



County of Fairfax, Virginia

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

April 8, 2009

Elizabeth A. McKeeby
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

RE: Proffered Condition Amendment Application PCA 86-C-029-11
(Concurrent with Rezoning Application RZ 2008-HM-016)

Dear Ms. McKeeby:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on March 30, 2009, approving Proffered Condition Amendment Application PCA 86-C-029-11 in the name of THI IV Dulles Airport LLC. The Board's action amends the proffers for Rezoning Application 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 associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.89 on the subject property. The subject property is located on the west side of Sunrise Valley Drive and on the north side of Dulles Corner Drive on approximately 6.38 acres of land zoned PDC and AN [Tax Map 15-2 ((2)) 1], in the Hunter Mill District.

The Board also:

- Modified the loading space requirement, in favor of the loading spaces depicted on the CDP/FDP.
- Modified the PFM Standard 12-0702.1B2, to permit reduction of the minimum planting width requirement from eight feet to six feet, as shown on the CDP/FDP and described in the proffers.
- Modified the peripheral parking lot landscaping requirements, in favor of the landscaping shown on the CDP/FDP.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms
Enclosure

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

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

April 8, 2009

Cc: Chairman Sharon Bulova
Supervisor Catherine Hudgins, Hunter Mill District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation, Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Denise James, Office of Capital Facilities/Fairfax County Public Schools
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 30th day of March, 2009, the following ordinance was adopted.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 86-C-029-11
(Concurrent with Rezoning Application RZ 2008-HM-016)**

WHEREAS, THI IV Dulles Airport LLC, filed in the proper form an application to amend the proffers for RZ 86-C-029 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

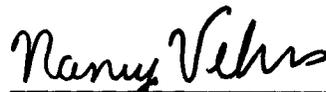
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Hunter Mill District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 30th day of March, 2009.



Nancy V. Ehrns
Clerk to the Board of Supervisors

ZAPS USER GENERATED REPORTS
ZONING APPLICATION SUMMARY REPORT
APPLICATION NUMBER: PCA 86-C -029-11

DECISION DATE: 3-30-2009

HEARING BODY: BOS

CRD: NO

MAGISTERIAL DISTRICT: HUNTER MILL

APPLICANT NAME THI IV DULLES AIRPORT LLC

STAFF COORDINATOR: WODONN

ACTION: APPROVE

DECISION SUMMARY:

ON MARCH 30, 2009, THE BOARD UNANIMOUSLY APPROVED PCA 8
 6-C-029-11, ON A MOTION BY SUPERVISOR HUDGINS.

ZONING INFORMATION**EXISTING ZONING****APPROVED AREA**

<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>
PDC	6.38 ACRES	PDC	6.38 ACRES
TOTAL	6.38 ACRES	TOTAL	6.38 ACRES

TAX MAP NUMBERS

015-2- /02/ /0001-

PROFFER INFORMATION

PROFFER STATEMENT DATE: 03-19-2009

<u>ITEM</u>	<u>DUE DATE</u>	<u>TRIGGER NO.</u>	<u>TRIGGER EVENT</u>	<u>CONTRIB AMT</u>	<u>EXPIRATION DATE</u>
ENERGY EFFICIENCY	01-01-0001	0	N/A	\$	01-01-0001
FLOOR AREA RATIO (FAR) / GROSS FLOOR AREA	01-01-0001	0	N/A	\$	01-01-0001
LANDSCAPE PLAN REQUIRED	01-01-0001	0	SITE PLAN	\$	01-01-0001
LANDSCAPING - ENVIRONMENT	01-01-0001	0	N/A	\$	01-01-0001
LIGHTING / GLARE	01-01-0001	0	N/A	\$	01-01-0001
LOW IMPACT DESIGN (LID) / RAINGARDE	01-01-0001	0	N/A	\$	01-01-0001
MINOR MODIFICATION	01-01-0001	0	N/A	\$	01-01-0001
OTHER - GENERAL	01-01-0001	0	N/A	\$	01-01-0001
PARKING	01-01-0001	0	NON-RUP	\$	01-01-0001
PROFFERED PLANS	01-01-0001	0	N/A	\$	01-01-0001
SIGNAGE	01-01-0001	0	N/A	\$	01-01-0001
SOILS STUDY	01-01-0001	0	N/A	\$	01-01-0001
TRANSPORTATION DEMAND MANAGEMEN	01-01-0001	0	SITE PLAN	\$	01-01-0001
USE RESTRICTIONS	01-01-0001	0	N/A	\$	01-01-0001
	01-01-0001	0	N/A	\$	01-01-0001
ARCHITECTURE / BUILDING MATERIALS	01-01-0001	0	N/A	\$	01-01-0001

WAIVERS/MODIFICATIONS

APPROVED WAIVERS/MODIFICATIONS

MODIFY PERIPHERAL PARKING LOT LANDSCAPING

MODIFY PFM STANDARDS FOR SIDEWALKS

WAIVE LOADING SPACE REQUIREMENT

SUPPLEMENTAL MOTIONS

SUPPLEMENTAL MOTIONS APPROVED

Amended agent
Name Change



COUNTY OF FAIRFAX
Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: RZ/FDP 2008-AM-016
Concurrent with (Assigned by staff)
PCA 86-C-029-11
FDPA 86-C-029-08
RECEIVED
Department of Planning & Zoning

OCT 30 2008

APPLICATION FOR A REZONING
(PLEASE TYPE or PRINT IN BLACK INK)

Zoning Evaluation Division

PETITION

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

I (We), THI IV Dulles Airport LLC, the applicant (s) petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by reclassifying from the PDC, AN District to the PDC, AN District the property described below and outlined in red on the Zoning Section Sheet(s) accompanying and made part of this application.

