



PCA/DPA APPLICATION FILED: March 4, 2005  
APPLICATION AMENDED: November 27, 2006  
PRC PLAN APPLICATION FILED: April 24, 2007  
PLANNING COMMISSION: May 31, 2007  
BOARD OF SUPERVISORS: June 4, 2007 at 3:30

## County of Fairfax, Virginia

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May 17, 2006

### STAFF REPORT

APPLICATIONS PCA 85-C-088-07/DPA 85-C-088-05  
(Concurrent with PRC 85-C-088)

### HUNTER MILL DISTRICT

**APPLICANT:** Boston Properties Limited Partnership

**PRESENT ZONING:** PRC

**PARCEL:** 17-3 ((10)) 15

**ACREAGE:** 2.34 acres

**GFA:** 29,782 gross sq. ft. of retail use  
234,451 gross sq. ft. of office use  
264,233 total gross sq. ft.

**FAR:** 2.59

**OPEN SPACE:** 22% (0.53 acres)

**PLAN MAP:** Residential Planned Community

**PCA/DPA PROPOSAL:** To amend the proffers and development plan for RZ 85-C-088, previously approved for mixed-use development, to permit site modifications to include an increase in building height from a maximum of 15 stories to 16 stories.

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**PRC PROPOSAL:**

To approve the PRC Plan associated with PCA 85-C-088-07 and DPA 85-C-088-05.

**STAFF RECOMMENDATIONS:**

Staff recommends approval of PCA 85-C-088-07, subject to the execution of the proffers consistent with those set forth in Appendix 1 of the Staff Report.

Staff recommends approval of DPA 85-C-088-07, subject to the development conditions set forth in Appendix 2 of the Staff Report.

Staff recommends approval of PRC 85-C-088.

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.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

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

**DESCRIPTION OF THE APPLICATION**

<b>Proposal:</b>	The applicant, Boston Properties Limited Partnership, is requesting to amend the proffers (PCA) and the Development Plan (DPA) approved in conjunction with RZ 85-C-088 (Reston Town Center), as it directly applies to the 2.34-acre PRC-zoned subject property, previously approved for office, retail, and parking development, to increase building height from a maximum of 15 stories to 16 stories on Block #15. Concurrently, the applicant is also requesting approval of the PRC Plan, for the subject site. As per the originally approved rezoning application, the applicant intends to develop office, retail and parking uses on the subject property.
<b>Location:</b>	Reston Town Center Urban Core, south of Democracy Drive, east of Explorer St., west of Library Street and north of Bluemont Way. The site is also known as Reston Section 91A Block 15.
<b>Acreage:</b>	2.34 acres
<b>GFA:</b>	29,782 gross sq. ft. of retail use 234,451 gross sq. ft. of office use 264,233 total gross sq. ft.
<b>FAR:</b>	2.59

**LOCATION AND CHARACTER**

**Site Description:**

Reston Section 91A Block 15 comprises 2.34 acres of the Reston Town Center Urban Core. The site, formerly used as a surface parking lot, served the existing commercial developments within the Urban Core of Reston Town Center. Today, the subject property is being developed pursuant to site plan #7067-SPV-012-M-1 (approved by DPWES on September 18, 2006), which is very similar in design to that shown on the applicant's proposed Development Plan Amendment (DPA and PRC Plan). The applicant's DPA and PRC Plan propose no changes to the project's previously approved uses, FAR, or gross square footages, and proposes no major

design changes from the below-grade levels up to the sixth level. As such, the applicant can continue to construct while this application proceeds through the review process.

Immediately surrounding the application property is a previously approved and presently under-construction office, retail, and parking structure to the north of the subject property (Block 14), an existing retail and parking structure to the east of the subject property (Block 7), a previously approved and presently under-construction residential, retail, and parking structure to the west of the subject property (Block 16), and an existing bus transit facility to the south of the subject property, across Belmont Way.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Reston Town Center; Urban Core: Up to 12 Stories (Office/Retail Uses)	PRC	Residential Planned Community
<b>East</b>	Reston Town Center; Urban Core: Up to 5 Stories (Office/Retail/Parking Uses)	PRC	Town Center: Planned Residential Community
<b>South</b>	Reston Town Center Urban Core; Up to 3 Stories (Bus Transit Facility)	PRC	Town Center: Planned Residential Community
<b>West</b>	Reston Town Center; Urban Core: Up to 15 Stories (High Density Residential)	PRC	Town Center: Planned Residential Community

## **BACKGROUND** (See Appendix 5)

### **Site History:**

The original Development Plan approved by the Board of Supervisors on March 9, 1987, in conjunction with RZ 85-C-088, consisted of a general blob plan with specific uses, permitted FAR and building heights designated for each Block and Section. In addition, conceptual plan sheets identified pedestrian and vehicular circulation patterns, and landscape plans. The proffers provide that all architectural renderings and landscape plans be submitted to the Planning Commission for review and approval concurrent with site plan review. A copy of the original proffers is contained in Appendix 5 of this report

On October 2, 1989, the Board approved PCA 85-C-088 concurrent with RZ 89-C-025, PCA 86-C-119, and PCA 86-C-121 to rezone approximately 86 acres of land from the I-3 District to the PRC District to allow residential uses. The subject site is located to the west of the Town Center Urban Core, and is

bounded on the north by Baron Cameron Avenue, to the south by the W&OD Regional Trail, on the west by the Fairfax Parkway, and on the east by Town Center Parkway. The proffers accepted with the approval of these applications are dated September 20, 1989 and are on file in the Department of Planning and Zoning.

PCA 85-C-088-2 concurrent with PCA 89-C-025, PCA 86-C-119-2 and PCA 86-C-121-2 were approved by the Board of Supervisors on October 15, 1990 to permit the coordination of Reston Land's transportation commitments pertaining to Fairfax County Parkway to be coordinated with the efforts of the County to expedite construction of Fairfax County Parkway.

