



County of Fairfax, Virginia

October 3, 2007

STAFF REPORT ADDENDUM

PCA 82-P-069-19, CDPA 82-P-069-03-02 and FDPA 82-P-069-09-08

SPRINGFIELD DISTRICT

APPLICANT: Fair Lakes Center Associates L.P.

PRESENT ZONING: PDC, WSPOD

PARCELS: 55-2 ((5)) A1, B, and D2 pt.

ACREAGE: 4.7 acres

INTENSITY: 0.63 FAR

OPEN SPACE: 40%

PLAN MAP: Fairfax Center Area: Office/Mix

PROPOSAL: Request to amend the proffers, the Conceptual Development Plan and the Final Development Plan for a portion of Fair Lakes to permit the construction of 110,000 gross square feet of hotel and support retail uses, and to provide specific proffers for the proposed uses in Land Bay VII-B.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 82-P-069-19, subject to the proffers consistent with those contained in Attachment 1.

Staff recommends approval of CDPA 82-P-069-03-2.

Staff recommends approval of FDPA 82-P-069-9-8, subject to the Final Development Plan Amendment Conditions contained in Attachment 2.

O:\wodonn\ZED\PCA\Fair Lakes\PCA 82-P-069-19\PCA 82-P-069-19, Staff Report Addendum Cover.doc

Staff recommends approval of a modification of PFM Standard 12-0702.1B2 to permit the reduction of the minimum planting width requirement from eight feet to six feet as shown on the CDPA/FDPA and described in the proffers.

It should be noted that it is not the intent of staff to recommend that the Planning Commission, 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 recommendation of staff; it does not reflect the position of the Planning Commission.

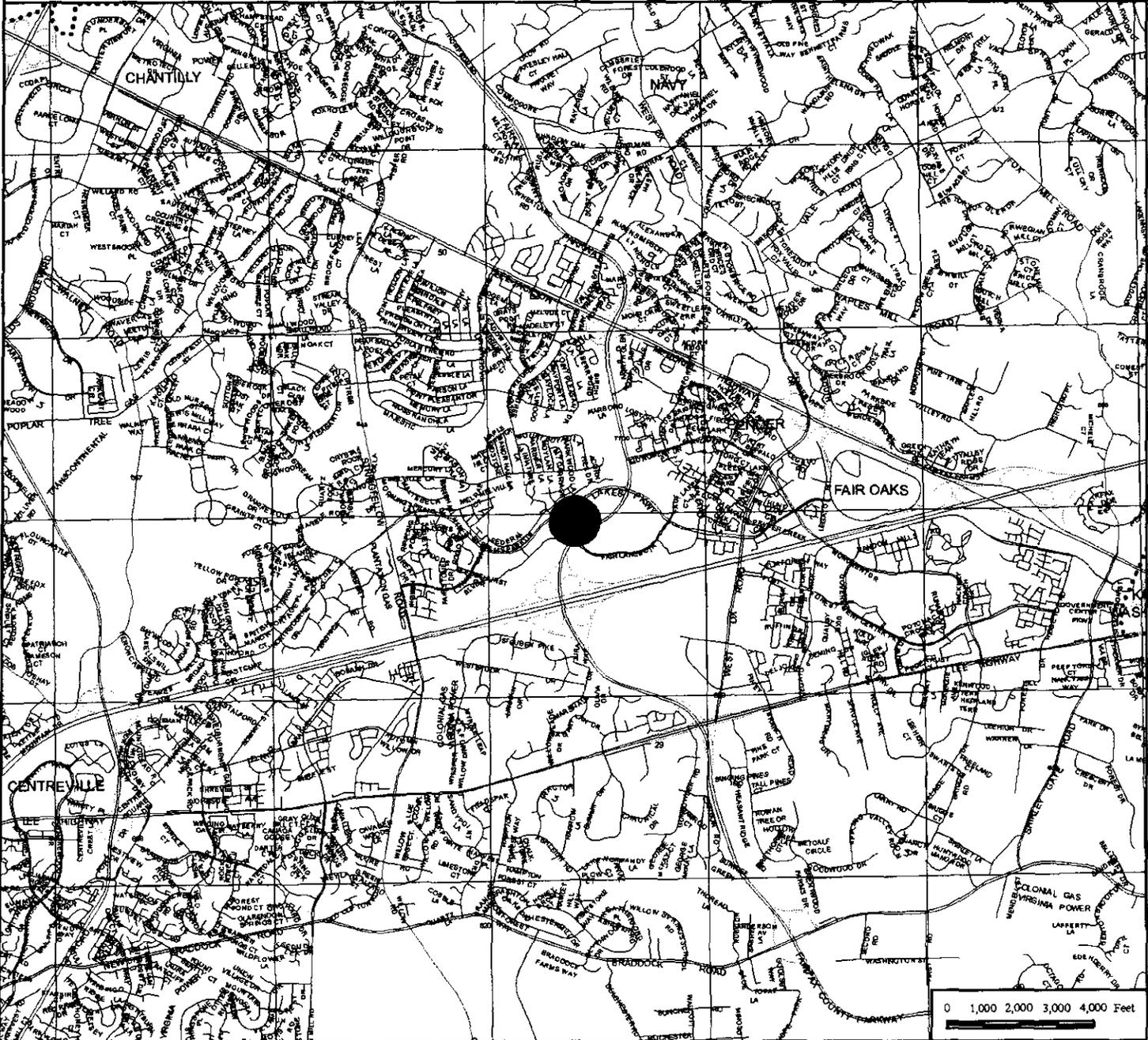
The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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).

Proffered Condition Amendment PCA 82-P-069-19	Final Development Plan Amendment FDPA 82-P-069-09-08
Applicant: FAIR LAKES CENTER ASSOCIATES L.P. Accepted: 03/27/2007 Proposed: AMEND RZ 82-P-069 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT RESIDENTIAL DEVELOPMENT AS A PERMITTED USE	Applicant: FAIR LAKES CENTER ASSOCIATES L.P. Accepted: 03/27/2007 Proposed: AMEND FDP 82-P-069 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT RESIDENTIAL DEVELOPMENT AS A PERMITTED USE
Area: 4.7 AC OF LAND; DISTRICT - SPRINGFIELD Zoning Dist Sect: Located: NORTHWEST QUADRANT OF THE INTERSECTION OF FAIR LAKES CIRCLE AND FAIRFAX COUNTY PARKWAY	Area: 4.7 AC OF LAND; DISTRICT - SPRINGFIELD Zoning Dist Sect: Located: NORTHWEST QUADRANT OF THE INTERSECTION OF FAIR LAKES CIRCLE AND FAIRFAX COUNTY PARKWAY
Zoning: PDC Overlay Dist: WS Map Ref Num: 055-2- /05/ /A1 /05/ /B /05/ /D2 Pt.	Zoning: PDC Overlay Dist: WS Map Ref Num: 055-2- /05/ /A1 /05/ /B /05/ /D2 Pt.



Proffered Condition Amendment

PCA 82-P-069-19

Applicant: FAIR LAKES CENTER ASSOCIATES L.P.
 Accepted: 03/27/2007
 Proposed: AMEND RZ 82-P-069 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT RESIDENTIAL DEVELOPMENT AS A PERMITTED USE

Area: 4.7 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: NORTHWEST QUADRANT OF THE INTERSECTION OF FAIR LAKES CIRCLE AND FAIRFAX COUNTY PARKWAY

Located:

Zoning: PDC
 Overlay Dist: WS
 Map Ref Num: 055-2- /05/ /A1 /05/ /B /05/ /D2 Pt.

