



# FAIRFAX COUNTY

OFFICE OF THE CLERK  
BOARD OF SUPERVISORS  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A

[www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm](http://www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm)  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)

May 26, 2004

Elizabeth D. Baker, Land Use Coordinator  
Walsh, Colucci, Lubeley, Emrich & Terpak, PC  
2200 Clarendon Boulevard, 13<sup>th</sup> Floor  
Arlington, Virginia 22201-3359

RE: Rezoning Application Number RZ 2003-PR-008  
(Concurrent with PCA 75-7-004-2)

Dear Ms. Baker:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on March 15, 2004, granting Rezoning Application Number RZ 2003-PR-008 in the name of Lincoln Property Company, Southwest, Inc., to rezone certain property in the Providence District from the I-3 District and Highway Corridor Overlay District to the PDH-30 District and Highway Corridor Overlay District to permit residential development at a density of 29.9 dwelling units per acre (du/ac) including bonus density for the provision of Affordable Dwelling Units (ADUs), located on the east side of Gallows Road and on the north and south sides of Science Application Court, Tax Map 39-2 ((1)) 13 pt., subject to the proffers dated March 14, 2004, consisting of approximately 19.04 acres.

**The Board also:**

- **Modified the transitional screening requirement along the southeastern and southern boundaries where the multi-family units abuts the Courts of Tysons and Tysons Executive Village communities in favor of that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP).**
- **Waived the barrier requirement along the southeastern and southern boundaries where the multi-family housing abuts the Courts of Tysons and Tysons Executive Village communities in favor of that shown on the CDP/FDP.**

RZ 2003-PR-008  
May 26, 2004

- 2 -

- **Modified the non-core streetscape design along Gallows Road for the Tysons Urban Center in favor of that shown on the CDP/FDP.**
- **Waived the 200 square foot privacy yard requirement for single family attached homes.**
- **Modified the loading space requirement for multi-family dwellings in favor of one loading space provided for each of the buildings (two total spaces).**
- **Waived the 600-foot maximum private street length requirement.**

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

cc: **Chairman Gerald E. Connolly**  
**Supervisor Linda Q. Smyth, Providence District**  
**Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration**  
**Michael R. Congleton, Deputy Zoning Enforcement Branch**  
**Barbara A. Byron, Director, Zoning Evaluation Div., DPZ**  
**Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay**  
**Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,**  
**Charles Strunk, Project Planning Section, Dept. of Transportation**  
**Michelle Brickner, Deputy Director, DPWES**  
**Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES**  
**Department of Highways - VDOT**  
**Irish Granfield, Land Acqu. & Planning Div., Park Authority**  
**District Planning Commissioner**  
**James Pattenon, Director, Facilities Mgmt. Div., DPWES**  
**Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools**

RECEIVED  
Department of Planning & Zoning  
MAY 28 2004  
Zoning Evaluation Division

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 15th day of March, 2004, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 2003-PR-008  
(CONCURRENT WITH PCA 75-7-004-2)

WHEREAS, Lincoln Property Company, Southwest, Inc., filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the I-3 District and Highway Corridor Overlay District to the PDH-30 District and Highway Corridor Overlay District, 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

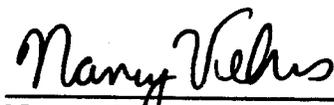
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

Be, and hereby is, zoned to the PDH-30 District and Highway Corridor Overlay District, and said property is subject to the use regulations of said PDH-30 District and Highway Corridor Overlay District, District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to 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 parcel.

GIVEN under my hand this 15th day of March, 2004.



