



County of Fairfax, Virginia

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

July 15, 2008

Elizabeth D. Baker
Walsh, Colucci, Lubeley, Emrich & Terpak
2200 Clarendon Blvd., Thirteenth Floor
Arlington, Va 22201-3359

Re: Interpretation for RZ/FDP 2002-HM-043, Arrowbrooke Centre, Tax Map 16-3 ((1)) 39A4: Site Modifications

Dear Ms. Baker:

This is in response to your letters of January 29, 2008, and May 13, 2008, and a supplemental letter dated July 7, 2008, requesting an interpretation of the proffers and Conceptual Development Plan (CDP) accepted by the Board of Supervisors, and the Final Development Plan (FDP) and development conditions approved by the Planning Commission in conjunction with the approval of RZ/FDP 2002-HM-043. The site contains approximately 53.6 acres that were rezoned to the PDC District, subject to proffers dated December 5, 2005. The development is divided into six land bays. Land Bay E-F, which consists of approximately 23 acres, was approved for the development of public parkland pursuant to Proffer 30 (A) and is the subject of this letter. As I understand it, there are nine (9) questions concerning layout changes, labeled A through I, which will be addressed below. This determination is based on your letters and the following attached exhibits:

An unlabeled color exhibit entitled "Arrowbrooke Center, Alternative Landscape Design" dated July 30, 2008, containing tree cover comparisons between the approved CDP/FDP and the current proposal;

Exhibit 1 entitled "Administrative Interpretation Graphic" prepared by Patton Harris Rust & Associates dated January 28, 2008, revised through July 7, 2008, which contains a comparison of the approved CDP/FDP and the proposed minor modifications;

Exhibits 2A and 2B dated July 3, 2008 and July 7, respectively, showing the approved and proposed landscaping for the entry wall located on Sunrise Valley Drive;

Exhibits 3A and 3B dated May 12, 2008, showing the proposed restoration area associated with utility construction and a conceptual section of the restoration area; and,

A letter dated January 18, 2008, to Regina Coyle, Director, Zoning Evaluation Division, DPZ from Sandy Stallman, Manager, Park Planning Branch, Planning and Division, FCPA, stating Park Authority support of the proposed modifications.

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/



Copies of your letters with relevant attachments are enclosed.

The first question (A) is whether the proposed reconfiguration of the parking lot is in substantial conformance with the proffers, the CDP/FDP, and the development conditions. You indicate that the parking lot will remain in the same general location and configuration as that shown on the CDP/FDP and that there will be no reduction in the number of parking spaces. You state that the change is being proposed to address sight distance issues caused by vehicle parking along the site frontage where there is a curve in the road. The interpretation graphic shows that the main modification proposed to the parking lot is the relocation of parking spaces from along the front of the site to the interior of the lot. The parking lot island has been increased in size. No change to the access is proposed.

It is my determination that the proposed modification to the parking lot is in substantial conformance with the proffers, the CDP/FDP, and the development conditions.

The second question (B) is whether the substitution of a bocci ball court for two horseshoe pits would be in substantial conformance with the proffers, the CDP/FDP and the development conditions. Your letter states that FCPA was in agreement with you that horseshoe pits were not the best activity and could be dangerous. The CDP/FDP shows two horseshoe pits located in an open play area on the west side of two basketball courts. You are proposing to eliminate the horseshoe pits and to build a bocci ball court on the north side of the site adjacent to the two tennis courts and in close proximity to the proposed tot lot. Your letter cites Proffer 30A, which states in part that *"The Applicant or its successors-in-interest and/or assigns, reserves the right to modify the park land design as may be necessary with final engineering for Land Bays E-F and G and to revise secondary facilities, add trails, picnic facilities, and other similar park facilities on Land Bays E-F and G, without the requirement for a FDPA if approved by FCPA and otherwise in general conformance with the CDP/FDP."* As noted in the attached letter from Sandy Stallman, the FCPA supports the proposed design.

It is my determination that the proposed substitution of a bocci ball court for two horseshoe pits as described above is in substantial conformance with the proffers, the CDP/FDP, and the development conditions.

The third question (C) is whether the proposed modifications to the streetscape and community stage are in substantial conformance with the proffers, the CDP/FDP, and the development conditions. Your letter states that final engineering has determined that there is more of a grade difference between the park area and the proposed road along its northern border. As a result you are proposing the addition of one (1) continuous retaining wall with a maximum height of approximately eight (8) feet along the northern side of the site. Based on your exhibit, the retaining wall will extend along the entire northern edge of the park. It would contain curvilinear elements to accommodate the community stage to provide overlook areas with landscaping and benches. The maximum height of the wall is ten (10) feet which occurs adjacent to the tennis courts where the wall is proposed to serve as a "practice wall." You state that the proposed design also provides a ramp to provide ADA access near the tot lot and bocci ball court. The curvilinear seating element that was provided along the northern edge of the park on the CDP/FDP would be eliminated in the proposed design because of the grades; however, a sloping grass lawn located between the retaining wall and the proposed soccer field

will provide a seating area for spectators that will supplement the overlook areas above. A 3 foot high retaining wall is also proposed to be constructed around two sides of the tennis courts and on the north side of the bocci ball court. In addition to Proffer 30 (A), you cite Proffer 39 which states that states that *“Certain retaining walls have been shown on the CDP/FDP. The Applicant reserves the right to modify these walls and add other retaining walls based on final engineering design. All retaining walls shall have a maximum height of 10 feet above finished grade and shall be constructed with decorative finishes.”*

It is my determination that the proposed modifications to the streetscape and community stage area discussed above are in substantial conformance with the proffers, the CDP/FDP, and the development conditions.

The fourth question (D) is whether the addition of retaining walls on the eastern and western sides of the entry road from Sunrise Valley Drive and modifications to the landscape plan in that area would be in substantial conformance with the proffers, the CDP/FDP, and the development conditions. The proposed maximum height of the walls is six (6) feet. You state that the walls are needed to retain grade and to provide the flat areas needed for the soccer field, open play area, and basketball court. You state that the walls would also be used for signage and an entry feature for the development. The submitted Exhibit 2A shows the Sunrise Valley Drive entrance and landscaping that was approved on the CDP/FDP. There were no retaining walls. The proposed landscaping for the entrance area is depicted on your Exhibit 2B and shows the proposed approximately fifty foot long western retaining wall designed as an entry feature with landscaping provided on both sides of the wall. Five (5) street trees are shown adjacent to the entrance road consistent with the CDP/FDP and two (2) additional street trees are proposed at the site entrance. The retaining wall proposed along the eastern side of the entrance extends for approximately 260 feet. The landscaping adjacent to this wall has been increased, particularly as it concerns evergreen trees, in order to screen the basketball court and fenced enclosure from the road. The basketball court is proposed to be relocated closer to the road pursuant to Item F in this letter; therefore, the additional need for screening has arisen.

According to Exhibits 2A and 2B, the tree cover proposed is 13,825 square feet versus 9,775 square feet that was provided on the CDP/FDP. The difference results from an increase from 25 to 34 in the number of large deciduous trees, a decrease from 35 to 14 in ornamental trees, and an increase from 14 to 75 in evergreen trees. There is also a proposed increase from 20 to 294 in ornamental shrubs for which no tree cover can be claimed. Therefore, there is an increase in proposed tree cover with a significant increase in the number of evergreen trees, which is required for screening purposes.

As such, it is my determination that the proposed retaining walls and modifications to the landscaping at the Sunrise Valley Drive entrance to the site discussed above would be in substantial conformance with the proffers, the CDP/FDP, and the development conditions, subject to Urban Forest Management (UFM) approval of the revised landscape plan.

The fifth question (E) is whether the proposed enlargement of the picnic pavilion in order to accommodate 700 square feet of restroom space would be in substantial conformance with the proffers, the CDP/FDP, and the development conditions. As I understand it, the CDP/FDP did not provide for restroom space on the park site and the FCPA has requested that they be provided. You state that in order to compensate for the addition of GFA to this land bay Office Building A-1 will be decreased in size by approximately 700 square feet. Exhibit 1 contains a table with Office Building A-1 shown with 239,300 square feet of gross floor area versus 240,000 square feet of gross floor area as

approved on the CDP/FDP. Proffer 5 permits the applicant to alter building footprint sizes and/or adjust gross square footage among one or more buildings located in the same land bay, provided that the total gross floor area of all land bays does not exceed 2,223,600 square feet. While the park and Office Building A-1 are not in the same land bay, the fact that no gross floor area was provided for the park was an oversight. The proposed shift of gross floor area is within the permitted maximum gross floor area for the development.

It is my determination that addition of 700 square feet of restroom space and the 700 square foot reduction of gross floor area in Office Building A-1 discussed above would be in substantial conformance with the proffers, the CDP/FDP, and the development conditions.

The sixth question (F) is whether the elimination of one of the two basketball courts and creation of an open play area would be in substantial conformance with the proffers, the CDP/FDP, and the development conditions. As I understand, the FCPA agreed that the area was too constrained for two basketball courts and stated that their needs assessment did not support two courts. You have proposed to shift the one basketball court toward the south and away from the soccer field in order to create an expanded lawn area where the second basketball was located. You state that the proposed change allows the integration of the picnic pavilion into the park's design. Based on Exhibit 1, it appears that the proposed design will be a functional improvement over the original design. As noted earlier, Proffer 30 (A) permits the Applicant to, among other things, *".... to modify the park land design as may be necessary with final engineering for Land Bays E- F and G and to revise secondary facilities, add trails, picnic facilities, and other similar park facilities on Land Bays E-F and G, without the requirement for a FDPA if approved by FCPA and otherwise in general conformance with the CDP/FDP."*

It is my determination that the elimination of one basketball court and an increase in open play area discussed above is in substantial conformance with the proffers, the CDP/FDP, and the development conditions.

The eighth question (G) is whether the proposed modification to the soccer field dimensions as requested by the FCPA would be in substantial conformance with the proffers, the CDP/FDP, and the development conditions. The approved CDP/FDP showed a field 195 feet wide by 300 feet in length. You state that FCPA staff has requested that the field be increased in length. You are now proposing a soccer field that measures 180 feet wide and 320 feet long with 15 foot overrun areas. You note that this change along with all of the listed modifications was approved by FCPA.

It is my determination that the modifications to the size of the soccer field described above are in substantial conformance with the proffers, the CDP/FDP, and the development conditions.

The ninth question (H) is whether the shift in location of the driveway access to the life estate would be in substantial conformance with the proffers, the CDP/FDP, and the development conditions. The current driveway to the life estate residence and that shown on the CDP/FDP is located north of the residence where you are now proposing to construct a retaining wall. You propose to relocate the driveway toward the east so that it would access the life estate property in a location that you state has safer driveway grades and geometry. You also state that the owner/occupants of the residence have reviewed and approved the proposed driveway location. It is my determination that the proposed relocation of the driveway to the life estate property is in substantial conformance with the proffers, the CDP/FDP, and the development conditions.

Elizabeth D. Baker
Page 5

The tenth question (I) is whether the proposed re-alignment of a sanitary sewer line in the southeastern portion of the park area would be in substantial conformance with the proffers, the CDP/FDP, and the development conditions. You state that the proposed revision is the result of final engineering and the location of the tie-in to the existing trunk sewer. The approved CDP/FDP showed the proposed sanitary sewer in the southwest area of the site cutting through a narrow strip of trees to be preserved. You are now proposing to construct the sanitary sewer line further toward the east also through a larger area of existing trees to be preserved. Proffer 18C states that *"If as a result of final engineering, the areas designated as tree save areas on the CDP/FDP are modified or cannot be preserved, equivalent tree save areas or equivalent landscaped areas shall be substituted on the Property, as determined by Urban Forest Management"*. According to Exhibit 3A, the amount of clearing through a tree preservation area shown on the CDP/FDP was 2,500 square feet. You are proposing to reforest 2,650 square feet both within and outside the easement. Exhibit 3B shows the 25-foot wide reforestation area that consists of native deciduous and evergreen trees within the cleared area and proposed native shrubs across the cleared area and within the easement. Exhibit 3A also shows the proposed addition of supplemental landscaping between the easement and Sunrise Valley Drive to screen the easement.

It is my determination that the proposed re-alignment of the sanitary sewer line with reforestation and supplemental landscaping discussed above is in substantial conformance with the proffers, the CDP/FDP, and the development conditions, subject to Urban Forest Management (UFM) approval.

