

PROFFER STATEMENT

Owner's Name: The Islamic Center of Fredericksburg ("Owner")

Owner's Address: 7020 Harrison Rd
Fredericksburg, VA 22407

Rezoning Case #: R17-0011

Proposed Zoning: PDH-2

Project Name: Ashleigh Ridge Subdivision

Tax Map Parcels: 21-20-1 (containing approximately 3.42 acres)
7309 Old Plank Road

21-20-2 (containing approximately 3.17 acres)
7305 Old Plank Road

21-20-3 (containing approximately 3.02 acres)
7301 Old Plank Road

Collectively referred to herein as the "Property"

Date: May 17, 2018

The Islamic Center of Fredericksburg, referred to herein as Owner, is seeking rezoning of the above referenced parcels of land containing approximately 9.62 acres (collectively hereinafter the "Property"), from the Rural (Ru) Zoning District to the Planned Development Housing 2 (PDH-2) Zoning District as more specifically identified on Sheets 1 through 3, inclusive of the "Ashleigh Ridge Subdivision TM 21-20-1, 21-20-2, 21-20-3 Generalized Development Plan for Rezoning" prepared by Fairbanks & Franklin, dated November 14, 2017 (hereinafter referred to as the "GDP").

Trustees of Islamic Center of Fredericksburg, on behalf of itself and its respective successors and assigns, hereby voluntarily proffers the following, in compliance with Code of Virginia Section 15.2-2303.4, subject to the Property being rezoned as herein described by the Board of Supervisors of Spotsylvania County, Virginia. These proffered conditions ("Proffers") are the only conditions offered in the rezoning and shall become effective only upon the full and final approval of the instant rezoning application ("Rezoning Application") for the Property by the Board of Supervisors of the County of Spotsylvania, and the expiration of any applicable appeal period to the said approval ("Final Approval"). In such event, the development of the property shall be in conformance with the following proffers, pursuant to Section 15.2-2303 of the Code of Virginia, 1950, as amended, and Section 23-4.6.3, et seq. of the Zoning Ordinance of Spotsylvania County, Virginia (the

“Ordinance”). Any prior proffered conditions on the Property are hereby superseded by these Proffers and any and all previous proffers on the Property are hereby void and of no further force and effect.

I. LAND USE AND GENERALIZED DEVELOPMENT PLAN

1. The development of the Property shall be in conformance with the GDP.
Notwithstanding the statement of conformance described above, all parcels lines, parcel sizes, utility alignments, stormwater management facilities and road configurations shown on the GDP may be modified by the Owner during final engineering and design in order to fulfill final engineering and design requirements, provided any modifications comply with federal and state agency regulations and with the County’s Ordinances and Design Standards Manual.
2. Development of the Property shall be limited to a maximum of nineteen (19) lots (“Lots”) for the construction of single-family detached dwellings.

II. TRANSPORTATION

1. Subject to Virginia Department of Transportation (“VDOT”) and Spotsylvania County (“County”) review and approval, the Owner shall convey portions of the Property along Old Plank Road and Andora Drive as shown on the GDP to the County in fee simple for public street purposes for future improvement to the Old Plank Road and Andora Drive intersection.

III. PUBLIC FACILITIES CONTRIBUTION

1. The Public Facilities Contributions described herein have been allocated to specific categories for illustrative purposes only. The Board of Supervisors may allocate the funds to whatever category they deem to be appropriate.
2. After completion of the final inspection and prior to the time of issuance of a certificate of occupancy for each dwelling unit built on the Property, the Owner shall make a Public Facilities Contribution of \$161.25 per unit. This amount is based on the table below:

Table 1.

<u>Category</u>	<u>Amount</u>
Public Safety	\$46.02
Parks & Recreation	<u>\$115.23</u>
	\$161.25

3. The Property is currently zoned for the construction of three (3) single-family detached dwellings. Therefore, the Owner shall not make a Public Facilities

Contribution for each of the first three (3) single-family houses for which an Occupancy Permit is applied.

4. Public Facilities Contribution herein described shall be adjusted annually on January 1 to reflect any increase or decrease from the preceding year in the Consumer Price Index, U.S. City Average, All Urban Consumers (CPI-U) (the "CPI") prepared and reported monthly by the U.S. Department of Labor. The adjustment shall be made by multiplying the Public Facilities Contribution for the preceding year by the change in the CPI from December of the previous year to the December of the year prior. If the CPI-U is discontinued by the U.S. Department of Labor, the Zoning Administrator shall designate an appropriate index or formula, such as the Marshall & Swift Building Cost Index, having the same general acceptance as to use the and reliability as the CPI-U.

Trustees of Islamic Center of Fredericksburg

By:

Name:

Its:

Title:

STATE OF VIRGINIA

CITY/COUNTY OF Stafford, to wit:

The foregoing document was acknowledged before me this 21 day of May, 2018, by Samer E. Shalaby, Trustee of Islamic Center of Fredericksburg.

My Commission 323725 expires on 4-30-22
(Reg. #) (Date)

[SEAL]



Kristen J. Johnson
Notary Public

Kristen J. Johnson

Printed Name