Final Development Plan Amendment

FDPA 82-P-069-09-08

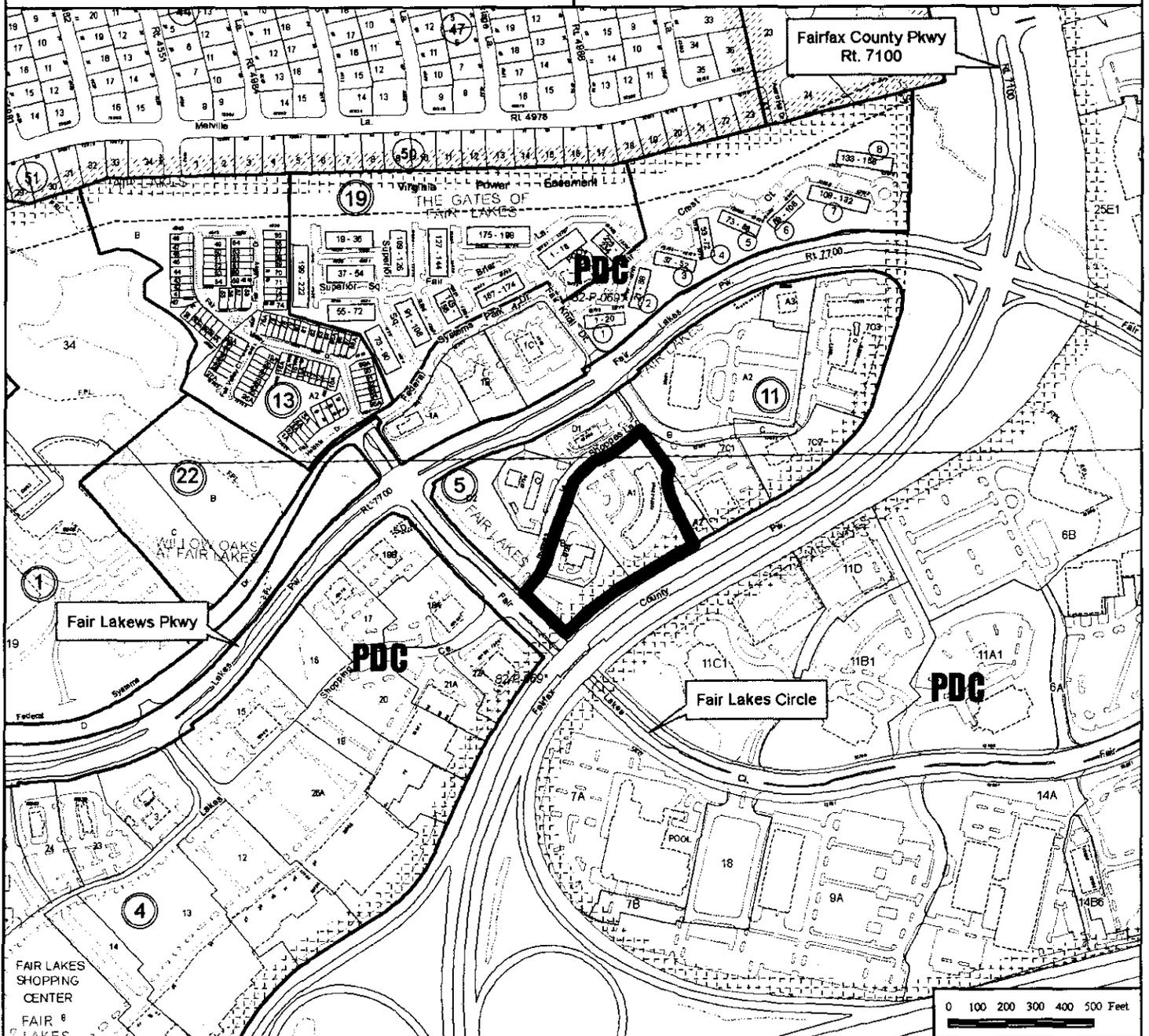
Applicant: FAIR LAKES CENTER ASSOCIATES L.P.
 Accepted: 03/27/2007
 Proposed: AMEND FDP 82-P-069 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT RESIDENTIAL DEVELOPMENT AS A PERMITTED USE

Area: 4.7 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: NORTHWEST QUADRANT OF THE INTERSECTION OF FAIR LAKES CIRCLE AND FAIRFAX COUNTY PARKWAY

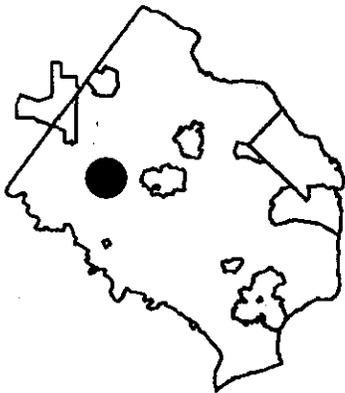
Located:

Zoning: PDC
 Overlay Dist: WS
 Map Ref Num: 055-2- /05/ /A1 /05/ /B /05/ /D2 Pt.



Conceptual Development Plan Amendment

CDPA 82-P-069-03-02



Applicant:
Accepted:
Proposed:

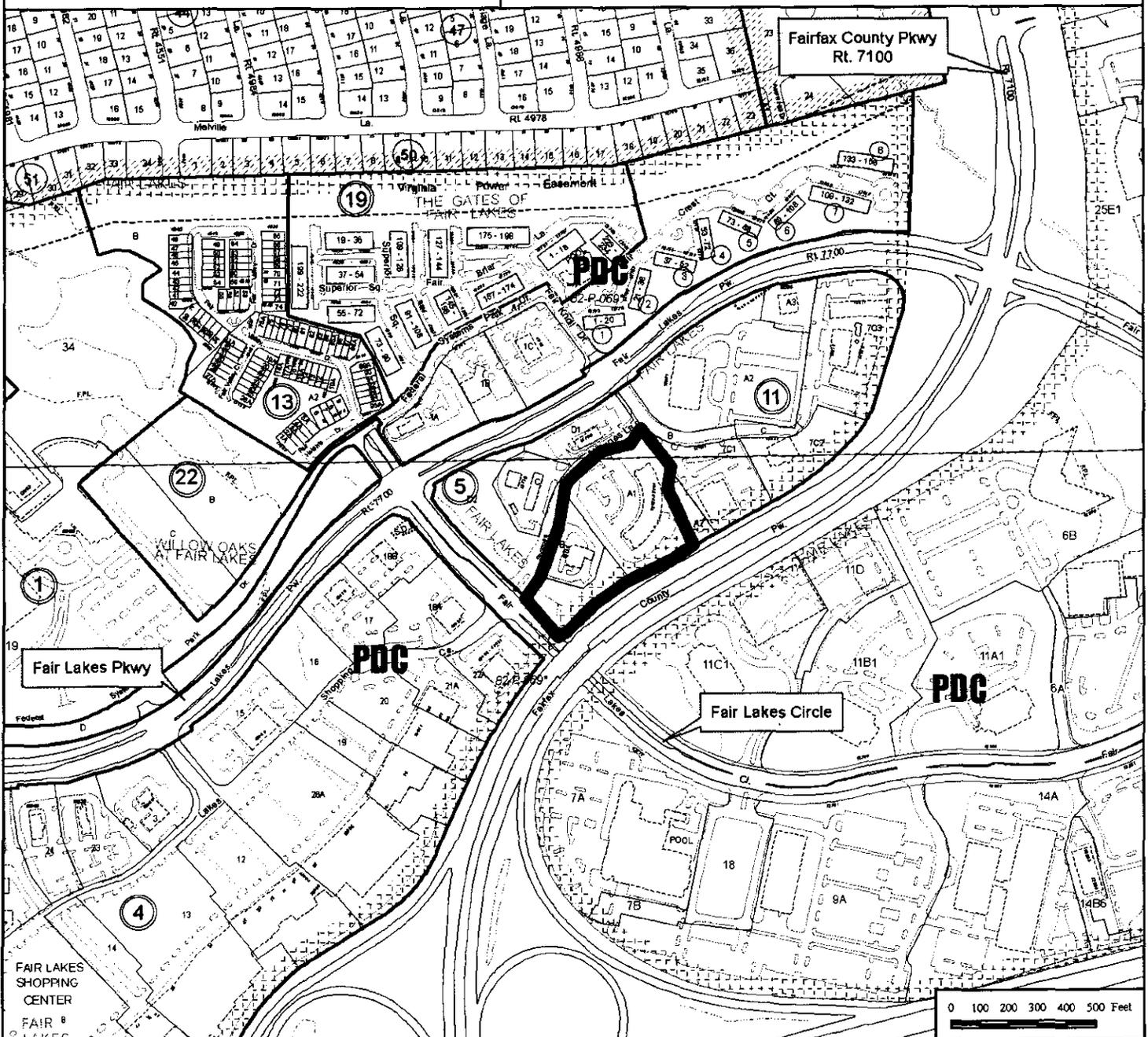
FAIR LAKES CENTER ASSOCIATES L.P.
03/27/2007
AMEND RZ 82-P-69 PREVIOUSLY APPROVED
FOR MIXED USE DEVELOPMENT TO PERMIT
RESIDENTIAL DEVELOPMENT AS A
PERMITTED USE

Area:
Zoning Dist Sect:
Located:

4.7 AC OF LAND; DISTRICT - SPRINGFIELD
NORTHWEST QUADRANT OF THE INTERSECTION
OF FAIR LAKES CIRCLE AND FAIRFAX
COUNTY PARKWAY

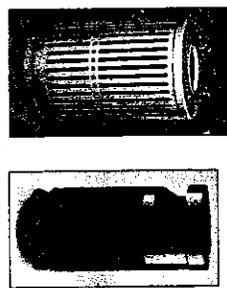
Zoning:
Overlay Dist:
Map Ref Num:

PDC
WS
055-2- /05/ / A1 /05/ / B
/05/ / D2 Pt.