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Nancy Velts

Clerk to the Board of Supervisors



**JULY 16, 2003**

**DESCRIPTION OF  
ALL OF PARCEL 'A /B'  
SCIENCE APPLICATION COURT  
BEING  
A PORTION OF  
CAMPUS POINT REALTY CORP. II  
DEED BOOK 11073 PAGE 890  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA**

Being all of Parcels A & B, Science Application Court as shown on a plat entitled "Plat Showing Parcels A, B, & C, Science Application Court, being the Subdivision of the Property of Campus Point Realty Corporation II" dated April, 2003 and prepared by VIKA, Inc., also being a portion of Campus Point Realty Corp. II as recorded in Deed Book 11073 at Page 890 as recorded in the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning for the same at a point on the southwesterly corner of Tysons Executive Village as recorded in Deed Book 9777 at Page 1353 among the aforementioned Land Records, said point also being on the northerly line of Lot 9, Courthouse Station (Deed Book 7195 Page 438); thence leaving said Tysons Executive Village and running with Courthouse Station the following course and distance

1. North 79°10'45" West, 417.85 feet to a point being the southeasterly corner of Courts of Tyson (Deed Book 6020 Page 699); thence leaving Courthouse Station and running with Courts of Tyson the following course and distance
2. North 10°50'42" East, 461.65 feet to the a point; thence continuing with Courts of Tyson the following course and distance
3. North 79°09'07" West, 877.50 feet to a point on the easterly right-of-way of Gallows Road – Route 650 (width varies); thence leaving the aforementioned Courts of Tyson and running with Gallows Road the following five (5) courses and distances
4. North 11°10'53" East, 142.86 feet to a point of curvature (non-tangent); thence
5. 43.43 feet along the arc of a curve to the left having a radius of 209.00 feet and a chord bearing and distance of North 17°08'03" East, 43.36 feet to a point of compound curvature; thence

**VIKA Incorporated**

6. 158.13 feet along the arc of a curve to the left having a radius of 416.60 feet and a chord bearing and distance of North  $00^{\circ}18'25''$  East, 157.18 feet to a point; thence
7. 46.73 feet along the arc of a curve to the right having a radius of 35.54 feet and a chord bearing and distance of North  $27^{\circ}08'36''$  East, 43.43 feet to a point; thence
8. South  $21^{\circ}04'15''$  West, 19.05 feet to a point; thence
9. South  $62^{\circ}49'39''$  East, 13.74 feet to a point; thence
10. North  $27^{\circ}10'21''$  East, 46.73 feet to a point; thence
11. North  $64^{\circ}49'49''$  East, 240.41 feet to a point; thence
12. 125.73 feet along the arc of a curve to the right having a radius of 200.00 feet and a chord bearing and distance of North  $82^{\circ}50'21''$  East, 123.67 feet to a point; thence
13. South  $79^{\circ}09'07''$  East, 424.76 feet to a point; thence
14. 175.26 feet along the arc of a curve to the right having a radius of 168.00 feet and a chord bearing and distance of South  $49^{\circ}15'56''$  East, 167.42 feet to a point; thence
15. South  $19^{\circ}22'46''$  East, 121.31 feet to a point; thence
16. North  $73^{\circ}33'08''$  East, 169.34 feet to a point on the westerly right-of-way line of Interstate Route 495 (variable width right-of-way); thence running with Interstate Route 495 the following three (3) courses and distances
17. South  $16^{\circ}26'52''$  East, 64.26 feet to a point of curvature; thence
18. 423.65 feet along the arc of a curve to the right having a radius of 11,609.16 feet and a chord bearing and distance of South  $11^{\circ}28'32''$  East, 423.63 feet to a point; thence leaving said Interstate Route 495 and running with the westerly line of the aforementioned Tysons Executive Village the following course and distance
19. South  $10^{\circ}54'22''$  West, 485.88 to the point of beginning containing 829,386 square feet or 19.04008 acres of land.

**PROFFERS**

**PCA 75-7-004-2**

**March 11, 2004**

Pursuant to Section 2-2303(a), *Code of Virginia*, 1950 as amended, and subject to the Board of Supervisors approval of the requested Proffered Condition Amendment on property identified as Tax Map 39-2 ((1)) pt. 13 (hereinafter referred to as the "Subject Property"), the Applicant and owners for themselves, successors and assigns proffer that the development of the Subject Property shall be subject to approved proffers dated November 21, 1985, which shall remain in full force and effect except as amended below.