DPA 85-C-088 concurrent with PCA 85-C-088-3 was also approved in October 15, 1990 on 44 acres of the 84 acre Town center Urban Core and consisted of a design change to extend Market Street from Reston Parkway west to Town Center Parkway and to emphasize it as a focal point for the Urban Core. The Development Plan approved in conjunction with DPA 85-C-088 allows hotel, retail and parking uses up to 21 stories on Section 91A Block 18; office, retail and parking uses up to 10 stories on Section 89A Block 1; residential, retail, office and parking uses up to 15 stories and a pedestrian plaza on Blocks 16 and 17. A copy of the Development Plan for RZ 85-C-088 and DPA 85-C-088 are included in Appendix 5.

PCA 85-C-088-04 filed by HCA Health Services of Virginia, Inc. was filed and subsequently withdrawn on September 26, 1991. Also, PCA 85-C-088-05 was filed and subsequently withdrawn on November 23, 1999.

DPA 85-C-088-2 was approved on September 22, 1997 for high density residential development on Section 85 (The Stratford site) to permit an increase in building height from 10 stories to 14 stories.

DPA 85-C-088-3 was approved by the Board of Supervisors on May 20, 2002 with development conditions to allow high density residential as a permitted use on Section 91A Block 18 and section 89A Block 1 and to permit an increase in the maximum permitted structure height from 10 to 15 stories.

PCA 85-C-088-06 concurrent with DPA 85-C-088-4 filed by EOP Reston Town Center and Westerra were filed and subsequently withdrawn on February 27, 2004.

The subject property, Block #15, is part of an approved site plan (#7067-SPV-012-M-1, approved by DPWES on October 18, 2006), which includes the subject property as well as adjacent Blocks 13A, 14, 16, 17, and 18. The site plan approved the subject property for 234,451 gross square feet (GSF) of office space, and 29,782 GSF of retail space (combined: 264,233 GSF). The applicant's submitted Development Plan Amendment (DPA)/Proffered Condition Amendment (PCA) includes a Floor Area Ratio Tracking Chart, dated March 21, 2007, which mirrors this approved GSF count. A copy of the most recent Reston Town Center Core FAR tracking chart is included in Appendix 6.

On March 26, 2007, the Board of Supervisors adopted Zoning Ordinance ZO-07-397, which modified the Planned Residential Community (PRC) District provisions as they related to Articles 6, 16, and 18. Prior to this approval, a PRC Plan, regulated under Sections 16-203 through 16-303, was submitted to, and approved administratively by, DPWES for all developments within a PRC District. The Zoning Ordinance ZO-07-397, which became effective March 27, 2007, changed the PRC Plan submittal from an administrative approval process to a legislative approval process that now requires public hearings before both the Planning Commission and the Board of Supervisors. The applicant has submitted and requested approval of PRC 85-C-088, which is running concurrently with DPA 85-C-088-5 and PCA 85-85-C-088-7.

### **COMPREHENSIVE PLAN PROVISIONS (Appendix 16)**

<b>Plan Area:</b>	III
<b>Planning District:</b>	Upper Potomac
<b>Planning Sector:</b>	Reston-Herndon Suburban Center
<b>Plan Map:</b>	Residential Planned Community; Town Center
<b>Plan Text:</b>	

On page 36 in the Area III text, the Upper Potomac Planning District, Reston-Herndon Suburban Center and Transit Station Areas, 2003 Comprehensive Plan (as amended through July 10, 2006) under the heading, "Town Center Portion of Land Unit D," the Plan states:

#### Town Center Portion of Land Unit D

The Reston Town Center is the designated higher intensity node within the Reston-Herndon Suburban Center. The Reston Town Center represents the major focal point for the Suburban Center and integrates pedestrian-scaled mixed-use projects that have substantial retail, office, commercial and residential components. Reston Town Center portion of Land Unit D consists of sub-units D-1, D-2, part of D-3, D-4, D-5, D-6 and the most western part of D-7. The central portion of the Town Center consists of the approximately 85 acres known as the Town Center Urban Core, located in Sub-unit D-2.

The Reston Town Center should develop as planned in order to provide a viable residential and commercial mix. It is presently planned for a maximum development program of 8,415,000 square feet. Development is planned to be phased in as transportation capacity is available. The proposed composition of this development is as follows:

- Office/research and development - 7,100,000 square feet;

- Retail - 315,000 square feet; and,
- Hotel - 1,000,000 square feet.

The proposed Town Center development will also include hospital uses and a minimum of 1,400 dwelling units, incorporating a mixture of multi-family and single-family housing unit types at up to 50 dwelling units per acre. Additional housing units are encouraged as they would contribute to and enhance the mixed-use character planned for this area.

The Town Center should include a transit center near the intersection of Town Center Parkway and Bluemont Way, in close proximity to the core, and should be planned for a future rail station in the Reston Parkway interchange area. Should such facilities be designated for this area, future development should assist in the provision of facilities to accommodate this need.

Development within the Reston Town Center is contingent upon the implementation of transportation improvements in the area. Projects developed under the mixed-use options should participate in satisfying transportation commitments that are linked to specific development levels in the Town Center. The intensity of development within the Reston-Herndon Suburban Center should generally taper down outside of the Town Center, in order to maintain and highlight this area as the major focal point.

## ANALYSIS

### Development Plan Amendment /Proffered Condition Amendment

(Copy at front of staff report)

<b>Title of DPA:</b>	Reston Town Center Urban Core
<b>Prepared By:</b>	Urban Engineering & Assoc., Inc.
<b>Original and Revision Dates:</b>	November 2, 2004, as revised through May 8, 2007

The Development Plan for the office/retail/parking development on Block #15 consists of thirteen (13) sheets:

- **Sheet 1 of 13:** the cover sheet, including the vicinity map, the soils map, site plan data (to include project description, parking calculations, F.A.R., SF information, etc.), outfall narrative, and copy of DPWES waiver approval letter for all on-site stormwater retention requirements.
- **Sheet 2 of 13:** the proposed Development Plan Amendment for Block 15 depicts the subject property's permitted uses (office, retail, and parking), building footprint (shaded), and requested maximum permitted height of "UP TO 16 STORIES"; the sheet also depicts the previously approved heights and uses upon the surrounding Reston Town Center Urban Core, which will

