



APPLICATION ACCEPTED: October 24, 2005
PLANNING COMMISSION: November 30, 2006
BOARD OF SUPERVISORS: December 4, 2006
@ 3:30 pm

County of Fairfax, Virginia

November 14, 2006

STAFF REPORT

RZ 2005-SP-033

SPRINGFIELD DISTRICT

APPLICANT: Centerpointe Church at Fair Oaks
(formerly known as Fairfax Assembly of God)

PRESENT ZONING: C-3, R-1 and HC

PROPOSED ZONING: C-3 and HC

PARCEL(S): R-1: 46-3 ((1)) 45 – 48 and 50
R-1 & C-3: 46-3 ((1)) 49
and a portion of the prescriptive right-of-way for Legato Road to be vacated/abandoned

ACREAGE: R-1: 2.07 acres
C-3: 1.86 acres (portion of Parcel 49)
prescriptive ROW: 8,958 square feet
TOTAL: 4.13 acres

FAR: Church Option: 0.48 (at final build out)
Office Option: 1.0

OPEN SPACE: Church Option: 42%
Office Option: 38%

PLAN MAP: Fairfax Center Area; Institutional Use at 0.50 FAR at the Intermediate Level; Office use at 1.0 FAR at the Overlay Level

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Department of Planning and Zoning

Zoning Evaluation Division
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Fairfax, Virginia 22035-5509
Phone 703 324-1290
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PROPOSAL:

Rezone 4.13 acres from the R-1 and C-3 Districts to allow the expansion of an existing church in phases (with child care or nursery school) or the development of an office/non-residential building (with other C-3 uses allowed)

WAIVERS & MODIFICATIONS REQUESTED:

Modification of loading space requirement for office option only, to allow tandem spaces

Modification of transitional screening and barrier requirements on the western and southern property boundaries, in favor of that shown on the GDP

STAFF RECOMMENDATIONS:

Staff recommends denial of RZ 2005-SP-033 as submitted. However, if it is the intent of the Board of Supervisors to approve RZ 2005-SP-033, staff recommends that such approval be subject to proffers consistent with those contained in Appendix 1.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290 TTY 711 (Virginia Relay Center).



**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS CAN BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant proposes to rezone the application property from the R-1 and C-3 Districts to the C-3 District to allow one of two options. Option 1 would permit the expansion of an existing church, previously approved on a portion of the application property under SP 84-P-010. The rezoning is necessary to allow the church to expand to the maximum FAR of 0.5, requested at Phase 3. The applicant has recently added a request for a child care center or nursery school as part of the church option, but has not provided any of the necessary details necessary for review, such as number of students or hours of operation. Option 2 would allow the development of office and most other C-3 uses at a 1.0 FAR. This option is referred to in this report as the office option, for ease of identification. The Highway Corridor Overlay District on the site will remain unchanged.

Development of the Church option is proposed in three phases. The following chart illustrates the basics of the three phases of the Church option as well as the Office option.

	Church Option			Office Option
	Phase 1	Phase 2	Phase 3	
GFA	39,000 sq ft	60,500 sq ft	85,000 sq ft	180,000 sq ft
FAR	0.22	0.34	0.48	1.0
# seats	400	400	800	NA
# parking spaces	166 (1 per 2.41 seats)	151 (1 per 2.65 seats)	385 (1 per 2.08 seats)	468
% open space	42%	43%	42%	38%

Waivers & Modifications Requested:

- *Modification of loading space requirement for office, from 5 spaces to 2 spaces*
- *Modification of transitional screening and barrier requirements on the western and southern property boundaries, in favor of that shown on the GDP (both options require modifications)*

LOCATION AND CHARACTER

The application property consists of a grouping of parcels located at the corner of Legato Road and Legato Road. In this report, the portion of Legato Road abutting the eastern side of the site is referred to as “Legato Road (east)” while the portion abutting

the northern boundary is referred to as “Legato Road (north).” A portion of the site (Parcels 49 and 50) is developed with a church and parsonage. The existing church development includes a two-story (40 feet) church building on Parcel 49, with parking on either side and in front, facing Legato Road (east). A parsonage is located on Parcel 50, which may be accessed only from within the site (Parcel 49). Additional parking is provided on Parcel 50. The remainder of the parcels are vacant, but function as open space associated with the church. Legato Road itself is constructed in prescriptive right-of-way, the majority of which will be dedicated with this application.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Office	PDC, HC	Fairfax Center Area (J2); office mixed-use @ 1.0 at the overlay level
South	Residential Multi-family <i>HCD</i>	PDC	Fairfax Center Area (J2); office mixed-use @ 1.0 at the overlay level
East	Retail (Fair Oaks Mall)	C-7, HC	Fairfax Center Area (J5); mixed use retail & office up to 0.50
West	Residential (SFA) <i>EYA</i>	PDC, WS	Fairfax Center Area (J2); office mixed-use @ 1.0 at the overlay level

BACKGROUND

- Per County records, the original church was constructed in 1962, with an addition in 1966. The church is located on the portion of Parcel 49 which is zoned to the C-3 District and as such is a by-right use.
- The parsonage, on Parcel 50, zoned R-1, was constructed in 1949, per county records.
- SP 84-P-010 was approved by the Board of Zoning Appeals on April 25, 1984, on 2.25 acres (Parcels 49 and 50). The SP request brought the existing parsonage into the church property and allowed parking for the use to be constructed on that lot. (see Appendix 4 for SP Plat and conditions)
- APR 02-II-3F was approved by the Board of Supervisors during the 2002 South County Area Plan Review cycle to add a Plan recommendation for an option to allow the expansion of the church up to a 0.50 FAR. In addition, an option for office use up to 1.0 FAR was approved, and the boundary of Sub-unit J3 was expanded to include all the church-owned property (all of which is included in this application).
- OTPA S04-III-FC1 was approved by the Board of Supervisors on March 21, 2005, to amend the Comprehensive Plan to add language recommending year-round screening and the installation of landscaping during the *first* phase of any

redevelopment to address potential impacts from the parking garage (proposed for Phase 3) on adjacent residential land uses.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

Plan Area:	Area III Fairfax Center, Land Unit J, Sub-units J2 and J5
Plan Map:	Fairfax Center – Mixed use office and retail
Plan Text:	

The Fairfax County Comprehensive Plan, Area III Volume, 2003 Edition, Fairfax Center Area, as amended through June 26, 2006 Sub-unit J3, Land Unit Recommendations, page 71-72, states:

“The church that currently occupies this area is a viable land use within the context of the Plan. The building is attractive and in good repair. It is located on a high point topographically and presents a quality image for the area. Expanding the church on-site up to .50 FAR may be appropriate under the following conditions:

- Design the institutional complex so that the buildings (including the parking structure) are coordinated in terms of landscaping, architecture, building materials, and pedestrian and vehicular access.
- Provide most, if not all, of the parking in a structure;
- Mitigate any negative impacts on the adjacent residential use that are the result of expanding the institutional use. Provide enhanced landscaping, buffering and screening between the institutional and residential uses to provide effective year-round screening between the uses. Landscaping should be installed during any redevelopment and maintained to ensure adequate height and coverage of vegetation throughout each development phase. Architectural treatments and enhanced landscaping for structured parking are encouraged to lessen the visual impact of the structure on the adjacent residential use.
- Coordinated development with adjacent development in Sub-unit J2 is encouraged, if feasible, to provide a second point of access to Sub-unit J3 and continuous pedestrian facilities on-site.