1. Development of the Subject Property shall be in substantial conformance with the Generalized Development Plan ("GDP") prepared by VIKA, Incorporated, consisting of Sheets 4 and 5, dated January 17, 2003 as revised through March 11, 2004. The maximum FAR permitted on the Subject Property is .50. However, in order to construct the unbuilt 31,194 gross square feet permitted, a Proffered Condition Amendment and Generalized Development Plan Amendment shall be required.

[SIGNATURES BEGIN ON NEXT PAGE]

PROFFERS  
PCA 75-7-004-2

APPLICANT

LINCOLN PROPERTY COMPANY  
SOUTHWEST, INC.



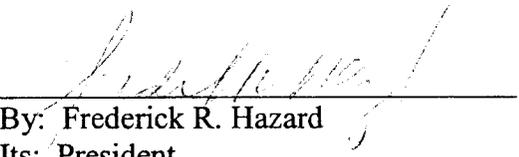
By: Richard N. Rose  
Its: Vice President

[SIGNATURES CONTINUED ON NEXT PAGE]

PROFFERS  
PCA 75-7-004-2

TITLE OWNER

CAMPUS POINT REALTY CORPORATION II



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By: Frederick R. Hazard  
Its: President

[SIGNATURES END]

# THE RESERVE AT TYSON'S CORNER

CONCEPTUAL/FINAL DEVELOPMENT PLAN FOR RZ/FDP 2003-PR-008  
 GENERALIZED DEVELOPMENT PLAN FOR PCA 75-7-004-2

## PROVIDENCE DISTRICT FAIRFAX COUNTY, VIRGINIA

JANUARY 17, 2003  
 APRIL 2, 2003  
 APRIL 24, 2003  
 JULY 10, 2003  
 AUGUST 4, 2003  
 JANUARY 9, 2004  
 FEBRUARY 17, 2004  
 MARCH 1, 2004  
 MARCH 10, 2004  
 MARCH 11, 2004

### SHEET INDEX

- 1 COVER SHEET
  - 2 CEPP/FDP NOTES/TABULATIONS
  - 3 CEPP/FDP
  - 4 GENERALIZED DEVELOPMENT PLAN PARKING EXHIBIT INSHEET C
  - 5 GENERALIZED DEVELOPMENT PLAN AND PCA PLAN
  - 6 LANDSCAPE PLAN
  - 7 SITE PLAN AERIAL OVERLAY
  - 8 LANDSCAPE/HARDSCAPE CONCEPT ENLARGEMENT
  - 9 LANDSCAPE/HARDSCAPE CONCEPT ENLARGEMENT
  - 10 SITE DETAILS
  - 11 SW-1
  - 12 SW-2
  - 13 ELEVATIONS
- \* THESE SHEETS APPLY TO CEPP/FDP FOR RZ/FDP 2003-PR-008



**SOILS MAP**  
 SCALE 1"=60'  
 TM NO. 39-2 (1) 003



**VICINITY MAP**  
 SCALE 1"=60'  
 TM NO. 39-2 (1) 003

### APPLICANT/DEVELOPER

LINCOLN PROPERTY COMPANY SOUTHWEST INC.  
 125 HENNINGTON PARKWAY SUITE 100  
 HENNINGTON, VA 22060  
 CONTACT MR. RICHARD ROSE  
 (703) 894-2500

### ATTORNEY

WALSH, COLLECCI, LUMBLEY, BARNER, & THORNE, P.C.  
 250 CLARENDON BLVD. 5TH FLOOR  
 ARLINGTON, VA 22201  
 CONTACT MR. ELIZABETH D. BAKER  
 (703) 527-0200

### ARCHITECTS/PLANNERS

SEAN ARCHITECTURAL DESIGN GROUP, LLC  
 407 ST. ELMO AVENUE  
 RICHMOND, VIRGINIA 23224  
 CONTACT MR. ARNO BERENSON  
 (804) 691-4500