APPLICATION TYPE(S):	PCA ()	CDP ()	FDP ()	CDPA ()	FDPA ()
	(Rezoning)				

LEGAL DESCRIPTION:

Please see attached			19975	1631
Lot(s)	Block(s)	Subdivision	Deed Book	Page No.

TAX MAP DESCRIPTION:

15-2	2		1	6.379 ac
Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.	Total Acreage

POSTAL ADDRESS OF PROPERTY:

2300 Dulles Corner Boulevard

ADVERTISING DISCRPTION: (Example - North side of Lee Highway approx. 1000 feet west of its intersection with Newgate Blvd.)

West of Sunrise Valley Drive (Rt. 605), on north side of Dulles Corner Drive	
PRESENT USE: Hotel	PROPOSED USE: Hotel
MAGISTERIAL DISTRICT: Hunter Mill	OVERLAY DISTRICT (S): AN

The name(s) and address(s) of owner(s) of record shall provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representative on official business to enter on the subject property as necessary to process the application.

Martin D. Walsh
Type or Print Name
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Blvd., 13th Floor
Address Arlington, VA 22201

Martin D. Walsh by Em
Signature of Applicant or Agent
P.C.
(Work) 703-528-4700 (Mobile)
Telephone Number

Please provide name and telephone number of contact if different from above:

Elizabeth McKeeby (703) 528-4700
and 11/14/08

DO NOT WRITE BELOW THIS SPACE

Date application accepted: 11/14/08 Virginia Ruffen

Fee Paid \$100



COUNTY OF FAIRFAX
 Department of Planning and Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
 www.fairfaxcounty.gov/dpz/zoning/applications

RECEIVED
 (Asst. County Manager)
 Department of Planning & Zoning
 AUG 18 2008
 Zoning Evaluation Division

APPLICATION FOR A REZONING
 (PLEASE TYPE or PRINT IN BLACK INK)

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Elizabeth A. McKeeby, AICP
 Type or Print Name
 Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
 2200 Clarendon Blvd., 13th Floor
 Address Arlington, VA 22201

Elizabeth A. McKeeby
 Signature of Applicant or Agent
 (Work) 703-528-4700 (Mobile) 9126648
 Telephone Number

Please provide name and telephone number of contact if different from above:

DO NOT WRITE BELOW THIS SPACE

Date application accepted: 9/26/08 *Virginia Ruffin*

RZ 2008-0236
 FDP 2008-0251
 Fee Paid \$ 11,865.00

11

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.

PROFFERS
RZ 2008-HM-016/PCA 86-C-029-011
THI IV Dulles Airport LLC
December 15, 2008
Revised March 5, 2009
Revised March 19, 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 7 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.

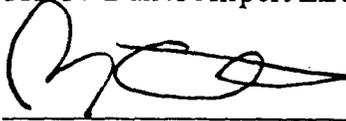
D. MISCELLANEOUS

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

A handwritten signature in black ink, appearing to read 'Bruce G. Wiles', written over a horizontal line.

By: Bruce G. Wiles
Its: President

**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:
THE HY DULLES AIRPORT LLC
197 ANNAPOLIS EXCHANGE PARKWAY, SUITE 500
ANNAPOLIS, MD 21401

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

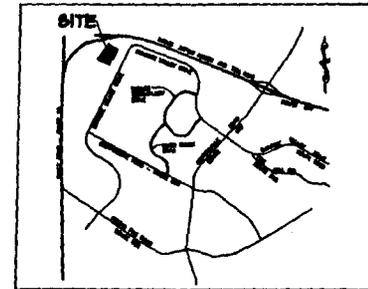
LAND USE ATTORNEY:
WALSH, COLUCCI, LUMBLEY,
EMBRICH & WALSH, P.C.
2200 CLARRINGTON BLVD., 19TH FLOOR
ARLINGTON, VA 22201