- remain unaffected by this request. Also included are a general notes section and the previously mentioned Floor Area Ratio Tracking Chart, dated March 21, 2007.
- **Sheet 3 of 13:** the Master Plan for the Urban Core Area that shows existing and proposed building footprints.
  - **Sheet 4 of 13:** the Pedestrian Circulation and Landscape Plan for the Urban Core Area.
  - **Sheet 5 of 13:** the Right-Of-Way/Traffic Circulation Plan for the Urban Core Area.
  - **Sheet 6 of 13:** the existing Conceptual Development Plan for the Urban Core Area, including notes and tabulations.
  - **Sheet 7 of 13:** the existing vegetation map for Block #15. This sheet depicts the site's preconstruction surface parking lot configuration.
  - **Sheet 8 of 13:** a copy of the first sheet of the plat of re-subdivision of Reston Section 91A into Blocks thereby creating Block #15, among others.
  - **Sheet 9 of 13:** a copy of the approved re-subdivision plat of Reston Section 91A into Blocks.
  - **Sheet 10 of 13:** the conceptual and section plan that shows a cross-section elevation for the proposed office/retail/parking structure on Block #14 and a cross-section elevation for the subject property's proposed office/retail/parking structure on Block #15. The sheet also depicts the first story floor plan and average grade plan.
  - **Sheet 11 of 13:** the conceptual and section plan that shows the ground-level footprint for the subject property's office/retail/parking structure.
  - **Sheet 12 of 13:** the section and detail plan which depicts illustrative pedestrian amenities, proposed plant list table, and paving detail at Democracy Drive.
  - **Sheet 13 of 13:** the conceptual design, architectural rendering of the north elevation of the subject property's proposed office/retail/parking structure, to include existing Block 7 and proposed Block 16 structures.

## Features

The applicant's Block #15 proposal includes the following features:

- A single 16-story office/retail/parking structure (excluding the penthouse) will be built in two (2) phases, to include:

- **Phase 1:** Proposed as six (6) stories in height, with a rectangular-designed building footprint of approximately 415' feet +/- (east to west length) x 195' feet +/- (north to south width), the structure will have below-grade parking, with the first story composed of 29,782 SF of ground floor retail (facing out towards Democracy Drive) as well as parking, and the second story through sixth story solely dedicated to additional parking. The subject property will house 1,926 total parking spaces, with 739 required spaces being reserved for the proposed on-site retail (129 spaces) and office uses (610 spaces). The remaining 1,187 parking spaces will be dedicated to uses on Blocks 13, 13A, and 14.
- **Phase 2:** The second phase will include the construction of stories seven (7) through sixteen (16), which will be designed with a maximum elevation of 235 feet, an approximate footprint of 210' feet +/- (east to west length) x 195' feet +/- (north to south width), and will be dedicated solely to office uses (234,551 SF). The Phase 2 addition, which will have just over half the length of the Phase 1 structure below it, will be constructed along the far west end of the Phase 1 structure.

The applicant's DPA/PCA indicates that the proposed structure will reach 225' feet, with their proposed proffers stating that the structure, including any penthouse structures, will not exceed a maximum building height of 235' feet above grade, as determined by the Department of Public Works and Environmental Services ("DPWES"). As a note, the proffers for the Reston Town Center Urban Core limit the maximum height of structures to 275 feet. Vehicular access to the structure shall be from the Explorer Street and Library Street frontage of the structures.

- Landscaping and pedestrian amenities are to be provided along the perimeter of the property, including large deciduous trees, streetscape improvements, and other elements. The proffers note that if the building is less than 15 stories, that the applicant shall have no commitment to the proposed sheets and proffers, as they relate to the additional story.

#### **PRC PLAN** (Copy at front of staff report)

<b>Title of PRC Plan:</b>	PRC Revision* Reston Town Center Phase Two & Three (PRC Plan PRC 85-C-088)
<b>Prepared By:</b>	Urban Engineering & Assoc., Inc.
<b>Original and Revision Dates:</b>	July 24, 2006, as revised through May 8, 2007

The PRC Plan for the office/retail/parking development on Block #15 consists of twenty-eight (28) sheets:

- **Sheet 1 of 28:** the cover sheet, including the vicinity map, the soils map, site plan data (to include project description, site analysis, tree cover calculations), and Reston Town Center Floor Area Tracking table.
- **Sheet 2 of 28:** depicts a copy of DPWES waiver approval letter for all on-site stormwater retention requirements, general note section, storm drainage SWM and BMP outfall narrative and analysis, and drainage map.
- **Sheet 2 of 28:** proposed gross floor areas for the retail, office, and parking uses, parking/loading calculations and explanation, and site map.
- **Sheet 3 of 28:** garage layout for Block 15, parking level B1 through P6.
- **Sheet 4 of 28:** PRC Plan (footprint) for Block 15, with surrounding right-of-ways and parcels, legend.
- **Sheets 5 thru 8 of 28:** plan and profile of Bluemont Way, near Reston Avenue.
- **Sheets 9 thru 11 of 28:** proffers for RZ 85-C-088, RZ 86-C-121, and RZ 68-C-118.
- **Sheet 12 of 28:** proposed proffers for this application, PCA 85-C-088-7/ DPA 85-C-088-5.
- **Sheets 13 thru 15 of 28:** Town Center Development Land Area Summary, trip generation, transportation phasing improvements, traffic studies, volumes, and tables, RZ 86-C-119 proffered conditions and approval letter, figure depicting year 2005 recommended lane configurations.
- **Sheets 16 thru 28 of 28:** A copy of PCA 85-C-088-7/DPA 85-C-088-5, as outlined above.

### **Land Use Analysis**

The applicant is requesting no change to the subject property's previously approved office, retail, and parking uses, and no increase to the property's permitted office/retail square footages/F.A.R. The applicant's sole request is for a development plan amendment to increase the maximum permitted height of the proposed structure, from 15 stories to 16 stories. As noted, the subject property has already obtained site plan approval, for the proposed structure, at 15 stories. However, since that approval, the applicant has determined that the size of the approved office stories (approved for stories 7 through 15) are too large in square footage for potential tenants, and, as such, desires to reduce the square footage upon each office story, and apply that total to a 16<sup>th</sup> story. According to the applicant, the additional story would add thirteen (13) feet to the height of the previous approval. In staff's opinion, the proposed height addition is in conformance with the recommendations of the Comprehensive Plan.