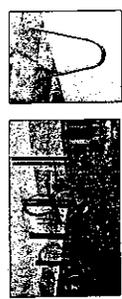




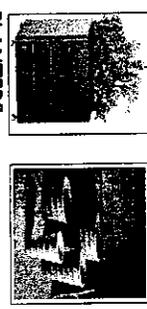
1 BENCHES



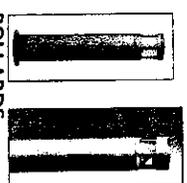
2 TRASH RECEPTACLES



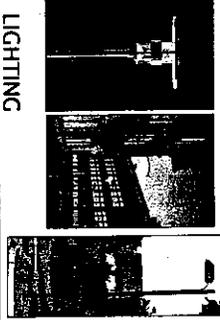
3 BIKE RACKS



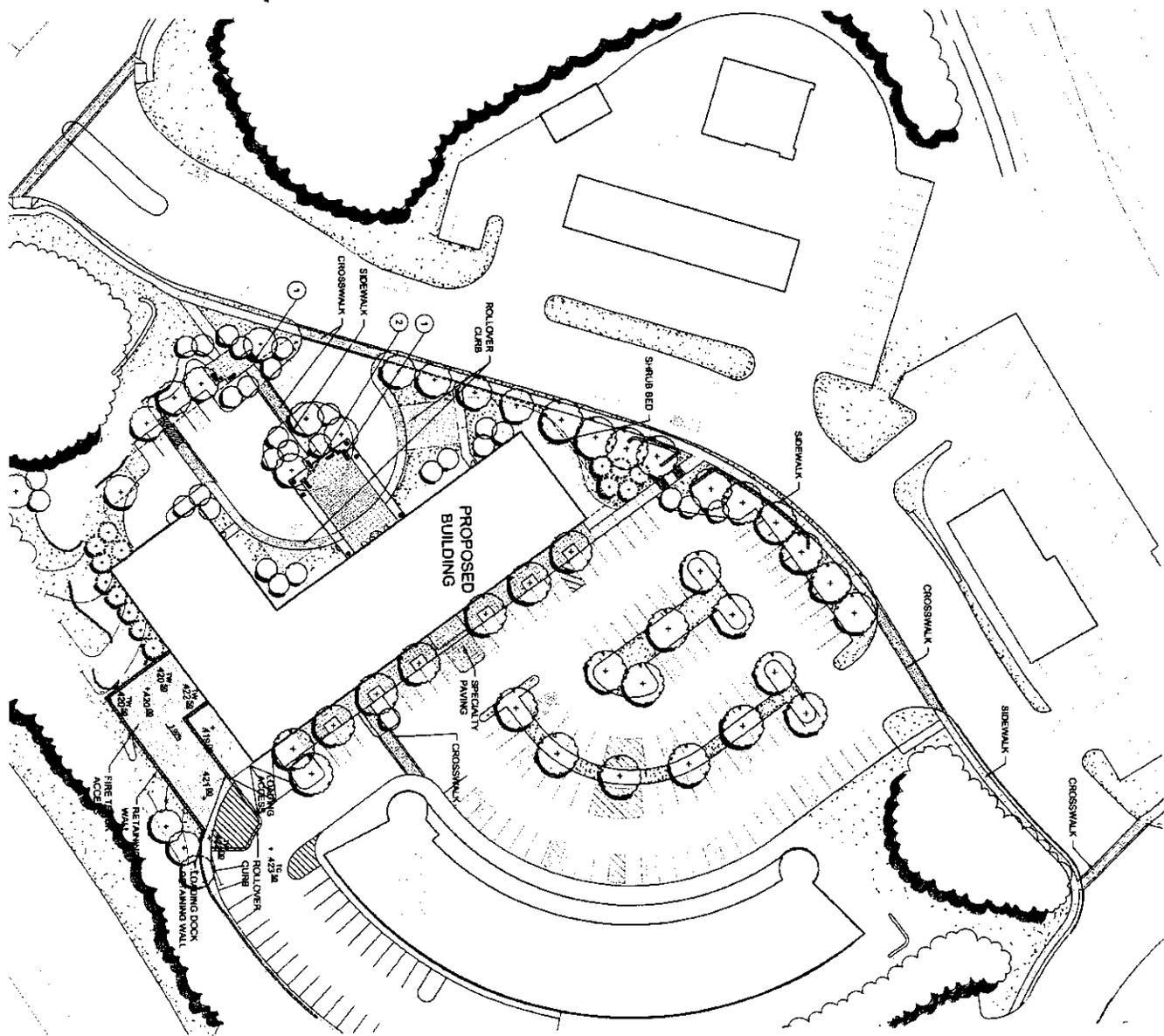
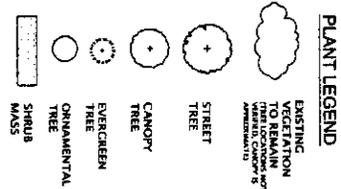
4 PLANTERS
NOT TO SCALE



5 BOLLARDS



6 LIGHTING



PLAN: LANDSCAPE SITE
SCALE: 1"=30'



Dewberry & Davis, LLC
 1000 EAST MAIN STREET
 SUITE 200
 FARMINGTON, VT 05475
 TEL: 802.253.1234
 WWW.DDBV.COM

LEWIS
 SCULLY
 GONNETT
 &
 GONNETT
 ARCHITECTS
 1000 EAST MAIN STREET
 SUITE 200
 FARMINGTON, VT 05475
 TEL: 802.253.1234
 WWW.LSGONNETT.COM

**FAIR LAKES
 LAND BAY VII-B**
 CONCEPTUAL / FINAL
 DEVELOPMENT PLAN AMENDMENT
 CDPA 82-P-068-3-2
 FDPA 82-P-068-0-8
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA



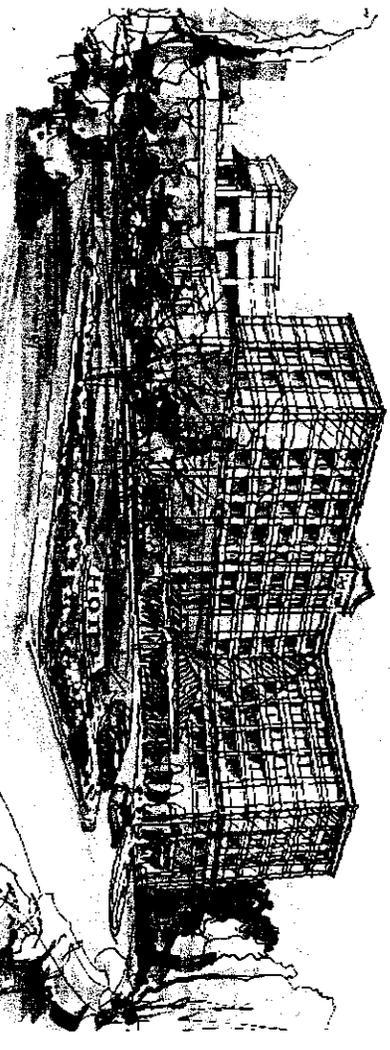
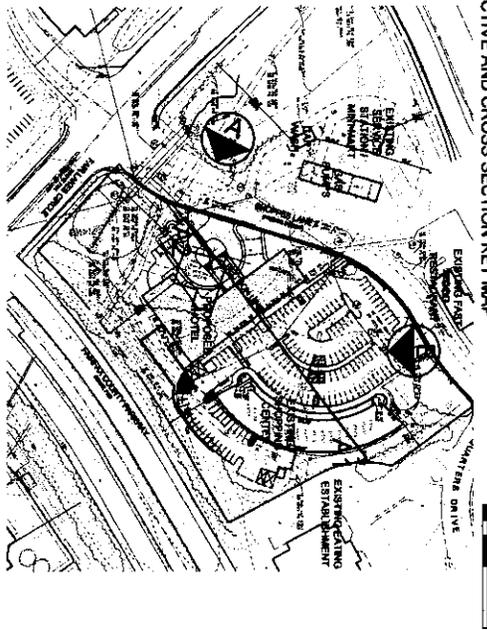
NO.	DATE	BY	DESCRIPTION
1	06/18/07	GMH	Development
2	07/19/07	GMH	
3	08/01/07	GMH	

REVISIONS:
 DRAWING BY: GMH
 APPROVED BY: RYJ
 CHECKED BY: RYJ
 DATE: 02.27.07

TITLE: **FAIR LAKES
 LAND BAY VII-B**
 CONCEPTUAL / FINAL
 DEVELOPMENT PLAN AMENDMENT
 CDPA 82-P-068-3-2
 FDPA 82-P-068-0-8
**LANDSCAPE
 DETAILS**

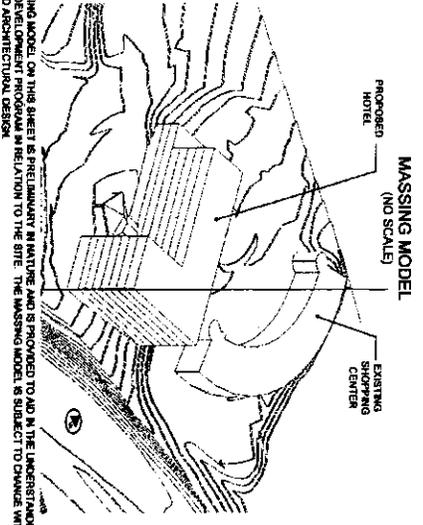
PROJECT NO.: 14-10626

ALL PLANTINGS REPRESENTED ON THIS SHEET ARE CONCEPTUAL AND ARE INTENDED TO REFLECT THE ORIGINAL INTENT AND CHARACTER OF THE PROPOSED DEVELOPMENT. FINAL PLANTING SPECIFICATIONS WILL BE SET FORTH IN THE LANDSCAPE ARCHITECTURE PLAN. SEE SHEET 14-10626 FOR FURTHER INFORMATION.



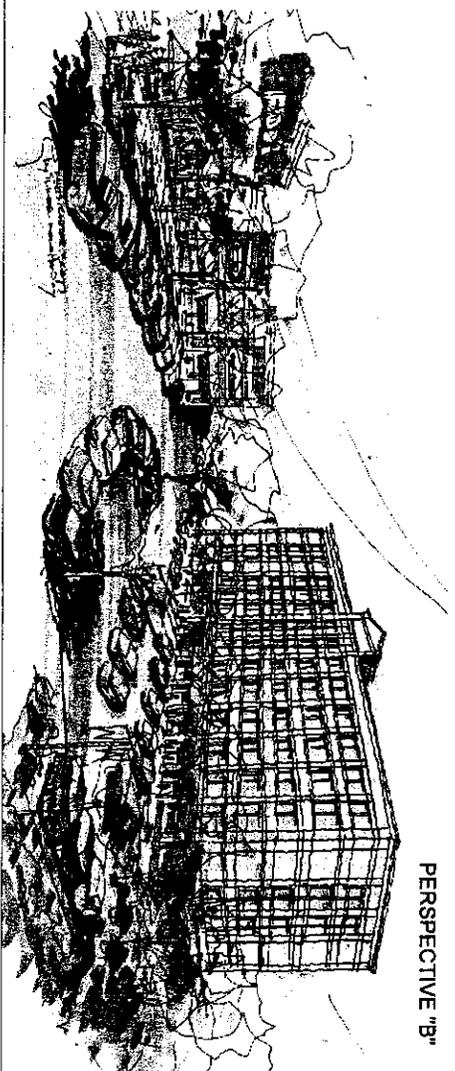
NOTE: THE BUILDING PERSPECTIVES PRESENTED ON THIS SHEET ARE PRELIMINARY AND SUBJECT TO ADJUSTMENT AND REFINEMENT WITH FINAL ENGINEERING AND ARCHITECTURAL DESIGN. THEY ARE PROVIDED TO ILLUSTRATE THE GENERAL THEME AND CHARACTER OF THE PROPOSED STRUCTURES.