### ENGINEER

VIEA INC.  
 200 GREENWICH DRIVE  
 SUITE 200  
 MCLEANS, VIRGINIA 22101  
 CONTACT MR. KIM F. ARMENTA, PE  
 (703) 440-2800

### LANDSCAPE ARCHITECT

LAND DESIGN, INC.  
 104 PRINCE STREET  
 SUITE 400  
 ALEXANDRIA, VA 22304  
 CONTACT MR. MATTHEW CLARK  
 (703) 540-7000



**NOTES**

- THE PROPERTY THAT IS THE SUBJECT OF THE PCA IS IDENTIFIED ON THE FAIRFAX COUNTY TAX ASSESSMENT MAP 2002 (11) 12. THE PROPERTY IS OWNED BY CASPER POORE REALTY, INC. THE 10.00 ACRES SHOWN ON SAID MAP 2002 (11) 12, THE PROPERTY IS OWNED BY CASPER POORE REALTY, INC. AND IS CURRENTLY ZONED R-30. THE PROPERTY IS IDENTIFIED AS PART OF THE PROJECT SUBJECT TO RESOLUTION 2002-100 (PART C) AND IS THE CONTRACT PURCHASED BY THIS PROJECT. THE PROJECT IS THE SUBJECT OF A DEVELOPMENT PLAN FOR THE PCA AND IS IDENTIFIED AS PCA 2002-100 (PART C) IN THE APPLICABLE DEVELOPMENT PLAN. THE HORIZONTAL DATUM IS VIRGINIA STATE GRID NORTH.
- THE TOPOGRAPHY SHOWN HEREON WAS FIELD SURVEY BY VINA, INC. AND THE CENTER INTERNAL IS TWO (2) FEET.
- THE BOUNDARY INFORMATION WAS PREPARED BY VINA, INC.
- THE PROPERTY IS LOCATED ON LAND UNIT 7, AND UNIT 7-8 OF THE THREE CORNER UNDER CENTER AREA OF THE FAIRFAX COMPREHENSIVE PLAN.
- PUBLIC WATER AND SANITARY SEWER ARE AVAILABLE AND WILL BE EXTENDED TO SERVE THE DEVELOPMENT.
- STORMWATER MANAGEMENT FACILITIES WILL BE CONSTRUCTED ON THE SITE IN 3 PHASES. EXTENDED DETENTION FACILITIES AND POTENTIAL OROSCOPHER INFILTRATION FACILITIES, STANDARDS AND PRACTICES OF FAIRFAX COUNTY WILL BE APPLIED TO THE DESIGN OF THE PUBLIC FACILITIES. STORMWATER MANAGEMENT SYSTEM IS IN ACCORDANCE WITH THE PUBLIC FACILITIES MANUAL, STANDARDS AND DESIGN CRITERIA WILL BE PROVIDED.
- TO THE BEST OF OUR KNOWLEDGE, NO HAZARDOUS OR TOXIC SUBSTANCES ARE KNOWN TO EXIST ON THE SUBJECT PROPERTY.
- STRUCTURES CURRENTLY EXIST ON THE PCA PARCEL AND WERE CONSTRUCTED IN APPROXIMATELY 1970. BUILDING PC IS TO BE DEMOLISHED. BUILDINGS A AND B TO REMAIN.
- THE DRYLINE SUBJECT PROPERTY IS LOCATED WITHIN AN RMA ZONE, AND FLOODPLAIN, R.P.A. OR ENVIRONMENTAL QUALITY CONSIDERATIONS EXIST ON THE PROPERTY.
- THERE IS A PROPOSED TRAIL INDICATED ALONG GALLONS ROAD FRONTAGE OF THIS PROPERTY AS SHOWN ON THE FAIRFAX COUNTY COMPREHENSIVE PLAN.
- LIMITS OF CLEARING AND GRADING SHOWN ON THE COP/APP ARE PRELIMINARY AND ARE SUBJECT TO MODIFICATION WITH FINAL ENGINEERING. THESE LIMITS OF CLEARING AND GRADING WILL BE SUBMITTED TO THE BOARD FOR REVIEW AND APPROVAL BY THE COUNTY UNDER PROVISION AT THE TIME OF FINAL SITE REVIEW.
- THE ANGLES OF BULK PLANE AND YARDS INDICATED ON THIS SHEET ARE FOR R-30 AND COMPARED PURPOSES ONLY. THE PROPERTY IS TO BE REZONED TO PM-30 WHICH HAS NO BULK PLANE REQUIREMENT.
- DEVELOPMENT WILL COMMENCE UPON COLLECTION OF REQUIRED FAIRFAX COUNTY PLAN PROCESSING AND APPROVAL.
- THE DEVELOPMENT CONFORMS TO THE PROVISIONS OF ALL APPLICABLE STANDARDS WITH THE EXCEPTION OF DRIVERS AND IDENTIFICATION AS REQUESTED BELOW.