High-quality office use may be considered as an option up to 1.0 FAR at the overlay, comparable to that found in the adjacent Sub-unit J2, under the following conditions:

- Provide site and building design that mitigates the negative impacts of office use on the adjacent residential use, including, but not limited to, landscaping, buffering, and screening.

- Provide pedestrian facilities and landscaping on the frontage along Legato Road.
- Coordinated development with adjacent development in Sub-unit J2 is encouraged, if feasible, to provide a second point of access to Sub-unit J3 and continuous pedestrian facilities on-site.”

ANALYSIS

Generalized Development Plan (Copy at front of staff report)

Title of GDP: “Centerpoint Church at Fair Oaks”
Prepared By: William H. Gordon Associates, Inc.
Original and Revision Dates: March 2005 as revised through
October 27, 2006

The GDP consists of 16 sheets.

Sheet 1 is the title sheet and includes a vicinity map, tax map parcel index, sheet index, general notes, and site tabulations (for phases 1-3 of the church option only).

Sheet 2 shows the existing conditions.

Sheet 3 shows Phase 1 of the proposed church option.

Sheet 4 shows Phase 2 of the proposed church option.

Sheet 5 shows Phase 3 of the proposed church option.

Sheet 6 shows cross-sections showing the relationship of the proposed parking deck (Church Phase 3 and Office) to the surrounding residential uses.

Sheet 7 shows elevations and landscaping details for the proposed parking deck.

Sheet 8 shows a detail of the plaza area between the Phase 3 church building and the parking deck, as well as plaza amenities such as lighting, benches and play surfaces.

Sheet 9 shows a detail of the proposed landscaping fronting on Legato Road (east), as well as photographs of some potential plant materials.

Sheet 10 shows an elevation of the east side of the proposed building for Phase 3 of the church.

Sheet 11 is the preliminary stormwater management plan for the site.

Sheet 12 shows the adequate outfall narrative and maps.

Sheet 13 shows pavement marking and signage for Legato Road (east).

Sheet 14 shows the layout for the proposed Office option.

Sheet 15 shows a detail of the plaza area between the proposed building under the Office option and the parking deck, and includes various photographs illustrating pedestrian and vehicular plazas (but no commitment to any particular style or design).

Sheet 16 shows a detail of the open space areas along the frontages of Legato Road (both east and north) along with various photographs of trees that may or may not be planted on the application property.

The applicant has reserved the right, in the proffers, to provide either development option or to construct first one option (church or office) and later the other. Additionally, the applicant has not set any time frame for the phasing of the church.

Church Option: Phase One

Phase 1 of the church option proposes to construct an addition in front (east) of the existing church structure. The site entrance on Legato Road (east) would be relocated to the south, and additional parking would be provided to the south and west of the existing church building. The parsonage would be demolished, and additional parking would be provided in its place. This parking area would be disconnected from the parking on the rest of the site, and a new entrance would be provided onto Legato Road (north).

Phase 1 will provide the following:

GFA	FAR	seats	parking spaces	open space
39,000 sq ft	0.22	400	166 (1 per 2.41 seats)	42%

Phase 1 shows two stormwater management ponds, one at the southeast corner of the site (adjacent to Ragan Oaks) and one at the northeast corner of the site (at the corner of Legato and Legato Roads). The ponds appear to be sized to accommodate all three phases of church development, and the applicant has provided a proffer to that effect.

Sheet 10 of the GDP shows proposed elevations for the phases of the church option, including the average grade plane (apparently measured at build-out). No building materials have been provided, although the elevations show Phase 1 to be constructed with hipped roof lines and a steeple structure that is approximately 130 feet in height. The applicant has proffered to utilize compatible materials and architectural styles on all faces of the building.

The southern portion of the site (as existing) is characterized by open lawn area with scattered mature trees. Denser trees are located to the rear (west) of the existing church. The northern portion of the site (Parcel 50, where the parsonage is located) has denser vegetation, including a dense, mature stand of trees along the eastern property frontage. The GDP for Phase 1 shows only scattered trees to be preserved, including the dense area on the eastern property frontage of Parcel 50.

Additional landscaping is provided primarily as parking lot landscaping. Dense plantings are provided along the site boundaries adjacent to the parking deck proposed for Phase 3 (and the office option).

The existing five-foot wide sidewalks along the site frontages will be maintained. Crosswalks are shown across both entrances, and sidewalks are provided into the site along both entrances.

Church Option: Phase Two

Phase 2 of the church option proposes to tear down the original structure while retaining the addition constructed during Phase 1, and to construct a second addition on the north side of the first. The site entrances would remain as shown in Phase 1. Parking would be added in the location of the original church structure; this parking area would connect to the parking on Parcel 50, some of which would be displaced by the new building construction.

Phase 2 will provide the following:

GFA	FAR	seats	parking spaces	open space
60,500 sq ft	0.34	400	151 (1 per 2.65 seats)	43%

The elevation for Phase 2, as shown on Sheet 10 shows a two-story addition with a combination of gabled and flat roofs elevations and additional cellar space.

The stormwater management ponds and sidewalks provided in Phase 1 are shown to be maintained in Phase 2. Most of the trees shown to be preserved in Phase 1 are also preserved in Phase 2, although a number of the new trees planted in parking areas in Phase 1 are relocated or removed in Phase 2. The applicant has not provided a tree transplantation proffer to address the re-use of these trees in later phases of development.

Church Option: Phase Three

Phase 3 of the church option proposes to construct additions on both the north and south ends of the church structures constructed in Phases 1 and 2. The site entrances would remain as shown in Phases 1 and 2, but all surface parking would be removed and replaced with a parking deck located behind (west) the church building, adjacent to the EYA development currently under construction on Tax Map Parcel 46-3 ((1)) 51 and the surrounding parcels.