**Transportation Analysis** (Appendix 7)

The proposed development provides adequate vehicular and pedestrian access internal to the Reston Town Center Urban Core, is located directly across from a bus transit facility and is in close proximity to a future transit station. In addition, the WO&D Trail managed by the Northern Virginia Regional Park Authority is easily accessible from the property. Vehicular access to the Reston Town Center would be enhanced by improving the capacity of the existing roads surrounding the Town Center Core Area, such as Reston Parkway. Although the opening of the Fairfax County Parkway link between Sunset Hills Road and Baron Cameron Avenue has relieved Reston Parkway of some of the burden of carrying through trips to and from the north, it is likely that with continued growth in the core area, traffic demand on Reston Parkway will rise again.

**Issue: Reston Parkway Widening and Schedule of Basic Services**

The currently approved proffers include a commitment to widen Reston Parkway, northbound and southbound, between its intersections with New Dominion Parkway/Temporary Road and Baron Cameron Avenue, to a six-lane divided facility with turn lanes. The applicant's previous financial commitment to design costs has not been revised in several years. This commitment should be revised to reflect changes in industry costs. Further, a commitment to escalate the obligated funds based on criteria in the Virginia Code should be provided.

In addition, previous draft proffer submittals included a commitment to a schedule of basic services associated with the design of the improvement, and were not included in the February 27, 2007 draft proffers. The basic services provide the specific scope of the Reston Parkway Plans to be completed by the applicant, and include site plan, plat, survey, striping, utility demarcation/location, reimbursables, and meeting/coordination obligations.

**Resolution**

In the event a 16 story structure is constructed, the applicant has committed to prepare site plans to widen northbound and southbound Reston Parkway, between New Dominion Parkway/Temporary Road and Baron Cameron Avenue to a divided six-lane section with turn lanes in accordance with VDOT standards, and to provide cost estimates to complete such improvements. The applicant has proffered to prepare a study of the widening of Reston Parkway at their own expense and the applicant's engineer has prepared a schedule of basic services associated with the design of the improvement. The applicant has included this schedule (*Schedule I, Basic Services, Task 1 through Task 5, and Schedule I, Basic Services/ Survey Service, Task 1 through Task 3*), as part of their resubmission package, and has made it an attachment to their proffers as Attachment A. Therefore, both issues have been addressed.

**Issue: Bike Lockers**

FCDOT has requested that the applicant provide bicycle lockers on-site to serve the patrons of the building as well as the general biking public. The installation of bicycle lockers would provide an added level of security for bikers who spend upwards of \$2500 on their riding equipment. The density of the Reston Town Center and the proximity of the development to the W&OD Trail and the Reston Transit Center make the site a prime location for bikers to store their equipment when arriving or departing the Reston core area. FCDOT has indicated to the applicant that they anticipate that the lockers would be privately controlled by the building management and that the applicant would be free to recoup their costs by charging rental fees for the lockers. FCDOT feels that the provision of lockers on-site will also address TDM goals identified in the proffers for Reston Town Center.

**Resolution**

The applicant has cited security and management concerns with providing the requested bike lockers and has declined FCDOT's request. This issue has not been resolved.

**Issue: Bike Racks**

The applicant proffered to provide 5 bicycle racks in the parking garages to accommodate a total of 25 bicycles, in the event 16 stories are constructed on site. However, no specific locations have been depicted as was previously requested. Further, if feasible, Staff has requested that on-street racks for visitors to the building be provided. If not feasible, then the garage racks for this purpose should be placed to be easily accessible to the public.

**Resolution**

As proffered, the Bike Racks shall be designed to collectively accommodate parking for at least twenty-five (25) bicycles and shall be located, to the extent feasible, in areas of the Block 15 parking structure that are covered and not exposed to the weather elements. The Applicant has agreed to install at least five (5) bicycle racks in the parking structure to be constructed on Block 15, and has depicted their proposed locations on the PRC Plan (*Garage Layout, Parking Level B1 and P4*). Staff has added a Development Condition requiring that the specific location of these parking facilities shall be determined during review of the development's site plan, subject to the approval of the Fairfax County Department of Transportation. With this condition, this issue has been addressed.

## **Environmental Analysis**

The subject property, which is presently under construction, was formerly a surface parking lot with street trees along its perimeter. There are currently no significant on-site environmental features. The applicant states within their proffers that they “...*may request a waiver of on-site stormwater management and BMP requirements, as the property is part of the regional storm water management system for the Reston Town Center Study Area. ...In the event a waiver is not granted, the applicant shall provide the required on-site stormwater management and BMP facilities as determined by DPWES, provided such facilities are in substantial conformance with the proffers and Development Plan.*”

As noted on Sheet 1 of the applicant’s DPA/PCA (Request for Waiver letter signed by Ray Curd, DPWES, and dated November 10, 1999), the subject property was granted a waiver of the standard on-site County stormwater detention requirements, as off-site detention has been provided for the site. However, the letter states that temporary detention for runoff and sediment control is required in order to comply with the County’s two-phase construction permit program, and that the waiver in no way relieves the applicant of any other County drainage requirements, including adequacy of outfall and pro-rata share payments, or compliance with the Chesapeake Bay Preservation Ordinance.

The subject property is part of the regional storm water management system for the Reston Town Center Study Area and storm water management and BMP for the Property will be handled in the regional detention pond created pursuant to the, “*Town Center Storm Water Management Detention Easement And Maintenance Agreement*”. This issue will be addressed at the time of site plan review. Staff has added a development condition requiring that stormwater management facilities and BMPs shall be provided in accordance with the requirements of the Public Facilities Manual, Chapter 118 of the Fairfax County Code, and the Chesapeake Bay Preservation Ordinance, unless waived or modified, as determined by DPWES.

## **Historic Preservation Analysis (Appendix 8)**

There are no identified or historic resources on or near the subject property that will be negatively affected by the applicant’s proposals.

