County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

March 6, 2006

Mike Jaskiewicz
William H. Gordon Associates, Inc.
4501 Daly Drive
Chantilly, VA 20151

Re: Interpretation for RZ/FDP 2003-HM-046, PCA 2000-HM-044, Woodland Park East
Tax Map 16-4 ((1)) 42-46: Swimming Pool/Courtyard Replacement

Dear Mr. Jaskiewicz:

This is in response to your letter of January 26, 2006, requesting an interpretation of the Conceptual/Final Development Plan (CDP/FDP) and proffers accepted by the Board of Supervisors in conjunction with the approval of RZ 2003-HM-046, the Final Development Plan approved by the Planning Commission, and the proffers accepted by the Board of Supervisors in conjunction with the approval of PCA 2000-HM-044. As I understand it, your question is whether replacing the courtyard between Buildings 10 and 11 with an outdoor swimming pool would be in substantial conformance with the proffers and CDP/FDP. This determination is based on the plan attached to your letter entitled, "Site Plan, Woodland Crossing Parcel 42," prepared by William H. Gordon Associates, Inc. and dated March 4, 2005. Copies of the letter and a reduction of the plan are attached for reference.

As I understand it, the developer of the residential portion of Woodland Crossing is proposing to replace the landscaped courtyard between Buildings 10 and 11 with an outdoor swimming pool. You have stated that at the time of rezoning the provision of a swimming pool for the residential buildings had not yet been determined. Proffer 13d states, "Paved and landscaped courtyards adjacent to Residential Buildings 5, 10, and 11 to include specialty paving, extensive landscaping, tables with chairs, benches, and possible water features shall be provided as generally illustrated on Sheet 10." Sheet 10 of the CDP/FDP shows two options for the courtyard: plaza park and garden park.

It is my determination that the proposed replacement of the courtyard between Buildings 10 and 11 with an outdoor swimming pool is not in substantial conformance with the proffers and CDP/FDP. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this matter, please feel free to contact Kul Sandhu at (703) 324-1290.

Sincerely,

Barbara Byron

Barbara A. Byron, Director
Zoning Evaluation Division

BAB\\O:\ksandh\INTERPRE\Woodland Park East, Swimming Pool

cc: Catherine Hudgins, Supervisor, Hunter Mill District
Frank A. de La Fe, Planning Commissioner, Hunter Mill District
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permits Review Branch, DPZ
Michelle Brickner, Assistant Director, Land Development Services, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: RZ/FDP 2003-HM-046, PCA 2000-HM-044; PI 0601 011, Imaging, Reading File

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RECEIVED
Department of Planning & Zoning

JAN 27 2006

Zoning Evaluation Division

January 26, 2006

Barbara A. Byron, Director
Zoning Evaluation Division
12055 Government Center Parkway, Suite 800
Fairfax, Virginia 22035

Subject: **Modification Request** for Woodland Park East II, Parcel 42, Building 10 and 11. Fairfax County Rezoning Case Number RZ 2003-HM-046 and Proffer Condition Amendment PCA 2000-HM-044) (Approved concurrent with PCA 80-C-028-7 and PCA 77-098-5). Approved Site Plan No. 005518-SP-035-2

WHGA File No. 0313-0235

Dear Ms. Byron,

On behalf of JBG Rosenfeld Retail, the purpose of this letter is to request a modification so as to allow an outdoor swimming pool and associated facilities to be constructed in lieu of the Option 'A-1' Plaza Park or Option 'A-2' Garden Park that were shown on Sheet 10 of 15 (dated 08/23/04) of the BOS-approved CDP/FDP for Woodland Park East, Parcel 42.

Parcel 42 is being developed by JBG Rosenfeld Retail with a mix of retail, office, residential, and parking uses collectively known as Woodland Crossing. Woodland Crossing is part of a larger office park called Woodland Park that was rezoned by the Board of Supervisors on October 18, 2004 to the PDC (Planned Development Commercial) District, referenced as RZ 2003-HM-046 and PCA 2000-HM-044 and subject to proffers and development conditions dated October 18, 2004. Development of the property is subject to the adherence to the Proffers and the PCA/Conceptual/Final Development Plan (PCA/CDP/FDP) consisting of fifteen sheets dated March 2004, as revised through August 23, 2004, and Development Conditions.