- LANDSCAPED OPEN SPACE AREAS SHOWN HEREON MAY BE MODIFIED AT THE TIME OF FINAL ENGINEERING, AS LONG AS THE AREA OF LANDSCAPED OPEN SPACE AND THE NUMBER OF PLANTS DOES NOT DIMINISH.
- THE FOOTPRINTS REPRESENTED HEREON ARE APPROXIMATE. BUILDING FOOTPRINTS MAY BE INCREASED OR DECREASED AND THE NUMBER OF PARKING SPACES PUBLIC AND IN THE STRUCTURES MAY BE MODIFIED, AS LONG AS THE MINIMUM OPEN SPACE PROVIDED IN THE ZONATION, AND THE AMOUNT OF LANDSCAPING AND THE MINIMUM ORIENTATION TO THE PERIPHERAL LOT LINES ARE NOT DIMINISHED.
- ADDITIONAL SITE FEATURES SUCH AS PLAZA DEVELOPMENT, GARDENS, FENCING, RETAINING WALLS, CORNICES, TREELINES, ENTRANCE SIGNS, LIGHTS AND/OR WALLS NOT REPRESENTED HEREON MAY BE PROVIDED.
- ROOMS FOR ADDITIONAL FRONTAGE IMPROVEMENTS TO THE PUBLIC RIGHT(S) OF WAY ON GALLONS ROAD ADJACENT TO THE SUBJECT PROPERTY ARE PROVIDED WITH THIS DEVELOPMENT. REVISIONS FOR GALLONS ROAD AND 1-400 ARE PROVIDED.
- THE PROPOSED DEVELOPMENT ON THE SUBJECT PROPERTY WILL NOT POSE ANY ADVERSE EFFECT ON ADJACENT OR NEIGHBORING PROPERTIES.
- THE PROJECT WILL MEET THE PARKING REQUIREMENTS AS SET FORTH IN THE PM-30 ZONE PER ARTICLE 11 OF THE ZONING ORDINANCE AND SHALL BE PROVIDED IN A COMBINATION OF ABOVE DRIVE, PARKING STRUCTURES AND SURFACE SPACES. THE NUMBER OF PARKING SPACES PROVIDED HEREON WILL BE ADJUSTED TO MEET THE ACTUAL NUMBER OF RESIDENTIAL UNITS CONSTRUCTED. THE APPLICANT RESERVES THE RIGHT TO PROVIDE PARKING IN EXCESS OF THAT REQUIRED BY ARTICLE 11.
- STORAGE WILL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 13 OF THE ZONING ORDINANCE, UNLESS WAIVED BY THE BOARD.
- THERE ARE NO SCENIC ASSETS OR NATURAL FEATURES ON THIS SITE OF VALUE OR BEAUTY.
- PARKING LOT LANDSCAPING AND TREE COVER REQUIREMENTS WILL BE PROVIDED IN ACCORDANCE WITH 2.0, ARTICLE 13 UNLESS WAIVED BY THE DEVELOPER OF ONE (1) OR MORE.
- DEVELOPER RESERVES THE RIGHT TO PROVIDE INCREASED SURFACE PARKING OR AREAS RESERVED FOR FUTURE DEVELOPMENT AS THE PROGRESS OF DEVELOPMENT PROGRESSES.
- THERE ARE NO EXISTING UTILITY EASEMENTS HAVING A WIDTH OF TWENTY (20) FEET OR MORE, NOR ANY OTHER UNDERGROUND UTILITY EASEMENTS LOCATED ON THIS SITE.
- APPLICANT RESERVES THE RIGHT TO DETERMINE FINAL NUMBER OF MULTI-FAMILY UNITS IN EACH BUILDING AND SIZE OF AND SECONDARY USES WITH A FINAL SITE PLAN WITH THE FINAL TOTAL NOT TO EXCEED 870 UNITS.
- OTHER MODIFICATIONS MAY BE MADE TO THE SITE PLAN FOR SECTION 10-204 OF THE ZONING ORDINANCE.
- THE SUBJECT PROPERTY IS SUBJECT TO SUBDIVISION FOR THE PURPOSE OF SALE, JOINT VENTURE, OR PARTNERSHIP AND PROPOSED SUBDIVISION SHOWN ON COP/APP/RESUBMIT PLAN MAY BE MODIFIED, INDIVIDUALLY OR COLLECTIVELY BY THE DEVELOPER OF THE PROJECT REQUIRING MODIFICATION OF THE PLAN.
- THE PROJECT MAY BE DEVELOPED WITH FIVE SINGLE UNITS, CONDOPARMS, SENIOR APARTMENTS OR A COMBINATION THEREOF, AND THE PROJECT MAY BE PHASED AND SUBDIVIDED BETWEEN DIFFERENT OWNERS.
- SECONDARY USES TO INCLUDE SWIMMING POOLS AND ASSOCIATED FACILITIES, FITNESS CENTERS, GOLF COURSES, LEASING OFFICES, OUTDOOR RECREATION USES AND OTHER ACCESSORY USES TYPICALLY PROVIDED IN MULTI-FAMILY COMMUNITIES.

