and Development Review Branch (PFDRB) of DPD. In addition, and if requested by the County, the Applicant must conduct additional tests of no more than five units, which should be dispersed throughout the development. Corrective measures, if necessary, to achieve an interior noise level of 45 dBA, or less, could include, but are not limited to, installing windows and doors with higher STC ratings, adding additional insulation or dry wall, and improving seals and caulking between surfaces. Notwithstanding the limitation for testing of five additional units, corrective measures must be applied to any number of units as necessary to ensure that all units achieve an interior noise level of 45 dBA, or less.

42. Airport Noise Disclosure Statement. Prior to entering into a contract of sale, prospective purchasers must be notified in writing by the Applicant of the proximity of Dulles International Airport, including the distance to the airport, that homes are located within an area that may be impacted by aircraft overflights and aircraft noise, that the noise from individual aircraft flying over the property may exceed the average aircraft noise levels for the Property, that the frequency of overflights may increase over time, and that the Property is encumbered by an avigation easement. In addition, a map showing Dulles International Airport, the DNL 60 and 65 dBA contour lines as adopted by Fairfax County, and the general locations of residential units and private active recreation spaces must accompany such disclosure notification. Such disclosure must be accomplished by inclusion of this information in all sales contracts, Master COA disclosure statements, and Master COA governing documents so as to give notice to all initial and subsequent purchasers, and by inclusion in the land records. In addition, marketing collateral in any sales office, such as marketing site plans, home brochures, and standard features lists, must note that the property is impacted by noise from planes flying overhead.

43. Avigation Easement and Airport Noise Notification. Prior to the issuance of the first RUP, the Applicant must dedicate and record an avigation easement over the entire Property to the benefit of the Metropolitan Washington Airports Authority, in form approved by the Office of the County Attorney, indicating the right of aircraft flight to pass over the Subject Property. The Master COA Documents

required pursuant to Proffer 7 must contain a notification that the site is in close proximity to Dulles International Airport, that the dwelling units may experience aircraft noise, that noise contour lines may change in the future, and that aircraft noise may increase.

44. Lighting. All on-site and outdoor lighting will not exceed that permitted under the Outdoor Lighting Standards of Section 5109 of the Zoning Ordinance, as may be amended, and will be energy efficient to the extent feasible. All light fixtures will be LED and fully cut off to minimize spillover light. Lighting, including pedestrian-scale lighting, will be provided as generally shown on the CDP/FDP**.**

45. Sanitary Sewer. Prior to site plan submission, the Applicant is required to provide a final sewer capacity analysis study up to manhole 024-4-011 to Wastewater Planning and Monitoring Division of DPWES to ensure that existing sewers have the capacity to serve the proposed uses. If any sanitary sewers are identified as not having adequate capacity for the proposed uses, the Applicant will be required to perform necessary upgrades.

CONTRIBUTIONS

46. Recreation Contribution. Prior to the issuance of the first RUP, the Applicant must contribute a lump sum of $893 per resident estimated to be generated by the proposed development to the Fairfax County Park Authority for use at off-site recreational facilities intended to serve the future residents of the Sully District, as determined by the Fairfax County Park Authority in consultation with the Sully District Supervisor.

47. School Contribution. A contribution of $14,956 per projected student for the number of units constructed in each phase must be made to the Board of Supervisors for transfer to Fairfax County Public Schools (FCPS) and designated for capital improvements at the public schools serving the development. The contribution must be made at the time of the first building permit for the units in that phase. Following approval of this Application and prior to the Applicant's payment of the amount(s) set forth in this Proffer, if Fairfax County should modify the ratio of students per unit or the amount of contribution per student, the Applicant must pay the modified contribution amount for the development to reflect the then-current ratio and/or contribution. Concurrent with the submission to Fairfax County for the first site plan on the Property, the Applicant must notify Fairfax County Public Schools Office of Facilities Planning Services, in writing, that submission has occurred.

    At the time of the approval of these proffers, the maximum of 94 total residential units (52 stacked or "back-to-back" townhouse units and 42 townhouse units) produces 44 students, per the 2022 FCPS School Impact Proffer Formula and Student Yield Ratio memo. This results in a required contribution of $658,064.00, subject to the stipulations described above.

48. Escalation in Contribution Amounts. All monetary contributions required by these proffers (except School-related proffer), must escalate on a yearly basis from the base year of 2025, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI"), as permitted by Virginia State Code Section 15.2-2303.3. 3.

SIGNAGE

49. Signage. Signage for the Property will be provided in accordance with the requirements of the Zoning Ordinance or pursuant to a Special Exception approved by the Board of Supervisors in accordance with the Zoning Ordinance. The Applicant will install signage noting the public accessibility of specific open spaces and trails on the Property, in accordance with Article 7 of the Zoning Ordinance.

50. Park Wayfinding Signage. Wayfinding and signage will be developed in coordination with FCPA at the time of site plan approval or Special Exception approval and will be installed by the Applicant at the time of the development of the open space to ensure the public can easily identify and access all publicly-accessible parks. Wayfinding and signage will be in accordance with the Fairfax County Park Authority's Privately Owned Public Space ("POPS") sign guidelines. This includes one POPS park access sign for each Urban Park identified on the CDP/FDP. The Applicant must select the materials, dimensions, content, and location of the POPS signage in accordance with the policies of the Fairfax County Park Authority and the Zoning Ordinance. Temporary or interim signage will be provided prior to Special Exception approval, as necessary, and as permitted by the Zoning Ordinance, in consultation with FCPA.