PERSPECTIVE "A"



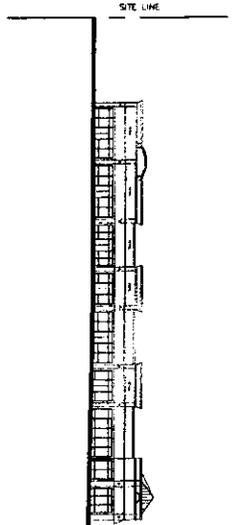
NOTE: THE MASSING MODEL ON THIS SHEET IS PRELIMINARY AND IS PROVIDED TO AID IN THE UNDERSTANDING OF THE PROPOSED DEVELOPMENT PROGRAM IN RELATION TO THE SITE. THE MASSING MODEL IS SUBJECT TO CHANGE WITH FINAL ENGINEERING AND ARCHITECTURAL DESIGN.

MASSING MODEL (NO SCALE)



PERSPECTIVE "B"

HOTEL CROSS SECTION



NOTE: THE CROSS SECTION PRESENTED ON THIS SHEET IS PRELIMINARY IN NATURE AND IS PROVIDED TO AID IN THE UNDERSTANDING OF GRADE CHANGE ACROSS THE SUBJECT PROPERTY AND THE RELATIONSHIP OF HOTEL CORNER AREAS TO THE EXISTING HOTEL ENTRANCE AS WELL AS GRADING ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING AND ARCHITECTURAL DESIGN.

NO.	DATE	DESCRIPTION
1	06/08/07	CONCEPTUAL DESIGN
2	07/10/07	CONCEPTUAL DESIGN
3	08/01/07	CONCEPTUAL DESIGN

Dewberry & Davis, LLC
 10000 FARM ROAD
 SUITE 100
 FARMERS BRANCH, VA 22434
 TEL: 703.961.8800
 FAX: 703.961.8801
 WWW.DDBVA.COM

LEWIS SCULLY GIONET
 ARCHITECTS - INTERIORS
 10000 FARM ROAD
 SUITE 100
 FARMERS BRANCH, VA 22434
 TEL: 703.961.8800
 FAX: 703.961.8801
 WWW.LSGVA.COM

FAIR LAKES
 LAND BAY VII-B
 CONCEPTUAL / FINAL
 DEVELOPMENT PLAN AMENDMENT
 CDPA 82-P-086-3-2
 FDPA 82-P-086-9-6
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

STATE OF VIRGINIA
 COMMONWEALTH ENGINEER
 LE. NO. 8824
 8/10/07

SCALE
 AS NOTED

NO.	DATE	DESCRIPTION
1	06/08/07	CONCEPTUAL DESIGN
2	07/10/07	CONCEPTUAL DESIGN
3	08/01/07	CONCEPTUAL DESIGN

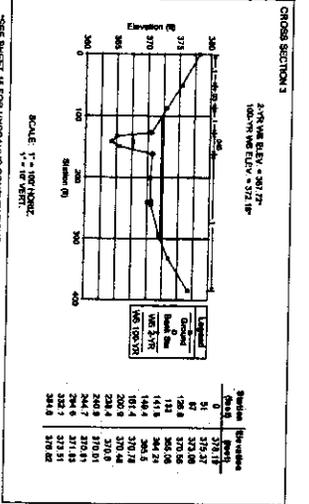
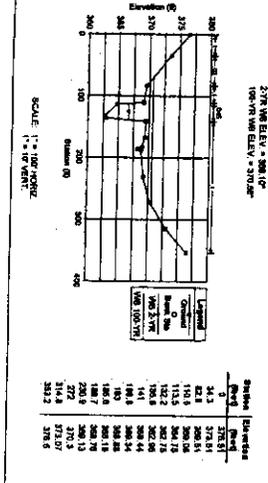
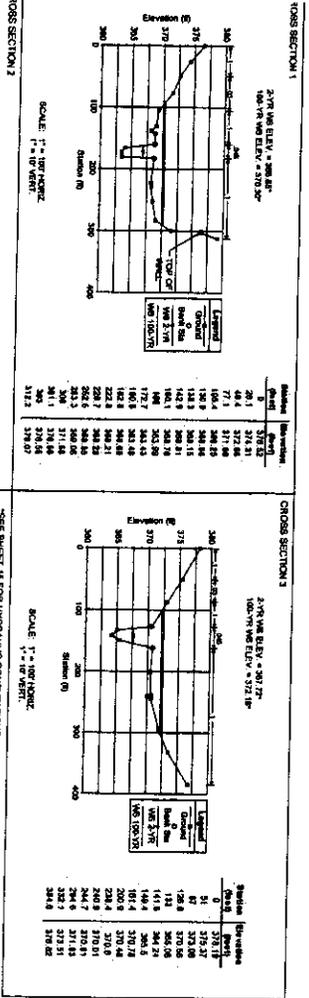
DESIGNED BY: [Signature]
 APPROVED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 02.21.07

TITLE
 FAIR LAKES
 LAND BAY VII-B
 CONCEPTUAL / FINAL
 DEVELOPMENT PLAN AMENDMENT
 CDPA 82-P-086-3-2
 FDPA 82-P-086-9-6

ARCHITECTURAL DETAILS
 PROJECT NO. M-109275



DRAINAGE BASIN MAP
NOT TO SCALE



SWM NARRATIVE

THE SITE PLAN SUBMITTED TO THE FAIR LAKES COUNTY PLANNING BOARD AND THE BOARD OF SUPERVISORS IS LOCATED AT THE NORTH CORNER OF LOT 1, THE FAIR LAKES COUNTY PLANNING BOARD AND THE BOARD OF SUPERVISORS. THE EXISTING STORM SEWER SYSTEM WILL BE MAINTAINED AND MODIFIED AS NECESSARY TO ACCOMMODATE THE DEVELOPMENT.

STORMWATER MANAGEMENT AND SWM NARRATIVE

THE STORMWATER MANAGEMENT PLAN FOR THE DEVELOPMENT IS BASED ON THE DESIGN FLOOD FLOW RATE OF 1.0 CFS PER ACRE OF IMPERVIOUS DEVELOPMENT. THE DEVELOPMENT IS LOCATED ON A SLOPE OF 1.0% TO THE SOUTH. THE EXISTING STORM SEWER SYSTEM IS LOCATED ON A SLOPE OF 1.0% TO THE SOUTH. THE DEVELOPMENT IS LOCATED ON A SLOPE OF 1.0% TO THE SOUTH.

TABLE 1: SOILS AND LAND USE SUMMARY

COVER DESCRIPTION	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	TOTAL	
OPEN																												
MULTI-FAMILY																												
PAVED																												
1.0 AC. LOTS (10)																												
TOTAL	263	282	421	443	54	74	228																					

AS A RESULT OF THE LITERATURE REVIEW OF FLOOD CONTINGENCY, THE 2-YEAR AND 10-YEAR STORM CHANNEL CAPACITY WAS ONLY 1.0 CFS PER ACRE. THE EXISTING STORM CHANNEL IS LOCATED ON A SLOPE OF 1.0% TO THE SOUTH. THE DEVELOPMENT IS LOCATED ON A SLOPE OF 1.0% TO THE SOUTH.

TABLE 2: EXISTING STORM CHANNEL DESIGN SUMMARY

CROSS SECTION	CHANNEL TYPE	CROSS SECTION	VELOCITY (FPS)	VELOCITY DESIGN ALLOWANCE (FPS)	VELOCITY DESIGN ALLOWANCE (FPS)	VELOCITY DESIGN ALLOWANCE (FPS)
1	NATURAL	3'W	2.5	3.5	3.5	3.5
2	NATURAL	3'W	2.5	3.5	3.5	3.5
3	NATURAL	3'W	2.5	3.5	3.5	3.5

BASED ON THE RESULTS FROM TABLE 2, THE NATURAL CHANNEL IS LOCATED ON A SLOPE OF 1.0% TO THE SOUTH. THE DEVELOPMENT IS LOCATED ON A SLOPE OF 1.0% TO THE SOUTH.

THE DEVELOPMENT IS LOCATED ON A SLOPE OF 1.0% TO THE SOUTH. THE EXISTING STORM CHANNEL IS LOCATED ON A SLOPE OF 1.0% TO THE SOUTH.