**SITE TABULATIONS**

EXISTING ZONING: 1 - 3  
 TOTAL SITE AREA: 1,469,007 S.F. OR 33.746 ACRES  
 AREA OF PCA TO REMAIN 1-3 = 14,700 ACRES 649,000 SF (PARCEL C)  
 PROPOSED ZONE PM-30 = 10,000 ACRES 420,000 SF (PARCELS A AND B)  
 STREET INDICATION PROPOSED A 8777 OF 1-400 DEDICATION AREA PROPOSED = 14,000 SF  
 MINIMUM LOT AREA REQUIRED: N/A  
 MINIMUM LOT WIDTH: N/A  
 MINIMUM BUILDING HEIGHT ALLOWED: N/A  
 MINIMUM BUILDING HEIGHT PROVIDED: 30' FOR MULTI-FAMILY BUILDING 1  
 45' FOR MULTI-FAMILY BUILDING 2 (SEE SHEET 3)  
 45' FOR SINGLE FAMILY ATTACHED

**YARD REQUIREMENTS**

FRONT:	N/A
REAR:	N/A
SIDE:	N/A

**YARD PROVIDED:**

FRONT:	PER COP/APP
REAR:	PER COP/APP
SIDE:	PER COP/APP

OPEN SPACE REQUIRED: 400, 7.00 ACRES = 301,704 SF (INCLUDING THE ENTIRE AREA TO BE REZONED PM-30)  
 OPEN SPACE PROVIDED: 400, 7.00 ACRES = 301,704 SF (EXCLUDING AREAS OF DEDICATION AND SURVEY 1-1, 1-2 AND 1-3)

