APPLICATIONS ACCEPTED: September 26, 2008
PLANNING COMMISSION: March 18, 2009
BOARD OF SUPERVISORS: March 30, 2009 @ 3:30 PM

County of Fairfax, Virginia

March 4, 2009

STAFF REPORT

APPLICATIONS RZ/FDP 2008-HM-016 and PCA 86-C-029-11

HUNTER MILL DISTRICT

APPLICANT:	THI IV Dulles Airport LLC
PRESENT ZONING:	PDC and AN
REQUEST:	PDC and AN
PARCEL(S):	15-2 ((2)) 1
ACREAGE:	6.38 acres
FAR:	0.89
OPEN SPACE:	19.25% on hotel site (45.3% on Dulles Corner)
PLAN MAP:	Mixed use

PROPOSAL: The applicant seeks approval of PCA 86-C-029-11 to delete 6.38 acres from the 99 acre Dulles Corner Mixed Used Development (RZ 86-C-029) and approval of RZ/ FDP 2008-HM-016 to rezone the subject property to the PDC District, to establish new proffers and a new Conceptual and Final Development Plan (CDP/FDP) on the subject property, and to expand the existing hotel (Dulles Hyatt Hotel).

The applicant filed these applications to add 19,000 square feet of meeting space to the ground floor of an existing 228,380 gross square foot hotel building, which results in an increase of floor area on the subject property from 0.82 FAR to 0.89 FAR and a slight decrease in FAR for the overall Dulles Corner Mixed Use Development from 0.72 to 0.71.

William O'Donnell

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/

Staff recommends approval of PCA 86-C-029-11.

Staff recommends approval of RZ 2008-HM-016 subject to proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDP 2008-HM-016 subject to the development conditions found in Appendix 2 of this report.

Staff recommends approval of a modification of the loading space requirement in favor the loading spaces depicted on the CDP/FDP.

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

Staff recommends approval of a modification of the peripheral parking lot landscaping requirements in favor of the landscaping shown on the CDP/ FDP.

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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

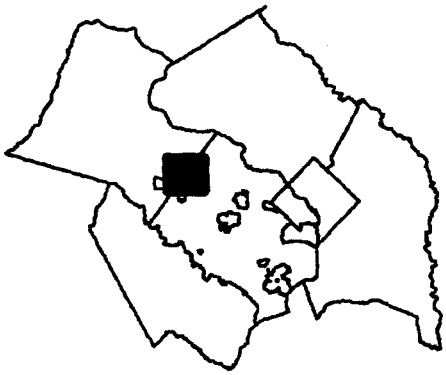
The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application. For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

N:\ZED\PCA\Hyatt Dulles\PCA 86-C-029-11_Hyatt_Dulles_Staff_Report_Cover.doc

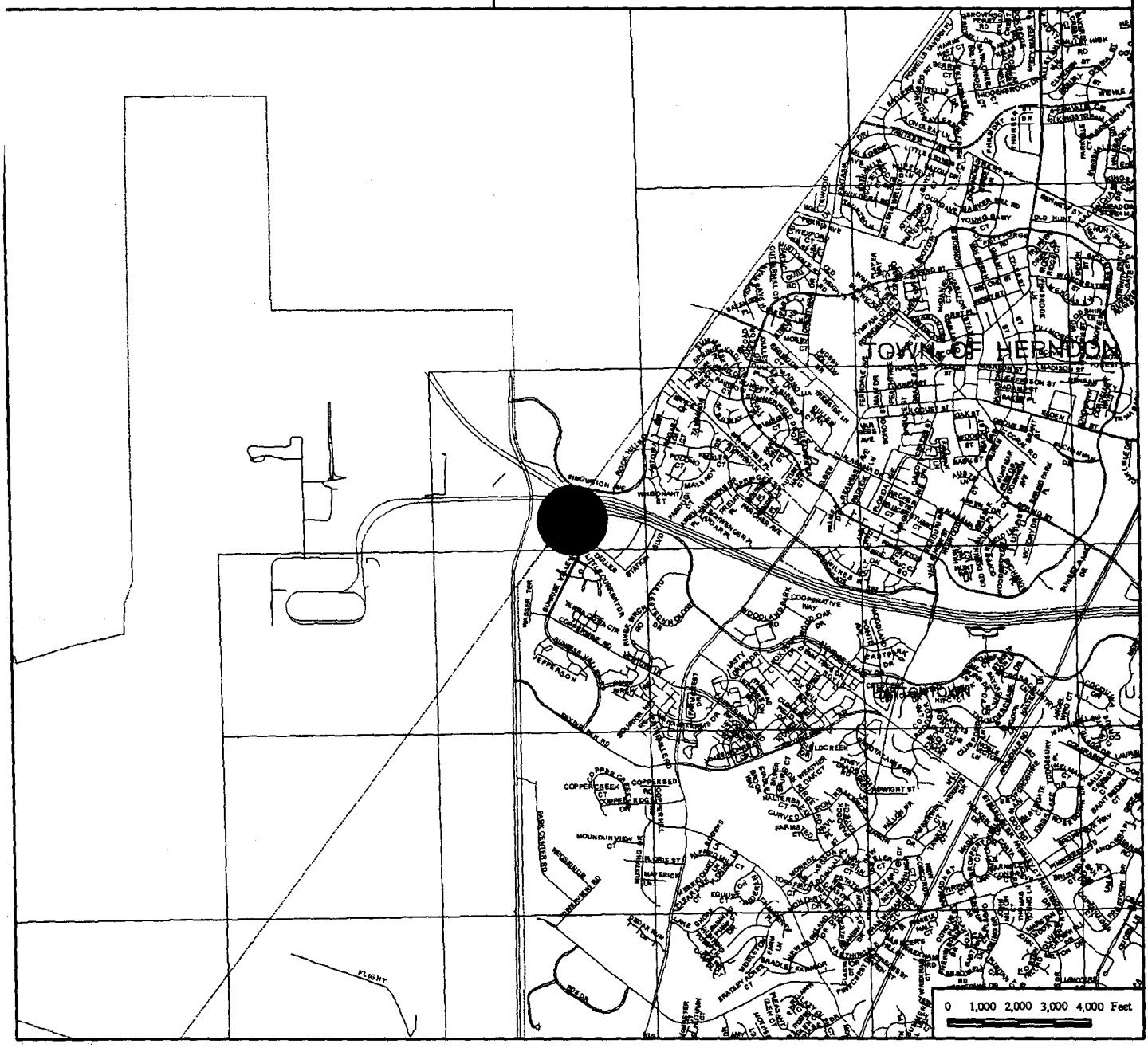
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Proffered Condition Amendment

PCA 86-C -029-11

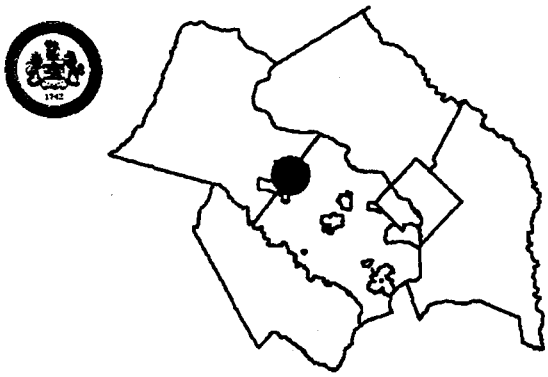


Applicant:	THI IV DULLES AIRPORT LLC
Accepted:	09/26/2008
Proposed:	TO AMEND THE PROFFERS, CONCEPTUAL AND FINAL DEVELOPMENT PLANS FOR RZ 86-C-029 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO DELETE LAND AREA IN ORDER TO INCLUDE IT IN RZ/FDP 2008-HM-016 AND TO PERMIT SITE MODIFICATIONS AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN
Area:	6.38 AC OF LAND; DISTRICT - HUNTER MILL
Located:	WEST OF SUNRISE VALLEY DRIVE ON NORTH SIDE OF DULLES CORNER DRIVE
Zoning:	PDC
Overlay Dist:	AN
Map Ref Num:	015-2- /02/ /0001



Proffered Condition Amendment

PCA 86-C -029-11



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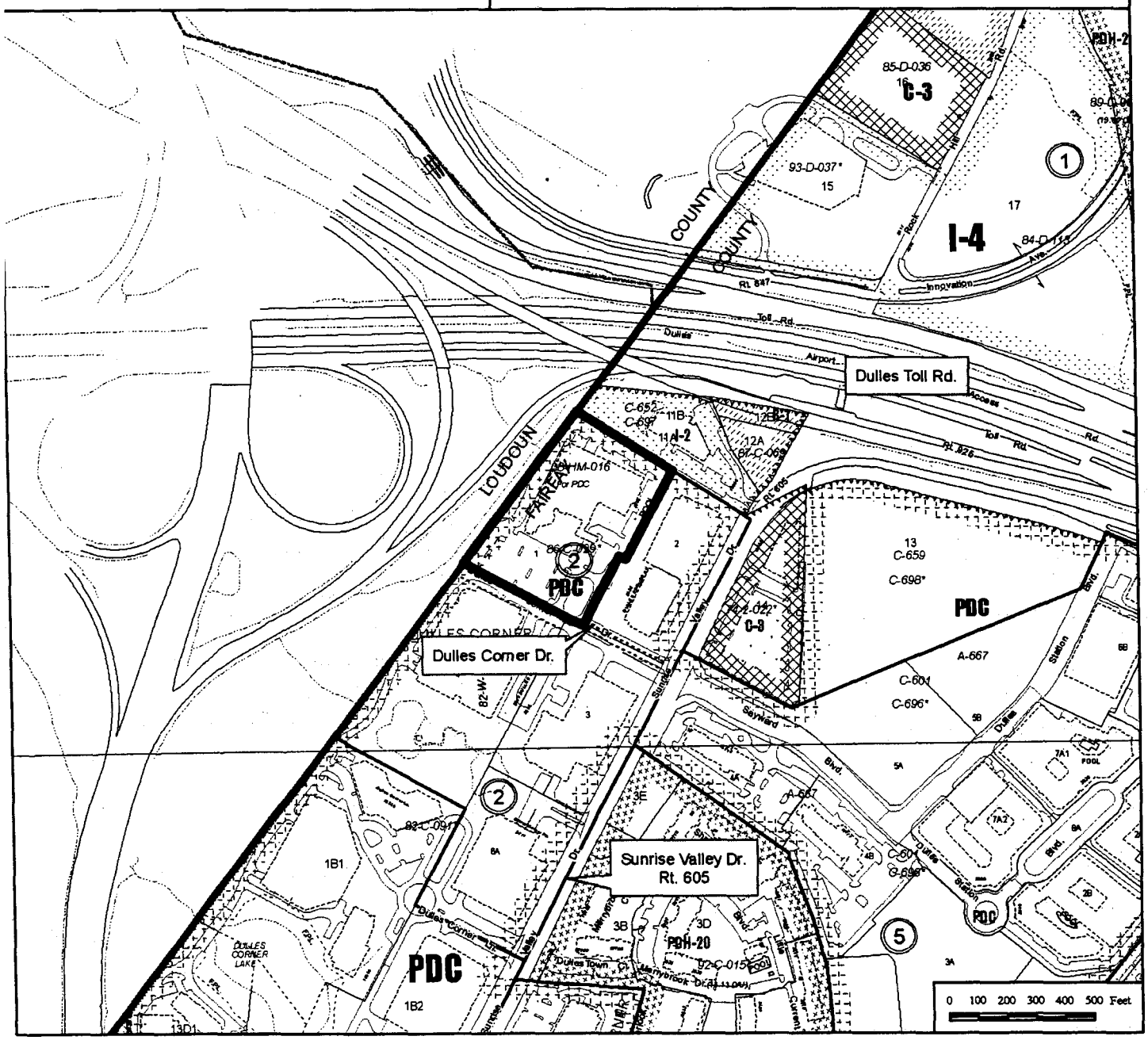


CONCEPTUAL DEVELOPMENT PLAN/ FINAL DEVELOPMENT PLAN
RZ/CDP/FDP 2008-HM-016
FOR HYATT DULLES

HUNTER MILL MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA

PROJECT TEAM

APPLICANT/ OWNER:
THI IV DULLES AIRPORT LLC
1997 ANNAPOLIS EXCHANGE PARKWAY, SUITE 550
ANNAPOLIS, MD 21401

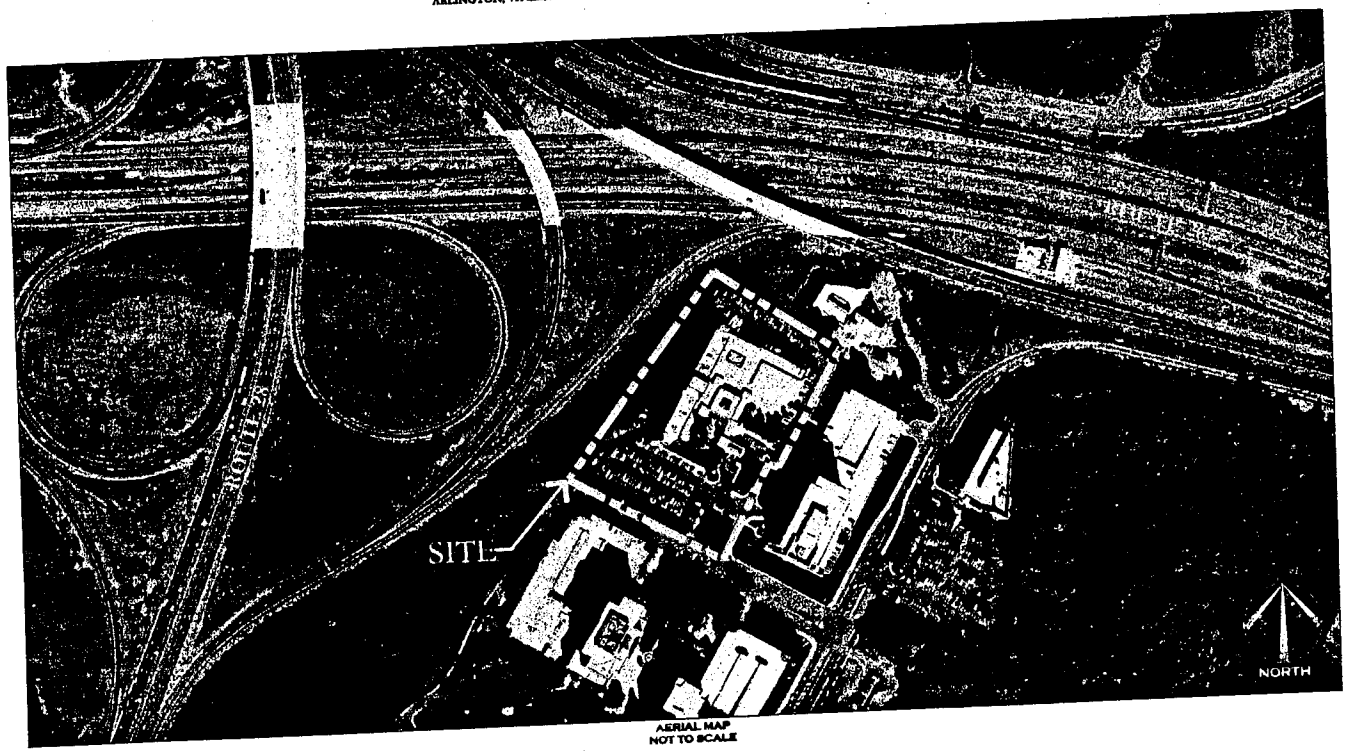
PROJECT MANAGER:
URBAN REALTY ADVISORS
1747 PENNSYLVANIA AVENUE NW, SUITE 1100
WASHINGTON, DC 20006

LAND USE ATTORNEY:
WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.
2200 CLARENDON BLVD., 13TH FLR.
ARLINGTON, VA 22201

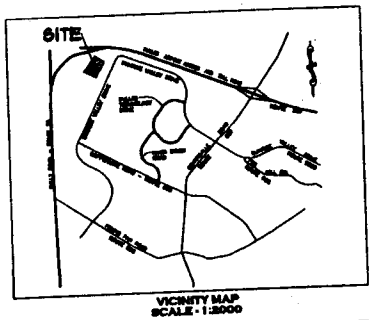
CIVIL ENGINEER/ LANDSCAPE ARCHITECT:
WILLIAM H. GORDON ASSOCIATES, INC.
4501 DALY DRIVE, SUITE 200
CHANTILLY, VA 20151

ARCHITECT:
PETER PILLAT ARCHITECTS
720 ALICEANNA ST STE 200
BALTIMORE, MD 21202

COMMONWEALTH OF VIRGINIA
ROBERT W. WALKER
Lic. No. 2909
5-1-07
PROFESSIONAL ENGINEER



AERIAL MAP
NOT TO SCALE



VICINITY MAP
SCALE - 1:2000

SHEET INDEX

1 — COVER SHEET
2 — NOTES/TABULATION
3 — PCA/CDP/FDP PLAN
4 — LANDSCAPE AND SITE AMENITIES PLAN
5 — SWM/BMP ANALYSIS
6 — ADEQUATE OUTFALL ANALYSIS
7 — ARCHITECTURAL ELEVATIONS

REVISIONS	
August 7, 2008	Original Submission
September 3, 2008	County Comments
November 14, 2008	County Comments
January 30, 2009	County Comments
February 27, 2009	County Comments

2717-0101
2717-C5.dwg

GENERAL NOTES:

1. LOCATION/EXISTING ZONING AND USE. THE SUBJECT PROPERTY CONSISTS OF APPROXIMATELY 6.316 ACRES AS DELINEATED ON THIS PLAN AND IS SHOWN ON FAIRFAX COUNTY TAX MAP No. [illegible] PARCEL 1. THE ADDRESS FOR THE SITE IS 2300 DULLES CORNER BOULEVARD AND ALSO KNOWN AS THE HYATT DULLES. THE SITE IS ZONED PDC (PLANNED DEVELOPMENT COMMERCIAL).

2. REQUEST. THE APPLICANT REQUESTS THE FOLLOWING:

   A. A PROFFER CONDITION AMENDMENT (PCA) TO WITHDRAW THE SUBJECT PROPERTY FROM THE LARGER DULLES CORNER DEVELOPMENT.

   B. A REZONING FROM THE PDC DISTRICT TO THE PDC DISTRICT IN ORDER TO ESTABLISH A NEW CDP/FDP FOR THE HYATT DULLES SITE.

3. BOUNDARY AND TOPOGRAPHIC INFORMATION. BOUNDARY INFORMATION FOR THE SUBJECT PROPERTY IS TAKEN FROM AN "ALTA" SURVEY PREPARED BY PATTON HARRIS RUST & ASSOCIATES IN [illegible] AND TOPOGRAPHIC SURVEY BY WILLIAM H. GORDON ASSOCIATES IN JULY 2008 AT A TWO-FOOT CONTOUR INTERVAL AND IS BASED ON AN FIELD-RUN SURVEY.

4. OWNERSHIP. THE PROPERTY SHOWN HEREON IS NOW IN THE NAME OF [illegible] DULLES AIRPORT LLC RECORDED [illegible] IN DEED BOOK [illegible] AT PAGE [illegible] AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA.

5. COMPREHENSIVE PLAN. THE SUBJECT PROPERTY IS LOCATED WITHIN THE COMPREHENSIVE PLAN'S LAND UNIT A OF THE DULLES SUBURBAN CENTER WHICH IS PLANNED FOR A COMPLEMENTARY MIX OF LAND USES, INCLUDING OFFICE, HOTEL AND SUPPORT RETAIL AT A [illegible] FAR. THE SUBJECT PROPERTY IS ALSO LOCATED WITHIN AN AREA THAT THE COMPREHENSIVE PLAN ENVISIONS TO BE A TRANSIT STATION MIXED-USE AREA. PLAN TEXT FOR THIS AREA DESIGNATED AS THE "CORE AREA" STATES THAT HIGHER INTENSITY DEVELOPMENT IS AN APPROPRIATE OPTION IN LAND UNIT A AT SUCH TIME AS EITHER A [illegible] ... THE PLAN FURTHER STATES THAT HOTEL USES ARE ENCOURAGED. THE PROPOSED ADDITION TO THE HOTEL WILL BE IN HARMONY WITH THE USES AND INTENSITY RANGE RECOMMENDED IN THE COMPREHENSIVE PLAN.

6. MODIFICATIONS/WAIVERS REQUESTED. THE PROPOSED DEVELOPMENT SHALL BE IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES, REGULATIONS, AND ADOPTED STANDARDS, WITH THE FOLLOWING EXCEPTIONS:

   - LOADING SPACES: A MODIFICATION OF THE LOADING SPACE REQUIREMENT TO PROVIDE 2 LOADING SPACES RATHER THAN THE REQUIRED 3 SPACES.
   - MINIMUM TREE PLANTING WIDTH: A MODIFICATION OF THE PUBLIC FACILITIES MANUAL STANDARD [illegible] ... IN THE PROFFERS. STRUCTURAL SOILS OR OTHER INNOVATIVE TECHNIQUES WILL BE IMPLEMENTED TO ENHANCE THE SURVIVABILITY OF THE TREES SUBJECT TO THIS MODIFICATION. [illegible] ... MULCHED AREAS SHALL BE PROVIDED AS INDICATED ON THE LANDSCAPE PLAN TO HELP CREATE AN ENVIRONMENT THAT TREE ROOTS CAN MORE FULLY UTILIZE.
   - PERIPHERAL PARKING LOT LANDSCAPING: A WAIVER OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENT WHEN THE PROPERTY LINE ABUTS LAND NOT IN THE RIGHT-OF-WAY OF A STREET AND WHEN THE PROPERTY LINE ABUTS THE RIGHT-OF-WAY OF A STREET.
   - ON SITE STORMWATER MANAGEMENT: A WAIVER OF SECTION [illegible] OF THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL TO PROVIDE ON SITE STORMWATER MANAGEMENT. THE SUBJECT PROPERTY IS PART OF THE DULLES CORNER DEVELOPMENT, WHICH HAS TWO EXISTING PONDS. THE EXISTING [illegible] AT DULLES CORNER POND, FAIRFAX COUNTY [illegible], WAS DESIGNED TO ACCOMMODATE THE POST DEVELOPMENT RUN-OFF FROM THE HYATT DULLES PROPERTY.

7. PARKING SPACES. [illegible] PARKING SPACES ARE PROVIDED WITHIN AN ADJACENT OFFICE BUILDING'S PARKING GARAGE PER AN EXISTING PARKING AGREEMENT/EASEMENT (DB [illegible], PG [illegible]). SURFACE PARKING SPACES ARE PROVIDED IN ACCORDANCE WITH ZONING ORDINANCE ART. 11 AND ARE SHOWN ON SHEET 3. PARKING TABULATIONS ARE PROVIDED ON THIS SHEET. PARKING AND LOADING SPACES WILL BE PROVIDED GENERALLY AS SHOWN ON THE CDP/FDP. APPLICANT RESERVES THE RIGHT TO ADJUST NUMBER AND/OR LOCATION OF THE PARKING AND/OR LOADING SPACES AT THE TIME OF FINAL SITE PLAN SO LONG AS THE MINIMUM NUMBERS OF SPACES ARE PROVIDED IN ACCORDANCE WITH ARTICLE 11 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

(GENERAL NOTES CONTINUED)

8. LANDSCAPING/BUFFERING. SHADE TREES WILL BE PROVIDED AS SHOWN ON THE LANDSCAPE PLAN. IN KEEPING WITH THE COMPREHENSIVE PLAN RECOMMENDATION, THE SUBMISSION WILL MEET OR EXCEED THE PROVISIONS OF ARTICLE 13 OF THE ZONING ORDINANCE FOR TREE COVERAGE SUBJECT TO THE APPROVAL OF TRANSITIONAL AND BARRIER MODIFICATION REQUESTED IN NOTE 6. SEE SHEET 4 FOR PROPOSED LANDSCAPING.

9. SIGNAGE. PROPOSED ENTRANCE SIGNS SHOWN HEREON WILL COMPLY WITH THE PROVISIONS OF ARTICLE 12 AND SHALL BE GENERALLY LOCATED IN ACCORDANCE WITH THE APPROVED CDP/FDP AS SHOWN ON SHEET 3.

10. STORM WATER MANAGEMENT/BEST MANAGEMENT PRACTICES (SWM/BMP). SWM/BMP IS ADDRESSED, SEE ADEQUATE OUTFALL ANALYSIS ON SHEET 5 AND SWM/BMP ANALYSIS ON SHEET 6.

11. CLEARING AND GRADING. IT IS NOTED THAT THE LIMITS OF CLEARING AND GRADING ARE TO THE PROPERTY LINES.

12. WATER AND SEWER. PUBLIC WATER AND SANITARY SEWER ARE AVAILABLE TO SERVICE THE SUBJECT PROPERTY.

13. GRAVES. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO GRAVES OR PLACES OF BURIAL ON THE PROPERTY.

14. WETLANDS. THERE ARE NO KNOWN VEGETATED WETLANDS, TIDAL WETLANDS, OR WATERS OF THE US ON THE SUBJECT PROPERTY.

15. FLOODPLAIN. THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED IN FLOOD ZONE "X" AN AREA OUTSIDE THE 500 YEAR FLOODPLAIN AS DETERMINED BY REFERENCE TO FIRM COMMUNITY PANEL NO. [illegible] D, REVISED MARCH 5, 1990, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

16. UTILITY EASEMENTS. TO THE BEST OF THE APPLICANT'S KNOWLEDGE AND BELIEF, THERE ARE NO UTILITY EASEMENTS ON THE PROPERTY HAVING A WIDTH OF 25 FEET OR MORE AND ALL OTHER KNOWN UTILITIES ARE SHOWN ON SHEET 3.

17. UNDERGROUND UTILITIES. THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND TAKEN FROM A TOPOGRAPHIC SURVEY PREPARED BY WILLIAM H. GORDON ASSOCIATES IN JULY 2008.

18. DEVELOPMENT SCHEDULE. THE PROPOSED DEVELOPMENT AND IMPROVEMENTS ARE PROPOSED TO BE COMPLETED WITHIN APPROXIMATELY 3 YEARS OF SITE PLAN APPROVAL.

19. SITE FEATURES. ADDITIONAL SITE FEATURES SUCH AS TRASH DUMPSTERS, BICYCLE RACKS, FOUNTAINS, ARBORS, PLANTERS, WALLS, AND FENCING NOT REPRESENTED HEREON MAY BE PROVIDED.

20. EVM. AN EXISTING VEGETATION MAP (EVM) HAS BEEN PROVIDED UNDER SEPARATE COVER SINCE CONSTRUCTING THE SITE IMPROVEMENTS WILL NECESSITATE THE DISTURBANCE OF AN AREA GREATER IN SIZE THAN 2,500 SQUARE FEET.

21. SCENIC ASSETS/EXISTING STRUCTURES. THE SITE CONTAINS AN EXISTING LANDSCAPED COURTYARD ADJACENT TO THE HOTEL ENTRANCE AND AN EXISTING LANDSCAPED OPEN SPACE SOUTHEAST OF DULLES CORNER BOULEVARD THAT SHALL BE PROTECTED DURING DEVELOPMENT.

22. HAZMAT. TO THE BEST OF THE APPLICANT'S KNOWLEDGE AND BELIEF, THERE ARE NO HAZARDOUS OR TOXIC SUBSTANCES ((AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS (CFR) PARTS 116.4, 302.4, AND 355, COMMONWEALTH OF VIRGINIA/DEPARTMENT OF WASTE MANAGEMENT REGULATIONS VR 672-10-1-VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS, AND/OR PETROLEUM PRODUCTS AS DEFINED IN TITLE 40, CFR PART 280)) OR STORAGE TANKS OR CONTAINERS ON SITE. SUCH SUBSTANCES WILL NOT BE GENERATED, UTILIZED, STORED, TREATED, AND/OR DISPOSED OF ON-SITE. IN THE EVENT THAT SUCH SUBSTANCES ARE FOUND TO BE ON-SITE, THEY WILL BE DISPOSED OF IN AN APPROPRIATE MANNER.

23. SITE ACCESS. THE SITE HAS FRONTAGE ON ROUTE 28/ ROUTE 267 INTERCHANGE BUT DOES NOT PROVIDE DIRECT SITE ACCESS. ACCESS TO THE SUBJECT PROPERTY IS FROM SUNRISE VALLEY DRIVE THROUGH INGRESS/EGRESS EASEMENTS ON DULLES CORNER DRIVE AND DULLES CORNER BOULEVARD.