Phase 3 will provide the following:

GFA	FAR	seats	parking spaces	open space
85,000 sq ft	0.48	800	385 (1 per 2.08 seats)	42%

The elevation for Phase 3, as shown on Sheet 10, continues the large, one-story hipped roof structure on the south and the two story (plus cellar) structure with flat and gabled roofs on the north.

The parking deck elevations show a five level structure, with no more than 4.5 levels above ground. The cross-sections show that, adjacent to the property boundaries and the adjacent residential uses, the deck will be a maximum of three levels above ground (including ground level). A maximum height of 45 feet is shown on the plan view for the garage. The elevations, however, appear to measure the 45 foot height as defined by the Zoning Ordinance (utilizing an average grade). While this is not inappropriate, the applicant had previously indicated that 45 feet would be the highest absolute point on the garage, and that this would be measured on the face of the garage closest to the church, where the largest portion of the garage is exposed. While the elevations do show that the garage will be set into the site's topography, and fewer levels will be above ground near the property boundary, the height limitations on the GDP would not limit the height to what had been previously discussed by the applicant.

The elevations included in the GDP show "green panels" to be placed around the northwest corner of the garage, mimicking the vertical nature of the adjacent townhouses and providing visual relief from the horizontal lines of the garage. The green panels will provide additional vegetation and screening, as well. Two entrances are shown to the parking deck; at the northeastern corner an entrance will be provided at ground level. On the southeastern corner, a ramp will provide access to the second level of the garage.

Phase 3 also includes a plaza area between the church and the parking deck that will serve as a gathering spot and plaza for special events, and will also provide fire access around the church building. A pedestrian underpass crosses under the garage access ramp (to the southeastern garage entrance) to allow access to a playground and activity plaza, which includes a half court basketball court. Amphitheater seating is provided around a portion of the playground and activity area.

The stormwater management ponds and sidewalks provided in Phase 1 are shown to be maintained through Phase 3. Most of the trees shown to be preserved in Phases 1 and 2 are removed in Phase 3. The exceptions, aside from a few peripheral trees on the property line or just off-site, are one large oak near the southern entrance and the dense trees along the eastern site frontage (Parcel 50).

The buffer plantings provided in Phase 1 along the property boundaries adjacent to the garage are shown to be supplemented with additional plantings, in addition to the green panels on the northwestern corner of the garage discussed above.

The Legato Road (east) frontage landscaping plan, shown with Phase 3 on Sheet 9 of the GDP, provides for a variety of planting areas and the aforementioned trees to be preserved. Additionally, a vegetated swale with rain garden type energy dissipaters is located along its length. This additional water quality facility would drain into the pond at the northeastern corner of the site.

Office Option

The office option proposes to construct a building generally in the same location as the church structure shown in Phase 3; as proposed, this would be a new building, not a conversion of the Phase 3 church building. The proffers indicate that almost any use allowed by-right in the C-3 District may be included in the “office option,” with the exception of commercial swimming pools, tennis courts, funeral homes and quasi public athletic fields (it is likely that none of these outdoor recreational uses would be in substantial conformance with the GDP). The proffers state that at least 50% of the gross floor area would be office, and no more than 20% would be uses other than church or office. It is unclear if these percentages refer to the total allowable floor area, or the constructed floor area. The applicant has expressed an interest in constructing the office option as a hybrid church and office structure, possibly owned as a condominium building. No details have been provided as to the number of seats which would be provided in the church should this occur, although as noted, the proffers would not allow more than 50% of the gross floor area to be in use as a church (again, unclear if this is 50% of the allowable or the constructed floor area). Additionally, any special exception or special permit use could be included on the property (subject to the 20% floor area limitation and a determination of substantial conformance).

Phase 3 will provide the following:

GFA	FAR	parking spaces	open space
180,000 sq ft	1.0	468 (or as needed to meet ordinance)	38%

No elevations are provided for the office option, although the proffers state that, if the office option is developed, the Planning Commission would have the right of review and approval of the design, which would be “of a similar quality and character to other Class A office buildings in the Fairfax Corner area,” a somewhat nebulous standard.

The parking deck elevations and cross-sections provided with Phase 3 of the church option, including the “green panels” on the northwest corner, are to be provided with the office option as well. The office option locates the parking garage slightly further from the property boundaries than in the church option because the recreational space to be provided on the south side of the parking deck can be smaller under the office option. Notes on the GDP and proffers, however, do allow for the garage to meet the setbacks shown on the church Phase 3 option should it be constructed prior to the site’s conversion to office.

Additional parking is shown as an option underneath the building; notes indicate that parking will be developed in accordance with the parking requirements of Article 11. A drop off area on the southern end of the pedestrian plaza is provided in the form of a small circle which will offer an area for waiting cars, and will also allow someone using the drop off to easily circulate back out the same entrance, to Legato Road (east), instead of having to either U-turn into garage traffic or enter the garage to turn around.

The Office option also includes the plaza area between the church and the parking deck, in a slightly modified version from that included with the church option. The office option shows a covered walkway between the building and the garage, and other amenities (water feature, benches) in the pedestrian plaza. The pedestrian plaza continues to serve as fire access around the building; the pedestrian underpass under the garage access ramp (to the southeastern garage entrance) is maintained to the playground and activity area. That recreation area is reduced in size from that shown with Phase 3 of the church in order to provide additional transitional screening along the southern property boundary and to allow the parking deck to shift away from the property boundaries to the north and west. The details of specific amenities are not included.

None of the trees shown to be saved with the church option are specifically shown to be saved in the office option, although the limits of clearing and grading do appear to protect some trees along the periphery of the site. Specifically, a stand of evergreens flanked by two large healthy hickory trees along the Legato Road (east) frontage is removed in the office option. The most recent revision of the GDP shows an alternate fire access along the east side of the building that would, if approved by the fire marshal, allow for the preservation of some of this grouping, though not the larger, more valuable hickory. There is no guarantee, however, that such modification would be allowed, and no enhanced landscaping indicated should the trees not be saved.

The stormwater management pond in the southeastern corner of the site is retained in the office option, but the northern pond is shown as an underground detention facility.

The existing sidewalks (on site frontages) will be retained in the office option, and sidewalks are also shown into the site along the driveways, as well as to entrances on the north and east faces of the building.

A large loading area, with five tandem loading spaces, is shown on the southern end of the site, off the southern driveway entrance and adjacent to the pedestrian plaza.