These determinations have been made in my capacity as the duly authorized agent of the Zoning Administrator and address only those items described and discussed in this letter. If you have any questions regarding this interpretation, please feel free to contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,

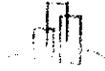


Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

RCC/MAG/N:\Proffer Interpretations PI\Arrowbrook Centre (RZ-2002-HM-043) SiteModifications .doc

Attachments: A/S

cc: Catherine M. Hudgins, Supervisor, Hunter Mill District
Frank de la Fe, Planning Commissioner, Hunter Mill District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Kenneth Williams, Office of Land Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Assad Ayoubi, Acting Director, Environmental and Facilities Inspection Division, DPWES
Audrey Clark, Director, Building Plan Review Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: RZ/FDP 2002-HM-043, PI 0801 011, Imaging, Reading File



Elizabeth D. Baker
Land Use Coordinator
(703) 528-4700 Ext. 5414
ebaker@arl.thelandlawyers.com

**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

RECEIVED
Department of Planning & Zoning

JUL 08 2008

July 7, 2008

Zoning Evaluation Division

By Hand Delivery

Mary Ann Godfrey
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Interpretation Request
Arrowbrook Centre/RZ 2002-HM-043
Tax Map Reference: 16-3 ((1)) 39A4 (the "Subject Property")

Dear Ms. Godfrey:

Please accept this letter as a supplement to my letters of January 29, 2008 and May 13, 2008 with regard to the above-referenced request for an administrative interpretation. I am submitting revised exhibits to replace those previously provided. The exhibits have been revised based on the meeting held July 3, 2008 with you, me, Hugh Whitehead of the Urban Forest Management Division, and Dave Steigler and Gayle Hooper of Patton Harris Rust Associates ("PHR&A") to discuss landscaping. Enclosed please find:

- Exhibit 1 is an Administrative Interpretation Graphic prepared by PHR&A as revised through July 7, 2008. It provides a side-by-side comparison of the approved CDP/FDP and the proposed layout. I have provided two full size copies and 11x17 and 8½x11 inch reductions.

This graphic has been revised only as it applies to Item D. As described in the meeting, the landscape architect had proposed increasing the number of evergreen trees in order to provide effective, year around screening of the basketball court and associated fencing. At your request, the landscape design in the vicinity of the Sunrise Valley entrance has been modified to increase the number of deciduous shade trees and ornamental trees over what was previously proposed. With the increase in shade and ornamental trees, we now have a design that provides both screening and a variety of plant materials in substantial conformance with the CDP/FDP.

PHONE 703 528 4700 FAX 703 525 3197 WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA 2200 CLARENDON BLVD., THIRTEENTH FLOOR ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 PRINCE WILLIAM OFFICE 703 680 4664

- Exhibit 2A dated May 12, 2008 and Exhibit 2B dated July 7, 2008, provides a comparison of the landscaping shown on the approved CDP/FDP and as requested with this interpretation. Exhibit 2B is simply an enlargement of a portion of the interpretation graphic with tree cover calculations. The proposed modification provides 13,825 square feet of the cover compared to 9,775 square feet with the approved CDP/FDP.

No other revisions are proposed from the requests outlined in detail in my May 13, 2008 letter. If you have any questions, please do not hesitate to call.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.

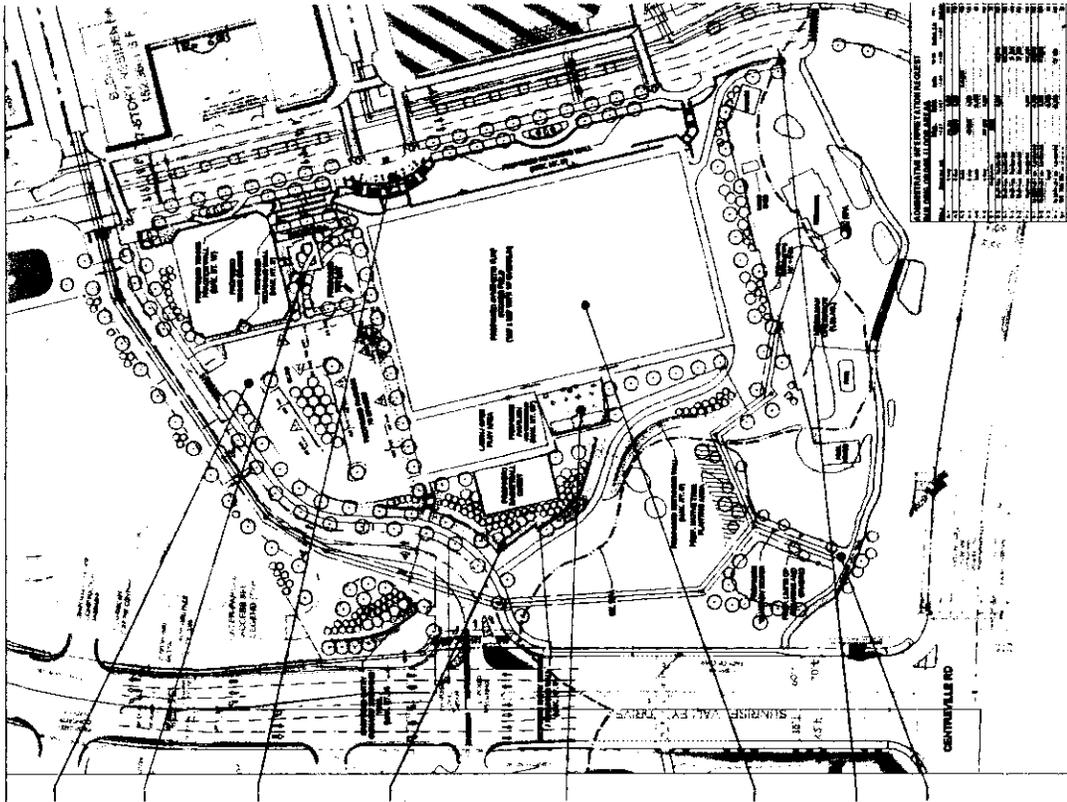


Elizabeth D. Baker
Land Use Coordinator

Enclosures:

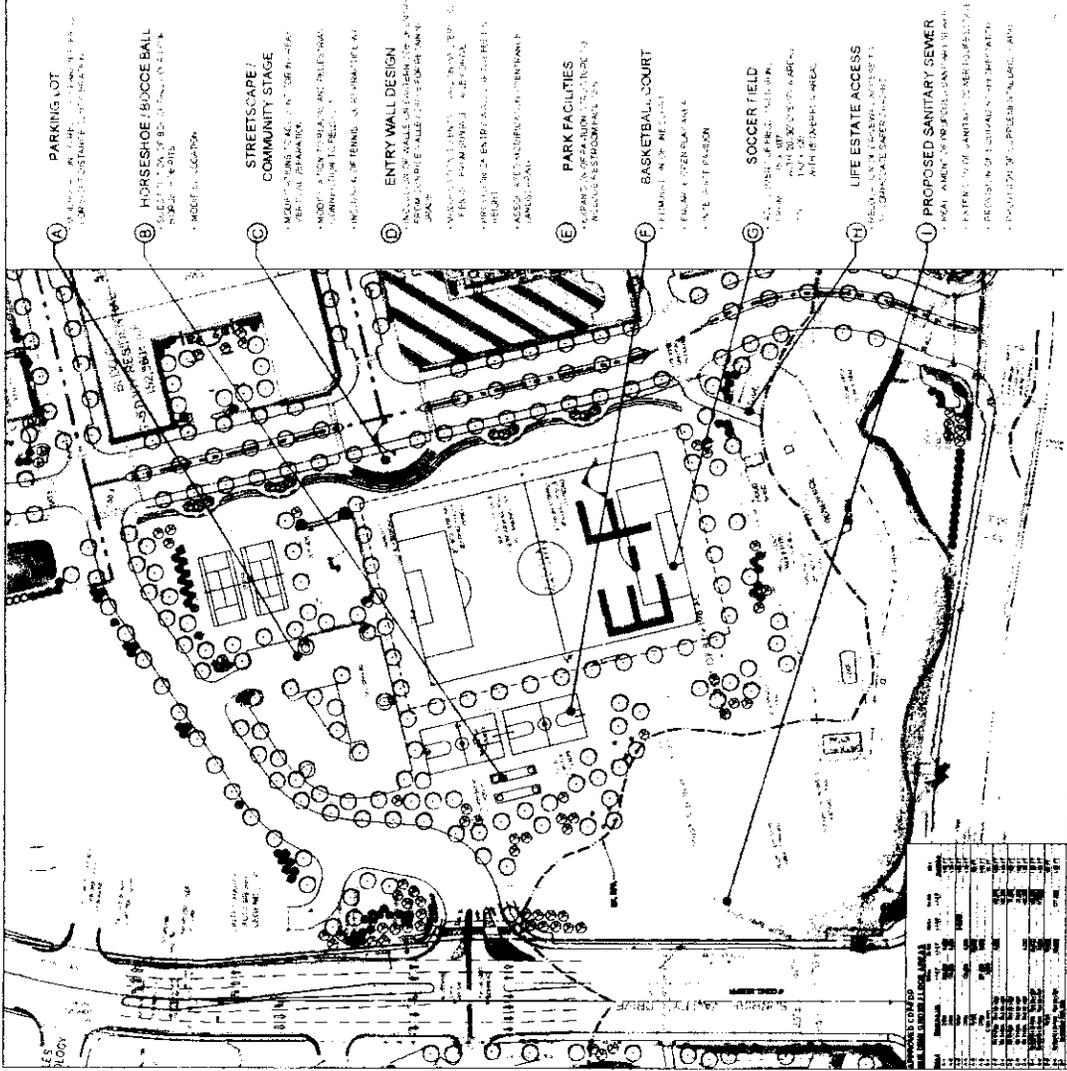
- 1) Exhibit 1
- 2) Exhibit 2A
- 3) Exhibit 2B

cc: Sandy Stallman
Jeff Fairfield
Dave Steigler
Gayle Hooper
Steve Saville
Martin D. Walsh



| ADMINISTRATIVE INTERPRETATION SHEET | |
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ARROWBROOK CENTRE
 HUNTER HILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA



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ARROWBROOK CENTRE
 HUNTER HILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

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PAUL HARRIS BALL & ASSOCIATES
 10000 WOODBURN ROAD
 SUITE 100
 FAIRFAX, VA 22031
PHRA