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

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



AREAL MAP
NOT TO SCALE

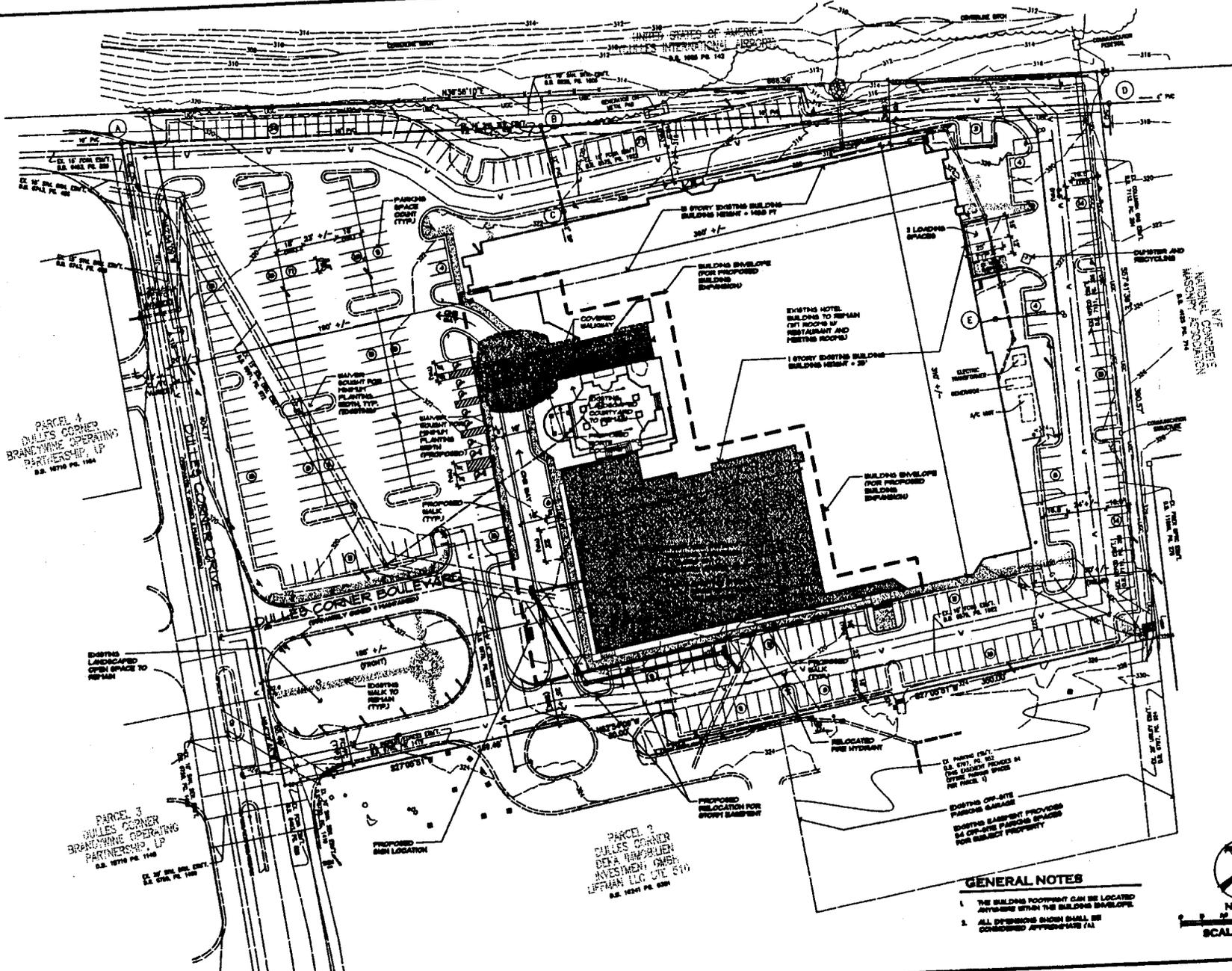


VICINITY MAP
SCALE - 1:2000

SHEET INDEX

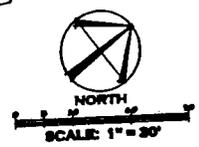
- 1 — COVER SHEET
- 2 — NOTES/TABULATION
- 3 — PCA/CDP/FDP PLAN
- 4 — LANDSCAPE AND SITE AMENITIES PLAN
- 5 — SWM/BMP ANALYSIS
- 6 — ADEQUATE OUTFALL ANALYSIS
- 7 — ARCHITECTURAL ELEVATIONS

REVISIONS	
August 7, 2008	Original Submittal
September 3, 2008	County Comments
November 14, 2008	County Comments
January 28, 2009	County Comments
February 27, 2009	County Comments



GENERAL NOTES

1. THE BUILDING FOOTPRINT CAN BE LOCATED ANYWHERE WITHIN THE BUILDING ENVELOPE.
2. ALL DIMENSIONS SHOWN SHALL BE CONSIDERED APPROXIMATE I.A.



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REVISIONS

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

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

SCALE 1" = 30'

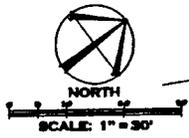
DATE	AUGUST 7, 2008
DRAWN	OPS
CHECKED	OPS/AW
JOB #	2717-0101
DATE FILED	2717-CDP-FDP.dwg
SHEET #	3 OF 7



3.08	Country Commons
11.14.08	Country Commons
1.19.09	Country Commons
3.27.09	Country Commons

LANDSCAPE AND SITE AMENITIES PLAN
HYATT DULLES
 RZ/CDP/FDP 2008-HM-016
 HUNTER MILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

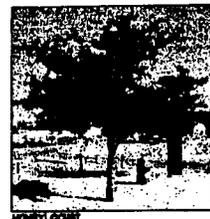
SCALE	1"=30'
DATE	AUGUST 7, 2008
DRAWN	OPS
CHECKED	OPS/RW
JOB #	2717-0101
DRAWN BY	2717-13.dwg
DATE	



LANDSCAPE LEGEND

- | | |
|--|---|
| <ul style="list-style-type: none"> SHADE TREE (10-15' CALIPER) ORNAMENTAL TREE (11-15' CALIPER) FLOWERING SHRUB/HEDGE GROUNDCOVERS | <ul style="list-style-type: none"> ASH DOGWOOD RED BIRCH GRAPE HYDRANGEA HYDRANGEA SPYRAL JASMINE ROSEMARY LAVENDER BLACK EYED RHASS HOWLA DAYLILY |
|--|---|

NOTES:
 1. TREES AND PLANT SPECIES LISTED ARE FOR INFORMATIONAL PURPOSES AND ARE NOT LIMITED TO THIS LIST. SUBSTITUTIONS SHALL BE MADE AS APPROVED BY THE LANDSCAPE ARCHITECT.