Dewberry & Davis LLC
1000 BROADWAY
SUITE 200
FALLS CHURCH, VA 22044
TEL: 703.441.1100
WWW.D&D.COM

FAIR LAKES LAND BAY VII-B
CONCEPTUAL / FINAL DEVELOPMENT PLAN AMENDMENT
CDPA 82-P-000-3-2
FDPA 82-P-000-0-8
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA



FAIR LAKES LAND BAY VII-B
CONCEPTUAL / FINAL DEVELOPMENT PLAN AMENDMENT
CDPA 82-P-000-3-2
FDPA 82-P-000-0-8

OUTFALL NARRATIVE

PROJECT NO. M-10026

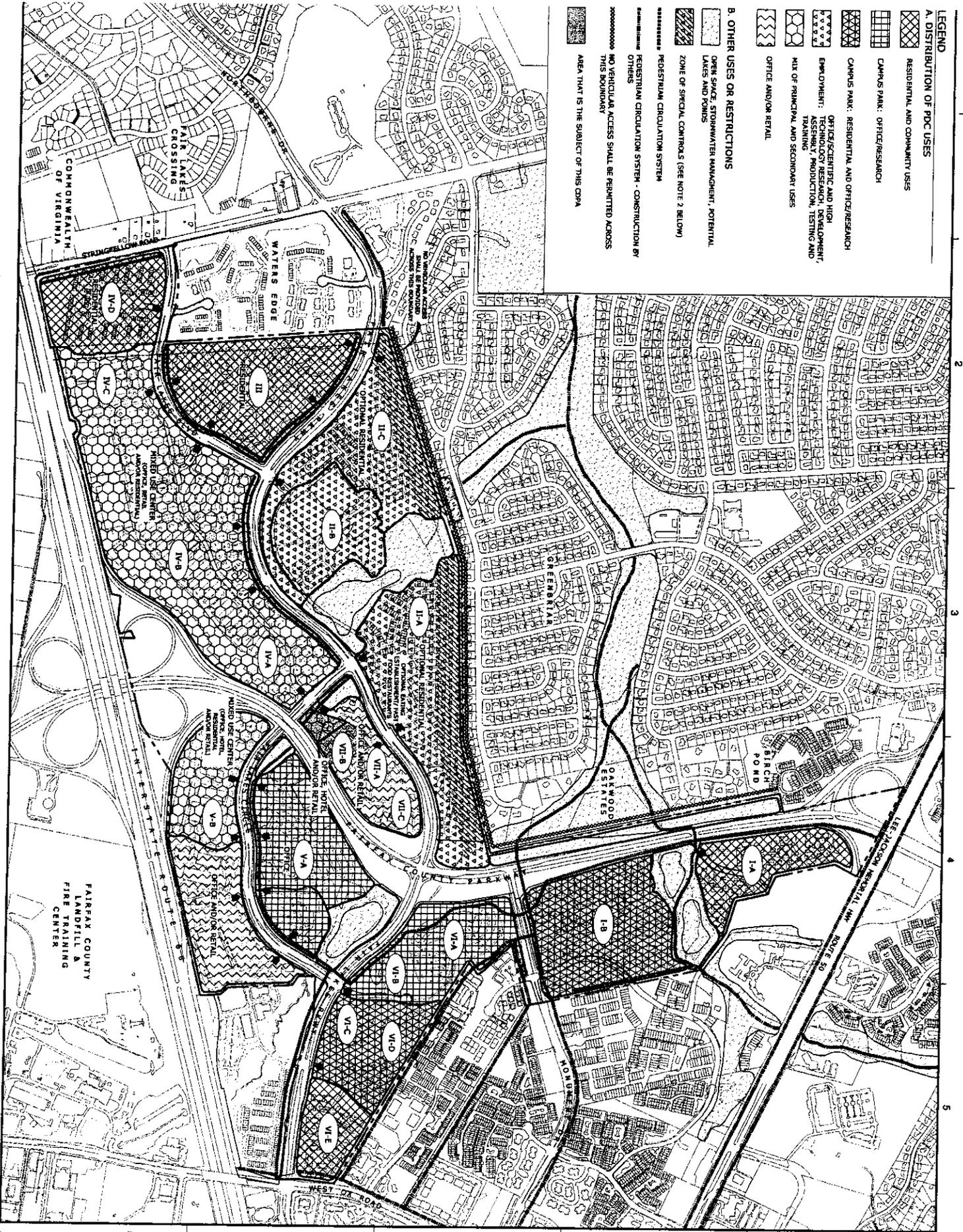
DATE: 02/21/07

SCALE: NONE

7 of 8

LEGEND

- A. DISTRIBUTION OF PDC USES**
- RESIDENTIAL AND COMMUNITY USES
 - CAMPUS PARK: OFFICE/RESEARCH
 - CAMPUS PARK: RESIDENTIAL AND OFFICE/RESEARCH
 - OFFICE/SCIENTIFIC AND HIGH TECHNOLOGY RESEARCH, DEVELOPMENT, ASSEMBLY, PRODUCTION, TESTING AND TRAINING
 - MIX OF PRINCIPAL AND SECONDARY USES
 - OFFICE AND/OR RETAIL
- B. OTHER USES OR RESTRICTIONS**
- OPEN SPACE, STOPWATER MANAGEMENT, POTENTIAL LAKES AND PONDS
 - ZONE OF SPECIAL CONTROLS (SEE NOTE 2 BELOW)
 - PEDESTRIAN CIRCULATION SYSTEM
 - PEDESTRIAN CIRCULATION SYSTEM - CONSTRUCTION BY OTHERS
 - NO VEHICULAR ACCESS SHALL BE PERMITTED ACROSS THIS BOUNDARY
 - AREA THAT IS THE SUBJECT OF THIS CPA



FAIR LAKES LAND BAY VII-B

CONCEPTUAL / FINAL DEVELOPMENT PLAN AMENDMENT

CDPA 82-P-088-3-2
FDPA 82-P-088-9-8

SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

Dewberry

Dewberry & Davis LLC

1000 WOODBRIDGE BLVD
SUITE 200
FAIRFAX, VA 22031

TEL: 703-261-1200
WWW.DWBERRY.COM

NO.	DATE	BY	DESCRIPTION
1	06/08/07	DMH	CDPA
2	07/10/07	DMH	FDPA
3	08/01/07	DMH	CDPA

CDPA KEY PLAN

PROJECT NO. 11-18335

DATE: 02/27/07

DESIGNED BY: DMH

CHECKED BY: DMH

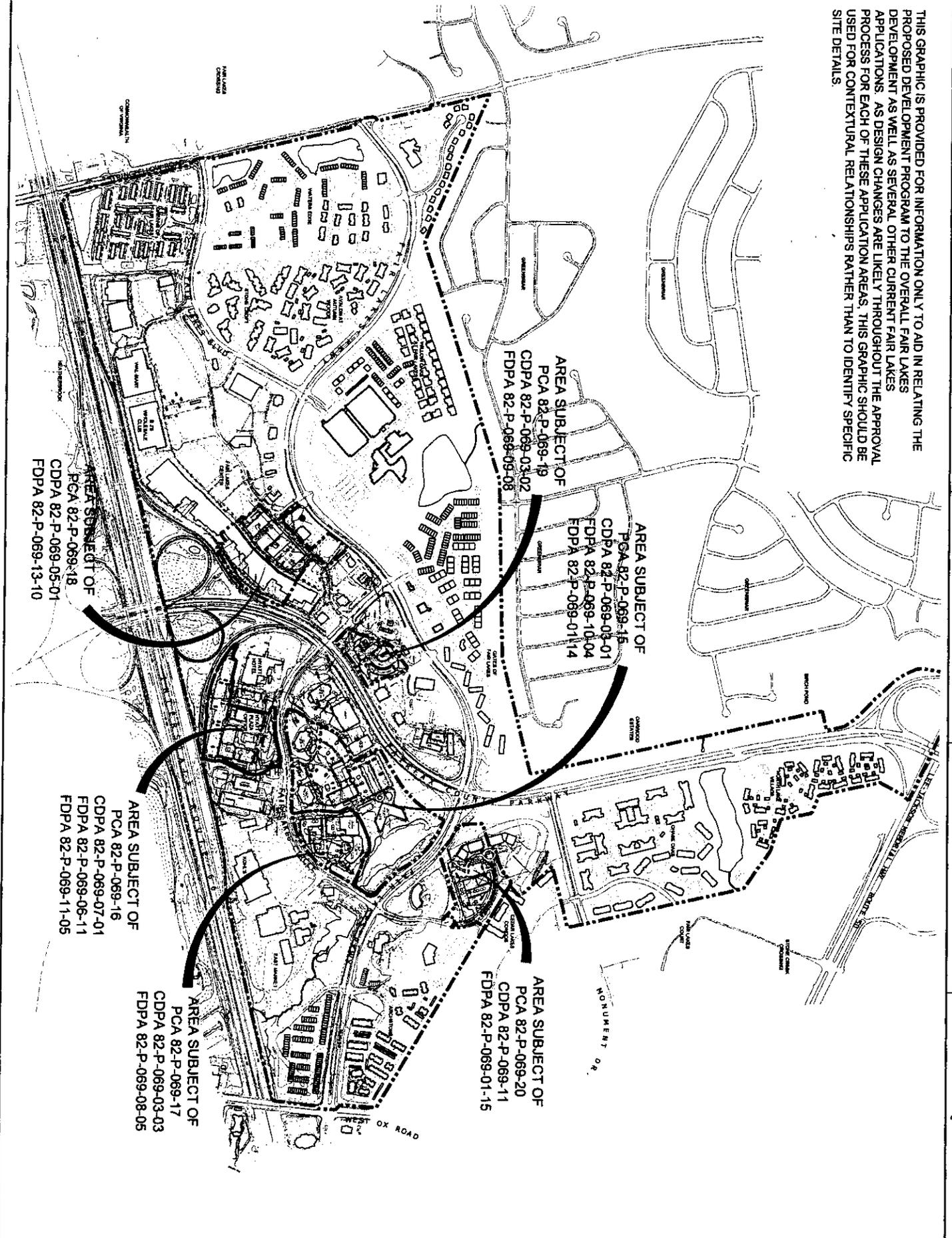
DATE: 02/27/07

TITLE: FAIR LAKES LAND BAY VII-B DEVELOPMENT PLAN AMENDMENT CDPA 82-P-088-3-2 FDPA 82-P-088-9-8

8

8 OF 8

THIS GRAPHIC IS PROVIDED FOR INFORMATION ONLY TO AID IN RELATING THE PROPOSED DEVELOPMENT PROGRAM TO THE OVERALL FAIR LAKES DEVELOPMENT AS WELL AS SEVERAL OTHER CURRENT FAIR LAKES APPLICATIONS. AS DESIGN CHANGES ARE LIKELY THROUGHOUT THE APPROVAL PROCESS FOR EACH OF THESE APPLICATION AREAS, THIS GRAPHIC SHOULD BE USED FOR CONTEXTUAL RELATIONSHIPS RATHER THAN TO IDENTIFY SPECIFIC SITE DETAILS.