## **Issue: Norway Maple and Autumn Purple Ash (Appendix 9)**

The applicant’s proposed Development Plan landscape/streetscape plan (Sheet 11 of 13 of DPA) depicts Norway maple (*Acer platanoides*) and/or Autumn purple ash (*Fraxinus Americana* ‘Autumn Purple’) along all four (4) street frontages. The Virginia Department of Forestry and the Fairfax County Urban Forest Management (UFM) Division have both identified the Norway maple tree, which has prolific seed production, as being an invasive species. The County’s Public Facilities Manual (PFM) list the maple under its Undesirable Species for a

Developed Environment (PFM 12-0501.9 & Table 12.3). The Autumn Purple ash is a cultivar of white ash, and is vulnerable to emerald ash borer among other somewhat less destructive boring insects. Although not currently on the County's Undesirable Species for a Developed Environment, staff anticipates that it eventually will be added.

### **Resolution**

Staff has added a development condition that requires the proposed Norway Maple and Autumn Purple Ash to be replaced with either Willow Oak (*Quercus phellos*), London planetree (*Platanus acerifolia*), and/or Chinese elm (*Ulmus parvifolia*). With this condition, this issue has been addressed.

### **Public Facilities Analyses** (Appendices 10 through 14)

#### **Fairfax County Park Authority** (Appendix 10)

The Park Authority has reviewed the proposed Development Plan and has determined that this application bears no adverse impact on land or resources of the Fairfax County Park Authority.

#### **Fire and Rescue** (Appendix 11)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #425, Reston. The requested amendments currently meet fire protection guidelines, as determined by the Fire and Rescue Department.

#### **Sanitary Sewer Analysis** (Appendix 12)

The application property is located in the Sugarland Run (B-2) Watershed, and is sewered into the Blue Plains Treatment Plant. Existing eight (8") and ten (10") inch pipe lines are located in Democracy Drive and Library Street respectively (within 35 and 25 feet from the property), and are adequate for the proposed use at this time. Based on current and committed flow, there is excess capacity in the plant at this time. However, availability of treatment capacity will depend on the current rate of construction and the timing for development of this site.

#### **Fairfax County Water Authority** (Appendix 13)

The subject property is located within the Fairfax County Water Authority Service Area. Adequate domestic water service is available at the site from existing 12-inch and 8-inch water main located at the property. Depending on the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

**Stormwater Analysis** (Appendix 14)**Issue: Outfall Narrative**

The Applicant needs to demonstrate the outfall adequacy to the point at which the total drainage area is at least 100 times greater than the development site.

**Resolution**

The outfall narrative has been expanded to a point where the total drainage area exceeds 1 square mile. Notwithstanding, Staff has added a Development Condition that requires the applicant to satisfy all on-site detention and water quality requirements, in accordance with the Public Facilities Manual, DPWES, and Chapter 118 of the Fairfax County Code, and believes that this issue has been addressed.

**Land Development Services, DPWES**

A representative from Site Development Services of Land Development Services, DPWES, has reviewed the plan and there are no issues associated with the DPA/PCA and PRC Plan at this time.

**ZONING ORDINANCE PROVISIONS** (Appendix 15)**Bulk Regulations**

In the PRC District there are no minimum lot size requirements, maximum building height requirements or minimum yard requirements for commercial structures except that the location and arrangement of structures shall not be detrimental to existing or prospective adjacent dwellings, or the existing or prospective development of the neighborhood. The proffers for the Reston Town Center Urban Core limit the maximum height of structures to 275 feet and designate maximum stories for structures built on each block. As proffered, the structure proposed with this application shall not exceed 235 feet.

In staff's opinion, the applicant's proposal to increase the maximum number of stories that can be constructed on Block #15 from 15 stories to 16 stories would not be detrimental to existing or proposed adjacent developments. Blocks 20 and 16, which are located to the west of the subject property, and share frontage along Bluemont Way, both permit building heights up to 15 stories; Blocks 7 and 6, which are located to the east of the subject property, and also share frontage along Bluemont Way, permit building heights up to 5 stories and 21 stories; Blocks 14 and 13A, which are located to the north of the subject property, and run between Explorer and Library Street, permit building heights up to 12 stories and 21 stories; and to the south of the subject property, and across Bluemont Way, is the Bus Transit Facility, which is permitted a building height up to 3

stories, and an adjacent parcel (listed as Section 89-A), which permits a building height up to 15 stories.

## **OTHER ZONING ORDINANCE REQUIREMENTS**

### **P-District Standards**

The requested PCA/DPA proposal must comply with, among others, the Zoning Ordinance provisions found in Section 16-101, General Standards. The requested PCA/DPA and PRC Plan must comply with Section 16-102, Design Standards.

#### Section 16-101- General Standards

General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions. The proposal is to permit site modifications upon Block #15, to include an increase in building height from a maximum of 15 stories to 16 stories. The proposed development as shown on the Development Plan is in conformance with the adopted Comprehensive Plan (see Appendix 16) with respect to use, character, and intensity within the Reston Town Center. Further, the proposed location and scale of the proposed structure is generally in character with the concentrated urban development pattern envisioned for the Urban Core of the Reston Town Center. Therefore, staff believes this standard has been satisfied.

General Standard 2 states that the design should result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district. Development under the PRC zoning district permits a greater level of flexibility for development of a more urban scale with increased building heights and reduced building setbacks as is characterized by development in the Reston Town Center Urban Core. Therefore, this standard has been met.

General Standard 3 states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features. The entire site, which only measures 2.34 acres, has been cleared, regraded, and is in the process of being redeveloped. The applicant is proposing perimeter landscaping along all four (4) property frontages, which is consistent with the urban/high-density streetscape design already established within the Reston Town Center. The streetscape design shall include brick pavers, lined trees, precast concrete planter curb, and decorative streetlights, among other pedestrian amenities. Therefore, staff believes this standard has been satisfied.

General Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan. This proposed office/retail/parking development is intended to be similar in scale, exterior finishes and style with existing structures within the Reston Town Center. The architectural design was approved by the Reston Town Center Design Review Board, as previously proffered. Staff believes that the proposed design, which will be composed primarily of brick, aluminum, masonry, steel, split faced block, glass, and pre-cast concrete panels, would not be detrimental to the surrounding development within the Town. Therefore, this standard has been satisfied.

General Standard 5 states that the planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available. As demonstrated in the public facilities analysis, adequate public facilities generally are available to support the proposed development. Therefore, this standard has been satisfied.

General Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development. Required parking for Block #15 is being provided in structured parking facilities designed as an integral component of the proposed office/retail/parking structure. The structure incorporates two (2) levels of below-grade parking facilities, as well as six (6) levels of above-grade parking. The property is in close proximity to the W&OD Trail, and directly across the street from an existing bus transit facility. There is adequate pedestrian circulation through the property and connections to adjacent properties. As noted, Staff feels that the pedestrian linkages could be improved with additional crosswalk striping provided along the Explorer Street and Library Street approaches to Bluemont Way, and crosswalks painted-out at Explorer Street/Democracy Drive and Library Street/Democracy Drive. As these items are captured within the applicant's most recent proffers, Staff feels that this standard will have been fully satisfied.

#### Section 16-102 Design Standards (PCA, DPA, and PRC Plan)

Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. In considering the small size of the proposed parcel (2.34 acres) and the urban scale envisioned for the Reston Town Center Urban Core, it is Staff's opinion that it is not an appropriate comparison of peripheral boundaries within the Town

Center with the bulk provisions of a conventional zoning district. However, the proposed office/retail/parking building is comparable in scale and height to the adjacent existing/proposed office, retail, parking, and multi-family residential structures within the Town Center. Therefore, staff believes that Design Standard 1 has been satisfied.

Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments. The open space within the overall Reston Town Center area is proffered to be a minimum of 15% (the proposed development calls for 22%). The applicant is providing above and below-grade parking facilities that are integrated into the design of the structure. Signage must be provided in accordance with the provisions of the Zoning Ordinance. Therefore, this standard has been met.

Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities. Access to the property will be provided via the existing public street network that is characterized by a grid pattern with the Town center to afford accessibility. Convenient access is available to the W&OD Trail as well as the other uses and services within the Reston Town Center including the bus transit facility. Sidewalks will be provided along all four (4) sides of the site's perimeter. Therefore, this standard has been satisfied.

### **6-301 Purpose and Intent (PRC Plan)**

The PRC District regulations are designed to permit a greater amount of flexibility to a developer of a planned community by removing many of the restrictions of conventional zoning. This flexibility is intended to provide an opportunity and incentive to the developer to achieve excellence in physical, social and economic planning. To be granted this zoning district, the developer must demonstrate the achievement of the following specific objectives throughout all of his planning, design and development, including the review of PRC Plans.

Objective 1: *A variety of housing types, employment opportunities and commercial services to achieve a balanced community for families of all ages, sizes and levels of income.* The Master Plan for the Reston Town Center Urban Core details specific uses for each block within the Core. The applicant is proposing no change to the approved uses for Block 15 (to include retail, office, and parking). Therefore, Staff believes that this objective has been satisfied.

Objective 2: *An orderly and creative arrangement of all land uses with respect to each other and to the entire community.* As noted within Objective 1, the Reston Town Center has an existing approved Master Plan which details specific uses on specific blocks. Staff believes that the Master Plan for Block 15, which was subject to public review/hearings, and Board approval, meets this objective.

Objective 3: *A planned and integrated comprehensive transportation system providing for a separation of pedestrian and vehicular traffic, to include facilities such as mass transportation, roadways, bicycle or equestrian paths and pedestrian walkways.* As noted within the Transportation Analysis, the proposed development provides adequate vehicular and pedestrian access internal to the Reston Town Center Urban Core, is located directly across from a bus transit facility and is in close proximity to a future transit station. In addition, the WO&D Trail, which is managed by the Northern Virginia Regional Park Authority, is easily accessible from the subject property. Therefore, Staff believes that this objective has been satisfied.

Objective 4: *The provision of cultural, educational, medical, and recreational facilities for all segments of the community.* The Reston Town Center Master Plan addresses proposed uses for the entire Town Center. The subject property, Block 15, is presently under construction and has been approved for office, retail, and parking. Much of the Town Center is developed to include cultural, educational, medical and recreational facilities upon other developments/blocks. Therefore, Staff believes that this objective has been satisfied.

Objective 5: *The location of structures to take maximum advantage of the natural and manmade environment.* The subject property, which is 2.34 acres in size and a former surface parking lot, is presently under construction. The Reston Town Center Master Plan, as designed, addressed the natural and manmade environment, to include public/open/green space, stormwater-related issues, landscape/streetscape, etc. Therefore, Staff believes that this objective has been satisfied.

Objective 6: *The provision of adequate and well-designed open space for the use of all residents.* As noted within Objective 5, the Reston Town Center Master Plan, as designed, incorporates open space within the overall Town Center design. Additionally, each block within the Town Center block is part of the existing and proposed streetscape/landscape design. Staff believes that the applicant's proposed DPA and PRC Plan, which depict 0.53 acres of open space and provides for on-site streetscaping and landscaping, meets this objective.

Objective 7: *The staging of development in a manner which can be accommodated by the timely provision of public utilities, facilities and services.* The subject property is currently under development. The applicant is proposing no increase to FAR or gross square footage. All public utilities, facilities, and service-related accommodations have been/will be addressed at the time of site plan approval.

## CONCLUSIONS AND RECOMMENDATIONS

### Staff Conclusions

Staff concludes that the subject applications are in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proffers contained in Appendix 1 of the Staff Report, and the proposed development conditions contained in Appendix 2.

### Recommendation

Staff recommends approval of PCA 85-C-088-07, subject to the execution of the proffers consistent with those set forth in Appendix 1 of the Staff Report.

Staff recommends approval of DPA 85-C-088-07, subject to the development conditions set forth in Appendix 2 of the Staff Report.

Staff recommends approval of PRC 85-C-088.