24. MINOR MODIFICATIONS. THE APPLICANT RESERVES THE RIGHT TO MAKE MINOR MODIFICATIONS TO THE BUILDING FOR FOOTPRINT SIZE, PARKING LOT LAYOUT, AND GROSS FLOOR AREA SHOWN ON THIS FINAL DEVELOPMENT PLAN (CDP/FDP) BASED ON FINAL ENGINEERING AND ARCHITECTURAL DESIGN PROVIDED THE OVERALL FLOOR AREA RATIO (FAR) IS NOT EXCEEDED, OPEN SPACE PROVIDED IS NOT REDUCED, THE MINIMUM BUILDING SETBACKS AND BULK PLANE ANGLES TO THE PERIPHERAL LOT LINES ARE NOT REDUCED, AND THAT THE CHANGES ARE DETERMINED TO BE IN SUBSTANTIAL CONFORMANCE WITH THE CDP/FDP. THE DIMENSIONS SHOWN FOR BLDG. SETBACK ARE MEASURED TO THE OUTER VERTICAL FACADES AND DO NOT INCLUDE ANY ARCHITECTURAL ELEMENTS SUCH AS OVERHANGS, EAVES, ETC.

25. FINAL DESIGN. THE SITE LAYOUT, GRADING AND UTILITY DESIGN IS SUBJECT TO FINAL ENGINEERING THAT MAY WARRANT MINOR ADJUSTMENTS TO THE LAYOUTS ENCLOSED HEREIN.

DEVELOPMENT TABULATIONS:

		PROPOSED
TAX MAP / PARCEL		TAX MAP [illegible] PARCEL 1
SITE AREA		6.316 ACRES OR [illegible] SF
OPEN SPACE (BASED ON PROVISIONS OF SECTION [illegible] OF THE FAIRFAX COUNTY ZONING ORDINANCE)		[illegible] OF GROSS AREA (PDC DISTRICT) = [illegible] SF; PROVIDED = [illegible] OR [illegible] SF
TOTAL GROSS SF		[illegible] SF = [illegible] SF
TOTAL FLOOR AREA RATIO		[illegible] FAR
NUMBER OF STORIES/HEIGHT		AS SHOWN ON PLAN (SHEET 3)
YARD REQUIREMENTS		SEE ANGLE OF BULK PLANE (THIS SHEET)
	FRONT	[illegible] FEET
	SIDE	[illegible] FEET AND [illegible] FEET
	REAR	[illegible] FEET

PARKING TABULATIONS:

PARKING SPACES

USE: HOTEL W/ EATING ESTABLISHMENT AND ANCILLARY MEETING SPACE

USE	REQUIRED	
[illegible] ROOMS	1 SPACE / ROOM + 4 SPACES/ [illegible] ROOMS	[illegible] SPACES
EATING ESTABLISHMENT		
[illegible] TABLE SEATS	1 SPACE/ 4 SEATS	[illegible] SPACES
[illegible] COUNTER SEATS	1 SPACE/ 3 SEATS	[illegible] SPACES
[illegible] EMPLOYEES	1 SPACE/ 3 EMPLOYEES	[illegible] SPACES
MEETING ROOM (1) [illegible] SEATS	[illegible] SPACES/ SEAT	[illegible] SPACES
SUBTOTAL PARKING SPACES REQUIRED:		[illegible] SPACES
PARKING REDUCTION (PER SHARED PARKING STUDY (2)):		[illegible] SPACES
TOTAL PARKING SPACES REQUIRED:		[illegible] SPACES
TOTAL PARKING ON-SITE (EXISTING AND PROPOSED):		[illegible] SPACES
TOTAL PARKING OFF-SITE (PER PARKING AGREEMENT, DEED BOOK [illegible] PAGE [illegible]) (3):		[illegible] SPACES
TOTAL PARKING SPACES PROVIDED:		[illegible] SPACES

LOADING SPACES: [illegible] SF = 1/ EVERY [illegible] SF OR MAJOR FRACTION THEREOF = 3 LOADING SPACES

PROVIDED = 2

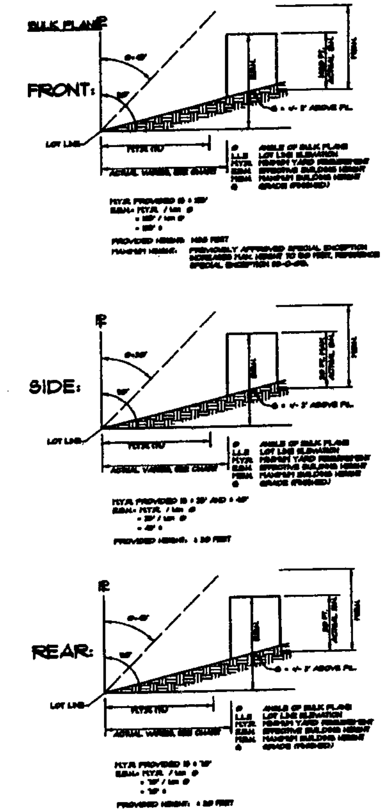
FOOTNOTES:

(1) INCLUDES [illegible] SF PROPOSED AND [illegible] EXISTING BALLROOM AND MEETING SPACES.

(2) PARKING TABULATIONS SHOWN ON THIS PCA/CDP/FDP ARE SUBJECT TO MODIFICATION BASED UPON CODE ANALYSIS DIVISION REVIEW AND BOARD OF SUPERVISORS APPROVAL OF THE "HYATT DULLES HOTEL EXPANSION SHARED PARKING STUDY" PREPARED BY WELLS + ASSOCIATES, INC.

(3) THE OFF-SITE PARKING PER PREVIOUSLY RECORDED AGREEMENT IS NOT BEING CHANGED WITH THIS APPLICATION.

ANGLE OF BULK PLANE
(NOT TO SCALE)



William H. Gordon Associates, Inc.
4501 Daly Drive
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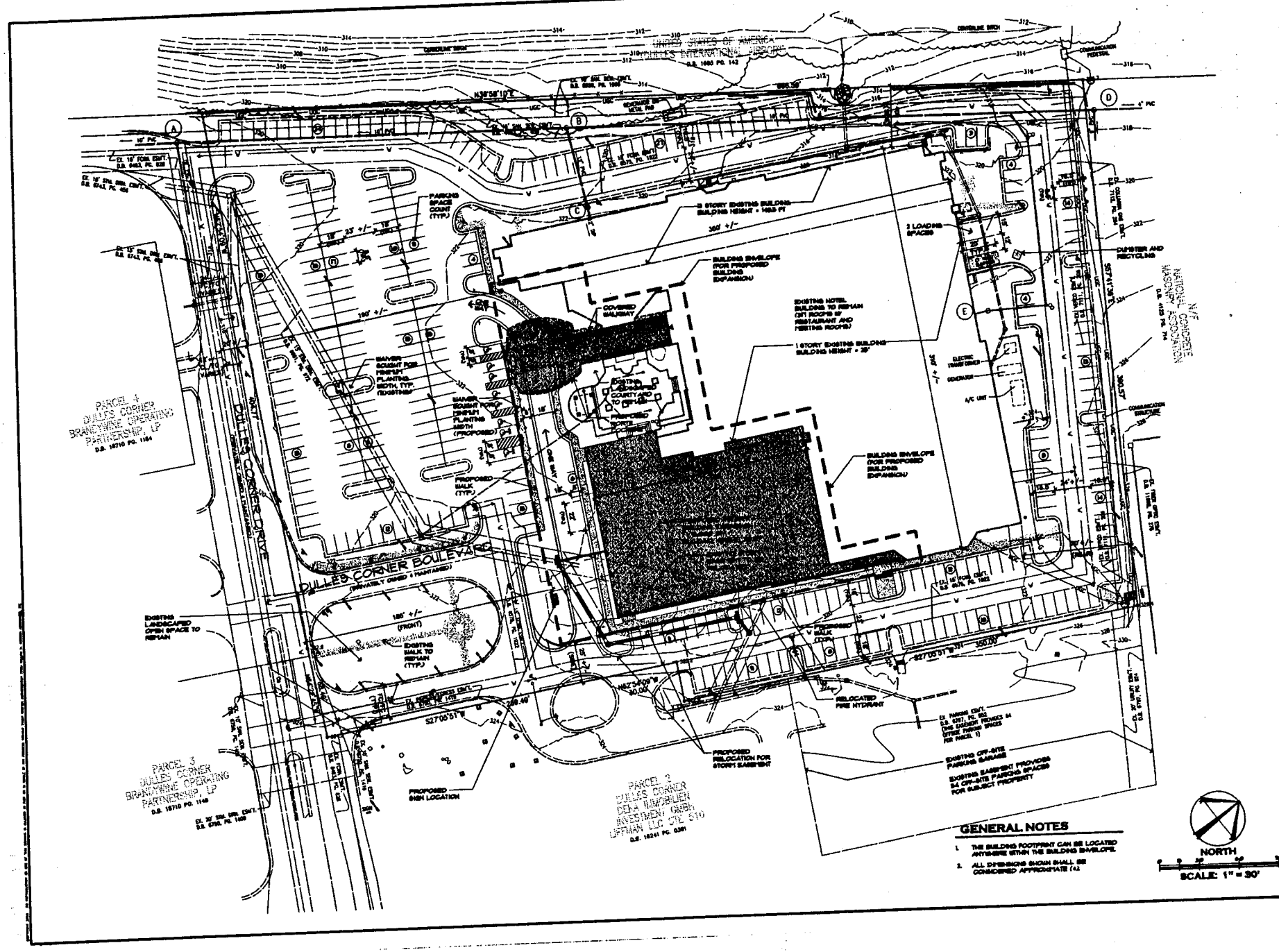
SEAL
COMMONWEALTH OF VIRGINIA
ROBERT W. WALKER
3-1-09
PROFESSIONAL ENGINEER

REVISIONS
9-3-08 County Comments
11-14-08 County Comments
1-30-09 County Comments
2-27-09 County Comments

NOTES AND TABULATIONS

HYATT DULLES
RZ/CDP/FDP 2008-HM-016
HUNTER MILL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE	N/A
DATE	AUGUST 7, 2008
DRAWN	OFS
CHECKED	OFS/RW
JOB #	2717-0101
CAD FILE	2717-NT.dwg
SHEET #	2 OF 7



GENERAL NOTES

1. THE BUILDING FOOTPRINT CAN BE LOCATED ANYWHERE WITHIN THE BUILDING ENVELOPE.
2. ALL DIMENSIONS SHOWN SHALL BE CONSIDERED APPROXIMATE (±).

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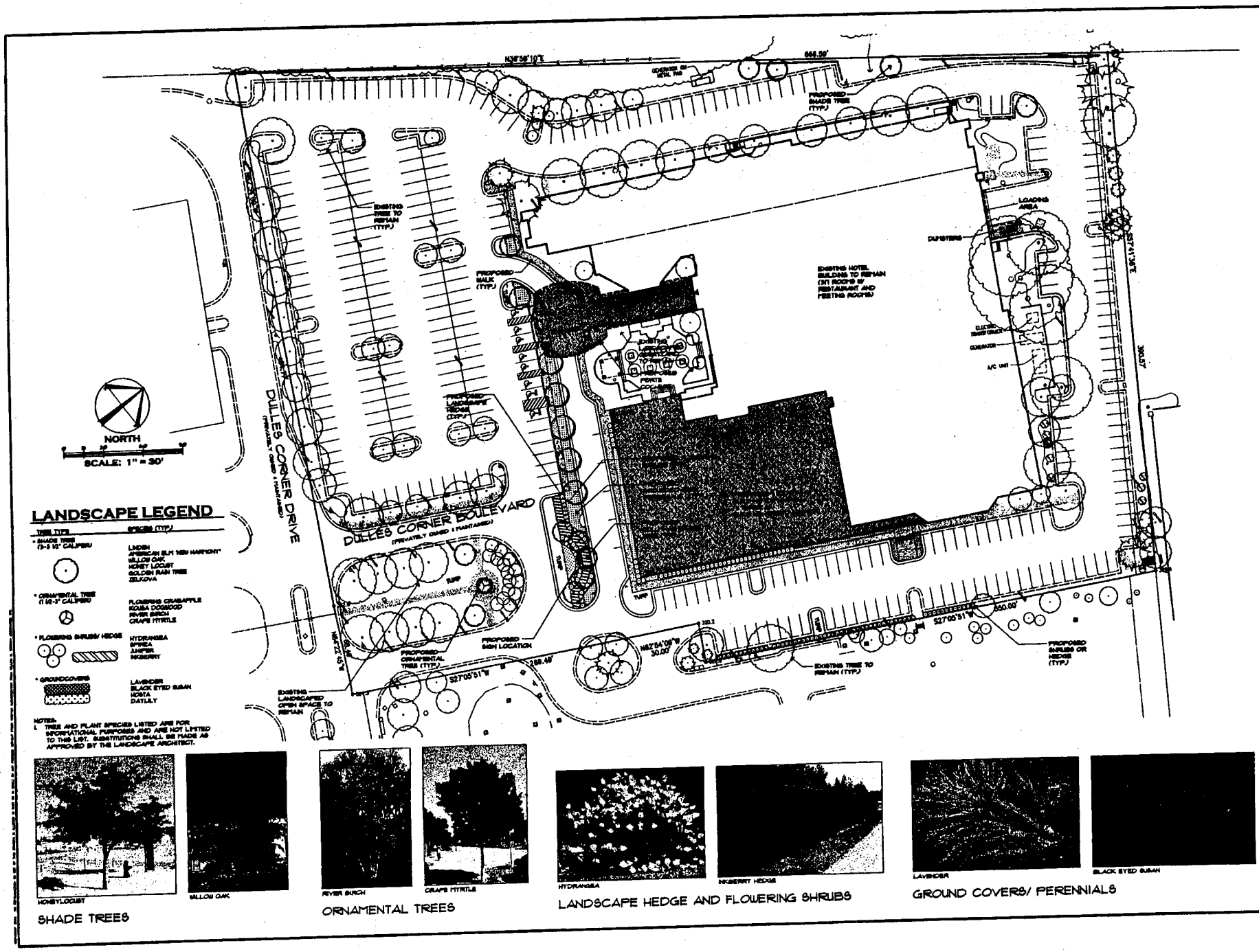
PCA/CDP/FDP PLAN

HYATT DULLES
RZ/CDP/FDP 2008-HM-016
HUNTER MILL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE	1"=30'
DATE	AUGUST 7, 2008
DRAWN	OFS
CHECKED	OFS/RW
JOB #	2717-0101
CAD FILE	2717-CDP-FDP.dwg
SHEET #	3 OF 7



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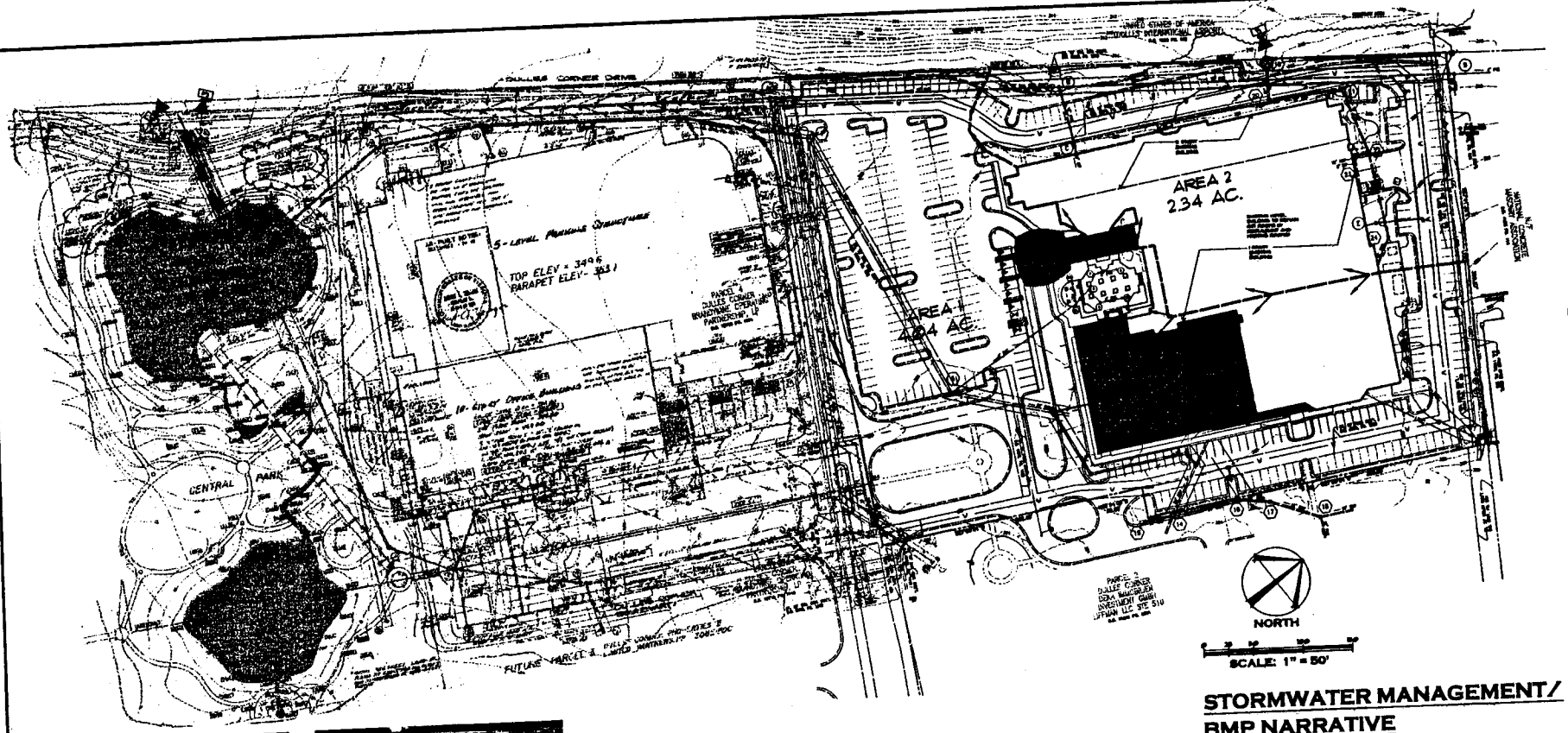
LANDSCAPE AND SITE AMENITIES PLAN

HYATT DULLES

RZ/CDP/FDP 2008-HM-016
HUNTER MILL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE	1"=30'
DATE	AUGUST 7, 2008
DRAWN	OFS
CHECKED	OFS/RW
JOB #	2717-0101
CAD FILE	2717-LS.dwg
SHEET #	4 OF 7



OUTFALL AT AT&T AT DULLES CORNER POND

DOWNSTREAM DISCHARGE CULVERTS AT&T AT DULLES CORNER POND (OUTFALL #1)

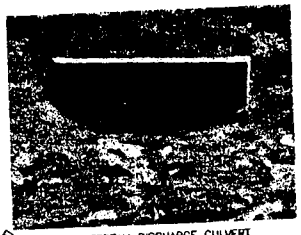
LEGEND

DIRECTION OF SHOT

NUMBER(s) INDICATES PICTURE(s) ASSOCIATED WITH CAMERA'S ANGLE AS SHOWN.

UPSTREAM DISCHARGE CULVERTS AT&T AT DULLES CORNER POND

DOWNSTREAM CHANNEL AT&T AT DULLES CORNER POND



DOWNSTREAM DISCHARGE CULVERT ON-SITE (OUTFALL #2)

STORMWATER MANAGEMENT/ BMP NARRATIVE

STORMWATER MANAGEMENT (WATER QUANTITY)
STORMWATER MANAGEMENT IS PROVIDED FOR THE ENTIRE DULLES CORNER DEVELOPMENT BY TWO EXISTING WET PONDS LOCATED TO THE SOUTH OF THIS SITE. THE FIRST POND WAS CONSTRUCTED PER PLAN # 6318-SP-02. APPROXIMATELY 63% OF THE PROPERTY WAS CONSTRUCTED PER PLAN # 6318-SP-02. APPROXIMATELY 63% OF THE PROPERTY DRAINS TO THIS SECOND WET POND. THE POND'S OUTLET CONTROL IS A 4-WAY 27" ROUND RCP CULVERT. THE POND HAS BEEN DESIGN TO CONVEY THE 2-YEAR AND 10-YEAR STORM AS SHOWN ON SITE PLAN SHEET 9 OF 16 FROM THE AT&T AT DULLES CORNER SITE PLAN (6318-SP-02-1). THE EXISTING SECOND POND WAS DESIGNED TO PROVIDE SWM FOR A DRAINAGE AREA OF APPROXIMATELY 36.73 ACRES WITH AN ESTIMATED RUNOFF COEFFICIENT OF 0.45. THE PROPOSED IMPROVEMENTS WITH THIS PLAN DO NOT INTEND TO INCREASE THE DRAINAGE AREA OR RUNOFF COEFFICIENT WITHIN THE DRAINAGE AREA. THEREFORE, THE SWM REQUIREMENTS OF THIS PLAN ARE MET WITH THE EXISTING FACILITY. THE ELEVATIONS AT THE DIFFERENT STORM EVENTS IN THE SECOND POND ARE AS FOLLOWS: TWO YEAR ELEVATION IS 349.75 AND THE TEN YEAR IS 349.41.
THE PONDS AT DULLES CORNER ARE MAINTAINED BY THE DULLES CORNER PROPERTY OWNERS ASSOCIATION AND THIS PROPERTY IS A MEMBER OF THAT ASSOCIATION. ACCESS TO THE SECOND POND IS PROVIDED BY THE AT&T (NORTHROP GRUMMAN) ENTRANCE DRIVE.

BMP (WATER QUALITY)
THIS SITE IS A PART OF THE ORIGINAL PROFFERED DEVELOPMENT PLAN FOR DULLES CORNER THAT WAS APPROVED PRIOR TO THE ADOPTION OF THE CHESAPEAKE BAY PRESERVATION ORDINANCE. THEREFORE, A CHESAPEAKE BAY ORDINACE EXCEPTION WILL BE REQUESTED BASED ON THE PROFFERED PLAN OF IMPROVEMENT. ADDITIONAL JUSTIFICATION FOR THE EXCEPTION WILL BE THAT WATER QUALITY IS ALREADY BEING PROVIDED TO SOME DEGREE WITHIN THE DULLES CORNER DEVELOPMENT BY TWO WET PONDS THAT ALSO PROVIDE THE REQUIRED STORMWATER MANAGEMENT (QUANTITY CONTROL). THE FIRST POND IS A REGIONAL POND LOCATED FURTHER SOUTH WITHIN THE DULLES CORNER DEVELOPMENT THAT WAS CONSTRUCTED WITH PLAN # 6318-SP-02. A SECOND WET POND IS LOCATED TO THE SOUTH WEST OF THIS SITE THAT WAS CONSTRUCTED WITH PLAN # 6318-SP-02. APPROXIMATELY 63% OF THE PROPERTY DRAINS TO THIS SECOND WET POND, THEREBY PROVIDING SUPPLEMENTAL BMP (WATER QUALITY). THE POND'S OUTLET CONTROL IS A 4-WAY 27" ROUND RCP CULVERT. THE POND HAS BEEN DESIGN TO CONVEY THE 2-YEAR AND 10-YEAR STORM AS SHOWN ON SITE PLAN SHEET 9 OF 16 FROM THE AT&T AT DULLES CORNER SITE PLAN (6318-SP-02-1)
THE SECOND POND RECEIVES 4.64 ACRES OF ON-SITE LAND. THE BMP WET VOLUME STORAGE AT ELEVATION 349.8 IS ESTIMATED AT 46,888 F.3. THE APPLICANT RESERVES THE RIGHT TO PROVIDE SUPPLEMENTAL BMP MEASURES IN ACCORDANCE WITH THE PFM IF WARRANTED.

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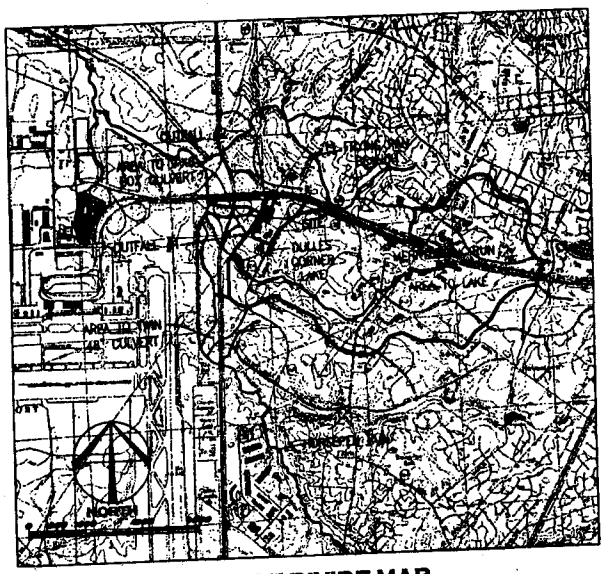
SWM/BMP ANALYSIS

HYATT DULLES

RZ/CDP/FDP 2008-HM-016
HUNTER MILL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE	1"=50'
DATE	AUGUST 7, 2008
DRAWN	OPS
CHECKED	OPS/RW
JOB #	2717-0101
CAD FILE	2717-BMP-SWM.dwg
SHEET #	5 OF 7



OVERALL DRAINAGE DIVIDE MAP

SCALE: 1"=2000'

ADEQUATE OUTFALL NARRATIVE

LIMIT OF DOWNSTREAM REVIEW

THE SUBJECT PROPERTY HAS TWO DRAINAGE AREAS, EACH DRAINAGE AREA FOR THE SITE IS AT THE TOP OF THE WATERSHED OF THE DOWNSTREAM DRAINAGE SYSTEM. ACCORDING TO PFM SECTION 6-0203A, THE FIRST OPTION FOR THE LIMIT OF DOWNSTREAM REVIEW IS TO A POINT THAT IS AT LEAST 500 FT DOWNSTREAM OF A POINT WHERE THE RECEIVING PIPE OR CHANNEL IS JOINED BY ANOTHER THAT HAS A DRAINAGE AREA THAT IS AT LEAST 50% OF THE SIZE OF THE FIRST DRAINAGE AREA AT THE POINT OF CONFLUENCE. IN THIS CASE, THE TOTAL DRAINAGE AREA GOING TO POND 1 (ATVT) POND, IS 4.04 AC. THE EXTENT OF REVIEW ACCORDING TO THE 50% OF THE FIRST SYSTEM NEEDS TO SEE A CONFLUENCE WITH AN AREA OF AT LEAST 3.04 AC. IF OUTFALL IS 2.04 AC. THE EXTENT OF REVIEW ACCORDING TO THE 50% OF THE FIRST SYSTEM NEEDS TO SEE A CONFLUENCE WITH AN AREA OF AT LEAST 2.0 AC.

OUTFALL ANALYSIS

THE STORM DRAINAGE OUTFALL FOR THE HYATT DULLES HOTEL IS DIVIDED INTO TWO OUTFALLS, AREA 1 WHICH DISCHARGES IN HERRYBROOK RUN AND AREA 2 WHICH DISCHARGES IN HORSEPEN RUN.

DRAINAGE FROM AREA 1 DISCHARGES INTO AN EXISTING 30" PIPE, WHICH THEN DISCHARGES INTO A 79"x48" ELLIPTICAL PIPE, WHICH THEN CONNECTS TO POND 1. THE POINT OF CONFLUENCE WHERE THE RECEIVING PIPE SYSTEM IS JOINED BY AN AREA OF 32.60 AC. WHICH IS MORE THAN 50% OF THE INITIAL DRAINAGE AREA OCCURS AT POND 1. THE EXTENT OF DOWNSTREAM REVIEW IS 500' PAST THE STRUCTURE. THE DETENTION SYSTEM DISCHARGES INTO A 4-WAY 27" CULVERT THAT DISCHARGES INTO A DITCH ON THE NORTH SIDE OF THE FORMER AT&T SITE. AT THIS POINT THE WATERSHED CROSSES INTO LOUDOUN COUNTY.

POND 1 WAS DESIGNED TO PROVIDE DETENTION FOR THE ON-SITE 26.59 AC. WITH A 'C' FACTOR OF 0.85, AND 15.49 AC OFF-SITE WITH A 'C' FACTOR OF 0.65.

DRAINAGE FROM AREA 2, DISCHARGES INTO AN EXISTING 21" PIPE AT 2.3% SLOPE, WHICH DRAINS THE SUBJECT SITE INTO AN EXISTING DITCH. THE POINT OF CONFLUENCE, WHERE THE RECEIVING PIPE SYSTEM IS JOINED BY AN AREA OF ABOUT 500 AC. WHICH IS MORE THAN 50% OF THE INITIAL DRAINAGE AREA OCCURS AT HORSEPEN RUN.