Land Use Analysis (Appendix 5)

The Comprehensive Plan recommends institutional use at up to 0.5 FAR at the intermediate level, and office use at up to 1.0 FAR at the overlay level. The applicant proposes two development options: a church to be constructed in phases with an FAR of 0.48 at final buildout, or an office use (with other C-3 uses) with an FAR of 1.0. These two options have separate plan text, and are therefore evaluated individually as follows.

Church Option

The Comprehensive Plan text under which this option is proposed includes several bullet points which should be met to receive favorable consideration. It should be noted, that, during the majority of staff review, the applicant specifically stated that no additional use such as a child care center or nursery school was requested for the church option (though the uses were specifically discussed for the office option).

During recent discussions (after preparation of the draft staff report) the applicant requested that these uses, and additional uses such as private schools, be added. While the applicant has since stated their intent to drop the private school request, (although it remains in the proffers), no details have been provided such as numbers of students, or hours of operation. Staff cannot evaluate the proposed use with no information from the applicant.

- *Design the institutional complex so that the buildings (including the parking structure) are coordinated in terms of landscaping, architecture, building materials, and pedestrian and vehicular access.*

The applicant has provided a plan and elevations that show the church structure to be built in phases. The elevation, which shows only the east face of the structure, appears to be provided as a structure with varied heights and roof lines, which will break up what could otherwise be a monolithic, unrelieved structure. No materials or colors are provided, and while staff does not expect particular materials to be shown at this time, the applicant was asked to proffer to utilize the same materials, finishes, and colors on all sides of the building, and in all phases. The applicant has included such a proffer.

- *Provide most, if not all, of the parking in a structure;*

At the ultimate build out (Phase 3), all parking would be provided in a structure. Staff remains concerned that the interim phases provide excessive surface parking. While structured parking may not be appropriate for Phases 1 or 2, the amount of parking could be reduced, allowing for additional tree save and landscaping opportunities, without significantly impacting the amount of parking. At staff's request, the applicant has deleted seven spaces along the western property boundary (the closest point of development to the adjacent residential), in Phases 1 and 2. This provides almost 20 feet of additional buffer width in this area.

- *Mitigate any negative impacts on the adjacent residential use that are the result of expanding the institutional use. Provide enhanced landscaping, buffering and screening between the institutional and residential uses to provide effective year-round screening between the uses. Landscaping should be installed during any redevelopment and maintained to ensure adequate height and coverage of vegetation throughout each development phase. Architectural treatments and enhanced landscaping for structured parking are encouraged to lessen the visual impact of the structure on the adjacent residential use.*

As noted above, the applicant has revised the GDP to remove a row of parking spaces in Phases 1 and 2 to enhance the screening and landscaping opportunities along the western boundary. The applicant has shown plantings, in Phase 1, which should be able to be maintained during construction of the garage, providing more mature screening for the garage in Phase 3. Additionally, the green panels shown on the northwest corner of the garage will provide appropriate softening of the façade, and will visually break up the horizontal lines of the garage.

- *Coordinated development with adjacent development in Sub-unit J2 is encouraged, if feasible, to provide a second point of access to Sub-unit J3 and continuous pedestrian facilities on-site.*

The recently approved development to the west does not provide for coordinated vehicular access. The applicant will maintain (and improve) the sidewalks along Legato Road, offering pedestrian access.

Office Option

The Comprehensive Plan recommends, at the overlay level, **office** use up to a 1.0 FAR. The proposed proffers state that at least 50% of the floor area will be office, and no more than 20% of the floor area will be uses other than office or church. Under these proffers, a 180,000 square foot building that is half office and half church could be constructed. No details are provided for number of seats or amount of parking provided for any proposed church under this option. Additionally, the proffers, as written, do not indicate if the percentage limits apply to allowable floor area or constructed floor area. If the former, a 36,000 stand-alone health club (or other non-office use) could be allowed, as long as the building footprint did not exceed that shown and other GDP factors were met, which is clearly not the intent of the Comprehensive Plan.

The Comprehensive Plan text under which this option is proposed also includes bullet points which should be met to receive favorable consideration.

- *Provide site and building design that mitigates the negative impacts of office use on the adjacent residential use, including, but not limited to, landscaping, buffering, and screening.*

If the office option is pursued, the parking deck will be located farther from the property boundaries than under the church option, but the commitments for landscaping, green panels, and the elevations shown on the GDP plat will be maintained. Because a parking deck for an office will be utilized more extensively than a deck for a church, it is appropriate to provide this additional spacing. Should the Phase 3 church already be constructed, staff believes it would be acceptable to retain the parking garage with the reduced setbacks, as the value of the additional setback would be off-set by the value of the mature landscaping, much of which would have to be removed and replaced (with younger, smaller material) if the garage was torn down and rebuilt. Staff is unable to assess the building design because, to date, the applicant has not committed to any particular building design, style, or materials, as will be discussed further below.

- *Provide pedestrian facilities and landscaping on the frontage along Legato Road.*

As noted, the GDP shows pedestrian facilities along both frontages of Legato Road. Additionally, the underground stormwater management facility on Legato Road (north) allows for that space to be developed as landscaped open space. Staff remains concerned that the placement of the building, and the need for fire access, removes an

area of particularly healthy vegetation along the Legato Road (east) frontage. The recent revision to show an alternate fire access to retain these trees is positive; however, there is no guarantee that such access would be permitted, or even any indication that it might be favorably reviewed.

- *Coordinated development with adjacent development in Sub-unit J2 is encouraged, if feasible, to provide a second point of access to Sub-unit J3 and continuous pedestrian facilities on-site.*

As noted, the recently approved development to the west does not provide for coordinated vehicular access. The applicant will maintain (and improve) the sidewalks along Legato Road, offering pedestrian access.

Issue: Mix of uses; lack of specificity

Staff is concerned that the proposed proffers, which proffer that at least 50% of the floor area will be office, and no more than 20% of the floor area will be uses other than office or church, might be more appropriate for a mixed use plan than an office plan as recommended. The applicant has maintained the right to provide a number of uses which could have very different impacts than office, including eating establishments, health clubs, and indoor recreation courts.

Staff is concerned that the intent of the Comprehensive Plan, to allow institutional uses or office uses, may not be met if a large portion of the development is attributed to uses such as eating establishments, health clubs, or private schools. Staff does not believe that the provision of some uses such as these are inherently bad on this site, simply that sufficient information has not been provided to this point to fully evaluate the proposal.