1
2
3
4
5



Dewberry & Davis, LLC
 10000 FARM ROAD
 SUITE 200
 FARMINGTON, VT 05040
 PHONE: 802-253-1000
 FAX: 802-253-1001
 WWW.DDBERRY.COM

LEWIS
 SCOTT
 GIONNET
 ARCHITECTS
 10000 FARM ROAD
 SUITE 200
 FARMINGTON, VT 05040
 PHONE: 802-253-1000
 FAX: 802-253-1001
 WWW.LEWIS-SCOTT-GIONNET.COM

**FAIR LAKES
 LAND BAY VII-B**
 CONCEPTUAL / FINAL
 DEVELOPMENT PLAN AMENDMENT
 CDPA 82-P-069-3-2
 FDPDA 82-P-069-9-8
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA



SCALE
 0' 400' 800'

NO.	DATE	DESCRIPTION
1	06/10/10	CONCEPTUAL DEVELOPMENT PLAN
2	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
3	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
4	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
5	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
6	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
7	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
8	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
9	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
10	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
11	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
12	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
13	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
14	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
15	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
16	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
17	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
18	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
19	07/10/10	CONCEPTUAL DEVELOPMENT PLAN
20	07/10/10	CONCEPTUAL DEVELOPMENT PLAN

APPROVED BY: [Signature]
 DATE: 02/27/12
 CHECKED BY: [Signature]
 DATE: 02/27/12
 TITLE: FAIR LAKES LAND BAY VII-B CONCEPTUAL / FINAL DEVELOPMENT PLAN AMENDMENT
 PROJECT NO: 14-110726
 SHEET NO: 9 OF 9

BACKGROUND

The applicant, Fair Lakes Center Associates, L.P., has submitted a series of twenty (20) applications for portions of Fair Lakes. In total, these applications propose an additional 1,375,000 square feet of mixed use development (comprised of office, retail, hotel and residential uses) on six sites throughout Fair Lakes, on a total of approximately 76.82 acres.

The applications which are specifically discussed in this Staff Report Addendum consist of three concurrent requests (PCA 82-P-069-19, CDPA 82-P-069-03-2, and FDPA 82-P-069-9-8) filed on Tax Map Parcels 55-2 ((5)) A1, B, and D2 pt., all comprising a 4.7 acre site in Land Bay VII-B. The applicant proposes to amend the current proffers, the current Conceptual Development Plan (CDP), and the current final development plans (FDPs) that govern the site (FDPA 82-P 069-9-4 and FDPA 82-P-069-09-7), to demolish an existing 3,818 square foot drive-through bank and to construct 110,000 gross square feet of hotel and retail support uses in an L-shaped building footprint configuration in a portion of Land Bay VII-B. Within this L-shaped building footprint, the applicant proposes a maximum building height of 110 feet with 8-stories above grade including structured parking. In addition, the applicant seeks flexibility in building design to allow the construction of up to 105,000 square feet of hotel use and up to 8,818 square feet of support retail use within the proposed L-shaped building footprint. The hotel use will include up to 175 rooms.

The staff report, recommending approval of this application, was published on September 20, 2007. Since the publication of the report the applicant has continued to work with staff to further refine their application. The applicant revised Proffer 9 to clarify proposed transportation improvements identified in Proffer 9A, Proffer 9B, Proffer 9C, and Proffer 9F, and added Proffer 14 to create and implement a Transportation Demand Management (TDM) Plan for hotel employees. These revisions are included in Attachment 1 with changes black-lined from proffers included in the original Staff Report. Staff believes that these revisions adequately address the anticipated transportation impacts from the proposed development in Fair Lakes.

In addition, the applicant requested three minor modifications to the proposed development conditions in the Final Development Plan Amendment, which include:

- Clarification of language in Development Condition #1
- Additional language in Development Condition #3 to clarify which areas on the CDPA/FDPA will remain as undisturbed vegetation. The applicant has agreed to replace any trees located in these areas that may be removed during construction, as approved by DPWES, with native species.

These revisions are included in Attachment 2 with changes black-lined from proposed development conditions included in the original Staff Report. Staff agrees with the requested revisions.

WAIVERS/MODIFICATIONS

The applicant is requesting the following modification not listed in the original Staff Report.

Modification of PFM standard 12-0702.1B2 to permit the reduction of the minimum planting requirement from a minimum width of 8 feet to a minimum width of 6 feet as shown on the CDPA/FDPA.

The PFM requires that, at a minimum, street trees be planted in an eight (8) foot wide planting strip. The applicant is seeking a modification of this requirement in select locations of the site, primarily along internal streets, based on the premise that an at-grade eight (8) foot wide planting strip is too wide to facilitate a pedestrian-oriented streetscape. For that reason, in select locations as shown on the CDPA/FDPA, the applicant proposes to provide eight (8) foot wide planting beds for street trees, but to cantilever the sidewalk two (2) feet over such planting beds. The result is that an eight (8) foot wide planting area would be provided for the trees, but only six (6) feet of such area would be visible from grade level. In order to ensure the survivability of the trees, the applicant proposes to install structural soil and/or structural cells within these eight (8) foot wide planting areas. The applicant's proposed landscaping plan has been reviewed by the UFM and their recommendations have been incorporated into the CDPA/FDPA proffers. Therefore, staff supports the requested modification.

CONCLUSIONS AND RECOMMENDATION

Staff Conclusions

Staff continues to believe that the proposed development, as proffered, is in harmony with the use and intensity recommendations of the Comprehensive Plan, with the design guidance of the Fairfax Center Area and with the applicable Zoning Ordinance requirements.

Staff Recommendation

Staff recommends approval of PCA 82-P-069-19, subject to the execution of proffers consistent with those contained in Attachment 1.

Staff recommends approval of CDPA 82-P-069-03-2.

Staff recommends approval of FDPA 82-P-069-9-8, subject to the Final Development Plan Amendment Conditions contained in Attachment 2.

Staff recommends approval of a modification of PFM Standard 12-0702.1B2 to permit the reduction of the minimum planting width requirement from eight feet to six feet as shown on the CDPA/FDPA and described in the proffers.

It should be noted that it is not the intent of staff to recommend that the Planning Commission, 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.

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.

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 Planning Commission.

ATTACHMENTS

1. Proposed Proffers
2. Proposed FDPA 82-P-069-9-8 Development Plan Conditions

FAIR LAKES LAND BAY VII (HOTEL)

PCA 82-P-069-19

PROFFER STATEMENT

JULY 12, 2007

AUGUST 2, 2007

AUGUST 28, 2007

SEPTEMBER 7, 2007

SEPTEMBER 17, 2007

SEPTEMBER 19, 2007

SEPTEMBER 28, 2007

Pursuant to Section 15.2-2303A of the Code of Virginia, as amended, and subject to the Board of Supervisors approval of PCA 82-P-069-19, Fair Lakes Center Associates L.P. (the "Applicant") and the undersigned owners of the approximately 4.70 acres (known as Fairfax County Tax Map Parcels 55-2 ((5)) A1, B, D2 (part) and identified as a portion of Fair Lakes Land Bay VII-B), included in this application (the "Property"), proffers for themselves and their successors and assigns that development of the Property shall be in conformance with the previous proffers approved by the Board of Supervisors in PCA 82-P-069-6 and dated October 9, 1991, which proffers shall remain in full force and effect except as qualified by and subject to the following terms and conditions. In the event this application is denied, these revised proffers shall immediately be null and void and the previous proffers dated October 9, 1991 shall remain in full force and effect.

1. **Paragraph 1 shall be revised to read as follows**

Allocation of Land Uses. Allocation of land uses as provided in the text accompanying the Conceptual Development Plan Amendment is affirmed as follows: No more than 128,874 square feet of principal and secondary uses shall be constructed on the Property.

In no event shall the amount of principal and secondary uses for the entirety of Fair Lakes exceed 8,558,005 square feet of principal and secondary uses. Non-residential uses shall not exceed 6,090,002 square feet. Principle and secondary uses in Land Bays IV-A, V-A, V-B, VI-A and VII-B as contained within the application area for the following applications: (i) PCA 82-P-069-15; (ii) PCA 82-P-069-16; (iii) PCA 82-P-069-17; (iv) PCA 82-P-069-18; (v) PCA 82-P-069-19; and (vi) PCA 82-P-069-20, shall not exceed 2,435,782 square feet. However, up to 945,877 square feet in Land Bay II may be converted from non-residential to residential uses exclusive of ADUs and up to 14,200 square feet may be converted to eating establishments/fast food restaurant/personal service establishment uses in Land Bay II. Residential units shall not be fewer than 1,464.