THE TOTAL RUNOFF GOING TO THE EXISTING 21" PIPE WILL NOT BE ALTERED AS ALL OF THE PROPOSED DEVELOPMENT TAKES PLACE WITHIN AREA 1. ADDITIONALLY, THIS AREA OUTFALLS INTO AN EXISTING ESTABLISHED CHANNEL THAT SHOWS NO SIGN OF EROSION. THEREFORE IT IS OUR OPINION THIS OUTFALL IS ADEQUATE.

MAP NOTE

THE MAP SHOWING THE OFF-SITE DRAINAGE SYSTEM WAS OBTAINED FROM FDP A-88-C-075-01 (DULLES CORNER)

ONE SQUARE MILE DESCRIPTIVE EXTENT OF REVIEW

THE ONE SQUARE MILE DESCRIPTIVE EXTENT OF REVIEW FOR AREA 1 MEETS AT HERRYBROOK RUN, PAST THE DULLES CORNER LAKE OUTFALL WITHIN LOUDOUN COUNTY BOUNDARIES.
THE ONE SQUARE MILE DESCRIPTIVE EXTENT OF REVIEW FOR AREA 2 MEETS AT HORSEPEN RUN IN THE LOUDOUN COUNTY AS SEEN IN THE USGS HERNDON QUADRANGLE MAP (1964) SHOWN ON THIS SHEET.

MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

The following information is required to be shown or provided in all zoning applications, or a waiver request of the ordinances requirement with justification shall be attached. Note: Waivers will be acted upon separately. Failure to adequately address the required information may result in a delay in processing this application.

This information is required under the following Zoning Ordinance paragraphs:

Special Permits (2-311 2J & 2L)
Cluster Subdivision (2-416 VII & VIII)
Development Plans PRC District (15.1-482 3 & 4)
FDP & Districts (except PRC) (15.1-482 1F & 1G)

Special Exceptions (2-311 2J & 2L)
Commercial Revitalization Districts (2-403 2A (13) & (14))
PRC Plan (15.1-482 1H & 1G)
Amendments (15.1-482 1F & 1G)

✓ 1. Plat to at a minimum scale of 1"=50' (unless it is depicted on one sheet with a minimum scale of 1"=100').

✓ 2. A graphic depicting the stormwater management facility(ies) and locks of showing and grading accommodating the stormwater management of facility(ies), show drainage plan systems and outfall protection, pond spillways, access grade, site outfalls, storage distribution diagram, and shows stabilization measures on slopes on sheet 3 AT&T AT DULLES CORNER POND IS EXISTING.

✓ 3. Provide:

Facility Name/ Type & No.	On-site area served (acres)	Off-site area served (acres)	Drainage area (acres)	Footprint area (sf)	Storage Volume (cf)	If pond, dam height (ft)
WET POND	4.04	32.60	36.73	23,000	78,165	8.5
Totals						

✓ 4. Onsite drainage channels, outfalls and pipe systems are shown on Sheet 3.
Pond inlet and outlet pipe systems are shown on Sheet 3.

✓ 5. Maintenance access (road) to stormwater management facility(ies) are shown on Sheet 3.
Type of maintenance access road surface noted on the plan is: ASPHALT (asphalt, gravel, grass, etc.)

✓ 6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet 3.

✓ 7. A "stormwater management narrative" which contains a description of best detention and best management practices requirements will be and is provided on Sheet 5.

✓ 8. A description of the existing conditions of each contributed site outfall extended downstream from the site to a point where it is at least 100 times the site area or which has a drainage area of at least one square mile (2nd order) is provided on Sheet 5.

✓ 9. A description of how the overall requirements, including known changes to contributing drainage patterns (i.e. drainage divertisions), of the Public Facilities Manual will be satisfied is provided on Sheet 5.

✓ 10. Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheet 1.

✓ 11. A submission waiver is requested for N/A

✓ 12. Stormwater management is not required because N/A
Revised 2-20-2002

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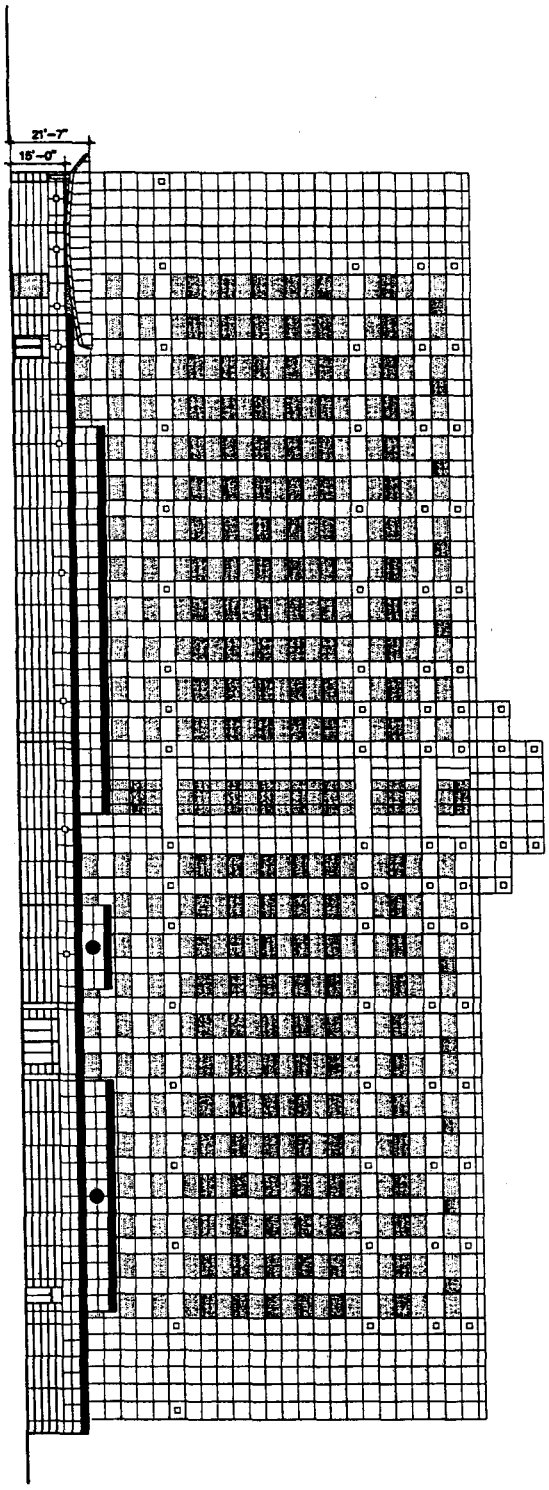
ADEQUATE OUTFALL ANALYSIS

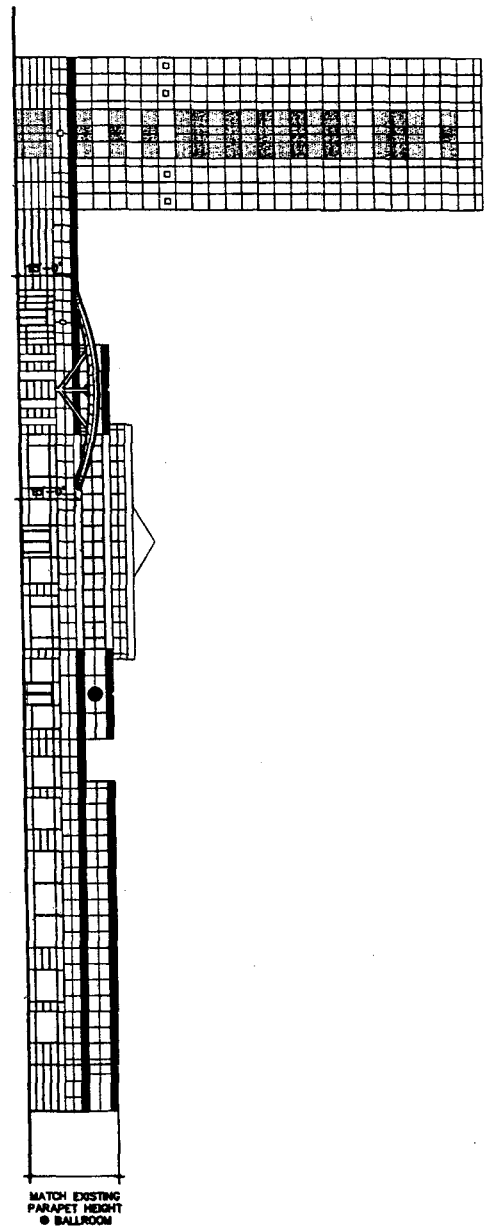
HYATT DULLES
RZ/CDP/FDP 2008-HM-016
HUNTER MILL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: AS NOTED
DATE: AUGUST 7, 2008
DRAWN: OPS
CHECKED: OPS/RW
JOB # 2717-0101
CAD FILE 2717-BMP-SWM.dwg
SHEET # 6 OF 7

NOTE:
ELEVATIONS ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY, TO DEPICT THE QUALITY AND CHARACTER OF THE DESIGN. FINAL DESIGN AND ELEVATIONS ARE SUBJECT TO CHANGE.



EAST ELEVATION
1/16" = 1'-0"
08008-A-ELE01.DWG
REF:



SOUTH ELEVATION
1/16" = 1'-0"
08008-A-ELE01.DWG
REF:

peter filiat architects
studiewerkes

ARCHITECTURAL ELEVATIONS

HYATT DULLES
RZ/CDP/FDP 2008-HM-016
HUNTER MILL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: AS NOTED
DATE: AUGUST 7, 2008
DRAWN: OPS
CHECKED: OPS/RW
JOB #: 2717-0101
CAD FILE: 2717-ARCH.dwg
SHEET #: 7 OF 7

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

DESCRIPTION OF THE APPLICATION

Proposal

The applicant, THI IV Dulles Airport LLC, requests approval of three concurrent applications. PCA 86-C-029-11 proposes to delete 6.38 acres from the 99 acre Dulles Corner Mixed Used Development (RZ 86-C-029). RZ/ FDP 2008-HM-016 propose to rezone the subject property to the PDC District, to establish new proffers and a new Conceptual and Final Development Plan (CDP/FDP) on the subject property, in order to expand the existing hotel (Hyatt Dulles Hotel).

The applicant filed these applications to add 19,000 square feet of meeting space to the ground floor of an existing 228,380 gross square foot hotel building, which results in a slight increase in gross floor area for the hotel building (to 247,380 square feet) and a slight increase in overall FAR on the subject property (from 0.82 to 0.89). No additional hotel guest rooms are proposed; the total number of hotel rooms would remain at 317. The additional square footage would be used to improve and update existing hotel meeting facilities, ballrooms and the lobby layout.

In addition, the current proposal (PCA 86-C-029-11) to remove the Hyatt Dulles Hotel property from the original Dulles Corner development would not prohibit the remainder of the Dulles Corner development from complying with the approved proffers associated with the development. The proposal would result in a slight decrease in the overall approved FAR for Dulles Corner from 0.72 to 0.71 and a slight increase in the open space percentage from 44.9% to 45.3%. On February 23, 1987, the Board of Supervisors approved RZ 86-C-029 (Dulles Corner Mixed Use Development) on 96.21 acres of land, which provided for 2.9 million square feet of office, hotel, and retail uses with an overall 0.70 FAR and a minimum of 38.49 acres of open space. Since the approval of this rezoning application, several amendments have been approved. These amendments have increased the land area to 99 acres, modified the mix of uses within the southern portion of Dulles Corner and slightly increased the overall FAR to a maximum of 0.72, by providing a significant contribution to affordable housing. A more detailed analysis of these amendments is provided in the background section of the Staff Report. Tabulations showing the existing 0.72 FAR in the Dulles Corner development and the proposed 0.71 FAR resulting from the removal of the hotel property are provided in the applicant's statement of justification in Appendix 5.

Copies of the draft proffers, the FDP conditions, affidavits, and statement of justification for these applications are contained in Appendices 1, 2, 3, 4, 5 and 6 respectively.

LOCATION AND CHARACTER

Site Description

The 6.38 acre property, zoned PDC, is located on the west side of Sunrise Valley Drive (formerly Horse Pen Road), east of Route 28, and south of the Dulles Airport Access Road (DAAR) in the 99.28 acre Dulles Corner mixed use development, which includes office, retail, hotel and residential uses. The subject property is currently developed with an existing hotel use on Tax Map 15-2 ((2)) 1. Access to the site is provided from existing ingress/egress easements on Dulles Corner Drive and Dulles Corner Boulevard. The surrounding uses are as follows:

SURROUNDING AREA DESCRIPTION			
Direction	**Use**	**Zoning**	**Plan**
North	Industrial	I-2	Dulles Suburban Center, Land Unit A for Mixed Use
South	Office	PDC	Dulles Suburban Center, Land Unit A for Mixed Use
East	Office	PDC	Dulles Suburban Center, Land Unit A for Mixed Use
West	Route 28 and Dulles Airport	Not Applicable	Not Applicable

BACKGROUND

Dulles Corner was rezoned to the PDC District in 1987 (RZ 86-C-029) and includes a mix of office, retail, hotel and residential uses. Subsequently, through the approval of several amendments to this rezoning case, the layout of Dulles Corner was changed to reflect the current development pattern. The following background information highlighted in bold text relates to the subject property.

Application	Approval	Description
RZ 86-C-029	**February 23, 1987**	**1. Rezoned 96.21 acres to the PDC District.**
PCA 86-C-029	**September 7, 1988**	**2. Formed the "Three Party Group" to provide cooperation for road construction.**
PCA 86-C-029-02	October 31, 1988	Amended the proffers and plans to permit certain secondary uses.
PCA 86-C-029-04	May 22, 1989	Amended the proffers to permit ancillary uses.
PCA 86-C-029-03 RZ 88-C-066	December 4, 1989	Rezoned 3.08 acres and amended the CDP/FDP to include the area.
PCA 86-C-029-05 PCA 88-C-066	**August 4, 1997**	**3. Amended the CDP for site modifications and consolidated the proffers.**
PCA 86-C-029-06 PCA 88-C-066-02 RZ 1996-HM-044	May 11, 1998	Rezoned 1.22 acres to the PDC District and deleted 1.39 acres to be rezoned PDH-30.

Application	Approval	Description
PCA 86-C-029-08 PCA 88-C-066-04 PCA 1996-HM-044-02	November 20, 2000	Amended CDP/FDP and proffers to permit site modifications for the subject site to permit six office buildings, with the option for two hotels.
PCA 86-C-029-09 SE 2003-HM-014	October 20, 2003	Amended CDP/FDP for uses in the floodplain and site modifications for Parcel 1B1.
PCA 86-C-029-10 FDPA 86-C-029-06 PCA 88-C-066-05 FDPA 88-C-066 PCA 1996-HM-044-03 FDPA 1996-HM-044	December 6, 2004	Amend the Proffers and CDP/FDP for a 33.41 acre portion of Dulles Corner to permit the development of two office buildings, hotel and conference center, two residential buildings and park dedication.

1. On February 23, 1987, the Board of Supervisors approved RZ 86-C-029 to rezone 96.21 acres from the R-1 (Residential, one dwelling unit per acre) and I-4 (Medium Intensity Industrial) Districts to the PDC District for the development of Dulles Corner. The development plan depicted up to 2.9 million square feet of office, hotel and retail uses, at a maximum FAR of 0.70 and a minimum of 38.49 acres (40%) of open space. Copies of the proffers and plans are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.

2. On September 7, 1988, the Board of Supervisors approved PCA 86-C-029 (concurrent with PCA C-637 and PCA 85-C-008) to establish the "Three Party Group" between Dulles Corner (RZ 86-C-029), Pomeroy Investments Inc. (RZ C-637), and Bahman and Roshanak Batmanghelidj (RZ 85-C-008). The proffers were amended for the respective properties to provide for cooperation and the joint sharing of costs associated with constructing roads to provide access to the properties owned individually by the entities comprising the group and additional road improvements in the area. Copies of the CDP and proffers are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.

3. On August 4, 1997, the Board of Supervisors approved PCA 86-C-029-05 and PCA 88-C-066 to modify the office layout for the subject site and Tax Map 15-4 ((2)) 16. The applications consolidated the previous proffers into one unified proffer statement. The approved proffers anticipated the "Land Swap" with Jefferson at Presidents Park approved under RZ 1996-HM-044, PCA 86-C-029-06 and PCA 88-C-066-02. These proffers are the governing proffers for the subject site. Copies of the approved CDP/FDP are contained in Appendix 6; proffers are contained in Appendix 7.

COMPREHENSIVE PLAN PROVISIONS (Appendix 8)

Plan Area: III

Planning District: Upper Potomac Planning District
Planning Sector: Dulles Suburban Center, Land Unit A

Plan Map: Mixed Use

Plan Text:

The Fairfax County Comprehensive Plan, 2003 Edition, Area III, Dulles Suburban Center, as amended through August 6, 2007, Land Unit A, pages 55-60 state:

"General Land Unit Recommendations

This land unit is planned for a complementary mix of land uses including office, hotel and support retail at .50-1.0 FAR, except as may be described in "Other Recommendations." Optional residential uses should be considered as part of mixed-use projects or in accordance with the site-specific and other recommendations set forth below. A cohesive mixture of residential and non-residential uses should provide convenience to those who live and work in the area. Development in this land unit should provide for the incorporation of possible future transit related facilities and pedestrian access to transit.

A core area within Land Unit A is envisioned as a transit station mixed-use area and has been designated as part of the Route 28/CIT Transit Station Area. It includes high density residential uses, of relatively greater land use intensity and urban scale than most other areas in the Dulles Suburban Center. In addition to the higher intensities, the highest urban design standards are envisioned for this area. As planned, this core is large enough for the development of an urban concentration of uses, yet small enough to promote pedestrian circulation throughout the area. The pedestrian network should link the residential areas, community facilities and employment centers to any future transit site. The Urban Design Guidelines in the Reston-Herndon Suburban Center and Transit Station Areas section of the Plan apply to development in the portion of Land Unit A located north of Coppermine Road.

It is important that mixed-use projects that include residential use be phased to ensure the development of both the residential and non-residential components. This phasing requires that the residential and non-residential components be developed at the same time or that a substantial portion of the non-residential development be in place prior to residential development. All residential components should be of sufficient size to create a viable residential community and to ensure that a high quality living environment can be created through the provision of a well-designed project with active recreation and other site amenities.

In general, development intensities should be highest along Horse Pen Road, the central spine road, and should transition down both at the southern periphery of the land unit defined by Frying Pan Creek and transition toward the northeast to maintain campus office densities in those areas outside of the Route 28/CIT Transit Station Area core...

Core Area Recommendations

Higher intensity development, envisioned as being served by Metrorail, is an appropriate option within Land Unit A. The higher intensities allowed by this option are only appropriate once construction of the rail extension in the vicinity of this transit station area has been fully funded for the rail phase. The evaluation of development proposals under this option will be based on the degree to which the following criteria are met....

Under this option, mixed-use development, centered around the transit station, is planned to help support the transit system through increased ridership. Within a one-quarter mile radius of the transit station platform, an intensity of 1.5 FAR for mixed-use projects (including office, multi-family residential and support retail) is appropriate. Within a one-half mile radius of the transit station platform, an intensity of 1.25 FAR for mixed-use projects is appropriate. Office use is limited to a .75 FAR under this option. Hotel uses are encouraged."

ANALYSIS

Combined Conceptual and Final Development Plan (CDP/FDP)
(Copy at front of staff report)

Title of CDP/FDP: Conceptual and Final Development Plan RZ/FDP 2008-HM-016 for Hyatt Dulles

Prepared By: William Gordon Associates Inc.

Original and Revision Dates: August 7, 2008 as revised through February 27, 2009.

Description of the Plan:

The CDP/FDP Plat consists of 7 sheets:

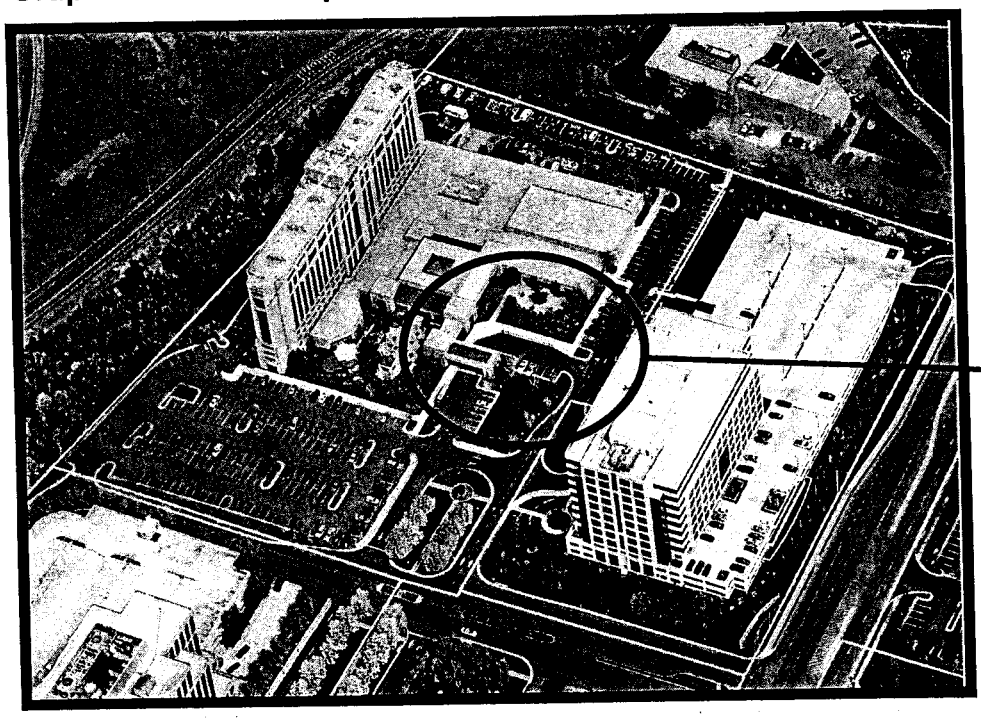
Sheet #	Description
Sheet 1	Cover Sheet, Sheet Index, Vicinity Map, Aerial Map
Sheet 2	Notes and Tabulations, Angle of Bulk Plane Detail, Parking Tabulations
Sheet 3	CDP/FDP Detail
Sheet 4	Landscape Plan and Site Amenities
Sheet 5	Stormwater Management and BMP Narratives
Sheet 6	Adequate Outfall Narrative
Sheet 7	Architectural Elevations

The following features are depicted on the CDP/FDP:

Site Layout:

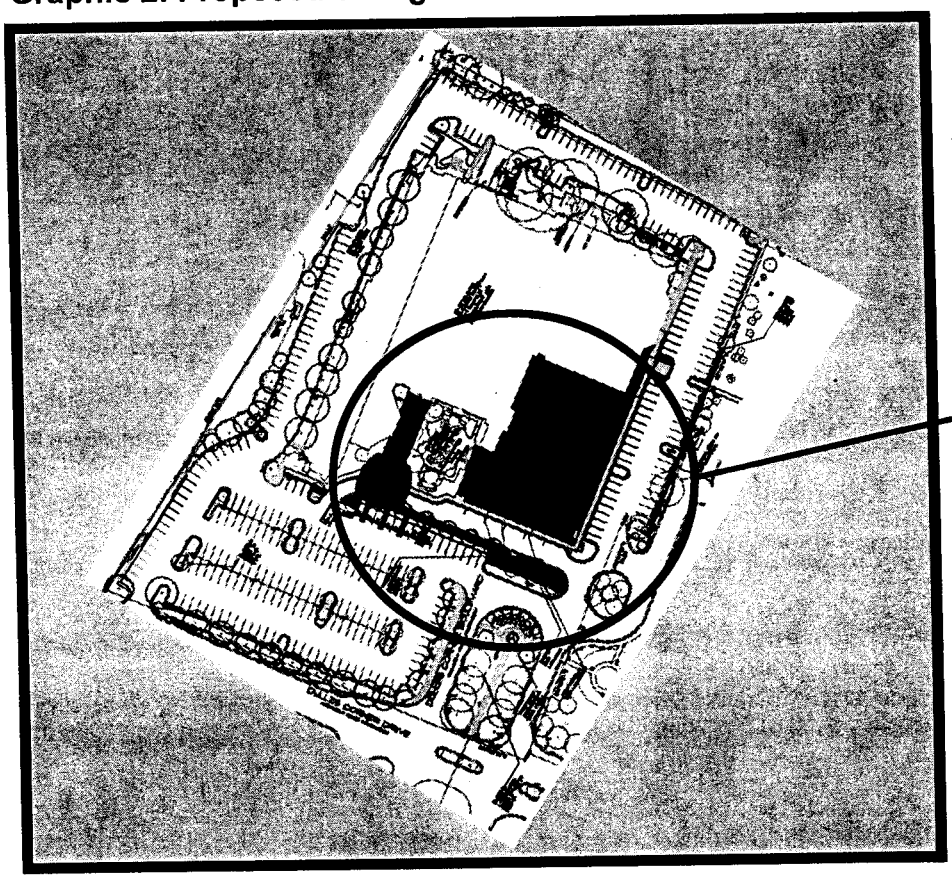
The applicant proposes to add 19,000 square feet of meeting space to the ground floor of an existing 228,380 gross square foot hotel building, which results in a slight increase of floor area on the subject property (from 0.82 FAR to 0.89 FAR). This additional square footage would be used to improve and update existing hotel meeting facilities, ballrooms and the lobby layout. In addition to the proposed expansion, the applicant proposes to relocate the existing porte-cochere to the south side of the proposed expansion area to allow one way access for guest drop-offs. Graphics 1 and 2 provided below show an aerial map of the existing hotel site and the proposed changes.

Graphic 1: Aerial map of the existing hotel, lobby and porte-cochere.



Existing Courtyard and Porte-cochere

Graphic 2: Proposed changes to the hotel and the porte-cochere.



Proposed Expansion and Porte-cochere Relocation

As shown in Graphics 1 and 2, no changes are proposed to the number of access points. The applicant merely seeks to expand the existing one-story meeting space, to relocate the porte-cochere to the south side of the expansion area and to relocate approximately fourteen surface parking spaces on the site. No other site changes are proposed. The applicant has proffered to design the expansion area in substantial conformance with the conceptual elevation shown on Sheet 7 of the CDP/FDP and to use building materials compatible with the existing Hyatt Dulles Hotel building. The applicant has also proffered to utilize green building practices for the proposed improvements, which includes consulting with a LEED accredited professional and providing energy star appliances to the extent possible.

Roads and Access:

No new roads are proposed. The site has three existing access points from Dulles Corner Road and would continue the existing ingress/egress easements on Dulles Corner Drive and Dulles Corner Boulevard.

Parking:

The applicant proposes to expand the existing one-story meeting space of the Hyatt Dulles Hotel by 19,000 square feet and to relocate the existing porte-cochere and fourteen surface parking spaces on the site. Chart 1 provides the total number of parking spaces required and the proposed parking spaces on the site.

Chart 1: Parking Tabulations

Land Use	Unit	Code Requirement	Parking Spaces Required	Parking Spaces Provided
Hotel	317 Rooms	One (1) space per rental unit, plus four (4) spaces per fifty (50) rental units, plus such spaces as are required for eating establishments, assembly rooms and affiliated facilities as determined by the Director	343 spaces	346
Eating Establishment	205 Table Seats 12 Counter Seats 28 employees	One (1) space per four (4) seats plus one (1) space per two (2) employees where seating is at tables.	72 spaces	
Meeting Rooms 6,790 sq ft of existing space and 19,000 sq ft of proposed expansion	467 seats	Not available and subject to Zoning Administrator	Approximately 141 spaces based on ULI's 2nd edition Shared Parking	
Total (On-Site)			**556**	**346**

As shown in Chart 1, the Zoning Ordinance requires approximately 556 parking spaces on the site for the existing hotel and the proposed expansion. The applicant proposes to maintain the current number of parking spaces on the site (343 spaces) and to add three additional surface parking spaces for a total of 346 spaces on site.

On October 27, 1986, the Board of Supervisors approved a 20.72 percent parking reduction (104 space reduction) on the site, which reduced the parking requirement from 502 spaces to 398 spaces at that time. On December 14, 1987, the Board of Supervisors approved a shared parking agreement with the office building to the east, which resulted in an additional reduction of 54 parking spaces for a total of 344 required spaces based on hours of operation (see Appendix 5 for copies of these documents). The applicant has proffered to submit a revised shared parking study in accordance with the applicable requirements of the Zoning Ordinance to update these previously approved parking reductions and shared parking agreements and to reconcile the currently approved 344 parking spaces with the required 556 parking spaces. The applicant has also proffered to limit the size of the proposed expansion area to a size determined by the parking study. In addition, the applicant has proffered to a Transportation Demand Management Program with the goal of reducing the number of vehicular trips generated by the Hyatt Dulles Hotel by fifteen percent during peak hour times and continuing shuttle service to and from the Dulles International Airport.