The applicant's proposal would allow a 180,000 square foot building that is half office and half church (with no details provided for number of seats or amount of parking provided for any proposed church). This would be a seven day a week use, (office during the weekdays, church uses on weeknights and weekends) with much greater impacts on the adjacent residential uses than either a straight office (weekdays only) or a straight church (weeknights and weekends).

Additionally, staff is concerned that the proffers, as currently written, do not indicate if the percentage limits apply to allowable floor area or constructed floor area. If the former, a 36,000 stand-alone health club could be allowed (as long as the building footprint did not exceed that shown and other GDP factors were met), which is clearly not the intent of the Comprehensive Plan.

This issue remains outstanding.

Issue: Office Design

The applicant has provided a maximum footprint, floor area, and height for the proposed building, but no specific elevations, as are usually provided in the Fairfax

Center Area. The applicant has indicated their reluctance to commit to make specific design commitments for a speculative building. In addition to the lack of architectural details, staff believes that a site design with a more sensitive layout could be provided, with increased opportunities for open space and buffering. For example, a building that partially overlapped a parking structure could be constructed with increased front setbacks, allowing a grouping of particularly good trees along the Legato Road (east) frontage to be preserved.

While the applicant has proffered to return the building elevations to the Planning Commission for review and approval, and that the building will be of “similar quality and character to other Class A office buildings in the Fairfax Corner area,” the lack of specificity on the design parameters would leave the Planning Commission little to judge the elevations against, and little opportunity to request changes. It appears that the applicant is attempting to preserve all options while making minimal commitments. This issue remains outstanding.

Fairfax Center Checklist Analysis (Appendix 13)

The Fairfax Center Checklist is a tool utilized by staff in evaluating a zoning application for conformance with the Comprehensive Plan for the Fairfax Center Area. The Checklist contains transportation, environmental, site design, land use, and public facilities elements.

Church Option (Intermediate)

In order to justify development at the Intermediate Level, the application must satisfy:

- ⊙ All applicable basic elements;
- ⊙ All applicable major transportation elements;
- ⊙ All essential elements; and
- ⊙ Either 75% of the applicable minor elements *or* 50% of the applicable minor elements and 25% of the applicable major elements.

Based on staff’s analysis as found in Appendix 13, development of the church option would justify development at the requested intermediate level.

Office Option (Overlay)

At the Overlay Level, the application must satisfy:

- ⊙ All applicable basic elements;
- ⊙ All applicable major transportation elements;
- ⊙ All essential elements;
- ⊙ Three-fourths (75%) of the applicable minor elements; and
- ⊙ One-half (50%) of the applicable major elements

Based on staff's analysis as found in Appendix 13, development of the office option would not justify development at the overlay level, as requested, without additional modifications to the GDP and/or significant improvements to the proffers. In order to meet the requirements for development at the overlay level, the office option would need to provide more specifics about design and the proposed mix of uses. Some flexibility is appropriate; however, no details at all are provided with this application.

Transportation Analysis (Appendix 6)

Issue: Mix of uses; lack of specificity

As noted in the Land Use Analysis, the applicant has specifically included most of the uses "permitted in the C-3 District" as allowable uses on the site, provided that under the office option, a minimum of 50% of the gross floor area shall be devoted to office uses, and no more than 20% of the floor area could be uses other than office or church. Staff has asked for additional traffic generation data to evaluate how this potential mix of uses would impact the surrounding traffic network. The applicant has indicated their intent to create a set of scenarios based on different mixes of uses, and to therefore provide "worst case" traffic generation data. At this time, such information has not been received; therefore this issue remains outstanding.

Issue: Fairfax Center Road Fund

The applicant has proffered to provide the Fairfax Center Area Road Fund contribution for the office option (the church use is not required to contribute by the guidelines), but has include unacceptable caveats that could allow the church to retain ownership of leased space that was utilized for non-church uses (such as offices) without contributing to the Fund. The proffer should be revised to state the contribution will be made according to the Board's adopted policies. This issue remains outstanding.

Environmental Analysis (Appendix 7)

Based upon the original submission, the applicant was requested to provide additional information about the adequacy of the stormwater management system and outfall. Based on the information supplied, the SWM facilities appear to be adequate for the proposed use. Staff would prefer to see additional tree preservation, especially on the office option. A proposal to request alternative fire access would allow for additional tree save, but there is no guarantee (or indication) that such alternate access would be approved by the fire marshal. Additionally, staff believes that additional buffers could be provided for Phases 1 and 2 of the church option by reducing parking, which would also reduce impervious surface on the site. Finally, the church option includes a landscaped vegetated swale along the Legato Road (east) frontage. The office option does not include such a swale, or any other innovative stormwater management techniques. Staff believes that such should be provided.

Public Facilities Analysis

Water Service (Appendix 8) – Adequate service available; no issues cited.

Sewer Service (Appendix 9) – Adequate capacity available; no issues cited.

Fire and Rescue (Appendix 10) – Meets fire protection guidelines; no issues cited.

Stormwater Management Analysis, DPWES (Appendix 11) – No issued cited.

Fairfax County Park Authority (Appendix 12) – No issues cited.

ZONING ORDINANCE PROVISIONS

BULK REGULATIONS (C-3)					
Standard	Required	Provided			
		Church Phase 1	Church Phase 2	Church Phase 3	Office
Lot Size	20,000 sq ft	4.13 acres			
Lot Width	100 feet	Legato Road (east): 580 feet Legato Road (north): 228 feet			
Building Height	90 feet	50 feet			90 feet
Front Yard	25°, not less than 40 feet (Church 40 ft) (Office 42 feet)	East: 40 feet North: 198 feet	East: 40 feet North: 120 feet	East: 40 feet North:76 feet	East: 43 feet North:76 feet
Rear Yard	20° ABP, not less than 25 feet (Church 25 ft) (Office 33 feet)	183 feet	183 feet	150 feet	150 feet
FAR	1.0	0.22	0.34	0.48	1.0
Open Space	15%	42%	43%	42%	38%
Parking Spaces	Phase 1 & 2: 100 Phase 3: 200 Office: 468	166 (1 per 2.41 seats)	151 (1 per 2.65 seats)	385 (1 per 2.08 seats)	468 minimum

TRANSITIONAL SCREENING & BARRIER REQUIREMENTS		
Standard	Required	Provided
Church Option:		
South (PDC) MF residential	Barrier H	Minimum 10 feet, Barrier H
West (PDC) SFA residential	25 ft, Barrier D, E, F	Phase 1, 2: Minimum 4 feet, no barrier Phase 3: Minimum 20 feet, no barrier

TRANSITIONAL SCREENING & BARRIER REQUIREMENTS		
Standard	Required	Provided
Office Option:		
South (PDC) MF residential	25 ft, Barrier D, E, F	25 feet, Barrier H
West (PDC) SFA residential	35 ft, Barrier D, E, F	25 feet, no barrier

Waivers and Modifications Requested

- o *Modification of loading space requirement for office, to allow tandem spaces*

The applicant has requested a modification of the loading space requirements to allow the five required spaces to be provided as tandem spaces (stacked two deep), in lieu of a previous request to provide only two of the five required spaces. Staff would not object to the request, which will reduce the visual impact of the loading area.