SHADE TREES



YELLOW OAK



ORNAMENTAL TREES



ORNAMENTAL TREES



LANDSCAPE HEDGE AND FLOWERING SHRUBS



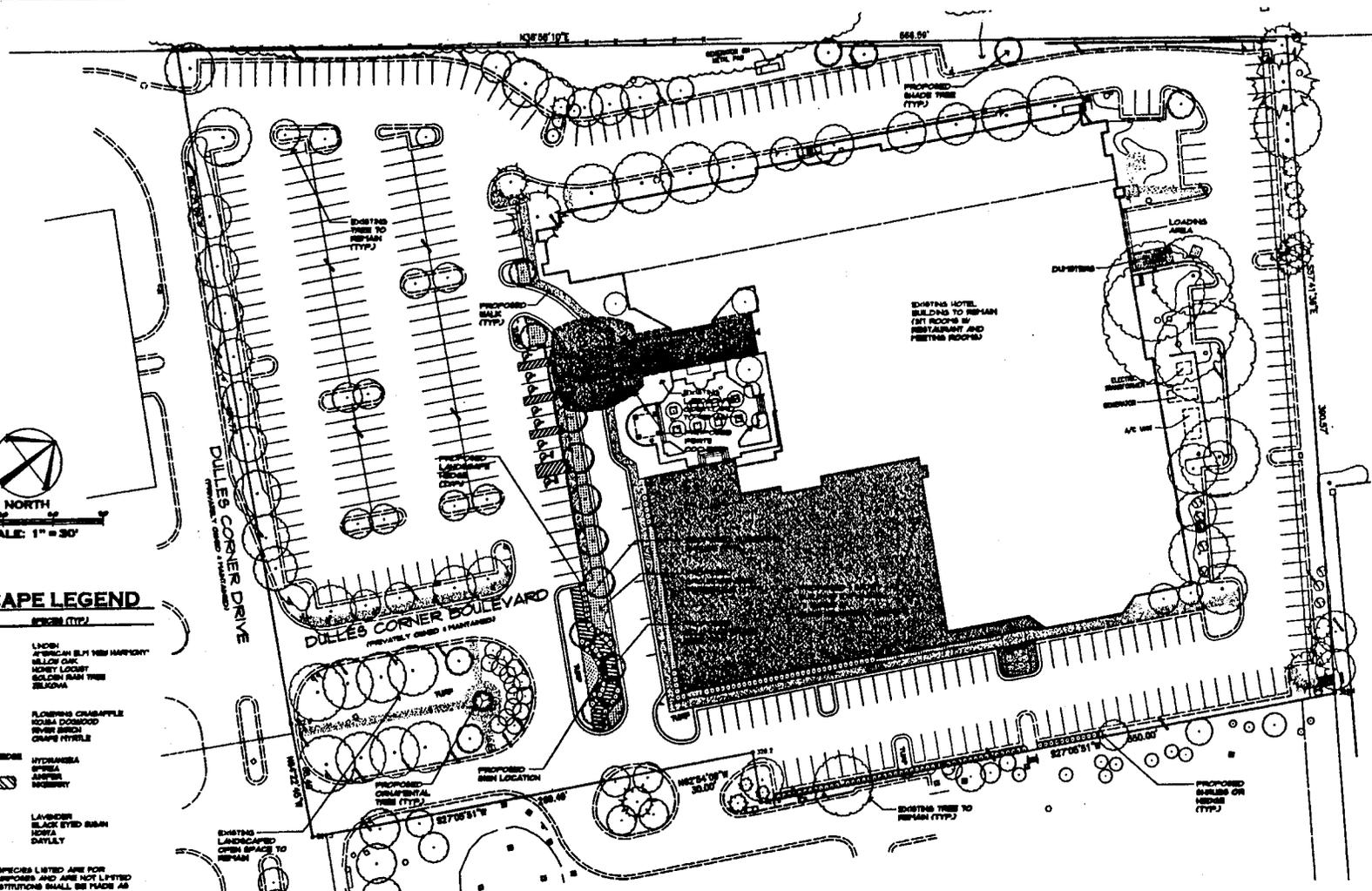
LANDSCAPE HEDGE AND FLOWERING SHRUBS

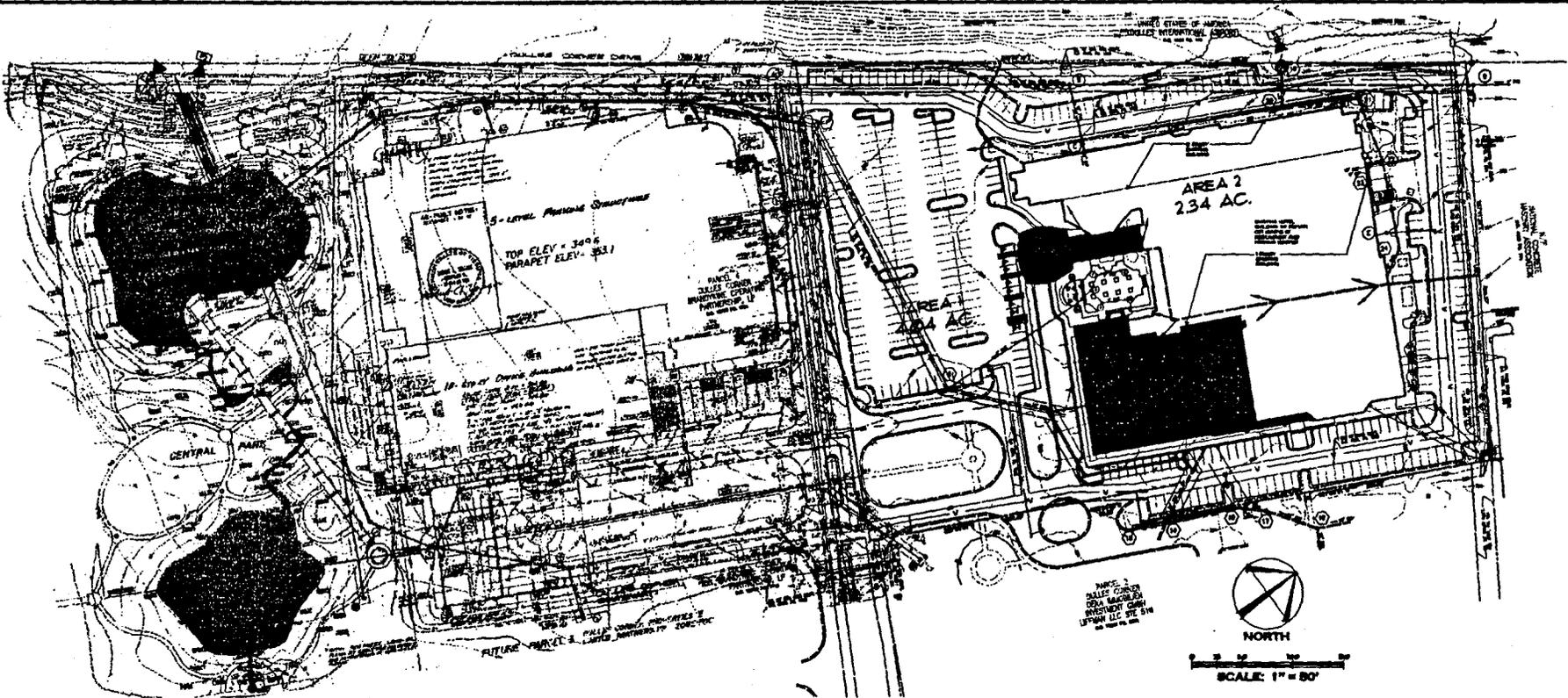


GROUND COVERS/ PERENNIALS



GROUND COVERS/ PERENNIALS





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REVISIONS

5-3-08	Convey Comments
11-14-08	Convey Comments
1-30-09	Convey Comments
3-27-09	Convey Comments

SWM/BMP ANALYSIS
HYATT DULLES
 RZ/CDP/FDP 2008-FM-016
 HUNTER MILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

STORMWATER MANAGEMENT/ BMP NARRATIVE

STORMWATER MANAGEMENT (WATER QUANTITY)
 STORMWATER MANAGEMENT IS PROVIDED FOR THE ENTIRE DULLES CORNER DEVELOPMENT BY TWO EXISTING SET PONDS LOCATED TO THE SOUTH OF THIS SITE. THE FIRST POND WAS CONSTRUCTED PER PLAN # 638-SP-06 AND THE SECOND POND WAS CONSTRUCTED PER PLAN # 638-SP-06. APPROXIMATELY 60% OF THE PRECIPITATION DRAINS TO THIS SECOND SET POND. THE POND'S OUTLET CONTROL IS A 4-WAY 17" ROUND RCP CULVERT. THE POND HAS BEEN DESIGNED TO CONVEY THE 1-YEAR AND 10-YEAR STORM AS SHOWN ON SITE PLAN SHEET 8 OF 8 FROM THE AT&T AT DULLES CORNER SITE PLAN (# 638-SP-06-1). THE EXISTING SECOND POND WAS DESIGNED TO PROVIDE 80% FOR A DRAINAGE AREA OF APPROXIMATELY 24.75 ACRES WITH AN EFFICIENT RAINFALL COEFFICIENT OF 0.66. THE PROPOSED IMPROVEMENTS WITH THIS PLAN DO NOT INTEND TO INCREASE THE DRAINAGE AREA OR RAINFALL COEFFICIENT WITHIN THE DRAINAGE AREA. THEREFORE, THE BMP 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 358.5 AND THE TEN YEAR IS 361.7.

THE POND 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 DRIVE/VA ENTRANCE DRIVE.

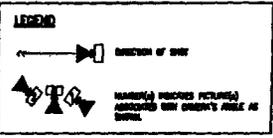
BMP (WATER QUALITY)
 THIS SITE IS A PART OF THE ORIGINAL PROPOSED DEVELOPMENT PLAN FOR DULLES CORNER THAT WAS APPROVED FROM THE ADOPTION OF THE CHARLESAKE BAY PRESERVATION ORDINANCE. THEREFORE, A CHARLESAKE BAY CREAMICE IDENTIFICATION WILL BE REQUESTED BASED ON THE PROPOSED PLAN OF IMPROVEMENT. ADDITIONAL JUSTIFICATION FOR THE IDENTIFICATION WILL BE THAT WATER QUALITY IS ALREADY BEING PROVIDED TO SOME DEGREE WITHIN THE DULLES CORNER DEVELOPMENT BY TWO SET PONDS THAT ALSO PROVIDE THE REQUIRED STORMWATER MANAGEMENT (WATER QUANTITY CONTROL). THE FIRST POND IS A REMANUAL POND LOCATED FURTHER SOUTH WITHIN THE DULLES CORNER DEVELOPMENT THAT WAS CONSTRUCTED WITH PLAN # 638-SP-06. A SECOND SET POND IS LOCATED TO THE SOUTH WEST OF THIS SITE THAT WAS CONSTRUCTED WITH PLAN # 638-SP-06. APPROXIMATELY 60% OF THE PROPERTY DRAINS TO THIS SECOND SET POND. THEREBY PROVIDING SUPPLEMENTARY BMP (WATER QUALITY). THE POND'S OUTLET CONTROL IS A 4-WAY 17" ROUND RCP CULVERT. THE POND HAS BEEN DESIGNED TO CONVEY THE 1-YEAR AND 10-YEAR STORM AS SHOWN ON SITE PLAN SHEET 8 OF 8 FROM THE AT&T AT DULLES CORNER SITE PLAN (# 638-SP-06-1). THE SECOND POND RECEIVES 4.84 ACRES OF ON-SITE LAND. THE BMP SET VOLUME STORAGE AT ELEVATION 358.5 IS EFFICIENT AT 48.0% AS THE APPLICANT REQUESTS THE RIGHT TO PROVIDE SUPPLEMENTARY BMP REASONS IN ADDITION WITH THE POND'S BURNISHED.



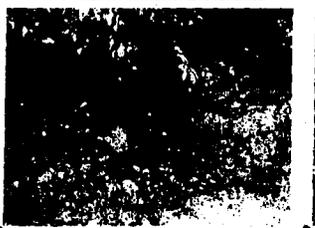
OUTFALL AT AT&T AT DULLES CORNER POND



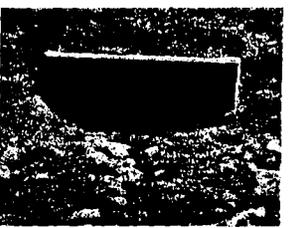
DOWNSTREAM DISCHARGE CULVERTS AT AT DULLES CORNER POND (OUTFALL #1)



UPSTREAM DISCHARGE CULVERTS AT AT DULLES CORNER POND



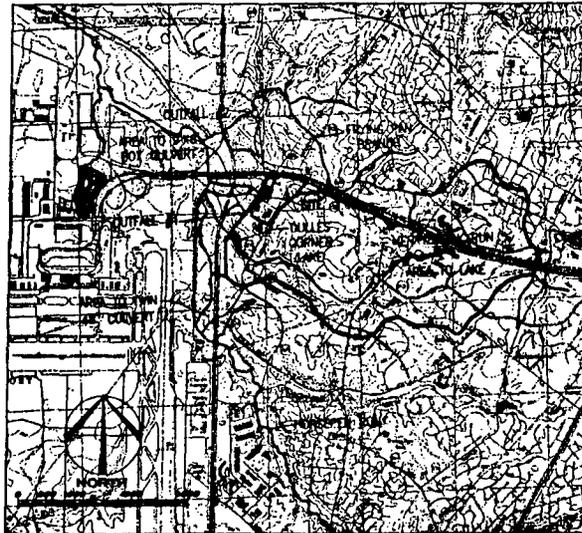
DOWNSTREAM CHANNEL AT AT DULLES CORNER POND



DOWNSTREAM DISCHARGE CHANNEL ON-SITE (OUTFALL #2)

SCALE: 1" = 50'

DATE	AUGUST 1, 2008
DRAWN	OPS
CHECKED	OPS/ALW
JOB #	2717-0101
DRAWING #	2717-BMP-SWM.dwg
SHEET #	5 OF 7



OVERALL DRAINAGE DIVIDE MAP

SCALE: 1"=3000'

ADEQUATE OUTFALL NARRATIVE

LIMIT OF DOWNSTREAM REVENUE

THE SUBJECT PROPERTY HAS TWO DRAINAGE AREAS. EACH DRAINAGE AREA FOR THE SITE IS AT THE TOP OF THE WATERMARD OF THE DOWNSTREAM DRAINAGE SYSTEM. ACCORDING TO PERM SECTION 6-309(B)(2), THE FIRST OPTION FOR THE LIMIT OF DOWNSTREAM REVENUE IS TO A POINT THAT IS AT LEAST 50 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 (EXISTING) POND, IS 4.56 AC. THE EXTENT OF REVENUE ACCORDING TO THE SIZE OF THE FIRST SYSTEM NEEDS TO BE A CONFLUENCE WITH AN AREA OF AT LEAST 2.28 AC. IF OUTFALL IS 1.5M AC, THE EXTENT OF REVENUE ACCORDING TO THE SIZE OF THE FIRST SYSTEM NEEDS TO BE A CONFLUENCE WITH AN AREA OF AT LEAST 3.5 AC.

GENERAL ANALYSIS

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

DRAINAGE FROM AREA 1 DISCHARGES INTO AN EXISTING 36" PIPE WHICH THEN DISCHARGES INTO A 36" DIAMETER ELLIPTICAL PIPE WHICH THEN CONNECTS TO POND 1. THE POINT OF CONFLUENCE WHERE THE RECEIVING PIPE SYSTEM IS JOINED BY AN AREA OF ABOUT 1.5M AC, WHICH IS MORE THAN 50% OF THE INITIAL DRAINAGE AREA OCCURS AT POND 1. THE EXTENT OF DOWNSTREAM REVENUE IS 50% PART THE STRUCTURE. THE DRAINAGE SYSTEM DISCHARGES INTO A 48" DIAMETER DITCH THAT DISCHARGES INTO A DITCH ON THE NORTH SIDE OF THE PROPERTY AT THE SITE. AT THIS POINT THE WATERMARD CROSSES INTO LOUDOUN COUNTY.

POND 1 WAS DESIGNED TO PROVIDE DETENTION FOR THE 0.45-STS 2005 AC WITH A 10' FACTOR OF 600, AND 500 AS OFF-SITE WITH A 10' FACTOR OF 600.

DRAINAGE FROM AREA 2 DISCHARGES INTO AN EXISTING 36" PIPE WITH 2% SLOPE. EACH DRAINAGE FROM AREA 2 INTO AN EXISTING DITCH. THE POINT OF CONFLUENCE WHERE THE RECEIVING PIPE SYSTEM IS JOINED BY AN AREA OF ABOUT 3.5M AC, WHICH IS MORE THAN 50% OF THE INITIAL DRAINAGE AREA OCCURS AT HERRINGTON RUN.

THE TOTAL RUNOFF GOING TO THE EXISTING 36" 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 HAS NO SIGN OF EROSION. THEREFORE IT IS OUR OPINION THE OUTFALL IS ADEQUATE.