AFFORDABLE DWELLINGS

51. Affordable Dwelling Units ("ADUs"). The applicant will provide ADUs in accordance with Section 5101 of the Zoning Ordinance. The ADUs will be provided pursuant to said Ordinance and the Administrative Regulations Concerning the Sale and Rental of Affordable Dwelling Units, as amended and to the satisfaction of the Department of Housing and Community Development. The ADUs will be evenly geographically distributed throughout the Property.

WORKFORCE DWELLINGS

52. Workforce Dwelling Units ("WDUs"). In addition to any ADUs that may be required, the Applicant must also provide for-sale and/or rental WDUs in accordance with the Guidelines for Provision of Workforce Dwelling Units, Appendix 1 in the Housing Element of the Comprehensive Plan's Policy Plan and the Area Plans, as amended, as well as the Board's Workforce Dwelling Unit Administrative Policy Guidelines, adopted March 18, 2025, and to the satisfaction of the Department of Housing and Community Development. The total number of WDUs will result in not less than eight percent (8%) of the total rental housing units and twelve percent (12%) of the total for-sale housing units constructed.

    A. Income Tiers. The distribution of affordability will depend on the tenure of the units developed as provided below:

        i. Rental Income Tiers. If developed as rental units, the Applicant will provide the total number of WDUs to be provided on the Property pursuant to this proffer as follows: (i) twenty-five percent (25%) to persons/households making sixty (60%) of the Washington Metropolitan region's Area Median Income ("AMI"), (ii) twenty-five percent (25%) of the WDUs to persons/households making seventy percent

(70%) of the regional AMI, and (iii) fifty percent (50%) of the WDUs to persons/households making eighty percent (80%) of the regional AMI.

ii. For-sale Income Tiers. If developed as for-sale units, the Applicant will provide the total number of WDUs to be provided on the Property pursuant to this proffer as follows: (i) thirty-three percent (33%) to persons/households making seventy (70%) of the Washington Metropolitan region's Area Median Income ("AMI"), (ii) thirty-three percent (33%) of the WDUs to persons/households making eighty percent (80%) of the regional AMI, and (iii) thirty-three percent (33%) of the WDUs to persons/households making hundred percent (100%) of the regional AMI.

B. WDU Agreement. Notwithstanding the foregoing, the Applicant reserves the right to enter into a separate binding written agreement with the appropriate Fairfax County agency as to the terms and conditions of the administration of the WDUs (if any) following approval of this Application (the "WDU Agreement"). The WDU Agreement will be on terms mutually acceptable to both the Applicant and Fairfax County and may only become effective after the approval of this Application. Neither the Board of Supervisors nor Fairfax County will be obligated to execute such an agreement. If the WDU Agreement is executed by all applicable parties, then the WDUs will be administered solely in accordance with the WDU Agreement and the provisions of this proffer, as it applies to WDUs, will become null and void. The WDU Agreement and any modifications thereto will be recorded in the land records of Fairfax County.

OTHER

53. Route 28 Prepayment of Taxes. In accordance with Virginia Code Ann. § 15.2-4608(C)(Ch. 770, 2002 Acts of Assembly; H. 735), the Applicant must prepay, in full, the taxes that would have been attributable to the residential portion of the Property in its current non-residential zoning district (that is, the special improvements taxes estimated by the County to be lost as a result of the change in zoning classification requested in this rezoning application), in accordance with the formula and provisions adopted by the Board of Supervisors for optional residential development within the Route 28 Tax District. The prepayment of taxes must be made in full within sixty (60) days after the Board of Supervisors approves this Rezoning application, and the effective date of this rezoning must be deferred until such payment in full is made. The Applicant recognizes that failure to provide payment to the County in the full amount determined by the Board's formula within 60 days of the Board of Supervisors' approval of this rezoning means that the rezoning will not become effective and that the ordinance rezoning the Property and the Board's rezoning decision must both be void in accordance with Virginia Code Ann. § 15.2-4608(C).

54. Advanced Density Credit. Advanced density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT.

55. Zoning Administrator Consideration. Notwithstanding the foregoing, upon demonstration that despite diligent efforts or due to factors beyond the Applicant's control proffered improvements such as, but not limited to, transportation, publicly accessible park areas, off site easements, have been

delayed (due to, but not limited to, an inability to secure necessary permission for utility relocations, or any necessary easements and/or site plan approval approvals from non-County parties such as VDOT, MWAA, etc.) beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of these proffered improvement(s).

56. Successors and Assigns. These Proffers will bind and inure to the benefit of the Applicant and their successors and assigns. Each reference to "Applicant" in this proffer statement must include within its meaning and must be binding upon Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

57. Counterparts. These Proffers may be executed in one or more counterparts, each of which when so executed and delivered must be deemed an original, and all of which taken together must constitute but one and the same instrument.

SIGNATURES TO FOLLOW ON NEXT PAGE