- o *Modification of transitional screening and barrier requirements on the western and southern property boundaries, in favor of that shown on the GDP (both options)*

The church proposal has lesser screening and barrier requirements than the office option, as shown in the above table. Additional screening is provided under the office option (v. the church option). Under both options, the screening and barrier proposed to the south (multi-family uses) is sufficient but the screening provided to the west (single family attached) is less than that required by the Zoning Ordinance.

As noted earlier, the applicant has revised the GDP to increase the screening along a portion of the western property boundary in Phases 1 and 2. Those areas where the buffer was not increased abut open space. In general staff supports the screening plan as depicted on the GDP. The parking deck, potentially the most obtrusive portion of the use, has been designed to be set into the grades on the site to minimize height and bulk. Additionally, “green panels” are provided along the northwestern corner of the structure to supplement the transitional screening. The office option, wherein the garage will be more heavily used, provides for buffer yards that are wider than that provided under the church option. An option to allow the closer garage to be used for office if it is already constructed is appropriate as that will minimize site disturbance and preserve existing vegetation.

Highway Corridor Overlay District Requirements (Sect. 7-600)

The Highway Corridor Overlay District applies additional regulations to drive-in banks, fast food restaurants, quick-service food stores, service stations, and service station/mini-marts. The proposed uses on the property do not fall into these

categories; therefore, the additional regulations of the Highway Corridor Overlay District do not apply.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant proposes two options for development, a church (to be constructed in phases) or an office use. The church option, as originally proposed, would meet the conditions of the Comprehensive Plan and the Fairfax Center Area Checklist criteria, and satisfy the relevant Zoning Ordinance provisions. As noted, however, the applicant has inserted additional uses into the proffers for this option (child care center, nursery school, private schools) without providing any details (number of students, operational details, hours, traffic generation). While child care centers and nursery schools are often co-located with churches, staff cannot evaluate these additional uses with no details and no time. With appropriate information and sufficient time to review the proposal, staff would be able to review the proposal and make recommendations on the proposed uses. While staff could recommend approval of the church option only (no additional uses), at this time, and as currently proposed, staff cannot recommend approval of the church option with child care, nursery school and private schools. It should also be noted that the private school option was not advertised, and therefore inclusion of this use may invalidate the legally required advertisements.

The office option, as discussed in this report, is not fully developed at this time. While staff has an interest in encouraging more office development in the Fairfax Center Area to offset recent conversions of several areas to residential, evaluation of such an option would require more details as to the future development, specifically the mix of uses proposed on the site and how those would impact surrounding land uses, parking, and traffic generation. Additionally, pertinent design details are missing with this application, such as the provision of a specific building design and building materials, or alternatively, a commitment to a specific standard that is recognized in the industry. While the applicant has proffered to provided construction that is "similar to" Class A office space, they have not actually proffered to "provide" Class A office space (or another acceptable defined or industry recognized standard). Finally, because the design of the office use is not fully developed, details such as landscaping, tree preservation, and amenity spaces cannot be optimized. A final design of the building would, for example, offer staff and the applicant to explore options to provide additional tree preservation or utilize additional LID techniques, which might warrant development at the overlay level. Staff cannot support the requested office option at this time.

Since the application must be addressed as a whole, staff cannot, at this time, support the application.

Recommendations

Staff recommends denial of RZ 2005-SP-033 as submitted. However, if it is the intent of the Board of Supervisors to approve RZ 2005-SP-033, staff recommends that the Board approve the application subject to proffers consistent with those contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Approved SP Plat and conditions (SP 84-P-010),
5. Plan Citations and Land Use Analysis
6. Transportation Analysis
7. Environmental Analysis
8. Fairfax County Water Authority
9. Sanitary Sewer Analysis
10. Fire and Rescue
11. Stormwater Management Analysis, DPWES
12. Fairfax County Park Authority
13. Fairfax Center Checklist; Church Option
14. Fairfax Center Checklist; Office Option
15. Glossary

PROFFER STATEMENT

August 5, 2006
Revised September 27, 2006
Revised October 30, 2006

Pursuant to Section 15.2-2303-A of the Code of Virginia, 1950, as amended, and Section 18-204 of the Zoning Ordinance of the County of Fairfax (1978, as amended) ("Ordinance"), subject to the Board of Supervisors' approval of the requested Rezoning Application ("Rezoning"), the applicant and owner, for itself and its successors and assigns ("Applicant" or "Owner") hereby proffers the following conditions ("Proffers"). The property that is the subject of these Proffers is identified on the Fairfax County Tax Maps as 46-3((1))-45, 46, 47, 48, 49 & 50 (the "Property").

I. GENERAL DEVELOPMENT PLAN

A. Substantial Conformance. Development of the Property shall be in substantial conformance with the General Development Plan entitled "Generalized Development Plan Centerpointe Church at Fair Oaks" prepared by William H. Gordon Associates, Inc. dated August 7, 2006, last revised October 27, 2006 ("GDP"), except as otherwise provided herein. Sheets 3, 4, 5 and 14 of the GDP present alternative principal uses and building programs for a (i) three phased church development (Sheets 3, 4 and 5) ("Church Option") and (ii) office (or office/church) development (Sheet 14) ("Office Option"). The Applicant may develop the Property consistent with the principal uses, building envelopes and parking layouts shown on Sheets 3, 4 and 5 or develop the

Property with the principal uses, building envelopes and parking layouts shown on Sheet 14, or may develop the Property initially with one of the alternative uses and subsequently redevelop the Property with the other use, all without an amendment to the GDP.

B. Minor Modifications. The Applicant reserves the right to alter building envelopes sizes, modify plazas and courtyards, adjust pedestrian and vehicular circulation and parking areas, provided that the total gross floor area for such uses do not exceed the amounts set forth on the GDP; the building heights as shown on the GDP are not exceeded; the minimum open space, level of amenities, and peripheral dimensions to lot lines are not reduced, as such elements are shown on the GDP to make other modifications as may be permitted pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, and provided such modifications are otherwise in substantial conformance with the GDP.