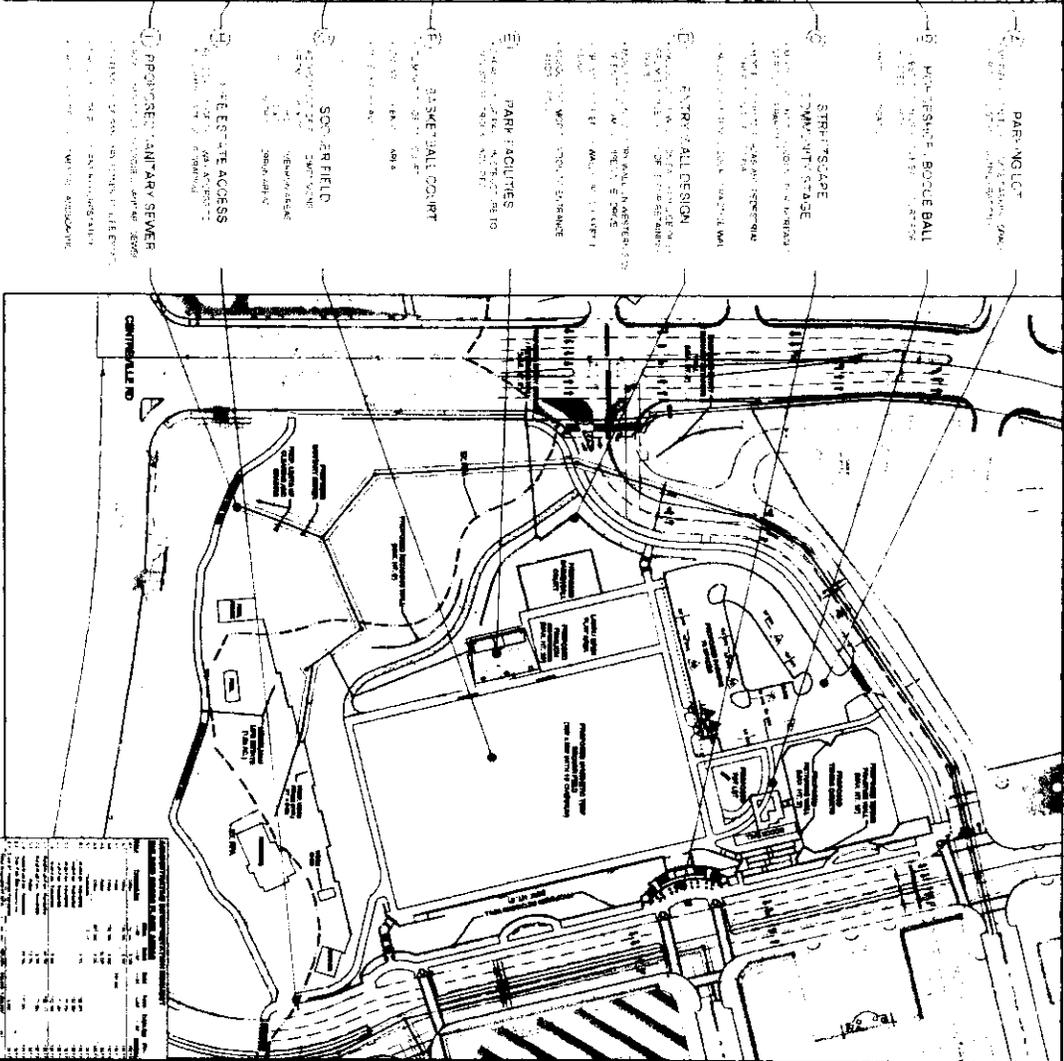
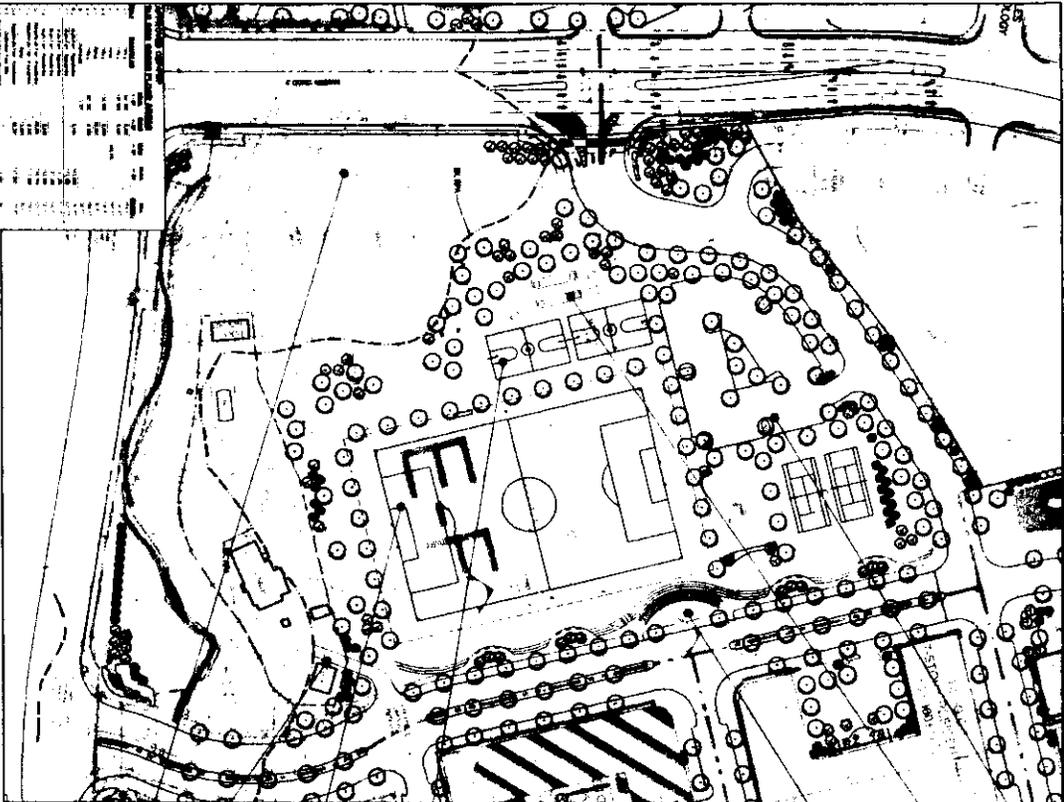
ADMINISTRATIVE INTERPRETATION GRAPHIC

ARROWBROOK CENTRE
 HUNTER HILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

PROFESSIONAL SEAL

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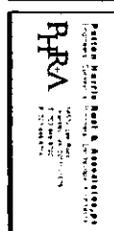


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ARROWBROOK CENTRE
 HUNTER HILL DISTRICT
 FARMEX COUNTY, VIRGINIA

ADMINISTRATIVE INTERPRETATION GRAPHIC



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ARROWBROOK CENTRE / ADMINISTRATIVE INTERPRETATION REQUEST

EXHIBIT

PARKING LOT
 INDICATION TO RELOCATE PARKING SPACES
 TO BE SET BACK FROM EXISTING LOT

HORSESHOE BOOCIE BALL
 30' PORTION OF BOOCIE BALL COURT FROM
 RELOCATED PITS

**STREETSCAPE
 COMMUNITY STAGE**
 INDICATIONS TO ADDRESS FOUR INCREASED
 VISUAL SEPARATION

INDICATION TO PLACE ALL PAVED PAVEMENT
 CONNECTION TO FIELD LEVEL

ENTRY WALL DESIGN
 DESIGN OF WALLS ON EASTERN SIDE OF ENTRY
 FROM SUNRISE VALLEY DRIVE FOR VISUAL
 SEPARATION

INDICATION TO ENTRY WALL ON WESTERN SIDE
 ENTRY FROM MAIN VALLEY DRIVE

DIVISION OF ENTRY WALLS UP TO 6 FEET IN
 HEIGHT

PROPOSED MODIFICATION TO ENTRY WALL
 FOR VISUAL SEPARATION

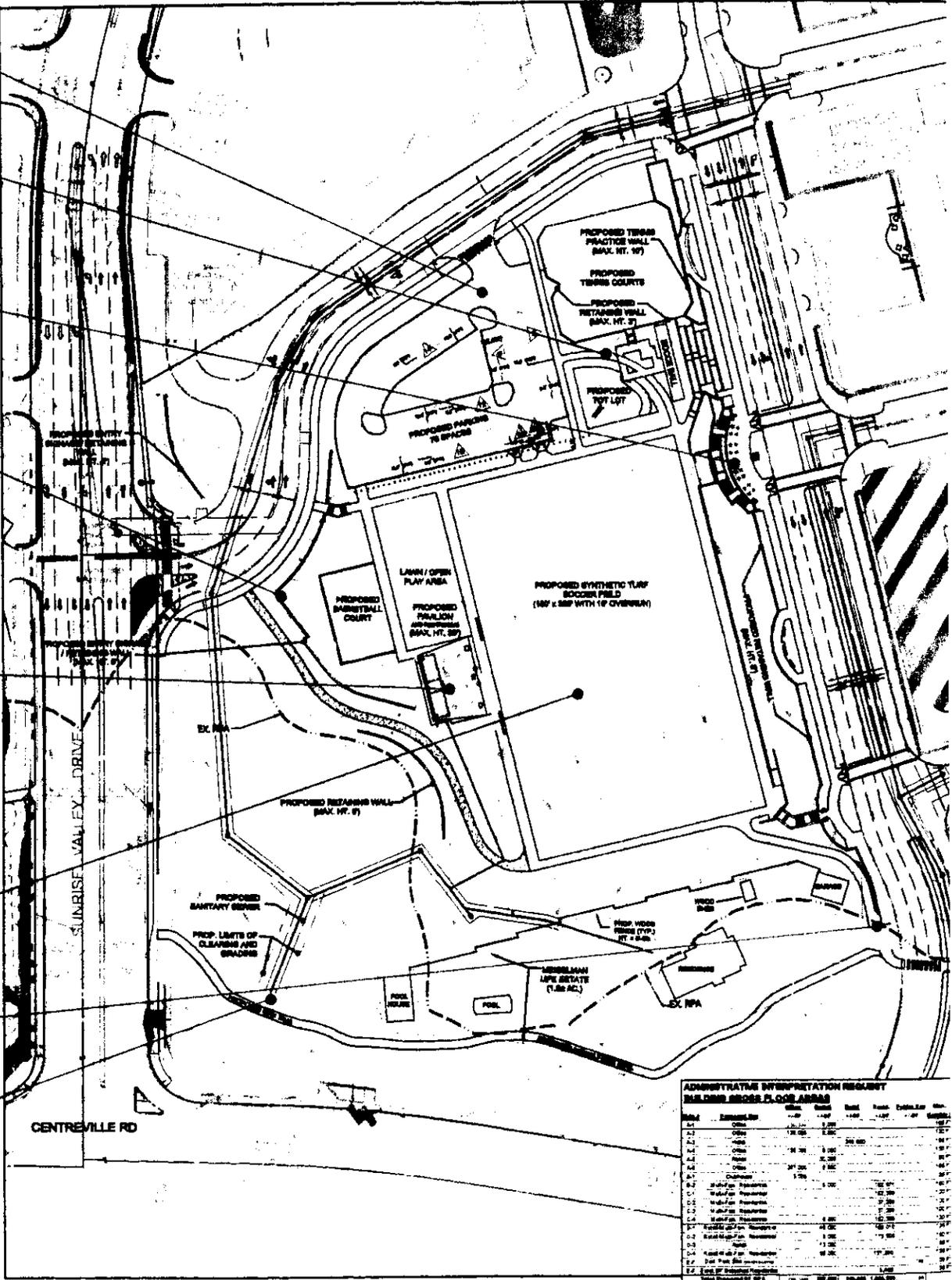
PARK FACILITIES
 INDICATION TO PROVIDE VISUAL SEPARATION
 TO INCLUDE RESTROOM FACILITIES

BASKETBALL COURT
 INDICATION OF COURT
 LARGE OPEN PLAY AREA
 INTEGRATE PAVEMENT

SOCCER FIELD
 ADJUSTMENT OF FIELD DIMENSIONS
 TO MEET 100' x 60' MINIMUM AREA
 WITH 10' x 20' CLEARANCE

LIFE ESTATE ACCESS
 INDICATION OF DRIVEWAY ACCESS TO
 COMMUNICATE SAFER DRAINAGE

PROPOSED SANITARY SEWER
 ALIGNMENT OF PROPOSED SANITARY SEWER
 TO BE LOCATED UNDER EXISTING DRIVEWAY
 TO BE LOCATED UNDER EXISTING DRIVEWAY
 TO BE LOCATED UNDER EXISTING DRIVEWAY



**ADMINISTRATIVE INTERPRETATION REQUEST
 FOR DESIGN CROSS-FLOODED AREAS**

| Item | Description | Area | Cost | Unit | Notes |
|------|-------------|--------|------|--------|-------|
| A.1 | Office | 120.00 | 2.00 | 240.00 | |
| A.2 | Office | 120.00 | 2.00 | 240.00 | |
| A.3 | Office | 120.00 | 2.00 | 240.00 | |
| A.4 | Office | 120.00 | 2.00 | 240.00 | |
| A.5 | Office | 120.00 | 2.00 | 240.00 | |
| A.6 | Office | 120.00 | 2.00 | 240.00 | |
| A.7 | Office | 120.00 | 2.00 | 240.00 | |
| A.8 | Office | 120.00 | 2.00 | 240.00 | |
| A.9 | Office | 120.00 | 2.00 | 240.00 | |
| A.10 | Office | 120.00 | 2.00 | 240.00 | |
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| E.4 | Office | 120.00 | 2.00 | 240.00 | |
| E.5 | Office | 120.00 | 2.00 | 240.00 | |
| E.6 | Office | 120.00 | 2.00 | 240.00 | |
| E.7 | Office | 120.00 | 2.00 | 240.00 | |
| E.8 | Office | 120.00 | 2.00 | 240.00 | |
| E.9 | Office | 120.00 | 2.00 | 240.00 | |
| E.10 | Office | 120.00 | 2.00 | 240.00 | |

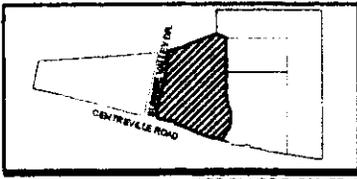
ARROWBROOK CENTRE
 LAND BAY PER AS SUBJECT OF INTERPRETATION REQUEST

**ADMINISTRATIVE
 INTERPRETATION
 GRAPHIC**

Patton Harris Rust & Associates, PC
 Engineers, Surveyors, Planners, Landscape Architects

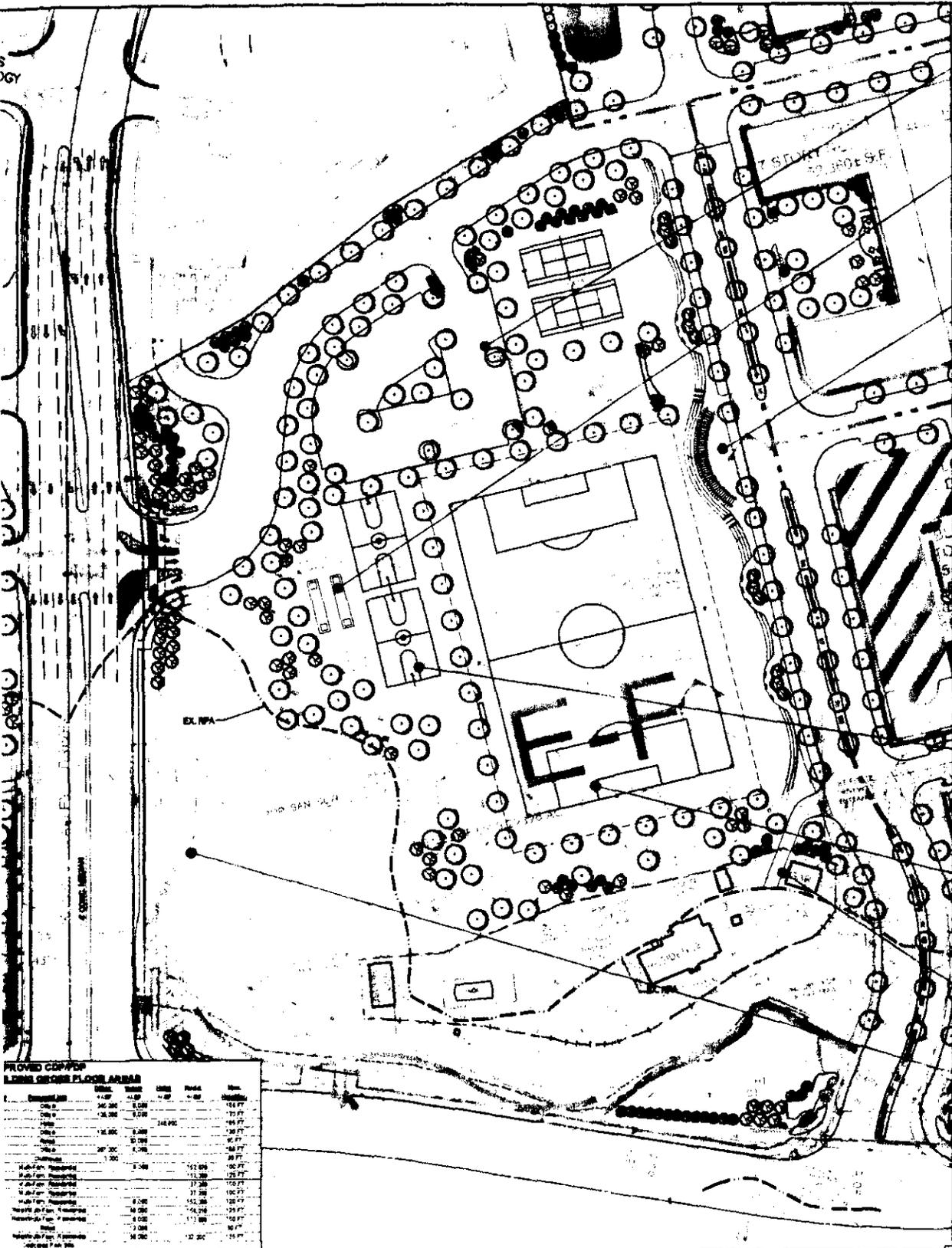
PHRA

14532 Lee Road
 Centerville, VA 20120-1676
 T: 703.449.8700
 F: 703.449.8714



| | |
|----------------|-----------------|
| DESIGN | SURVEY |
| DRAWN | DATE |
| CHECKED | SCALE |
| SHEET | FILE NO. |

PHR+A
 JANUARY 28, 2008
 1" = 60'
 09752-4-0



- A. PARKING LOT
 - EXPANSION OF EXISTING LOT TO ACCOMMODATE 100 CARS
- B. HORSESHOE BOCCIE COURT
 - SUBSTITUTION OF EXISTING HORSESHOE BOCCIE COURTS
 - MODIFIED SIGNAGE
- C. STREETScape COMMUNITY STAGE
 - RELOCATION OF EXISTING CURB
 - VERTICAL SEPARATION
 - LANDSCAPE WITH TREES AND SHRUBS
 - INCLUSION OF TENNIS COURT PRACTICE
- D. ENTRY WALL DESIGN
 - REVISION OF WALLS ON EASTERN SIDE FROM SUNRISE VALLEY DRIVE FOR REGRADE
 - ADDITION OF ENTRY WALL ON WEST SIDE FROM SUNRISE VALLEY DRIVE
 - PROVISION OF ENTRY WALLS UP TO 5' HEIGHT
 - ASSOCIATED NOTIFICATION TO CITY LANDSCAPING
- E. PARK FACILITIES
 - EXPANSION OF EXISTING STRUCTURE FOR LEE RECREATION BUILDING
- F. BASKETBALL COURT
 - ELIMINATION OF ONE COURT
 - ENLARGE OPEN PLAY AREA
 - INTEGRATE PAULOWNIA
- G. SOCCER FIELD
 - ADJUSTMENT OF FIELD DIMENSIONS FROM 100' x 60' TO 110' x 60' WITH 10' OVERLAP AREA WITH EXISTING ADJACENT FIELD
- H. LIFE ESTATE ACCESS
 - RELOCATION OF DRIVEWAY ACCESS TO ACCOMMODATE LAND GRADING
- I. PROPOSED SANITARY SEWER
 - REALIGNMENT OF EXPOSED MAINLINE
 - EXTENSION OF SANITARY CENTER MAINLINE
 - PROVISION OF SANITARY CENTER MAINLINE
 - PROVISION OF SANITARY CENTER MAINLINE

PROVIDE COPY OF

| Category | Area | Area | Area | Area | Area |
|------------------|------------------|------------------|------------------|------------------|------------------|
| Concrete | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Asphalt | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Gravel | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Earthwork | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Structural Steel | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Rebar | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Formwork | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Paint | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Other | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Total | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 |

ARROWBROOK CENTRE
 LANDSCAPE AS APPROVED
 CONCEPT AND DEVELOPMENT PLAN, FINAL DEVELOPMENT PLAN
 PDP 0001-HA-043

| REVISION | DESCRIPTION | DATE | REV'D | REV'D | APPR'D | DATE |
|----------|--|----------|-------|-------|--------|------|
| 1 | REV. LANDSCAPING AT SUNRISE VALLEY DR | 07.07.00 | GAH | | | |
| 2 | REV. NET WALL/TREE SAVE LAMBERT ROOM GFA | 08.12.00 | GAH | | | |
| 3 | REVISED SANITARY/TREE SAVE | 08.20.00 | | | | |

PROFESSIONAL SEAL

PROJECT

ARROWBROOK CENTRE
 HUNTER MILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

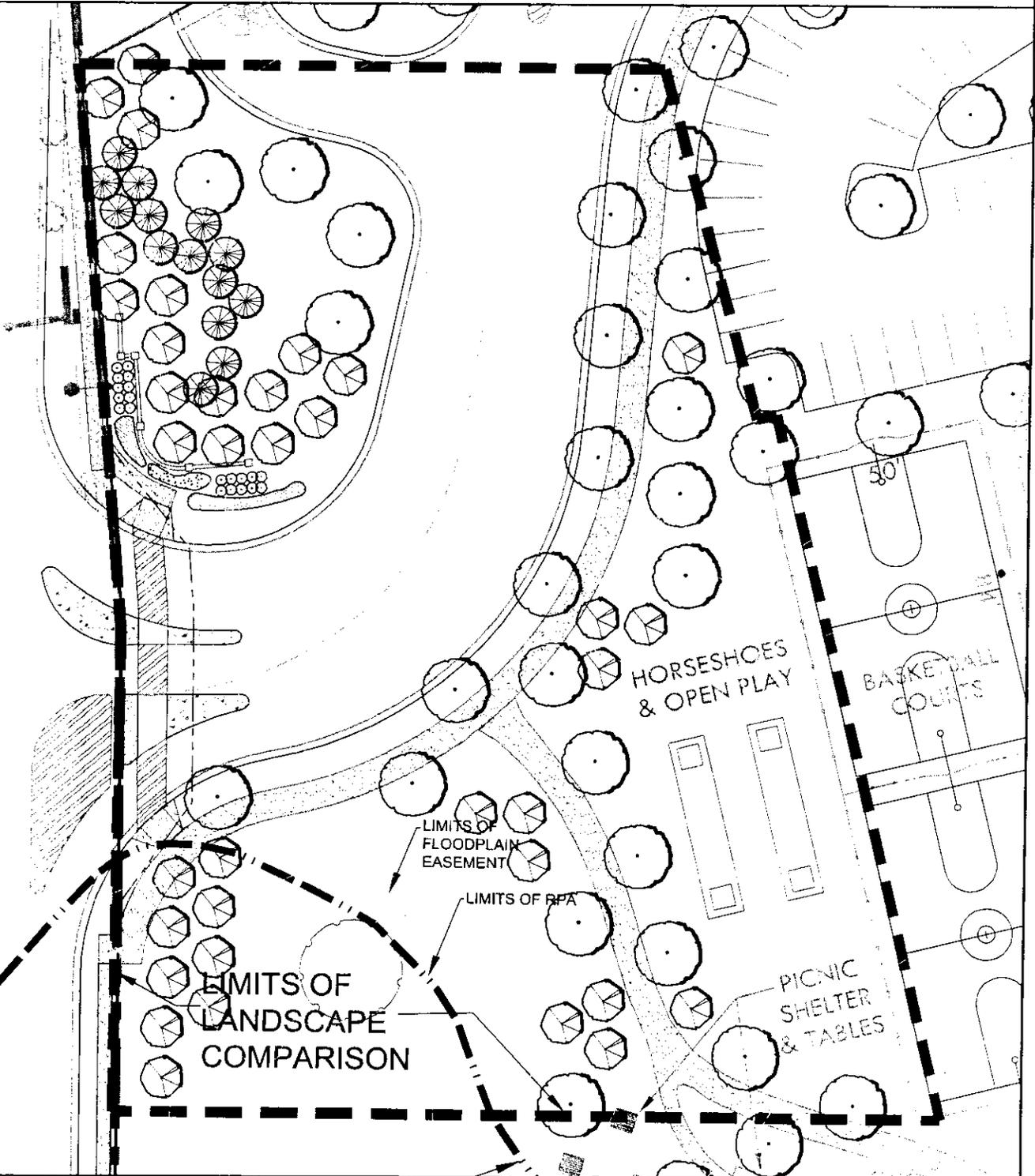
ADMINISTRATIVE INTERPRETER GRAPHIC

ARROWBROOK CENTRE

LANDSCAPING AS REPRESENTED ON
APPROVED CONCEPTUAL/FINAL DEVELOPMENT PLAN

SCALE: 1" = 40'
DATE: 05.12.08

SUNRISE VALLEY DRIVE



| | | | |
|----|-----------------------|---------------------|----------|
| 25 | LARGE DECIDUOUS TREES | @ 200 SF PER TREE = | 5,000 SF |
| 35 | ORNAMENTAL TREES | @ 100 SF PER TREE = | 3,500 SF |
| 14 | EVERGREEN TREES | @ 75 SF PER TREE = | 1,275 SF |
| 20 | SHRUBS | | |

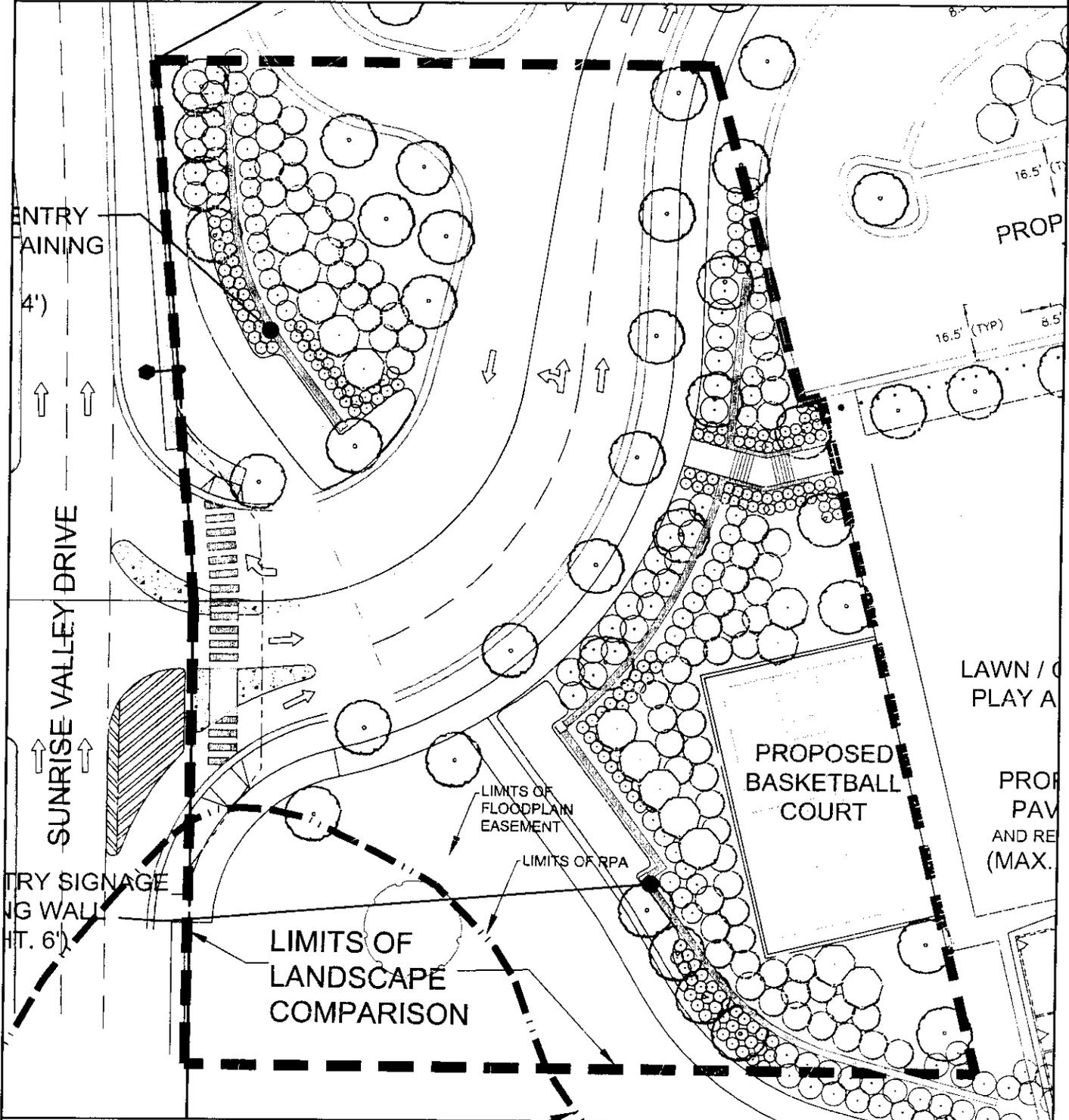
COMPARATIVE
TREE COVER
9,775 SF

ARROWBROOK CENTRE

LANDSCAPING AS REPRESENTED ON
ADMINISTRATIVE INTERPRETATION REQUEST

SCALE: 1" = 40'
DATE: 07.07.08

P:\PROJECT\09752\4-0\Planning\Interpretation\GRAPHIC\501LOI.dwg, 7/7/2008 10:09:19 AM, CreatePDF.pc3



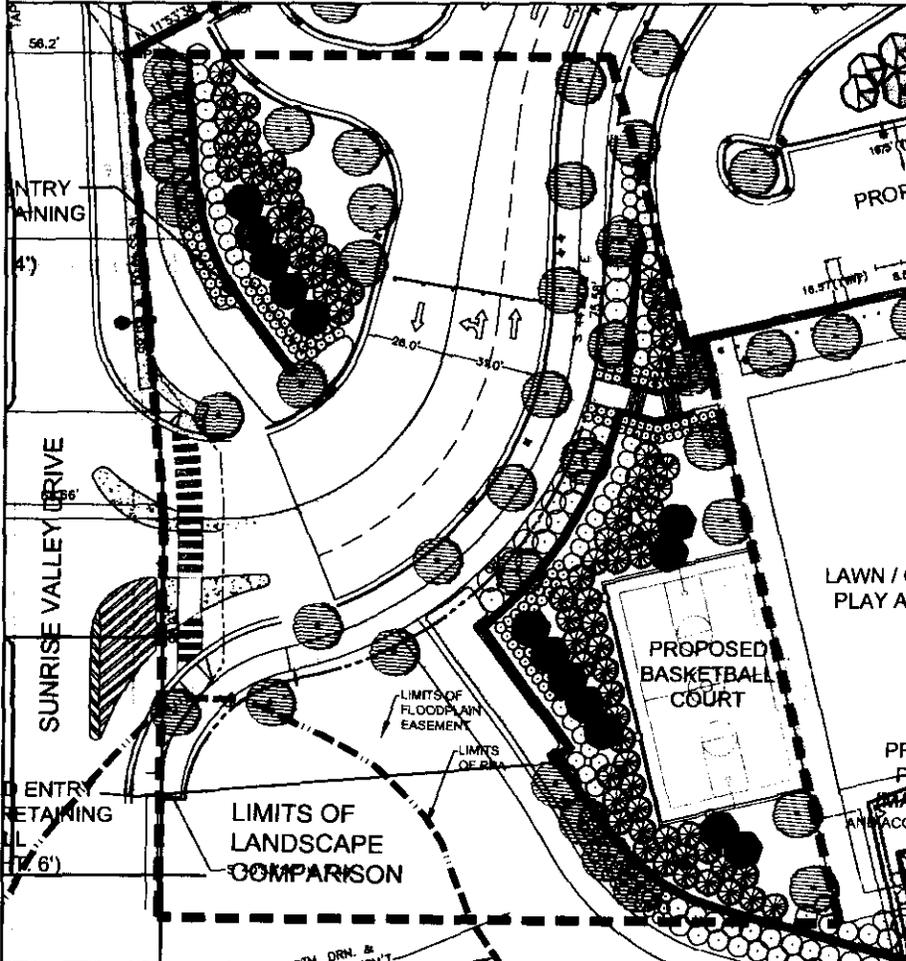
| | | | |
|-----|-----------------------|---------------------|----------|
| 34 | LARGE DECIDUOUS TREES | @ 200 SF PER TREE = | 6,800 SF |
| 14 | ORNAMENTAL TREES | @ 100 SF PER TREE = | 1,400 SF |
| 75 | EVERGREEN TREES | @ 75 SF PER TREE = | 5,625 SF |
| 294 | SHRUBS | | |

COMPARATIVE
TREE COVER
13,825 SF

FINAL PLANT COUNT AND COVERAGE MAY VARY SLIGHTLY AT TIME OF FINAL SITE PLAN SO LONG AS THE GENERAL MIXTURE OF PLANT TYPES IS IN SUBSTANTIAL CONFORMANCE WITH THE LANDSCAPING REPRESENTED HEREON.

ARROWBROOK CENTRE
 ALTERNATE LANDSCAPE DESIGN FOR
 ADMINISTRATIVE INTERPRETATION REQUEST

SCALE: 1" = 40'
 DATE: 07.03.08

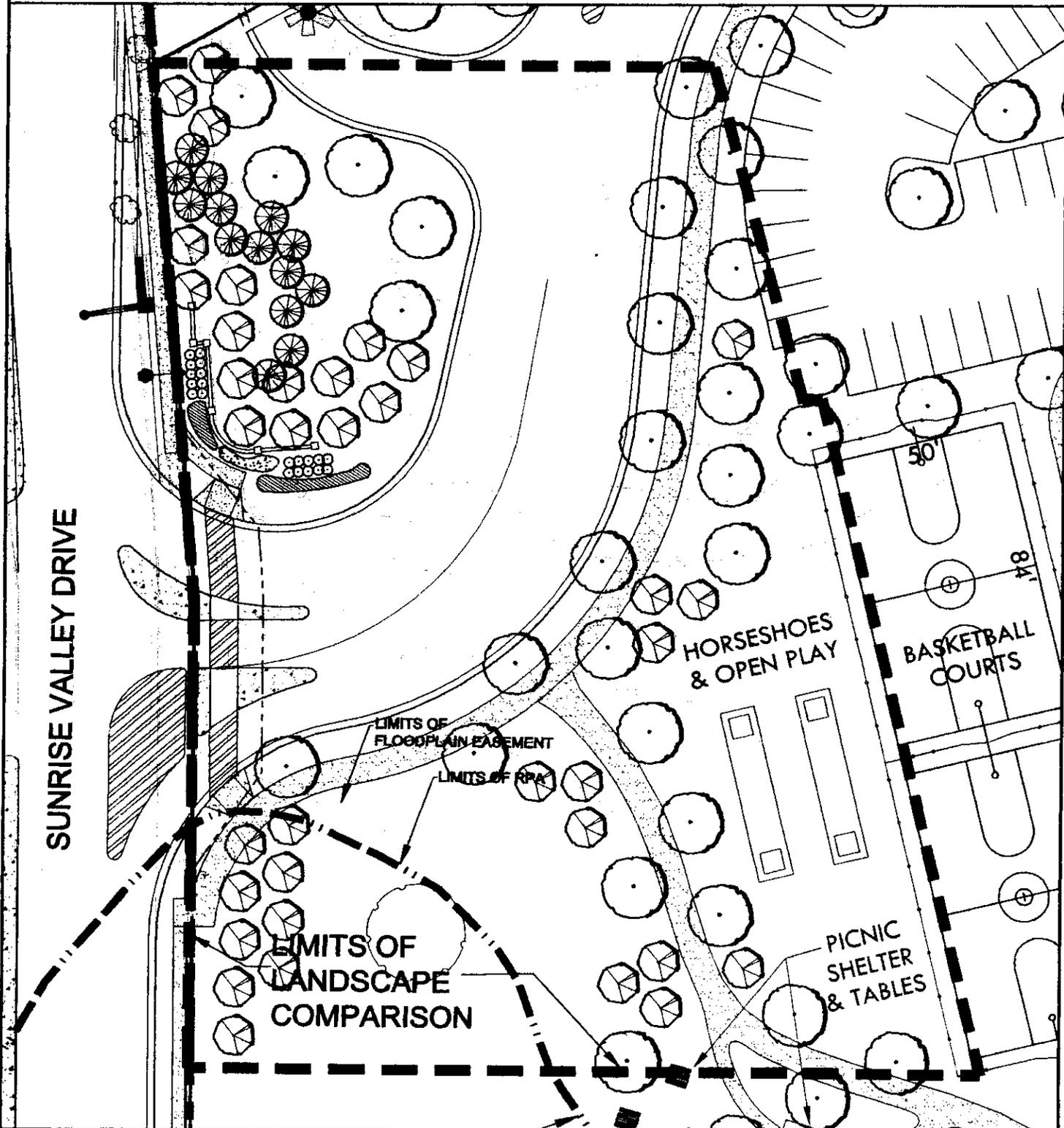


| PROPOSED REVISIONS TO ADMINISTRATIVE INTERPRETATION REQUEST PER 07.03.08 MEETING | | |
|---|--------------------------|--|
|  | 34 LARGE DECIDUOUS TREES | @ 200 SF PER TREE = 6,800 SF |
|  | 14 ORNAMENTAL TREES | @ 100 SF PER TREE = 1,400 SF |
|  | 75 EVERGREEN TREES | @ 75 SF PER TREE = 5,625 SF |
|  | 294 SHRUBS | |
| | | COMPARATIVE TREE 13,825 SF |
| PREVIOUS ADMINISTRATIVE INTERPRETATION REQUEST SUBMISSION - DATED 05.12.08 | | |
| | 19 LARGE DECIDUOUS TREES | @ 200 SF PER TREE = 3,800 SF |
| | 6 ORNAMENTAL TREES | @ 100 SF PER TREE = 600 SF |
| | 14 EVERGREEN TREES | @ 75 SF PER TREE = 1,050 SF |
| | 265 SHRUBS | |
| | | COMPARATIVE TREE COVER 10,175 SF |
| APPROVED CDP / FDP | | |
| | 25 LARGE DECIDUOUS TREES | @ 200 SF PER TREE = 5,000 SF |
| | 35 ORNAMENTAL TREES | @ 100 SF PER TREE = 3,500 SF |
| | 14 EVERGREEN TREES | @ 75 SF PER TREE = 1,050 SF |
| | 20 SHRUBS | |
| | | COMPARATIVE TREE COVER 9,775 SF |

ARROWBROOK CENTRE

LANDSCAPING AS REPRESENTED ON
APPROVED CONCEPTUAL/FINAL DEVELOPMENT PLAN

SCALE: 1" = 40'
DATE: 05.12.08



| | | | |
|----|-----------------------|---------------------|----------|
| 25 | LARGE DECIDUOUS TREES | @ 200 SF PER TREE = | 5,000 SF |
| 35 | ORNAMENTAL TREES | @ 100 SF PER TREE = | 3,500 SF |
| 14 | EVERGREEN TREES | @ 75 SF PER TREE = | 1,275 SF |
| 20 | SHRUBS | | |

**COMPARATIVE
TREE COVER**
9,775 SF



Elizabeth D. Baker
Land Use Coordinator
(703) 528-4700 Ext. 5414
ebaker@arl.thelandlawyers.com

**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

May 13, 2008

By Hand Delivery

Regina M. Coyle
Director, Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

RECEIVED
Department of Planning & Zoning
MAY 13 2008
Zoning Evaluation Division

Re: Interpretation Request
Arrowbrook Centre/RZ 2002-HM-043
Tax Map Reference: 16-3 ((1)) 39A4 (the "Subject Property")

Dear Ms. Coyle:

Please accept this letter as an amendment to my January 29, 2008 request for an interpretation pertaining to RZ 2002-HM-043. Based on Staff's comments, I am providing additional information and revised exhibits to support our request of your determination that the proposed site layout for a portion of Land Bay E-F is in substantial conformance with the referenced zoning approval associated with Arrowbrook Centre.

Background

Arrowbrook Centre was approved on December 5, 2005 when the Board of Supervisors rezoned approximately 53.6 acres from the R-1 and I-4 Districts to the PDC District, subject to proffers dated December 5, 2005. Arrowbrook Centre is located in the southwest quadrant of the Centreville Road/Dulles Airport Access Road interchange. The site is approved for a mixed use development with office, retail, residential and park uses with a maximum of 2,233,600 gross square feet. A reduced version of the approved CDP/FDP Plat (the "CDP/FDP") and a copy of the proffers are enclosed.

The approved CDP/FDP identifies six distinct land bays. As noted above, Land Bay E-F is the subject of this request. Land Bay E-F is located in the center of Arrowbrook Centre, just east of Centreville Road and north of Sunrise Valley Drive. It is approved for development as park to be dedicated to the Fairfax County Park Authority ("FCPA"). This request relates to minor modifications to layout of the park facilities. As currently approved on the CDP/FDP, the park design includes a full size, synthetic soccer field, community stage, two basketball courts, two tennis courts, a tot lot, horse shoe pits, a picnic shelter, trails and a parking lot. An existing

PHONE 703 528 4700 FAX 703 525 3197 • WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA • 2200 CLARENDON BLVD., THIRTEENTH FLOOR • ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 • PRINCE WILLIAM OFFICE 703 680 4664

older house located along Centreville Road is to be maintained as a life estate, and in accordance with the proffers may be preserved and reused or removed based on a future determination.

The current approval provides for flexibility in the final design of the Subject Property, through the notes on the CDP/FDP and the proffers. Below the specific notes and proffers relevant to this interpretation are provided, with key sentences **highlighted**.

Note 19 on Sheet 1 of the approved CDP/FDP states:

*"The footprints of buildings represented on the CDP/FDP may be adjusted based on market conditions and final architecture and engineering design as long as minimum building setbacks from peripheral lot lines shown on the CDP/FDP are maintained. **Minor modifications to all features shown on the CDP/FDP may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Paragraph 4 of Section 16-403 of the Zoning Ordinance.** Additional building features such as, and not limited to, decks, stoops, covered entries, patios, balconies, bay windows and chimneys are not shown on the CDP/FDP and may be provided in accordance with the provisions set forth in Paragraph 4 of Section 16-403 of the Zoning Ordinance. **Additional site features such as gazebos, trellis', entrance signs, flagpoles, fences and walls not shown on the CDP/FDP may be provided.** The architectural and landscape features show the general intent and character of the proposed development and may vary with final building design, site plan and/or possible marketing/trademark design features desired by the end users."*

Proffer 4 states:

*"Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, **minor modifications from the FDP may be permitted** as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layouts without requiring approval of an amended FDP provided such changes are in substantial conformance with the FDP as determined by Zoning Administrator."*

Proffer 5 states:

*"The Applicant reserves the right to alter building footprint sizes, **modify landscape plazas, adjust pedestrian and vehicular circulation areas, and/or adjust gross square footage among one or more buildings located in the same land bay, provided that the total gross floor area of all land bays does not exceed 2,233,600, the maximum gross square footage of each land bay as shown on Sheet 2 of the CDP/FDP does not increase; the minimum open space, level of amenities, and peripheral dimensions to lot lines are not reduced; and the changes do not result in a building elevation which is either higher or lower than the range of stories indicated on Sheet 2 of the CDP/FDP.**"*

Proffer 30 (A), specifically related to park dedication and design states:

"The Applicant shall dedicate in fee simple to FCPA approximately 23 acres of land identified as Land Bays E-F and G on the CDP/FDP, less and except on a temporary basis the land area occupied by the life estate of Mr. and Mrs. David I. Meiselman as more fully described in this Proffer, for the development of public parkland. This area consists of approximately 6.8 acres in Land Bay E-F and 2.68 acres of Land Bay G located outside of the Resource Protection Area ("RPA") and area for private road use. At the FCPA's option, the streetscape elements and community stage on Land Bay E-F to the FCPA can either be dedicated with the Applicant providing maintenance in perpetuity, or may be retained in fee simple by the Applicant, with public access easements and private maintenance responsibilities. The CDP/FDP illustrates the use of the proposed parkland in Land Bay E-F as an urban park with active recreational facilities and the proposed parkland in Land Bay G as a passive park and stormwater management facility. The Applicant or its successors-in-interest and/or assigns, reserves the right to modify the park land design as may be necessary with final engineering for Land Bays E-F and G and to revise secondary facilities, add trails, picnic facilities, and other similar park facilities on Land Bays E-F and G, without the requirement for a FDPA if approved by FCPA and otherwise in general conformance with the CDP/FDP. In addition to dedication, the Applicant shall provide the following services and improvements in accordance with FCPA standards:

Proffer 39 states:

"Certain retaining walls have been shown on the CDP/FDP. The Applicant reserves the right to modify these walls and add other retaining walls based on final engineering design. All retaining walls shall have a maximum height of 10 feet above finished grade and shall be constructed with decorative finishes."

Interpretation Requests

The property owner has prepared a site layout for Land Bay E-F which includes minor modifications to the park design. The property owner would like to confirm that the proposed minor modifications are permitted. To facilitate your review of these requests, exhibits are provided:

- Exhibit 1 is an Administrative Interpretation Graphic prepared by Patton Harris Rust & Associates dated January 28, 2008 as revised through May 7, 2008. It provides a side-by-side comparison of the approved CDP/FDP and the proposed layout. I have provided two full-size copies and 11x17 and 8½x11 inch reductions.
- Exhibits 2A and 2B dated May 12, 2008 as a two page comparison of the landscaping approved and proposed for the entry wall area long Sunrise Valley Drive.

- Exhibits 3A and 3B dated May 12, 2008 are details showing proposed restoration of the utility clearing, reforestation area and supplemental landscaping.

The requested modifications are provided below. Please note that the FCPA Has reviewed each of the proposed modifications and is in agreement with each request.

A. Modification to Parking Lot (Item A on Exhibit 1)

The parking lot remains in the same general location and configuration as shown on the approved CDP/FDP. Spaces within the lot have been reconfigured to address sight distance considerations. The lot provides 70 spaces, consistent with the ± 70 spaces shown on the CDP/FDP and Proffer 30 E (ix) which calls for approximately 70 parking spaces.

B. Horseshoe/Bocci Ball Substitution (Item B on Exhibit 1)

Two horseshoe pits and an open play are shown on the approved CDP/FDP immediately south of the tennis courts. The FCPA staff agreed that the horseshoe pits did not offer the best activity, and can actually be dangerous next to other activities, such as basketball. In order to create a better design for this area and to provide a more popular activity, it is proposed that the two horseshoe pits be eliminated and that a bocci ball court be substituted. The bocci ball court is proposed to be located between the tennis courts and the tot lot.

C. Streetscape and Community Stage (Item C on Exhibit 1)

Due to final engineering requirements, there is greater vertical separation between the park area and the proposed road along the park's northern border than originally anticipated. This necessitates minor modifications to the community stage area and adjacent streetscape. A retaining wall with a maximum height of approximately 8 feet is proposed along the northern portion of the park. The wall includes a curvilinear design to accommodate the community stage and other modulations in the sidewalk to create "overlook" areas with landscaping and benches. The greater change in grade requires more stairs to transition from the streetscape to the park playing field. The revised design includes a ramp to provide ADA access near the tot lot and bocci ball court. The approved CDP/FDP did not accommodate a ramp even though it should have been provided given the original grade change. The modification is beneficial to park users, as it provides for more organized pedestrian connections between the park and what will become a fairly busy street and adds to the safety of park users. Adjacent to the tennis courts, the wall is designed to serve as a tennis practice wall with a maximum height of 10 feet.

D. Entry Wall Design (Item D on Exhibit 1)

The Applicant proposes to provide retaining walls on the eastern and western side of the entry road from Sunrise Valley Drive. These walls will retain grade and are necessary to provide the flat areas needed for the soccer field, open play area and basketball court. Maximum height of the walls in this area is six (6) feet. These walls also serve as an entrance feature and can

accommodate signage for the development. Exhibits 2A and 2B provide a comparison of landscaping in the vicinity of the entry walls versus that shown on Exhibit 1 – *Administrative Interpretation Graphic*. It indicates that the tree cover on the CDP/FDP is 9,775 square feet compared to 10,175 square feet on Exhibit 1.

E. Picnic Pavilion (Item E on Exhibit 1)

At the request of the FCPA, the picnic pavilion has been enlarged to accommodate restroom facilities of approximately 700 square feet. These facilities will help complete the park and be a convenience to park users. To compensate for the addition of this space, approved Office Building A-1 has been decreased in size by 700 square feet. This is reflected in the tabulation provided on Exhibit 1.

F. Basketball Court (Item F on Exhibit 1)

The area south of the soccer field has been modified to eliminate one of the two basketball courts and create a much larger and more usable open play area. The FCPA staff agreed the area was too constrained for two basketball courts and that the Park Authority's "needs assessment" study did not support two courts. The one basketball court is shifted south away from the soccer field and a rectangular lawn for unprogrammed play substituted for the second basketball court. While the approved CDP/FDP depicts an area for open play, it was small area interrupted by horseshoe pits and a trail. The change allows the integration of the picnic pavilion into the park's design.

G. Soccer Field (Item G on Exhibit 1)

The soccer field dimensions have been modified slightly. The approved CDP/FDP indicates a field 195 feet wide by 300 feet long, with 20/30 feet overrun areas. FCPA staff requested that the field be made longer. The revised design provides a field 180 feet wide and 320 feet long with 15 foot overrun areas. Thus the field still meets or exceeds the adult regulation soccer field standards which are 180 feet wide and 300 feet long and comes closer to meeting tournament field dimensions. This change along with all other listed modifications have been reviewed and approved by the FCPA.

H. Life Estate Access (Item H on Exhibit 1)

The driveway access to the life estate has been shifted eastward slightly in order to accommodate safer driveway grades and geometry. A retaining wall is needed in the area originally shown as life estate access, thereby precluding the original location. This has been reviewed by the owner/occupants of the house and deemed as an improvement from the original plan.

I. **Proposed Sanitary Sewer** (Item I on Exhibit 1)

There is a slight realignment to a proposed sanitary sewer line in the southeastern portion of Land Bay E-F. This shift in the alignment was based on final engineering constraints on the location of the tie-in to the existing trunk sewer. To compensate for removal of trees in the new sanitary sewer easement, equivalent reforestation with native trees is proposed adjacent to the easement. Exhibit 3A shows that an area of 2,500 square feet of tree preservation area is to be cleared, with a 2,650 square feet area to be reforested. Exhibit 3B provides details of restoring the utility clearing area. Supplemental landscaping is also provided between the easement and Sunrise Valley Drive to provide additional screening. Details are shown on Exhibit 3A.

Conclusion

Proffer 30A reserves the right of the Applicant to modify the park land design as may be necessary with final engineering and to revise secondary facilities, add trails, picnic facilities, and other similar park facilities, without the requirement for a FDPA if approved by FCPA and otherwise in general conformance with the CDP/FDP. The proposed modifications are minor in nature, are in conformance with the CDP and have been approved by the FCPA as evidenced by the enclosed letter. The design modifications increase the usefulness and safety of the park and maintain all major park elements. In addition, the modifications outlined above do not:

- *Permit a more intensive use than that previously approved.*

The modifications do nothing to affect GFA. The revision adheres to the maximum GFA for Arrowbrook Centre.

- *Result in an increased parking requirement.*

No additional GFA and no use changes are proposed. As such, there is no proposed change to the parking requirement.

- *Permit uses other than those approved.*

No new uses are proposed.

- *Reduce the effectiveness of the approved transitional screening, buffering, and landscaping.*

Landscaping equal to or in excess of that illustrated on the CDP/FDP will be provided.

- *Permit changes to the bulk, mass, orientation or location which adversely impacts the relationship of the development or part thereof to adjacent properties.*

There are no changes that will adversely impact adjacent properties.

- *Result in an increase in the amount of clearing and/or grading for a stormwater management facility.*

The stormwater management facilities that serve Arrowbrook Centre will not be affected by this request.

- *Include the addition of any building or additions to buildings.*

The proposed modifications do not include the addition of any building or additions to buildings.

Thank you for your consideration of this request. If you have any questions, or require additional information, please do not hesitate to give me a call.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Elizabeth D. Baker
Land Use Coordinator

Enclosures:

- 1) Reduced copy of approved CDP/FDP
- 2) Proffers dated December 5, 2005
- 3) Administrative Interpretation Exhibits
- 4) Letter from Sandy Stallman of the Fairfax County Park Authority

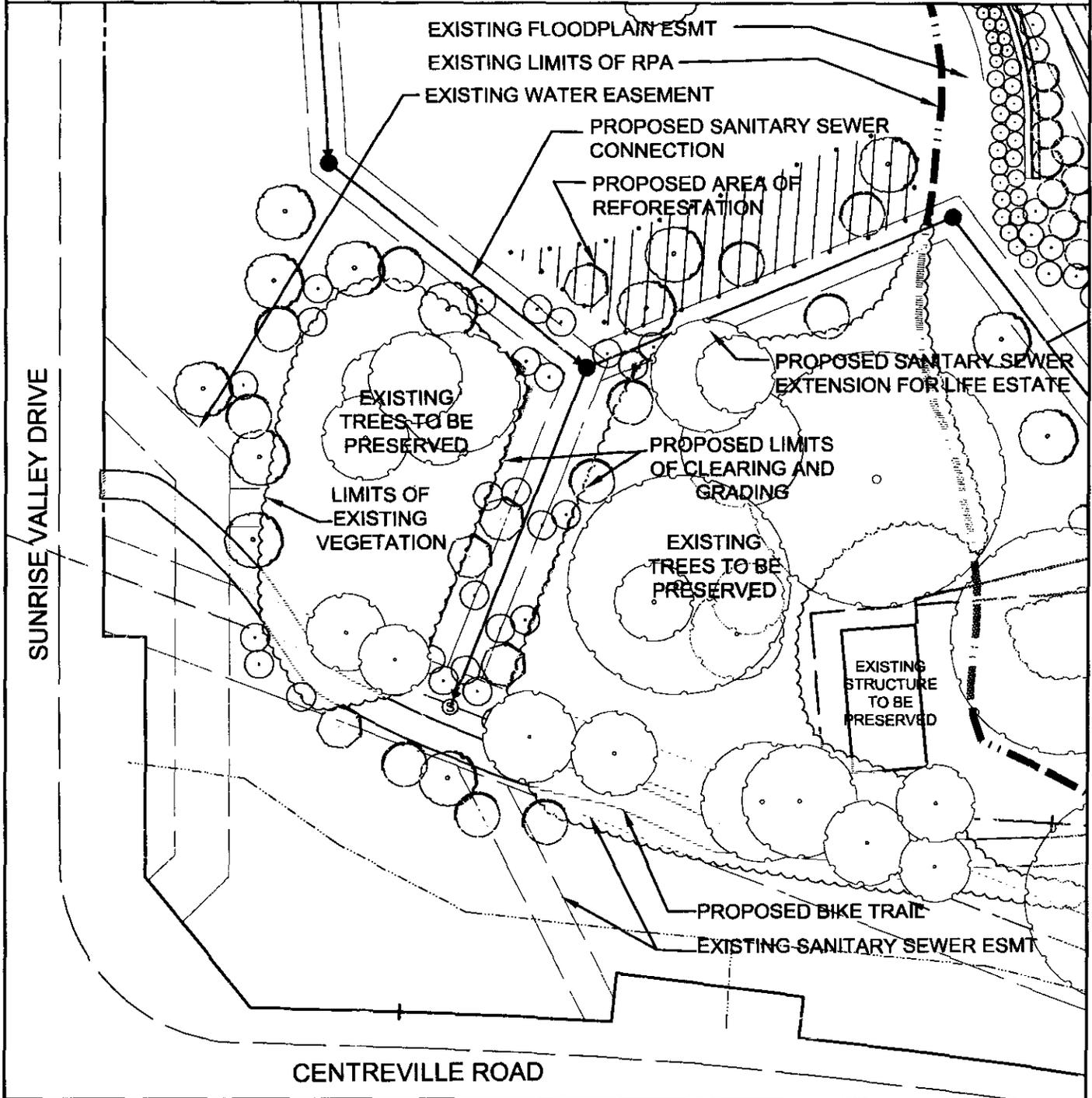
cc: Sandy Stallman
Jeff Fairfield
Dave Steigler
Gayle Hooper
Steve Saville
Martin D. Walsh

ARROWBROOK CENTRE

ADMINISTRATIVE INTERPETATION REQUEST
 PROPOSED REFORESTATION

SCALE: 1" = 40'
 DATE: 05.12.08

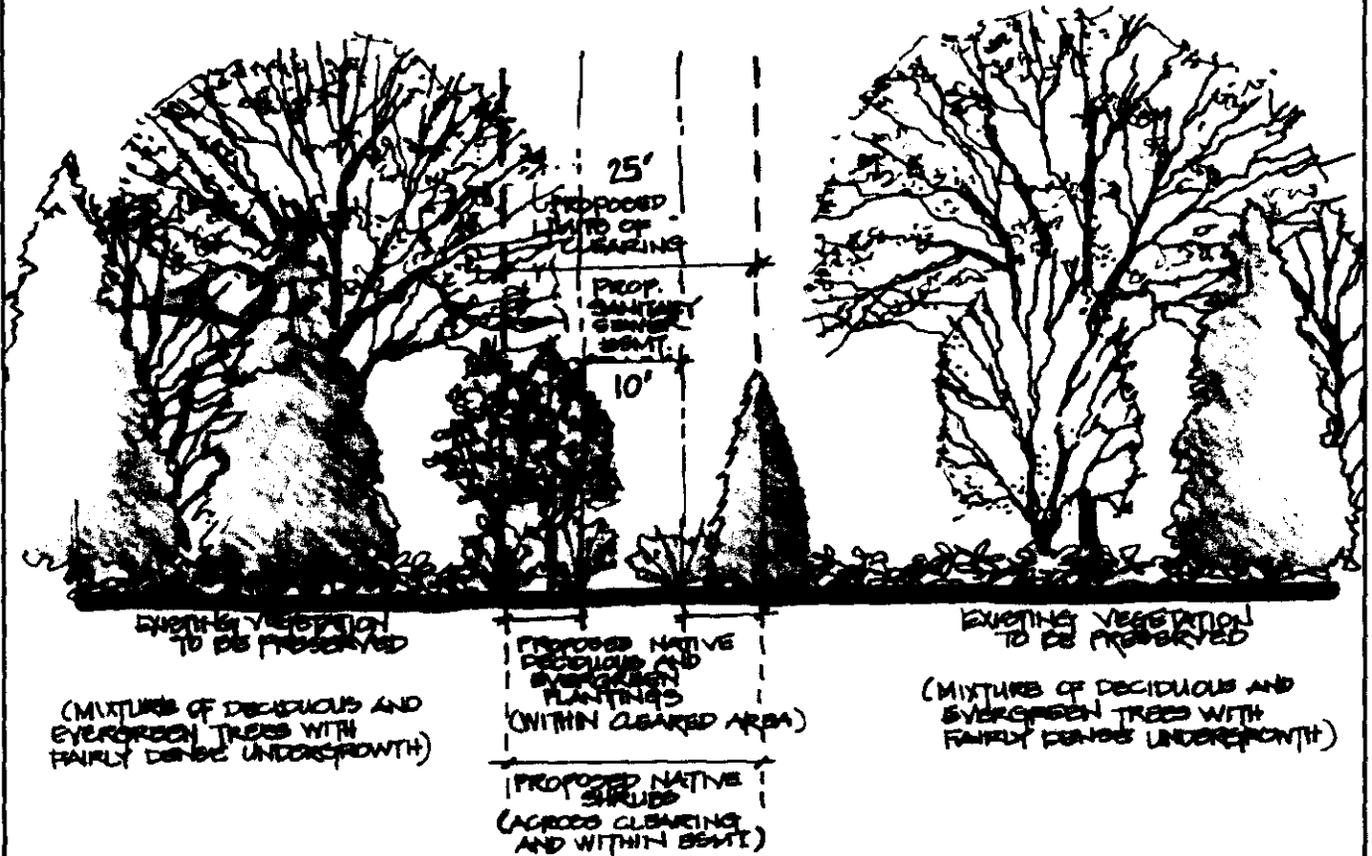
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| | |
|---|----------|
| APPROXIMATE AREA OF CLEARING THROUGH PRIOR TREE PRESERVATION AREA | 2,500 SF |
| APPROXIMATE AREA OF REFORESTATION | 2,650 SF |

| | | | | | |
|--|---------------------|--|--------------------------|--|--------------------------|
| | EXISTING VEGETATION | | PROPOSED DECIDUOUS TREE | | PROPOSED LARGE EVERGREEN |
| | | | PROPOSED ORNAMENTAL TREE | | PROPOSED SHRUB |

ARROWBROOK CENTRE

ADMINISTRATIVE INTERPETATION REQUEST
RESTORATION OF UTILITY CLEARINGDATE: 05.12.08
NOT TO SCALERESTORATION OF UTILITY CLEARING
CONCEPTUAL SECTION

NATIVE DECIDUOUS TREES

| | |
|--------------------------------|------------------------|
| <i>Amelanchier laevis</i> | Smooth Serviceberry |
| <i>Cornus alternifolia</i> | Alternate-leaf Dogwood |
| <i>Crateagus crus-galli</i> | Cockspur Hawthorn |
| <i>Carya alba</i> | Mockernut Hickory |
| <i>Diospyros virginiana</i> | Persimmon |
| <i>Liquidambar styraciflua</i> | Sweetgum |
| <i>Platanus occidentalis</i> | Sycamore |

NATIVE EVERGREEN TREES

| | |
|-------------------------------|----------------------|
| <i>Magnolia virginiana</i> | Sweetbay Magnolia |
| <i>Chamaecyparis thyoides</i> | Atlantic White Cedar |
| <i>Juniperus virginiana</i> | Eastern Red Cedar |

NATIVE SHRUBS

| | |
|-----------------------------|----------------------|
| <i>Aronia melanocarpa</i> | Black Chokeberry |
| <i>Clethra alnifolia</i> | Sweet Pepperbush |
| <i>Rhododendron maximum</i> | Rosebay Rhododendron |
| <i>Rosa carolina</i> | Pasture Rose |
| <i>Vaccinium corymbosum</i> | Highbush Blueberry |

NATIVE PLANT PALETTE

- Plant selections are provided as a guideline for the restoration of the area cleared through the existing stand of trees as required for the proposed sanitary sewer connection.
- Native shrub plantings to be provided within the sanitary sewer easement and adjacent cleared area.
- Native deciduous and evergreen trees to be provided within the cleared area but outside of the sanitary sewer easement.
- Plant material to be provided at irregular spacing across the area to blend with the existing vegetation but provide a visual break along the clearing line.
- Native plant material to be selected to blend with the existing vegetation as well as to enhance survivability. Landscape material recommendations based on listing of "Native Plants for Conservation, Restoration and Landscaping" as outlined by the Virginia Department of Conservation and Recreation's Natural Heritage Program.



Elizabeth D. Baker
Land Use Coordinator
(703) 528-4700 Ext. 5414
ebaker@arl.thelandlawyers.com

**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

January 29, 2008

By Scheduled Express

Regina M. Coyle
Director, Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Interpretation Request
Arrowbrook Centre/RZ 2002-HM-043
Tax Map Reference: 16-3 ((1)) 39A4 (the "Subject Property")

Dear Ms. Coyle:

Please accept this letter as a request for an interpretation pertaining to RZ 2002-HM-043. The purpose of this letter is to request your determination that the proposed site layout for a portion of Land Bay E-F is in substantial conformance with the referenced zoning approval associated with Arrowbrook Centre.

Background

Arrowbrook Centre was approved on December 5, 2005 when the Board of Supervisors rezoned approximately 53.6 acres from the R-1 and I-4 Districts to the PDC District, subject to proffers dated December 5, 2005. Arrowbrook Centre is located in the southwest quadrant of the Centreville Road/Dulles Airport Access Road interchange. The site is approved for a mixed use development with office, retail, residential and park uses with a maximum of 2,233,600 gross square feet. A reduced version of the approved CDP/FDP Plat (the "CDP/FDP") and a copy of the proffers are enclosed.

The approved CDP/FDP identifies six distinct land bays. As noted above, Land Bay E-F is the subject of this request. Land Bay E-F is located in the center of Arrowbrook Centre, just east of Centreville Road and north of Sunrise Valley Drive. It is approved for development as park to be dedicated to the Fairfax County Park Authority ("FCPA"). This request relates to minor modifications to layout of the park facilities. As currently approved on the CDP/FDP, the park design includes a full size, synthetic soccer field, community stage, two basketball courts, two tennis courts, a tot lot, horse shoe pits, a picnic shelter, trails and a parking lot. An existing

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PHONE 703 528 4700 • FAX 703 525 3197 • WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA • 2200 CLARENDON BLVD., THIRTEENTH FLOOR • ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 • PRINCE WILLIAM OFFICE 703 680 4664

Zoning Evaluation Division

older house located along Centreville Road is to be maintained as a life estate, and in accordance with the proffers may be preserved and reused or removed based on a future determination.

The current approval provides for flexibility in the final design of the Subject Property, through the notes on the CDP/FDP and the proffers. Below the specific notes and proffers relevant to this interpretation are provided, with key sentences **highlighted**.

Note 19 on Sheet 1 of the approved CDP/FDP states:

*"The footprints of buildings represented on the CDP/FDP may be adjusted based on market conditions and final architecture and engineering design as long as minimum building setbacks from peripheral lot lines shown on the CDP/FDP are maintained. **Minor modifications to all features shown on the CDP/FDP may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Paragraph 4 of Section 16-403 of the Zoning Ordinance.** Additional building features such as, and not limited to, decks, stoops, covered entries, patios, balconies, bay windows and chimneys are not shown on the CDP/FDP and may be provided in accordance with the provisions set forth in Paragraph 4 of Section 16-403 of the Zoning Ordinance. **Additional site features such as gazebos, trellis', entrance signs, flagpoles, fences and walls not shown on the CDP/FDP may be provided.** The architectural and landscape features show the general intent and character of the proposed development and may vary with final building design, site plan and/or possible marketing/trademark design features desired by the end users."*

Proffer 4 states:

*"Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, **minor modifications from the FDP may be permitted** as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layouts without requiring approval of an amended FDP provided such changes are in substantial conformance with the FDP as determined by Zoning Administrator."*

Proffer 5 states:

*"The Applicant reserves the right to alter building footprint sizes, **modify landscape plazas, adjust pedestrian and vehicular circulation areas, and/or adjust gross square footage among one or more buildings located in the same land bay, provided that the total gross floor area of all land bays does not exceed 2,233,600, the maximum gross square footage of each land bay as shown on Sheet 2 of the CDP/FDP does not increase; the minimum open space, level of amenities, and peripheral dimensions to lot lines are not reduced; and the changes do not result in a building elevation which is either higher or lower than the range of stories indicated on Sheet 2 of the CDP/FDP.**"*

Proffer 30 (A), specifically related to park dedication and design states:

*"The Applicant shall dedicate in fee simple to FCPA approximately 23 acres of land identified as Land Bays E-F and G on the CDP/FDP, less and except on a temporary basis the land area occupied by the life estate of Mr. and Mrs. David I. Meiselman as more fully described in this Proffer, for the development of public parkland. This area consists of approximately 6.8 acres in Land Bay E-F and 2.68 acres of Land Bay G located outside of the Resource Protection Area ("RPA") and area for private road use. At the FCPA's option, the streetscape elements and community stage on Land Bay E-F to the FCPA can either be dedicated with the Applicant providing maintenance in perpetuity, or may be retained in fee simple by the Applicant, with public access easements and private maintenance responsibilities. The CDP/FDP illustrates the use of the proposed parkland in Land Bay E-F as an urban park with active recreational facilities and the proposed parkland in Land Bay G as a passive park and stormwater management facility. **The Applicant or its successors-in-interest and/or assigns, reserves the right to modify the park land design as may be necessary with final engineering for Land Bays E-F and G and to revise secondary facilities, add trails, picnic facilities, and other similar park facilities on Land Bays E-F and G, without the requirement for a FDPA if approved by FCPA and otherwise in general conformance with the CDP/FDP.** In addition to dedication, the Applicant shall provide the following services and improvements in accordance with FCPA standards:*

Proffer 39 states:

*"Certain retaining walls have been shown on the CDP/FDP. **The Applicant reserves the right to modify these walls and add other retaining walls based on final engineering design.** All retaining walls shall have a maximum height of 10 feet above finished grade and shall be constructed with decorative finishes."*

Interpretation Requests

The property owner has prepared a site layout for Land Bay E-F which includes minor modifications to the park design. The property owner would like to confirm that the proposed minor modifications are permitted. To facilitate your review of these requests, two exhibits are provided:

- Exhibit 1 includes selected sheets from the approved CDP/FDP. Specifically, I have included Sheets 1, 2, 4, 5, 6, 13, 15 and 16.

- Exhibit 2 is an Administrative Interpretation Graphic prepared by Patton Harris Rust & Associates. It provides a side-by-side comparison of the approved CDP/FDP and the proposed layout.

The requested modifications are provided below. Please note that the FCPA Has reviewed each of the proposed modifications and is in agreement with each request.

A. Modification to Parking Lot (Item A on Exhibit 2)

The parking lot remains in the same general location and configuration as shown on the approved CDP/FDP. Spaces within the lot have been reconfigured to address sight distance considerations. The lot provides 70 spaces, consistent with the ±70 spaces shown on the CDP/FDP and Proffer 30 E (ix) which calls for approximately 70 parking spaces.

B. Horseshoe/Bocci Ball Substitution (Item B on Exhibit 2)

Two horseshoe pits and an open play are shown on the approved CDP/FDP immediately south of the tennis courts. The FCPA staff agreed that the horseshoe pits did not offer the best activity, and can actually be dangerous next to other activities, such as basketball. In order to create a better design for this area and to provide a more popular activity, it is proposed that the two horseshoe pits be eliminated and that a bocci ball court be substituted. The bocci ball court is proposed to be located between the tennis courts and the tot lot.

C. Streetscape and Community Stage (Item C on Exhibit 2)

Due to final engineering requirements, there is greater vertical separation between the park area and the proposed road along the park's northern border than originally anticipated. This necessitates minor modifications to the community stage area and adjacent streetscape. A retaining wall with a maximum height of approximately 8 feet is proposed along the northern portion of the park. The wall includes a curvilinear design to accommodate the community stage and other modulations in the sidewalk to create "overlook" areas with landscaping and benches. The greater change in grade requires more stairs to transition from the streetscape to the park playing field. The revised design includes a ramp to provide ADA access near the tot lot and bocci ball court. The approved CDP/FDP did not accommodate a ramp even though it should have been provided given the original grade change. The modification is beneficial to park users, as it provides for more organized pedestrian connections between the park and what will become a fairly busy street and adds to the safety of park users. Adjacent to the tennis courts, the wall is designed to serve as a tennis practice wall with a maximum height of 11 feet.

D. Entry Wall Design (Item D on Exhibit 2)

The Applicant proposes to provide retaining walls on the eastern and western side of the entry road from Sunrise Valley Drive. These walls will retain grade and are necessary to provide the flat areas needed for the soccer field, open play area and basketball court. Maximum height

of the walls in this area is six (6) feet. These walls also serve as an entrance feature and can accommodate signage for the development.

E. Basketball Court (Item E on Exhibit 2)

The area south of the soccer field has been modified to eliminate one of the two basketball courts and create a much larger and more usable open play area. The FCPA staff agreed the area was too constrained for two basketball courts and that the Park Authority's "needs assessment" study did not support two courts. The one basketball court is shifted south away from the soccer field and a rectangular lawn for unprogrammed play substituted for the second basketball court. While the approved CDP/FDP depicts an area for open play, it was small area interrupted by horseshoe pits and a trail. The change allows the integration of the picnic pavilion into the park's design.

F. Soccer Field (Item F on Exhibit 2)

The soccer field dimensions have been modified slightly. The approved CDP/FDP indicates a field 195 feet wide by 300 feet long, with 20/30 feet overrun areas. FCPA staff requested that the field be made longer. The revised design provides a field 180 feet wide and 320 feet long with 15 foot overrun areas. Thus the field still meets or exceeds the adult regulation soccer field standards which are 180 feet wide and 300 feet long and comes closer to meeting tournament field dimensions. This change along with all other listed modifications have been reviewed and approved by the FCPA.

G. Life Estate Access (Item G on Exhibit 2)

The driveway access to the life estate has been shifted eastward slightly in order to accommodate safer driveway grades and geometry. A retaining wall is needed in the area originally shown as life estate access, thereby precluding the original location. This has been reviewed by the owner/occupants of the house and deemed as an improvement from the original plan.

H. Proposed Sanitary Sewer (Item H on Exhibit 2)

There is a slight realignment to a proposed sanitary sewer line in the southeastern portion of Land Bay E-F. This shift in the alignment was based on final engineering constraints on the location of the tie-in to the existing trunk sewer.

Conclusion

Proffer 30A reserves the right of the Applicant to modify the park land design as may be necessary with final engineering and to revise secondary facilities, add trails, picnic facilities, and other similar park facilities, without the requirement for a FDPA if approved by FCPA and otherwise in general conformance with the CDP/FDP. The proposed modifications are minor in

nature, are in conformance with the CDP and have been approved by the FCPA as evidenced by the enclosed letter. The design modifications increase the usefulness and safety of the park and maintain all major park elements. In addition, the modifications outlined above do not:

- *Permit a more intensive use than that previously approved.*

The modifications do nothing to affect GFA. The revision adheres to the maximum GFA for Arrowbrook Centre.

- *Result in an increased parking requirement.*

No additional GFA and no use changes are proposed. As such, there is no proposed change to the parking requirement.

- *Permit uses other than those approved.*

No new uses are proposed.

- *Reduce the effectiveness of the approved transitional screening, buffering, and landscaping.*

Landscaping equal to or in excess of that illustrated on the CDP/FDP will be provided.

- *Permit changes to the bulk, mass, orientation or location which adversely impacts the relationship of the development or part thereof to adjacent properties.*

There are no changes that will adversely impact adjacent properties.

- *Result in an increase in the amount of clearing and/or grading for a stormwater management facility.*

The stormwater management facilities that serve Arrowbrook Centre will not be affected by this request.

- *Include the addition of any building or additions to buildings.*

The proposed modifications do not include the addition of any building or additions to buildings.

Thank you for your consideration of this request. If you have any questions, or require additional information, please do not hesitate to give me a call.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Elizabeth D. Baker
Land Use Coordinator

Enclosures:

- 1) Reduced copy of approved CDP/FDP
- 2) Proffers dated December 5, 2005
- 3) Administrative Interpretation Exhibits
- 4) Letter from Sandy Stallman of the Fairfax County Park Authority

cc: Catherine Hudgins
Kris Abrahamson
Sandy Stallman
Jeff Fairfield
Helman Castro
Dave Steigler
Gayle Hooper
Steve Saville
Martin D. Walsh



FAIRFAX COUNTY PARK AUTHORITY

12055 Government Center Parkway, Suite 927
Fairfax, VA 22035-1118



January 18, 2008

Regina Coyle, Director
Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway
Fairfax, VA 22035

Re: RZ 2002-HM-043, Arrowbrooke Center

Dear Regina,

The above referenced rezoning was approved with proffered conditions for a turnkey community and passive park that was depicted in the approved FDP. These proffered park amenities were carefully negotiated between the applicant and the Park Authority. As implementation of the FDP has progressed, site constraints and engineering issues have arisen and required changes to the final park plans. We have coordinated and worked with the applicant and engineers to review several site plan iterations that address these constraints and still meet the intent of the proffers to provide a community park with a variety of recreation facilities.

The site plan for the community park was recently submitted with the necessary changes that address the site constraints and the Park Authority has reviewed and accepted these changes. Given the site constraints, the redesign and amendments to the park are viewed as improvements to the overall park design and provide a better user experience. We support these changes and believe that the intention of the proffers to provide an active community park is intact. We support the changes as shown on the submitted site plan and will continue to work with the applicant to further refine the design to address any other issues that may arise as it moves through the County site review process.

Please feel free to contact me with any questions at 703-324-8643 or sstall@fairfaxcounty.gov.

Yours truly,

Sandy Stallman
Manager, Park Planning Branch
Planning and Development Division

cc: Elizabeth Baker, Walsh Colucci, Emrich, Lubely & Walsh, P.C.
Jeffrey Fairfield, Arrowbrooke Centre, LLC
David Stigler, Patton, Harris and Rust