The specific uses to be provided in the first phase of development are depicted in FDPs submitted for Land Bays I-A, I-B, V-A, VI-A and VI-B. Land Bay II shall be approximately 120 acres, and shall be developed in 1,463,616 square feet of employment, residential and eating establishment/fast food restaurant uses specified in the CDPA for Land Bays II-A and II-B. The residential square footage in Land Bay II shall not exceed 945,877 square feet which shall be exclusive of the square footage for affordable

dwelling units. In addition, the residential square footage in Land Bay II shall not be counted towards, i.e., shall be deemed in its entirety to be in excess of, the fifty (50) percent limitation for residential use in the Fair Lakes PDC District as specified in Par. 5 of Sect. 6-206 of the Zoning Ordinance as well as the 2:1 ratio of primary to residential uses recommended for office-mixed use areas in the Fairfax Center Area. Residential square footage located in the remainder of Fair Lakes may be developed in excess of the fifty (50) percent (based upon the principal, non-residential uses in all of Fair Lakes) limitation set forth in Paragraph 5 of Section 6-206 of the Zoning Ordinance, as modified by the Board of Supervisors in the other PCA applications.

A mix of principal and secondary uses shall be distributed over the remainder of the site, with other retail, hotel and other residential uses to be located in Land Bays III, IV, V, VI and VII. The aggregate non-residential square footage shall not exceed 6,090,002 square feet, of which 200,000 to 855,000 square feet shall be allocated to hotel use, 200,000 to 1,295,000 square feet, exclusive of any eating establishment/fast food restaurant/personal service establishment uses in Land Bay II, to uses such as retail uses, accessory service uses, retail sales establishments, child care centers, eating establishments, financial institutions, health clubs, theaters, service stations, car washes and other principal and secondary PDC uses that are neither residential, hotel nor office/research in character, and 2,250,000 to 5,443,820 square feet to office, research and other non-retail uses. Specific uses shall be designated at the time the FDPAs are submitted. For purposes of this proffer, the designation of a building as office or other employment use shall be construed to permit inclusion of fast food (e.g., delicatessen), financial institution, and other such accessory and personal service uses on the ground and/or first floor level of such building, it being understood that the details of any drive-through and/or child care uses must be the subject of final development plan or special exception approval.

2. **Substantial Conformity with Conceptual Development Plan Amendments.** The subject 4.70-acre PCA Application Property shall be developed in substantial conformance with the Conceptual Development Plan Amendment approved by the Board of Supervisors for the respective land bay, as further modified by all relevant Proffered Conditions for Fair Lakes, as follows: (i) CDPA 82-P-069-1 consisting of one sheet prepared by Dewberry & Davis as revised through July 12, 1984 and approved by the Board of Supervisors on September 24, 1984; (ii) CDPA 82-P-069-3 consisting of one sheet prepared by Dewberry & Davis, as revised through June 26, 1987 and approved by the Board of Supervisors on July 20, 1987; (iii) CDPA 82-P-069-06 consisting of one sheet prepared by Dewberry & Davis, as revised through July 10, 1989, and approved by the Board of Supervisors on October 28, 1991; and (iv) pending CDPA 82-P-069-03-02 consisting of nine (9) sheets of the combined CDPA/FDPA plan prepared by Dewberry & Davis and dated February 27, 2007, as revised through August 1, 2007.
3. **Final Development Plan Amendments.** Notwithstanding that CDPA 82-P-069-03-02 appears on the same development plan with FDPA 82-P-069-09-08, consisting of nine (9) sheets and described in Paragraph 2 above, it shall be understood that (i) said CDPA plan shall consist of the entire plan relative solely to points of access, general location of the proposed buildings, on-site vehicular circulation and common open space areas; and (ii) the Applicant has the option to request Final Development Plan Amendment ("FDPA")

approvals from the Planning Commission in accordance with Section 16-402 of the Zoning Ordinance with respect to the remaining elements. The Applicant further retains the option to file partial Conceptual Development Plan Amendment(s) in the future.

4. **Architectural Design.** The architectural design of the hotel building shall be in substantial conformance with the general character of the elevations and perspectives shown on Sheet four (4) of the CDPA/FDPA. The Applicant reserves the right to revise the elevations as a result of final architectural design, so long as the character and quality of design remains in substantial conformance with those shown. Building materials for the hotel shall be compatible with the existing retail, known as the Shoppes at Fair Lakes. Building materials for the hotel shall consist of masonry, brick, stone, pre-cast concrete, ground and/or split face CMU. In addition to the preceding materials, EIFS that is visually compatible with the masonry materials may be utilized on the upper floors.
5. **Trails.** Trails and sidewalks shall be provided in the locations depicted on the CDPA/FDPA and shall be constructed to PFM standards, subject to the approval of DPWES. Trails located outside of the public right-of-way shall be subject to public access easements.
6. **Fairfax Center Area Road Fund Contribution.** The Applicant shall contribute to the Fairfax Center Area Road Fund in accordance with the "Procedural Guidelines" adopted by the Board of Supervisors on November 22, 1982, as amended as of the time of each such payment, subject to credits for all creditable expenses, as determined by FCDOT and DPWES.
7. **Landscaping.** Landscaping shall be generally consistent with the quality, quantity and the locations shown, respectively, on the "Landscape Detail" included as Sheet 3 of the CDPA/FDPA. At the time of planting, the minimum caliper for trees shall be as follows: large deciduous trees shall be at least three (3) inch caliper, and large evergreen trees shall be at least eight (8) feet in height. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans submitted at the time of site plan, for review and approval by Urban Forest Management ("UFM"), Department of Public Works and Environmental Services ("DPWES"). Preference shall be given by the Applicant to utilizing native species to the extent feasible. This shall not be construed, however, to preclude the use of non-native species. Such landscape plans shall provide tree coverage and species diversity consistent with the PFM criteria, as determined by UFM.

Trees planted in areas which are less than eight (8) feet in width and/or do not meet the minimum planting area required (before any approved modification) by the Public Facilities Manual ("PFM") may be counted towards satisfying the minimum tree cover requirement provided that structural soils or structural cells are incorporated as specified herein. The Applicant shall provide structural soils or structural cells with a minimum depth of 24 inches. The minimum width of areas of structural soils or structural cells shall be eight (8) feet, which may extend beneath any paved surface, so long as a minimum of 130 square feet is provided for Category IV trees and 90 square feet is provided for Category III trees, as such trees are identified in the PFM. Such planting

areas shall be interconnected to the extent feasible, as determined by UFM. Geotextile fabric shall be provided between the structural soil or structural cells and the surrounding media as required by the specific application. The residual opening in the planting area may be mulched, landscaped or covered by a tree grate. At the time of site plan submission, the Applicant shall provide written documentation, including information about the composition of the structural soil or specifications regarding the structural cells to UFM indicating that a qualified and appropriately licensed "company" provided the structural soil or structural cells. The Applicant shall provide 72-hour notice to UFM prior to installation of the soil to allow verification of the composition of the structural soil or structural cells and verification that the structural soil or structural cell is the correct mix and is installed correctly. The Applicant shall provide written confirmation from a certified arborist and/or landscape architect demonstrating and verifying installation of structural soil or structural cells.

8. **Streetscape.** Streetscaping shall be provided as indicated on the CDPA/FDPA and shall be installed prior to the issuance of the initial non-RUP for the hotel depicted on the CDPA/FDPA. Streetscape elements (lighting fixtures, benches, trash receptacles and similar site features) shall be unified conceptually throughout the Property and shall be in conformance with the Fair Lakes Design Guidelines.

9. **Transportation Improvements.** The following road improvements shall be provided by the Applicant, subject to and as approved by VDOT and DPWES. However, upon demonstration by the Applicant that, despite diligent efforts by the Applicant, provision of a respective improvement has been unreasonably delayed by others or by circumstances beyond the control of the Applicant, the Zoning Administrator may agree to a later date for the completion of each such improvement:

A. **Fair Lakes Circle/Fair Lakes Parkway (west)/Fair Valley Drive Intersection Improvements (Intersection 3).**

~~1. Fair Lakes Circle Northbound Left Turn Lane. The Applicant shall construct an additional northbound lane and re-stripe the northbound approach to provide dual left turn lanes, a single through lane, and an exclusive right turn lane prior to the issuance of the initial Non RUP for the hotel building depicted on the CDPA/FDPA.~~

1. 2. Fair Lakes Circle Northbound Free Flow Right Turn Lane. If the construction of a free flow right turn lane on northbound Fair Lakes Circle to include an accepting lane on eastbound Fair Lakes Parkway is deemed to not be necessary by DPWES **Fair Lakes Parkway Westbound Left Turn Lane.** **At the time of final site plan approval for the last of the buildings depicted on subject application (PCA 82-P-069-19) and on the CDPA/FDPAs associated with PCA 82-P-069-15 (Land Bay V-A--Office), PCA 82-P-069-16 (Land Bay V-B) and PCA 82-P-069-17 (Land Bay V-A--Residential), the Applicant shall evaluate the need for a second left turn lane from westbound Fair Lakes parkway onto southbound Fair Lakes Circle. If, prior to said evaluation, DPWES**

and FCDOT determine that this improvement is necessary at the time of site plan approval, ~~then for any of the buildings depicted on the above CDPA/FDPAs, then the Applicant shall construct this improvement prior to the issuance of the initial Non-RUP or RUP for the building depicted on said CDPA/FDPA. If this improvement is deemed to not be necessary, then prior to issuance of the initial Non-RUP or RUP for said final building referenced in the first sentence of this Paragraph 9(A)(1).~~ the Applicant shall contribute the cost of ~~such~~constructing this improvement to the Board of Supervisors for use in the Fair Lakes Parkway/Fairfax County Parkway interchange project, VDOT project 7100-029-353. Should this interchange project be fully funded by the time of site plan approval for the hotel depicted on the CDPA/FDPA, and if the free flow right turn lane on northbound Fair Lakes Circle is deemed to not be necessary said contribution, then any funds contributed pursuant to this proffer shall be used by the County for other Fairfax Center Road Fund projects.