Pedestrian Access:

Pedestrian access to the hotel is provided through a series of existing sidewalks on the site. No significant changes are proposed to these sidewalks or the existing pedestrian access to the hotel. The existing porte-cochere is proposed to be relocated to the south side of the expansion area with sidewalks leading directly to the hotel entrance under the porte-cochere.

Open Space & Landscaping:

A minimum of 15% open space is required for the site; 19.25% open space would be provided. The applicant proposes to provide additional landscaping to replace the existing landscaped area that would be cleared and has proffered to the landscape plan shown on Sheet 4 of the CDP/ FDP. In addition, the applicant has proffered to provide a special soil mix to increase the tree rooting area and to maintain planting areas with a minimum of 6 feet in width and 70 percent of the minimum surface area identified in the PFM for trees highlighted on Sheet 4 of the CDP/FDP that are not proposed to be planted within an 8-foot wide minimum planting area or do not otherwise meet the minimum planting area required by the Public Facilities Manual (PFM).

Stormwater Management:

The 6.38 acre application property falls within the Horse Pen Creek Watershed. The stormwater management (SWM) narrative on Sheet 5 of the CDP/FDP indicates that

the stormwater management for the site is accommodated by two existing wet ponds located to the south of the subject property. The applicant has also proffered to incorporate low impact design features into the site such as the use of pervious pavers, pervious asphalt, pervious concrete, or Filterras.

ANALYSIS

Land Use Analysis

The proposed use is in harmony with the Comprehensive Plan. No design or compatibility issues were identified. Staff believes that the proposal is designed in a manner consistent with extensive guidance set forth in the Dulles Suburban Center element of the Plan.

Environmental Analysis

No environmental issues were identified with this application.

Transportation Analysis (Appendix 9)

No transportation issues were identified with this application

Stormwater Management Analysis (Appendix 10)

The Department of Public Works and Environmental Services reviewed the application and indicated that the applicant needs to ensure adequate storage capacity of the existing offsite wet pond for water quality and control and stormwater detention during site plan review. In addition, staff indicated that a hydraulic grade line computation should be done during site plan review. No other stormwater management issues were identified.

ZONING ORDINANCE PROVISIONS (Appendix 11)

Conformance with the Previously Approved Proffers and CDP/FDP

As previously discussed, the applicant has filed three concurrent applications to remove the subject property (Hyatt Dulles Hotel) from the original Dulles Corner mixed used development and to rezone the property to the PDC District to establish a new Conceptual and Final Development Plan (CDP/FDP) and proffers for the hotel site. These applications were filed to add 19,000 square feet of meeting space to the ground floor of an existing 228,380 gross square foot hotel building, which would result in a slight increase of floor area on the subject property from 0.82 FAR to 0.89 FAR. No additional hotel guest rooms are proposed; the total number of hotel rooms would remain at 317. The additional square footage would be used to improve and update existing hotel meeting facilities, ballrooms and the lobby layout.

The current proposal to remove the Hyatt Dulles Hotel property from the original Dulles Corner development would not prohibit the remainder of the Dulles Corner development from complying with the approved proffers associated with the development. The proposal would result in a slight decrease in the overall approved FAR for Dulles Corner from 0.72 to 0.71 and a slight increase in the open space percentage from 44.9% to 45.3%. On February 23, 1987, the Board of Supervisors approved RZ 86-C-029 (Dulles Corner Mixed Use Development) on 96.21 acres of land, which provided for 2.9 million square feet of office, hotel, and retail uses with an overall 0.70 FAR, and a minimum of 41% open space. Since the approval of this rezoning application, several amendments have been approved. These amendments have increased the land area to 99 acres, modified the mix of uses within the southern portion of Dulles Corner and slightly increased the overall FAR to a maximum of 0.72 by providing a significant contribution to affordable housing. Tabulations showing the existing 0.72 FAR in the Dulles Corner development and the proposed 0.71 FAR resulting from the removal of the hotel property are provided in the applicant's statement of justification in Appendix 5. Staff believes that the proposed 0.71 FAR resulting from the removal of the hotel property from Dulles Corner development is in conformance with the previously approved proffers and CDP/FDP. However, the proposed CDP/FDP for the Hyatt Dulles Hotel must comply with the Zoning Ordinance provisions found in Articles 6 and 16 as described below.

Conformance with PDC District Regulations

Article 6

Article 6 of the Zoning Ordinance sets forth the requirements regarding the principle and secondary uses permitted in the PDC District, use limitations, lot size requirements, bulk regulations and open space requirements. The district regulations are designed to accommodate preferred high density and land uses which could produce detrimental effects on neighboring properties, if not strictly controlled as to location and design; to ensure high quality standards in the layout, design and construction of commercial developments; and otherwise to implement the stated purpose and intent of the Ordinance. The proposed PDC District is consistent with the existing Dulles Corner development. The applicant has proposed proffers which would limit the use of the site to a hotel and compatible secondary uses. Staff believes that these provisions are satisfied.

Article 16, Sects. 16-101 and 16-102

All planned developments must meet the general standards specified in Section 16-101 of the Zoning Ordinance.

General Standard 1 requires substantial conformance with the Comprehensive Plan. The Comprehensive Plan for the site recommends a mixed-use development at 0.5 to 1.0 FAR and encourages hotel uses. The 6.38 acre site is currently developed with a hotel use at a 0.82 FAR. The proposal to expand the existing meeting space

would result is a slight increase of FAR to 0.89, which is within the recommendations of the Plan. Staff believes that, as proffered, the application is in harmony with the intent of the Plan, and that this standard is satisfied.

General Standard 2 requires that the design of the proposed planned development result in a more efficient use of the land and in a higher quality site design than could be achieved in a conventional district. The original rezoning to the PDC District demonstrated that a hotel use on the subject property met the purpose and intent of the PDC District. Since approval of the original rezoning application, a 228,600 square foot hotel building was constructed on the subject property, which was located in close proximity to the Dulles International Airport and adjacent to two office buildings. Staff believes that the proposal to expand the existing meeting space by 19,000 square feet to improve and update existing hotel meeting facilities, ballrooms and the lobby layout with no increase in the number of approved hotel rooms results in a higher quality of hotel service for the airport and surrounding office uses and will be compatible with the surrounding uses; therefore, staff believes this use is in compliance with the purpose and intent of the PDC District.

General Standard 3 requires that the design of the proposed development protect and preserve the natural features on the site. As previously discussed, a minimum of 15% open space is required for the site. The applicant has committed to preserving slightly over 1 acre (19.25%) of open space on the 6.38 acre subject property. In addition, the applicant proposes to provide landscaping to replace existing landscaped areas that would be cleared and has proffered to the landscape plan shown on Sheet 4 of the CDP/FDP. In staff's opinion, this standard has been met.

General Standard 4 requires that the proposed development prevent substantial injury to the use and value of the existing surrounding development. As previously stated, the 6.38 acre site is currently developed with a hotel use. The applicant proposes to expand the existing meeting space by 19,000 square feet to improve and update existing hotel meeting facilities, ballrooms and the lobby layout with no increase in the number of approved hotel rooms. Staff believes that the proposed expansion is compatible with the surrounding office uses and would not negatively impact their use or values.

General Standard 5 requires that the planned development be located in an area where transportation, police, fire protection and other public facilities are available and adequate for the proposed use. In staff's opinion, this standard has been met.

General Standard 6 requires that the planned development coordinate linkages among internal facilities and services as well as connections to major external facilities. As previously discussed, no new roads or access points are proposed. The site has three existing access points from Dulles Corner Road and would continue the existing ingress/egress easements on Dulles Corner Drive and Dulles Corner Boulevard. Pedestrian access to the hotel is provided through a series of existing sidewalks. In staff's opinion, this standard has been met.

All planned developments must meet the design standards specified in Section 16-102 of the Zoning Ordinance.

Par. 1 states that, at the peripheral lot lines, the bulk regulations and landscaping and screening for the proposed development should generally conform with the provisions of the most comparable conventional district. This application most closely resembles the C-7 District. The table below compares the proposed development to the requirements of the C-7 District.

Bulk Standards (C-7)		
Standard	**Required**	**Provided**
Front Yard	45° Angle of Bulk Plane (ABP), but not less than 40 feet	185 feet
Rear Yard	20 feet	70 feet
Building Height	90 feet, subject to an increase permitted by the Board	Existing Hotel = 150 feet (13 stories) Proposed Expansion Area = 30 ft (1 story)
Open Space	15%	19.25%
FAR	0.80 (C-7), 1.5 FAR (PDC)	0.89 (for the subject property)

As illustrated in the Bulk Standards table, the height of the existing hotel and the proposed increase in FAR are greater than that permitted in the C-7 District. However, since the hotel use was approved and evaluated as part of the surrounding PDC application, staff believes that the proposal to merely expand the existing one-story (30 foot tall) meeting space area is compatible with the surrounding uses in Dulles Corner.

Par. 2 states that open space, parking, loading, sign and other similar regulations shall have application in all planned developments. As previously discussed, the Zoning Ordinance requires approximately 556 parking spaces on the site for the existing hotel and the proposed expansion. The applicant proposes to provide 346 spaces on site and has proffered to submit a revised shared parking study in accordance with the applicable requirements of the Zoning Ordinance and to limit the size of the proposed expansion area to a size determined by the parking study. In addition, the applicant has proffered to a Transportation Demand Management Program with the goal of reducing the number of vehicular trips generated by the Hyatt Dulles Hotel by fifteen percent during peak hour times and continuing shuttle service to and from the Dulles International Airport. All other applicable Zoning Ordinance provisions have been satisfied.

Par. 3 states that street systems should be designed to generally conform to the provisions of the Zoning Ordinance and should offer convenient access to mass transportation, recreational amenities and pedestrian access. No new roads are proposed. The site has three existing access points from Dulles Corner Road and

would continue the existing ingress/egress easements on Dulles Corner Drive and Dulles Corner Boulevard. Pedestrian access to the hotel is provided through a series of existing sidewalks. In staff's opinion, this standard has been met.

Summary of Zoning Ordinance Provisions

With imposition of the proposed development conditions, the application has satisfied all applicable standards.

Waivers and Modifications

Modification of the loading space requirement

The applicant proposes to expand an existing meeting space area by 19,000 square feet. Paragraph 10 of Section 11-203 of the Zoning Ordinance requires one (1) loading space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 100,000 square feet or major fraction thereof. Paragraph 15 of Section 11-202 of the Zoning Ordinance indicates that in no instance shall more than five (5) off-street loading spaces be required for a given use or building except as may be determined by the Director. The Zoning Ordinance requires 3 loading spaces on site for the hotel use. The applicant requested a modification of this loading space requirement in favor of the two existing loading spaces on the site. The applicant believes that a minimum of two loading spaces is adequate because the majority of the loading dock delivery occurs Monday-Saturday between 6:30 AM and 9:00 AM with normal daily delivery of food and beverage items. Major product deliveries are scheduled with the specific vendors in advance. With the proposed increase in meeting space, the existing bays will be able to handle any additional deliveries, since the additional meeting space will not generate any substantial increase in the amount of items that are delivered through the loading spaces. Staff does not object to the waiver request.

Modification of PFM Standard 12-0702.1B2 to permit the reduction of the minimum planting width requirement from eight feet to six feet as shown on the CDP/FDP and described in the proffers.

The PFM requires that, at a minimum, street trees be planted in an eight (8) foot wide planting strip. The applicant is seeking a modification of this requirement in two locations shown on the CDP/FDP which are primarily along internal streets, based on the premise that an at-grade eight (8) foot wide planting strip is too wide to facilitate a pedestrian-oriented streetscape. For that reason, the applicant proposes a special soil mix to increase rooting area where surface areas of root zones provide less than the minimum required planting area or where restrictive barriers are located within four feet of the trunks of trees unless otherwise approved by Urban Forest Management (UFM). Where existing trees are located in spaces less than eight feet wide, spaces below the minimum planting area, and locations within four feet of restrictive barriers, mulched areas shall be provided as indicated on the landscape

plan to help create an environment that tree roots can more fully utilize. In addition, the applicant's proposed landscaping plan has been reviewed by the UFM and their recommendations have been incorporated into the CDP/FDP proffers. Therefore, staff supports the requested modification.

Modification of the peripheral parking lot landscaping requirements in favor of the landscaping shown on the CDP/ FDP

The Zoning Ordinance requires *a landscaping strip a minimum of four (4) feet in width between parking lots and abutting property lines and at least one (1) tree for each fifty (50) feet shall be planted in the landscaping strip; however, this shall not be construed as requiring the planting of trees on fifty (50) foot centers.* The applicant requested a modification of this requirement along the northern and northwest property lines in favor of the existing landscaping shown on the CDP/FDP. The applicant has indicated that an existing VEPCO easement prevents them from conforming to the required spacing of the trees. Staff believes that the overall site is adequately screened from the surrounding developments and supports the requested modification in favor of the existing landscaping along the northern property line and the proposed landscaping plan.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant has filed three concurrent applications to withdraw the subject property from the original Dulles Corner mixed used development and to rezone the subject property to the PDC District to establish a new Conceptual and Final Development Plan (CDP/FDP) and proffers for the subject property. These applications were filed to add 19,000 square feet of meeting space to the ground floor of an existing 228,380 gross square foot hotel building, which would result in a slight increase of floor area on the subject property (from 0.82 FAR to 0.89 FAR). No additional hotel guest rooms are proposed and the total number of hotel rooms would remain at 317. The additional square footage would be used to improve and update existing hotel meeting facilities, ballrooms and the lobby layout. In addition to the proposed expansion, the applicant proposes to relocate the existing porte-cochere to the south side of the proposed expansion area to allow one way access for guest drop-offs. As previously discussed, this PCA application would not prohibit the remainder of the Dulles Corner development from complying with the approved proffers associated with the development. It is Staff's evaluation that the proposed development, as proffered, is in harmony with the use and intensity recommendations of the Comprehensive Plan and with the applicable Zoning Ordinance requirements.

Recommendations

Staff recommends approval of PCA 86-C-029-11.

Staff recommends approval of RZ 2008-HM-016 subject to proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDP 2008-HM-016 subject to the development conditions found in Appendix 2 of this report.

Staff recommends approval of a modification of the loading space requirement in favor the loading spaces provided on the CDP/FDP.

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

Staff recommends approval of a modification of the peripheral parking lot landscaping requirements in favor of the landscaping shown on the CDP/ FDP.

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 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.

APPENDICES

1. Draft Proffers
2. Proposed Development Conditions
3. Affidavit for RZ/FDP 2008-HM-016
4. Affidavit for PCA 86-C-029-11
5. Statement of Justification
6. Reduction of approved CDP/FDP
7. PCA 86-C-029-05 and PCA 88-C-066 approved proffers
8. Comprehensive Plan Provisions
9. Transportation Analysis

APPENDICES (Cont.)

10. Applicable Zoning Ordinance Provisions
11. Glossary of Terms

DRAFT PROFFERS
RZ 2008-HM-016/PCA 86-C-029-011
THI IV Dulles Airport LLC
December 15, 2008
Revised March 5, 2009

Pursuant to Section 2-2301(a), *Code of Virginia*, 1950 as amended, and subject to the Board of Supervisors approval of the requested Rezoning on property identified as Tax Map 15-2 ((2)) 1 (hereinafter referred to as the "Hotel Property"), the Applicant/Owner for itself, its successors and assigns, (hereinafter referred to as the "Applicant") hereby proffer that development of the Hotel Property shall be in accordance with the following conditions provided that Rezoning application 2008-HM-016 is granted. These proffers supersede all previous proffers for the Hotel Property.

A. GENERAL

1. Conceptual/Final Development Plan. The Hotel Property shall be developed in accordance with the combined Conceptual Development Plan/Final Development Plan (the "CDP/FDP"), prepared by William H. Gordon Associates, Inc., consisting of a total of 7 sheets, dated August 7, 2008, as revised through February 27, 2009.

2. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers due to the final site design or engineering may be permitted pursuant to Section 16-403 (4) of the Zoning Ordinance. The building footprint may be adjusted within the proposed building envelope as shown on the CDP/FDP so long as the minimum open space identified on the CDP/FDP tabulations and the minimum dimensions to the lot lines are not diminished.

3. Maximum Intensity. A maximum of 317 hotel guest rooms, and total of 247,380 square feet of gross floor area, inclusive of the proposed 19,000 square foot addition (the "Expansion Area"), shall be permitted on the Hotel Property. The maximum total floor area ratio on the Hotel Property shall not exceed 0.89 FAR as provided on the CDP/FDP.

4. Uses. The Principal Use shall be hotel. Secondary Uses, which shall be accessory to the hotel use, may include, but not be limited to, the following: eating establishments; office; personal service establishments; retail sales; bank teller machines (unmanned); fast food restaurants (without drive-through); vehicle rental establishments; health clubs; and

telecommunication facilities limited to those that are mounted on the rooftop, mounted to the penthouse, or located within the building.

5. Architectural Compliance. The architectural design of the Expansion Area shall be in substantial conformance with the character of the elevations shown on Sheet 8 of the CDP/FDP. Modifications may be made to the final architectural designs if in substantial conformance with the elevations shown on the CDP/FDP.

B. TRANSPORTATION

6. Shared Parking Study/Parking Reduction Study. Prior to the issuance of a Non-Residential Use Permit (Non-RUP) for the Expansion Area, a revised shared parking study and/or parking reduction study shall be submitted and approved in accordance with the Zoning Ordinance that demonstrates that adequate parking is available to allow an expansion of the hotel use. If it is determined in review of the revised shared parking and/or parking reduction study that parking is not adequate for the Expansion Area, the Applicant shall be permitted to augment the Transportation Demand Management ("TDM") strategies and shall also be permitted to provide additional parking spaces on the Hotel Property without a proffered condition amendment, provided that open space is not reduced. In the event that it cannot be demonstrated that there is adequate parking, the size of the Expansion Area shall be limited to a size that provides sufficient parking, as determined by the review and approval of the parking study. A copy of the approved parking study shall be distributed to the Zoning Evaluation Division, Department of Planning and Zoning.

7. Transportation Demand Management Program. This Proffer sets forth a program for a Transportation Demand Management plan (the "TDM Plan") that shall be implemented by the Applicant, and, subsequently the Hotel Property to encourage the use of transit (Metrorail and bus), other high-occupancy vehicle commuting modes, walking and biking all in order to reduce automobile trips generated by the Property. The Applicant, and subsequently the Hotel Property, will include the office building on Parcel 2 in its marketing and surveys. However, the existing office building on Parcel 2 will not be subject to the monitoring provisions set forth below.

   a. Program Manager. Prior to the approval of the Site Plan for the Expansion Area, the Applicant shall designate an individual to act as the Program Manager ("PM") for the Hotel, whose responsibility will be to implement the TDM strategies. The duties of the PM may be part of other duties assigned to the individual(s). The Applicant shall participate in available Dulles area wide TDM Programs, activities and transportation improvement endeavors

provided by Fairfax County and the various stakeholders in the Dulles Area Transportation Association ("DATA"), and shall join groups such as DATA.

b. TDM Plan. Ninety (90) days after the appointment of the PM, the PM shall submit to FCDOT for review and approval the TDM Plan to be implemented for the Property. The TDM Plan and any amendments thereto shall include, but not be limited to, provisions for the following with respect to the Property:

i. Information Dissemination. The PM shall make Metrorail and bus maps, schedules and forms, ridesharing and other relevant transit option information available to hotel employees, visitors and guests in a common area; such as the central lobby, community room, and/or hotel management office. The PM shall also make multi-modal transportation information available as part of in-room service guides or hotel information through the closed-circuit television system to its hotel guests.

ii. Ride Matching. The PM shall coordinate and assist with vanpool and carpool formation programs, ride matching services and established guaranteed ride home programs for employees.

iii. Teleworking. Encourage hotel guests to telework through the utilization of high capacity data/network connections available through their employers.

iv. Meeting Space. The Applicant shall provide a minimum of 400 square feet meeting space for use by hotel guests to meet with business associates on site. Such meeting space may include computers, modems and secure wireless connections for use by hotel patrons and their guests.

v. Car Sharing Information. The PM shall make information available regarding the availability of car sharing program(s) to hotel employees, visitors and guests (such as ZipCar).

vi. Preferential Parking. Applicant shall provide preferential office and hotel parking for car/van pools in all parking facilities within the Property.

vii. Shuttle Service. Applicant shall continue to provide or coordinate through other services the opportunity for both hotel guests and employees to utilize daily shuttle services

to Dulles International Airport and the future Metrorail stations located along the Dulles corridor, particularly during the AM and PM peak. For hotel guests, this shuttle service will be provided on a regular schedule.

viii. Coordination. The PM shall work with FCDOT, and any other transportation management entities established in the local area of the development, to promote alternatives to single-occupant automobile commute trips.

c. FCDOT Response. If FCDOT has not responded with any comments to the PM within ninety (90) days of receipt of the TDM Plan, the TDM Plan shall be deemed to be approved and the Applicant, through the PM, shall implement the TDM Plan.

d. Vehicle Trip Objectives. The goal of the TDM Plan shall be to reduce the number of vehicle trips generated by the Hotel Property employees, visitors and guests by fifteen percent (15%) during the PM peak hour of the adjacent street as projected by using methods based on ITE's, 8th edition, Trip Generation rates and/or equations (the "ITE Trip Generation Rate") for Land Use Code 310 (Hotel) and a hotel of 317 rooms.

e. Annual Surveys & Coordination with FCDOT. One (1) year following approval of the TDM program by FCDOT for the Hotel Property, the PM shall conduct an annual survey (the "Annual Survey") completed in September of each year and provided to FCDOT. The Annual Survey shall be conducted during a week without any holidays and when Fairfax County Public Schools are in session. The Annual Survey shall gather information on the effectiveness of the TDM Plan and shall be used by the PM to determine whether changes to the TDM Plan are needed to insure that the vehicle trips are within the Vehicle Trip Objectives targeted goal. If the Annual Survey reveals that changes to the TDM Plan are needed, the Applicant, through the PM shall coordinate such changes with FCDOT and implement and adjust the TDM Plan accordingly. The PM shall coordinate the preparation of the Annual Survey materials and the methodology for validating survey results with FCDOT at least thirty (30) days prior to completing each year's Annual Survey, and shall collect and analyze the results. Such analysis shall include at a minimum:

i. A description of the TDM measures in effect for the survey period and a description of how such measures have been implemented;

ii. The number of people surveyed and the number of people who responded on the Property;

iii. The results of any surveys taken during the survey period;

iv. The number of hotel employees and office tenants participating in the TDM programs displayed by category of participants and by mode of use;

v. An evaluation of the effectiveness of the TDM Plan and its program elements and, if necessary, proposed modifications to the plan and program elements; and

vi. A description of the uses of the Parcel 2 office building at the time the survey was conducted and levels of occupancy.

vii. Annual surveys shall be conducted unless and until the Applicant has demonstrated to FCDOT that it is meeting or exceeding the 15% trip reduction goal. After the goal has been met for three (3) consecutive years, the Applicant will reduce the surveys to bi-annually. If the Applicant demonstrates the goal has been met for two (2) consecutive bi-annual surveys, the Applicant may terminate the surveys, although it will continue this proffered TDM program.

f. SmarTrip Cards. The Applicant shall acquire Five Thousand and No/100 Dollars ($5,000.00) in SmarTrip cards for use by hotel employees prior to the issuance of a Non-RUP for the Expansion Area. Each card shall be for a minimum of Five Dollars ($5.00) and distributed to hotel employees to encourage and incentivize the use of Metrorail or bus. The PM shall maintain records and ensure that each card has a minimum value of Five Dollars ($5.00). After the initial distribution of SmarTrip Cards, the Applicant shall provide an additional Five Thousand and No/100 Dollars ($5,000.00) in SmarTrip cards annually, for a period of four years, for use by hotel employees.

C. ENVIRONMENTAL

8. Stormwater Management/Water Quality/Low Impact Development. As shown on sheets 5 and 6 of the CDP/FDP, Stormwater Management (SWM) and Best Management Practices (BMP) shall be provided in an existing SWM/BMP facility located offsite, but within Dulles Corner. To the extent practicable, the Applicant shall incorporate one of the Low Impact Development (LID) features into the site design. Examples

include, but are not limited to the use of pervious pavers, pervious asphalt, pervious concrete, Filterras, or thermoplastic polyolefin membrane (TPO) roofing material with a Solar Reflectance Index (SRI) of greater than 0.50 which is the Energy Star standard.

9. Landscaping. Site Plan submissions shall include a landscape plan that is in substantial conformance with the approved CDP/FDP. The landscape plan shall incorporate native plant materials, as approved by UFM, to the extent practicable for planting trees, shrubs, and groundcovers, and shall minimize turf areas in order to reduce the need for mowing and its resulting air pollution.

10. Reduction of Width of Minimum Planting Area for Parking Lot Landscaping. In locations where trees are proposed in spaces less than 8 feet wide, or areas that do not meet the minimum planting area requirement, the Applicant shall seek a modification of the minimum planting area, provided the overall size, depth, soil composition and drainage of the planter or planting space is in keeping with that shown on sheet 4 of the CDP/FDP. No proposed planting area shall be less than six feet wide or provide less than 70% of the minimum surface planting area as indicated in the PFM. Special Soil mix may be used to increase rooting area where surface areas of root zones provide less than the minimum required planting area or where restrictive barriers are located within four feet of the trunks of trees unless otherwise approved by UFM. Where existing trees are located in spaces less than eight feet wide, or spaces below the minimum planting area, or locations within four feet of restrictive barriers, mulched areas shall be provided as indicated on the landscape plan to help create an environment that tree roots can more fully utilize.

11. Soils. If, during the Site Plan process, it is determined that soil in the planting areas has been previously compacted, the soil shall be properly prepared (tilled and amended as needed based on soil samples) to a depth of 1 foot (0.3 m) over the planting area prior to installation of new landscape material unless otherwise approved by UFM.

12. Energy Conservation/Green Building. The Applicant shall utilize green building practices for the proposed improvements to the hotel Expansion Area, including, but not limited to the following strategies:

    (a) Consult a LEED accredited professional in the design of the addition;

    (b) Provide space for storage of recyclables, including but not limited to, fluorescent light bulbs, paper, cardboard, aluminum, plastic, and glass, and for collection of recyclables within each building;

(c) Prohibit smoking in the interior public areas of the building and provision of designated smoking areas away from entries and operable windows;

(d) Design the addition to use insulated low e glass, or equivalent functioning glass;

(e) Utilize Energy Star (or equivalent) appliances to the extent possible for the approximately 19,000 sf addition of the ground floor of the hotel.

(f) Provide the Environmental Development Review Branch (EDRB) of the Department of Planning and Zoning with evidence of satisfaction of the above five requirements prior to issuance of building permits for the proposed addition to the hotel.

13. Lighting. Any additional or replacement site lighting shall meet the requirements of Part 9 of Article 14 of the Zoning Ordinance.

D. MISCELLANEOUS

14. Signage. As shown on the CDP/FDP, signage for the Hotel Property shall be provided in accordance with the requirements of Article 12 of the Zoning Ordinance or pursuant to a Comprehensive Sign Plan ("CSP") approved by the Planning Commission. Any free-standing identification signage shall be provided in monument style, unless otherwise permitted with a CSP.

15. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and his successors and assigns. Each reference to "Applicant" in this proffer statement shall include within its meaning and shall be binding upon Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

[SIGNATURES BEGIN ON THE NEXT PAGE]

TITLE OWNER OF TAX MAP 15-2 ((2)) 1

THI IV Dulles Airport LLC

_____

By: Bruce G. Wiles
Its: President

APPENDIX 2

PROPOSED DEVELOPMENT CONDITIONS

FDP 2008-HM-016
March 4, 2009

If it is the intent of the Planning Commission to add 19,000 square feet of meeting space to the ground floor of an existing 228,380 gross square foot hotel building, which results in a slight increase of floor area from 0.82 FAR to 0.89 FAR, located at Tax Map 15-2 ((2)) 1, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions, which supersede all previously approved conditions as they pertain to this site.

1. Development of the property shall be in substantial conformance with the Final Development Plan Amendment entitled "Conceptual and Final Development Plan RZ/FDP 2008-HM-016 for Hyatt Dulles" prepared by William Gordon Associates Inc. consisting of seven sheets dated August 7, 2008 as revised through February 27, 2009.

