

**STAFFORD COUNTY, VIRGINIA**

**VOLUNTARY PROFFER STATEMENT**

Applicant & Owner: Allan Myers VA, Inc., a Virginia stock corporation (the “Applicant”)

Property: Stafford County Tax Map Parcels 58-5A, 58-5B, and 58-5G, consisting of approximately 73.33 acres, all as generally depicted on the GDP (collectively the “Property”)

Project Name: “Kings Highway Asphalt” (the “Project”)

GDP: Generalized Development Plan, titled “GENERALIZED DEVELOPMENT PLAN KINGS HIGHWAY ASPHALT RC GEORGE WASHINGTON ELECTION DISTRICT STAFFORD COUNTY, VIRGINIA”, dated September 2, 2022, and prepared by Bowman Consulting Group Ltd., which plan is attached hereto as **Exhibit A** (“GDP”)

Rezoning Request: Conditional rezoning of the Property from Agricultural-1 (A-1) and Urban Commercial (B-2) to Industrial, Heavy (M-2)

Date: March 2, 2023

File No.: RC \_\_\_\_\_

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**1. General Requirements.**

The following proffers are voluntary and reasonable in accordance with Sections 15.2-2298 and 15.2-2303, et al. of the Code of Virginia (1950, as amended), and Section 28-161, et seq. of the Stafford County Code (the “Proffers”). The headings for the Proffers set forth below have been prepared for convenience or reference only and will not control or affect the meaning or be taken as an interpretation of any provision of the Proffers. The Proffers are the only conditions offered in this rezoning application. If the Proffers are approved (including applicable appeal periods) by the Stafford County Board of Supervisors (“Board”), any and all prior proffers affecting or encumbering the Property are hereby superseded by the Proffers, and said prior proffers will be of no further legal force and effect. In addition and notwithstanding the foregoing, the Proffers are conditioned upon and become effective only in the event the Applicant’s rezoning application No. RC \_\_\_\_\_ is approved by the Board (including through applicable appeal periods).

**2. Land Use.**

(a) **General Development.** Subject to the terms hereunder, the Property will be generally developed in accordance with the attached GDP. Notwithstanding the foregoing, all designated open spaces, parcel lines, parcel and lot sizes, building envelopes, building or unit sizes,

public road locations, access points, private driveway and travel-way locations, waste facilities, interparcel connections, parking areas, utility locations, storm water management facilities, amenities, and dimensions of undeveloped areas shown on the GDP may be revised for purposes of the final site or subdivision plans to allow full compliance with the requirements of state and federal agency regulations including, but not limited to, Virginia Department of Historical Resources (“DHR”), Virginia Department of Transportation (“VDOT”), Virginia Department of Environmental Quality (“DEQ”), Virginia Department of Conservation and Recreation (“DCR”), U.S. Army Corps. of Engineers, and the County’s Code, Subdivision Ordinance, and Design Standards Manual. Notwithstanding the foregoing, any material adjustments to the GDP shall be subject to the approval of the County’s Zoning Administrator, and in no event shall approved adjustments to the GDP relieve the Applicant from providing any of the Proffers.

(b) **Permitted Uses.** The Property may only be used for (i) asphalt manufacturing, construction, and sales, and (ii) mining and resource extraction, and reclamation relating to the same.

(c) **Accessory Uses.** The following accessory uses in support of the above permitted uses are authorized to be constructed on the Property and to include: (i) general office, (ii) laboratory, research and testing, (iii) recycling facilities, (iv) contractors equipment and storage yards, (v) fleet parking, (vi) fuel tank and pumps, (vii) fleet and equipment repair shop, (viii) outdoor storage, (ix) raw material storage, and (x) other accessory uses that relate to and support the permitted primary uses described herein.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK  
SIGNATURES TO FOLLOW]*

**OWNER & APPLICANT**

ALLAN MYERS VA, INC.,  
a Virginia stock corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE/Commonwealth of \_\_\_\_\_,  
CITY/COUNTY OF \_\_\_\_\_, to wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023,  
by \_\_\_\_\_, \_\_\_\_\_ of Allan Myers VA, Inc., a Virginia stock corporation,  
on behalf of said corporation.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_  
Notary Registration number: \_\_\_\_\_

SEAL:

**EXHIBIT A**

Generalized Development Plan