Enclosed are four items for your reference:

1. Attachment 1 is four graphic sheets from the approved PCA/CDP/FDP for Woodland Park East. Sheet 2 (of 15) is a copy of the PCA/CDP/FDP Notes that contains general notes and overall tabulations. Sheet 3 (of 15) is a copy of the approved PCA/CDP/FDP plat that depicts the location of Parcel 42 to Woodland Park East as a whole. Sheet 4 (of 15) is a copy of the approved Overall Landscape Plan that shows the location of the subject plaza/garden park between Buildings 10 and 11. Sheet 10 (of 15) is a copy of the detailed landscaping presented for the courtyard plans and perimeter landscaping that shows the approved landscape concepts for the plaza that is the subject of this request.
2. Attachment 2 is a copy of the approved Proffers for Woodland Park East II. Proffers No. 13d and 13e are highlighted as they apply to this request.
3. Attachment 3 is a copy of the proposed plaza with associated swimming pool that, with your approval of our request, will be added to approved (11/10/2005) Site Plan No. 005518-SP-35-2.
4. Attachment 4 details the portion of the site between Buildings 10 and 11, as shown on Sheet 7B (of 36) of approved (11/10/2005) Site Plan No. 005518-SP-035-2.

The applicant is requesting that the swimming pool (as depicted in Attachment 3 above) be deemed a 'minor modification' and as such be allowed in lieu of the courtyard plan options as depicted in Attachment 1 above and likewise substituted for the plaza layout as shown on Sheet 7B (of 36) in approved Site Plan No. 005518-SP-035-2.

Pursuant to the provisions of Paragraph 4-A of Section 16-403 of the Zoning Ordinance, this modification could be permitted with your administrative approval, based on the following:

1.) The modifications would not permit a more intensive use of the property. The proposed outdoor swimming pool is considered as yet another type of plaza amenity that is calculated as an accessory use and is by Ordinance definition a form of open space, therefore it does not intensify the use of the property.

2.) The modifications will not result in an increased parking requirement. The proposed outdoor swimming pool will serve the residential units located in Buildings 10 and 11 and 5 while supplementing the exercise facilities detailed in approved Proffer 13e. There are no specific parking requirements for the swimming pool use.

3.) The modification will not permit uses other than those approved. The proposed swimming pool is considered an accessory use and, as such, is an allowed use on the property in accordance with approved Proffer 1a.

4.) The modifications will not reduce the effectiveness of the approved transitional screening, buffering, landscaping, or open space. The proposed outdoor swimming pool merely provides another option for the provision of buffering, landscaping, and open space within the courtyard plaza in which it shall be sited. The pool layout and design shall allow the continuance of the approved transitional screening in this general area.

5.) The modifications will not permit significant changes to bulk, mass, orientation, or location that adversely impact the relationship of the development to the adjacent property. The proposed swimming pool will not modify the bulk, mass, orientation, or location of approved Buildings 10 and 11 that surround it. Thus, this criterium is met.

6.) The modifications will not result in an increase in the amount of clearing and/or grading for a stormwater management facility that reduces non-stormwater management open space, tree save, and/or landscaping area on the lot. The proposed swimming pool and associated facilities is simply yet another plaza area landscaping option and, as such, is generally equal to the previously approved layout options in this regard. Further, by Ordinance definition, a swimming pool is defined as a type of open space.

7.) The modification will not include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that the sum total of all such structures or

additions not exceed one (1) percent of the approved gross floor area when the total gross floor area shown on the approved final development plan is 50,000 square feet or more nor exceed the maximum permitted density. Adding in the swimming pool does not include the addition of any buildings or building additions and thus no additional floor area.

Lastly, it should be mentioned that during the rezoning approval Staff encouraged the plazas and courtyards be used for recreational uses (such as swimming pools), however the applicant could not commit to the construction of the swimming pool until the building program for the residential uses was more completely determined.