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

REZONING AFFIDAVIT

DATE: February 10, 2009
(enter date affidavit is notarized)

I, Elizabeth A. McKeeby, agent, 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

101927a

in Application No.(s): RZ/FDP 2008-HM-016
(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 **BOLD** above)
THI IV Dulles Airport LLC Agents: George D. Dabney Sarah H. Spiewak William H. Reynolds, Jr. Bruce G. Wiles	410 Severn Avenue, Suite 314 Annapolis, MD 21403	Applicant/Title Owner of Tax Map 15-2 ((2)) 1
William H. Gordon Associates, Inc. Agents: Robert W. Walker Oomer (nmi) Syed	4501 Daly Drive Brookfield Corporate Center Chantilly, Virginia 22021	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: February 10, 2009
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2008-HM-016
(enter County-assigned application number (s))

101927a

(**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.

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 **BOLD** above)
Monument Realty LLC Agents: Eric T. May Brad C.A. Mason William N. Herman	1700 K Street, NW, Suite 600 Washington, DC 20006	Former Project Management Consultant/ Agent
Peter Fillat Architects Agents: Peter A. Fillat III Darren D. Comedy Kevin T. Roycroft Neelab (nmi) Mahmoud J. Eric Lowe	720 Aliceanna Street, Suite 200 Baltimore, MD 21202	Architect/Agent
M.J. Wells & Associates, Inc. f/k/a M.J. Wells & Associates, LLC Agents: Robin L. Antonucci Priyatham (nmi) Konda Jennifer N. Carpenter	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

(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 Attachment to Par. 1(a)

DATE: February 10, 2009
(enter date affidavit is notarized)

101927a

for Application No. (s): RZ/FDP 2008-HM-016
(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.

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 **BOLD** above)
Urban Realty Advisors LLC Agents: Eric T. May William N. Herman	1747 Pennsylvania Avenue, N.W. Suite 1100 Washington, D.C. 20006	Project Management Consultant/Agent

✓ (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: February 10, 2009
(enter date affidavit is notarized)

101927a

for Application No. (s): RZ/FDP 2008-HM-016
(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)
THI IV Dulles Airport LLC
410 Severn Avenue, Suite 314
Annapolis, MD 21403

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)
Thayer Hotel Investors IV L.P., Member
Bruce G. Wiles, Manager; Carroll M. Warfield, Manager; William H. Reynolds, Jr., Manager

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer,** etc.)
Bruce G. Wiles, President; Carroll M. Warfield, VP/Treasurer; William H. Reynolds, Jr., VP, Asst Secretary; George D. Dabney, VP/Asst Treasurer; Thomas E. Kammerer, VP/Asst Secretary; Kimberly A. Gauthier, VP/Secretary; Nghem T. Do, VP/Asst Secretary

(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)

101927a

DATE: February 10, 2009
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2008-HM-016
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Thayer Hotel Investors Trust IV
410 Severn Avenue, Suite 314
Annapolis, MD 21403

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)
A Maryland REIT with only one unitholder, THI IV PTE LTD, who owns more than 10% of THI IV Dulles Airport LLC.

==========

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)
THI IV PTD LTD. c/o GIC Real Estate, Inc.
One Bush Street, Suite 1100
San Francisco, CA 94104

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)
Owned solely by the Government of Singapore for the Citizens of Singapore.

==========

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 Attachment to Par. 1(b)

DATE: February 10, 2009
(enter date affidavit is notarized)

101927a

for Application No. (s): RZ/FDP 2008-HM-016
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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)
David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

==========

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)
Monument Realty, LLC
1700 K Street, NW, Suite 600
Washington, DC 20006

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)
Jeffrey T. Neal
Michael J. Darby

==========

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 Attachment to Par. 1(b)

DATE: February 10, 2009
(enter date affidavit is notarized)

101927a

for Application No. (s): RZ/FDP 2008-HM-016
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
William H. Gordon Associates, Inc.
4501 Daly Drive
Chantilly, Virginia 22021

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)
William H. Gordon
Joseph W. McClellan

==========

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)
Peter Fillat Architects
720 Aliceanna Street, Suite 200
Baltimore, MD 21202

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)
Peter A. Fillat III, sole shareholder

==========

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 Attachment to Par. 1(b)

DATE: February 10, 2009
(enter date affidavit is notarized)

101927a

for Application No. (s): RZ/FDP 2008-HM-016
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M.J. Wells & Associates, Inc. f/k/a M.J. Wells & Associates, LLC
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)
M.J. Wells & Associates, Inc., Former Sole Member
M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

==========

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)
M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)
M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

==========

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 Attachment to Par. 1(b)

DATE: February 10, 2009
(enter date affidavit is notarized)

101927a

for Application No. (s): RZ/FDP 2008-HM-016
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Urban Realty Advisors LLC
1747 Pennsylvania Avenue, N.W.
Suite 1100
Washington, D.C. 20006

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)
William N. Herman, Manager/Member
Eric T. May, Manager/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: February 10, 2009
(enter date affidavit is notarized)

10\927a

for Application No. (s): RZ/FDP 2008-HM-016
(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)
Thayer Hotel Investors IV L.P.
410 Severn Avenue, Suite 314
Annapolis, MD 21403

(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**)

Thayer Hotel Investments IV LLC, General Partner (owns less than 10% of THI IV Dulles Airport LLC)
Thayer Hotel Investors Trust IV, Limited Partner

(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 AFFIDAVIT

DATE: February 10, 2009
(enter date affidavit is notarized)

101927a

for Application No. (s): RZ/FDP 2008-HM-016
(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: February 10, 2009
(enter date affidavit is notarized)

101927a

for Application No. (s): RZ/FDP 2008-HM-016
(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.)
None

(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: Elizabeth A. McKeeby

(check one) [ ] Applicant [X] Applicant's Authorized Agent

Elizabeth A. McKeeby, agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 10 day of February 2009, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2011

FORM RZA-1 Updated (7/1/06)

KIMBERLY K. FOLLIN
Registration # 283945
Notary Public
COMMONWEALTH OF VIRGINIA

REZONING AFFIDAVIT

DATE: February 10, 2009
(enter date affidavit is notarized)

I, Elizabeth A. McKeeby, agent, 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 101928a

in Application No.(s): PCA 86-C-029-11
(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 **BOLD** above)
THI IV Dulles Airport LLC Agents: George D. Dabney Sarah H. Spiewak William H. Reynolds, Jr. Bruce G. Wiles	410 Severn Avenue, Suite 314 Annapolis, MD 21403	Applicant/Title Owner of Tax Map 15-2 ((2)) 1
William H. Gordon Associates, Inc. Agents: Robert W. Walker Oomer (nmi) Syed	4501 Daly Drive Brookfield Corporate Center Chantilly, Virginia 22021	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: February 10, 2009
(enter date affidavit is notarized)

for Application No. (s): PCA 82-C-029-11
(enter County-assigned application number (s))

101928a

(**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.

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 **BOLD** above)
Monument Realty LLC Agents: Eric T. May Brad C.A. Mason William N. Herman	1700 K Street, NW, Suite 600 Washington, DC 20006	Former Project Management Consultant/ Agent
Peter Fillat Architects Agents: Peter A. Fillat III Darren D. Comedy Kevin T. Roycroft Neelab (nmi) Mahmoud J. Eric Lowe	720 Aliceanna Street, Suite 200 Baltimore, MD 21202	Architect/Agent
M.J. Wells & Associates, Inc. f/k/a M.J. Wells & Associates, LLC Agents: Robin L. Antonucci Priyatham (nmi) Konda Jennifer N. Carpenter	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

(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 Attachment to Par. 1(a)

101928a

DATE: February 10, 2009
(enter date affidavit is notarized)

for Application No. (s): PCA 86-C-029-11
(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.

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 **BOLD** above)
Urban Realty Advisors LLC Agents: Eric T. May William N. Herman	1747 Pennsylvania Avenue, N.W. Suite 1100 Washington, D.C. 20006	Project Management Consultant/Agent

(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: February 10, 2009
(enter date affidavit is notarized)

101928a

for Application No. (s): PCA 86-C-029-11
(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)
THI IV Dulles Airport LLC
410 Severn Avenue, Suite 314
Annapolis, MD 21403

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)
Thayer Hotel Investors IV L.P., Member
Bruce G. Wiles, Manager; Carroll M. Warfield, Manager; William H. Reynolds, Jr., Manager

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer,** etc.)
Bruce G. Wiles, President; Carroll M. Warfield, VP/Treasurer; William H. Reynolds, Jr., VP, Asst Secretary; George D. Dabney, VP/Asst Treasurer; Thomas E. Kammerer, VP/Asst Secretary; Kimberly A. Gauthier, VP/Secretary; Nghem T. Do, VP/Asst Secretary

(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: February 10, 2009
(enter date affidavit is notarized)

101928a

for Application No. (s): PCA 86-C-029-11
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Thayer Hotel Investors Trust IV
410 Severn Avenue, Suite 314
Annapolis, MD 21403

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)
A Maryland REIT with only one unitholder, THI IV PTE LTD, who owns more than 10% of THI IV Dulles Airport LLC.

==========

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)
THI IV PTD LTD. c/o GIC Real Estate, Inc.
One Bush Street, Suite 1100
San Francisco, CA 94104

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)
Owned solely by the Government of Singapore for the Citizens of Singapore.

==========

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 Attachment to Par. 1(b)

DATE: February 10, 2009
(enter date affidavit is notarized)

101928a

for Application No. (s): PCA 86-C-029-11
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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)
David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

==========

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)
Monument Realty, LLC
1700 K Street, NW, Suite 600
Washington, DC 20006

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)
Jeffrey T. Neal
Michael J. Darby

==========

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 Attachment to Par. 1(b)

DATE: February 10, 2009
(enter date affidavit is notarized)

101928a

for Application No. (s): PCA 86-C-029-11
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
William H. Gordon Associates, Inc.
4501 Daly Drive
Chantilly, Virginia 22021

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)
William H. Gordon
Joseph W. McClellan

==========

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)
Peter Fillat Architects
720 Aliceanna Street, Suite 200
Baltimore, MD 21202

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)
Peter A. Fillat III, sole shareholder

==========

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 Attachment to Par. 1(b)

DATE: February 10, 2009
(enter date affidavit is notarized)

101928a

for Application No. (s): PCA 86-C-029-11
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M.J. Wells & Associates, Inc. f/k/a M.J. Wells & Associates, LLC
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)
M.J. Wells & Associates, Inc., Former Sole Member
M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

==========

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)
M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)
M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

==========

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 Attachment to Par. 1(b)

DATE: February 10, 2009
(enter date affidavit is notarized)

101928a

for Application No. (s): PCA 86-C-029-11
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Urban Realty Advisors LLC
1747 Pennsylvania Avenue, N.W.
Suite 1100
Washington, D.C. 20006

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)
William N. Herman, Manager/Member
Eric T. May, Manager/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: February 10, 2009
(enter date affidavit is notarized)

101928a

for Application No. (s): PCA 86-C-029-11
(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)
Thayer Hotel Investors IV L.P.
410 Severn Avenue, Suite 314
Annapolis, MD 21403

(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)**

Thayer Hotel Investments IV LLC, General Partner (owns less than 10% of THI IV Dulles Airport LLC)
Thayer Hotel Investors Trust IV, Limited Partner

(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 AFFIDAVIT

DATE: February 10, 2009
(enter date affidavit is notarized)

101928a

for Application No. (s): PCA 86-C-029-11
(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: February 10, 2009
(enter date affidavit is notarized)

101928a

for Application No. (s): PCA 86-C-029-11
(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.)
None

(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: Elizabeth A. McKeeby

(check one) [ ] Applicant [✓] Applicant's Authorized Agent

Elizabeth A. McKeeby, agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 10 day of February 2009, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K Follin
Notary Public

My commission expires: 11/30/2011

KIMBERLY K. FOLLIN
Registration # 283945
Notary Public
COMMONWEALTH OF VIRGINIA

APPENDIX 5

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

Elizabeth A. McKeeby, AICP
Land Use Planner
(703) 528-4700 Ext. 5467
emckeeby@arl.thelandlawyers.com
Fax: (703) 525-3197

RECEIVED
Department of Planning & Zoning
AUG 07 2008
Zoning Evaluation Division

August 7, 2008

Via Hand Delivery

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

Re: Applicant: THI IV Dulles Airport LLC
Concurrent Proffered Condition Amendment and Rezoning Application
2300 Dulles Corner Boulevard – Hyatt Dulles
Tax Map 15-2-((2))-1/ Parcel 1 of Dulles Corner (the "Subject Property")

Dear Ms. Coyle:

Please accept the following letter as a statement of justification to support two concurrent applications filed on the Subject Property. A proffered condition amendment (PCA) application proposes to withdraw the Subject Property from the larger Dulles Corner Development currently governed by rezoning RZ 86-C-029 as amended, and a concurrent rezoning application seeks to rezone the Subject Property from the PDC District to the PDC District in order to establish a new Conceptual Development Plan/Final Development Plan (CDP/FDP) and proffers for the Hyatt Dulles site. With these applications, the Applicant is proposing to add approximately 18,600 square feet to the ground floor level of the hotel in order to improve and update the hotel meeting facilities, ballroom and lobby/entryway layout.

The 6.379 acre Subject Property, known as Hyatt Dulles, is part of the Dulles Corner mixed-use project. Dulles Corner is an approximately 99 acre mixed-use development located east of Route 28, north of Frying Pan road, and west of Sunrise Valley Drive. The Subject Property is part of the northern portion of the Dulles Corner development, which is comprised of office, hotel, and commercial uses.

By way of background, on February 23, 1987, the Fairfax County Board of Supervisors approved rezoning RZ 86-C-029 on 96.21 acres of land, which provided for 2.9 million square feet of office, hotel, and retail uses with an overall FAR of 0.70 and a minimum of 38.49 acres (40%) of open space. Since the approval of Dulles Corner in 1987, there have been a number of amendments to the governing CDP/FDP and proffers. Over the years, the amendments have slightly increased the land area, modified the mix of uses within the southern portion of Dulles

Corner, and slightly increased the overall FAR by providing a significant contribution to affordable housing. Including the affordable units, the overall FAR was increased to a maximum of 0.72 over the whole Dulles Corner development.

Specifically, these concurrent applications seek to achieve the following:

Proffered Condition Amendment (PCA)

The approximately 99 acre Dulles Corner development is divided into sixteen parcels. The proffered condition amendment application is filed only on 6.379 acres.

- Please note that the withdrawal of the Subject Property from the larger Dulles Corner development does not bring the remainder of Dulles Corner out of compliance with its approved maximum FAR or open space calculations.

- For your ease of reference, please see the attached tabulation sheets showing the existing FAR and open space calculations over the Dulles Corner development and the proposed FAR and open space over the Dulles Corner development with the Hyatt Dulles parcel removed.

- As you will note, removing the Hyatt Dulles parcel from Dulles Corner slightly decreases the overall FAR from a 0.72 to a 0.71 and slightly increases the open space percentage from 44.9% to 45.3%.

Rezoning (RZ)

The RZ application will also be filed on the Subject Property in conjunction with the PCA to withdraw the Subject Property from the Dulles Corner CDP/FDP.

- The RZ, concurrent with the PCA application outlined above, seeks to rezone the Subject Property from the PDC District to the PDC District in order to establish a new CDP/FDP and proffers specific to the Hyatt Dulles site.

- This request proposes to add approximately 18,600 square feet of GFA for use as high quality meeting and training space under the Applicant's Executive Meeting Centers (EMC) concept and an enlarged ballroom.

- The additional space is intended to raise the quality and technologies available for existing meeting/conference use which take place at the hotel. The small increase in GFA will also allow for some shifting of interior lobby spaces to create a better arrival experience for hotel guests. Additional guest rooms are not being proposed with these applications.

- While it is anticipated that certain existing proffers would be updated to current County requirements, the Applicant is not requesting additional activities to be permitted on the Subject Property beyond the uses and capacities which are presently approved.

- As stated above, the proposed additional space will not increase the number of meeting and/or hotel guests, rather it will provide higher quality meeting and guest facilities.

The proposed addition to the lobby level includes the enclosure of the existing patio so that it will become a more usable space on a year round basis and a new foyer at the entryway to improve the arrival experience for hotel guests. It is also proposed that approximately 11,450 net square feet be added to existing hotel meeting space and ballroom. As described above, the proposed additional space will not add new types of uses to the hotel, rather it will serve only to improve the existing hotel experience and amenities. Architecture for the proposed addition will be compatible with the existing hotel and enhance the arrival experience for hotel guests. In addition, the Applicant is working to include some green building practices/features into the design of the proposed building addition.

The Subject Property is located within the Comprehensive Plan's Land Unit A of the Dulles Suburban Center which is planned for a complementary mix of land uses, including office, hotel and support retail at a 0.50-1.0 FAR. The Subject Property is also located within an area that the Comprehensive Plan envisions to be a transit station mixed-use area. Plan text for this area, designated as the "Core Area" states that higher intensity development is an appropriate option in Land Unit A at such time as either a full funding agreement for BRT occurs, or the construction of Metrorail in this transit station area has been fully funded for the rail phase. The Subject Property is located within the ½ mile radius of the proposed Metrorail station platform and the Plan indicated that an intensity of up to 1.25 FAR is appropriate for mixed-use projects within the ½ mile radius. The Plan further states that hotel uses are encouraged. The proposed FAR for the Subject Property is 0.89, well within the recommendations of the Plan. The proposed addition to the hotel will be in harmony with the uses and intensity range recommended in the Comprehensive Plan.

To the best of our knowledge, there are no known hazardous or toxic materials on the Subject Property, nor are there any planned with the proposed use. Furthermore, to the best of our knowledge, the proposed use will be in conformance with all applicable ordinances, regulations and adopted standards with the exception of the following requested waivers and modifications:

- A modification of the transitional screen yard planting requirement and waiver of barrier requirement between the existing hotel and adjacent office use;

- A reduction of the required number of loading spaces from 3 loading spaces to two loading spaces; and

- A reduction of width of the minimum planting area for parking lot landscaping from 8 feet to 6 feet.

Thank you for your assistance with this matter. Please do not hesitate to contact me with any questions or if you require additional information in order to accept these applications

Very truly yours,

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

Elizabeth A. McKeeby

Elizabeth A. McKeeby, AICP
Land Use Planner

Attachment
cc: Sarah Spiewak
Brad Mason
Robin Antonucci
Martin D. Walsh
Elizabeth D. Baker
Rob Walker
Oomer Syed

Development Tabulations
Dulles Corner Development

Parcel	Building	Use	Site Area (Acres)	GFA	FAR	Open Space (%)	Open Space (SF)
1	1	Hotel	6.379	228,600	0.82	38%	105,850
2	2	Office	3.940	222,565		40%	68,650
3	3	Office	5.000	169,023	0.78	43%	93,654
4	4	Office	8.101	243,313	0.69	53%	185,289
6A	6	Office	4.538	168,093	0.85	41%	81,083
1B1	5	Office	11.045	150,000	0.31	46%	219,334
1B1	5A	Office		195,000	0.41	27%	87,974
1B1	5B	Office/ Retail		5,000	0.01	36%	70,606
1B2	7	Office	7.476	276,693	0.85	37%	145,438
13-E2	8	Office	13.335	222,948	0.86	38%	69,251
13-E3	9	Office		222,948		37%	76,187
13-D1	10	Hotel/ Office		206,000		56%	327,527
13-F	Residential	Multi-Family Residential	13.336	594,000		100%	104,479
23-B	Parcel A	Dedicated to FCPA	4.292	0		41%	76,491
23-C	Parcel B	Dedicated to FCPA	2.399	0		0%	-
15-A	15	Office	5.571	104,163	0.43	28%	67,936
16-B	16	Office	7.830	92,775	0.28	56%	191,002
Subtotal			**93.240**	3,101,121		44.9%	1,970,751
Previously Dedicated ROW Dulles View Drive			0.553				
Previously Dedicated ROW Sunrise Valley Drive			5.433				
Previously Dedicated ROW Route 28/ Sully Road			0.054				
TOTAL			**99.2800**	**3,101,121**	**0.72**	**44.9%**	**1,970,751**

Existing Tabulations

7/23/2008

Development Tabulations
Dulles Corner Development

Parcel	Building	Use	Site Area (Acres)	GFA	FAR	Open Space (%)	Open Space (SF)
1	*REMOVED*	*REMOVED*	*REMOVED*	*REMOVED*	*REMOVED*	*REMOVED*	*REMOVED*
2	2	Office	3.940	222,565		40%	68,650
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4	4	Office	8.101	243,313	0.69	53%	185,289
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TOTAL			**92.9010**	**2,872,521**	**0.71**	**45.3%**	**1,864,901**

Revised Tabulations

7/23/2008

RESPONSE TO PROFFERS DATED JULY 18, 1997 FOR DULLES CORNER

Hyatt Dulles – Tax Map Reference Number 15-2-((2))-1

Pending Applications: RZ/FDP 2008-HM-016, PCA 86-C-029-11, FDPA 86-C-029-08

November 14, 2008

GENERAL

1. The Applicant shall develop the Property in substantial conformance with CDP/FDP . . .

   Response: The approved site plan has been developed in substantial conformance with the CDP/FDP, as stated above and per as-built Site Plan #6318-SP-04-3 for the Hyatt Dulles.

2. Buildings are to complement and take advantage of views of Dulles Airport . . .

   Response: The existing hotel is believed to complement and provide views to Dulles Airport. Views to the airport are not to be diminished by the proposed one-story addition.

3. The maximum FAR on the Property . . .

   Response: The existing FAR of .82 is in conformance with the approved FDP. The pending applications propose to remove the Hyatt Dulles parcel from the balance of Dulles Corner. The proposed FAR of .89 is in keeping with the Comprehensive Plan. Please see attached tabulations.

4. Reservation of right to file future PCA's, CDPA's, FDPA's . . .

   Response: The above-referenced site plan has been approved for the Hyatt Dulles. These concurrent applications seek to remove the Hyatt from the balance of Dulles Corner, thus, this proffer will no longer apply.

5. Uses not permitted on the Property . . .

   Response: The existing and proposed use is hotel, which complies with the permitted uses.

6. Outside storage/display of equipment or inventory (except during construction) . . .

   Response: No outside storage/display is proposed with this project.

7. The Applicant may provide bike racks (office buildings) . . .

Response: This proffer is not applicable to the hotel. To the best of my knowledge, office buildings within Dulles Corner have provided appropriate bike racks.

8. Complies with FAA height limitations . . .

Response: To the best of my knowledge, the Hyatt Dulles complies with FAA height limitations. The pending applications do not propose any additional height to the hotel building.

ENVIRONMENTAL

9/10. Fill in the flood plain and regional stormwater management facility. Stormwater management in accord with Chesapeake Bay requirements . . .

Response: To the best of my knowledge and per the prior proffer response prepared by William H. Gordon & Associates in connection with the approved site plan for Dulles Corner Building 7, the regional stormwater management pond has been constructed downstream of this Property, and it provides stormwater management and BMP.

11. Protect existing trees to extent possible, tree preservation plan . . .

Response: Existing onsite trees to remain to the extent possible and may be supplemented to the extent possible. An existing vegetation map has been submitted with the pending applications.

12. Streambank protection for Merrybrook Run . . .

Response: This proffer does not directly relate to this site.

13. Construct pedestrian trail in the Merrybrook Run Valley . . .

Response: To the best of my knowledge and per the proffer response provided by William H. Gordon & Associates in connection with Dulles Center Building 7, this walkway has been provided.

14. Acoustical treatment measures to meet Section 7-409 for interior noise . . .

Response: To the best of the Applicant's knowledge, the existing hotel construction meets all requirements for acoustical treatment measures. The proposed addition is to be designed to meet any applicable acoustical measures.

15. Construct trail improvements/pedestrian circulation system shown on CDP/FDP . . .

Response: To the best of my knowledge and per the William H. Gordon Associates proffer compliance statement associated with the site plan for Dulles Corner Building 7,

the existing sidewalks along the frontage of the Property comply with the CDP/FDP. A pro rata share will be provided when requested by Fairfax County since no specific time was specified in the proffer.

16. General architectural rendering and Landscaped Plan for each new building . . .

Response: With the pending applications (and included with this resubmission), the Applicant has provided general architectural renderings of how the proposed addition is in harmony with the existing hotel architecture.

17. Parking deck areas shall be addressed at the time of FDP approval in general accordance with the following . . .

Response: This proffer does not specifically apply to Application Property, as there are no parking decks located on the Hyatt Dulles site.

TRANSPORTATION

18. Commits to enforce provisions of the Three Party Agreement . . .

Response: To the best of my knowledge, the terms of the Three-Party Agreement have been met.

19. Details the roadway improvements of the Three Party Agreement . . .

Response: To the best of my knowledge, these intersection/road improvements have been completed.

20. Commits to dedication and construction of Horsepen Road extended from Coppermine Road to Frying Pan Road. . . .

Response: To the best of my knowledge, these intersection/road improvements have been constructed as proffered, however, they do not relate specifically to this site.

21. Commits to entrance alignment with Ferns and Rock sites and site plan for lane transitions and dedications . . .

Response: This site utilizes an existing entrance to the site from Dulles Corner Drive and does not propose any new entrances onto Horse Pen Road.

22. Coppermine Road Improvements . . .

Response: The Horse Pen Road/Coppermine Road intersection improvements have been constructed with the site plan approval for Parcel 16 of Dulles Corner.

23. Horsepen Road frontage improvements . . .

Response: These roadway improvements and dedication have been completed, and construction of Horsepen Road has occurred.

24. Implementation of TDMs upon occupancy of 1,000,000 sf of non-residential . . .

(A) Carpool/vanpool programs . . .

Response: To the best of my knowledge and per the prior proffer response prepared by William H. Gordon Associates, the carpool/vanpool programs have been encouraged within the Dulles Corner development.

(B) Convenient parking to be designated for carpool/vanpool . . .

Response: Parking areas have been conveniently located throughout the development.

(C) Pedestrian access to the approved development shall be encouraged . . .

Response: Pedestrian access is encouraged by the existing pedestrian walkways throughout the development.

(D) Shuttle service to Dulles Airport or nearby bus or rail station . . .

Response: Shuttle service is provided to Dulles Airport by the Hyatt Hotel.

25. Commitment to a monetary contribution of $379,416 for area transportation improvements to be expended in the following manner:

(a) Dedication and construction of Enterprise Drive, now referred to as Dulles View Drive . . .

Response: Dulles View Drive has been dedicated and constructed in keeping with this proffer and proffers associated with an adjacent rezoning for Dulles View.

(b) Contribution of $125,000 to Coppermine Road improvements . . .

Response: To the best of my knowledge, this proffer has been completed.

(c) Contribution of $105,025 for improvements to Frying Pan Road . . .

Response: To the best of my knowledge, this proffer has been completed.

26. Contributions increased or decreased by construction cost index . . .

Response: This is on-going and will be adhered to as contributions are made.

27. Commitment to a pro-rata contribution for a signal at Enterprise Drive (Dulles View Drive) and Horsepen Road (Sunrise Valley Drive) . . .

Response: To the best of my knowledge, this proffer has been completed.

28. Commitment to a lump sum contribution towards a commuter rail station in the event that the final design for the proposed commuter rail station for the proposed Dulles Area Rapid Transit (DART) . . .

Response: To the best of my knowledge, this proffer has been completed.

29. Commitment to a ten-year membership in DATA . . .

Response: The membership period specified in the proffers is 1990 to 1999.

30. Commitment to contributing the difference between the total obligation of $379,416 and all sums expended to accomplish proffers 25 through 29 . . .

Response: To the best of my knowledge, this proffer has been completed.

HERITAGE RESOURCES

31. 90-day notice to Historic Branch if archeology is desired . . .

Response: Acknowledged. No existing structures are to be demolished with this plan.

PUBLIC UTILITIES

32. Adequate water service . . .

Response: Acknowledged. Water mains exist within this site.

33. Provision of public sewer . . .

Response: Public sewer exists for this site, which was installed during the initial stages of the Dulles Corner property to comply with this proffer.

Attachments:
Proffers
FAR/open space tabulations

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Dulles Corner Development

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7/23/2008

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Revised Tabulations

7/23/2008

WELLS + ASSOCIATES

December 16, 2008

RECEIVED
Department of Planning & Zoning
DEC 17 2008
Zoning Evaluation Division

Mr. Richard Hayes
Code Analysis
Department of Public Works &
Environmental Services
12055 Government Center Parkway
Fairfax, Virginia 22035-5503

RE: RZ 2008-HM- 016; Hyatt Dulles
Tax Map # 15-4 ((1)) 1, 7A and 7B

Dear Mr. Hayes:

The purpose of this letter is to seek the County's determination as to the parking required for a proposed expansion of the existing Hyatt Dulles Hotel. The Hyatt Dulles is located at 2300 Dulles Corner Boulevard, east of Sully Road (Route 28), west of Sunrise Valley Drive and south of the Dulles Toll Road (Route 267). The Hyatt Dulles, as reflected on "as-built" plans prepared by Patton Harris Rust + Associates dated August 10, 1989, consists of approximately 228,380 gross square feet of building floor area including 317 hotel rooms, approximately 6,900 gross square feet of meeting space seating 345 persons, a 104 seat restaurant and 100 lounge seats; thereby necessitating a total of 502 parking spaces.

The applicant, THI IV Dulles Airport LLC, has filed both a Proffered Condition Amendment (PCA) and Rezoning (RZ) application in order to facilitate a proposed expansion of the existing hotel conference facilities. A copy of the applicant's statement of justification in support of the applications is provided as Attachment I.

The Conceptual/Final Development plan, as enclosed herein, and submitted in conjunction with the applications reflects an addition of approximately 19,000 gross square feet for use as high quality meeting and training space under the Hyatt's Executive Meeting Centers (EMC) concept and an enlarged ballroom. No additional guest rooms are proposed with the applications. As reflected in the applicant's statement of justification, the additional EMC space is not intended to increase the number of meeting and/or hotel guests but to improve the quality of meeting and guest facilities. With the improvements proposed

11441 Robertson Drive, Suite 201 • Manassas, Virginia 20109 • 703 / 365-9262 • Fax: 703 / 365-9265

under the PCA/RZ applications, the Hyatt Dulles would include the following components:

- 317 guest rooms,
- 25,500 GSF of expanded floor area,
- 5,000 GSF of restaurant space with 217 table/bar seats, and 28 employees
- 37 lounge/lobby seats

On October 27, 1986 the Board of Supervisors approved a 20.72% parking reduction (or 104 space reduction) for the Hyatt Dulles with conditions. At the time, the parking required for the hotel was estimated to be 502 spaces as summarized in Table 1 of Attachment II. With the 104 space reduction, the parking requirement for the Hyatt Dulles was established as 398 spaces. A copy of the conditions associated with the reduction is also included in Attachment II.

Subsequent to the Board's approval in October 1986, a shared parking reduction was approved on December 14, 1987. This additional reduction was granted for 54 on-site parking spaces. Under the conditions imposed by the Board (see Attachment III), the additional space reduction was granted based on hours of operation with the office uses on Dulles Corner, Parcel 2. The 54 on-site Hyatt Dulles spaces were included in the 868 structured parking garage provided in conjunction with the then planned 10-story office building. With the approval of the 54 space on-site reduction, the number of on-site spaces needed for the existing Hyatt Dulles was set at 344.

The proposed CDP/FDP reflects a new ball room approximately 34 feet by 56 feet in size, as well as two new meeting rooms of approximately 20 feet by 13 feet each. Assuming the same seat to floor area ratio as provided in the initial study the new meeting/ballroom space would provide accommodations for 122 persons. Based on an application of the County's Zoning Ordinance requirements as reflected in Table 2, the required parking needed to accommodate all the hotel uses would be 554 spaces (see also Attachment II). Based on ULI's 2nd edition, *Shared Parking*, the rates associated with the uses and amounts shown on Table 2 were input into the ULI model. Based on the ULI methodology, the peak parking demand associated with the proposed expanded uses would be 433 spaces on the weekday. The number of spaces provided both in the garage (54 spaces) and the 347 on-site yields a total of 401 spaces for the use. Based on the spaces provided and a strict application of the ULI model as discussed above, the parking provided on-site and in the

adjacent parking garage would not fully meet the demands associated with the expanded Hyatt Dulles.

However, the Hyatt Dulles provides regular shuttle runs between Dulles International Airport and the hotel. The shuttle departs the hotel at 5:15 AM each morning and continues regularly every half hour throughout the day until 12:30 AM; departing the hotel a quarter before the hour and a quarter after the hour. The 12:30 AM pick up at the airport is the last one of the day. A review of a recent week in December has shown approximately 66 passengers are picked up at the airport and 73 passengers are dropped off daily. Additionally, the applicant has indicated a commitment, in draft proffers dated December 15, 2008, to implement a transportation demand management programs in accordance with the Comprehensive Plan recommendations for achieving a minimum 15% reduction in peak hour traffic (see Attachment IV). Applying this 15% mode split to the hotel uses in conjunction with the shuttle service results in an overall peak demand associated with the hotel of 398 spaces or less than the number of spaces provided in the garage and in the on-site lot.

In summary, we respectfully request your concurrence with regard to the proposed parking requirement of 398 total parking spaces associated with the Hyatt Dulles. If you have any questions please call me at 703.365.9262.

Thank you so much Rich for you help with this matter. It is, as always, greatly appreciated.

Sincerely,

Robin L. Antonucci
Principal Associate

Enclosures: a/s

Attachments: a/s

cc: Sarah Spiewak, Thayer Lodging
Elizabeth McKeeby, Walsh Colucci Lubeley Emrich & Walsh PC
William "Billy" O'Donnell, Fairfax County DPZ

Attachment I

Elizabeth A. McKeeby, AICP
Land Use Planner
(703) 528-4700 Ext. 5467
emckeeby@arl.thelandlawyers.com
Fax: (703) 525-3197

August 7, 2008

Via Hand Delivery

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

Re: Applicant: THI IV Dulles Airport LLC
Concurrent Proffered Condition Amendment and Rezoning Application
2300 Dulles Corner Boulevard – Hyatt Dulles
Tax Map 15-2-((2))-1/ Parcel 1 of Dulles Corner (the "Subject Property")

Dear Ms. Coyle:

Please accept the following letter as a statement of justification to support two concurrent applications filed on the Subject Property. A proffered condition amendment (PCA) application proposes to withdraw the Subject Property from the larger Dulles Corner Development currently governed by rezoning RZ 86-C-029 as amended, and a concurrent rezoning application seeks to rezone the Subject Property from the PDC District to the PDC District in order to establish a new Conceptual Development Plan/Final Development Plan (CDP/FDP) and proffers for the Hyatt Dulles site. With these applications, the Applicant is proposing to add approximately 18,600 square feet to the ground floor level of the hotel in order to improve and update the hotel meeting facilities, ballroom and lobby/entryway layout.

The 6.379 acre Subject Property, known as Hyatt Dulles, is part of the Dulles Corner mixed-use project. Dulles Corner is an approximately 99 acre mixed-use development located east of Route 28, north of Frying Pan road, and west of Sunrise Valley Drive. The Subject Property is part of the northern portion of the Dulles Corner development, which is comprised of office, hotel, and commercial uses.

By way of background, on February 23, 1987, the Fairfax County Board of Supervisors approved rezoning RZ 86-C-029 on 96.21 acres of land, which provided for 2.9 million square feet of office, hotel, and retail uses with an overall FAR of 0.70 and a minimum of 38.49 acres (40%) of open space. Since the approval of Dulles Corner in 1987, there have been a number of amendments to the governing CDP/FDP and proffers. Over the years, the amendments have slightly increased the land area, modified the mix of uses within the southern portion of Dulles

Corner, and slightly increased the overall FAR by providing a significant contribution to affordable housing. Including the affordable units, the overall FAR was increased to a maximum of 0.72 over the whole Dulles Corner development.

Specifically, these concurrent applications seek to achieve the following:

Proffered Condition Amendment (PCA)

The approximately 99 acre Dulles Corner development is divided into sixteen parcels. The proffered condition amendment application is filed only on 6.379 acres.

- Please note that the withdrawal of the Subject Property from the larger Dulles Corner development does not bring the remainder of Dulles Corner out of compliance with its approved maximum FAR or open space calculations.

- For your ease of reference, please see the attached tabulation sheets showing the existing FAR and open space calculations over the Dulles Corner development and the proposed FAR and open space over the Dulles Corner development with the Hyatt Dulles parcel removed.

- As you will note, removing the Hyatt Dulles parcel from Dulles Corner slightly decreases the overall FAR from a 0.72 to a 0.71 and slightly increases the open space percentage from 44.9% to 45.3%.

Rezoning (RZ)

The RZ application will also be filed on the Subject Property in conjunction with the PCA to withdraw the Subject Property from the Dulles Corner CDP/FDP.

- The RZ, concurrent with the PCA application outlined above, seeks to rezone the Subject Property from the PDC District to the PDC District in order to establish a new CDP/FDP and proffers specific to the Hyatt Dulles site.

- This request proposes to add approximately 18,600 square feet of GFA for use as high quality meeting and training space under the Applicant's Executive Meeting Centers (EMC) concept and an enlarged ballroom.

- The additional space is intended to raise the quality and technologies available for existing meeting/conference use which take place at the hotel. The small increase in GFA will also allow for some shifting of interior lobby spaces to create a better arrival experience for hotel guests. Additional guest rooms are not being proposed with these applications.

- While it is anticipated that certain existing proffers would be updated to current County requirements, the Applicant is not requesting additional activities to be permitted on the Subject Property beyond the uses and capacities which are presently approved.

- As stated above, the proposed additional space will not increase the number of meeting and/or hotel guests, rather it will provide higher quality meeting and guest facilities.

The proposed addition to the lobby level includes the enclosure of the existing patio so that it will become a more usable space on a year round basis and a new foyer at the entryway to improve the arrival experience for hotel guests. It is also proposed that approximately 11,450 net square feet be added to existing hotel meeting space and ballroom. As described above, the proposed additional space will not add new types of uses to the hotel, rather it will serve only to improve the existing hotel experience and amenities. Architecture for the proposed addition will be compatible with the existing hotel and enhance the arrival experience for hotel guests. In addition, the Applicant is working to include some green building practices/features into the design of the proposed building addition.

The Subject Property is located within the Comprehensive Plan's Land Unit A of the Dulles Suburban Center which is planned for a complementary mix of land uses, including office, hotel and support retail at a 0.50-1.0 FAR. The Subject Property is also located within an area that the Comprehensive Plan envisions to be a transit station mixed-use area. Plan text for this area, designated as the "Core Area" states that higher intensity development is an appropriate option in Land Unit A at such time as either a full funding agreement for BRT occurs, or the construction of Metrorail in this transit station area has been fully funded for the rail phase. The Subject Property is located within the ½ mile radius of the proposed Metrorail station platform and the Plan indicated that an intensity of up to 1.25 FAR is appropriate for mixed-use projects within the ½ mile radius. The Plan further states that hotel uses are encouraged. The proposed FAR for the Subject Property is 0.89, well within the recommendations of the Plan. The proposed addition to the hotel will be in harmony with the uses and intensity range recommended in the Comprehensive Plan.

To the best of our knowledge, there are no known hazardous or toxic materials on the Subject Property, nor are there any planned with the proposed use. Furthermore, to the best of our knowledge, the proposed use will be in conformance with all applicable ordinances, regulations and adopted standards with the exception of the following requested waivers and modifications:

- A modification of the transitional screen yard planting requirement and waiver of barrier requirement between the existing hotel and adjacent office use;

- A reduction of the required number of loading spaces from 3 loading spaces to two loading spaces; and

- A reduction of width of the minimum planting area for parking lot landscaping from 8 feet to 6 feet.

Thank you for your assistance with this matter. Please do not hesitate to contact me with any questions or if you require additional information in order to accept these applications

Very truly yours,

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

Elizabeth A. McKeeby, AICP
Land Use Planner

Attachment
cc: Sarah Spiewak
Brad Mason
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Table 1
Hyatt Dulles
Parking Requirements - Baseline October 1986 Reduction

Land Use	Amount	Units	Code Requirement	
Hotel	317	Rooms	1 space per rental unit, plus 4 spaces per 50 rental units, plus such spaces as are required for assembly rooms	342.4
Eating Establishment	104	Table Seats	1 space per 4 seats	26.0
Meeting Rooms	345	Seats	N/A	133.6
Lobby Seats	100	Seats	N/A	0.0
			Total Parking Requirement	**502**
			With Application of ULI Shared Parking	***398***
			Percent Reduction	**20.7%**

Note(s): (1) Tabulations based on October 1986 Parking Reduction.

Table 2
Hyatt Dulles
Parking Requirements - Expansion 2008

Land Use	Amount	Units	Code Requirement	
Hotel	317	Rooms	1 space per rental unit, plus 4 spaces per 50 rental units, plus such spaces as are required for assembly rooms	342.4
Eating Establishment	205	Table Seats	1 space per 4 seats	51.3
	12	Counter Seats	1 space per 2 seats	6.0
	28	Employees	1 space per 2 employees	14.0
Meeting Rooms	467	Seats	0.3 spaces per seat	140.1
Lobby Seats	37	Seats	N/A	0.0
			Total Parking Requirement	**554**
			With Application of ULI Shared Parking	***433***
			Percent Reduction	**21.8%**
			With application of a 15% TDM reduction based on the draft proffers dated December 15, 2008	
			Total Parking Requirement	**398**
			Percent Reduction	**28.2%**

Note(s): (1) All calculations based on the Fairfax County Zoning Ordinance.

Attachment II

~~EXHIBIT C~~ BK6797 - 994

EXHIBIT A

A-8. Parking Reduction for the Dulles Hyatt Hotel (Centreville District).

ISSUE: Board approval of a 20.72 percent reduction from required parking for the Dulles Hyatt Hotel; Tax Map 15-4-001-1, 7A and 7B, as permitted by Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance.

RECOMMENDATION: I recommend that the Board grant a 20.72 percent or 104 space reduction from the 502 required on-site parking spaces for the Dulles Hyatt Hotel; Tax Map 15-4-001-1, 7A and 7B, as permitted by Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance on condition that:

o A parking space utilization study is submitted for review and approval by the Board of Supervisors on behalf of the owner(s) of the Dulles Hyatt Hotel complex at any time in the future that the Zoning Administrator determines that parking at the hotel complex may be inadequate to serve the use(s). Following review of that study, the Board may require the addition of any or all of the parking spaces reduced by this application which may entail the providing of structured parking.

o The owner(s) of the Dulles Hyatt Hotel complex, prior to site plan approval, shall provide a notarized document agreeing to provide any additional parking deemed necessary by the Board as a result of the aforementioned study. Additionally, the owners shall agree to provide the additional parking within one year (appealable to the Board) of the Board's determination that additional parking is necessary.

o Parking provided on the Dulles Hyatt Hotel site shall not be sold, leased, or reserved for a use or individual not specifically allowed by Code; that is, loading spaces and handicapped parking, etc.

o Shared parking with any additional use(s) will not be permitted without the submission of a new parking study, subject to Board of Supervisors' approval, prepared in accordance with the applicable requirements of Fairfax County.

o All parking provided shall be in accordance with the applicable requirements of Article 11 of the Fairfax County Zoning Ordinance and the applicable requirements of the Fairfax County Public Facilities Manual.

o All parking spaces on the Dulles Hyatt Hotel site shall be regular, full-sized parking spaces unless other space conforming to current Fairfax County requirements is specifically authorized.

* All conditions of this approval shall be incorporated into the Dulles Hyatt site plan prior to final approval.

Original Not Clear

LIGHT ORIGINAL

RECORDED W/CERTIFICATE ANNEXED
1987 JUL 21 2:12
FAIRFAX COUNTY, VA
TEST: CLERK

6. A-7 - DENSITY CREDIT FOR ADVANCE DEDICATION OF LAND FOR PUBLIC STREET PURPOSES (MASON DISTRICT) (Tape 10)

DC)
R) On motion of Supervisor Davis, seconded by Supervisor Egge, and carried unanimously, the Board concurred in the recommendation of staff and granted advanced density credit for the portion of the lots or parcels identified as Tax Map Numbers 051-3-0013-0003 and 051-4-0013-0004 (678 square feet) that is to be dedicated for public use for public street purposes in connection with the Public Improvements to the Seven Corners Traffic Circulation Improvements, Project 006433.

7. A-8 - PARKING REDUCTION FOR THE DULLES HYATT HOTEL (CENTREVILLE DISTRICT) (Tape 10)

On motion of Supervisor Pennino, seconded by Supervisor Falck, and carried by a vote of eight, Supervisor Egge abstaining, the Board concurred in the recommendation of staff and granted a 20.72 percent or 104 space/reduction from the 502 required on-site parking spaces for the Dulles Hyatt Hotel, Tax Map 15-4-001-1, 7A and 7B, as permitted by Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance, subject to the conditions contained in the Memorandum to the Board dated October 27, 1986.

8. A-9 - GRANT APPLICATION OF OFFICE FOR CHILDREN IN COOPERATION WITH HEALTH DEPARTMENT AND THE UNITED STATES DEPARTMENT OF EDUCATION FOR DAY CARE SERVICES TO HANDICAPPED INFANTS (Tape 10)

On motion of Supervisor Falck, seconded by Supervisor McConnell, and carried unanimously, the Board concurred in the recommendation of staff and authorized submission of a grant application to the United States Department of Education, Office of Special Education, under the category of Training Personnel for the Education of the Handicapped.

9. A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION AS 87013 AND FISCAL PLANNING RESOLUTION AS 87904 FOR THE DEPARTMENT OF COMMUNITY ACTION (Tapes 10-11)

SAR)
Following discussion with Verdia L. Haywood, Deputy County Executive for Human Services, regarding the distribution of the surplus food and the Truckdriver and Coordinator positions, Supervisor Falck moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution AS 87013 and Fiscal Planning Resolution AS 87904 which transfers an amount of $81,975 from Agency 87, Unclassified Administrative Expense to the Department of Community Action for the operation of a food distribution program for low-income persons with the understanding that if there were a lack of response from the private non-profit organizations, the program would be staffed with a County position. This motion was seconded by Supervisor Pennino and carried unanimously.

o All conditions of this approval shall be incorporated into the Dulles Hyatt site plan prior to final approval.

In addition, the owner(s) of the proposed Dulles Hyatt Hotel complex are requesting favorable consideration toward deferring the construction of 55 of the recommended 398 spaces to be provided on-site. The owner(s) contend that their study based on surveys of other hotels within the United States and interviews with hotel restaurant and meeting room patrons, fully justify a reduction greater than that being recommended by staff. The deferral sought would be for a two-year period in order to allow one year for the maturing of the new hotel complex and one year to study on-site parking characteristics aimed at substantiating the validity of their current parking study. If the study does not support the deferred parking, then the owner(s) will provide the additional parking spaces necessary to meet the demand of the hotel complex.

The Department of Environmental Management in coordination with the Office of Transportation, the Office of Comprehensive Planning and the County Attorney's Office, recommend against the deferral of any parking on the Dulles Hyatt Hotel site for the following reasons:

o The Fairfax County Zoning Ordinance does not provide for the deferral of any required on site parking.

o The Barton-Aschman Parking Study referenced by the applicant attempts to design parking for the Dulles site based on a survey of sites outside of Fairfax County where parking accumulation characteristics are expected to be substantially different from conditions known to exist in Fairfax County.

TIMING: October 27, 1986.

BACKGROUND: The owner(s) of Parcels 1, 7A and 7B on Tax Map 15-4-001 are requesting a reduction from required parking as provided for in Paragraph 4, Section 11-102 of the Zoning Ordinance. Paragraph 4, Section 11-102 of the Zoning Ordinance indicates that the Board may reduce the total number of parking spaces required by strict application of parking requirements, when it can be determined that the same spaces may adequately serve two or more uses by reason of the hours of operation of such uses.

The owner(s) of Parcels 1, 7A and 7B are proposing to construct a hotel consisting of 317 guest rooms, a 124 seat restaurant, a 100 seat lounge, and 6,300 square feet of meeting rooms seating 145 persons. The developers requested

Parking Reduction for the Dulles Hyatt Hotel (Centreville District).

ISSUE: Board approval of a 20.72 percent reduction from required parking for the Dulles Hyatt Hotel, Tax Map 15-4-001-1, 7A and 7B, as permitted by Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance.

RECOMMENDATION: I recommend that the Board grant a 20.72 percent or 104 space reduction from the 502 required on-site parking spaces for the Dulles Hyatt Hotel, Tax Map 15-4-001-1, 7A and 7B, as permitted by Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance on condition that:

o A parking space utilization study is submitted for review and approval by the Board of Supervisors on behalf of the owner(s) of the Dulles Hyatt Hotel complex at any time in the future that the Zoning Administrator determines that parking at the hotel complex may be inadequate to serve the use(s). Following review of that study, the Board may require the addition of any or all of the parking spaces reduced by this application which may entail the providing of structured parking.

o The owner(s) of the Dulles Hyatt Hotel complex, prior to site plan approval, shall provide a notarized document agreeing to provide any additional parking deemed necessary by the Board as a result of the aforementioned study. Additionally, the owners shall agree to provide the additional parking within one year (appealable to the Board) of the Board's determination that additional parking is necessary.

o Parking provided on the Dulles Hyatt Hotel site shall not be sold, leased, or reserved for a use of individual not specifically allowed by Code; that is, loading spaces and handicapped parking, etc.

o Shared parking with any additional use(s) will not be permitted without the submission of a new parking study, subject to Board of Supervisors' approval, prepared in accordance with the applicable requirements of Fairfax County.

o All parking provided shall be in accordance with the applicable requirements of Article 11 of the Fairfax County Zoning Ordinance and the applicable requirements of the Fairfax County Public Facilities Manual.

o All parking spaces on the Dulles Hyatt Hotel site shall be regular, full-sized parking spaces unless other space conforming to current Fairfax County requirements is specifically authorized.

[illegible] Board

reduction is predicated on component land uses that can be served by shared parking. The differences in activity patterns of hotel components tend to be complementary because many parking spaces used by hotel guests in the evening are available for hotel conference attendees during the day, and many guests at the hotel will patronize more than one hotel component; therefore, a single parking space will serve a hotel guest who is also a hotel restaurant patron. The shared parking study, prepared by Barton-Aschman Associates, provides the basis for establishing shared parking based on component land uses.

The original request for a reduction from required parking, dated December 19, 1985, was for a reduction of approximately 39 percent of total parking required or 196 parking spaces. The original request was modified on February 17, 1986 after a meeting with staff, and again on April 17, 1986, at which time, the requested reduction was lowered to the current 20.73 percent of required parking or 104 parking spaces. The total parking required for all uses on site is calculated to be 502 parking spaces. The parking recommended to be provided is 398 parking spaces. The site will not utilize motorcycle/bicycle and/or motorbike parking.

The Department of Environmental Management has coordinated the review of this request with the Office of Comprehensive Planning, the Office of Transportation, and the County Attorney's Office. The recommended parking reduction reflects a coordinated review effort.

ENCLOSED DOCUMENTS: Letter of request for parking reduction; Parking study dated December 19, 1985 and subsequent revisions dated February 17, 1986 and April 17, 1986 with applicable plan sheets (separate from Board Package, for Board Members only).

STAFF: Denton U. Kent, Deputy County Executive for Planning and Development; C. G. Cooper, Director, Department of Environmental Management.

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
Telephone 703-691-2746

March 11, 1986

Dan Azark
Hyatt Development Corporation
200 West Madison
Chicago, Illinois 60606

Attachment III

EXHIBIT C

49. A-15 - PARKING REDUCTION REQUEST FOR DULLES HYATT HOTEL, PARCEL 1 (CENTREVILLE DISTRICT) (Tape 5)

On motion of Supervisor Pennino, seconded by Supervisor Alexander, and carried by a vote of eight, Supervisor Egge abstaining, the Board concurred in the recommendation of staff and approved a parking reduction request for the Dulles Hyatt Hotel, Parcel 1, Tax Map: 15-4-001, Part of 1, Centreville District.

50. A-16 - AUTHORIZATION TO PAY FY 1988 THIRD QUARTER TRANSIT OPERATING SUBSIDY TO WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) (COUNTYWIDE) (Tape 5)

(R) Supervisor Alexander moved that the Board concur in the recommendation of staff and adopt a resolution (Attachment II) authorizing payment of the FY 1988 third quarter transit operating subsidy to Washington Metropolitan Area Transit Authority (WMATA). This motion was seconded by Supervisor Falck and carried by unanimous vote.

Supervisor Falck moved that the Board of Supervisors support Mr. Barnett's position that the Metro staff be directed to absorb their predicted deficit. This motion was seconded by Supervisor Egge.

Supervisor Alexander suggested that Supervisor Falck's motion be put in the form of a letter, and this was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

51. I-1 - UPCOMING SECTION 15.1-456 PUBLIC HEARING REGARDING FOUR POTENTIAL COMMUTER RAIL STATIONS (ANNANDALE, LEE, MOUNT VERNON AND SPRINGFIELD DISTRICTS) (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 14, 1987 concerning the upcoming Section 15.1 - 456 public hearing to be held on January 13, 1988 by the Fairfax County Planning Commission at 8:15 p.m. regarding four potential commuter rail stations in the Annandale, Lee, Mount Vernon and Springfield Districts.

The staff was directed administratively to proceed as proposed.

A-15. Parking Reduction Request for Dulles Hyatt Hotel, Parcel 1 (Centreville District).

ISSUE: Board approval of a parking reduction request for the Dulles Hyatt Hotel, Parcel 1, Tax Map: 15-4-001, Part of 1, Centreville District.

RECOMMENDATIONS: I recommend that the Board of Supervisors grant an additional parking space reduction, not to exceed 54 on-site parking spaces for the Dulles Hyatt Hotel; Tax Map: 15-4-001, Part of 1, as permitted by Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance. The present requirement for the hotel complex is 398 parking spaces. The additional 54 proposed parking space reduction for the Dulles Hyatt Hotel would be located and shared based on hours of operation with the Dulles Corner, Parcel 2 project. The 54 spaces will be part of the 868 structured parking spaces provided for the planned 10 story office building on the condition that:

o The structured parking spaces provided on the Dulles Corner, Parcel 2 project will be accessible to patrons of the Dulles Hyatt Hotel complex, Parcel 1, 24 hours a day.

o The manner of parking space accessibility to the Dulles Corner, Parcel 2 project shall be implemented to maximize convenience to the hotel complex patrons.

o A parking space utilization study is submitted for review and approval by the Board of Supervisors on behalf of the owner(s) of the subject properties at any time in the future that the Zoning Administrator determines that parking at the hotel complex may be inadequate to serve the use(s). Following review of that study, the Board may require the addition of any or all of the parking spaces reduced by this application and previous applications which may entail the providing of structured parking.

o The owner(s) of the Dulles Hyatt Hotel, Parcel 1, and Dulles Corner, Parcel Two Complex, prior to site plan approval, shall provide a notarized document agreeing to provide any additional parking deemed necessary by the Board as a result of the aforementioned study. Additionally, the owner(s) shall agree to provide the additional parking within one year (appealable to the Board) of the Board's determination that additional parking is necessary.

o Parking provided on the Dulles Hyatt Hotel, Parcel 1, and Dulles Corner, Parcel Two Complex shall not be sold, leased, or reserved for a use or individual not specifically allowed by Code; that is, loading spaces and handicapped parking, etc.

o All conditions of the Board of Supervisors approval for parking reduction for the Dulles Hyatt Hotel dated October 27, 1986 shall be met.

o The total proposed parking space reduction for the Dulles Hyatt Hotel, Parcel 1 will not exceed 54 parking spaces. (A parking space reduction from 398 shown on the approved site plan to 344 parking spaces on the basis of shared parking with Dulles Corner Parcel 2, office use.)

344 NOW req'd

o The total proposed parking space reduction per subject application will not exceed 54 parking spaces to be located on Dulles Corner, Parcel 2, which will be part of the 868 structured parking spaces provided for the planned office building.

o Shared parking with any additional use(s) will not be permitted without the submission of a new parking study, subject to the Board of Supervisors' approval, prepared in accordance with the applicable requirements of Fairfax County.

o All parking provided shall be in accordance with the applicable requirements of Article 11 of the Fairfax County Zoning Ordinance and Public Facilities Manual requirements.

o All parking spaces on the Dulles Hyatt Hotel site shall be regular, full sized parking spaces unless other space conforming to current Fairfax County requirements is specifically authorized.

o All conditions of this approval shall be incorporated into the Dulles Hyatt site plan and the Dulles Corner, Parcel 2 site plan prior to final approval.