C. Phasing. Build-out of the Property for the Church Option alternative may proceed in phases as shown on Sheets 3, 4 and 5 of the GDP.

II. PERMITTED USES

The principal use on the Property shall be either (i) Church Option as set forth on sheets 3, 4 and 5 of the GDP or (ii) Office Option (or a combination of church and office uses within the Office Option as shown on Sheet 14 of GDP). If the Church Option as shown on Sheets 3, 4 and 5 is developed, the non principal uses that shall be permitted are limited to:

(i) nursery school and child care centers, offices and private schools of general education and special education provided such non principal uses are affiliated with the church; and

(ii) telecommunications facilities, provided such facilities are integrated into the church steeple.

If the Office Option shown on Sheet 14 is developed the permitted uses shall be all of the uses permitted in the C-3 District, except as limited below:

(i) a minimum of fifty percent (50%) of the gross floor area shall be utilized for office purposes;

(ii) the non church and non office uses shall not exceed twenty percent (20%) of the gross square footage; and

(iii) the following uses shall be prohibited: commercial swimming pools, tennis courts, funeral homes and quasi public athletic fields and related facilities unless an amendment to these Proffers and GDP is obtained.

Under either the Church Option or Office Option, none of the permitted uses shall result in any additional free-standing buildings beyond those represented on the GDP.

Any Special Permit or Special Exception uses subsequently permitted shall be in substantial conformance with the GDP or an amendment to such GDP shall be obtained unless an amendment to these Proffers and GDP is obtained unless an amendment to these Proffers and GDP is obtained. As a condition of the issuance of a Non Residential Use Permit for any non-principal use, the Owner shall provide a parking tabulation to DPWES to demonstrate that the required parking is available.

III. TRANSPORTATION

A. Road Dedication. Prior to the first site plan approval for either the Church Option or the Office Option or upon demand of Fairfax County (“County”), whichever occurs first, the Owner shall dedicate the right of way along the eastern frontage of Legato Road as shown on Sheet 3 of the GDP. Prior to such first site plan approval, the Owner shall also reserve the area shown on Sheet 3 of the GDP as lying between the eastern right of way of Legato Road and the western of the two lines marked “sight distance” for a sight distance easement which the Owner shall grant the County upon demand. The 48” and 52” chestnut oak trees are located within this area. These trees will not be removed by the Owner unless the County makes that request in the course of a site plan review for the Property. Prior to the first site plan approval, the Owner shall seek to have the prescriptive easement on the eastern right of way of Legato Road abandoned, vacated or quitclaimed by the County. The Board of Supervisors’ approval of this rezoning shall not imply its consent to such abandonment or vacation. If such abandonment or vacation is not approved by the Board of Supervisors, the Owner shall pursue a PCA to revise the GDP and proffers to reflect the continued existence of such prescriptive easement.

B. Fairfax Center Road Fund. In the event the Office Option shown on Sheet 14 of the GDP is developed on the Property, the shall contribute to the FCAR Fund, in compliance with the procedural guidelines adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses as determined by FCDOT and/or DPWES. The Owner shall not be required to make any Fairfax Center Fund contribution for any space developed for a church or its related facilities, including any space within the office building which is owned by the church as

a condominium unit separate from the balance of the office building (or subject to a long term lease of thirty years or more in favor of the church).

C. Density Credit. Density credit shall be reserved for the Property as provided by Section 2-308 of the Zoning Ordinance for all dedications described herein and/or as shown on the GDP or as may reasonably be required by the County, VDOT or others at the time of site/subdivision plan approvals.

IV. STORM WATER MANAGEMENT AND BEST MANAGEMENT PRACTICES

Storm water detention with Best Management Practices ("BMPs") and Low Impact Design ("LIDs") shall be provided in the facilities as shown on Sheet 9 of the GDP, including, in the case of the Church Option, the vegetative swale or infiltration trench, all of which shall be subject to modification and approval by DPWES. In the Church Option, the storm water detention and BMP facilities installed in Phase I shall be sized to accommodate all storm water detention and provide BMP requirements for all three phases of the Church.

V. PARKING

A. Minimum Parking Spaces. The Property shall provide at a minimum the number of parking spaces as required by Article 11 of the Ordinance in effect as of the date hereof, and shall be consistent with the uses developed. Applicant reserves the right to provide parking in excess of the minimum required per Ordinance as shown on the GDP, and may provide additional spaces beyond those shown on the GDP so long as (i) it does not decrease open space, (ii) is in substantial conformance with the GDP, (iii) is within the footprint shown for parking, and (iv) if provided in a parking structure, does not exceed the height for such structure, as shown on the GDP. A parking tabulation will be

provided with each application for a Non Residential Use Permit to demonstrate that the required parking is provided.

B. Non Required Parking Spaces. The parking spaces shown as proposed on the GDP that are in excess of the number of spaces required by the Ordinance may be provided at the option of Applicant, but shall not be required provided in no event, if the Church Option is developed, shall the number of parking spaces be less than one space per three seats in the sanctuary.

VI. DESIGN

A. Design Concepts. The architectural guidelines for the Property with respect to building facades, building scale and massing, are set forth in Sheet 10 of the GDP for the Church Option (the "Design Concepts"). These Design Concepts are intended to be illustrative of the general quality and character of the development. Modifications to these elements as shown on the GDP shall not require an amendment to the Proffers or GDP and are permitted provided the changes are in substantial conformance with these Design Concepts. If the Church Option is developed, compatible colors and materials will be utilized throughout all three phases of development. The same or similar architectural treatments, materials and colors will be used on all sides of the church buildings. If the Office Option is developed, the building elevations and materials shall be submitted to the Planning Commission for administrative review and approval as to such design and materials being of a similar quality and character to other Class A office buildings in the Fairfax Corner area and otherwise in keeping with the design guidelines for the Fairfax Center area set forth in the Comprehensive Plan as of the date hereof.

B. Garage Design. The height of all horizontal panels on the structured parking shall be sufficient to reasonably ensure that the potential glare from headlights of automobiles parked inside the parking garage is screened as shown on Sheet 7 of the GDP. Such panels shall include a decorative scoring panel and shall be a color and material compatible with the other buildings on site. The garage shall include green wall panels in a number and location as shown on Sheet 7 of the GDP. Lighting internal to the parking garages shall be located to prevent glare. Lighting on the upper levels of the parking garages shall not include pole lights and shall consist of bollard and/or parapet wall mounted light fixtures. Where fixtures are mounted along the edge of the topmost deck of a parking garage, an opaque house-side shield shall be affixed onto the fixture or adjacent post to eliminate glare so that the lighted portion of the fixture shall not be visible from adjacent residential property.