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.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

## APPENDICES

1. Draft Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Approved Proffers for PCA 85-C-088-3
  - A. Approved Development Plan for DPA 85-C-088
  - B. Approved Proffers & Development Plan for RZ 85-C-088
6. Reston Town Center Core FAR tracking chart from March 21, 2007
7. Transportation Analysis
8. Historic Preservation Analysis
9. Urban Forest Management Division and Virginia Department of Forestry

**APPENDICES** (Continued)

10. Fairfax County Park Authority
11. Fire and Rescue
12. Sanitary Sewer Analysis
13. Fairfax County Water Authority
14. Stormwater Analysis (Environmental and Site Review Division, DPWES)
15. Zoning Ordinance Provisions
16. Comprehensive Plan Citations
17. Glossary

## PROFFER STATEMENT

## BOSTON PROPERTIES LIMITED PARTNERSHIP

PCA 85-C-088-07

DPA 85-C-088-5

January 4, 2006

Revised August 15, 2006

Revised February 27, 2007

Revised March 30, 2007

Revised May 8, 2007

Pursuant to Section 15.2-2303(A), Code of Virginia (1950, as amended) and Section 18-204 of the Zoning Ordinance of Fairfax County (1978, as amended), the property owner and applicant for itself and its successors or assigns (hereinafter collectively referred to as the “Applicant”) in this Proffer Condition Amendment (“PCA”) and Development Plan Amendment (“DPA”) proffers that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map reference 017-3-10-0015 (“Block 15” or the “Property”), located in the Reston Town Center Core Area (“Town Center Core Area”) will be in accordance with the following conditions if, and only if, PCA 85-C-088-07 and DPA 85-C-088-5 are granted. In the event that this PCA and DPA are not granted, these proffers will immediately be null and void and of no further force and effect, and the proffers previously accepted by the Board of Supervisors with RZ 85-C-088 for the Property, as amended, will remain in effect.

The Applicant reconfirms its commitment to the proffers associated with RZ 85-C-088, as amended (the “Existing Proffers”), except as modified herein. These proffers, if accepted, amend and supplement only those Existing Proffers referenced below:

### C. DEVELOPMENT PLAN FOR RZ 85-C-088

1. The Property is located within the Town Center Core Area and will be developed in substantial conformance with the development plan prepared by Urban Ltd., dated November 2, 2004, and revised through May 8, 2007 (the “Development Plan”), consisting of thirteen (13) sheets, of which Sheets 2-5 are described as follows:

a. Development Plan Amendment for Block 15 (Sheet 2) – The Development Plan Amendment for Block 15 shows the generalized location of the various buildings in the Town Center Core Area; their proposed uses, proposed building heights; and provides an overview of the interrelationship of all the components.

b. Master Plan (Sheet 3) – The Master Plan shows the generalized location of the various buildings in the Town Center Core Area and their proposed uses and provides an overview of the interrelationship of all of the components.

c. Pedestrian Circulation and Landscape Plan (Sheet 4) – The Pedestrian Circulation and Landscape Plan shows the primary and secondary circulation patterns, the pedestrian linkages to the surrounding area and the circulation from the parking structures to the buildings.

It

also shows the location of the urban parks, the continuity of the urban streetscapes throughout the Urban Core and the increased intensity of landscaping proposed for the highly pedestrian “Market Street.”

d. Right of Way/Traffic Circulation Plan (Sheet 5) – The Urban Core shows the urban grid street pattern that will differentiate the Urban Core from the rest of Reston with its meandering streets.

12. [NEW] Development of Section 91A, Block 15 of Town Center Core Area – In the event that the Applicant elects to construct a building containing more than fifteen (15) stories on Block 15 (the “Block 15 Building”), then Block 15 shall be developed in substantial conformance with the Development Plan, subject to the following additional conditions and restrictions. Should the Applicant develop Block 15 with buildings or structures of fifteen (15) stories or fewer, then development of Block 15 shall not be subject to the requirements of this Proffer 12.

a. Building Height. The maximum building height for the Block 15 Building, including above-grade parking structure(s) and rooftop mechanical penthouses, shall not exceed two hundred, thirty-five feet (235’) above grade, as determined by the Department of Public Works and Environmental Services (“DPWES”).

b. Minor Modifications. In accordance with Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications to the size, dimensions, footprints and location of buildings, parking spaces, garages and sidewalks for Block 15 and shown on the Development Plan may occur as part of final architectural and engineering design.

c. Block 15 Architectural Design and Building Materials. The Applicant shall develop Block 15 in substantial conformance with the building design and elevations shown on the Development Plan and shall utilize exterior materials and designs selected from among the following: brick, aluminum, masonry/stone, steel, split-face block and pre-cast panels. The Applicant shall use commercially reasonable efforts consistent with the Virginia Uniform Statewide Building Code (“VUSBC”) to include in the design of the Block 15 Building at least one stairwell/egress point along the southern frontage along Bluemont Way to provide occupants of the Block 15 Building easier access to the County’s bus transit center located on the south side of Bluemont Way directly across from Block 15. The Applicant also may make other such modifications to the Block 15 Building’s architecture, building materials and design as may be permitted by the Planning Commission as part of its review of the architecture and landscaping for the development pursuant to the Existing Proffers.

d. Storm Water Management. The Applicant may request a waiver of on-site stormwater management and BMP requirements, as the Property is part of the regional storm water management system for the Reston Town Center Study Area. Storm water management and BMP for the Property will be handled offsite in the regional detention pond created pursuant to that certain “TOWN CENTER STORM WATER MANAGEMENT DETENTION EASEMENT AND MAINTENANCE AGREEMENT,” recorded among the land records of Fairfax County at Deed Book 6369, Page 1540, and as such agreement may be amended from time to time. In the event a waiver is not granted, the Applicant shall provide the required on-site stormwater management and BMP facilities as determined by DPWES, provided such facilities are in substantial conformance with these proffers and the Development Plan.

e. Lighting. Parking lot or exterior building lighting located on the Property shall be directed inward and/or downward and designed with shielded fixtures in order to minimize glare onto adjacent properties and in accordance with applicable provisions of the Zoning Ordinance.