Please call me (263-1900) if you have any questions, or if I may provide you with additional information. Your prompt attention to this matter is appreciated

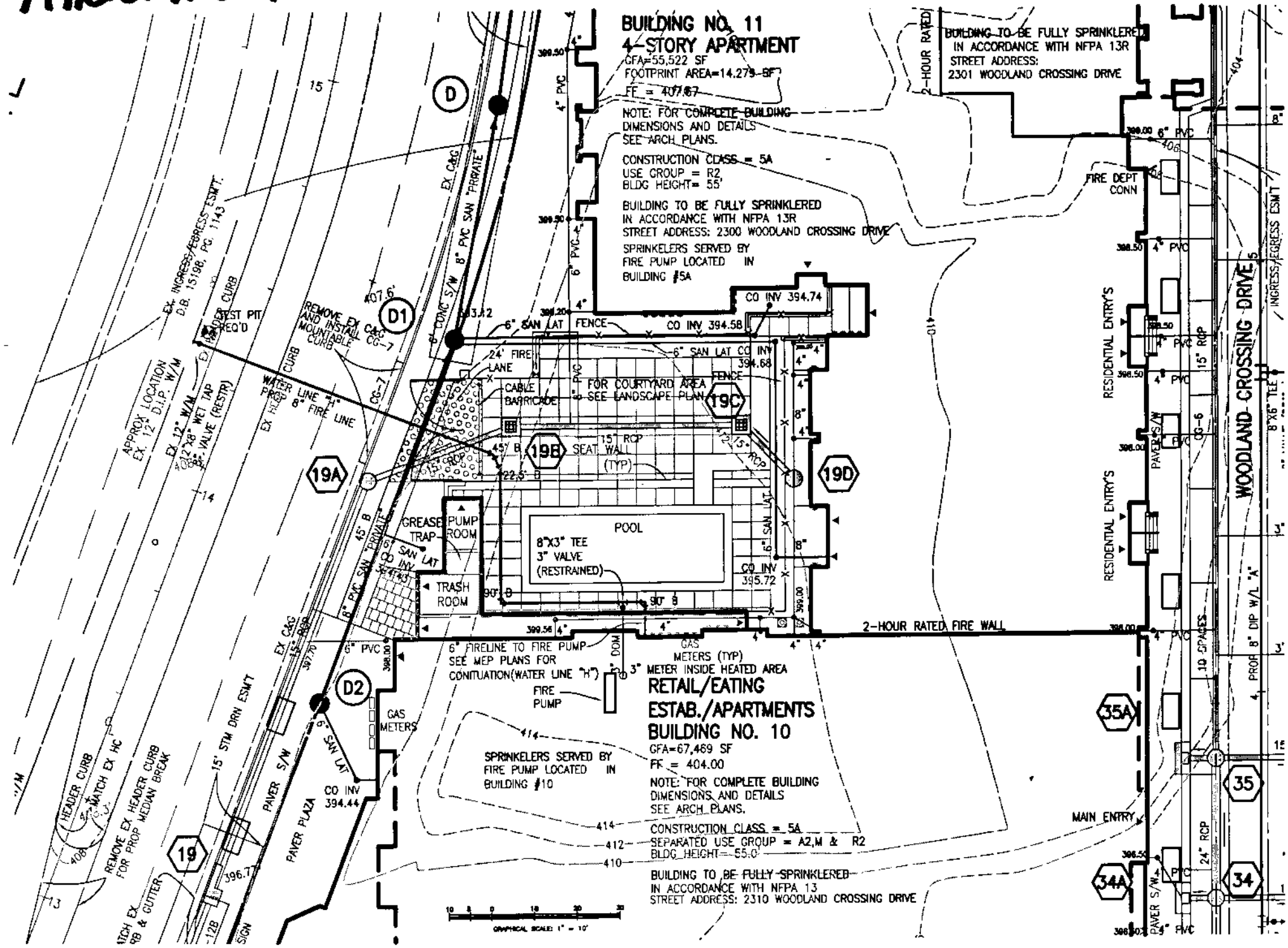
Sincerely,

WILLIAM H. GORDON ASSOCIATES, INC.

Mike Jaskiewicz

Mike Jaskiewicz, AICP
Senior Planner

Attachments

cc: Grant Gottesman
Krista Di Iaconi
File

Attachment 3