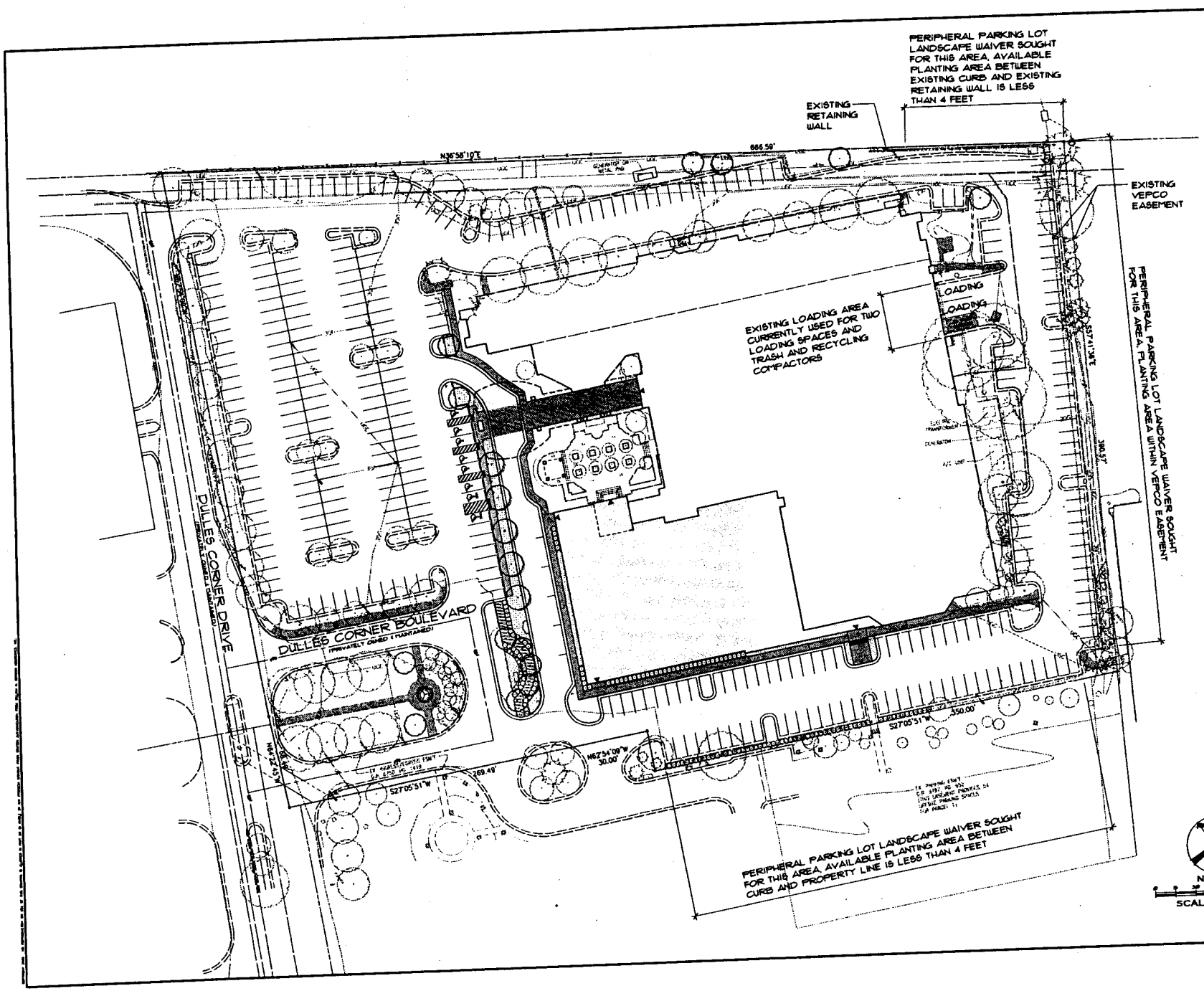
<u>TIMING</u>: December 14, 1987.

BACKGROUND: On October 27, 1986, the owner(s) of Parcels 1, 7A and 7B on Tax Map: 15-4-001 requested, and the Board of Supervisors approved, a parking reduction resulting in a 398 parking space requirement. The owner(s) are requesting a reduction from required parking as provided for in Paragraph 4, Section 11-102 of the Zoning Ordinance. The Zoning Ordinance indicates that the Board may reduce the total number of parking spaces required by strict application of parking requirements, when it can be determined that the same spaces may adequately serve two or more uses by reason of the hours of operation of such uses.

The Department of Environmental Management has coordinated the review of this request with the Office of Comprehensive Planning, the Office of Transportation, and the County Attorney's Office. The recommended parking reduction reflects a coordinated review effort.

ENCLOSED DOCUMENTS: Letter of request for a parking reduction dated June 24, 1987; Parking study and revisions dated February 17, 1986, March 25, 1986 and April 17, 1986; applicable site plan sheets (separate from Board Package, for Board Members only).

STAFF: Denton U. Kent, Deputy County Executive for Planning and Development; C. G. Cooper, Director, Department of Environmental Management.



William H. Gordon Associates, Inc.
4501 Daly Drive
Chantilly, VA 20151
PHONE 703-263-1900
FAX 703-263-0766
ENGINEERS · SURVEYORS · PLANNERS · LANDSCAPE ARCHITECTS

SEAL

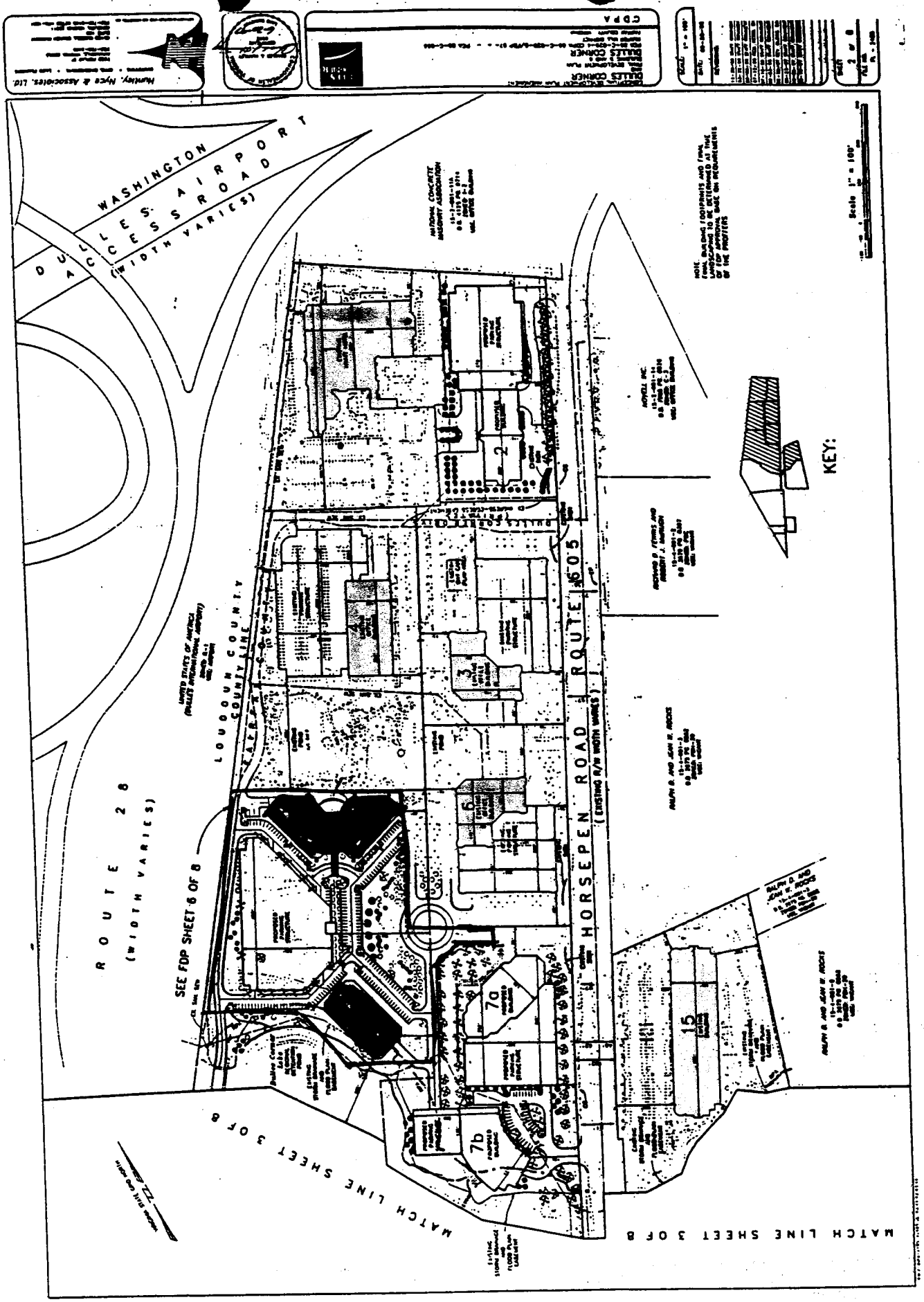
REVISIONS

LANDSCAPE AND LOADING WAIVER EXHIBIT

HYATT DULLES
RZ/CDP/FDP 2008-HM-000
HUNTER MILL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE	1" = 30'
DATE	FEBRUARY 26, 2008
DRAWN	OFS
CHECKED	OFS/RW
JOB #	2717-0101
CAD FILE	2717-waiver exhibit.dwg
SHEET #	

APPENDIX 6



WASHINGTON
DULLES AIRPORT
ACCESS ROAD
(WIDTH VARIES)
ROUTE 28
(WIDTH VARIES)
LOUDOUN COUNTY
COUNTY LINE
HORSEPEN ROAD ROUTE 605
(EXISTING R/W WIDTH VARIES)
SEE FDP SHEET 6 OF 8
MATCH LINE SHEET 3 OF 8
MATCH LINE SHEET 3 OF 8
KEY:
7a
7b
15

PROFFER STATEMENT
DULLES CORNER
PCA 86-C-029-5, PCA 88-C-066

July 18, 1997

Pursuant to Section 15.1-491(a) of the Code of Virginia, 1950, as amended, and Section 18-204 of the Zoning Ordinance of Fairfax County (1978 amended) the Applicant (Dulles Corner Properties II L.P. and Solus Southeast Hotel Portfolio L.P,), and its successors and assigns, in this Proffer Condition Amendment/Conceptual Development Plan Amendment/Final Development Plan Application proffers that the development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map References 15-2((2)) 1,2,3,4; 15-4((1))6A; 15-4((1))1B,13A,13,23; 15-4((2))15A, 16, hereinafter the "Property", will be in accordance with the following conditions. In the event these applications are denied, the proffers shall immediately be null and void and of no further force and effect. These proffered conditions, if accepted, supersede all previously accepted proffers for the property.

These proffers serve to carry forward numerous proffer commitments from previous zoning approvals on the property. Previous proffers carried forward without substantive alteration are denoted with an asterisk (*).

The proffered conditions are:

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
JUL 18 1997
ZONING EVALUATION DIVISION

GENERAL

1. The Applicant shall develop the Property in substantial conformance with the Conceptual/Final Development Plans (sheets 1-8) prepared by Huntley, Nyce & Associates dated September 28, 1995, revised through June 19, 1997, and approved as part of these applications. All previously approved Final Development Plans for building sites 1,2,3,4,6,15 and 16 shall continue to govern.

Future final development plan applications shall be in substantial conformance with the gross floor area of individual buildings, building heights, building setbacks, the general orientation of buildings and parking areas, landscaping concepts, amounts of open space, and the general orientation and location of streets and entrances on Sheet 2-3 of the CDP. Modifications to the approved FDP for Land Bay 5 shall be permitted in accordance with Section 16-403 of the Zoning Ordinance. Within individual building sites, minor modifications, to include but not be limited to, the footprint, gross floor area, and height of individual buildings may be made in conjunction with the approval of an FDP, provided it is demonstrated that the modification is consistent with the overall design concepts expressed on the CDP as proffered above.

2. Consistent with the CDP, the Applicant shall develop and construct buildings on this site which will complement and, at the same time, take advantage of the views of Dulles Airport.*

3. The maximum overall floor area ratio on the Property shall be limited to a 0.70 FAR. The Applicant, however, reserves the right to have individual parcels on the Property exceed a 0.70 FAR and to develop such parcels at such higher FAR provided, however, that each FDP plan submitted for development at an FAR higher than 0.70 FAR must include a certified tabulation showing that the overall FAR on the entire Property has not exceeded a 0.70 FAR.

4. The Applicant, its successors and assigns, and property owners within the project reserve the right to file future proffer condition amendment applications (CDPA, FDP or FDPA) on portions of the property governed by this CDP provided that it shall be demonstrated to the satisfaction of OCP that the partial CDPA, FDP or FDPA does not materially or physically affect other land bays. The Applicant comtemplates a future PCA application as shown on Sheet 3 of the CDPa to permit the deletion of approximately 0.9583 acre of land from Dulles Corner (Parcel 23) and the addition of approximately 0.9411 acre of land ajdacent to Dulles Corner. If such future application to permit a land swap is approved, revised tabulations shall be provided on a revised CDPA tabulation sheet, and in no instance shall the proffered floor area ratio of 0.70 on the entire site be exceeded or the proffered 40.79 acres of open space for the entire site be reduced.

5. The following uses will not be permitted on the Property:

(a) Contractors offices and shops;

(b) Motor freight terminals;

(c) Motor vehicle storage and impoundment yards;

(d) Establishments for the retail sale of building materials and supplies, and gardening materials and supplies;

(e) Bakeries, but the same may be permitted upon approval by the Board of Supervisors;

(f) Bottling works provided that micro-breweries, established in conjunction with eating establishments shall be permitted in accordance with the Zoning Ordinance and provided said eating establishments are not freestanding;

(g) Furniture moving and storage;

(h) Sign manufacture and sign paint shops;

(i) Heavy equipment and specialized vehicle sale, rental and service establishments;

(j) Lumber yards and building material yards to include rock, sand and gravel;

(k) Recycling centers;

(l) Storage yards;

(m) Vehicle light service establishments;

(n) Vehicle major service establishments;

(o) Warehousing (except for that portion of the Property east of Horsepen Road where warehousing establishments and/or office/warehousing establishments shall be permitted subject to FDP approval).

6. There will be no outside storage/display of equipment or inventory (except during construction).*

7. The Applicant may provide bicycle racks as appropriate at one or more office buildings on the Property.*

8. Buildings on the property shall comply with FAA height limitations.*

ENVIRONMENTAL

9. Subject to the approval of the previous special exception (SE 86-C-098) for fill in a flood plain, the Applicant shall develop the regional stormwater management facility shown on the Conceptual/Final Development Plan in accordance with the design plans and studies submitted as part of this application by Dewberry and Davis to DEM. The pond shall be landscaped substantially as shown on the Conceptual/Final Development Plan, and any changes shall be approved by the County Urban Forester.*

10. Stormwater management shall be provided for the property in accordance with the requirements of the Chesapeake Bay Preservation Act, as determined by DEM.

11. The Applicant will preserve to the extent practicable and subject to final engineering, existing healthy trees on the undeveloped and proposed open space portions of the Property which have a base diameter of twelve (12) inches or more at the time of site plan approval for subsequent FDPs. The Applicant shall submit

a tree preservation plan for all proposed open space areas (subject, however, to utility requirements) and a revegetation/landscaping plan at time of site plan submission to DEM/the Urban Forester's office for their review and approval.*

12. If approved as part of the site plan approval for the construction of road improvements at the crossing of Horsepen Road over Merrybrook Run, the Applicant will incorporate bank protection measures to protect the stream banks of Merrybrook Run, which measures are acceptable to the Department of Public Works.*

13. The Applicant agrees at time of site plan submission for the parcels on the east side of Horsepen Road, if requested by DEM, to provide for and construct a six foot wide stone or natural surfaced pedestrian trail in the Merrybrook stream valley running from Horsepen Road east to the eastern boundary of the EQC located between building sites 15 and 16. In advance of submission for FDP approval for the development of building sites 15 and 16, the Applicant agrees to coordinate County-required improvements with OCP and to adjust to the mutual satisfaction of OCP and the Applicant the location of the buildings and parking areas on said parcels so that the development proposed on the FDP results in minimal or no impact on the Merrybrook Run EQC taking into consideration the disruption of the EQC required by the proffered public improvements. Any disruptions of the EQC shall be required to have revegetation and landscape plans for said disturbed areas approved by the Urban Forestry Branch as part of site plan approval. This proffer shall in no way be deemed to prevent the

proposed improvement of Horsepen Road crossing of Merrybrook Run, the possible pedestrian trail or the proposed relocation of the existing sanitary sewer within the Merrybrook Run stream valley.*

14. Acoustical treatment measures will be incorporated in the construction of buildings on the site in order to achieve the interior noise levels prescribed by Section 7-409 of the Fairfax County Zoning Ordinance. In order to mitigate the impact of highway noise, measures will be provided in accordance with the attached Guidelines for the Acoustical Treatment of Commercial and Residential Building Structures within Highway Noise Impact Zones, (Attachment A), as determined by DEM.*

PEDESTRIAN ACCESS

15. The Applicant shall construct the combined trail and sidewalk pedestrian circulation system shown on the Conceptual/Final Development Plan. All portions of the trail/sidewalk system not located within dedicated public rights of way shall be subject to a public access easement. In addition, the Applicant agrees that if the County is able to have a pedestrian/bike trail designed and approved as part of VDOT's proposed widening of Route 28, that it will pay its pro rata share of construction costs for that trail portion of the trail equal to the Subject Property's frontage on Route 28 (e.g., 1,650 feet).*

ARCHITECTURE/DESIGN

16. A general architectural rendering and landscape plan for each new building on the Property shall be submitted for review at the time of FDP approval.

17. The parking deck areas shall be addressed at the time of FDP approval in general accordance with the following:

(a) The plantings required by this proffer shall be maintained in accordance with accepted horticultural practices to include appropriate watering, fertilizing and pruning.

(b) The proposed entrances into the parking deck areas from Dulles Corner Drive shall be designed to cause a break in the linear surface of the western edge of the parking deck that parallels Dulles Corner Drive. The entrance areas shall have additional landscaping and lighting to further the aesthetic quality of the parking deck.*

(c) Outside faces of parking decks that parallel Dulles Corner Drive shall include an open space landscaped area between the edge of the parking deck and Dulles Corner Drive providing access to and from the parking decks. The trees planted in said area shall have a height, at time of planting, of fourteen to sixteen feet.*

(d) The existing trees and vegetation on the western side of Dulles Corner Drive shall be augmented as reasonably necessary to create a tree lined boulevard effect on both sides of the drive.*

(e) The top level of each deck shall have interior landscaped areas with a minimum of five percent (5%) of the top deck area landscaped, and the landscaped area shall be properly maintained.*

(f) The sides of the parking deck along the top level shall have planters or hanging planters along the parapet walls. The planters shall not run continuously but shall be designed to break up the top edge of the parking deck.

TRANSPORTATION

18. An agreement has been entered into with adjacent and nearby property owners (the "Three Party Group" agreement) to realign and improve Horsepen Road, widen and improve Frying Pan Road, and construct an at-grade intersection of Frying Pan Road with Route 28. The plan for these improvements, entitled "Proposed Roadway Network, Route 28 (Sully Road/Frying Pan Road Area", prepared by Dewberry and Davis, dated July 8, 1985, is being coordinated with and reviewed by the Virginia Department of Transportation and the County Office of Transportation. In the event that this plan of improvements is substantially approved by VDOT and the Office of Transportation and the subject rezoning

application is approved for the 0.70 FAR (Floor/Area Ratio) requested, the Applicant agrees, if necessary, to enforce the provisions of the aforesaid agreement in order to facilitate the establishment of the proposed transportation improvements therein set forth.*

19. The Applicant, for itself, its successors and assigns, agrees to use its best efforts as a member of the Three Party Group to have the "Three Party Group" promptly and expeditiously fund and construct the Route 28 improvements as more particularly described in the Proposed Roadway Network, Route 28 (Sully Road)/Frying Pan Road area plans prepared by Dewberry and Davis and dated July 8, 1985 (hereinafter the "Road Improvements'). For the purposes of this proffer, the terms "promptly and expeditiously fund and construct" shall be deemed to require the Applicant to use its best efforts to have the Three Party Group:*

(a) File Final Plans with VDOT for said improvements on or before January 30, 1987. (Note: Final Plans have been submitted).*

(b) Prepare and file Final Plan revisions requested by VDOT or Fairfax County within sixty (60) days of receipt of written notice of said plan revision requests from VDOT or Fairfax County;*

(c) Within sixty (60) days of written notice of plan approval, the Three Party Group shall apply for all necessary construction and grading permits; and*

(d) Subject to right-of-way availability and seasonal weather conditions, construction of the Road Improvements shall be completed within twenty-four months from the approval of said plans and permits by applicable authorities.*

20. The Applicant further agrees that in cooperation with the "Three Party Group", it shall have the design of the Road Improvements that are the subject of the Three Party Agreement revised to provide that Horsepen Road Extended from Coppermine Road to Frying Pan Road shall be designed as a four lane divided roadway with right and left turn lanes at all entrances. These design plans for the Road Improvements shall provide for sufficient right-of-way (to be dedicated to public use) that would allow Horsepen Road Extended to be widened, if necessary, in the future to a six lane divided roadway.*

21. Entrances onto the Property from Horsepen Road shall be as shown on the submitted Conceptual/Final Development Plan, as such entrances have been coordinated with VDOT and the County's Office of Transportation to insure they are located to allow the opposing entrances on the Ferris and Rock sites (Tax Map References 15-4((1))2,3A,3B,3C) to be aligned with the Property's entrances. At time of site plan approval the location and alignment of all lane transitions shall be subject to approval by DEM and VDOT. The Applicant also agrees, if requested by DEM and the Office of Transportation, at time of site plan approval for each parcel with frontage along Horsepen Road, to extend the dedication of right-of-

way of all turn lanes (twelve foot right-of-way width) to allow said turn lanes if desired to be converted to a full third through lane; however, this proffer shall not require construction of said third lane by Applicant.*

22. At the time of Site Plan approval, the Applicant will dedicate sufficient right of way along the Property's frontage on Coppermine Road to construct the Coppermine Road Horsepen Road intersection as shown on the Conceptual Development Plan, and as approved by VDOT. The Applicant shall construct the right turn deceleration lanes into the property as shown on the CDP subject to approval by VDOT.*

23. At the time of Site Plan approval, the Applicant will dedicate right of way to 45 feet of the centerline of Horsepen Road along the property frontage, and construct as part of the development of the Property a widened Horsepen Road to a total width of 35 feet from the centerline of existing Horsepen Road with curb and gutter along the Property frontage, as approved by VDOT.*

24. Upon occupancy of a total of 1 million square feet of non-residential uses on this property, the Applicant shall implement TDM methods which may include but shall not be limited to the following:

(a) Car pool/van pool programs shall be established for employees occupying structures on the Property.

(b) Convenient parking shall be provided in preferred locations designated for car pool/van pool use.

(c) Pedestrian access to the approved development shall be encouraged by the provision of pedestrian walkways linking access to adjacent developments.

(d) Shuttle service to Dulles Airport or nearby bus or rail station.

25. The Applicant, in order to improve and enhance the present and planned transportation network serving the Dulles Airport area, will contribute a total of $379,416 to road improvements, traffic signalization and area network transportation studies. The contribution total of $379,416 is based upon $4.04 per FAR square foot on a total of 93,915 square feet and will, as specified below, be primarily designated for actual road improvements ($320,025) with the remaining $59,391 to be used for a pedestrian/transit link ($9,391) and a ten-year commitment to DATA ($50,000). If the funds are not used for the designated signalization improvements, the pedestrian/transit link or any specified road improvements they will be contributed by the Applicant to Fairfax County for use in any road improvement or transportation fund(s) established for the area as described herein. In the event DATA membership fees expended by the end of the tenth year are less than the $50,000 projected cost, then the balance will be committed to implement other transportation system demand management strategies.*

(a) The Applicant will dedicate the necessary right-of-way, as shown on the CDPA/FDP, to the Board of Supervisors in fee simple to permit construction of Enterprise Drive

from the southern boundary of the subject property, tax map reference 15-4-((1))-13,13A (shown as building sites 9 through 13 on the CDP), to the intersection of realigned Horse Pen Road. Subject to the approval by the Virginia Department of Transportation (VDOT), the Applicant will construct an undivided, four-lane Enterprise Drive across the subject property, tax map reference 15-4-((1))-13,13A (shown as building sites 9 through 13 on the CDP) to augment that part of Enterprise Drive extending from the intersection of realigned Horse Pen Road, as already approved and bonded and as already provided under the Three Party Agreement, as shown on the CDPA/FDP. All construction costs for said augmentation not to exceed $40,000, shall be a credit to the Applicant's total contribution obligation of $379,416.*

The Enterprise Drive alignment and access points as shown on the FDP have been designed to meet the requests of VDOT, and the County's Office of Transportation (OT), in order to have an improved intersection with Horse Pen Road (realigned).

(b) The Applicant will contribute the sum of $125,000.00 to Fairfax County to be used for the design and construction of a four-lane, divided Coppermine Road between Horse Pen Road and the current Centreville Road for any portion not committed for construction by others. This contribution will be made not later than the issuance of the Non-Residential Use Permit for the third new building erected

on the property known as Tax Map 15-4-((1))-13,13A (shown as building sites 9 through 13 on the CDP) or earlier, at the request of the County or VDOT for use in conjunction with improvements to the south side of Coppermine Road which have been proffered by others, but in any event no earlier than the issuance of the Non-Residential Use Permit for the first new building erected on the site known as Tax Map 15-4-((1))-13, 13A (shown as building sites 9 through 13 on the CDP). The cost of this contribution shall be a credit to the Applicant's total contribution obligation of $379,416.*

(c) The Applicant will contribute the sum of $105,025.00 to Fairfax County be used for the design and construction of an additional lane along the south side of Frying Pan Road between Horse Pen Road and the current Centreville Road for any portion not committed for construction by others. This contribution will be made not later than the issuance of the Non-Residential Use Permit for the third new building erected on this site known as Tax Map 15-4-((1))-13, 13A (shown as building sites 9 through 13 on the CDP), or earlier, at the request of the County or VDOT for use in conjunction with improvements to the south side of Frying Pan Road which have been proffered by others, but in any event no earlier than the issuance of the Non Residential Use Permit for the first new building erected on the site known as Tax Map 15-4-((1))-

13, 13A (shown as building sites 9 through 13 on the CDP). The cost of this contribution shall be a credit to the Applicant's total contribution obligation of $379,416.*

26. The contributions specified in Proffer 25 above and Proffers 27, 28 and 29 which follow will be increased or decreased by the index known as the Construction Cost Index as published in the Engineering News-Record (McGraw-Hill) Reference Base from the date of the original zoning approval for this portion of the site (1989).*

27. The Applicant will provide a pro rata contribution for the design and installation of a signal at the intersection of Enterprise Drive and realigned Horse Pen Road, not to exceed a maximum contribution of $50,000, if VDOT warrants are met. The contribution will be provided upon request at any such time as VDOT warrants indicate the necessity for such a facility. In the event that any or all of the contributions described in this proffer are not expended as described, all or any remaining part of the $50,000 will be paid to a fund designated by Fairfax County for a transportation improvement fund for the Dulles Airport area. Said contribution, if not needed at the time the warrants are met due to contributions by others, shall be paid to the above-referenced fund upon request but no earlier than the issuance of the Non-Residential Use Permit for the erection of the first new building on the site known as Tax Map 15-4-((1))-13, 13A (shown as building sites 9 through 13 on the CDP). The cost of this contribution

shall be a credit to the Applicant's total contribution obligation of $379,416.*

28. In the event that the final design for the proposed commuter rail station for the proposed Dulles Area Rapid Transit (DART) or a comparable commuter rail system is located in the vicinity of the Dulles Access Road/Route 28 intersection and within one quarter mile of the northern boundary of the Dulles Corner office park, the Applicant will contribute a lump sum amount of $0.10 per square foot of FAR attributed to this application (93,915 square feet) to a Fairfax County designated fund established for the construction of pedestrian and/or vehicular facilities within the area that is in the vicinity of Dulles Corner to facilitate access to the DART system by tenants of Dulles Corner and other developed properties in the Dulles Corner area.*

In the event that the final design plans for the DART system are not completed by January 1, 2000, or a commuter rail facility is not proposed to be located as described above, then the Applicant will contribute the amount described above to a Fairfax County fund designated to support mass transit facilities serving the area, described above.*

The foregoing contribution will be made not later than the issuance of the Non-Residential Use Permit for the third new building erected on the site known as Tax Map 15-4-((1))-13,13A (shown as building sites 9 through 13 on the CDP) subsequent to the date of these proffers included in this application or earlier on request of the County or VDOT in conjunction with construction of

a mass transit station along the DAAR as described above, but in any event not earlier than the issuance of the Non-Residential Use Permit for the first new building on the site known as Tax Map 15-4-((1))-13.,13A (shown as building sites 9 through 13 on the CDP).*

29. In order to cooperate fully in Dulles area activities collectively designed to improve transportation systems or to reduce traffic generation, the Applicant proffers that one or more representatives of the property owners will continue membership in DATA (Dulles Area Transportation Association) for the 1990 membership year, will remain an active member in DATA or any transportation-focused successor organization for the period of ten (10) years from the 1990 membership year (1990-1999), and will participate in DATA's traffic mitigation activities (estimated cost $50,000). In the event DATA membership fees expended by the end of the tenth year are less than the $50,000 projected cost, then the balance will be committed to implement other transportation system demand management strategies. The cost of this contribution shall be a credit to the Applicant's total contribution obligation of $379,416.*

In addition, the Applicant agrees to contribute $5,000 per year to the County transportation improvement construction fund described above, during each and any year between 1990 and 1999, if both of the following have occurred: (1) total contributions to DATA by its members, nonmembers and including any government funding, exceed $250,000 for the given year, and (2) the County

consistently requests that rezoning, special exception and special use permit applicants in the Dulles Airport area assist in traffic improvement by proffering to or agreeing to development conditions requiring membership in DATA and full participation (including any standard membership dues or contributions) to DATA whether or not this contribution is considered a part of the application guideline contribution. This proffered contribution will be made in addition to the $5,000 annual contribution to DATA proffered above and represents a potential $50,000 contribution above the $379,416 total contribution obligation previously cited.*

30. As adjusted by the proffers above, the Applicant will contribute the difference between its total obligation of $379,416 and all sums permitted to be expended to accomplish the proffer obligations specified above, to any new construction of roads or transportation improvement projects undertaken by the County for the Dulles Airport area after the date of these proffers which are east of Route 28 and, south of the Dulles Airport Access Roads. This contribution will be made not later than the issuance of the first Non-Residential Use Permit for the third new building on this site known as Tax Map 15-4-((1))-13,13A (shown as building sites 9 through 13 on the CDP), or earlier, at the request of the County or VDOT after approval of funding by VDOT or the County of construction contracts for the improvements for which the funds are designated, but no earlier than the issuance of the first Non-Residential Use Permit for the first new building on the site known

as Tax Map 15-4-((1))-13, 13A (shown as building sites 9 through 13 on the CDP).*

HERITAGE RESOURCES

31. The Applicant shall provide ninety (90) days written notice to the Historic Resources Branch of the Office of Comprehensive Planning so that during said 90-day period a field archeological survey may be made by the Historic Resources Branch, if desired, prior to the demolition of any prior existing structural foundations on the Property.*

PUBLIC UTILITIES

32. The Applicant agrees to implement plans previously coordinated with the Fairfax County Water Authority to extend reasonably adequate water service to the Property.*

33. Public sewer will be provided. It is understood that there must exist (be bonded) sewer lines to serve the Property before building permits may be issued. If any such lines necessary to serve the Property are inadequate as determined by DEM/DPW per PFM standards at the time of the application for building permits, then any such inadequate lines will first be bonded to be augmented (e.g. parallel lines) or replaced by the Applicant/developer in accordance with the PFM standards or no building permits and sewer permits will be issued until such lines are bonded to be augmented

or replaced by the Applicant/Developer or others and if replaced by others, the Applicant/Developer will pay, if determined by DPW, its portion of a pro rata share agreement as may have been entered into by the replacing party and County. Provided, however, that the Applicant/Developer will be responsible only for the cost of providing the capacity necessary for adequate serve to the application property. If larger capacity lines are required by Fairfax County which are designed to serve other properties as well as the application property, the cost of the up-sizing of the lines will be borne by others, or a pro-rata share agreement entered into with the County.*

These proffers may be executed in counterparts and the counterparts shall constitute one and the same proffer statement.

[Signatures begin on following page]

GUIDELINES FOR THE ACOUSTICAL TREATMENT OF COMMERCIAL BUILDING STRUCTURES WITHIN HIGHWAY NOISE IMPACT ZONES OF 70-75 dBA L_{dn}

In order to achieve a maximum interior noise level of 50 dBA L all units located between the 70-75 dBA L_{dn} highway noise impa contours should have the following acoustical attributes:

1. Exterior walls should have a laboratory sound transmission class (STC) rating of at least 39.

2. Doors and windows should have a laboratory STC rating of a least 28. If windows function as walls (as determined by Department of Environmental Management) they should have t same laboratory STC rating as walls.

3. Measures to seal and caulk between surfaces should follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

Solus Southeast Hotel Portfolio
Limited Partnership,
a California limited partnership

By: SA Investment Group, Inc.,
a California corporation

By: Marci L. Byrne
Name: Marci L. Byrne
Authorized Agent

Dulles Corner Properties II Limited Partnership,
a Virginia limited partnership

By: Dulles Corner Associates Limited Partnership,
a Virginia limited partnership,
its general partner

By: Equity Dulles Corner Venture,
a Colorado general partnership,
its general partner

By: U S WEST Real Estate, Inc.,
a Colorado corporation,
its general partner

By: _____
Stewart Lowenstein

Date: July 29, 1997

PRENTISS PROPERTIES REAL ESTATE FUND I, L.P.

f.k.a. PRENTISS PROPERTIES DULLES L.P.

by: PRENTISS PROPERTIES II, INC.

By: _____
Name: Michael J. Cooper
Title: Vice President

PRENTISS PROPERTIES DULLES II, L.P.

By: PRENTISS PROPERTIES II, INC.

By: _____
Name: Michael J. Cooper
Title: Vice President

2355 ASSOCIATES, L.P.,
a Delaware limited partnership

By: Dullpart Associates, L.L.C.,
a Delaware limited liability company,
its general partner

By: _____
Eric D. Mayer, Member

MAYFAIR JOINT VENTURE,
an Illinois general partnership

By: MAYFAIR REALTY CORPORATION,
an Illinois corporation,
its general partner

By: _____
Howard Edelman, President

By: HOTEL ASSOCIATES,
an Illinois limited partnership,
its general partner

By: HOTEL ASSOCIATES CORP.,
an Illinois corporation
its general partner

By: _____

Its: President

2340 ASSOCIATES, L.P.,
a Delaware limited partnership

By: Dullpart Associates, L.L.C.,
a Delaware limited liability company,
its general partner

By: _____
Eric D. Mayer, Member

5360:Dulles\prof9rev.wpd

COLUMBIA GAS SYSTEM SERVICE CORPORATION

By: _____
Name: Philip J. Magley
Title: Senior Vice President, Services

5360|Dulles\prof9rev.wpd

LAND UNIT A

CHARACTER

This land unit is bounded on the north by the Dulles Airport Access and Toll Road (DAAR), on the east by Centreville Road, on the south by Frying Pan Road, and on the west by Route 28, Washington Dulles International Airport and the Loudoun County line. Land Unit A encompasses the highest planned intensities in the Dulles Suburban Center (Figure 12). Figure 13 illustrates the relationship of the proposed transit station platform, and ¼ and ½ mile distances from this station platform, to Land Unit A.

This land unit consists of approximately 645 acres. Existing development includes Dulles Corner, developed with mid- and high-rise office and hotel uses; the low- and mid-rise office uses of the Dulles Technology Center; multi-family residential uses; and a number of single-family attached communities. There is also a substantial amount of vacant land, including a large area of farm land which was formerly in an agricultural and forestal district. The Merrybrook Run Stream Valley traverses the land unit and represents a constraint upon development and a natural open space amenity for the adjacent properties.

Transit improvements are proposed for the DAAR corridor. An Environmental Impact Statement (EIS) in tandem with input from the public and local stakeholders resulted in the Locally Preferred Alternative of extending Metrorail to the Washington Dulles International Airport and beyond. The extension would be carried out in two phases with the first phase proceeding to the west of Wiehle Avenue in Reston, and the second phase proceeding to Route 722 in Loudoun County. A transit station location is recommended in Land Unit A near the Route 28/DAAR interchange as part of the Route 28/CIT Transit Station Area (as shown in Figure 13).

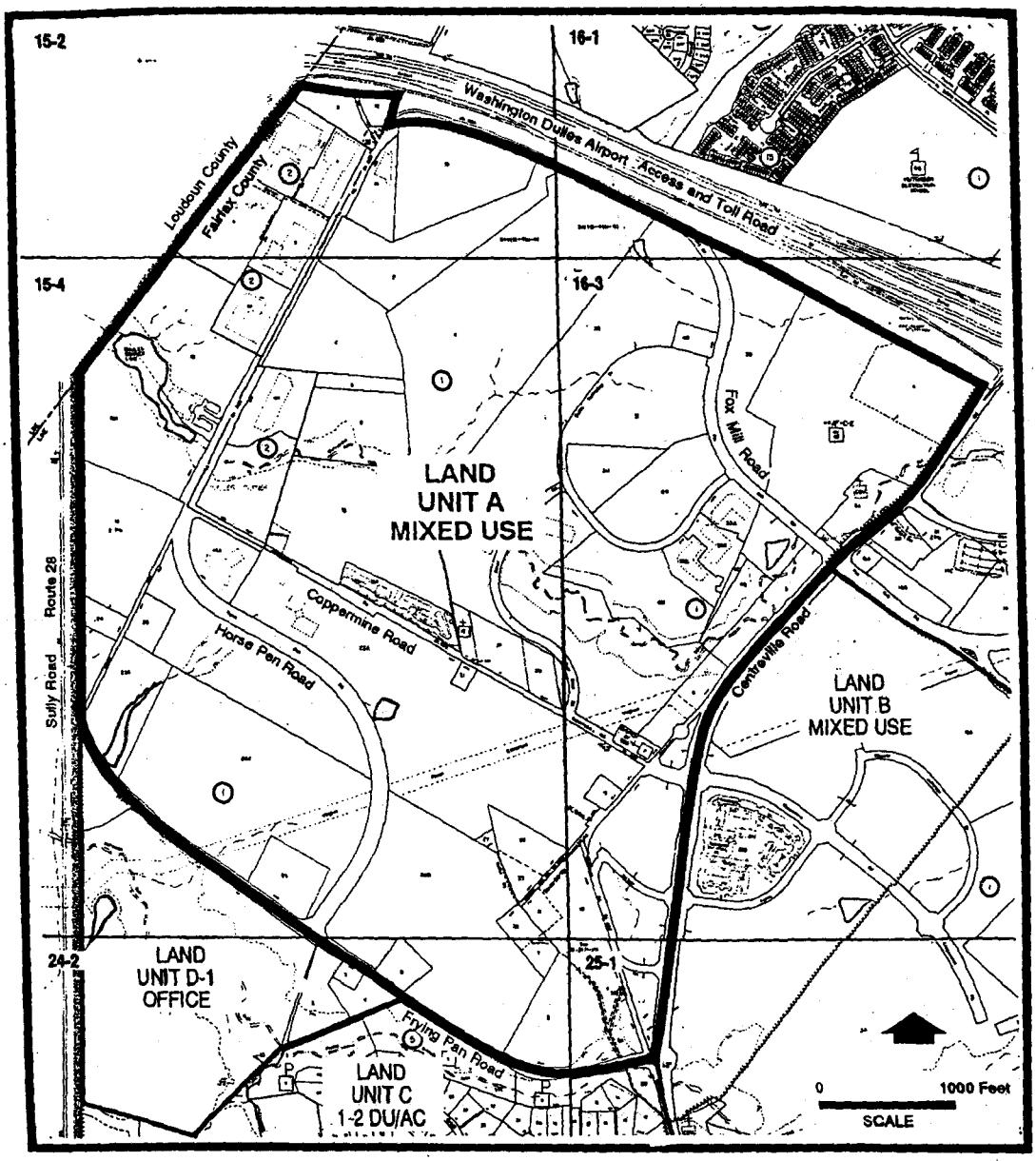
RECOMMENDATIONS

Land Use

General Land Unit Recommendations

This land unit is planned for a complementary mix of land uses including office, hotel and support retail at .50-1.0 FAR, except as may be described in "Other Recommendations." Optional residential uses should be considered as part of mixed-use projects or in accordance with the site-specific and other recommendations set forth below. A cohesive mixture of residential and non-residential uses should provide convenience to those who live and work in the area. Development in this land unit should provide for the incorporation of possible future transit related facilities and pedestrian access to transit.

A core area within Land Unit A is envisioned as a transit station mixed-use area and has been designated as part of the Route 28/CIT Transit Station Area. It includes high density residential uses, of relatively greater land use intensity and urban scale than most other areas in the Dulles Suburban Center. In addition to the higher intensities, the highest urban design standards are envisioned for this area. As planned, this core is large enough for the development of an urban concentration of uses, yet small enough to promote pedestrian circulation throughout the area. The pedestrian network should link the residential areas, community facilities and employment centers to any future transit site. The Urban Design Guidelines in the Reston-Herndon Suburban Center and



LAND UNIT A FIGURE 12
LOCATION AND COMPREHENSIVE PLAN MAP DESIGNATION

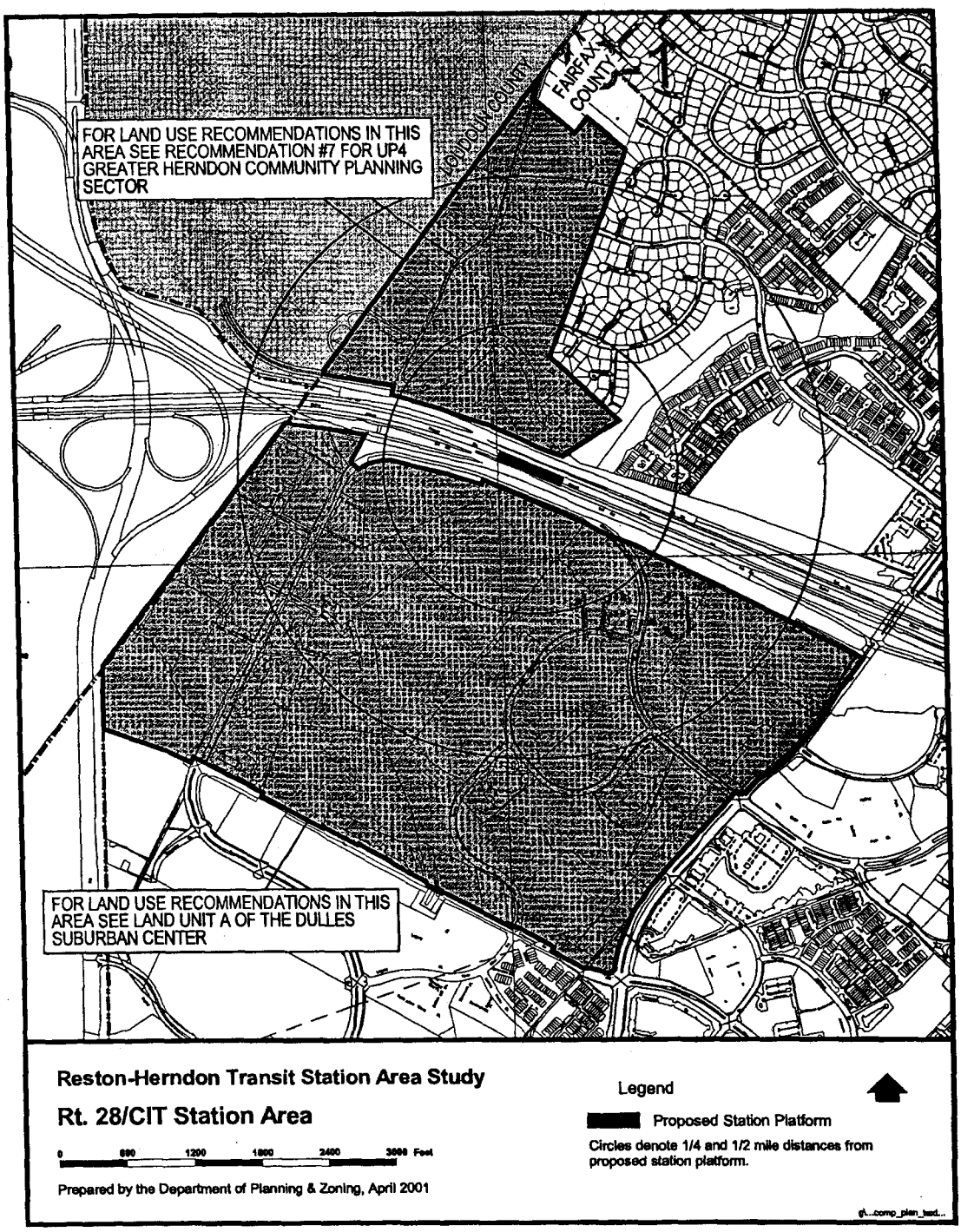

FOR LAND USE RECOMMENDATIONS IN THIS AREA SEE RECOMMENDATION #7 FOR UP4 GREATER HERNDON COMMUNITY PLANNING SECTOR
LOUDOUN COUNTY
FAIRFAX COUNTY
FOR LAND USE RECOMMENDATIONS IN THIS AREA SEE LAND UNIT A OF THE DULLES SUBURBAN CENTER
Reston-Herndon Transit Station Area Study
Rt. 28/CIT Station Area
0 600 1200 1800 2400 3000 Feet
Prepared by the Department of Planning & Zoning, April 2001
Legend
Proposed Station Platform
Circles denote 1/4 and 1/2 mile distances from proposed station platform.

FIGURE 13

Transit Station Areas section of the Plan apply to development in the portion of Land Unit A located north of Coppermine Road.

It is important that mixed-use projects that include residential use be phased to ensure the development of both the residential and non-residential components. This phasing requires that the residential and non-residential components be developed at the same time or that a substantial portion of the non-residential development be in place prior to residential development. All residential components should be of sufficient size to create a viable residential community and to ensure that a high quality living environment can be created through the provision of a well-designed project with active recreation and other site amenities.

In general, development intensities should be highest along Horse Pen Road, the central spine road, and should transition down both at the southern periphery of the land unit defined by Frying Pan Creek and transition toward the northeast to maintain campus office densities in those areas outside of the Route 28/CIT Transit Station Area core.

Core Area Recommendations

Higher intensity development, envisioned as being served by Metrorail, is an appropriate option within Land Unit A. The higher intensities allowed by this option are only appropriate once construction of the rail extension in the vicinity of this transit station area has been fully funded for the rail phase. The evaluation of development proposals under this option will be based on the degree to which the following criteria are met:

1. One transit-oriented core should be developed on land that is generally within one-quarter mile of the future transit station. The core of Land Unit A should provide a focal point for development in this land unit.

2. High density residential use should be developed as integral elements of the core. Residential projects should be developed adjacent to the commercial uses, and should help transition into medium density uses away from the core.

3. Land uses supporting day and nighttime activities in the core should be encouraged.

4. Consolidation of parcels or integrated development should be achieved to provide high quality development.

5. Merrybrook Run should be preserved as an integrated element of the Dulles Greenway Open Space system. It should function as a linear park. It may include water features and trails that facilitate pedestrian traffic through the land unit, and which link to the countywide trail system.

6. Supporting retail should be developed as integral elements of developments within the land unit.

7. High urban design standards should be achieved, to include high quality architecture, landscaping and buffering, both internally and along peripheries. Visually attractive streetscapes and other amenities should be provided. Parking facilities should be well screened and buffered.

8. Pedestrian connections between all developments, transit stations and other transit access points should be provided.

9. Provisions for a transit system, including rights-of-way, station(s) and stops, with originating terminus integrated with the DAAR Transit Station, should be made, once a general alignment for a rail transit system has been determined.

10. Development should be phased to transportation system capacity.

11. Land should be allocated for rail transit facilities.

Under this option, mixed-use development, centered around the transit station, is planned to help support the transit system through increased ridership. Within a one-quarter mile radius of the transit station platform, an intensity of 1.5 FAR for mixed-use projects (including office, multi-family residential and support retail) is appropriate. Within a one-half mile radius of the transit station platform, an intensity of 1.25 FAR for mixed-use projects is appropriate. Office use is limited to a .75 FAR under this option. Hotel uses are encouraged.

Should a mechanism be established allowing for the permanent transfer of development rights between parcels, a second option is planned to allow for an overall FAR of up to 3.5 within a radius of a one-quarter mile radius of the transit station platform when the added development is permanently transferred from land already zoned for commercial or industrial development and located in areas between transit nodes in the Route 28 Tax District where lower intensity is planned. The additional intensity should be equally divided between commercial and residential uses.

Development at the optional levels should be allowed only as follows:

- The quality of development, when evaluated using Plan design guidelines, will reinforce the showplace standards envisioned for the Dulles Suburban Center;

- A parking maximum for commercial development in the core should be established at the number of spaces required by office uses at 1.0 FAR in conventional development without public transportation;

- Mixed-use development that includes residential uses should be phased to ensure the development of all uses;

- Residential developments should ensure that a high quality living environment can be created through the provision of well-designed projects with active recreation and other site amenities, and to ensure that small isolated pockets of residential use do not develop within an area planned predominantly for non-residential uses;

- Residential development should be well-buffered from adjoining properties so as not to reduce the feasibility of developing adjacent land in accordance with the non-residential recommendations of the Plan for this area;

- New development should minimize human exposure to unhealthful levels of noise in accordance with the guidance provided by the Policy Plan under Environment Objective 4; and

- Development in Land Unit A should provide for adequate public or privately-owned recreational facilities to serve both employment and residential uses.

Within these areas or adjacent to them, services such as child care facilities may be appropriate to serve these communities.

For both residential and non-residential development, excellence in site planning and design is desirable and expected. It is recommended that usable open space and/or urban parks be incorporated into the design scheme for development in this area. These urban park areas should be oriented to pedestrian and bicycle use by the local work force and residents and provide space for informal or programmed lunchtime and after work events. These areas should be well-landscaped and provide furnishings such as seating and gazebos for public use.

Development within the core area of Land Unit A should be consistent with the Urban Design Guidelines for the Suburban Center Core found at the end of the land unit text for the Dulles Suburban Center.

Other Recommendations

1. Intensities should generally decrease at the eastern and southern edges of this land unit to form appropriate transitions between Land Unit A and the planned and existing development densities of surrounding land uses. Buffering and screening measures should be implemented to protect the integrity of adjacent neighborhoods. Higher intensity development should be oriented away from the stable, single-family residential development in Land Unit C.

2. The approximately 20 acres between Centreville Road realigned and Old Centreville Road in the vicinity of Squirrel Hill Road are planned and approved for office or light industrial use for intensities up to a maximum of .45 FAR. The development provides for substantial off-site road improvements. In addition, properties along existing Centreville Road that are affected by its realignment have been provided with coordinated access to realigned Centreville Road. [See Recommendation #4 for additional guidance pertaining to this area.]

3. Parcel 16-3((1))39, located west of Centreville Road, north of Fox Mill Road and south of the Dulles Airport Access Road, was formerly located within an Agricultural and Forestal District which expired in 1997. It is desirable that this land be acquired for use as a community park to provide active recreation opportunities for employees and residents of the area. Land acquisition and facility development may be achieved through a variety of mechanisms including dedication, donation, or purchase. If the land is not acquired as a park, it is recommended that this land and any adjacent parcels submitted under a common development plan be developed under the conditions outlined above in the General and Core Area Recommendations, and that a minimum of 10 acres be dedicated to the Fairfax County Park Authority to serve the active recreation needs of the employees and residents of the area. As an option, all of the density associated with these parcels may be permanently transferred to the core area of Land Unit A provided that the entire site is dedicated to the Park Authority for Community Park use.

4. Should a mechanism be established by the County to permit residential development within the Tax District or the Tax District be amended to allow for the taxing of residential development without increasing the financial burden on other Tax District landowners or the County without their consent, then as an option, Parcels 15-4((1))22E, 22F, 22G, 22H, and all of 16-3((5)) and 25-1((21)) located south of Coppermine Road, east of Horse Pen Road and west of Centreville Road may be appropriate for a mix of multifamily and townhouse residential development within a density range of 12-16 dwelling units per acre. Residential development should be well-buffered to adjoining properties so as not to reduce the feasibility of adjacent

APPENDIX 9

County of Fairfax, Virginia

MEMORANDUM

DATE: February 10, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

FILE: 3-4 (RZ 2008-HM-016)

SUBJECT: ADDENDUM: RZ/FDPA 2008-HM-016 PCA/FDPA 86-C-029-8; THI IV Dulles Airport
Land Identification Map: 15-2-((2))-1

This department has reviewed the rezoning plat revised through November 14, 2008 and proffers revised through February 9, 2009. We have the following comment.

- The paragraph encouraging hotel guests to telework in the "TDM Plan" section of the proffers should be removed.

AKR/MEC

Fairfax County Department of Transportation
12055 Government Center Parkway, Suite 1034
Fairfax, VA 22035-5500
Phone: (703) 324-1100 TTY: (703) 324-1102
Fax: (703) 324 1450
www.fairfaxcounty.gov/fcdot

FCDOT
Serving Fairfax County for 25 Years and More

County of Fairfax, Virginia

MEMORANDUM

DATE: December 10, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

FILE: 3-4 (RZ 2008-HM-016)

SUBJECT: RZ/FDPA 2008-HM-016 PCA/FDPA 86-C-029-8; THI IV Dulles Airport
Land Identification Map: 15-2-((2))-1

This department has reviewed the rezoning plat revised through November 14, 2008 and has no objections to the approval of this application.

AKR/MEC

Fairfax County Department of Transportation
12055 Government Center Parkway, Suite 1034
Fairfax, VA 22035-5500
Phone: (703) 324-1100 TTY: (703) 324-1102
Fax: (703) 324 1450
www.fairfaxcounty.gov/fcdot

FCDOT
Serving Fairfax County for 25 Years and More

APPENDIX 10

County of Fairfax, Virginia

MEMORANDUM

DATE: OCT 2 4 2008

TO: William O'Donnell, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Qayyum Khan, Senior Stormwater Engineer
Stormwater and Geotechnical Section
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning, Final Development Plan Proffered Condition Amendment and Final Development Plan Amendment Application, RZ/FDP 2008-HM-016 Concurrent with PCA 86-C-029-II and FDPA 86-C-029-08, THI Dulles Airport, LLC, Plan Dated September 3, 2008, LDS Project #6318-ZONA-003-1, Tax Map #015-2-02-0001, 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 no drainage complaint on file.

SWM
The applicant proposes to use two existing wetpond facilities to provide stormwater detention and BMP. When submitting the site plan the applicant will need to demonstrate that there is adequate storage capacity in these ponds to meet the SWM requirements for the subject project.

Site Outfall
Outfall narrative has been provided. The hyrdraulic grade line computation, should be done at the site plan stage to ensure that requirements of the PFM Section 6-0304-11 are met.

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QK/mw

cc: Craig Carinci, Director, Stormwater Planning Division
Zoning Application File

ARTICLE 16

DEVELOPMENT PLANS

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.

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 s 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 be 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 staggared 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.

JRBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and ›lay. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable ;unction 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
ADU	Affordable Dwelling Unit
ARB	Architectural Review Board
BMP	Best Management Practices
BOS	Board of Supervisors
BZA	Board of Zoning Appeals
COG	Council of Governments
CBC	Community Business Center
CDP	Conceptual Development Plan
CRD	Commercial Revitalization District
DOT	Department of Transportation
DP	Development Plan
DPWES	Department of Public Works and Environmental Services
DPZ	Department of Planning and Zoning
DU/AC	Dwelling Units Per Acre
EQC	Environmental Quality Corridor
FAR	Floor Area Ratio
FDP	Final Development Plan
GDP	Generalized Development Plan
GFA	Gross Floor Area
HC	Highway Corridor Overlay District
HCD	Housing and Community Development
LOS	Level of Service
Non-RUP	Non-Residential Use Permit
OSDS	Office of Site Development Services, DPWES
PCA	Proffered Condition Amendment
PD	Planning Division
PDC	Planned Development Commercial
PDH	Planned Development Housing
PFM	Public Facilities Manual
PRC	Planned Residential Community
RC	Residential-Conservation
RE	Residential Estate
RMA	Resource Management Area
RPA	Resource Protection Area
RUP	Residential Use Permit
RZ	Rezoning
SE	Special Exception
SEA	Special Exception Amendment
SP	Special Permit
TDM	Transportation Demand Management
TMA	Transportation Management Association
TSA	Transit Station Area
TSM	Transportation System Management
UP & DD	Utilities Planning and Design Division, DPWES
VC	Variance
VDOT	Virginia Dept. of Transportation
VPD	Vehicles Per Day
VPH	Vehicles per Hour
WMATA	Washington Metropolitan Area Transit Authority
WS	Water Supply Protection Overlay District
ZAD	Zoning Administration Division, DPZ
ZED	Zoning Evaluation Division, DPZ
ZPRB	Zoning Permit Review Branch