C. Alternative Garage Structures. If the Property is developed under the Church Option (including the parking garage shown as part of Phase 3 on Sheet 5 of the GDP) and the Property is later developed under the Office Option, the parking garage for the Office Option may utilize the setbacks as shown for Phase 3 of the Church Option (i.e., the parking garage may remain as constructed with Phase 3). This shall not apply if the then existing garage is demolished and a new garage structure is constructed (in which case the larger setbacks shown for the garage in the Office Option shall be required).

D. Lighting. All outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. Fixtures used to illuminate streets, parking areas and walkways

shall be of low intensity design and shall utilize full cut-off fixtures which shall focus directly on the Property.

VII. LANDSCAPING/STREETSCAPE/TREE SAVE

- A. Landscaping and Streetscape. Site plans submitted for the respective phases of development shall include a landscape and streetscape plan for that phase of development as generally shown on Sheets 3, 4, 5 and 9 as to the Church Option and 14 and 17 as to the Office Option of the GDP. The landscaping shown on Sheet 3 of the GDP shall be installed at the same time as the Phase 1 Church Option and shall thereafter not be disturbed, except for the landscaping that is shown to be disturbed by the future development of the Phase 2 or Phase 3 Church Option or the future Office Option. The Owner shall maintain such landscaping. The species and initial planting size of such landscaping is set forth on Sheets 3, 4 and 5 of the GDP as to the Church Option and Sheet 14 of the GDP as to the Office Option, subject to revision as may be approved by Urban Forest Management (“UFM”).
- B. Parking Deck Landscaping. The Applicant shall provide planting areas and landscaping on the top level of any parking garage shown on the GDP in accordance with requirements of the Public Facilities Manual (PFM).
- C. Tree Save Areas. The Owner shall submit a tree preservation plan and narrative consistent with the trees indicated on the GDP to be preserved to the extent practical as determined by UFM as part of the first and all subsequent site plan submissions for the Property. The preservation plan and narrative shall be prepared by a professional with experience in the preparation of tree preservation plans and narratives, such as a certified arborist or certified landscape architect and reviewed and approved by UFM. The tree

preservation plan and narrative shall include a condition analysis rating for the trees shown on the GDP to be preserved, which analysis shall be prepared using methods outlined in the latest edition of the *Guide for Plant Appraisal* published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survival of trees to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the preservation plan and narrative. All trees shown to be preserved on the GDP shall be protected by a tree protection fence. Tree protection fencing shall be four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart, shall be erected around trees to be preserved. All tree protection fencing shall be installed prior to any clearing and grading activities. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist or certified landscape architect. Prior to the commencement of any clearing, grading or demolition activities, the UFM shall verify in writing that the tree protection fence has been properly installed. The Owner shall not disturb the areas protected by the limits of clearing and grading, except for utility crossing(s) permitted by DPWES as part of site plan approval. The Applicant shall have no obligation to replace the twin 24" oak trees in the southwest corner of the Property that have been marked for preservation if the same are impacted by development of the adjacent parcels, provided the Owner shall not impact such trees by its development of the Property.

VIII. SITE AMENITIES

A. Site Amenities. The Applicant shall provide the site amenities and active and passive recreation areas and plaza areas generally as depicted on Sheets 3, 4 and 5 of the GDP as to the Church Option and Sheet 14 of the GDP as to the Office Option. The general quality and character of such areas are set forth on Sheet 8 of the GDP as to the Church Option and Sheet 16 as to the Office Option. The exact elements that comprise such amenities shall be determined at time of site plan for the applicable phase/use.

Additional site amenities may be provided at time of site plan provided they are of the quality of those set forth on Sheet 8 or 16 of the GDP, as applicable.

B. Site Directional Signs. If the Office Option is developed, appropriate directional and traffic control signage shall be installed in the vicinity of each travel aisle accessing the two garage entrances to facilitate safe pedestrian movements from such garage to the building entrance.

IX. TRANSPORTATION DEMAND MANAGEMENT

If the Office Option is developed, the Applicant shall implement and operate a transportation demand management ("TDM") program for the development within the Property consisting of three (3) major components as follows:

1. The designation of an Employee Transportation Coordinator ("TC"). The Applicant shall appoint a TC from its management staff, or from the property owner's association for the Property within 60 days of the issuance of the first Non RUP.

2. The TC will be available to the Fairfax County Department of Transportation (“FCDOT”) staff to work cooperatively to promote opportunities to enhance participation in TDM programs.

3. Commencing with the appointment of the TC, implementation of specific programs should be as follows:

(i) The Applicant, through the TC, shall promote ride sharing on an ongoing basis by displaying information on ride sharing in areas utilized by tenants and their employees, such as common areas and building lobbies. The TC shall: (a) maintain a tenant database that can be used by the TC and/or FCDOT to distribute transit/rideshare information and promote transit use and (b) coordinate with FCDOT to ensure appropriate, up-to-date materials are distributed for promotion of transit and ridesharing;

(ii) Guaranteed Ride Home. The Applicant shall encourage tenants of offices and other permitted uses and their employees to participate in the Washington Council of Government's "guaranteed ride home" program and to provide financial incentives to their employees to travel other than by single occupancy vehicles.

(iii) The Applicant shall, as part of the execution of each lease, advise each tenant that a private TDM program exists and a public TDM program exists and encourage them to participate and contact the TC or FCDOT for participation opportunities.

(iv) Preferential Parking for Car and Vanpools. The Applicant shall reserve parking spaces convenient to parking garage entrance and exit points for car and vanpools based on the estimated number of car and vanpools being utilized and such spaces will be clearly identified as so reserved.

(v) The parking garage, under both the Church Option and Office Option, shall provide enclosed bicycle storage for at least 6 bikes in the location shown on Sheets __ and 14, respectively of the GDP and the Office Option shall include shower facilities. Bicycle racks for the Church Option and Office Option shall provide bike rack space for 18 bikes in the location as shown on Sheets 5 and 14, respectively of the GDP.

(vi) Tenants/Employer occupants in the Office Option shall be encouraged to offer employee benefit options including pre-tax/payroll subsidies for transit and van pool fares, flex time and alternative work schedule programs, live-near work incentives and telework programs.

CENTERPOINTE CHURCH AT FAIR OAKS

By: _____
Its: _____