f. Study of Reston Parkway Widening. The Applicant shall retain, for purposes of this Proffer 12(f), Urban Ltd. or another consultant of its choosing and approved by the Fairfax County Department of Transportation (“DOT”) to prepare site plans to widen northbound and southbound Reston Parkway between New Dominion Parkway/Temporary Road and Baron Cameron Avenue (the “Reston Parkway Improvements”) to a divided six-lane section with turn lanes in accordance with VDOT standards (the “Reston Parkway Plans”), and provide cost estimates to complete such improvements. The specific scope of the Reston Parkway Plans to be completed by the Applicant is set forth as Attachment A to this Proffer Statement and entitled “Basic Services Reston Parkway, Phase II, Fairfax County, Virginia.” The Applicant shall not be required to perform any work or analysis not contained in or listed on Attachment A. The Reston Parkway Plans shall be prepared in accordance with Article 17 of the Fairfax County Zoning Ordinance and submitted to (but not yet approved by) DPWES prior to the issuance of the first Non-RUP for the Block 15 Building. Concurrent with its initial submission of the Reston Parkway Plans to DPWES, the Applicant also shall submit six (6) copies of the Reston Parkway Plans to DOT for its review. As part of its submission and processing of the Reston Parkway Plans, the Applicant shall have no obligation to pay any fees or costs other than those fees set forth in Article 17 of the Zoning Ordinance or otherwise customarily required for the review of site plans by DPWES. The Applicant shall be required to process the Reston Parkway Plans until such plans are considered “deemed approved” under Section 17-110 of the Zoning Ordinance; provided, however, that the Applicant shall have no obligation under this Proffer 12(f) to acquire offsite right-of-way, post bonds or execute any agreements concerning the Reston Parkway Plans. Further, the Applicant’s preparation of the Reston Parkway Plans under this Proffer 12(f) shall not be considered an agreement to, and Applicant shall not be required to, complete or fund the construction of any portion of the Reston Parkway Improvements; provided, however, that nothing in this sentence shall relieve the Applicant of any obligations under Section B of the Existing Proffers for the completion of the Reston Parkway Improvements in accordance with the phasing plan set forth therein. Upon receiving “deemed approval” of the Reston Parkway Plans by DPWES, the Applicant shall, as permitted by applicable laws and regulations, assign or transfer the Reston Parkway Plans to Fairfax County or such other entity that DPWES deems appropriate, thereby terminating the Applicant’s obligations under this Proffer.

g. Private Streets. The Applicant reserves the right to provide for private internal streets and loading areas, consistent with PFM standards and as determined by the DPWES.

h. Meeting with Adjacent Homeowner Association. Prior to the commencement of construction of the Block 15 Building, the Applicant shall request a meeting with the property owners association of the West Market neighborhood located west of Town Center Parkway to review the Applicant’s construction schedule and logistics plan related to access to the balance of the Urban Core during construction of the Block 15 Building. The Applicant shall consider the views of residents of West Market and make adjustments and/or modifications to its plans that the Applicant determines in its discretion are cost-effective, do not compromise construction zone safety or require the consent of adjacent property owners.

i. Shared Vehicle Parking. Subject to the execution of a license agreement(s) acceptable to the Applicant, the Applicant shall make available five (5) parking spaces on Block 15 (the “Shared Spaces”) for use by companies providing car-sharing services (such as ZIP Car or similar services) in connection with nearby transit services. The Applicant shall be permitted to relocate the Shared Spaces to nearby structured parking facilities owned by the Applicant or others during construction of the Block 15 Building; provided, however, that the Applicant shall return the Shared Spaces to the Block 15 parking structure upon the Applicant’s receipt of a Non-RUP for the Block 15 Building. The Shared Spaces shall be provided only if they are in addition to the minimum total parking spaces required by the Zoning Ordinance for the uses established on Block 15.

j. Bicycle Racks. The Applicant shall install at least five (5) bicycle racks (collectively, the “Bike Racks”) in the parking structure to be constructed on Block 15 and shown on the Development Plan. The Bike Racks shall be designed to collectively accommodate parking for at least twenty-five (25) bicycles and shall be located, to the extent feasible, in areas of the Block 15 parking structure that are covered and not exposed to the weather elements. The Bike Racks shall be installed prior to the issuance of the first Non-RUP for the Block 15 Building.

k. Pedestrian Crosswalks on Bluemont Way. Subject to approval by the Virginia Department of Transportation (“VDOT”), the Applicant shall install pedestrian crosswalk striping (if not already existing) across Bluemont Way at the existing intersections of Bluemont Way and Explorer Street and Bluemont Way and Library Street as more particularly shown on the Development Plan (the “Bluemont Crosswalks”). The Bluemont Crosswalks shall be completed prior to the issuance of the first Non-RUP for the Block 15 Building.

l. Pedestrian Crosswalks on Democracy Drive. Subject to approval by The Reston Town Center Urban Core Association, the Applicant shall install pedestrian crosswalk striping (if not already existing) on all sides of the intersection of Democracy Drive and Explorer Street and Democracy Drive and Library Street, as more particularly shown on the Development Plan (the “Democracy Crosswalks”). The Democracy Crosswalks shall be completed prior to the issuance of the first Non-RUP for the Block 15 Building.

[SIGNATURE PAGE FOLLOWS]

BOSTON PROPERTIES LIMITED  
PARTNERSHIP, a Delaware limited  
partnership

BY: BOSTON PROPERTIES, INC., a  
Delaware corporation, its General Partner

BY: \_\_\_\_\_  
Name: Peter D. Johnston  
Title: Senior Vice President

PROPOSED DEVELOPMENT CONDITIONS

DPA 85-C-088-05

May 17, 2007

If it is the intent of the Board of Supervisors to approve DPA 85-C-088-05, located at Tax Map 17-3 ((10)) 15, to permit site modifications to include an increase in building height from a maximum of 15 stories to 16 stories, then staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. Stormwater management facilities and BMPs shall be provided in accordance with the requirements of the Public Facilities Manual, Chapter 118 of the Fairfax County Code, and the Chesapeake Bay Preservation Ordinance, unless waived or modified, as determined by DPWES.
2. Irrespective of that shown on the DPA, Norway maple (*Acer platanoides*) and/or Autumn purple ash (*Fraxinus Americana* 'Autumn Purple'), shown as supplemental vegetation on-site, shall be replaced with Japanese Cryptomeria, American Holly, Eastern Redcedar, and Dark Green Arborvitae, as determined by UFM, DPWES.
3. The applicant shall provide bicycle parking facilities such as U-racks or racks of equivalent quality on the subject site. The specific location of these parking facilities shall be determined during review of the site plan of the development subject to the approval of the Fairfax County Department of Transportation.
4. Irrespective of that shown on the DPA, the applicant shall satisfy all off-street parking requirements for the proposed development, as determined by DPWES.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures.