



APPLICATION ACCEPTED: July 30, 2008  
PLANNING COMMISSION: January 8, 2009  
BOARD OF SUPERVISORS: January 12, 2009

# County of Fairfax, Virginia

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December 23, 2008

## STAFF REPORT

APPLICATION PCA 78-C-098-03 and FDPA 78-C-098-04

### HUNTER MILL DISTRICT

**APPLICANT:** Gregor, LLC

**PRESENT ZONING:** Planned Development Commercial (PDC)

**PARCEL(S):** 17-4 ((1)) 1

**ACREAGE:** 5.19 acres

**FAR:** 0.219 - Office Option  
0.65 - Residential Option

**OPEN SPACE:** 62% - Office Option  
45% - Residential Option

**PLAN MAP:** Mixed Use

**PROPOSAL:** To amend the proffers, conceptual and final development plans for RZ 78-C-098 previously approved for 60 multi-family residences and a hotel with a Floor Area Ratio (FAR) of 0.65 and a density of 11.57 du/ac to permit the continuation of office use within the existing structures as a development option.

### STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 78-C-098-03, subject to the draft proffers contained in Appendix 1 of the staff report.

St. Clair Williams

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Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



Staff recommends approval of FDPA 78-C-098-04, subject to the Board of Supervisors approval of PCA 78-C-098-03.

Staff recommends that the limitation on residential uses within the PDC District be waived.

Staff recommends that a variance of the maximum height limitation on fences in the front yard be approved to permit a five (5) foot high wall along Old Reston Avenue.

Staff recommends that the transitional screening and barrier requirements be waived between the uses on-site.

Staff recommends that the transitional screening and barrier requirements along the northern, eastern and western property lines be modified to that shown on the CDPA/FDPA.

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

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

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.

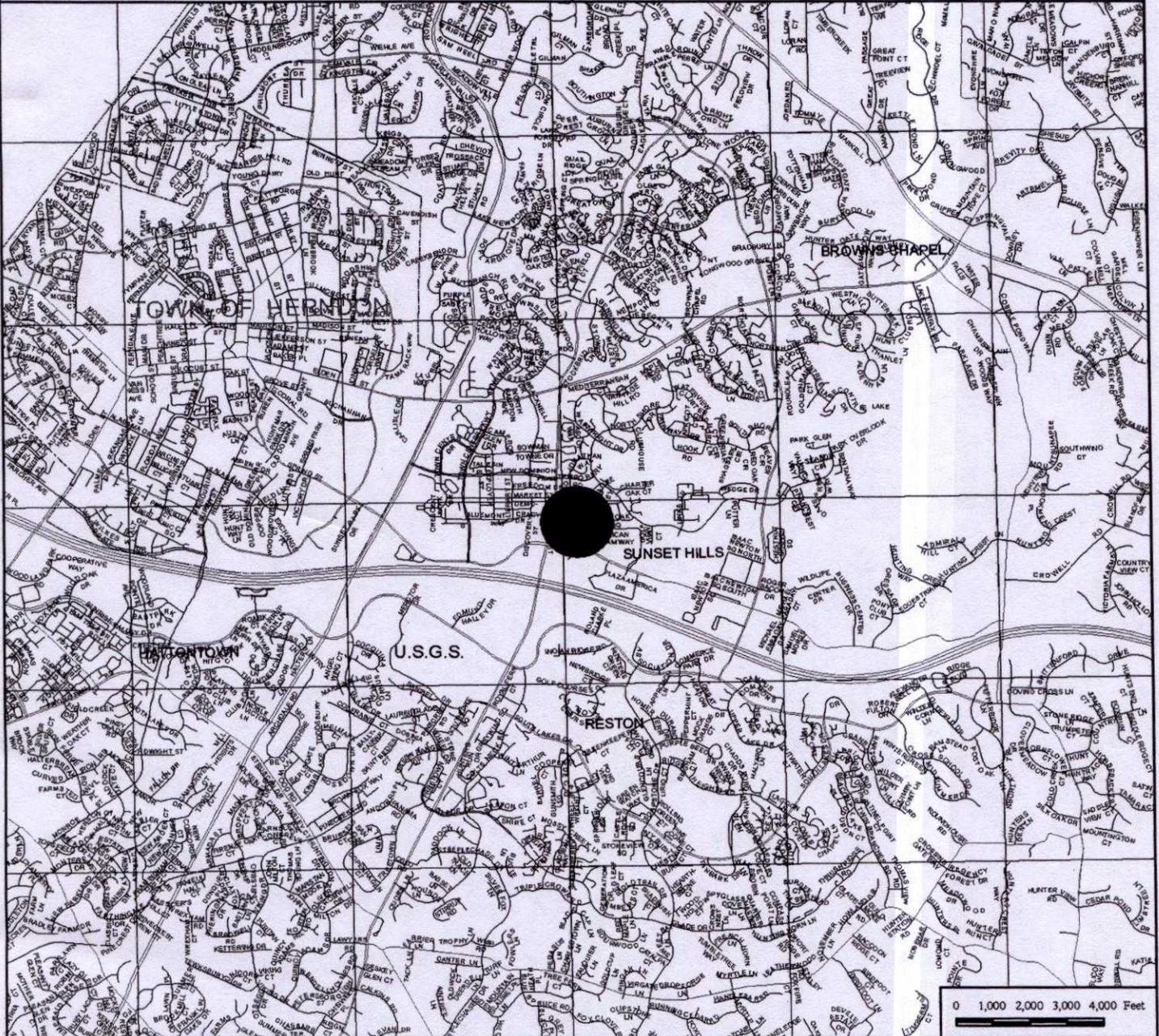
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\SWILL\PCA\PCA 78-C-098-3 Gregor LLC\Staff Report\Cover.doc



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		Final Development Plan Amendment	
PCA 78-C-098-03		FDPA 78-C-098-04	
Applicant:	GREGOR, LLC	Applicant:	GREGOR, LLC
Accepted:	07/30/2008	Accepted:	07/30/2008
Proposed:	AMEND RZ 78-C-098 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT SITE MODIFICATIONS	Proposed:	AMEND FDP 78-C-098 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT SITE MODIFICATIONS
Area:	5.19 AC OF LAND; DISTRICT - HUNTER MILL	Area:	5.19 AC OF LAND; DISTRICT - HUNTER MILL
Zoning Dist Sect:		Zoning Dist Sect:	
Located:	WEST SIDE OF OLD RESTON AVENUE APPROXIMATELY 400 FEET NORTH OF ITS INTERSECTION WITH SUNSET HILLS ROAD	Located:	WEST SIDE OF OLD RESTON AVENUE APPROXIMATELY 400 FEET NORTH OF ITS INTERSECTION WITH SUNSET HILLS ROAD
Zoning:	PDC	Zoning:	PDC
Overlay Dist:		Overlay Dist:	
Map Ref Num:	017-4- /01/ /0001	Map Ref Num:	017-4- /01/ /0001



# Proffered Condition Amendment

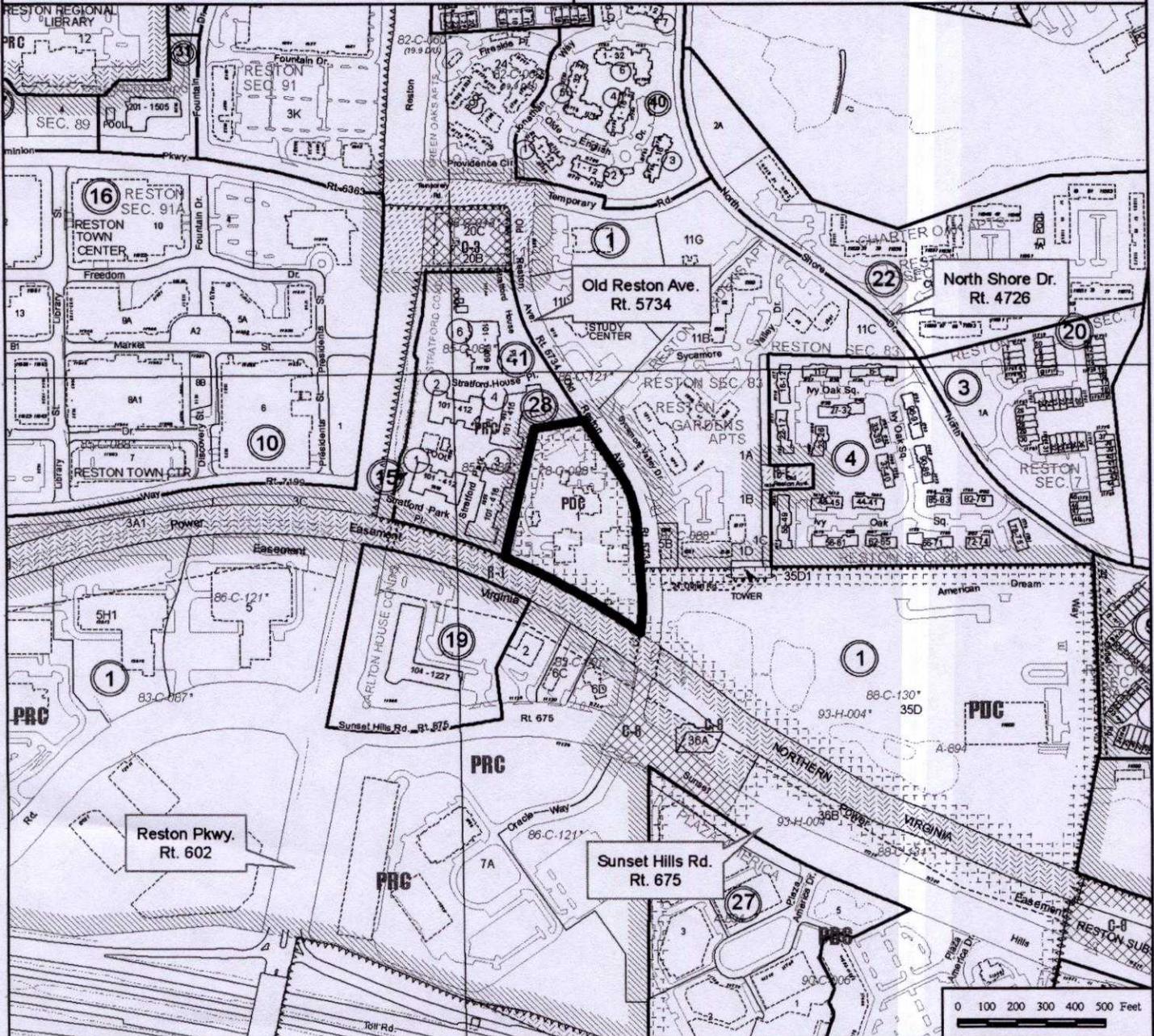
PCA 78-C-098-03

Applicant: GREGOR, LLC  
Accepted: 07/30/2008  
Proposed: AMEND RZ 78-C-098 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT SITE MODIFICATIONS  
Area: 5.19 AC OF LAND; DISTRICT - HUNTER MILL  
Zoning Dist Sect:  
Located: WEST SIDE OF OLD RESTON AVENUE APPROXIMATELY 400 FEET NORTH OF ITS INTERSECTION WITH SUNSET HILLS ROAD  
Zoning: PDC  
Overlay Dist:  
Map Ref Num: 017-4- /01/ /0001

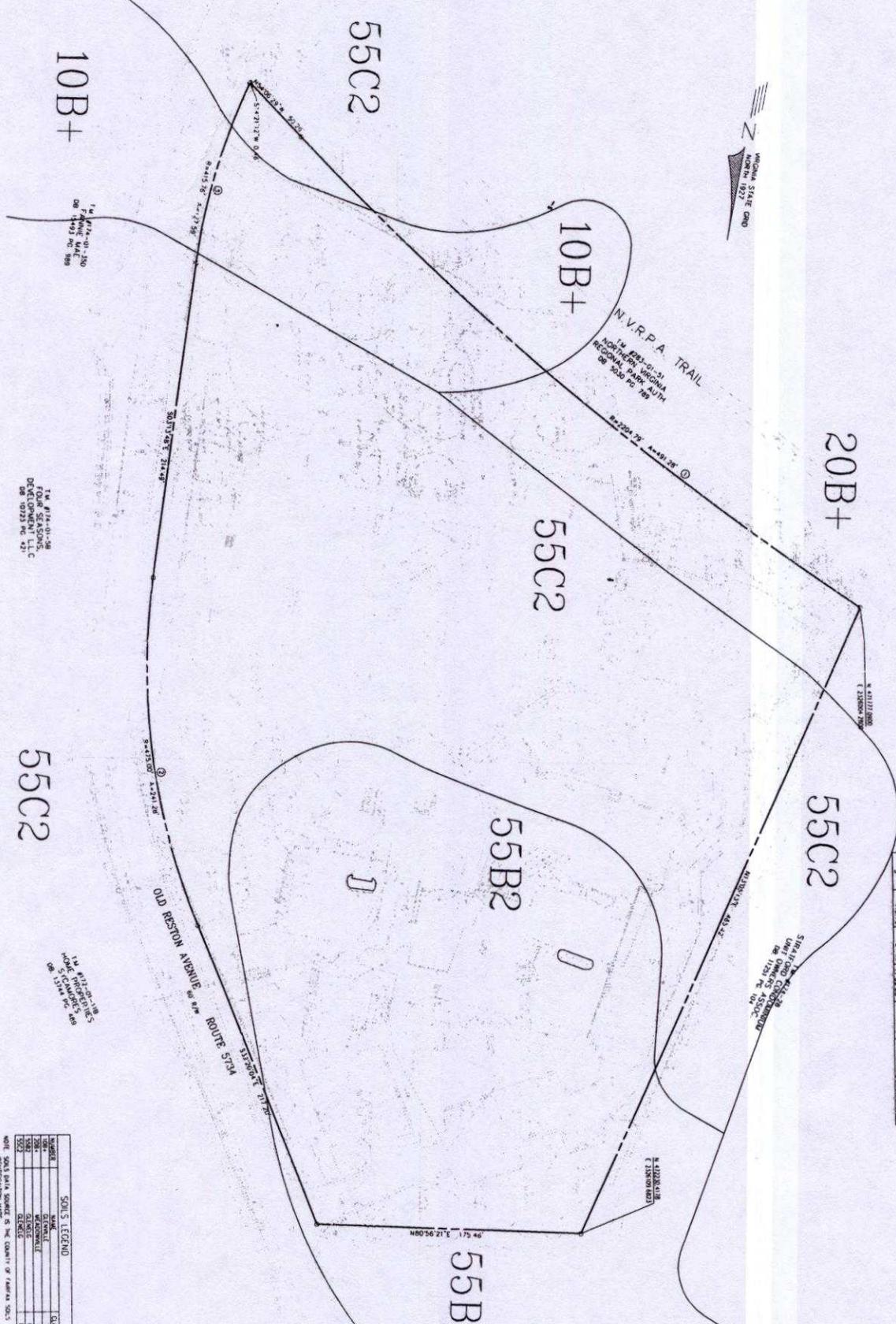
# Final Development Plan Amendment

FDPA 78-C-098-04

Applicant: GREGOR, LLC  
Accepted: 07/30/2008  
Proposed: AMEND FDP 78-C-098 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT SITE MODIFICATIONS  
Area: 5.19 AC OF LAND; DISTRICT - HUNTER MILL  
Zoning Dist Sect:  
Located: WEST SIDE OF OLD RESTON AVENUE APPROXIMATELY 400 FEET NORTH OF ITS INTERSECTION WITH SUNSET HILLS ROAD  
Zoning: PDC  
Overlay Dist:  
Map Ref Num: 017-4- /01/ /0001







GRID TABLE

GRID #	RADIUS	ARC	DELTA	PERCENT	CHORD	BEARING
1	200.00	400.00	124.60	31.17	400.00	124.60
2	400.00	800.00	249.20	31.17	800.00	249.20
3	600.00	1200.00	373.80	31.17	1200.00	373.80

SOILS LEGEND

NUMBER	NAME	CLASS
55C2	CLAYEY SILT	C
55B2	SILT CLAY	B
10B+	PORE SAND	B
20B+	PORE SAND	B

NOTE: SOIL DATA SOURCE IS THE COUNTY OF FAIRFAX SOILS SURVEY.

<p>EXISTING CONDITIONS AND SOILS MAP</p> <p><b>BOXWOODS</b></p> <p>HUNTER MILL MAGISTERIAL DISTRICT</p> <p>FAIRFAX COUNTY, VIRGINIA</p>			<p><b>URBAN ENGINEERING &amp; ASSOC., INC.</b></p> <p>CIVIL ENGINEERS - LANDSCAPE ARCHITECTS - LAND SURVEYORS</p> <p>7712 LITTLE RIVER TURNPIKE</p> <p>ANNANDALE, VIRGINIA 22003 (703) 642-0000</p>	<p>PLAN DATE</p> <p>09-28-05</p> <p>02-08-06</p> <p>07-11-08</p> <p>09-18-08</p> <p>10-16-08</p> <p>12-04-08</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>REV BY</th> <th>APPROVED</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td colspan="6">REVISION APPROVED BY DIVISION OF DESIGN REVIEW</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	REV BY	APPROVED	DATE	REVISION APPROVED BY DIVISION OF DESIGN REVIEW					
NO.	DATE	DESCRIPTION	REV BY	APPROVED	DATE												
REVISION APPROVED BY DIVISION OF DESIGN REVIEW																	
<p>SCALE: 1"=1'</p>	<p>CI. # 2</p>	<p>DATE: SEPT. 2005</p>	<p>SHEET</p> <p>7</p> <p>OF</p> <p>20</p> <p>FILE NO.</p> <p>ZP-1612</p>														



N.V.R.P.A. TRAIL  
 14 224-01-51  
 NORTHVALE BROOK  
 REGIONAL PARK AUTH  
 08 500 PC 78

14 114-01-300  
 08 15431 AC 88  
 08 808

14 114-01-38  
 08 10723 PC 47  
 FOUR SEASONS  
 C

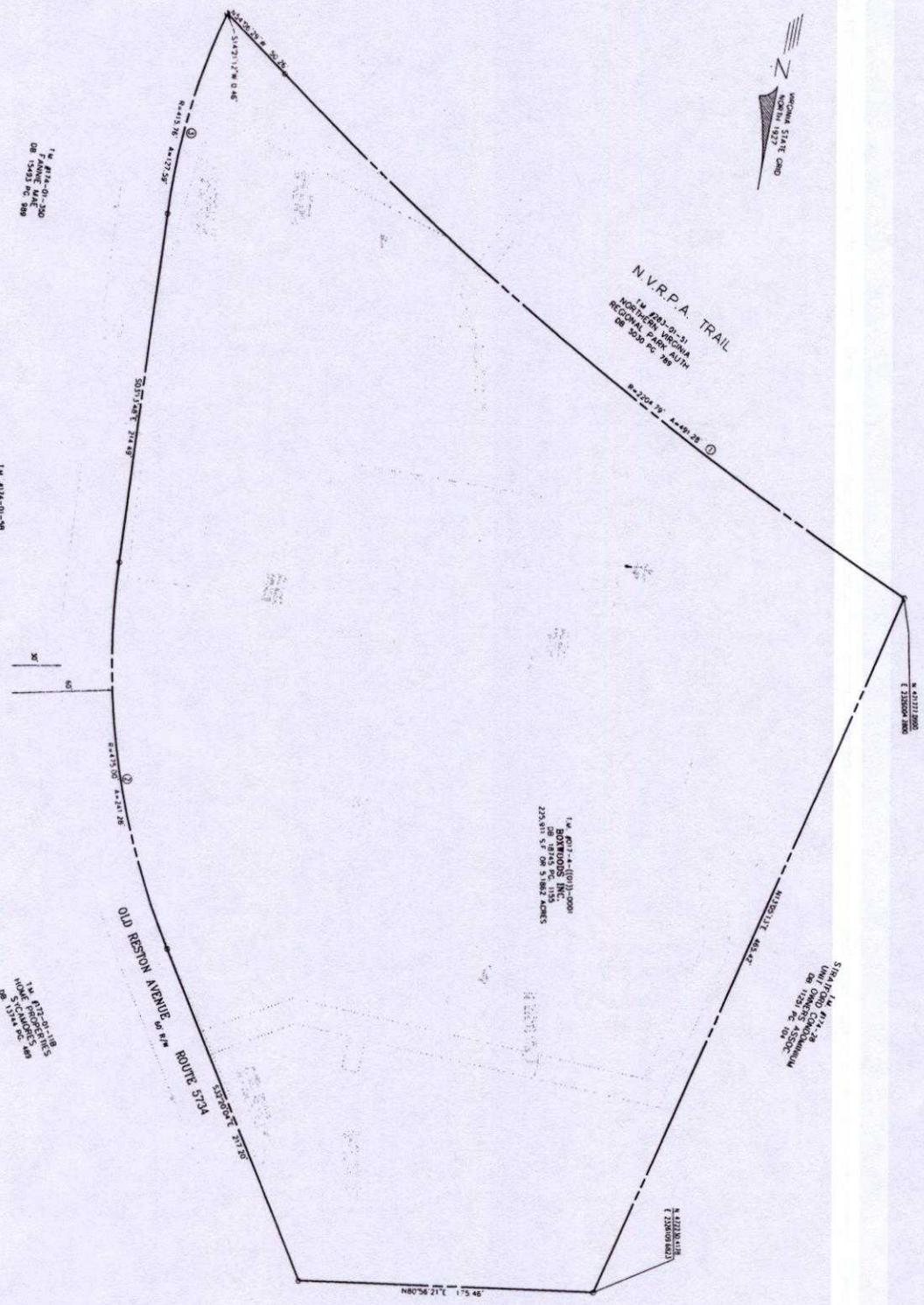
14 401-4(01)-000  
 08 0745 PC 155  
 BOXWOODS INC.  
 235 51 3 08 5 888 4085

14 112-01-18  
 08 11714 AC 48  
 HUNTER MILL  
 SUBDIVISION

14 112-28  
 08 1028 PC 100  
 5184-17-000  
 CHANDLERMAN  
 1000

CURVE TABLE

CURVE	RADIUS	ARC	DELTA	TAZENIT	CHORD	BEARING
1	250.79	48.28	124.80°	248.61	482.76	N072°28'W
2	415.00	73.58	29.08°	44.50	127.09	S053°12'E
3	415.00	73.58	29.08°	44.50	127.09	S053°12'E



OLD RESTON AVENUE ROUTE 5704

N80°56'21"E 175.46'

CERTIFIED PLAT

**BOXWOODS**  
 HUNTER MILL MAGISTERIAL DISTRICT  
 FAIRFAX COUNTY, VIRGINIA



**URBAN ENGINEERING & ASSOC. INC.**  
 CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS  
 7712 LITTLE RIVER TURNPIKE  
 ANNANDALE, VIRGINIA 22003 (703) 642-8080

PLAN DATE

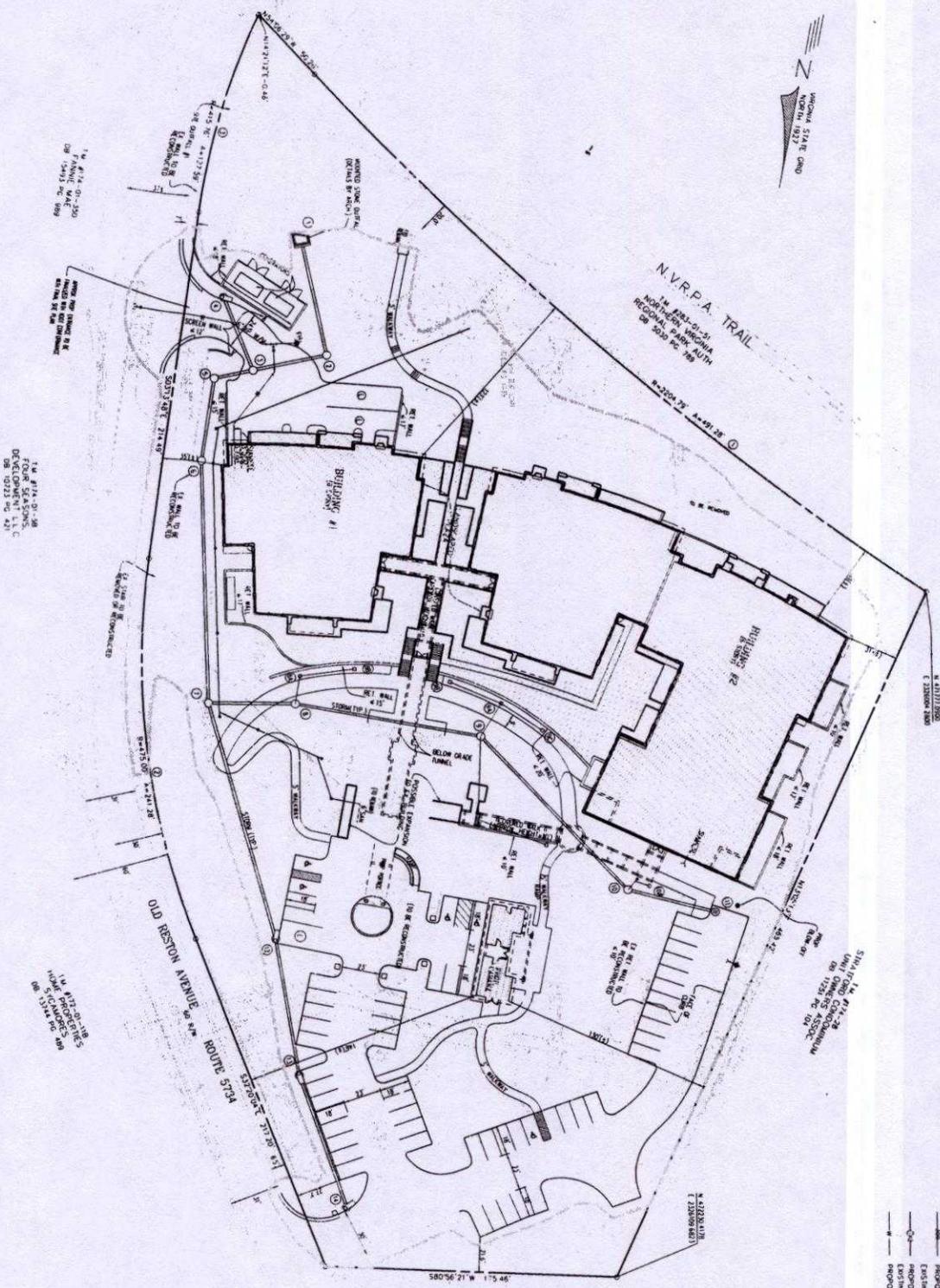
08-28-05
09-11-05
11-30-05
01-11-06
03-09-06
07-11-06
08-19-06
08-18-06
12-04-08

No	DATE	DESCRIPTION	REVISION APPROVED	DATE

REVISION APPROVED BY DIVISION OF DESIGN REVIEW

SHEET  
 OF  
 20  
 P.E. No.  
 ZP-1612

SCALE 1"=30' C.I. = N/A DATE SEPT. 2005



CURVE TABLE

CURVE #	TRAVELING	ARC LENGTH	CHORD BEARING
1	401.21	148.64	490.20 N62°22'22"E
2	472.50	241.28	250.00 S73°46'56"E
3	415.76	177.91	175.50 S77°09'50"E

LEGEND

	EXISTING STORM DRAIN
	PROPOSED STORM DRAIN
	CURB & GUTTER TRANSITION
	EXISTING CONTOUR
	PROPOSED CONTOUR
	EXISTING SANITARY SEWER
	PROPOSED SANITARY SEWER
	EXISTING WATER LINE
	PROPOSED WATER LINE

CONCEPTUAL AND FINAL DEVELOPMENT PLAN - RESIDENTIAL OPTION  
**BOXWOODS**  
 HUNTER MILL MAGISTERIAL DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 SCALE: 1"=40'      CL # 2      DATE: SEPT., 2005



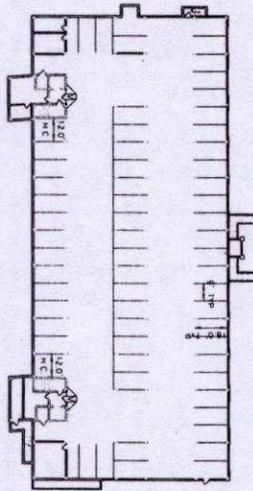
**URBAN ENGINEERING & ASSOC., INC.**  
 CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS  
 7712 LITTLE RIVER TURNPIKE  
 ANNANDALE, VIRGINIA 22005 (703) 642-8000

PLANDATE	NO.	DATE	DESCRIPTION	BY	APPROVED	DATE
09-28-05						
10-18-05						
11-11-05						
01-12-06						
05-15-06						
07-11-06						
09-18-06						
10-10-06						
12-04-06						

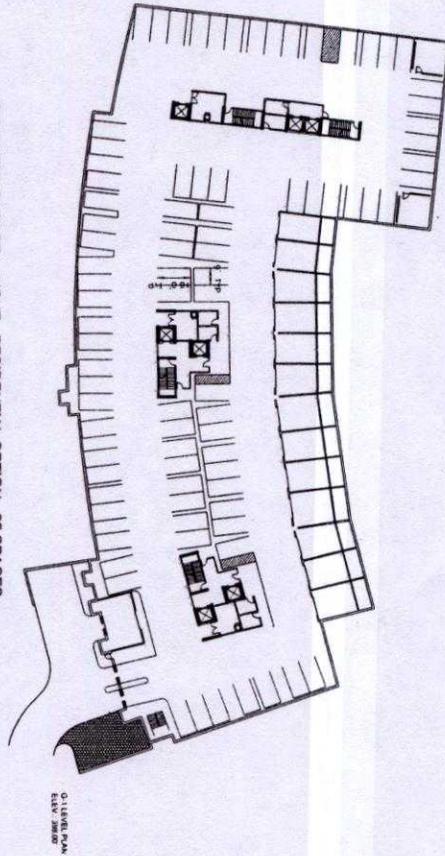
REVISION APPROVED BY DIVISION OF DESIGN REVIEW

SHEET  
 1  
 OF  
 5  
 URS  
 2005  
 ZP-1612

EXISTING GARAGE LAYOUT - OFFICE OPTION - 64 SPACES



PROPOSED GARAGE LAYOUT - RESIDENTIAL OPTION - 85 SPACES



GARAGE LAYOUTS

**BOXWOODS**  
HUNTER MILL MAGISTERIAL DISTRICT  
FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=40'      CI.# N/A      DATE: SEPT. 2005



**URBAN ENGINEERING & ASSOC., INC.**

CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS  
7712 LITTLE RIVER TURNPIKE  
ANNANDALE, VIRGINIA 22003 (703) 842-8080

NO.	DATE	DESCRIPTION
09-28-05		
11-30-05		
07-11-06		
08-18-06		
10-16-06		
12-04-06		

NO.	DATE	DESCRIPTION	REV. BY	APPROVED	DATE

REVISION APPROVED BY DIVISION OF DESIGN REVIEW

SHEET  
5  
OF  
20  
FILE NO.  
ZF-1612



**GRAHAM  
LANDSCAPE  
ARCHITECTURE**  
ARCHITECTS  
1000 W. 10th Street  
Lawrence, KS 66044-3331  
Tel: 785.843.1100  
Fax: 785.843.1101  
www.grahamlandscape.com

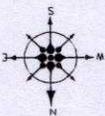
**REVISIONS**

02-08-06	
02-14-06	
10-16-08	
12-04-08	



**BOXWOODS**  
FARMER COUNTY, VIRGINIA

These drawings are preliminary and are not to be used for construction without the approval of the architect. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable codes and regulations. The architect shall not be responsible for any errors or omissions on the part of the contractor or any third party.



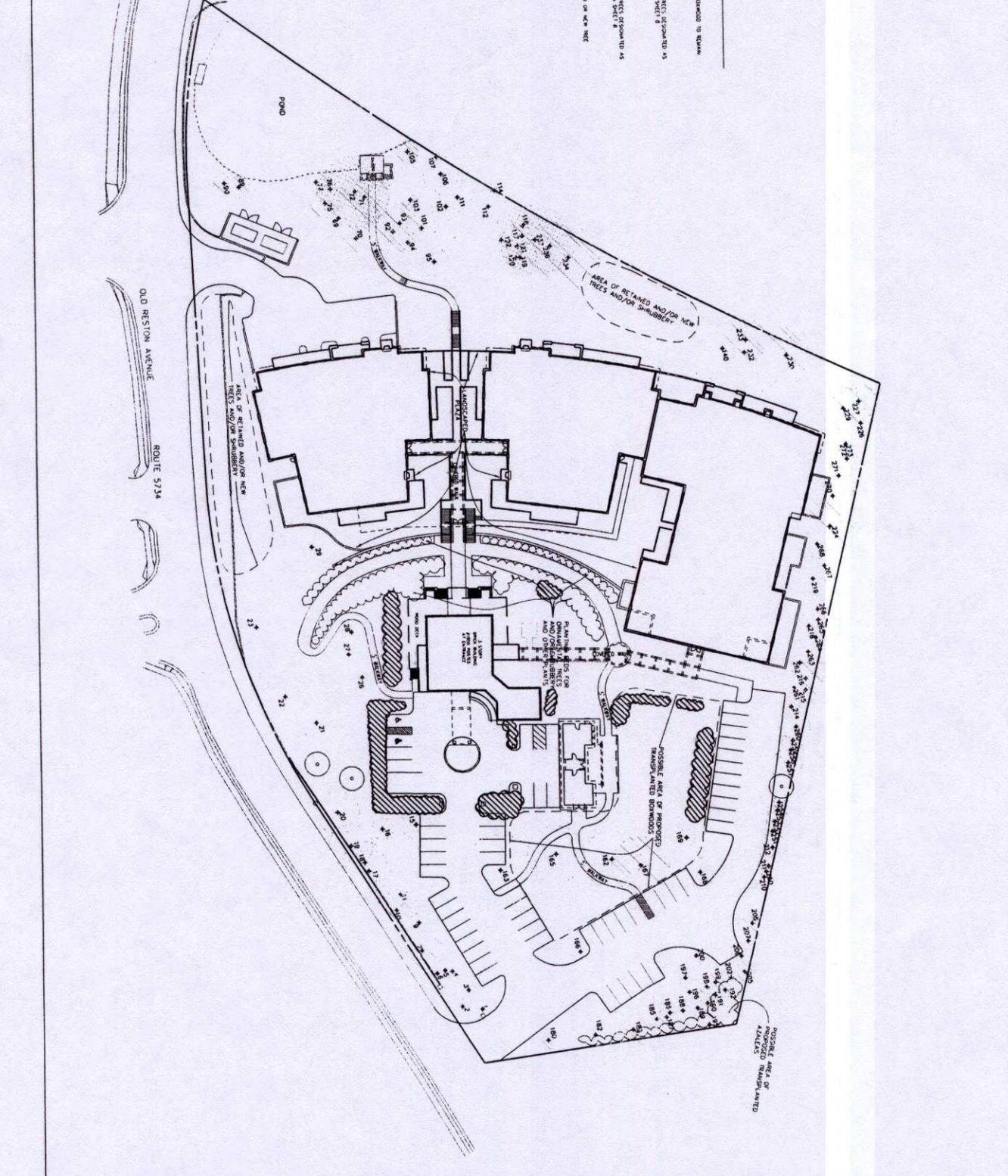
**LANDSCAPE  
PLAN -  
RESIDENTIAL  
OPTION**

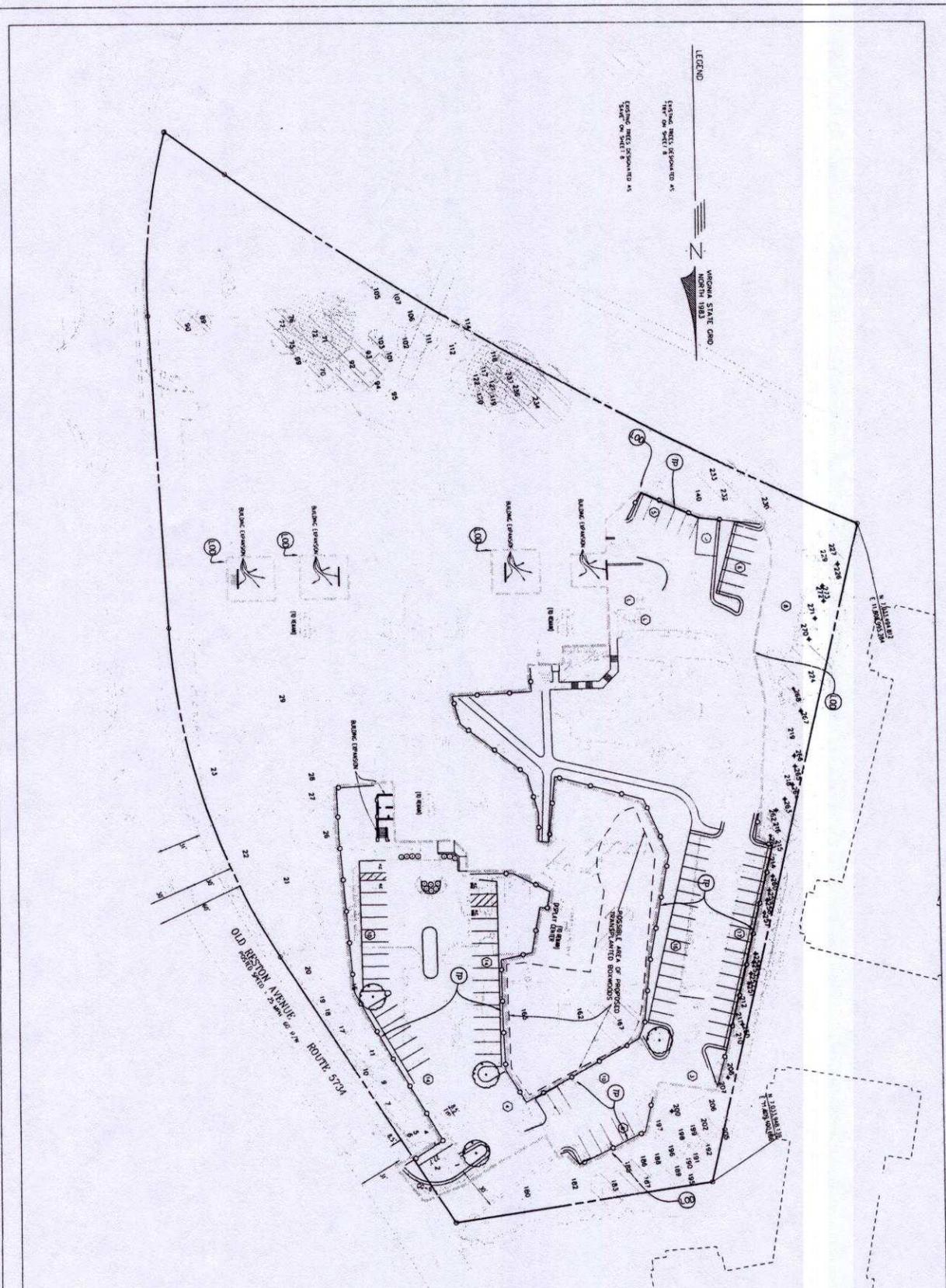
DRAWN BY: AMH  
APPROVED BY: 2512  
PROJECT #: 1" = 300'  
SCALE

**L 1.0**  
SHEET 7 of 20  
19 SEPTEMBER 2005

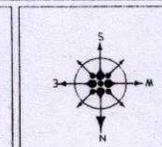
**LEGEND**

- [Hatched Box] EXISTING BOXWOOD TO REMAIN
- [Dotted Line] EXISTING WALK OF CONCRETE AS SHOWN ON SHEET 6
- [Dashed Line] EXISTING WALK OF SPONTOUS AS SHOWN ON SHEET 6
- [Circle] RELATIONS OF WALK WALK

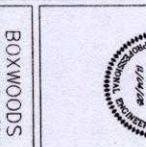




LEGEND  
 EXISTING PLOTS DESIGNATED AS  
 'X' ON SHEET 8  
 EXISTING PLOTS DESIGNATED AS  
 'S' ON SHEET 8



Boxwoods  
 FARFAX COUNTY, VIRGINIA



REVISIONS

02-08-06	02-14-06
10-16-06	12-04-06

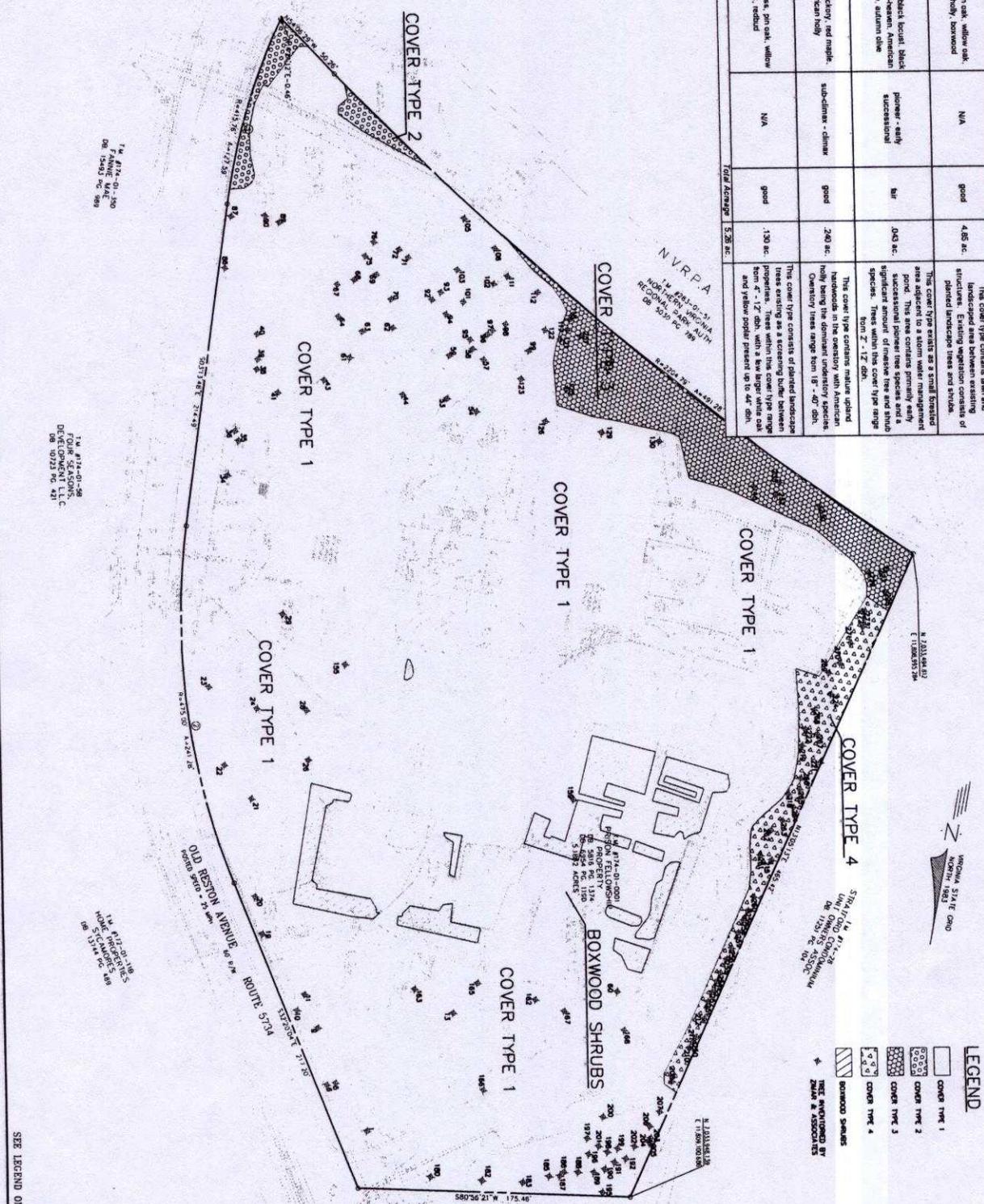
GRAHAM  
 LANDSCAPE  
 ARCHITECTURE  
 229 South George Street  
 Alexandria, VA 22304-4426  
 Phone: 703.836.1100  
 Fax: 703.836.1103  
 www.grahamlandscape.com

DRAWN BY: AMH  
 APPROVED BY: 2512  
 PROJECT #: T-4-3075  
 SCALE: 1" = 30'0"

LANDSCAPE  
 PLAN -  
 OFFICE  
 OPTION

1:10  
 SHEET 8 OF 20  
 13 SEPTEMBER 2005

EVM SUMMARY TABLE					
Cover Type	Primary Species	Successional Stage	Condition	Area sq'	Comments
1 developed/pruned/ grasslands	red maple, pin oak, yellow oak, American holly, hawwood	N/A	good	4.85 ac.	This cover type contains lawn and landscaped area between existing structures. Existing vegetation consists of pruned landscape trees and shrubs.
2 old field/woodland hardwoods	yellow poplar, black locust, black specimen, autumn olive	pre-fire - early successional	fair	0.93 ac.	This cover type exists as a small forested area adjacent to a storm water management pond. This area contains primarily early successional pioneer tree species and shrub species. Trees within this cover type range from 2' - 12' dbh.
3 upland hardwoods	white oak, hickory, red maple, American holly	sub-climax - climax	good	2.40 ac.	This cover type contains mature upland hardwoods in the canopy with American Corymbia trees ranging from 18' - 40' dbh.
4 municipal grasslands	hyland cypress, pin oak, yellow oak, red oak	N/A	good	1.30 ac.	This cover type consists of planted landscape trees existing as a screening zone between structures. Trees within this cover type are oak and yellow poplar present up to 4' dbh.
Total Acreage 5.28 ac.					



1" = 472'-0" = 140  
DATE 09/23/96  
BY 989

1" = 472'-0" = 98  
FOUR SEASONS, C  
DATE 09/23/96  
BY 421

1" = 472'-0" = 18  
DATE 09/23/96  
BY 481

SEE LEGEND ON SHEET #2.

EXISTING VEGETATION MAP <b>BOXWOODS</b> HUNTER MILL MAGISTERIAL DISTRICT FAIRFAX COUNTY, VIRGINIA			<b>URBAN ENGINEERING &amp; ASSOC., INC.</b> CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS 7712 LITTLE RIVER TURNPIKE ANNANDALE, VIRGINIA 22003 (703) 842-8800	PLAN DATE 02-08-06 10-16-08 09-30-11												
SHEET 9 OF 20 FILE NO. SP-1612	SCALE 1" = 472' C I = 2'	DATE: FEB. 2006	REVISION APPROVED BY DIVISION OF DESIGN REVIEW	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>REVIEWER</th> <th>APPROVED</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION	REVIEWER	APPROVED	DATE						
NO.	DATE	DESCRIPTION	REVIEWER	APPROVED	DATE											









**CHANNEL NUMBER COMPUTATIONS**

Channel	Area (sq ft)	SLOPE 1		SLOPE 2		SLOPE 3		SLOPE 4		SLOPE 5	
		Area	Velocity								
Channel 1	100	100	1.0	100	1.0	100	1.0	100	1.0	100	1.0
Channel 2	200	200	1.0	200	1.0	200	1.0	200	1.0	200	1.0
Channel 3	300	300	1.0	300	1.0	300	1.0	300	1.0	300	1.0
Channel 4	400	400	1.0	400	1.0	400	1.0	400	1.0	400	1.0
Channel 5	500	500	1.0	500	1.0	500	1.0	500	1.0	500	1.0
Channel 6	600	600	1.0	600	1.0	600	1.0	600	1.0	600	1.0
Channel 7	700	700	1.0	700	1.0	700	1.0	700	1.0	700	1.0
Channel 8	800	800	1.0	800	1.0	800	1.0	800	1.0	800	1.0
Channel 9	900	900	1.0	900	1.0	900	1.0	900	1.0	900	1.0
Channel 10	1000	1000	1.0	1000	1.0	1000	1.0	1000	1.0	1000	1.0
Channel 11	1100	1100	1.0	1100	1.0	1100	1.0	1100	1.0	1100	1.0
Channel 12	1200	1200	1.0	1200	1.0	1200	1.0	1200	1.0	1200	1.0
Channel 13	1300	1300	1.0	1300	1.0	1300	1.0	1300	1.0	1300	1.0
Channel 14	1400	1400	1.0	1400	1.0	1400	1.0	1400	1.0	1400	1.0
Channel 15	1500	1500	1.0	1500	1.0	1500	1.0	1500	1.0	1500	1.0
Channel 16	1600	1600	1.0	1600	1.0	1600	1.0	1600	1.0	1600	1.0
Channel 17	1700	1700	1.0	1700	1.0	1700	1.0	1700	1.0	1700	1.0
Channel 18	1800	1800	1.0	1800	1.0	1800	1.0	1800	1.0	1800	1.0
Channel 19	1900	1900	1.0	1900	1.0	1900	1.0	1900	1.0	1900	1.0
Channel 20	2000	2000	1.0	2000	1.0	2000	1.0	2000	1.0	2000	1.0
Channel 21	2100	2100	1.0	2100	1.0	2100	1.0	2100	1.0	2100	1.0
Channel 22	2200	2200	1.0	2200	1.0	2200	1.0	2200	1.0	2200	1.0
Channel 23	2300	2300	1.0	2300	1.0	2300	1.0	2300	1.0	2300	1.0
Channel 24	2400	2400	1.0	2400	1.0	2400	1.0	2400	1.0	2400	1.0
Channel 25	2500	2500	1.0	2500	1.0	2500	1.0	2500	1.0	2500	1.0
Channel 26	2600	2600	1.0	2600	1.0	2600	1.0	2600	1.0	2600	1.0
Channel 27	2700	2700	1.0	2700	1.0	2700	1.0	2700	1.0	2700	1.0
Channel 28	2800	2800	1.0	2800	1.0	2800	1.0	2800	1.0	2800	1.0
Channel 29	2900	2900	1.0	2900	1.0	2900	1.0	2900	1.0	2900	1.0
Channel 30	3000	3000	1.0	3000	1.0	3000	1.0	3000	1.0	3000	1.0
Channel 31	3100	3100	1.0	3100	1.0	3100	1.0	3100	1.0	3100	1.0
Channel 32	3200	3200	1.0	3200	1.0	3200	1.0	3200	1.0	3200	1.0
Channel 33	3300	3300	1.0	3300	1.0	3300	1.0	3300	1.0	3300	1.0
Channel 34	3400	3400	1.0	3400	1.0	3400	1.0	3400	1.0	3400	1.0
Channel 35	3500	3500	1.0	3500	1.0	3500	1.0	3500	1.0	3500	1.0
Channel 36	3600	3600	1.0	3600	1.0	3600	1.0	3600	1.0	3600	1.0
Channel 37	3700	3700	1.0	3700	1.0	3700	1.0	3700	1.0	3700	1.0
Channel 38	3800	3800	1.0	3800	1.0	3800	1.0	3800	1.0	3800	1.0
Channel 39	3900	3900	1.0	3900	1.0	3900	1.0	3900	1.0	3900	1.0
Channel 40	4000	4000	1.0	4000	1.0	4000	1.0	4000	1.0	4000	1.0
Channel 41	4100	4100	1.0	4100	1.0	4100	1.0	4100	1.0	4100	1.0
Channel 42	4200	4200	1.0	4200	1.0	4200	1.0	4200	1.0	4200	1.0
Channel 43	4300	4300	1.0	4300	1.0	4300	1.0	4300	1.0	4300	1.0
Channel 44	4400	4400	1.0	4400	1.0	4400	1.0	4400	1.0	4400	1.0
Channel 45	4500	4500	1.0	4500	1.0	4500	1.0	4500	1.0	4500	1.0
Channel 46	4600	4600	1.0	4600	1.0	4600	1.0	4600	1.0	4600	1.0
Channel 47	4700	4700	1.0	4700	1.0	4700	1.0	4700	1.0	4700	1.0
Channel 48	4800	4800	1.0	4800	1.0	4800	1.0	4800	1.0	4800	1.0
Channel 49	4900	4900	1.0	4900	1.0	4900	1.0	4900	1.0	4900	1.0
Channel 50	5000	5000	1.0	5000	1.0	5000	1.0	5000	1.0	5000	1.0
Channel 51	5100	5100	1.0	5100	1.0	5100	1.0	5100	1.0	5100	1.0
Channel 52	5200	5200	1.0	5200	1.0	5200	1.0	5200	1.0	5200	1.0
Channel 53	5300	5300	1.0	5300	1.0	5300	1.0	5300	1.0	5300	1.0
Channel 54	5400	5400	1.0	5400	1.0	5400	1.0	5400	1.0	5400	1.0
Channel 55	5500	5500	1.0	5500	1.0	5500	1.0	5500	1.0	5500	1.0
Channel 56	5600	5600	1.0	5600	1.0	5600	1.0	5600	1.0	5600	1.0
Channel 57	5700	5700	1.0	5700	1.0	5700	1.0	5700	1.0	5700	1.0
Channel 58	5800	5800	1.0	5800	1.0	5800	1.0	5800	1.0	5800	1.0
Channel 59	5900	5900	1.0	5900	1.0	5900	1.0	5900	1.0	5900	1.0
Channel 60	6000	6000	1.0	6000	1.0	6000	1.0	6000	1.0	6000	1.0
Channel 61	6100	6100	1.0	6100	1.0	6100	1.0	6100	1.0	6100	1.0
Channel 62	6200	6200	1.0	6200	1.0	6200	1.0	6200	1.0	6200	1.0
Channel 63	6300	6300	1.0	6300	1.0	6300	1.0	6300	1.0	6300	1.0
Channel 64	6400	6400	1.0	6400	1.0	6400	1.0	6400	1.0	6400	1.0
Channel 65	6500	6500	1.0	6500	1.0	6500	1.0	6500	1.0	6500	1.0
Channel 66	6600	6600	1.0	6600	1.0	6600	1.0	6600	1.0	6600	1.0
Channel 67	6700	6700	1.0	6700	1.0	6700	1.0	6700	1.0	6700	1.0
Channel 68	6800	6800	1.0	6800	1.0	6800	1.0	6800	1.0	6800	1.0
Channel 69	6900	6900	1.0	6900	1.0	6900	1.0	6900	1.0	6900	1.0
Channel 70	7000	7000	1.0	7000	1.0	7000	1.0	7000	1.0	7000	1.0
Channel 71	7100	7100	1.0	7100	1.0	7100	1.0	7100	1.0	7100	1.0
Channel 72	7200	7200	1.0	7200	1.0	7200	1.0	7200	1.0	7200	1.0
Channel 73	7300	7300	1.0	7300	1.0	7300	1.0	7300	1.0	7300	1.0
Channel 74	7400	7400	1.0	7400	1.0	7400	1.0	7400	1.0	7400	1.0
Channel 75	7500	7500	1.0	7500	1.0	7500	1.0	7500	1.0	7500	1.0
Channel 76	7600	7600	1.0	7600	1.0	7600	1.0	7600	1.0	7600	1.0
Channel 77	7700	7700	1.0	7700	1.0	7700	1.0	7700	1.0	7700	1.0
Channel 78	7800	7800	1.0	7800	1.0	7800	1.0	7800	1.0	7800	1.0
Channel 79	7900	7900	1.0	7900	1.0	7900	1.0	7900	1.0	7900	1.0
Channel 80	8000	8000	1.0	8000	1.0	8000	1.0	8000	1.0	8000	1.0
Channel 81	8100	8100	1.0	8100	1.0	8100	1.0	8100	1.0	8100	1.0
Channel 82	8200	8200	1.0	8200	1.0	8200	1.0	8200	1.0	8200	1.0
Channel 83	8300	8300	1.0	8300	1.0	8300	1.0	8300	1.0	8300	1.0
Channel 84	8400	8400	1.0	8400	1.0	8400	1.0	8400	1.0	8400	1.0
Channel 85	8500	8500	1.0	8500	1.0	8500	1.0	8500	1.0	8500	1.0
Channel 86	8600	8600	1.0	8600	1.0	8600	1.0	8600	1.0	8600	1.0
Channel 87	8700	8700	1.0	8700	1.0	8700	1.0	8700	1.0	8700	1.0
Channel 88	8800	8800	1.0	8800	1.0	8800	1.0	8800	1.0	8800	1.0
Channel 89	8900	8900	1.0	8900	1.0	8900	1.0	8900	1.0	8900	1.0
Channel 90	9000	9000	1.0	9000	1.0	9000	1.0	9000	1.0	9000	1.0
Channel 91	9100	9100	1.0	9100	1.0	9100	1.0	9100	1.0	9100	1.0
Channel 92	9200	9200	1.0	9200	1.0	9200	1.0	9200	1.0	9200	1.0
Channel 93	9300	9300	1.0	9300	1.0	9300	1.0	9300	1.0	9300	1.0
Channel 94	9400	9400	1.0	9400	1.0	9400	1.0	9400	1.0	9400	1.0
Channel 95	9500	9500	1.0	9500	1.0	9500	1.0	9500	1.0	9500	1.0
Channel 96	9600	9600	1.0	9600	1.0	9600	1.0	9600	1.0	9600	1.0
Channel 97	9700	9700	1.0	9700	1.0	9700	1.0	9700	1.0	9700	1.0
Channel 98	9800	9800	1.0	9800	1.0	9800	1.0	9800	1.0	9800	1.0
Channel 99	9900	9900	1.0	9900	1.0	9900	1.0	9900	1.0	9900	1.0
Channel 100	10000	10000	1.0	10000	1.0	10000	1.0	10000	1.0	10000	1.0

### CURVE NUMBER COMPUTATIONS

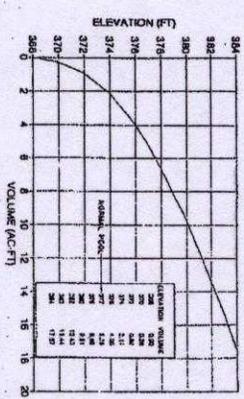
Curve No.	Curve No. 1		Curve No. 2		Curve No. 3		Curve No. 4		Curve No. 5		Curve No. 6		Curve No. 7		Curve No. 8		Curve No. 9	
	Area	Perimeter																
1	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
2	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
3	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
4	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
5	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
6	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
8	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
9	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

LIST THE CONDITION (existing, proposed, or alternate)

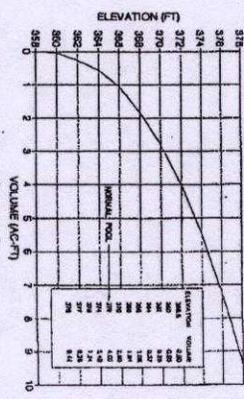
1. SHEET DATE
2. SHEET NUMBER
3. SHEET TITLE
4. SHEET SCALE
5. SHEET DRAWN BY
6. SHEET CHECKED BY
7. SHEET APPROVED BY
8. SHEET DATE
9. SHEET NUMBER
10. SHEET TITLE
11. SHEET SCALE
12. SHEET DRAWN BY
13. SHEET CHECKED BY
14. SHEET APPROVED BY
15. SHEET DATE
16. SHEET NUMBER
17. SHEET TITLE
18. SHEET SCALE
19. SHEET DRAWN BY
20. SHEET CHECKED BY
21. SHEET APPROVED BY
22. SHEET DATE
23. SHEET NUMBER
24. SHEET TITLE
25. SHEET SCALE
26. SHEET DRAWN BY
27. SHEET CHECKED BY
28. SHEET APPROVED BY
29. SHEET DATE
30. SHEET NUMBER
31. SHEET TITLE
32. SHEET SCALE
33. SHEET DRAWN BY
34. SHEET CHECKED BY
35. SHEET APPROVED BY
36. SHEET DATE
37. SHEET NUMBER
38. SHEET TITLE
39. SHEET SCALE
40. SHEET DRAWN BY
41. SHEET CHECKED BY
42. SHEET APPROVED BY
43. SHEET DATE
44. SHEET NUMBER
45. SHEET TITLE
46. SHEET SCALE
47. SHEET DRAWN BY
48. SHEET CHECKED BY
49. SHEET APPROVED BY
50. SHEET DATE
51. SHEET NUMBER
52. SHEET TITLE
53. SHEET SCALE
54. SHEET DRAWN BY
55. SHEET CHECKED BY
56. SHEET APPROVED BY
57. SHEET DATE
58. SHEET NUMBER
59. SHEET TITLE
60. SHEET SCALE
61. SHEET DRAWN BY
62. SHEET CHECKED BY
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75. SHEET DRAWN BY
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79. SHEET NUMBER
80. SHEET TITLE
81. SHEET SCALE
82. SHEET DRAWN BY
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84. SHEET APPROVED BY
85. SHEET DATE
86. SHEET NUMBER
87. SHEET TITLE
88. SHEET SCALE
89. SHEET DRAWN BY
90. SHEET CHECKED BY
91. SHEET APPROVED BY
92. SHEET DATE
93. SHEET NUMBER
94. SHEET TITLE
95. SHEET SCALE
96. SHEET DRAWN BY
97. SHEET CHECKED BY
98. SHEET APPROVED BY
99. SHEET DATE
100. SHEET NUMBER
101. SHEET TITLE
102. SHEET SCALE
103. SHEET DRAWN BY
104. SHEET CHECKED BY
105. SHEET APPROVED BY
106. SHEET DATE
107. SHEET NUMBER
108. SHEET TITLE
109. SHEET SCALE
110. SHEET DRAWN BY
111. SHEET CHECKED BY
112. SHEET APPROVED BY
113. SHEET DATE
114. SHEET NUMBER
115. SHEET TITLE
116. SHEET SCALE
117. SHEET DRAWN BY
118. SHEET CHECKED BY
119. SHEET APPROVED BY
120. SHEET DATE

### TIME OF CONCENTRATION COMPUTATIONS

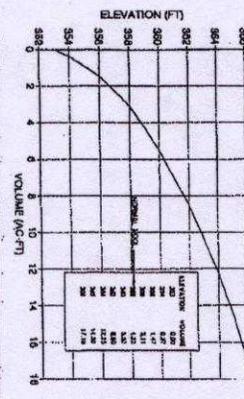
Curve No.	Curve No. 1		Curve No. 2		Curve No. 3		Curve No. 4		Curve No. 5		Curve No. 6		Curve No. 7		Curve No. 8		Curve No. 9	
	Area	Perimeter																
1	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
2	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
3	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
4	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
5	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
6	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
8	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
9	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100



**POND A**  
STAGE-STORAGE CURVE



**POND B**  
STAGE-STORAGE CURVE



**POND C**  
STAGE-STORAGE CURVE

FOR INFORMATION  
PURPOSES ONLY!

**SalieMae**

Virginia Consolidation Project

REGISTERED PROFESSIONAL ENGINEERS

703-849-0100

**Dewberry & Davis**

Architects Engineers Planners Surveyors

8401 Arlington Blvd., Fairfax, VA 22031

703 849-0100

NO.	DESCRIPTION	DATE	APPROVED	DATE	REVISIONS

**HYDROLOGIC CALCULATIONS**

DATE: \_\_\_\_\_

DRAWN BY: \_\_\_\_\_

CHECKED BY: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

**EXISTING HEC-1 HYDROLOGIC MODELS**

HEC-1 INPUT PAGE 1

LINE	ID	SCALE USE	EXISTING CONDITIONS	REPORT CODES	FILE NAME	UNIT-CALC
1	1	1.0	1.0	1.0	1.0	1.0
2	2	1.0	1.0	1.0	1.0	1.0
3	3	1.0	1.0	1.0	1.0	1.0
4	4	1.0	1.0	1.0	1.0	1.0
5	5	1.0	1.0	1.0	1.0	1.0
6	6	1.0	1.0	1.0	1.0	1.0
7	7	1.0	1.0	1.0	1.0	1.0
8	8	1.0	1.0	1.0	1.0	1.0
9	9	1.0	1.0	1.0	1.0	1.0
10	10	1.0	1.0	1.0	1.0	1.0
11	11	1.0	1.0	1.0	1.0	1.0
12	12	1.0	1.0	1.0	1.0	1.0
13	13	1.0	1.0	1.0	1.0	1.0
14	14	1.0	1.0	1.0	1.0	1.0
15	15	1.0	1.0	1.0	1.0	1.0
16	16	1.0	1.0	1.0	1.0	1.0
17	17	1.0	1.0	1.0	1.0	1.0
18	18	1.0	1.0	1.0	1.0	1.0
19	19	1.0	1.0	1.0	1.0	1.0
20	20	1.0	1.0	1.0	1.0	1.0
21	21	1.0	1.0	1.0	1.0	1.0
22	22	1.0	1.0	1.0	1.0	1.0
23	23	1.0	1.0	1.0	1.0	1.0
24	24	1.0	1.0	1.0	1.0	1.0
25	25	1.0	1.0	1.0	1.0	1.0
26	26	1.0	1.0	1.0	1.0	1.0
27	27	1.0	1.0	1.0	1.0	1.0
28	28	1.0	1.0	1.0	1.0	1.0
29	29	1.0	1.0	1.0	1.0	1.0
30	30	1.0	1.0	1.0	1.0	1.0
31	31	1.0	1.0	1.0	1.0	1.0
32	32	1.0	1.0	1.0	1.0	1.0
33	33	1.0	1.0	1.0	1.0	1.0
34	34	1.0	1.0	1.0	1.0	1.0
35	35	1.0	1.0	1.0	1.0	1.0
36	36	1.0	1.0	1.0	1.0	1.0
37	37	1.0	1.0	1.0	1.0	1.0
38	38	1.0	1.0	1.0	1.0	1.0
39	39	1.0	1.0	1.0	1.0	1.0
40	40	1.0	1.0	1.0	1.0	1.0
41	41	1.0	1.0	1.0	1.0	1.0
42	42	1.0	1.0	1.0	1.0	1.0
43	43	1.0	1.0	1.0	1.0	1.0
44	44	1.0	1.0	1.0	1.0	1.0
45	45	1.0	1.0	1.0	1.0	1.0
46	46	1.0	1.0	1.0	1.0	1.0
47	47	1.0	1.0	1.0	1.0	1.0
48	48	1.0	1.0	1.0	1.0	1.0
49	49	1.0	1.0	1.0	1.0	1.0
50	50	1.0	1.0	1.0	1.0	1.0
51	51	1.0	1.0	1.0	1.0	1.0
52	52	1.0	1.0	1.0	1.0	1.0
53	53	1.0	1.0	1.0	1.0	1.0
54	54	1.0	1.0	1.0	1.0	1.0
55	55	1.0	1.0	1.0	1.0	1.0
56	56	1.0	1.0	1.0	1.0	1.0
57	57	1.0	1.0	1.0	1.0	1.0
58	58	1.0	1.0	1.0	1.0	1.0
59	59	1.0	1.0	1.0	1.0	1.0
60	60	1.0	1.0	1.0	1.0	1.0
61	61	1.0	1.0	1.0	1.0	1.0
62	62	1.0	1.0	1.0	1.0	1.0
63	63	1.0	1.0	1.0	1.0	1.0
64	64	1.0	1.0	1.0	1.0	1.0
65	65	1.0	1.0	1.0	1.0	1.0
66	66	1.0	1.0	1.0	1.0	1.0
67	67	1.0	1.0	1.0	1.0	1.0
68	68	1.0	1.0	1.0	1.0	1.0
69	69	1.0	1.0	1.0	1.0	1.0
70	70	1.0	1.0	1.0	1.0	1.0
71	71	1.0	1.0	1.0	1.0	1.0
72	72	1.0	1.0	1.0	1.0	1.0
73	73	1.0	1.0	1.0	1.0	1.0
74	74	1.0	1.0	1.0	1.0	1.0
75	75	1.0	1.0	1.0	1.0	1.0
76	76	1.0	1.0	1.0	1.0	1.0
77	77	1.0	1.0	1.0	1.0	1.0
78	78	1.0	1.0	1.0	1.0	1.0
79	79	1.0	1.0	1.0	1.0	1.0
80	80	1.0	1.0	1.0	1.0	1.0
81	81	1.0	1.0	1.0	1.0	1.0
82	82	1.0	1.0	1.0	1.0	1.0

HEC-1 SHERMATIC

EXISTING OLD RESTON AVENUE POND

LEGEND

- ① SUBBASIN HYDROGRAPH
- ② CHANNEL ROUTING
- ③ COMBINED POINT
- ④ POND ROUTING

FOR INFORMATION PURPOSES ONLY

<b>Dewberry &amp; Davis</b> Architects Engineers Planners Surveyors 6401 Arlington Blvd, Fairfax, VA 22031 703 548-0100	<b>Virginia Consolidation Project</b> HYDROLOGIC CALCULATIONS	APPROVED BY: _____ CHECKED BY: _____ DATE: _____	SHEET NO. 20 OF 20

# PROPOSED HEC-1 HYDROLOGIC MODEL

LINE	DESCRIPTION	VALUE
1	HEC-1 INPUT	
2	STILL WATER	
3	PRODUCED CONDITION	300
4	AND 10-DAY LOSS	
5		
6		
7		
8		
9		
10		
11		
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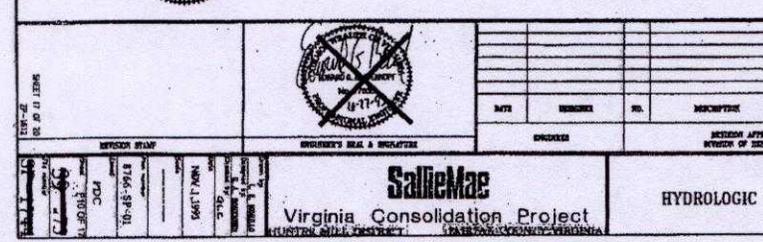
LINE	DESCRIPTION	VALUE
34	ROUTED TO	1.28
35	ROUTED TO	1.28
36	ROUTED TO	1.28
37	ROUTED TO	1.28
38	ROUTED TO	1.28
39	ROUTED TO	1.28
40	ROUTED TO	1.28
41	ROUTED TO	1.28
42	ROUTED TO	1.28
43	ROUTED TO	1.28
44	ROUTED TO	1.28
45	ROUTED TO	1.28
46	ROUTED TO	1.28
47	ROUTED TO	1.28
48	ROUTED TO	1.28
49	ROUTED TO	1.28
50	ROUTED TO	1.28
51	ROUTED TO	1.28
52	ROUTED TO	1.28
53	ROUTED TO	1.28
54	ROUTED TO	1.28
55	ROUTED TO	1.28
56	ROUTED TO	1.28
57	ROUTED TO	1.28

LINE	DESCRIPTION	VALUE
56	ROUTED TO	1.28
57	ROUTED TO	1.28
58	ROUTED TO	1.28
59	ROUTED TO	1.28
60	ROUTED TO	1.28
61	ROUTED TO	1.28
62	ROUTED TO	1.28
63	ROUTED TO	1.28
64	ROUTED TO	1.28
65	ROUTED TO	1.28
66	ROUTED TO	1.28
67	ROUTED TO	1.28
68	ROUTED TO	1.28
69	ROUTED TO	1.28
70	ROUTED TO	1.28
71	ROUTED TO	1.28
72	ROUTED TO	1.28
73	ROUTED TO	1.28
74	ROUTED TO	1.28
75	ROUTED TO	1.28
76	ROUTED TO	1.28
77	ROUTED TO	1.28
78	ROUTED TO	1.28
79	ROUTED TO	1.28
80	ROUTED TO	1.28
81	ROUTED TO	1.28
82	ROUTED TO	1.28
83	ROUTED TO	1.28
84	ROUTED TO	1.28
85	ROUTED TO	1.28
86	ROUTED TO	1.28
87	ROUTED TO	1.28
88	ROUTED TO	1.28
89	ROUTED TO	1.28
90	ROUTED TO	1.28
91	ROUTED TO	1.28
92	ROUTED TO	1.28
93	ROUTED TO	1.28
94	ROUTED TO	1.28
95	ROUTED TO	1.28
96	ROUTED TO	1.28
97	ROUTED TO	1.28
98	ROUTED TO	1.28
99	ROUTED TO	1.28
100	ROUTED TO	1.28

LINE	DESCRIPTION	VALUE
1	HEC-1 INPUT	
2	STILL WATER	
3	PRODUCED CONDITION	300
4	AND 10-DAY LOSS	
5		
6		
7		
8		
9		
10		
11		
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**SalleMae**  
Virginia Consolidation Project  
HYDROLOGIC CALCULATIONS

**Dewberry & Davis**  
Architects Engineers Planners Surveyors  
8401 Arlington Blvd., Fairfax, VA 22031  
703 246-0100

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NO.	DATE	DESCRIPTION	BY	APPROVED	DATE

REVISION APPROVED BY DIVISION OF DESIGN REVIEW

ANNAPOLIS, VIRGINIA 22003 (703) 642-8000

7112 LITTLE RIVER TURNPIKE  
CIVIL ENGINEERS - LANDSCAPE ARCHITECTS - LAND SURVEYORS

URBAN ENGINEERING & ASSOC., INC.



SCALE: 1"=10'

DATE: SEPT. 2005

CL = N/A

SECTION PLANS - OFFICE OPTION

BOXWOODS

HUNTER HILL MAGISTERIAL DISTRICT

FAIRFAX COUNTY, VIRGINIA

SUBJECT

1019-42-42

REVISED

BY

DATE

**Office Building  
East Wing Elevations**

Boxwoods  
1856 Old Reston Avenue  
Reston, Virginia 20190

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1856 Old Reston Avenue  
Reston, Virginia 20190

**Office Building  
West Wing Elevations**

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1856 Old Reston Avenue  
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1856 Old Reston Avenue  
Reston, Virginia 20190

EXISTING OFFICE BUILDING ELEVATIONS - OFFICE OPTION



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

**DESCRIPTION OF THE APPLICATION**

**Proposal:**

The subject 5.19 acre site is zoned Planned Development Commercial (PDC). The site is currently developed with office and conference center buildings, as well as the existing A. Smith Bowman House. The applicant, Gregor, LLC, seeks to amend the proffers, conceptual and final development plans for RZ 78-C-098 previously approved for 60 multi-family residences and a hotel with a Floor Area Ratio (FAR) of 0.65 and a density of 11.57 du/ac to permit the continuation of office within the existing structures as a development option. No changes are proposed for the previously approved development option for 60 multi-family residences and a hotel.

On April 3, 2006, the Board approved PCA 78-C-098-2, to permit 60 multi-family residences and a six-room hotel at an intensity of 0.65 FAR and a density of 11.57 dwelling units per acre. The 2006 PCA approval changed the principal use of the property from office to residential, which allowed up to six guest rooms in the A. Smith Bowman House and 60 residential units in a new building replacing the existing office buildings and bathhouse. As a result of that approval, office use was no longer permitted as a principal use on the subject property, resulting in a nonconforming use that may not be expanded, even modestly, absent approval of a Proffered Condition Amendment (PCA).

The applicant wants to continue the existing office use as a principal use, within the existing structures on the site. The applicant also proposes some minor modifications to the existing office buildings. The previously approved hotel and residential development would remain an option. No changes are proposed for the previously approved development option for 60 multi-family residences and a hotel.

The proposed modifications to the site include:

- Conversion of the A. Smith Bowman House (located in the northern portion of the site, southeast of the Display Center) to office use, including any necessary renovations to bring the structure to current Code requirements. This proposal would add up to 1,800 square feet (SF) to the structure, bringing the total GFA for the structure to 8,373 SF.
- Renovation of the 950-square foot Display Center to be retained as office, with an expansion of approximately 100 SF.

- Renovation of the existing office building located near the southern portion of the site; increasing the 40,645 SF structure by approximately 2,400 SF, for a total size of 43,045 SF.
- Elimination of the existing bathhouse located in the western portion of the site in conjunction the current governing plan;
- The addition of thirty-nine (39) parking spaces to the site in order for the existing office to be in conformance with Zoning Ordinance standards. The total provided parking proposed is 179 spaces.

The applicant's draft proffers and the applicant's Affidavit and Statement of Justification can be found in Appendices 1-3, respectively.

The application must also comply with certain Zoning Ordinance Provisions found in Article 6, Planned Development Districts, and Article 16, Development Plans (among other Fairfax County requirements); excerpts of which are found in Appendix 16.

The applicant is seeking to reaffirm the following waivers and modifications, which were approved with PCA 78-C-098-02:

- Waiver of the limitation on residential uses in the PDC District;
- Variance of the four foot maximum height of fences in the front yard per Par. 8 of Sect. 16-401 of the Zoning Ordinance in order to permit an existing wall, which has a maximum height of five feet;
- Waiver of transitional screening and barrier requirements between the hotel and on-site multi-family residential; and
- Modification of the transitional screening and barrier requirements between the hotel and the off-site multi-family residential to the north (Stratford), east (Sycamores) and west (Stratford) to that shown on the CDPA/FDPA.

## **LOCATION AND CHARACTER**

### **Site Description:**

The property is located in the northwest quadrant of the intersection of Old Reston Avenue and the Washington and Old Dominion (W&OD) trail in Reston. The site contains the A. Smith Bowman House (also known

as the Arthur S. DeMoss House), which was built in 1895, and several accessory structures, including a detached garage, bathhouse and gazebo. There is significant landscaping, including boxwoods and other ornamental trees and shrubs associated with the original house. The Bowman House is currently used for office space.

The site slopes from north to south toward the W&OD Trail. A surface parking lot is located in the northern portion of the site and the Bowman House is located in the center of the site. Two (2) three-story office buildings are located to the south of the Bowman House; the house and office buildings are connected by a landscaped plaza. Garage parking is located underneath the office building and plaza area. A pond and gazebo are located in the southeast corner of the site.

**Surrounding Area Description:**

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Multi-family residential (Stratford)	PRC	Mixed use
<b>South</b>	Park (W&OD Trail)	R-1	Public Park
<b>East</b>	Multi-family residential (The Woods of Fairfax Two)	PRC; PDC	Mixed Use; Office
<b>West</b>	Multi-family residential (Stratford)	PRC	Mixed Use

**BACKGROUND**

On June 11, 1979, the Board of Supervisors approved RZ 78-C-098 to rezone the subject site from the R-1 and C-8 Districts to the PDC District for the development of a hotel and restaurant. Under the approved proffers, the A. Smith Bowman House was to house the restaurant.

On July 25, 1983, the Board approved an amendment to the Development Plan (DPA 78-C-098-1) to change the previously approved use of the property from hotel/restaurant use to office and conference center uses with overnight guest accommodations within the Bowman House. The Final Development Plan (FDP) for Phase I of the proposed office/conference center use was approved by the Planning Commission on July 14, 1983. Phase I of the FDP permitted up to 45,486 square feet (SF) of office/conference center uses on the site. Phase I was constructed in 1986. A second phase for the development was proposed to permit up to an additional 33,052 of office space and guest accommodations within the Bowman House; however, this proposal was not approved by the Planning Commission.

On September 27, 1999, the Board approved PCA 78-C-098 to permit additional office space and a training facility. The Planning Commission approved the associated Final Development Plan Amendment (FDPA 78-C-098-2) on September 8, 1999. These improvements were never constructed.

On July 11, 2005, the Comprehensive Plan was amended to permit a residential use option for the site.

On April 3, 2006, the Board approved PCA 78-C-098-2, to permit 60 multi-family residences and a hotel at an intensity of 0.65 FAR and a density of 11.57 dwelling units per acre, subject to proffers dated March 31, 2006. The Planning Commission approved the associated Final Development Plan Amendment (FDPA 78-C-098-2) on March 29, 2006.

#### **COMPREHENSIVE PLAN PROVISIONS** (See Appendix 5)

<b>Plan Area:</b>	Area III
<b>Planning District:</b>	Upper Potomac Planning District
<b>Planning Sector:</b>	Reston-Herndon Suburban Center
<b>Plan Map:</b>	Mixed Use

#### **Plan Text:**

In the Fairfax County Comprehensive Plan, 2003 Edition, Area III, Upper Potomac Planning District, as amended through July 11, 2005, Reston-Herndon Suburban Center, Land Unit D, Sub-unit D-7, on pages 42 and 44, the Plan states:

*2. The approximately five acres of land not included in the Reston Planned Residential Community located on the northwest quadrant of the intersection of Old Reston Avenue and the W&OD Regional Park (Tax Map 17-4((1))1) is planned and approved for office, conference, and training facility uses up to .64 FAR. These uses should be compatible in use and architectural style with surrounding planned and existing development in Reston. As an option, existing and approved office/training center buildings may be converted to residential use, and the historic house may be appropriate for use as a restaurant and inn, provided the following conditions are met:*

- *The overall development does not exceed .64 FAR;*

- *All residential units are to be housed within the two existing office buildings or parking structures and generally within the approved but unbuilt third office and training center, and parking structure footprints on the site. Some flexibility in building location may be appropriate if it leads to better protection of the historic resources on the site and open space preservation;*
- *The height of any new residential building(s) shall not exceed 45 feet and shall not be located any closer to the historic house than was approved for the structures in 1999 (PCA 78-C-098);*
- *The A. Smith Bowman house may be appropriately used as an eating establishment of 7,500 SF or less and as an inn with 8 rooms or less for overnight lodging of less than 30 days; and*
- *Any exterior modifications on the site should be of compatible architectural style with the existing structures on the site and must be submitted to the Fairfax County Architectural Review Board for review and comment as part of the development review process.*

*The property owner is encouraged to prepare a report documenting the history, significance and treatment of the property and to explore preservation and protection options such as listing on the National Register of Historic Places...*

*4. The A. Smith Bowman House (1856 Old Reston Avenue; Tax Map 17-4((1)) 1) should be preserved, its present exterior retained and new buildings should be sensitively sited in relationship to the house. Other scenic assets and natural features such as the pond and gazebo should be preserved as much as possible. Because of the A. Smith Bowman House and the need for development compatible with the adjacent Planned Residential Community uses, a preliminary site plan should be submitted for approval in the same way as Reston Planned Residential Community applications. The development and architectural plans should be reviewed by the County Architectural Review Board and be in conformance with their recommendations.*

## **ANALYSIS**

### **Conceptual Development Plan Amendment/Final Development Plan Amendment (CDPA/FDPA) (Copy at front of staff report)**

**Title of CDPA/FDPA:**

Boxwoods

**Prepared By:**

Urban Engineering & Associates, Inc.

**Original and Revision Dates:** September 2005, as revised through December 4, 2008

<b>Boxwoods, CDPA/FDPA</b>	
<b>Sheet #</b>	<b>Description of Sheet</b>
1 of 20	Cover sheet, vicinity map, sheet index
2 of 20	Existing Conditions and Soils Map
3 of 20	Certified Plat
4 of 20	CDPA/FDPA - Residential
5 of 20	CDPA/FDPA - Office
6 of 20	Garage Layouts
7 of 20	Landscape Plan - Residential
8 of 20	Landscape Plan - Office
9 -10 of 20	Existing Vegetation Map and Tree Survey
11-17 of 20	SWM/BMP Details
18 of 20	Section Plans - Residential
19 of 20	Section Plans - Office
20 of 20	Existing Sight Distance Profile

No changes are proposed to the previously approved site layout (PCA 78-C-09-02/FDPA 78-C-098-03), now identified as the residential option.

Site Layout:

*Office Option:*

The CDPA/FDPA depicts minor improvements to the existing structures on the property, including the conversion of the A. Smith Bowman House into office use. The existing 950-square foot Display Center is shown to be renovated and retained as office, with an expansion of approximately 100 SF. Finally, the applicant proposes renovating the existing 40,645 SF office building increasing its size by approximately 2,400 SF, for a total size of 43,045 SF. The existing bathhouse on the site will be demolished as previously approved under PCA 78-C-098-02. In order to be in conformance with the parking requirement for office uses, thirty-nine (39) surface parking spaces are proposed to be added to the existing parking on the site. 113 surface parking spaces are proposed and 64 parking spaces are proposed in an underground parking garage below the 43,045 SF office building. The total provided parking proposed is 179 spaces

*Residential Option: No changes are proposed the layout previously approved with PCA 78-C-098-02.*

Two four-story, multi-family residential structures are proposed to be located in the general location of the two existing three-story office buildings and within the footprint of the approved, but never built, office buildings. The proposed four-story residential buildings would contain a maximum of 60 units on top of a two-level parking structure. This parking structure would be located below grade. Building 1 is located along the eastern property line, while Building 2 is located along the western property line. The proposed residential structures would face the existing Bowman House and would be connected by a walkway, which could be covered. A landscaped plaza would be located between the two multi-family buildings in order to retain the view of the Bowman House from the W&OD trail. The proposed structures would be approximately 50 feet high; however, because of the topography of the site, the buildings would be no taller than the existing Bowman House.

The existing Bowman house would be retained and converted into a six-room hotel. Some small additions are depicted to the Bowman House. The applicant notes that these additions may be required in order to bring the structure up to current fire code regulations. According to the applicant, rooms within the hotel could be used by guests of the residential units or other "select clientele." The proffers state that the length of any single stay at the hotel will be limited to less than 30 days. The applicant also anticipates that the hotel would also host community and social functions such as cooking demonstrations, educational format dinners and weddings. Under the proposed layout, the existing gazebo which abuts the pond, would remain and be restored. The existing bathhouse, located in the southwest corner of the site, would be removed. A new "cabana" structure would be constructed immediately to the west of the existing Bowman House. This structure will contain a warming kitchen facility and a possible restroom facility. Finally, the applicant has also proffered to repair and/or reconstruct the existing wall along Old Reston Avenue.

The proffers also state that additional principal and secondary uses may be permitted on the site, in accordance with Sect. 6-205 of the Zoning Ordinance. Sect. 6-205 states that any use listed in Sect. 6-203 of the Zoning Ordinance which is not shown on the approved final development plan may be permitted with the approval of a special exception and subject to the use limitation in Sect. 6-206.

Proposed elevations for the multi-family structures are contained on Sheet 18. A note on the plan indicates that the exterior finishes for these buildings will be a combination of slate, stone and brick. The applicant

has proffered that any modifications, renovations and/or additions to the existing Bowman House will be subject to review by the Fairfax County Architectural Review Board (ARB) and shall be in conformance with their recommendations. The applicant has also proffered that any new structures on the site will be of compatible architectural style with the existing structures on the site and shall be subject to review and comment by the ARB.

No changes are proposed to the site amenities previously approved with PCA 78-C-098-02. The proffers indicate that the applicant will be renovating the existing gazebo next to the pond and repairing and/or reconstructing the existing wall along Old Reston Avenue. A new cabana structure with a warming kitchen facility and possible restroom is proposed to the west of the existing Bowman House. An indoor exercise facility is proposed. An arts and crafts studio could also be provided.

*Open Space, Landscaping and Tree Save:*

The proposed landscaping for both the office option and residential option are generally similar, however; sixty-two percent (62%) of the site will be open space under the office option and forty-five percent (45%) of the site will be open space under the residential option.

The majority of the open space is located along the southern and eastern portions of the site. According to the landscape plans on Sheet 7 and 8 of the CDPA/FDPA, individual trees will be preserved along the northern, western and southern property lines of the site. The landscape plan also indicates areas in which trees and shrubs may be transplanted. With the previously proposed PCA application, the applicant proposed to retain the existing boxwoods located around the Bowman House and the existing surface parking lot. However, following coordination with Urban Forest Management Division staff, it was determined that the likelihood of retaining the trees was minimal due to the proposed improvements required to meet the parking requirement for the property under the office option.

*Access:*

*Office Option:*

The site will be served by the existing entrance to the site from Old Reston Avenue near the northern property line.

*Residential Option: No changes are proposed to the site access previously approved with PCA 78-C-098-02.*

The site would be served by two entrances from Old Reston Avenue. The existing site entrance near the northern property line would be retained. A new site entrance would be located opposite Sallie Mae Drive. This entrance would provide access into the parking garage which would be located underneath the building. Internally, sidewalks would connect the proposed residences with the existing pond and gazebo to the south and the Bowman House and surface parking to the north. The sidewalks connecting the proposed multi-family residences to the Bowman House may be covered. There is an existing sidewalk on the east side of Old Reston Avenue; no sidewalk is proposed along the subject site's frontage.

Parking:

*Office Option:*

Per Article 11 of the Zoning Ordinance, a total of 179 parking spaces are required for the site. A minimum of 155 spaces are required for the office building, 20 spaces are required for the Manor House, and 4 spaces are required for the Display Center. 113 surface parking spaces are proposed and 64 parking spaces are proposed in an underground parking garage below the 43,045 SF office building. The total provided parking proposed is 179 spaces. One additional loading space is proposed on the site, for a total of three loading spaces.

*Residential Option: No changes are proposed to the parking previously approved with PCA 78-C-098-02.*

Per Article 11 of the Zoning Ordinance, a total of 103 parking spaces are required for the site. A minimum of seven (7) spaces are required for the proposed six-room hotel and 96 spaces are required for the proposed multi-family residences. A total of 141 parking spaces would be provided. Ninety-six (96) of these spaces would be located under multi-family buildings in the underground parking garage. Fifty-six (56) would be located within the existing surface parking lot in the northern portion of the site. Three loading spaces would be provided.

Stormwater Management:

*Office and Residential Options:*

No changes are proposed to the stormwater management and best management practice measures previously approved with PCA 78-C-098-02. The existing pond on-site works in series with +-three off-site ponds to provide stormwater management (SWM) and best management practices (BMPs) for the subject site. Because the proposed development represents only a slight increase in the existing

impervious surface on-site (and thus, a minimal increase in runoff), the applicant proposes to continue to use the existing pond to serve the site. A possible retrofit of the existing pond may be necessary.

### **Land Use Analysis**

The site is currently developed with office and conference center buildings, as well as the existing A. Smith Bowman House. The applicant, Gregor, LLC, seeks to amend the proffers, conceptual and final development plans for RZ 78-C-098 previously approved for 60 multi-family residences and a six-room hotel with a Floor Area Ratio (FAR) of 0.65 and a density of 11.57 du/ac to permit the continuation of office use within the existing structures on the site with an overall FAR of 0.219 as a development option. Both development options proposed with this application are in conformance with the site specific recommendations for density for the respective options.

### **Architectural Review Board (ARB) Analysis (Appendix 5)**

At its September 11, 2008 meeting, the ARB made the following findings on PCA 78-C-098-3 and on all new structures, with the exception of the A. Smith Bowman House (Manor House), proposed for the site:

- That the office use be maintained on the property;
- That the proposed building alterations at the two three-story office buildings are both minor and compatible; and
- With regard to the landscaping and hardscaping treatment adjacent to the north (front) facade of the A. Smith Bowman House, that the number of parking spaces at that area be reduced and the spaces relocated, that pavers be introduced at the parking area to reduce the expanse of asphalt, and that plantings closer to the manor house be provided along with more planting islands and increased landscaping.

The ARB also approved the architectural plans for exterior modifications to the A. Smith Bowman House, for both office and hotel use as submitted with the condition that frame and wood materials be used in place of the masonry as shown on the plans.

### **Issue: Pool House/Bathhouse**

The pool house is proposed to be demolished and replaced with a surface parking lot. A National Register nomination was prepared in 1978; however, the property was not listed. The nomination states that

the pool house was built in 1963 and, although a much later addition to the property, it "is architecturally compatible with the complex carrying through the Palladian motif represented in the main structure." For that reason, staff recommended that the pool house be documented by a photographic inventory for the purpose of recording and documenting relevant historic, cultural and archaeological information prior to demolition and development.

**Resolution:**

On September 16, 2008, photographic documentation was completed of the bathhouse at Sunset Hills. Thirty-seven (37) photographs were taken of the exterior and interior of the bathhouse, including its landscaping and its relationship to the site and the historic house. The photographs and photo log are available from the Department of Planning and Zoning website and have also been printed and filed. The photo log identifies the number, location, angle and/or direction of the photographs. With the provision of this documentation, this issue has been resolved.

**Urban Forest Management (UFM) Analysis (Appendix 6)**

**Issue: Tree Survey/Inventory**

With the first set of plans submitted for this application, the sizes of trees indicated in the tree inventory were smaller than the actual sizes of trees on the site. It appeared to staff that the sizes had not been updated since the original survey was conducted with the previously approved PCA (PCA 78-C-098-02). There was also inconsistency with the tree designation of trees throughout the plan. Specifically, trees designated on sheet 10 as "Save" were not consistently shaded as such on sheets 7 and 8 for the residential and office options.

**Resolution:**

The applicant has revised the existing vegetation map and the tree survey to reflect the changes that have occurred to the site since the previous PCA application. The applicant has also revised the designations for the trees labeled "save," "try," and "lose" on both the Residential and Office options. With these revisions, this issue has been resolved.

**Issue: Limits of Clearing and Grading**

With the first set of plans submitted for this application, the proposed limits of clearing and grading were not shown for the residential option.

**Resolution:**

The applicant has revised the CDPA/FDPA to show the proposed limits of clearing and grading for the residential and office options. Therefore; this issue has been resolved.

**Transportation Analysis** (*Appendix 7*)**Issue: Sight Distance**

The sight distance, shown on the previously submitted CDPA/FDPA for this application, was not measured in accordance with the Virginia Department of Transportation (VDOT) Subdivision Street Design Guidelines. Per these guidelines, sight distance should be measured four feet from the centerline or left edge of pavement of the minor roadway and 20 feet from the middle of the nearest travel lane of the major roadway. Additionally, these guidelines recommend that vegetation be cleared so as not to interfere with sight distance.

**Resolution:**

The application has revised the sight distance profile included with the CDPA/FDPA (sheet 20) as recommended by Fairfax County Department of Transportation (FCDOT) staff. The final determination on adequate sight distance will be made at the time of site plan review. Therefore, this issue has been resolved.

**Issue: Pedestrian Upgrades**

In its review, FCDOT staff determined that pedestrian upgrades are needed just south of the applicant's property. As such, staff requested that a contribution towards pavement markings and signs for these improvements be made.

**Resolution:**

The applicant has proposed a proffer to contribute \$5,000 toward pavement markings and signage for necessary off-site pedestrian upgrades in the vicinity of the applicant's property. With this contribution, this issue is resolved.

**Fairfax County Park Authority** Analysis (*Appendix 8*)

The Fairfax County Park Authority has reviewed this PCA/FDPA application and determined that this application bears no adverse impact on land or resources of the Park Authority. However, the applicant has proffered to contribute \$1,500 per dwelling unit per Sect. 6-209 of the Zoning Ordinance.

***Fairfax County Public Schools*** (Appendix 9)

The Fairfax County Public Schools, Department of Facilities and Transportation Services has reviewed this application and has no comments with respect to school acquisition. The applicant has carried forward its proffer commitment to contribute \$52,500 to the Board of Supervisors for transfer to the Fairfax County School Board for use at schools serving the application property, as previously approved with PCA 78-C-098-02.

***Fire and Rescue*** (Appendix 10)

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

***Sanitary Sewer Analysis*** (Appendix 11)

The property is located in the Colvin Run Watershed and would be sewered into the Blue Plains Treatment Plant. The Office of Waste Management states that, based upon current and committed flow, there is excess capacity in the Blue Plains Treatment Plant, and existing 15-inch pipe is adequate for the proposed use at the present time.

***Fairfax County Water Authority*** (Appendix 12)

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

***Environmental and Site Review Division, DPWES*** (Appendix 13)

The applicant proposes to use the existing on-site and off-site ponds to provide stormwater detention and best management practices (BMP) for the subject development. It appears that the County stormwater management requirements would be met by these facilities. The applicant states that when the final development conditions are known, the on-site pond will be analyzed and retrofitted, if necessary, for stormwater detention and BMP purposes. If these improvements do not provide adequate capacities, the applicant will then pursue other options including use of offsite ponds. It should be noted that the final determination on the adequacy of stormwater management and BMP measure will be made at the time of site plan review.

**Residential Development Criteria (Appendix 15)**

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, respecting the County's historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. To that end, the following criteria are used in evaluating zoning requests for new residential development:

The applicant has filed a CDDA/FDPA to permit the continuation of office use within the existing structures on the site as a development option for the subject site. No changes are proposed to the previously approved site design for the 60 multi-family residences and six-room hotel and the applicant would like to pursue this option in the future. The proposal continues to be in conformance with the Residential Development Criteria, and does not impact the site's ability to meet the Zoning Ordinance provisions for P Districts, found in Section 16-101, General Standards, and Section 16-102, Design Standards.

**ZONING ORDINANCE PROVISIONS (Appendix 14)****Sect. 6-207 Lot Size Requirements**

*Par. 1 states that no land shall be classified in the PDC District unless one of three conditions is satisfied. One of these conditions is that the proposed development will yield a minimum of 100,000 SF of gross floor area. Because the residential option proposes a development of 147,806 SF, this standard has been satisfied.*

**Sect. 6-208 Bulk Regulations**

*This section states that the maximum building height and minimum yard requirements are controlled by the standards set forth in Part I of Article 16. This issue is discussed under Article 16.*

*This section also states that the maximum floor area ratio for the PDC District is 1.5 FAR, which may be increased by the Board. The applicant proposes a FAR of 0.219 for the office option and 0.65 for the residential option. As noted, earlier in this report, the Comprehensive Plan recommends the site for mixed-use development up to intensity of 0.64 FAR. The proposed FAR for the residential option slightly exceeds the Plan recommendation, due to the previous dedication of land area for improvements to Old Reston Avenue. Staff believes that the proposed intensities meet the intent of the above Plan condition.*

**Sect 6-209 Open Space**

*Par. 1 of this section requires a minimum of 15% of the gross area as open space in the PDC District. Par. 2 of this section requires that where dwelling units are proposed as a secondary use, recreational amenities be provided in the amount of \$1,500 per dwelling unit.*

The applicant proposes to provide 62% open space under the office option. Under the residential option, 45% of the site will be open space. No changes are proposed to the open space proposed previously approved with PCA 78-C-098-02. The applicant has proffered to provide on-site recreation facilities equal to or above \$1,500 per dwelling unit. The on-site recreational facilities for the site under the residential option would consist of on-site trails, a gazebo and indoor exercise/training facility. The applicant has also proffered to contribute \$34,185 to FCPA for use at park facilities in the vicinity of the subject site.

**Article 16****Section 16-101 General Standards**

*General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.* The applicant proposes a FAR of 0.219 for the office option and 0.65 for the residential option. As discussed previously in this report, staff believes that the application conforms with the Comprehensive Plan recommendations for density for the respective options. Therefore, this standard has been satisfied.

*General Standard 2 states that the planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district. The purpose and intent of the PDC District is to encourage the innovative and creative design of commercial development, to accommodate high density land uses which could produce detrimental effects on neighboring properties and to ensure high standards in the layout, design and construction of commercial developments.* The applicant is utilizing the flexibility of the PDC District to permit the continuation of office within the existing structures as a development option. No changes are proposed for the previously approved development option for 60 multi-family residences and a six-room hotel. Under both development options the applicant proposes to preserve individual trees along the periphery of the site. The

applicant also proposes to transplant some of the existing trees and shrubs within the site. In staff's opinion, preservation of this vegetation will help preserve the setting of the Bowman House. Therefore, staff believes that this standard has been satisfied.

*General Standard 3 states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.* As stated previously in this report, the applicant proposes to provide 62% open space under the office option. Under the residential option, 45% of the site will be open space. No changes are proposed to the open space proposed previously approved with PCA 78-C-098-02. According to the landscape plans on Sheet 7 and 8 of the CDPA/FDPA, individual trees will be preserved along the northern, western and southern property lines of the site. The applicant also proposes to transplant some of the existing trees and shrubs within the site. As such, staff believes that this standard has been satisfied.

*Standard 4 states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan.* The subject site is surrounded by multi-family residences to the north, east and west and the W&OD Trail to the south. As stated earlier in this report, the applicant proposes to preserve individual trees along the northern, western and southern property lines. The applicant also proposes to transplant existing trees and shrubs within the site. Staff believes that the preservation of this existing vegetation will mitigate any impact on the surrounding properties. The office option proposes office use within the existing structures with minor modifications required to meet building code requirements, while the proposed multi-family residences would be located generally within the footprints of the existing office buildings and will be the same height as these buildings. As such, there should be little change between what the abutting properties view now and what they will view with both development options.

*Standard 5 states that the planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently developed.* Staff believes that the existing infrastructure is adequate for both proposed development options.

*Standard 6 states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.* The subject site is connected to the surrounding environs, including the Reston Town Center and Plaza America, by existing sidewalks and trails. Both development options depict internal sidewalks which would lead to the surrounding trails. Therefore, this standard has been satisfied.

**Section 16-102 Design Standards**

*Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.* The most similar conventional zoning district to the applicant's office option proposal is the C-2 District. For the residential option proposal, it is the R-12 District. Where no requirements are listed within the PDC District, the table below compares the proposed development to the requirements of the C-2 and R-12 Districts.

	<b>Requirements for R-12 District</b>	<b>Provided for Residential Option</b>	<b>Requirements for C-2 District</b>	<b>Provided for Office Option</b>
<b>Bldg. Height</b>	65 feet max.	50 feet (multi-family residences)	40 feet max.	35 feet (existing office building)
<b>Max. FAR</b>	1.5 FAR	0.65 FAR	0.5 FAR	0.219 FAR
<b>Open Space</b>	15%	45%	30%	62%
<b>Front Yard</b>	23 feet	35 feet	30° angle of bulk plane, but not less than 25 feet	35 feet
<b>Side Yard</b>	23 feet	41 feet	N/A	40 feet
<b>Rear Yard</b>	25 feet	31 feet	25 feet	25 feet

The proposed office option setbacks meet the requirements of the C-2 District and the proposed residential option setbacks meet the requirements of the R-12 District; therefore, staff believes that this standard has been satisfied.

*Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.*

The CDPA/FDPA shows that under the office option, 62% of the site will remain as open space, and under the residential option, 45% of the site will remain as open space. Fifteen percent (15%) open space is required in the PDC District. Both the proposed office and residential options satisfy the parking and loading requirements of Article 11. The applicant has proffered that all outdoor lighting will meet the requirements of Article 14. No signage is proposed with this application; any future signs will have to meet the requirements of Article 12.

*Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.* Under both proposed development options, the site will be accessed from Old Reston Avenue. The proposed sidewalks will provide access to bus service along Sunset Hills Road and Reston Avenue. Bus service is also available from the Reston Town Center throughout Reston and to Herndon (RIBS) and to the Fair Oaks area. Additionally, the W&OD Trail, which extends from Arlington to Purcellville, provides the opportunity for users of the site to utilize the trail for biking.

### **Waivers/Modifications**

The applicant is seeking to reaffirm the following waivers and modifications, which were approved with PCA 78-C-098-02.

### **Waiver of the limitation on residential uses in the PDC District**

Par. 5 of Sect. 6-206 of the Zoning Ordinance limits the amount of gross floor area (GFA) devoted to dwellings as a secondary use to no more than fifty (50) percent of the principal uses in the PDC District. Dwellings are listed as a secondary use in the PDC District. However, Par. 5 also allows the Board of Supervisors to modify this limitation in order to further the implementation of the adopted Comprehensive Plan. This waiver request was approved with PCA 78-C-098-02 and as noted previously, no change is proposed under this application to the residential layout. Therefore, staff recommends that the requested modification to the use limitation be approved.

**Variance of the maximum height of walls in the front yard**

The Zoning Ordinance limits the maximum height of fences in the front yard to four feet. The applicant is seeking a variance per Par. 8 of Sect. 16-401 to permit the existing five-foot high wall along Old Reston Avenue to remain. While the wall has existed on-site for many years, because the applicant would like to refurbish it, a variance of its height is needed. One of the purposes of the four-foot height limitation on walls is sight distance. VDOT has raised a sight distance issue regarding the proposed entrance opposite Sallie Mae Drive. The applicant will be required to work with VDOT at the time of site plan review in order to correct any problems. Such corrections may include changes to the wall. However, staff does not believe that the vast majority of the wall presents any other issues. Staff believes that the retention of this wall will help to retain the character of the existing site. This variance was approved with PCA 78-C-098-02 and this application will not have any impact on this variance request. Therefore, staff supports the requested variance.

**Waiver of transitional screening and barrier requirements between on-site uses**

The applicant is seeking a waiver of the transitional screening and barrier requirements between the proposed multi-family residential and the Bowman House. Because, under the residential option, the Bowman House is to be converted to a six-room hotel, a 35-foot wide strip of landscaped open space (Transitional Screening 2) and a six (6) foot high barrier (Barrier E, F or G) is required between the hotel and multi-family residential. Par. 1 of Sect. 13-304 permits transitional screening and barrier requirements to be waived between uses that are to be development under a common development plan in the PDC District. These waiver requests were approved with PCA 78-C-098-02 and this application will not have any impact on these waiver requests. Therefore, staff supports the requested waivers.

**Modification of the transitional screening and barrier requirements along the northern, eastern and western property lines**

The applicant is seeking a modification of the transitional screening and barrier requirements along the northern, eastern and western property lines where existing multi-family residences (the Stratford and the Sycamores) abut the Bowman House. As stated above, because the Bowman House is to be converted to a six-room hotel, a 35-foot wide strip of landscaped open space (Transitional Screening 2) and a six (6) foot high barrier (Barrier E, F or G) is required between it and the multi-family residential use. Par. 3 of Sect. 13-304 permits transitional

screening and barrier requirements to be modified where the building and land between that building and the property line have been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques. These waiver requests were approved with PCA 78-C-098-02 and this application will not have any impact on these waiver requests. Therefore, staff supports the requested waivers.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The applicant has filed a PCA/FDPA application to permit the continuation of office use within the existing structures as a development option. No changes are proposed for the previously approved development option for 60 multi-family residences and a six-room hotel. Staff finds that the subject applications are in conformance with the Comprehensive Plan and applicable Zoning Ordinance provisions.

### **Staff Recommendations**

Staff recommends approval of PCA 78-C-098-03, subject to the draft proffers contained in Appendix 1 of the staff report.

Staff recommends approval of FDPA 78-C-098-04, subject to the Board of Supervisors approval of PCA 78-C-098-03.

Staff recommends that the limitation on residential uses within the PDC District be waived.

Staff recommends that a variance of the maximum height limitation on fences in the front yard be approved to permit a five (5) foot high wall along Old Reston Avenue.

Staff recommends that the transitional screening and barrier requirements between on-site uses be waived.

Staff recommends that the transitional screening and barrier requirements along the northern, eastern and western property lines be modified to that shown on the CDPA/FDPA.

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

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

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

## **APPENDICES**

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Architectural Review Board Analysis
5. Urban Forest Management Analysis
6. Transportation Analysis
7. Park Authority Analysis
8. Schools Analysis
9. Fire and Rescue Analysis
10. Sanitary Sewer Analysis
11. Fairfax County Water Authority Analysis
12. Environmental and Site Review Analysis (DPWES)
13. Approved Proffers for PCA 78-C-098-02 / FDPA 78-C-098-03
14. Applicable Zoning Ordinance Provisions
15. Residential Development Criteria
16. Glossary of Terms

**PROFFERS****GREGOR, LLC****PCA 78-C-098-3****December 18, 2008**

Pursuant to Section 15.2-2303(A) Code of Virginia, 1950, as amended, Gregor LLC (hereinafter referred to as the "Applicant"), for themselves, their successors and assigns, in PCA 78-C-098-3 filed on property identified as Fairfax County tax map reference 17-4((1)) 1 (hereinafter referred to as the "Application Property"), hereby proffers to the following, provided that the Board of Supervisors approves PCA 78-C-098-3 in conjunction with a Conceptual Development Plan Amendment/Final Development Plan Amendment providing options for (1) hotel and residential use ("Residential Option"), and (2) commercial office use ("Office Option"), and all requested modifications and variances. If accepted, these proffers shall replace and supersede any previous proffers approved on the Application Property.

1. Conceptual Development Plan Amendment/Final Development Plan Amendment ("CDPA/FDPA")
  - a. Development of the Application Property shall be in substantial conformance with the CDPA/FDPA entitled Boxwoods, containing twenty sheets prepared by Urban Engineering and Assoc., Inc. and dated September, 2005, as revised through December 4, 2008.
  - b. Notwithstanding that the CDPA/FDPA is presented on 20 sheets and is the subject of Proffer 1(a) above, it shall be understood that the CDPA shall be limited to the points of access, location and amount of open space, the maximum square footage of office use under the Office Option (as defined in Proffer 2) and the maximum square footage and maximum number of dwelling units under the Residential Option (as defined in Proffer 2), the general location and arrangement of the buildings, uses and parking spaces/garage and the setbacks to the peripheral lot lines. The Applicant shall have the option to request a FDPA for elements other than the CDPA elements from the Planning Commission for all of, or a portion of, the CDPA/FDPA in accordance with the provisions of Sect. 16-402 of the Zoning Ordinance.
  - c. Pursuant to Par. 5 of Sect. 18-204 and Par. 4 of Sect. 16-403 of the Zoning Ordinance, minor modifications to the proffers and the CDPA/FDPA may be permitted as determined by the Zoning Administrator. Pursuant to these Zoning Ordinance provisions, minor modifications to the size, dimensions, footprints, and location of entrances/exits of the proposed development at time of site plan submission based on utility locations and final engineering design may

be made, provided such are in accordance with the above-referenced Zoning Ordinance provisions.

- d. The architectural design of the buildings, whether under the Residential Option or Office Option (as each is defined in Proffer 2), shall be in general conformance with the character of the elevations on Sheets 18 and 19 of the CDPA/FDPA and the exterior building materials for the Residential Option shall primarily consist of a combination of slate, stone, brick and glazing. The Office option shall primarily consist of a combination of brick and glazing.

2. Uses and Intensity

A. Hotel and Residential Option ("Residential Option"). A hotel, consisting of a maximum of six (6) guest rooms, shall be permitted as the permanent principal use in the Manor House, shown as the existing 3 story brick building on the CDPA/FDPA, and a maximum of sixty (60) multiple family dwelling units shall be permitted as a secondary use of the Application Property. The length of stay in the hotel shall be limited to less than thirty (30) days per visit. Other permitted accessory uses of the Manor House shall include a lobby, meeting space, management office and possibly an arts and crafts studio for the multiple family dwellings. In addition, as ancillary uses, the Manor House may be used for cooking displays and demonstrations, educational dinners and other similar community/social functions, and the Manor House and/or grounds may be leased for catered weddings or other similar community/social functions. Upon exercising the Residential Option, and for the duration of development of the Residential Option, the Applicant may elect to use the Manor House and the existing Display Center, for the principal use of offices. Other permitted secondary uses shall include accessory uses, accessory service uses and home occupations as permitted by Article 10 of the Zoning Ordinance. Additional principal and secondary uses may be permitted with the approval of a subsequent final development plan amendment or special exception in accordance with the provisions of Sect. 6-205 of the Zoning Ordinance.

The amount of gross floor area allocated to hotel and residential uses under the Residential Option shall be in general accordance with the gross floor areas specified on the CDPA/FDPA, provided the gross floor area for hotel uses may be increased by up to a maximum of 1000 square feet, with a corresponding reduction in the residential gross floor area. In no event shall the maximum overall gross floor area and FAR exceed 147,806 square feet and 0.65, respectively.

B. Office Option ("Office Option"). As an alternative to the Residential Option described in Proffer 2A, the Applicant shall be permitted to retain the existing office use as the principal use of the Property. Under the Office Option, the Applicant may provide a maximum of 50,000 square feet of office space distributed on the Property generally as depicted on the CDPA/FDPA.

As part of this option, the Applicant may use the Manor House for office use and may perform any necessary renovations to ensure the Manor House structure complies with applicable building codes and regulations. The Applicant may also renovate the existing Display Center as additional office space. The Applicant may also add approximately 2,400 square feet to the existing office building. Should the Applicant exercise the Office Option, the Applicant shall demolish the existing Bathhouse and replace it with turf and other landscaping in accordance with the CDPA/FDPA.

3. Landscaping

A landscape plan ("Landscape Plan") shall be submitted as part of any site plan for the Residential Option or the Office Option and shall be coordinated with and approved by the Urban Forest Management Division ("UFM") of the Department of Public Works and Environmental Services ("DPWES"). If the Applicant elects to exercise the Residential Option, the Landscape Plan shall be in substantial conformance with the plantings shown on Sheet 7 of the CDPA/FDPA. If the Applicant elects to exercise the Office Option, the Landscape Plan shall be in substantial conformance with the plantings shown on Sheet 8 of the CDPA/FDPA. The Landscape Plan and specifications shall incorporate techniques designed to reduce maintenance requirements and contribute to a cleaner and healthier environment with improved air quality, stormwater management, and energy conservation capabilities that can be provided by trees and other desirable vegetation. Such techniques may include, but are not limited to:

- a. Provide mulched planting beds incorporating groups of trees and other plants to provide a root zone environment more favorable to trees and shrubs. Areas proposed for turf and mulched beds shall be delineated on the Landscape Plan submitted with the site plan. Turf shall cover no more than 75% of the pervious area on the site.
- b. Use best faith efforts to preserve Category III or IV trees, as designated in the Public Facilities Manual ("PFM"), at the south and southwest sides of buildings to contribute to energy conservation on the site.
- c. Use soil conditioners and aeration treatment to increase water infiltration capacity, root growth and resulting plant health, as determined in coordination with UFM, where soil in planting sites is in poor condition or has been disturbed/compacted by construction activities.
- d. Use of a diverse selection of native and non-invasive plants to reduce the need for supplemental watering, and also reduce the need for

chemical fertilizers, herbicides, and chemical control of insects and diseases.

The location of plantings shown on the Landscape Plan may be adjusted based on utility locations and final engineering details as approved by UFM as part of the Tree Preservation Plan (as defined in Proffer 4) and/or site plan, or when actual plantings occur, to adjust to field conditions.

4. Tree Preservation

- a. The Applicant commits to tree preservation as detailed on Sheets 9 and 10 of the CDPA/FDPA, which classifies trees according to three categories: trees to be saved (“Save”); trees that the Applicant will try to save (“Try”); and trees that may be removed (“Lose”). These designations are a result of a survey of the existing trees which provides condition analysis ratings as percentages based on the guidelines and methods set forth in the latest edition of the *Guide for Plant Appraisal* published by the International Society of Arboriculture.

The Applicant shall use best faith efforts to save those trees designated as Try on Sheet 10 of the CDPA/FDPA. Some of the trees that are designated as Lose may be relocated on the Application Property if determined feasible by the Applicant and UFM.

In addition, within those areas containing trees designated as Save and Try, the Applicant shall be able to do the following activities, as long as doing so does not jeopardize those trees designated as Save, as determined by UFM:

- (1) renovate or reconstruct the existing wall along Old Reston Avenue; and/or
- (2) dredge the existing pond in the area along the southern and southeastern portions of the Application Property; and/or
- (3) remove existing undergrowth in the area along the southern and southwestern portions of the Application Property; and/or
- (4) remove the existing trees designated as Lose on Sheet 10 of the CDPA/FDPA in the area along the western boundary of the Application Property.

In addition, within those areas containing trees designated as Try, the Applicant retains the right to install sanitary sewer and storm sewer lines.

- b. The Applicant shall submit a tree preservation plan (“Tree Preservation Plan”). The Tree Preservation Plan shall be prepared by a professional

with experience in the preparation of preservation and transplanting plans, such as a certified arborist or landscape architect, and such Plan shall be reviewed and approved by the UFM of DPWES. Such Plan may be approved prior to site plan approval but shall be included as part of the approved site plan.

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 designated as Save on Sheet 10 of the CDPA/FDPA. 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. During the Tree Preservation Plan review and approval process, the Applicant shall work with UFM on procedures necessary to ensure that trees designated as Save shall be saved and to facilitate preserving the trees that are designated as Try on Sheet 10 of the CDPA/FDPA while accommodating the activities specified in Proffer 4a above. Specific tree preservation activities and procedures that will maximize the survivability of trees identified to be preserved, such as crown pruning, root pruning, mulching, fertilization, and other techniques as necessary, shall be clearly identified, labeled, and detailed on the plan, and the Applicant shall implement the procedures in the development process.

- c. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have marked, with a line of flagging prior to the walk-through meeting, the on-site limits of clearing and grading, if any, and the tree preservation areas, which shall be established to preserve the trees designated as to be saved on the Tree Preservation Plan. During the tree preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk such limits of clearing and grading and tree preservation areas with a UFM representative to determine whether adjustments to the clearing limits or tree preservation areas can be made to increase the tree preservation area and the survivability of trees at the edge of the limits of clearing and grading or tree preservation areas, and such adjustments shall be made. The Applicant shall notify the Hunter Mill District Supervisor seven (7) days in advance of the tree preservation walk-through meeting and the Hunter Mill District Supervisor or representative shall be given the opportunity to attend the meeting.

Trees that are to be removed shall be removed in a manner that avoids damage to surrounding trees and vegetation that are to be retained. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and vegetation that are to be retained.

- d. Trees that are designated to be saved on the Tree Preservation Plan shall be protected by tree protection fencing. Tree protection fencing of a type approved by UFM shall be installed after the tree preservation walk-through but prior to any clearing and grading activities. The tree protection fencing shall be installed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Five (5) days prior to commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection fencing, UFM and the Hunter Mill District Supervisor shall be notified and given the opportunity to inspect the Application Property to assure that all tree preservation devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities to include demolition of existing structures shall occur until the fencing is installed correctly, as determined by UFM.
- e. The Applicant shall retain a professional arborist with experience in plant appraisal to determine the replacement value of those trees that meet the following criteria: (1) are located within 25 feet of the limits of disturbance, (2) are designated as "save" on Sheet 10 of the CDPA/FDPA, (3) have a condition rating of 80 or better on Sheet 10 of the CDPA/FDPA and (4) are 10 inches in size or greater on Sheet 10 of the CDPA/FDPA. These trees and their value shall be identified on the Tree Preservation Plan. The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the "Trunk Formula Method" contained in the latest edition of the *Guide for Plan Appraisal* published by the International Society of Arboriculture, subject to review and approval by UFM.
- f. At the time of the Tree Preservation Plan approval, the Applicant shall both post a cash bond and a letter of credit payable to the "County of Fairfax" to ensure preservation and/or replacement of those trees that die or are dying and meet all of the following criteria: (1) are located within 25 feet of the limits of disturbance, (2) are designated on the Tree Preservation Plan as "save," (3) have a condition rating of 80% or better on Sheet 10 of the CDPA/FDPA, and (4) are 10 inches in size or greater on Sheet 10 of the CDPA/FDPA. The letter of credit shall be equal to 50% of the replacement value of the bonded trees. The cash bond shall consist of 33% of the amount of the letter of credit.

At any time prior to final bond release, should any bonded tree die, be removed, or be 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, and have a size of not less than 3", as approved by UFM. In addition to this replacement obligation, the Applicant shall also make

a payment equal to the value of any bonded tree that is dead or dying or improperly removed due to unauthorized activity. This payment shall be paid to a fund established by the County for furtherance of tree preservation objectives. At the time of the approval of the final Residential Use Permit (RUP) for the Residential Option or the Non-Residential Use Permit (Non-RUP) for the Office Option, the Applicant shall be entitled to request a release of any monies remaining in the cash bond and a reduction in the letter of credit to an amount equal to 20% of the total amounts originally committed, or 100% release if approved by UFM. Any funds remaining in the letter of credit or cash bond will be released one (1) year from the date of release of the Application Property's conservation escrow, or sooner, when approved by UFM.

- g. During any clearing or tree/vegetation/structure removal 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. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFM approvals. The monitoring schedule shall be described and detailed in the Tree Preservation Plan, and reviewed and approved by UFM. The Hunter Mill District Supervisor shall be notified of the name and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk- though meeting.
- h. For the Residential Option only, notwithstanding the above provisions, prior to site plan approval, the Applicant may elect to demolish the existing office buildings and/or bathhouse and remove some of the existing trees designated as Lose on Sheet 10 of the CDPA/FDPA. Such shall be allowed only with the submission and approval by UFM of a partial or total Tree Preservation Plan, which Plan shall be prepared in accordance with the specifications of Proffer 4b above. If a partial Tree Preservation Plan is submitted, the plan shall identify the area of the Application Property involved in the proposed demolition, tree removal, and subject to the partial Tree Preservation Plan. Such removal and demolition may also occur prior to marking the limits of clearing and grading and areas of tree preservation and erecting the tree protection fencing for the entire site; provided the limits of clearing and grading and areas of tree preservation and any tree protection fencing relevant to the areas of the Application Property affected by the demolition, transplanting and/or tree removal are installed, inspected and approved in advance by UFM.

5. Retaining Walls

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A. Retaining walls with a maximum height of three (3) feet shall be allowed throughout the Application Property. Retaining walls with heights greater than three (3) feet shall be permitted only as shown on sheet 4 or 5 of the CDPA/FDPA and shall consist of stone and/or brick and/or architectural grade concrete. Retaining walls exceeding 3 feet are provided on Sheet 4 only as shown on the approved CDPA/FDPA. The retaining wall details are by the structural engineer and thus included on the building plans, not on the site plan. The retaining wall materials shall conform with this proffer.

6. Site Amenities

Site amenities shall include:

- a. Retention and renovation of the existing gazebo (circa 1890) and pond, and retention, as shown on the CDPA/FDPA, of many of the existing mature trees and shrubbery. An aerator may be added to the pond and other changes may be made if necessary to meet stormwater management/best management practice requirements, as approved by DPWES.
- b. For the Residential Option only, walkways and paths throughout the Application Property connecting the residential uses with the Manor House, cabana and gazebo and pond, to include covered walkways between the Manor House and the residential buildings.
- c. For the Residential Option only, a landscaped plaza between the two residential buildings.
- d. For the Residential Option only, addition of a new cabana structure containing a warming kitchen facility and possible restroom facility.
- e. For the Residential Option only, an exercise/fitness facility within a multiple family residential building, and possibly an arts and crafts studio for painting, sculpting and hobbies, which may be located either in the basement of the Manor House or in one of the multiple family residential buildings. If the arts and craft studio is located within the basement of the Manor House, it shall be open to residents and hotel guests only.

7. Stormwater Management

At the time of site plan submission and review, the existing on-site pond will be analyzed for stormwater management and best management practices, and if possible, the existing pond will be retrofitted to provide stormwater management and best management practices for the development. If adequate capacities can not be achieved on-site, the Applicant will pursue other options to meet these requirements, which may include entering into a maintenance

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agreement (“Agreement”) with the owner of the offsite facilities. Such Agreement shall be reviewed and approved by the County Attorney’s Office and DPWES prior to the recordation of the Agreement in the land records of the County, and such recordation shall occur prior to final site plan approval for the development.

8. Parks and Recreation

- a. For the Residential Option only, the development shall comply with Par. 2 of Sect. 6-209 and Sect. 16-404 of the Zoning Ordinance regarding developed recreational facilities for residential uses. The developed recreational facilities to be provided on-site include the trails and gazebo, cabana, and exercise/fitness facility. At the time of site plan review, the Applicant shall demonstrate that the value of the proposed developed recreational facilities is equivalent to the minimum of \$1,500 per dwelling unit as required by Sect. 6-209 of the Zoning Ordinance. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall have the option to: (1) provide additional on-site developed recreational facilities within the open space areas shown on the CDPA/FDPA, provided it is determined that the location and facility are in substantial conformance with the CDPA/FDPA; and/or (2) contribute funds to the Fairfax County Park Authority for off-site recreational purposes in a location(s) that is in the vicinity of the Application Property and that is reasonably expected to serve the future residents of the approved development.
- b. In addition to the above and for the Residential Option only, prior to the issuance of the first RUP, the Applicant shall contribute the sum of \$34,185 to the Fairfax County Park Authority for use at park facilities in the vicinity of the Application Property. This contribution is based upon a total of sixty (60) dwelling units; in the event that less than sixty (60) units are shown on the approved site plan, the contribution shall be decreased on a pro-rata basis.
- c. For the Office Option only, the Applicant shall contribute, prior to bond release, the sum of \$5,000 to the County of Fairfax to be used for off-site pedestrian improvements within the vicinity of the Property.

9. Lighting

For the Residential Option, all existing outdoor lighting shall be removed and replaced with new outdoor lighting which shall be in accordance with the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance. For the Office Option, the Applicant will combine existing outdoor lighting with new lighting that meets the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.

10. Heritage Resources

- a. The Manor House (also known as the Wiehle House and the A. Smith Bowman House) shall be preserved on the Application Property and shall not be removed. Although the present exterior design shall be retained, minor modifications, replacement and/or maintenance of items such as wood trim, the porch, windows and other exterior elements of the Manor House shall be permitted. Replacement elements shall be of similar style as the existing features. The architectural plans for such exterior modifications and additions to the Manor House shall be subject to review and approval by the Fairfax County Architectural Review Board (ARB) prior to the issuance of a building permit for any proposed building addition.
- b. All new structures on the Application Property shall be of compatible architectural style with the existing Manor House on the site and shall be subject to review and comment by the ARB.

11. School Contribution

For the Residential Option only, per the Residential Development Criteria Implementation Motion adopted by the Board of Supervisors on September 9, 2002, effective January 7, 2003, prior to the issuance of the first RUP on the Application Property, the Applicant shall contribute \$52,500 to the Board of Supervisors for transfer to the Fairfax County School Board for use at the schools serving the Application Property. This contribution is based upon a total of sixty (60) dwelling units; in the event that less than sixty (60) units are shown on the approved site plan, the contribution shall be decreased on a pro-rata basis.

12. Affordable Housing

Should the applicant elect to pursue the Residential Option, the Applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to 0.5 percent of the estimated sales price of all of the units approved for the Application Property, as shown on the approved site plan. This contribution shall be payable prior to the issuance of the first building permit for a dwelling unit, and the contribution shall be based upon the aggregate sales price of all of the units, as if all of those units were sold at the time of the issuance of the first building permit for a dwelling unit, and is estimated through comparable sales of similar type units.

PROFFERS

PCA 78-C-098-3

Page 11

13. Temporary Signs

No temporary signs (including "Popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on the Application Property or at any other location off the Application Property by the Applicant or at the Applicants' direction to assist in the initial sale or rental of residential units on the Application Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and sale and/or rental of residential units on the Application Property to adhere to this proffer.

14. Successors and Assigns

These proffers will bind and inure to the benefit of the Applicants and his/her successors and assigns.

15. Severability

Any of the sections/buildings within the Application Property may be subject to Proffered Condition Amendments or Final Development Plan Amendments without joinder or consent of the other sections.

Gregor, LLC, a Virginia limited liability company

By: Locus, LLC,  
its Managing Member

By: \_\_\_\_\_  
Name: Jorge A. Kfoury  
Title: Managing Member

377743 v6/RE

REZONING AFFIDAVIT

DATE: 11.25.2008  
 (enter date affidavit is notarized)

I, Shane M. Murphy, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)       applicant  
                           applicant's authorized agent listed in Par. 1(a) below      101086a

in Application No.(s): PCA 78-C-098-03/FDPA 78-C-098-04  
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE**,\*\* each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Gregor, LLC Agents: Jorge A. Kfoury Nathan N. Smith	1856 Old Reston Ave. Reston, VA 20190	Applicant/Title Owner of Tax Map 17-4((1))1
Urban Engineering & Associates, LLC (t/a Urban, Ltd.) Agents: Matt K. Koirtyohann Shawn B. Batterton John (nmi) Clemons John L. Helms	7712 Little River Turnpike Annandale, VA 22003	Engineers/Agent

(check if applicable)       There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

**Rezoning Attachment to Par. 1(a)**

DATE: 11.25.2008  
 (enter date affidavit is notarized)

101086a

for Application No. (s): PCA 78-C-098-03/FDPA 78-C-098-04  
 (enter County-assigned application number (s))

**(NOTE):** All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Gorove/Slade Associates, Inc. Agents: Christopher M. Tacinelli Cheryl L. Sharp	3914 Centreville Road Suite 330 Chantilly, VA 20151	<b>Transportation Consultant/Agent</b>
Cooley Godward Kronish LLP Agents: Antonio J. Calabrese, Esquire Mark C. Looney, Esquire Colleen Gillis Snow, Esquire Jill D. Switkin, Esquire Brian J. Winterhalter, Esquire Shane M. Murphy, Esquire Jeffrey A. Nein, AICP, Planner Ben I. Wales, Planner Molly M. Novotny, Planner Sara L. Duvall, Planner (former)	Reston Town Center One Freedom Square 11951 Freedom Drive Reston, VA 20190	<b>Attorneys/Agent</b>

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: 11.25.2008  
(enter date affidavit is notarized)

101086a

for Application No. (s): PCA 78-C-098-03/FDPA 78-C-098-04  
(enter County-assigned application number(s))

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Gregor, LLC  
1856 Old Reston Ave.  
Reston, VA 20190

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

Locus, LLC, Sole Manager/Member

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer,** etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

**Rezoning Attachment to Par. 1(b)**

DATE: 11.25.2009  
(enter date affidavit is notarized)

1010 86a

for Application No. (s): PCA 78-C-098-03/FDPA 78-C-098-04  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Urban Engineering & Associates, LLC  
(t/a Urban, Ltd.)  
7712 Little River Turnpike  
Annandale, VA 22003

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Barry B. Smith  
J. Edgar Sears, Jr.  
Brian A. Sears

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Gorove/Slade Associates, Inc.  
3914 Centreville Road, Suite 330  
Chantilly, VA 20151

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Christopher M. Tacinelli  
Chad A. Baird  
Daniel B. VanPelt

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

Christopher M. Tacinelli, President  
Chad A. Baird, Vice President  
Daniel B. VanPelt, Vice President

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: 11.25.2008  
(enter date affidavit is notarized)

101086a

for Application No. (s): PCA 78-C-098-03/FDPA 78-C-098-04  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Locus, LLC  
1856 Old Reston Avenue  
Reston, VA 20190

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)  
Jorge A. Kfoury, Sole Managing Member

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: 11.25.2008  
(enter date affidavit is notarized)

101086a

for Application No. (s): PCA 78-C-098-03/FDPA 78-C-098-04  
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

Cooley Godward Kronish LLP  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190

(check if applicable)  The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Jane K. Adams  
Gian-Michele a Marca  
Maureen P. Alger  
Gordon C. Atkinson  
Michael A. Attanasio  
Jonathan P. Bach  
Celia Goldwag Barenholtz  
Frederick D. Baron  
James A. Beldner  
John M. Benassi (former)  
Keith J. Berets  
Laura A. Berezin  
Russell S. Beraman  
Laura Grossfield Birger  
Barbara L. Borden  
Jodie M. Bourdet  
Wendy J. Brenner

Matthew J. Brigham  
Robert J. Brigham  
John P. Brockland  
James P. Brogan  
Nicole C. Brookshire  
Alfred L. Browne, III  
Matthew D. Brown  
Matthew T. Browne  
Robert T. Cahill  
Antonio J. Calabrese  
Linda F. Callison  
Roel C. Campos  
William Lesse Castleberry  
Lynda K. Chandler  
Dennis (nmi) Childs  
Ethan E. Christensen  
Richard E. Climan

Samuel S. Coates  
Alan S. Cohen  
Thomas A. Coll  
Joseph W. Conroy  
Jennifer B. Coplan  
Carolyn L. Craig  
John W. Crittenden  
Janet L. Cullum  
Nathan K. Cummings  
John A. Dado  
Craig E. Dauchy  
Darren K. DeStefano  
Scott D. Devereaux  
Jennifer Fonner DiNucci  
James J. Donato  
Michelle C. Doolin  
John C. Dwyer

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)

DATE: 11.25.2008  
(enter date affidavit is notarized)

101086a

for Application No. (s): PCA 78-C-098-03/FDPA 78-C-098-04  
(enter County-assigned application number (s))

**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)

Cooley Godward Kronish LLP  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Robert L. Eisenbach, III  
Lester J. Fagen  
Brent D. Fassett  
David J. Fischer  
M. Wainwright Fishburn, Jr.  
M. Manuel Fishman  
Keith A. Flaum  
Grant P. Fondo (former)  
Daniel W. Frank  
Richard H. Frank  
William S. Freeman  
Steven L. Friedlander  
Thomas J. Friel, Jr.  
Koji F. Fukumura  
James F. Fulton, Jr.  
Philip J. Gall  
William S. Galliani  
Stephen D. Gardner  
John M. Geschke  
Kathleen A. Goodhart  
Lawrence C. Gottlieb  
Shane L. Goudey  
William E. Grauer  
Jonathan G. Graves  
Kimberley J. Kaplan-Gross  
Paul E. Gross  
Kenneth L. Guernsey  
Patrick P. Gunn  
Zvi (nmi) Hahn  
John B. Hale  
Andrew (nmi) Hartman  
Bernard L. Hatcher  
Matthew B. Hemington  
Cathy Rae Hershcopf  
John (nmi) Hession  
Gordon K. Ho  
Suzanne Sawowchka Hooper

Mark M. Hrenya  
Christopher R. Hutter  
Jay R. Indyke  
Craig D. Jacoby  
Eric C. Jensen  
Robert L. Jones  
Barclay J. Kamb  
Richard S. Kanowitz  
Jeffrey S. Karr  
Scott L. Kaufman  
Sally A. Kay  
J. Michael Kelly  
Jason L. Kent  
James C. Kitch  
Michael J. Klisch  
Michael H. Knight  
Jason (nmi) Koral  
Barbara A. Kosacz  
Kenneth J. Krisko  
John G. Lavoie  
Robin J. Lee  
Shira Nadich Levin  
Alan (nmi) Levine  
Michael S. Levinson  
Elizabeth L. Lewis  
Michael R. Lincoln  
James C. T. Linfield  
David A. Lipkin  
Chet F. Lipton  
Cliff Z. Liu  
Samuel M. Livermore  
Douglas P. Lobel  
J. Patrick Loofbourrow  
Mark C. Looney  
Robert B. Lovett  
Andrew P. Lustig  
Michael X. Marinelli

John T. McKenna  
Daniel P. Meehan  
Beatriz (nmi) Mejia  
Thomas C. Meyers  
Erik B. Milch  
Robert H. Miller  
Chadwick L. Mills  
Brian E. Mitchell  
Patrick J. Mitchell  
Ann M. Mooney  
Gary H. Moore  
Timothy J. Moore  
Webb B. Morrow, III  
Kevin P. Mullen  
Frederick T. Muto  
Ryan (nmi) Naftulin  
Stephen C. Neal  
James E. Nesland  
Alison (nmi) Newman  
William H. O'Brien  
Thomas D. O'Connor  
Vincent P. Pangrazio  
Timothy G. Patterson  
Anne H. Peck  
D. Bradley Peck  
Susan Cooper Philpot  
Benjamin D. Pierson  
Frank V. Pietrantonio  
Mark B. Pitchford  
Michael L. Platt  
Christian E. Plaza  
Lori R.E. Ploeger  
Thomas F. Poche  
Anna B. Pope  
Marya A. Postner  
Steve M. Przesmicki  
Seth A. Rafkin

(check if applicable)  There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: 11.25.2008  
(enter date affidavit is notarized)

101086a

for Application No. (s): PCA 78-C-098-03/FDPA 78-C-098-04  
(enter County-assigned application number (s))

**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)

Cooley Godward Kronish LLP  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Frank F. Rahmani  
Marc (nmi) Recht  
Thomas Z. Reicher  
Eric M. Reifschneider  
Michael G. Rhodes  
Michelle S. Rhyu  
Julie M. Robinson  
Ricardo (nmi) Rodriguez  
Adam C. Rogoff  
Jane (nmi) Ross  
Richard S. Rothberg  
Adam J. Ruttenberg  
Adam (nmi) Salassi  
Thomas R. Salley III  
Richard S. Sanders  
Glen Y. Sato  
Martin S. Schenker  
Joseph A. Scherer  
Paul H. Schwartz  
Renee (nmi) Schwartz  
William J. Schwartz  
Brent B. Siler  
Gregory A. Smith  
Whitty (nmi) Somvichian  
Mark D. Spoto  
Wayne O. Stacy  
Neal J. Stephens  
Donald K. Stern  
Michael D. Stern  
Anthony M. Stiegler  
Steven M. Strauss  
Myron G. Sugarman  
Christopher J. Sundermeier  
Ronald R. Sussman  
C. Scott Talbot  
Mark P. Tanoury  
Philip C. Tencer

Gregory C. Tenhoff  
Michael E. Tenta  
Timothy S. Teter  
John H. Toole  
Robert J. Tosti  
Michael S. Tuscan  
Edward Van Geison  
Miguel J. Vega  
Erich E. Veitenheimer, III  
Aaron J. Velli  
Robert R. Vieth  
Lois K. Voelz  
Craig A. Waldman  
Kent M. Walker  
David A. Walsh  
David M. Warren  
Steven K. Weinberg  
Thomas S. Welk  
Christopher A. Westover  
Francis R. Wheeler  
Brett D. White  
Peter J. Willsey  
Nancy H. Wojtas  
Jessica R. Wolff  
Nan (nmi) Wu  
John F. Young  
Kevin J. Zimmer

Keith (nmi) Miller  
Amy (nmi) Paye  
John (nmi) Robertson  
John (nmi) Sellers  
Mark (nmi) Weeks  
Mark Windfield-Hansen  
Mavis (nmi) Yee

Additions:  
Elias (nmi) Blawie  
Renee (nmi) Deming  
Sonya (nmi) Erickson  
Alison Freeman-Gleason  
Jon (nmi) Gavenman  
Kevin (nmi) Kelly  
Natasha (nmi) Leskovsek  
Mark (nmi) Medearis

(check if applicable)  There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: 11.25.2008  
(enter date affidavit is notarized)

101086a

for Application No. (s): PCA 78-C-098-03/FDPA 78-C-098-04  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: 11.25.2008  
(enter date affidavit is notarized)

101086a

for Application No. (s): PCA 78-C-098-03/FDPA 78-C-098-04  
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

Myron G. Sugarman, a partner in the San Francisco office of Cooley Godward Kronish LLP, contributed \$250 to Gerry Connolly for Congress.

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

[ ] Applicant

[x] Applicant's Authorized Agent

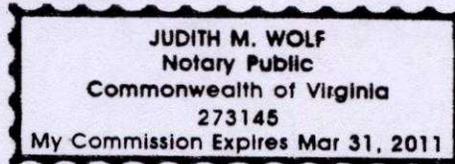
Shane M. Murphy

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 25th day of November 2008, in the State/Comm. of Virginia, County/City of Fairfax.

Judith M. Wolf  
Notary Public

My commission expires: 3/31/2011



**STATEMENT OF JUSTIFICATION  
PROFFERED CONDITION AMENDMENT/  
FINAL DEVELOPMENT PLAN AMENDMENT  
GREGOR, LLC**

July 15, 2008

RECEIVED  
Department of Planning & Zoning

**JUL 18 2008**

Zoning Evaluation Division

**INTRODUCTION**

Gregor, LLC (the "Applicant") requests approval of a Proffered Condition Amendment ("PCA") and Final Development Plan Amendment ("FDPA") to allow the retention of the existing three-story office building as a development option on property zoned PDC. The property is located on the west side of Old Reston Avenue, north of the Washington & Old Dominion ("W&OD") Trail identified on the Fairfax County Tax Map as 17-4 ((1)) Parcel 1 (the "Property"). The Applicant recently received approval to redevelop the Property with new residential uses, but did not retain flexibility to continue using the Property for office uses until such time as the redevelopment occurred. This oversight resulted in the Property becoming a nonconforming use, which the Applicant now proposes to correct.

The Property contains approximately 5.19 acres and is currently zoned PDC, with proffers dated March 13, 2006 pursuant to PCA 78-C-098-2, which was approved by the Board of Supervisors on April 3, 2006. The Property is surrounded by land zoned PRC, with the properties to the north, east, and west developed with multiple family dwellings, and commercial development on the properties to the south and southeast.

The Property is located in Sub-Unit D-7 of the Reston-Herndon Suburban Center of the Area III Comprehensive Plan, and was the subject of an Out-of-Turn Plan Amendment S04-III-UP1, adopted by the Board of Supervisors on December 6, 2004. Added to the Comprehensive Plan language was an option to allow the existing and approved office and training center building uses to be converted to residential use, as approved with PCA 78-C-098-2.

**SITE HISTORY**

From 1986 until 2005, the Property was used as the headquarters of Prison Fellowship Ministries, and is currently developed with the three-story office building and the A. Smith Bowman House, which was built circa 1899 and is listed on the Fairfax County Inventory of Historic Sites. The A. Smith Bowman House contains living, dining, and kitchen areas on the first floor, six guest rooms on the second floor, and a caretaker's apartment on the third floor. The Property is also improved with a Gazebo, Bathhouse and a detached 4-car garage (hereafter "Display Center").

In 1999, the Board of Supervisors approved PCA-78-C-098, filed by Prison Fellowship, to allow a total of 147,806 square feet of commercial density on the property, resulting in an FAR of .645. Subsequently, after land dedication for the improvement of Old Reston Avenue, the resulting FAR became .654. Under the 1999 plan, Prison Fellowship planned to maintain the existing office building and construct a new building with approximately 98,000 square feet on the

property. The Gazebo was to remain on the property and the A. Smith Bowman House was to remain as guest rooms and caretakers quarters. The existing Bathhouse was to be removed.

In 2005, Prison Fellowship Ministries sold the site without implementing the plan for a conference/training center and additional offices. In 2006, the Applicant filed, and the Board of Supervisors approved, PCA 78-C-098-2, changing the principal use of the Property from commercial to residential. The 2006 PCA approval retained the existing "PDC" zoning but changed the principal use of the Property from office to hotel, which allowed up to six guest rooms in the A. Smith Bowman House and 60 residential units in a new building replacing the existing office buildings and Bathhouse. As part of that approval, the Applicant neglected to permit the Property to continue being used for office uses, resulting in a nonconforming use that may not be expanded, even modestly, absent approval of a Proffered Condition Amendment.

For this reason, the Applicant wants to re-establish the existing commercial office buildings as an approved option for the Property. The Applicant also proposes some modest changes to the existing office buildings to address efficiency/leasing marketability needs.

The minor changes to the Property proposed by the Applicant include:

1. Conversion of the A. Smith Bowman House to office use, including any necessary renovations to bring the structure to current Code requirements. This proposal would add up to 1,800 square feet to the structure, bringing the total GFA for the structure to 8,373 square feet.
2. Allow the 950-square foot Display Center to be renovated and retained as office, with an expansion of approximately 100 square feet.
3. Renovate the existing office building to increase its efficiency, which would increase the 40,645 square foot structure by approximately 2,400 square feet, making the total size of the building 43,045 square feet.
4. Eliminate the existing Bathhouse in conjunction the original plan, and add thirty-nine (39) parking spaces so the parking area meets the 3.6 spaces per 1,000 square feet required by the Zoning Ordinance. Total provided parking is proposed to be 191 spaces.

Under this proposal, the total square footage of office uses on the Property would increase by approximately 12,000 square feet, resulting in a total of no more than 53,000 square feet. The option to redevelop the Property with hotel and residential uses totaling 146,806 square feet remains unchanged.

### **SITE DESIGN**

As before, the re-introduction of a commercial option for the Property has been designed to protect the A. Smith Bowman house and will preserve, to the extent possible, the existing mature vegetation on the Property. Over 50% of the Property will remain in open space under the proposed commercial option, which is well in excess of the minimum 15% open space requirement for the PDC district.

## **NEIGHBORHOOD CONTEXT**

The proposed commercial density of approximately .23 FAR is less intense than many of the surrounding uses. The Stratford House residential development that abuts the property on the north and west is developed at an intensity of approximately 37.7 dwelling units per acre. Sycamore, which is located across Old Reston Avenue to the east, is developed at an intensity of approximately 16.97 units per acre.

## **ENVIRONMENT**

The office option would preserve the majority of the site as open space. In fact, over 50% of the Property would be open space, even after the proposed minor additions to the existing buildings and the parking lot. Stormwater management on the Property would not change, since the site is already well served by a series of on-site and off-site stormwater management ponds. Those facilities were designed to accommodate development in the area, and the uses on the site were taken into account when the facilities were designed.

## **TREE PRESERVATION AND TREE COVER REQUIREMENTS**

There are mature trees throughout the Property and along most of the periphery of the Property. The Applicant has had both an arborist and botanist inspect all the existing mature trees to establish the health and potential longevity of these trees as well as provide advice and assistance regarding which trees can realistically be preserved with the proposed new construction. The design of the building additions and parking lots have been designed to minimize the loss of mature trees and Boxwoods. The CDPA/FDPA shows extensive landscaping that is to be preserved, which well exceeds the minimum 15% tree cover requirement for a PDC district.

## **TRANSPORTATION AND PARKING**

The proposal will result in a modest increase in the square footage of the existing office buildings. The transportation impact resulting from the increases in square footage are predicted to be negligible.

Because all buildings on the Property are under 50,000 GFA, the Applicant is required by Section 11-104 of the Zoning Ordinance to provide parking at a level of 3.6 parking spaces per 1,000 square feet of gross floor area ("GFA"). That requirement increases the number of parking spaces by 39, meaning there will be a total of 191 spaces provided on the Property. The Applicant has minimized the impact of the additional parking spaces, but is currently seeking a parking reduction from the Board of Supervisors to further reduce the impact of the required additional parking spaces on adjoining property owners and to allow the preservation of more mature vegetation.

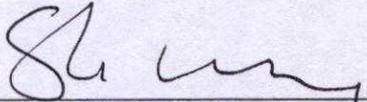
## **HERITAGE RESOURCES**

The heritage resources on the Property are the Manor House and the Gazebo, both of which will be renovated and maintained by the proposed uses of the property. There will be additions to the

Manor House, and those additions have been presented to the County's Architectural Review Board ("ARB") for review and comment.

**CONCLUSION**

The Applicant respectfully requests approval of its proposal to retain the existing commercial use as an option on the Property, along with minor expansions and provisions for additional parking to meet Zoning Ordinance requirements. The Applicant has succeeded in preserving the majority of the existing vegetation on the site, resulting in open space of over 62%. The Applicant submits that this proposal is in harmony with the surrounding uses and will preserve unique and cherished heritage resources.



---

Shane M. Murphy, Esq.  
Cooley Godward Kronish, LLP



# County of Fairfax, Virginia

## MEMORANDUM

DATE: 19 September 2008

**TO:** St. Clair Williams, ZED Coordinator  
Mary Ann Welton, Environmental Planner

**FROM:** Linda Cornish Blank, Historic Preservation Planner *LCB*

**SUBJECT:** Allow site modifications to existing two 3-story office buildings and to Sunset Hills (manor house), a county inventory site, and to retain office use. Tax map 17-4 ((1)) 1; 1856 Old Reston Avenue.

**Planning Location:** Fairfax County Comprehensive, 2007 Edition Area III, Upper Potomac Planning District, Reston-Herndon Suburban Center and Transit Station Areas, amended through 6-30-2008, Sub-unit D-7 (Outside of Town Center), p. 42:

**Comp Plan Text:**

"2. The approximately five acres of land not included in the Reston Planned Residential Community located on the northwest quadrant of the intersection of Old Reston Avenue and the W&OD Regional Park (Tax Map 17-4((1))1) is planned and approved for office, conference, and training facility uses up to .64 FAR. These uses should be compatible in use and architectural style with surrounding planned and existing development in Reston. As an option, existing and approved office/training center buildings may be converted to residential use, and the historic house may be appropriate for use as a restaurant and inn, provided the following conditions are met:

- The overall development does not exceed .64 FAR;
- All residential units are to be housed within the two existing office buildings or parking structures and generally within the approved but unbuilt third office and training center, and parking structure footprints on the site. Some flexibility in building location may be appropriate if it leads to better protection of the historic resources on the site and open space preservation;
- The height of any new residential building(s) shall not exceed 45 feet and shall not be located any closer to the historic house than was approved for the structures in 1999 (PCA 78-C-098);
- The A. Smith Bowman house may be appropriately used as an eating establishment of 7,500 square feet or less and as an inn with 8 rooms or less for overnight lodging of less than 30 days; and
- Any exterior modifications on the site should be of compatible architectural style with the existing structures on the site and must be submitted to the Fairfax

Department of Planning and Zoning  
Planning Division  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5509  
Phone 703-324-1380  
Fax 703-324-3056  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



County Architectural Review Board for review and comment as part of the development review process.

The property owner is encouraged to prepare a report documenting the history, significance and treatment of the property and to explore preservation and protection options such as listing on the National Register of Historic Places.”

**Heritage Resource Comment:**

- 1) The property was listed on The Fairfax County Inventory of Historic Sites on November 4, 1970 as Sunset Hills.
- 2) The Comprehensive Plan text and PCA 78-C-098-2, proffer #10 dated March 31, 2006 requires the ARB to make two recommendations and one approval on development plans for the subject property. The ARB is to review and make **recommendation** on the proposed PCA and on all new structures, with the exception of the Manor House (Sunset Hills), proposed for the site. The ARB must review and **approve** the architectural plans for exterior modifications and additions to the Manor House (Sunset Hills) prior to the issuance of a building permit for any proposed building addition.
- 3) At its September 11, 2008 meeting, the ARB made the following **recommendation** on PCA 78-C-098-3 and on all new structures, with the exception of the Manor House (Sunset Hills), proposed for the site (ARB Item- **PCA 78-C-098-3**):
  - o maintain office use on the property,
  - o found the proposed building alterations at the two three-story office buildings to be both minor and compatible; and
  - o for the landscaping and hardscaping treatment adjacent to the north (front) façade of the Sunset Hills manor house: the number of parking spaces at that area be reduced and the spaces relocated, pavers be introduced at the parking area to reduce the expanse of asphalt, and plantings closer to the manor house be provided along with more planting islands and increased landscaping.
- 4) At its September 11, 2008 meeting, the ARB **approved** the architectural plans for exterior modifications to the Sunset Hills manor house as submitted with the condition that frame and wood materials be used in place of the masonry as shown on the plans. (ARB Item -**ARB-08-RES-01**)
- 5) Pool house. The pool house is proposed to be demolished and replaced with a surface parking lot. A National Register nomination was prepared in 1978; however, the property was not listed. The nomination states that the pool house was built in 1963 and although a much later addition to the property, it “is architecturally compatible with the complex carrying through the Palladian motif represented in the main structure”. Staff recommends that the pool house be documented by a photographic inventory for the purpose of recording and documenting relevant historic, cultural and archaeological information prior to demolition and development.
  - o On September 16, 2008, photographic documentation was completed of the bathhouse at Sunset Hills. 37 photographs were taken of the exterior and interior of the bathhouse, its landscaping and its relationship to the site and the historic house. The photographs and photo log are located at O:\Inventory of Historic Sites\Sunset Hills Bathhouse and have also been printed and filed. The photo log identifies the number, location, angle and/or direction of the photographs.

**Heritage Resource Recommendation:**

Recommendation to approve the application with the condition that the applicant follow the ARB recommendations for landscaping and hardscaping cited in #3 above.



# County of Fairfax, Virginia

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

18 September 2008

Mr. Nathan Smith,  
Development Director, Gregor, LLC  
1856 Old Reston Ave.  
Reston, VA 20190

RE: (Item- PCA 78-C-098-3) and (Item -ARB-08-RES-01)

Dear Mr. Smith:

This letter will serve as official notice of the action taken by the Fairfax County Architectural Review Board (ARB) at its September 11, meeting on PCA 78-C-098-3 and ARB-08-RES-01 for the property located at 1856 Old Reston Avenue.

The ARB made the following recommendation on PCA 78-C-098-3:

- 1) maintain office use on the property,
- 2) found the proposed building alterations at the two three-story office buildings to be both minor and compatible; and
- 3) for the landscaping and hardscaping treatment adjacent to the north (front) façade of the Sunset Hills manor house: the number of parking spaces at that area be reduced and the spaces relocated, pavers be introduced at the parking area to reduce the expanse of asphalt, and plantings closer to the manor house be provided along with more planting islands and increased landscaping.

For ARB-08-RES-01, the ARB approved the architectural plans for exterior modifications to the Sunset Hills manor house as submitted with the condition that frame and wood materials be used in place of the masonry as shown on the plans. Enclosed is a copy of the stamped architectural plans marked with the condition as approved by the ARB at its September 11, 2008 meeting. A copy of this approved plan will be retained in the project file.

If you have any questions, I can be reached at 703 324-1241 or [linda.blank@fairfaxcounty.gov](mailto:linda.blank@fairfaxcounty.gov).

Sincerely,

Linda Cornish Blank  
Historic Preservation Planner  
Planning Division, Department of Planning & Zoning

cc: St. Clair Williams, Zoning Coordinator (w/o enclosure)

Enclosure (1)



# County of Fairfax, Virginia

## MEMORANDUM

November 14, 2008

**TO:** St. Clair Williams, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Hugh Whitehead, Urban Forester II *HAW*  
Forest Conservation Branch, DPWES

**SUBJECT:** Urban Forest Management comments and recommendations

**RE:** Boxwoods, PCA 78-C-098-02, PCA 78-C-098-03

I have reviewed the above referenced PCA and the CDPA/FDPA included in this application, date stamped as received by the Zoning Evaluation Division on October 17, 2008. The following comments and recommendations are based on this review and a visit to the site conducted on November 7, 2008.

1. **Comment:** Sizes of trees indicated in the tree inventory on sheet 10 are smaller than the actual sizes of trees on the site. Sizes appear not to have been updated since the original survey was conducted.

**Recommendation:** Update the tree inventory to provide accurate sizes of trees existing on the site.

2. **Comment:** Trees designated on sheet 10 as "Save" are not consistently shaded as such on sheets 7 and 8 for the residential and office options. Other trees designated "Try" or "Lose" on sheet 10 are shown on sheets 7 and 8 in locations where they could be saved given limits of clearing and grading proposed for the office option and areas that should be left undisturbed with the residential option. In addition, not all trees included in the inventory of sheet 10 are shown on sheets 7 and 8.

**Recommendation:** Revise sheets 7, 8, and 10 as needed to achieve consistency in the save/try/lose designation for trees on the site.

3. **Comment:** Proposed limits of clearing and grading are not shown for the residential option (sheet 7 of 20).

---

Department of Public Works and Environmental Services  
Land Development Services, Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



**Recommendation:** Show proposed limits of clearing and grading for the residential land use option for the site.

4. **Comment:** Review of the proposed proffers, dated October 17, 2008, reveals several needed revisions in the language, primarily dealing with the distinction between trees designated "Save" and trees designated "Try."

**Recommendation:** Revise proposed proffer language as follows:

**4.b** (1<sup>st</sup> sentence, 2<sup>nd</sup> paragraph): 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 designated as "Save" and "Try" on Sheet 10 of the CDPA/FDPA.

**4.c** (1<sup>st</sup> sentence, 2<sup>nd</sup> paragraph): The Applicant shall retain the services of a certified arborist or landscape architect, and shall have marked, with a line of continuous flagging prior to the walk-through meeting, the on-site limits of clearing and grading, ~~if any~~, and the tree preservation areas which shall be established to preserve the trees designated as "Save" and "Try" on the Tree Preservation Plan.

**4.d** (1<sup>st</sup> sentence): Trees that are designated as "Save" and "Try" on the Tree Preservation Plan shall be protected by tree protection fencing.

**4.e** (1<sup>st</sup> sentence): The Applicant shall retain a professional arborist with experience in plant appraisal to determine the replacement value of those trees that meet the following criteria: (1) are located within 25 feet of the limits of clearing and grading, (2) are designated as "Save" or "Try" on Sheet 10 of the CEDPA/FDPA, ~~(3) have a condition rating of 80 or better on Sheet 10 of the CDPA/FDPA,~~ (3) are 10 inches in diameter or larger as indicated on Sheet 10 of the CDPA/FDPA.

**4.f** (1<sup>st</sup> sentence, 1<sup>st</sup> paragraph): At the time of the Tree Preservation Plan approval, the Applicant shall both post a cash bond and a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of those trees designated "Save" and "Try," that die or are in decline and meet all of the following criteria: (1) are located within 25 feet of the limits of clearing and grading, (2) are designated as "Save" or "Try" on Sheet 10 of the CEDPA/FDPA, ~~(3) have a condition rating of 80 or better on Sheet 10 of the CDPA/FDPA,~~ (3) are 10 inches in diameter or larger as indicated on Sheet 10 of the CDPA/FDPA.



Boxwoods  
PCA 78-C-098-02, PCA 78-C-098-03  
November 14, 2008  
Page 3 of 3

4.f (1<sup>st</sup> sentence, 2<sup>nd</sup> paragraph): At any time prior to bond release, should any bonded tree die, be removed, or be determined to be in decline by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense.

If there are any questions, please contact me at 703-324-1770.

HCW/

UFMID #: 110180

cc: RA File  
DPZ File





## County of Fairfax, Virginia

**MEMORANDUM**

DATE: October 14, 2008

TO: Regina Coyle, Director  
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief  
Site Analysis Section, DOT *AKR*

FILE: 3-4 (PCA 78-C-098-3)

SUBJECT: PCA 78-C-098-3 FDPA 78-C-098-4; Gregor LLC  
Land Identification Map: 17-4-((1))-1

This department has reviewed the proffered condition amendment and final development plan plat revised through September 19, 2008. We have the following comments.

- Sight distance should be verified at the site's entrance.
- Pedestrian upgrades are needed just south of the applicant's property. A contribution of \$10,000 towards pavement markings and signs for these improvements is desirable.

AKR/MEC



# FAIRFAX COUNTY PARK AUTHORITY

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# MEMORANDUM



**TO:** Regina M. Coyle, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Sandy Stallman, Branch Manager.  
Planning and Development Division *SS*

**DATE:** August 18, 2008

**SUBJECT:** PCA 78-C-098-03 and FDPA 78-C-098-04, Boxwoods  
Tax Map Number(s): 17-4((1)) 1

The Park Authority staff has reviewed the above referenced plan. Based on that review, staff has determined that this application bears no adverse impact on land or resources of the Park Authority.

FCPA Reviewer: Patricia Rosend  
DPZ Coordinator: Leslie Johnson

Copy: Cindy Walsh, Acting Director, Resource Management Division  
Chron Binder  
File Copy



FAIRFAX COUNTY  
PUBLIC SCHOOLS

Department of Facilities and Transportation Services  
Office of Design and Construction Services  
City Square Building, Suite 400  
10640 Page Avenue  
Fairfax, Virginia 22030

August 11, 2008

Regina Coyle, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 800  
Fairfax, Virginia 22035

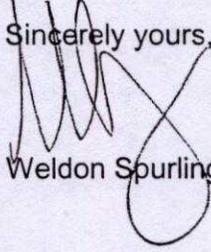
Ladies and Gentlemen:

Re: Below Listed Recently Filed Development Plan Analysis

PCA 78-C-098-03 and FDPA 78-C-098-04

This office has reviewed the subject Proffered Condition Amendment and Special Exception Application, and has no comments with respect to school acquisition.

Sincerely yours,



Weldon Spurling, II, PE

WS/vm

cc: Facilities Planning Services, FCPS, (w/attach.)  
File



# County of Fairfax, Virginia

## MEMORANDUM

DATE: August 11, 2008

**TO:** Regina Coyle, Director  
Zoning Evaluation Division  
Office of Comprehensive Planning

**FROM:** Eric Fisher (246-3501)  
Information Technology Section  
Fire and Rescue Department

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Proffered Condition Amendment PCA 78-C-098-03 and Final Development Plan Amendment Application FDPA 78-C-098-04

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #425, Reston
2. After construction programmed \_\_\_\_\_ this property will be serviced by the fire station \_\_\_\_\_
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
  - a. currently meets fire protection guidelines.
  - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
  - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
  - d. does not meet current fire protection guidelines without an additional facility. The application property is \_\_\_\_\_ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Proudly Protecting and  
Serving Our Community

Fire and Rescue Department  
4100 Chain Bridge Road  
Fairfax, VA 22030  
703-246-2126  
www.fairfaxcounty.gov





## County of Fairfax, Virginia

**MEMORANDUM**

**DATE:** August 13, 2008

**TO:** Staff Coordinator  
Zoning Evaluation Division  
Department of Planning & Zoning

**FROM:** Lana Tran (Tel: 703 324-5008)  
Wastewater Planning & Monitoring Division  
Department of Public Works & Environmental Services

**SUBJECT:** Sanitary Sewer Analysis Report

**REFERENCE:** Application No. PCA78-C-098-03  
Tax Map No. 017-4-/01//0001

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

- The application property is located in the Colvin Run (D2) watershed. It would be sewerred into the Blue Plains Treatment Plant.
- Based upon current and committed flow, there is excess capacity in the Blue Plains Treatment Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 15 inch line located on the property is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use + Application</u>		<u>Existing Use + Application Previous Rezoning</u>		<u>Existing Use + Application + Comp Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>
Submain	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>
Main/Trunk	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>	<u>X</u>	<u>---</u>
Interceptor	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>
Outfall	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>

- Other pertinent information or comments:

Department of Public Works and Environmental Services  
Wastewater Planning & Monitoring Division  
12000 Government Center Parkway, Suite 358  
Fairfax, VA 22035-0052  
Phone: 703-324-5030, Fax: 703-324-3946





FAIRFAX COUNTY WATER AUTHORITY  
8560 Arlington Boulevard, Fairfax, Virginia 22031  
www.fairfaxwater.org

PLANNING & ENGINEERING  
DIVISION

Jamie Bain Hedges, P.E.  
Director  
(703) 289-6325  
Fax (703) 289-6382

August 12, 2008

Ms. Regina Coyle, Director  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5505

Re: PCA 78-C-098-03  
FDPA 78-C-098-04  
Boxwoods

Dear Ms. Coyle:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from existing 12-inch and 8-inch water mains located at the property. See the enclosed water system map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the Engineering Firm, with comments pertaining to the proposed water system layout.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg".

Traci K. Goldberg, P.E.  
Manager, Planning Department

Enclosure



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** SEP - 2 2008

**TO:** St. Clair D. Williams  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Qayyum Khan, Chief Stormwater Engineer *(QK)*  
Stormwater and Geotechnical Section  
Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Proffered Condition Amendment and Final Development Plan  
Amendment Application, PCA 78-C-098-03 and FDPA 78-C-098-04,  
Gregor, LLC, Plan Dated July 11, 2008, LDS Project #8556-ZONAV-  
001-A-1, Tax Map #017-4-01-0001, Hunter Mill District

We have reviewed the subject application and offer the following comments related to Stormwater Management (SWM):

Chesapeake Bay Preservation Ordinance

There is no Resource Protection Area on the site.

Floodplain

There is no floodplain on the site.

Downstream Drainage Complaints

There is a drainage complaint on file at an existing wall near the on-site pond. The applicant needs to address this complaint in coordination with MSMD.

SWM

The applicant proposes to use the existing on-site and off-site pond(s) to provide stormwater detention and BMP for the subject development. It appears that the County SWM requirements would be met by these facilities. The applicant states that when final development conditions are known, the on-site pond will be analyzed and retrofitted, if necessary for SW detention and BMP purposes. If this approach does not provide adequate capacities, the applicant will pursue other options including use of offsite ponds.



St. Clair D. Williams  
PCA 78-C-098-03 and FDPA 78-C-098-04  
Page 2 of 2

Site Outfall

Narrative for outfall has been provided. The applicant needs to support it with computations of flow and depicting cross-sections of the outfall at critical points and velocities when submitting the site plan for approval. If the off-site SWM facilities are used the applicant will be required to execute a stormwater maintenance agreement with the facility owner.

If further assistance is desired, please contact me at 703-324-1720.

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES  
Zoning application File

**Proffered Condition Amendment**

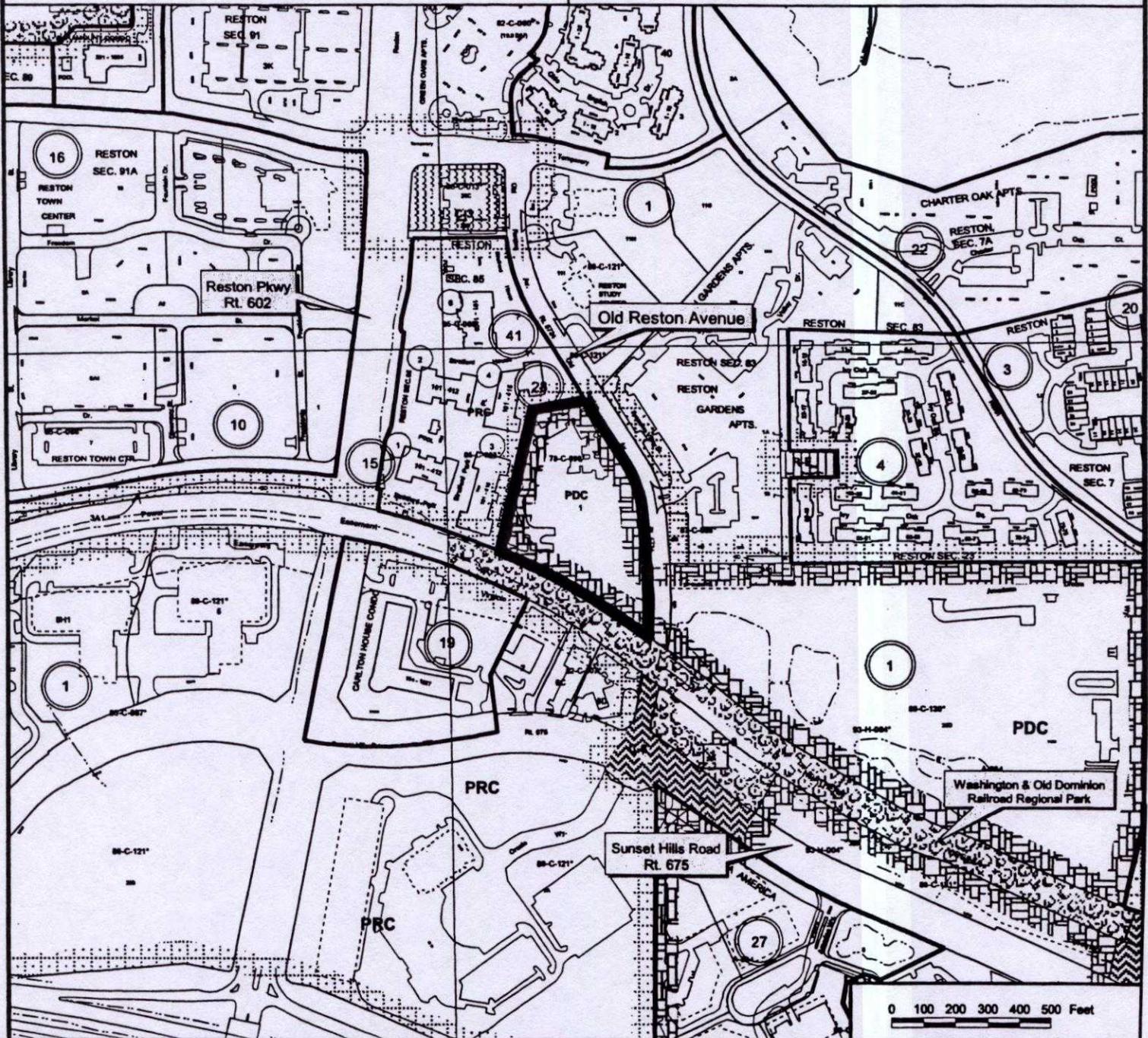
**PCA 78-C-098-02**

**Final Development Plan Amendment**

**FDPA 78-C-098-03**

Applicant: GREGOR, LLC  
 Accepted: 10/21/2005  
 Area: 5.19 AC OF LAND; DISTRICT - HUNTER MILL  
 Proposed: TO AMEND RZ 78-C-098 PREVIOUSLY APPROVED FOR OFFICE AND CONFERENCE CENTER USES TO PERMIT HOTEL USE AND RESIDENTIAL DEVELOPMENT  
 Located: WEST OF OLD RESTON AVENUE APPROXIMATELY 300 FEET NORTH OF ITS INTERSECTION WITH SUNSET HILLS ROAD  
 Zoning: PDC  
 Overlay Dist:  
 Map Ref Num: 017-4- /01/ /0001

Applicant: GREGOR, LLC  
 Accepted: 02/17/2006  
 Area: 5.19 AC OF LAND; DISTRICT - HUNTER MILL  
 Proposed: TO AMEND FPD 78-C-098 PREVIOUSLY APPROVED FOR OFFICE AND CONFERENCE CENTER USES TO PERMIT HOTEL USE AND RESIDENTIAL DEVELOPMENT  
 Located: WEST OF OLD RESTON AVENUE APPROXIMATELY 300 FEET NORTH OF ITS INTERSECTION WITH SUNSET HILLS ROAD  
 Zoning: PDC  
 Overlay Dist:  
 Map Ref Num: 017-4- /01/ /0001





# County of Fairfax, Virginia

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

ZED

April 13, 2006

Lynne J. Strobel, Esquire  
Walsh, Colucci, Lubeley, Emrich & Terpak, PC  
2200 Clarendon Boulevard, 13<sup>th</sup> Floor  
Arlington, Virginia 22201-3359

RE: Proffered Condition Amendment Number PCA 78-C-098-02

Dear Ms. Strobel. :

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on April 3, 2006, approving Proffered Condition Amendment PCA 78-C-098-02 in the name of Gregor, LLC, to amend the proffers for RZ 78-C-098 and FDP 78-C-098, previously approved for office and conference center uses to permit hotel use and residential development at a density of 11.56 dwelling units per acre (du/ac) with an overall Floor Area Ratio (FAR) of 0.65 located west of Old Reston Avenue, approximately 300 feet north of its intersection with Sunset Hills Road (Tax Map 17-4 ((1)) 1), subject to the proffers dated March 31, 2006, consisting of approximately 5.19 acres located in Hunter Mill District.

The Conceptual Development Plan Amendment was approved; the Planning Commission having previously approved Final Development Plan FDPA 78-C-098-3 on March 29, 2006 subject to the Board's approval of PCA 78-C-098-2.

**The Board also:**

- **Waived the limitation on residential uses within the PDC District.**
- **Approved a variance of the maximum height limitation on fences in the front yard to permit the walls along Old Reston Avenue as depicted on the Conceptual Development Plan Amendment/Final Development Plan Amendment (CDPA/FDPA).**
- **Waived the transitional screening and barrier requirements between the uses of the site.**

Office of Clerk to the Board of Supervisors  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

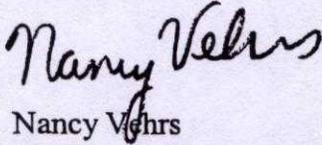
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

April 13, 2006

- 2 -

- **Modified the transitional screening and barrier requirements along the northern, eastern, and western property line to that shown on the CDPA/FDPA.**

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Gerald E. Connolly  
Supervisor Catherine M. Hudgins, Hunter Mill District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Admin.  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Leslie B. Johnson, Deputy Zoning Administrator/Zoning Permit Review  
Thomas Conry, Dept. Mgr. – GIS - Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.  
Charles Strunk, Project Planning Section, Dept. of Transportation  
Audrey Clark, Director – Building Plan Review DPWES  
Michelle A. Brickner, Director, Deputy Director, DPWES  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Deloris Harris, DPWES  
Department of Highways - VDOT  
Sandy Stallman, Park Planning Branch Mgr., FCPA  
Gordon Goodlett, Development Officer, DHCD/Design Development Div.  
District Planning Commissioner  
Barbara J. Lippa, Executive Director, Planning Commission  
Jose Comayagua, Director, Facilities Management  
Gary Chevalier, Office of Capital Facilities/Ffx. Cnty. Public Schools

**PROFFERS**

**GREGOR, LLC**

**PCA 78-C-098-2**

**March 31, 2006**

Pursuant to Section 15.2-2303(A) Code of Virginia, 1950, as amended, Gregor LLC (hereinafter referred to as the "Applicant"), for themselves, their successors and assigns, in PCA 78-C-098-2 filed on property identified as Fairfax County tax map reference 17-4((1))1 (hereinafter referred to as the "Application Property"), hereby proffers to the following, provided that the Board of Supervisors approves PCA 78-C-098-2 in conjunction with a Conceptual Development Plan Amendment/Final Development Plan Amendment for hotel and residential use, and all requested modifications and variances. If accepted, these proffers shall replace and supersede any previous proffers approved on the Application Property.

1. Conceptual Development Plan Amendment/Final Development Plan Amendment ("CDPA/FDPA")
  - a. Development of the Application Property shall be in substantial conformance with the CDPA/FDPA entitled Boxwoods, containing sixteen sheets prepared by Urban Engineering and Assoc., Inc., dated September 28, 2005, as revised through February 14, 2006.
  - b. Notwithstanding that the CDPA/FDPA is presented on sixteen sheets and is the subject of Proffer 1(a) above, it shall be understood that the CDPA shall be limited to the points of access, location and amount of open space, the maximum square footage and maximum number of dwelling units, the general location and arrangement of the buildings, uses and parking spaces/garage and the setbacks to the peripheral lot lines. The Applicant shall have the option to request a FDPA for elements other than the CDPA elements from the Planning Commission for all of, or a portion of, the CDPA/FDPA in accordance with the provisions of Sect. 16-402 of the Zoning Ordinance.
  - c. Pursuant to Par. 5 of Sect. 18-204 and Par. 4 of Sect. 16-403 of the Zoning Ordinance, minor modifications to the proffers and the CDPA/FDPA may be permitted as determined by the Zoning Administrator. Pursuant to these Zoning Ordinance provisions, minor modifications to the size, dimensions, footprints, and location of entrances/exits of the proposed development at time of site plan submission based on utility locations and final engineering design may be made, provided such are in accordance with the above-referenced Zoning Ordinance provisions.
  - d. The architectural design of the multiple family buildings shall be in general conformance with the character of the elevations on Sheet 16 of the

CDPA/FDPA and the exterior building materials shall primarily consist of a combination of slate, stone, brick and glazing.

2. Uses and Intensity

A hotel, consisting of a maximum of six (6) guest rooms, shall be permitted as the permanent principal use in the Manor House, shown as the existing 3 story brick building on the CDPA/FDPA, and a maximum of sixty (60) multiple family dwelling units shall be permitted as a secondary use of the Application Property. The length of stay in the hotel shall be limited to less than thirty (30) days per visit. Other permitted accessory uses of the Manor House shall include a lobby, meeting space, management office and possibly an arts and crafts studio for the multiple family dwellings. In addition, as ancillary uses, the Manor House may be used for cooking displays and demonstrations, educational dinners and other similar community/social functions, and the Manor House and/or grounds may be leased for catered weddings or other similar community/social functions. During the development of the Application Property, the Manor House and the existing four (4) car garage, which is to be removed, may be used for the principal use of offices. Other permitted secondary uses shall include accessory uses, accessory service uses and home occupations as permitted by Article 10 of the Zoning Ordinance. Additional principal and secondary uses may be permitted with the approval of a subsequent final development plan amendment or special exception in accordance with the provisions of Sect. 6-205 of the Zoning Ordinance.

The amount of gross floor area allocated to hotel and residential uses shall be in general accordance with the gross floor areas specified on the CDPA/FDPA, provided the gross floor area for hotel uses may be increased by up to a maximum of 1000 square feet, with a corresponding reduction in the residential gross floor area. In no event shall the maximum overall gross floor area and FAR exceed 147,806 square feet and 0.65, respectively.

3. Landscaping

A landscape plan shall be submitted as part of the site plan and shall be coordinated with and approved by Urban Forest Management ("UFM") of the Department of Public Works and Environmental Services ("DPWES"). The plan shall be in substantial conformance with the plantings as shown on Sheets 6 and 8 of the CDPA/FDPA. Location of plantings may be adjusted based on utility locations and final engineering details as approved by the UFM during the tree preservation and transplanting plan and/or site plan review or when actual plantings occur to adjust to field conditions.

4. Tree Preservation and Transplanting

- a. The Applicant commits to tree and shrubbery preservation as detailed on Sheets 6, 7 and 8 of the CDPA/FDPA, which classifies trees into four categories: trees to be saved ("Save"); trees to be moved/transplanted ("Move"); trees that the Applicant will try to save ("Try"); and trees that will be removed ("Lose"). These designations are a result of a survey of the existing trees which provides condition analysis ratings as percentages based on the guidelines and methods set forth in the latest edition of the *Guide for Plant Appraisal* published by the International Society of Arboriculture.

The Applicant shall use best faith efforts to save those trees designated as Try on Sheet 8 of the CDPA/FDPA. Some of the trees that are designated as Lose may be relocated on the Application Property if determined feasible by the Applicant and UFM.

In addition, within those areas containing trees designated as Save and Try, the Applicant shall be able to do the following activities, as long as doing so does not jeopardize those trees designated as Save, as determined by UFM:

- (1) transplant azaleas or other existing shrubbery or plant new shrubbery in the area along the northern boundary of the Application Property; and/or
- (2) renovate or reconstruct the existing wall, and reconstruct or remove the existing stairs in the area along Old Reston Avenue; and/or
- (3) dredge the existing pond in the area along the southern and southeastern portions of the Application Property; and/or
- (4) remove existing undergrowth in the area along the southern and southwestern portions of the Application Property; and/or
- (5) remove the existing trees designated as Lose on Sheet 8 of the CDPA/FDPA in the area along the western boundary of the Application Property.

In addition, within those areas containing trees designated as Try, the Applicant retains the right to install sanitary sewer and storm sewer lines.

- b. The Applicant shall submit a tree preservation and transplanting plan. The plan shall be prepared by a professional with experience in the preparation of preservation and transplanting plans, such as a certified arborist or landscape

architect, and such plan shall be reviewed and approved by the UFM of DPWES. Such plan may be approved prior to site plan approval but shall be included as part of the approved site plan.

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 designated as Save on Sheet 8 of the CDPA/FDPA. 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. During the tree preservation and transplanting plan review and approval process, the Applicant shall work with UFM on procedures necessary to ensure that trees designated as Save shall be saved and to facilitate preserving the trees that are designated as Try on Sheet 8 of the CDPA/FDPA while accommodating the activities specified in Proffer 4a above. Specific tree preservation activities and procedures that will maximize the survivability of trees identified to be preserved, such as crown pruning, root pruning, mulching, fertilization, and other techniques as necessary, shall be clearly identified, labeled, and detailed on the plan, and the Applicant shall implement the procedures in the development process.

The transplanting plan shall identify the exact location of the trees and shrubs to be transplanted; shall provide an assessment of the condition and survival potential of the plants designated for transplanting; shall include the timing of transplantation; the proposed time of year of the transplanting; the transplant methods to be used, including tree spade size if one is used; the relocation site and relocation site preparation materials and methods; the initial care after transplanting, including mulching and water specifications to be conducted; and the long term measures including the installation of tree protection fencing and watering.

- c. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have marked, with a line of flagging prior to the walk-through meeting, the on site limits of clearing and grading, if any, and the tree preservation areas, which shall be established to preserve the trees designated as to be saved on the tree preservation and transplanting plan. During the tree preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk such limits of clearing and grading and tree preservation areas with a UFM representative to determine whether adjustments to the clearing limits or tree preservation areas can be made to increase the tree preservation area and the survivability of trees at the edge of the limits of clearing and grading or tree preservation areas, and such adjustments shall be made. The Applicant shall notify the Hunter Mill District Supervisor seven (7) days in advance of the tree preservation walk-

through meeting and the Hunter Mill District Supervisor or representative shall be given the opportunity to attend the meeting.

Trees that are to be removed shall be removed in a manner that avoids damage to surrounding trees and vegetation that are to be retained. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and vegetation that are to be retained.

- d. Trees that are designated to be saved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing of a type approved by UFM shall be installed after the tree preservation walk-through but prior to any clearing and grading activities. The tree protection fencing shall be installed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Five (5) days prior to commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection fencing, UFM and the Hunter Mill District Supervisor shall be notified and given the opportunity to inspect the Application Property to assure that all tree preservation devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities to include demolition of existing structures shall occur until the fencing is installed correctly, as determined by UFM.
- e. The Applicant shall retain a professional arborist with experience in plant appraisal to determine the replacement value of all trees 10 inches in diameter or greater designated as save on the tree preservation and transplanting plan. These trees and their value shall be identified on the tree preservation plan. The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the "Trunk Formula Method" contained in the latest edition of the *Guide for Plan Appraisal* published by the International Society of Arboriculture, subject to review and approval by UFM.
- f. At the time of the tree preservation and transplant plan approval, the Applicant shall both post a cash bond and a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the save trees for which a tree value has been determined that die or are dying due to unauthorized construction activities. The letter of credit shall be equal to 50% of the replacement value of the bonded trees. The cash bond shall consist of 33% of the amount of the letter of credit.

At any time prior to final bond release, should any bonded trees die, be removed, or be 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, and have a size of not less than 3", as approved by UFM. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any bonded tree that is dead or dying or improperly removed due to unauthorized activity. This payment shall be paid to a fund established by the County for furtherance of tree preservation objectives. At the time of the approval of the final Residential Use Permit (RUP), the Applicant shall be entitled to request a release of any monies remaining in the cash bond and a reduction in the letter of credit to an amount equal to 20% of the total amounts originally committed, or 100% release if approved by UFM.

Any funds remaining in the letter of credit or cash bond will be released one (1) year from the date of release of the Application Property's conservation escrow, or sooner, when approved by UFM.

- g. During any clearing or tree/vegetation/structure removal 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. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFM approvals. The monitoring schedule shall be described and detailed in the tree preservation and transplanting plan, and reviewed and approved by UFM. The Hunter Mill District Supervisor shall be notified of the name and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk-through meeting.
- h. Notwithstanding the above provisions, prior to site plan approval, the Applicant may demolish the existing office buildings and/or bathhouse, transplant some of the existing shrubbery and/or trees, and remove some of the existing trees designated as Lose on Sheet 8 of the CDPA/FDPA. Such shall be allowed only with the submission and approval by UFM of a partial or total tree preservation and transplanting plan, which plan shall be prepared in accordance with the specifications of Proffer 4b above. If a partial tree preservation and transplanting plan is submitted, the plan shall identify the area of the Application Property involved in the proposed demolition, transplanting and/or tree removal, and subject to the partial tree preservation and transplanting plan. Such transplanting/removal and demolition may also occur prior to marking the limits of clearing and grading and areas of tree

preservation and erecting the tree protection fencing for the entire site; provided the limits of clearing and grading and areas of tree preservation and any tree protection fencing relevant to the areas of the Application Property affected by the demolition, transplanting and/or tree removal are installed, inspected and approved in advance by UFM.

5. Retaining Walls

Retaining walls with a maximum height of three (3) feet shall be allowed throughout the Application Property. Retaining walls with heights greater than three (3) feet shall be permitted only as shown on the CDPA/FDPA and shall consist of stone and/or brick and/or architectural grade concrete.

6. Site Amenities

Site amenities shall include:

- a. Retention and renovation of the existing gazebo (circa 1890) and pond, and retention, as shown on the CDPA/FDPA, of many of the existing mature trees and shrubbery. An aerator may be added to the pond and other changes may be made if necessary to meet stormwater management/best management practice requirements, as approved by DPWES.
- b. Walkways and paths throughout the Application Property connecting the residential uses with the Manor House, cabana and gazebo and pond, to include covered walkways between the Manor House and the residential buildings.
- c. Landscaped plaza between the two residential buildings.
- d. The existing wall along Old Reston Avenue shall be repaired or reconstructed with stone and/or masonry products, generally in the same location and of similar dimension as what currently exists. The existing stairs on Old Reston Avenue may be removed or renovated; if renovated, the stairs shall be of in-kind materials and design as currently exists or of stone and/or masonry products.
- e. Addition of a new cabana structure containing a warming kitchen facility and possible restroom facility.
- f. An exercise/fitness facility within a multiple family residential building, and possibly an arts and crafts studio for painting, sculpting and hobbies, which may be located either in the basement of the Manor House or in one of the

multiple family residential buildings. If the arts and craft studio is located within the basement of the Manor House, it shall be open to residents and hotel guests only.

7. Stormwater Management

At the time of site plan submission and review, the existing on-site pond will be analyzed for stormwater management and best management practices, and if possible, the existing pond will be retrofitted to provide stormwater management and best management practices for the development. If adequate capacities can not be achieved on-site, the Applicant will pursue other options to meet these requirements, which may include entering into a maintenance agreement ("Agreement") with the owner of the offsite facilities. Such Agreement shall be reviewed and approved by the County Attorney's Office and DPWES prior to the recordation of the Agreement in the land records of the County, and such recordation shall occur prior to final site plan approval for the development.

8. Parks and Recreation

- a. The development shall comply with Par. 2 of Sect. 6-209 and Sect. 16-404 of the Zoning Ordinance regarding developed recreational facilities for residential uses. The developed recreational facilities to be provided on-site include the trails and gazebo, cabana, and exercise/fitness facility. At the time of site plan review, the Applicant shall demonstrate that the value of the proposed developed recreational facilities is equivalent to the minimum of \$955 per dwelling unit as required by Sect. 6-209 of the Zoning Ordinance. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall have the option to: (1) provide additional on-site developed recreational facilities within the open space areas shown on the CDPA/FDPA, provided it is determined that the location and facility are in substantial conformance with the CDPA/FDPA; and/or (2) contribute funds to the Fairfax County Park Authority for off-site recreational purposes in a location(s) that is in the vicinity of the Application Property and that is reasonably expected to serve the future residents of the approved development.
- b. In addition to the above, prior to the issuance of the first RUP on the Application Property, the Applicant shall contribute the sum of \$34,185 to the Fairfax County Park Authority for use at park facilities in the vicinity of the Application Property. This contribution is based upon a total of sixty (60) dwelling units; in the event that less than sixty (60) units are shown on the approved site plan, the contribution shall be decreased on a pro-rata basis.

9. Lighting

All existing outdoor light shall be removed and replaced with new outdoor lighting which shall be in accordance with the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.

10. Heritage Resources

- a. The Manor House (also known as the Wiehle House and the A. Smith Bowman House) shall be preserved on the Application Property and shall not be removed. The present exterior design shall be retained, however, minor modifications, replacement and/or maintenance of items such as wood trim, the porch, windows and other exterior elements of the Manor House shall be permitted. Replacement elements shall be of similar style as the existing features. The proposed possible additions to the Manor House, as shown on the CDPA/FDPA, shall have the same general exterior finishes as currently exist, such as painted white brick. The architectural plans for such exterior modifications and additions to the Manor House shall be subject to review and approval by the Fairfax County Architectural Review Board (ARB) prior to the issuance of a building permit for any proposed building addition.
- b. All new structures on the Application Property shall be of compatible architectural style with the existing Manor House on the site and shall be subject to review and comment by the ARB.

11. School Contribution

Per the Residential Development Criteria Implementation Motion adopted by the Board of Supervisors on September 9, 2002, effective January 7, 2003, prior to the issuance of the first RUP on the Application Property, the Applicant shall contribute \$52,500 to the Board of Supervisors for transfer to the Fairfax County School Board for use at the schools serving the Application Property. This contribution is based upon a total of sixty (60) dwelling units; in the event that less than sixty (60) units are shown on the approved site plan, the contribution shall be decreased on a pro-rata basis.

12. Affordable Housing

The Applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to 0.5 percent of the estimated sales price of all of the units approved for the Application Property, as shown on the approved site plan. This contribution shall be payable prior to the issuance of the first building permit for a dwelling unit, and the contribution shall be based upon the aggregate sales price of all of the units, as if all

of those units were sold at the time of the issuance of the first building permit for a dwelling unit, and is estimated through comparable sales of similar type units.

13. Temporary Signs

No temporary signs (including "Popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on the Application Property or at any other location off the Application Property by the Applicant or at the Applicants' direction to assist in the initial sale or rental of residential units on the Application Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and sale and/or rental of residential units on the Application Property to adhere to this proffer.

14. Successors and Assigns

These proffers will bind and inure to the benefit of the Applicants and his/her successors and assigns.

15. Severability

Any of the sections/buildings within the Application Property may be subject to Proffered Condition Amendments or Final Development Plan Amendments without joinder or consent of the other sections.

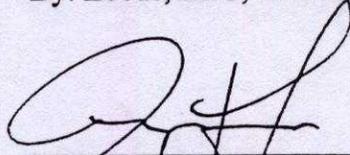
[SIGNATURE ON NEXT PAGE]

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APPLICANT/TITLE OWNER OF TAX MAP  
17-4 ((1)) 1

GREGOR, LLC

By: Locus, LLC, its Sole Manager/Member

A handwritten signature in black ink, appearing to read 'Jorge A. Kfoury', written over a horizontal line.

By: Jorge A. Kfoury  
Its: Sole Managing Member

[SIGNATURE ENDS]

### **6-207 Lot Size Requirements**

1. Minimum district size: No land shall be classified in the PDC District unless the Board finds that the proposed development meets at least one (1) of the following conditions:

A. The proposed development will yield a minimum of 100,000 square feet of gross floor area.

B. The proposed development will be a logical extension of an existing P District, in which case it must yield a minimum of 40,000 square feet of gross floor area.

C. The proposed development is located within an area designated as a Community Business Center in the adopted comprehensive plan or is in a Commercial Revitalization District and a final development plan is submitted and approved concurrently with the conceptual development plan for the proposed development. The conceptual and final development plan shall specify the uses and gross floor area for the proposed development and shall provide site and building designs that will complement existing and planned development by incorporating high standards of urban design, to include provision for any specific urban design plans for the area and for pedestrian movement and access.

2. Minimum lot area: No requirement for each use or building, provided that a privacy yard, having a minimum area of 200 square feet, shall be provided on each single family attached dwelling unit lot, unless waived by the Board in conjunction with the approval of a development plan.

3. Minimum lot width: No requirement for each use or building.

### **6-208 Bulk Regulations**

1. Maximum building height: Controlled by the standards set forth in Part 1 of Article 16.

2. Minimum yard requirements: Controlled by the standards set forth in Part 1 of Article 16.

3. Maximum floor area ratio: 1.5, which may be increased by the Board, in its sole discretion, up to a maximum of 2.5 in accordance with and when the conceptual and final development plans include one or more of the following:

A. More open space than the minimum required by Sect. 209 below - Not more than 2% for each additional 1% of the gross area provided in open space.

B. Unique design features and amenities within the planned development which require unusually high development costs and which achieve an especially

attractive and desirable development, such as, but not limited to, terraces, sculpture, reflecting pools and fountains - As determined by the Board in each instance, but not to exceed 35%.

C. Below-surface off-street parking facilities - Not more than 5% for each 20% of the required number of parking spaces to be provided.

D. Above-surface off-street parking facilities within an enclosed building or structure - Not more than 3% for each 20% of the required number of parking spaces to be provided.

The maximum floor area ratio permitted by this Part shall exclude the floor area for affordable and bonus market rate dwelling units provided in accordance with Part 8 of Article 2 and the floor area for proffered bonus market rate units and/or bonus floor area, any of which is associated with the provision of workforce dwelling units, as applicable.

### **6-209 Open Space**

1. 15% of the gross area shall be open space.

2. In a PDC development where dwelling units are proposed as a secondary use, as part of the open space to be provided in accordance with the provisions of Par. 1 above, there shall be a requirement to provide recreational facilities for the enjoyment of the residents of the dwelling units. The provision of such facilities shall be subject to the provisions of Sect. 16-404 and such requirement shall be based on a minimum expenditure of \$1500 per dwelling unit for such facilities and either:

A. The facilities shall be provided on-site by the developer in substantial conformance with the approved final development plan. In the administration of this provision, credit shall be considered where there is a plan to provide common recreational facilities for the residents of the dwelling units and the occupants of the principal uses, and/or

B. The Board may approve the provision of the facilities located on property which is not part of the subject PDC District.

Notwithstanding the above, in affordable dwelling unit developments, the requirement for a per dwelling unit expenditure shall not apply to affordable dwelling units.

## **PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS**

### **16-101 General Standards**

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

### **16-102 Design Standards**

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.

2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.

3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

## RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

### 1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.
- b) *Layout:* The layout should:
  - provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
  - provide dwelling units that are oriented appropriately to adjacent streets and homes;

- include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
  - provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
  - provide convenient access to transit facilities;
  - Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.
- c) *Open Space:* Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.
- d) *Landscaping:* Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.
- e) *Amenities:* Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

## **2. Neighborhood Context**

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;
- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

## **3. Environment:**

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and low-impact site design techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.
- f) *Lighting:* Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy:* Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling.

#### **4. Tree Preservation and Tree Cover Requirements:**

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas.

#### **5. Transportation:**

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:

- Capacity enhancements to nearby arterial and collector streets;
  - Street design features that improve safety and mobility for non-motorized forms of transportation;
  - Signals and other traffic control measures;
  - Development phasing to coincide with identified transportation improvements;
  - Right-of-way dedication;
  - Construction of other improvements beyond ordinance requirements;
  - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
- Provision of bus shelters;
  - Implementation and/or participation in a shuttle bus service;
  - Participation in programs designed to reduce vehicular trips;
  - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
  - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
  - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
  - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
  - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
  - The number and length of long, single-ended roadways should be minimized;
  - Sufficient access for public safety vehicles should be ensured.
- d) *Streets:* Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities:* Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
  - Connections between adjoining neighborhoods;
  - Connections to existing non-motorized facilities;
  - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
  - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
  - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
  - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;

- Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs:* Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

## **6. Public Facilities:**

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

## **7. Affordable Housing:**

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first

building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

#### **8. Heritage Resources:**

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;
- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

## ROLE OF DENSITY RANGES IN AREA PLANS

Density ranges for property planned for residential development, expressed generally in terms of dwelling units per acre, are recommended in the Area Plans and are shown on the Comprehensive Plan Map. Where the Plan text and map differ, the text governs. In defining the density range:

- the “base level” of the range is defined as the lowest density recommended in the Plan range, i.e., 5 dwelling units per acre in the 5-8 dwelling unit per acre range;
- the “high end” of the range is defined as the base level plus 60% of the density range in a particular Plan category, which in the residential density range of 5-8 dwelling units per acre would be considered as 6.8 dwelling units per acre and above; and,
- the upper limit is defined as the maximum density called for in any Plan range, which, in the 5-8 dwelling unit per acre range would be 8 dwelling units per acre.
- In instances where a range is not specified in the Plan, for example where the Plan calls for residential density up to 30 dwelling units per acre, the density cited in the Plan shall be construed to equate to the upper limit of the Plan range, and the base level shall be the upper limit of the next lower Plan range, in this instance, 20 dwelling units per acre.

### GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

**ABANDONMENT:** Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

**ACCESSORY DWELLING UNIT (OR APARTMENT):** A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

**AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT:** Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

**AGRICULTURAL AND FORESTAL DISTRICTS:** A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

**BARRIER:** A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

**BEST MANAGEMENT PRACTICES (BMPs):** Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

**BUFFER:** Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

**CHESAPEAKE BAY PRESERVATION ORDINANCE:** Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

**CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

**COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

**dBA:** The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

**DENSITY:** Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

**DENSITY BONUS:** An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

**DEVELOPMENT CONDITIONS:** Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

**DEVELOPMENT PLAN:** A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

**EASEMENT:** A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

**ENVIRONMENTAL QUALITY CORRIDORS (EQCs):** An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

**ERODIBLE SOILS:** Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

**FLOODPLAIN:** Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

**FLOOR AREA RATIO (FAR):** An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

**FUNCTIONAL CLASSIFICATION:** A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

**GEOTECHNICAL REVIEW:** An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

**HYDROCARBON RUNOFF:** Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

**IMPERVIOUS SURFACE:** Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

**INFILL:** Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

**INTENSITY:** The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

**Ldn:** Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

**LEVEL OF SERVICE (LOS):** An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

**MARINE CLAY SOILS:** Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

**OPEN SPACE:** That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

**OPEN SPACE EASEMENT:** An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

**P DISTRICT:** A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

**PROFFER:** A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

**PUBLIC FACILITIES MANUAL (PFM):** A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

**RESOURCE MANAGEMENT AREA (RMA):** That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**RESOURCE PROTECTION AREA (RPA):** That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**SITE PLAN:** A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

**SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP):** Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

**STORMWATER MANAGEMENT:** Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

**SUBDIVISION PLAT:** The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

**TRANSPORTATION DEMAND MANAGEMENT (TDM):** Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

**TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS:** This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

**URBAN DESIGN:** An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

**VACATION:** Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

**VARIANCE:** An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

**WETLANDS:** Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

**TIDAL WETLANDS:** Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

#### Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		