2. ~~3. Fair Lakes Parkway Westbound Left Turn Lane. The Applicant shall construct a second left turn lane from westbound Fair Lakes Parkway onto southbound Fair Lakes Circle prior~~ Fair Lakes Circle Northbound Exclusive Right Turn Lane. Prior to the issuance of the initial Non-RUP for the hotel building depicted on the CDPA/FDPA, the Applicant shall restripe the northbound approach on Fair Lakes Circle to provide a dedicated left turn lane, and shared left turn/through lane, and an exclusive right turn lane.

B. Bus Shelter. The Applicant shall provide one (1) bus shelter with an all weather pedestrian access to the adjacent trail prior to the issuance of the initial Non-RUP for the proposed hotel building depicted on the CDPA/FDPA, with no requirement for a turnoff lane or additional road improvements, along the south side of Fair Lakes Circle in the vicinity of the possible bus shelter location depicted on the CDPA/FDPA or on the north side of Fair Lakes Circle (in the vicinity opposite the location depicted on the CDPA/FDPA), whose final location shall be determined by the Applicant in cooperation with the Director of DPWES and FCDOT Transit Services at the time of building permit issuance for the hotel building, only (i) if a bus shelter has not been constructed by that time by others, and (ii) if it is determined that scheduled public or private bus service shall utilize said shelter. If the shelter is provided, the Applicant shall assume maintenance of the bus shelter area, including trash removal, and the maintenance responsibility shall be provided for in the Owners Association documents.

C. Off-Site Crosswalk Improvement. Prior to the issuance of the initial Non-RUP for the hotel building depicted on the CDPA/FDPA, the Applicant shall provide a painted crosswalk improvement at the intersection of Fair Lakes Circle and Shoppes Boulevard. This crosswalk improvement shall be located within the right-of-way and shall be subject to the approval of VDOT.

- D. **Signal Modifications.** The Applicant shall modify traffic signals at the intersections improved by these proffers, as deemed necessary, and subject to the approval of VDOT.
- E. **Fairfax County Parkway/Fair Lakes Parkway Interchange Contribution.** In addition to those funds contributed to the Fairfax Center Area Road Fund in accordance with Paragraph 6 above, the Applicant shall contribute an additional one dollar (\$1) per square foot to the Board of Supervisors to be utilized on the Fair Lakes Parkway/Fairfax County Parkway interchange project, VDOT project 7100-029-353. This additional contribution shall be made to the Board of Supervisors at the same time and in the same proportion as said Fairfax Center Area Road Fund contribution. Should this interchange project be fully funded by the time of site plan approval for the hotel depicted on the CDPA/FDPA, then these funds shall be used by the County for other Fairfax Center Road Fund projects.
- F. **Transportation Improvements by Others.** To the extent any of the above-mentioned transportation improvements **or transportation related monetary contributions (except the contribution in Paragraph 9(E), immediately above)** are constructed ~~or~~, bonded for construction **or contributed** by others **pursuant to PCA 82-P-069-15, PCA 82-P-069-16, PCA 82-P-069-17 and PCA 82-P-069-20** prior to the approval of a site plan for the hotel depicted on the CDPA/FDPA, then the Applicant shall be relieved of the commitment to construct **or contribute towards** each such constructed ~~or~~, bonded **or otherwise satisfied** transportation improvement.
10. **Hotel Noise Attenuation.** The Applicant shall provide the following noise mitigation measures:
- A. In order to reduce interior noise to a level of no more than 45 dBA Ldn, hotel rooms that are projected to be impacted by highway noise from Fairfax County Parkway having levels projected above 65 dBA Ldn shall be constructed with the following acoustical measures:
1. Exterior walls should have a laboratory sound transmission class ("STC") rating of at least 39.
 2. Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any façade exposed to noise levels of 65 dBA Ldn or above.
 3. If glazing constitutes more than 20% of an exposed façade, then the glazing shall have a STC rating of at least 39.
 4. All surfaces should be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials ("ASTM") to minimize sound transmission.

- B. Prior to the issuance of the Non-RUP for hotel rooms, alternative interior noise attenuation measures may be provided subject to the implementation of a refined noise study as reviewed and approved by DPWES after consultation with the Department of Planning and Zoning.
- C. Building plans for any hotel building shall depict the final noise contours and all locations of the respective building/rooms, if any, that are subject to noise mitigation as provided herein.

11. **Tree Preservation.** The Applicant shall submit a tree preservation plan as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of UFM.

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater, and 20 feet to either side of the limits of clearing and grading shown on the CDPA/FDPA for the entire site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of (protected by) the limits of clearing and grading shown on the CDPA/FDPA, and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings 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 survivability of trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence which shall be erected at the limits of clearing and grading. Tree protection fence shall consist of 14-gauge welded wire fencing, a minimum of four (4) feet in height, attached to steel posts driven eighteen (18) inches into the ground and spaced no farther than ten (10) feet apart. Other tree protection measures shall be employed to protect trees during construction, subject to the approval of UFM.

The Applicant shall conform to the limits of clearing and grading as shown on the CDPA/FDPA, subject to the installation of utilities and/or trails as determined necessary by the Director of DPWES. If it is determined necessary to install utilities and/or trails outside of the limits of clearing and grading as shown on the CDPA/FDPA, they shall be located in the least disruptive manner necessary as determined by UFM. A replanting plan shall be developed and implemented, subject to approval by UFM, for any areas outside the limits of clearing and grading that must be disturbed.

During any clearing or tree/vegetation/structure removal or transplantation of vegetation on the Application Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFM.

At the time of site plan approval for the hotel depicted on the CDPA/FDPA, the Applicant shall post a bond as part of the typical site improvement bond to ensure preservation and/or replacement of the trees, for which a tree value has been determined in accordance with the tree preservation plan described above (the "Bonded Trees"), that die or are dying due to unauthorized construction activities. The bond shall be equal to 100% of the replacement value of the Bonded Trees. At any time prior to final bond release for the hotel depicted on the CDPA/FDPA, should any Bonded Trees die, be removed, or are determined to be dying by UFM due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent species and canopy cover as approved by UFM.

12. **Retail Space.** Any retail space in excess of 5000 square feet shall be provided as accessory uses to the hotel. Direct access to all such accessory retail shall be provided from the interior of the hotel, although additional access may also be provided from the adjacent retail area.
13. **Signage.** Signage shall be provided in accordance with Article 12 of the Zoning Ordinance and in conformance with the Fair Lakes Comprehensive Sign Plan, as may be amended.
14. **Transportation Demand Management ("TDM"). The Applicant shall implement the following initiatives, in conjunction with the TDM strategies applicable to other areas of Fair Lakes, that shall be directed towards employees of the hotel:**
 - A. **Within three (3) months following issuance of the initial non-RUP for the hotel depicted on the CDPA/FDPA, the Applicant shall designate an individual to act as the TDM Coordinator for areas of Fair Lakes to include the Property whose responsibility shall be to implement the following TDM Strategies;**
 - B. **Participation in the Fairfax County Ride Share Program and other trip reduction programs sponsored by FCDOT;**
 - C. **Dissemination of materials regarding Metrorail, Metrobus, Fairfax Connector, ride-sharing, teleworking and other relevant transit options;**
 - D. **Provision of information of potential carpool and vanpool options that may be available to hotel employees;**
 - E. **Provision of transit maps, schedules and other relevant transit option information to hotel employees and hotel patrons through posting in the common-area of the hotel, and**
 - F. **Provision of conveniently located bicycle parking.**
15. **14. Successors and Assigns.** Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

16. ~~15.~~ **Counterparts.** To facilitate execution, this Proffer Statement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of all the parties to the Proffer Statement appear on each counterpart of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.

PROPOSED FINAL DEVELOPMENT PLAN AMENDMENT CONDITIONS

FDPA 82-P-069-9-8

~~September 20, 2007~~

October 3, 2007

If it is the intent of the Planning Commission to approve a hotel and support retail development located at Tax Map 55-2 ((5)) A1, B, and D2 pt., staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions, which supersede all previously approved conditions as they pertain to this site.

1. Development of the property shall be in substantial conformance with the Final Development Plan Amendment entitled "Fair Lakes Land Bay VII-B" prepared by Dewberry & Davis LLC and Davis Carter Scott consisting of twelve sheets dated February 27, 2007 as revised through August 1, 2007.
2. LID measures shall be incorporated into the final site design, including surface parking areas, as determined feasible by the applicant and DPWES at the time of site plan review.
3. The limits of clearing and grading as areas depicted on the CDPA/FDPA as "existing vegetation to be preserved" shall remain as permanently undisturbed vegetation except for (1) the removal of dead, dying and/or diseased vegetation as approved by UFM, and/or (2) other disturbances to the extent approved by DPWES. Any vegetation removed within these areas shall be replaced with native plant species as approved by Urban Forest Management.
4. The use of cellar space shall be limited to storage, mechanical and/or accessory uses as defined by Article 10 of the Zoning Ordinance. All uses including cellar space shall be parked as required in Article 11 of the Zoning Ordinance.

The proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.