THE MAP

THE MAP SHOWING THE OFF-SITE DRAINAGE SYSTEM WAS OBTAINED FROM PERM-00-C-000-01 (DULLES CORNER).

ONE SQUARE MILE DESCRIPTIVE EXTENT OF REVENUE

THE ONE SQUARE MILE DESCRIPTIVE EXTENT OF REVENUE FOR AREA 1 EXISTS AT HERRINGTON RUN PART THE DULLES CORNER LANE CORNERS WITHIN LOUDOUN COUNTY BOUNDARIES.

THE ONE SQUARE MILE DESCRIPTIVE EXTENT OF REVENUE FOR AREA 2 EXISTS AT HERRINGTON RUN IN THE LOUDOUN COUNTY AS SHOWN IN THE 1984 HERRINGTON COUNCILS MAP (00-0) SHOWN ON THIS SHEET.

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

The following information is required to be shown or provided to all zoning applications, or a written request of the subdivision applicant with justification shall be attached. These tables will be subject upon approval. Failure to adequately address the required information may result in a delay in processing the application.

This information is required under the following Stormwater Management Program:

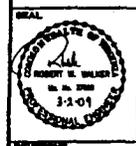
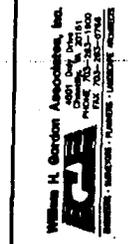
Special Permits (0-911.51 & 52)	Special Stormwater (0-911.51 & 52)
County Subdivisions (0-911.51 & 52)	County Stormwater (0-911.51 & 52)
Subdivisions Plans (0-911.51 & 52)	Subdivisions Plans (0-911.51 & 52)
Special Stormwater (0-911.51 & 52)	Special Stormwater (0-911.51 & 52)

- 1. Map to a minimum scale of 1"=400' (unless it is detailed as per sheet with a minimum scale of 1"=100').
- 2. A graphic depicting the stormwater management facilities and limits of study and grading requirements for the stormwater management facilities, storm drainage plan systems and runoff potential, pond outfalls, control points, site outfalls, energy dissipation devices, and stream stabilization structures as shown on sheet 1 AT DULLES CORNER POND IS EXISTING.

3. A table:

Facility Name	Catchment Area (Ac)	Off-site Area (Ac)	Drainage Area (Ac)	Peak Flow (cfs)	Storage Volume (cu ft)	Retention Time (min)
NET POND	4.56	30.00	34.73	25,000	78,100	15

- 4. Storm drainage channels, suitable bed pipe systems are shown on sheet 1, and suitable bed pipe systems are shown on sheet 1.
- 5. Minimum energy ponds to stormwater management facilities are shown on sheet 1.
- 6. Type of treatment system used outfalls shall be the following: ASBESTOS, ASBESTOS, ASBESTOS, ASBESTOS.
- 7. Landscaping and tree preservation standards and near the stormwater management facility to show on sheet 1.
- 8. A stormwater management control which includes a description of any structural best management practices, requirements to be used to protect on sheet 1.
- 9. A description of the existing conditions of each watershed site which includes a description of the site to a scale which is at least 100' from the site or which has a drainage area of at least one acre and which shall be provided on sheet 1.
- 10. A description of how the runoff treatment, including losses changes to existing drainage plan (i.e. drainage treatment), of the Plans Position Manual will be satisfied on sheet 1.
- 11. Existing topography with contour marker intervals of 10' and a scale so as to show the exact survey or field notes provided on sheet 1.
- 12. A minimum water treatment for 0.2.
- 13. Stormwater management to not exceed 0.2.

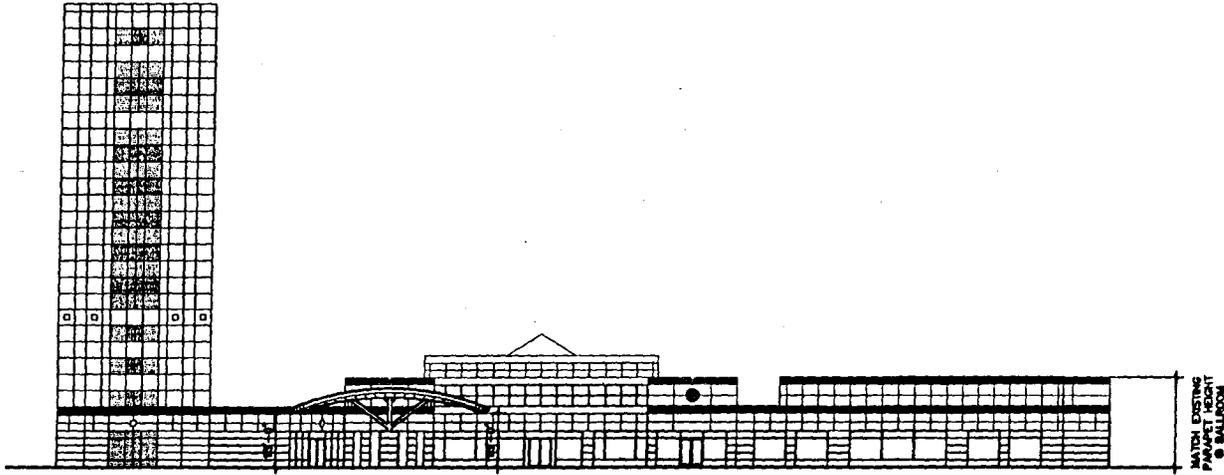


- 3-3-08 County Commission
- 11-14-08 County Commission
- 1-30-09 County Commission
- 3-27-09 County Commission

ADEQUATE OUTFALL ANALYSIS

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

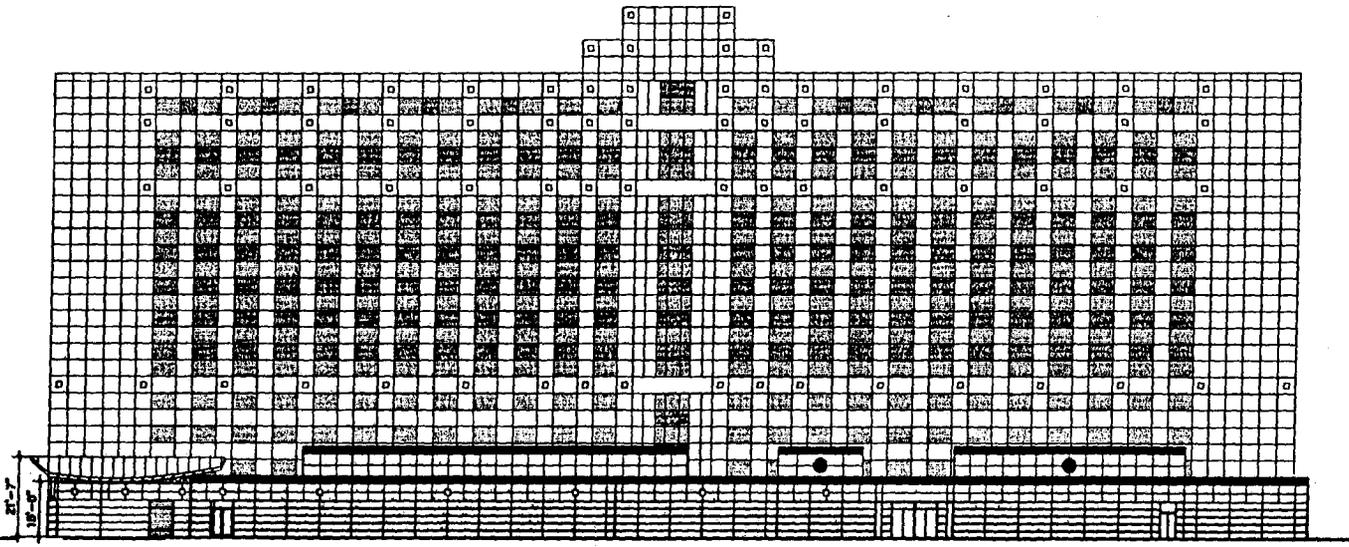
SCALE: AS NOTED
DATE: AUGUST 7, 2008
DRAWN: OPE
CHECKED: OFS/EV
JOB #: 2717-0101
DATE PLOT: 7/31/08 SWM/ML



SOUTH ELEVATION
 1/8" = 1'-0" REF: 0000-A-EL01.DWG

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.

MAINT. EXISTING
 PAINT @ BALCONY



EAST ELEVATION
 1/8" = 1'-0" REF: 0000-A-EL01.DWG

peter filat architects
 717 ARCHLANS
 1410 ALABAMA STREET / SUITE 200
 FARMERSBURG, MD 21050 / USA
 TEL: 410.326.6700 FAX: 410.326.6705
 WWW.PFAA.COM

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 Falls Church, VA 22040-0114
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 FAX: 703.261.0706
 WEBSITE: WWW.WHGARCH.COM



1-1-06	Concept Completed
1-15-06	Concept Completed
2-27-06	Concept Completed

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

SCALE	AS NOTED
DATE	AUGUST 7, 2006
DRAWN	OPS
CHECKED	OPS/BW
JOB #	2717-0101
EXHIBIT	2717-ARCHLANS



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Chantilly, VA 20151
703-263-1900 Phone
703-263-0766 Fax

July 24, 2008

Description of
Parcel 1
Dulles Corner
Hunter Mill District
Fairfax County, Virginia.

RECEIVED
Department of Planning & Zoning

AUG 07 2008

Zoning Evaluation Division

Beginning at a point on the southeasterly line of United States of America (Dulles International Airport) marking the most northerly corner of Parcel 4, Dulles Corner, the property now or formerly of Brandywine Operating Partnership, LP;

thence with said southeasterly line of United States of America (Dulles International Airport)

N 36° 58' 10" E, 666.59 feet

to a point marking the most westerly corner of the property now or formerly of National Concrete Masonry Association;

thence departing said United States of America (Dulles International Airport) and with the southwesterly line of said National Concrete Masonry Association

S 57° 41' 36" E, 390.57 feet

to a point marking the most northerly corner of Parcel 2, Dulles Corner, the property now or formerly of DEKA Immobilien Investment GMBH;

thence with the northwesterly lines of said Parcel 2, Dulles Corner

S 27° 05' 51" W, 350.00 feet and

N 62° 54' 09" W, 30.00 feet

to a point;

thence with said northwesterly line of Parcel 2 and continuing with northwesterly line of Parcel 3, Dulles Corner, the property now or formerly of Brandywine Operating Partnership, LP

S 27° 05' 51" W, 269.50 feet

to a point;

thence continuing with northeasterly line of said Parcel 3 and the northeasterly line of aforementioned Parcel 4, Dulles Corner

N 64° 22' 45" W 68.50 feet

to a point;

Parcel 1
Dulles corner
Hunter Mill District
Fairfax County, Virginia.
Page 2

thence continuing with said northeasterly line of Parcel 4

N 62° 54' 09" W 404.77 feet

to the point of beginning.

Containing 277,869 square feet or 6.37900 acres of land.

H:\2717\0101\Descriptions\Rezoning Description.doc

RECEIVED
Department of Planning & Zoning

APR 23 2009

Zoning Evaluation Division