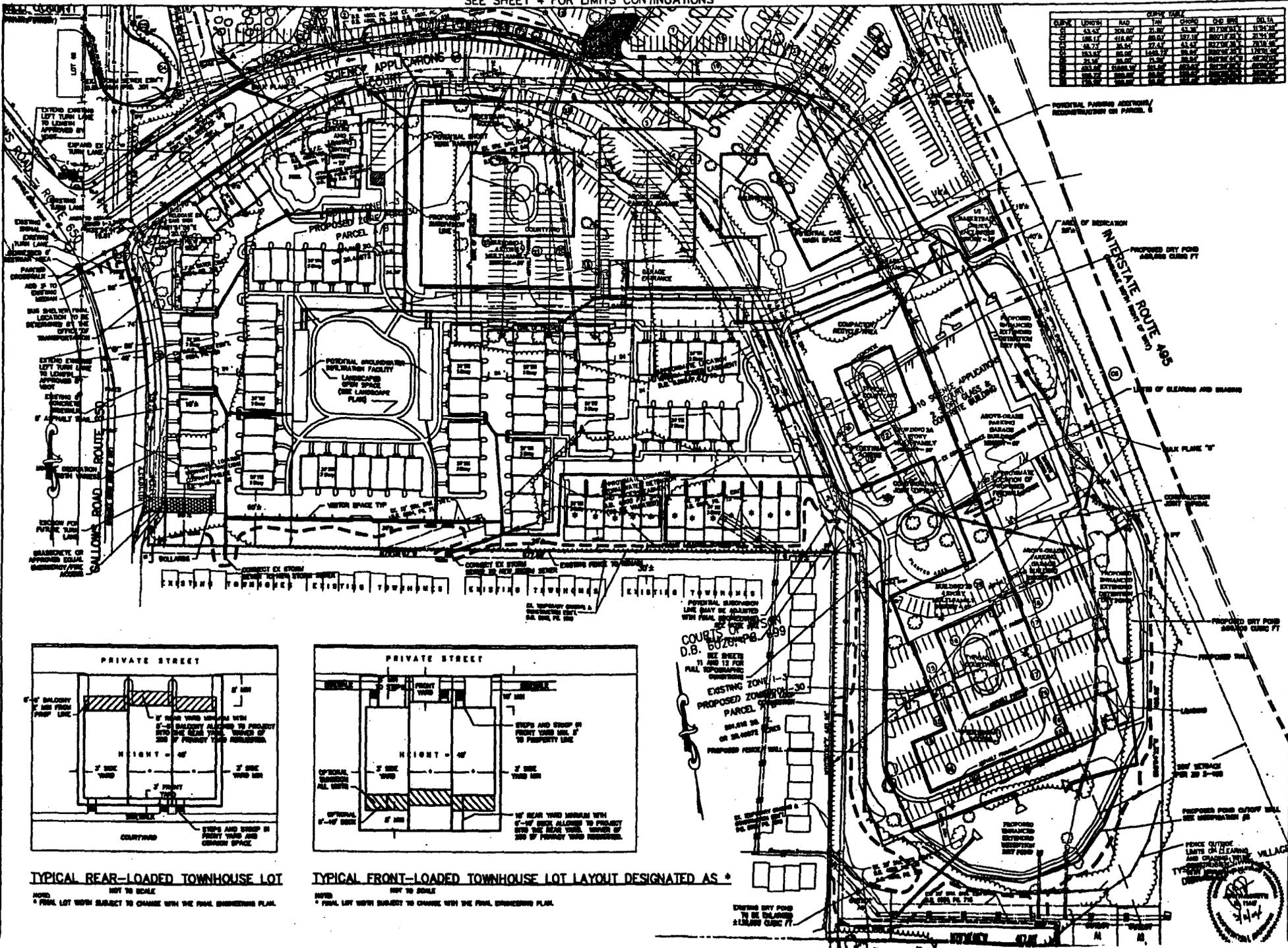
OPEN TRACT AREA: 33.746 ACRES \*  
 SEE SHEET 4 FOR DIMENSIONS OF AREA TO REMAIN 1-3

**DEMOGRAPHIC**  
 MULTI-FAMILY - 470 UNITS  
 SINGLE FAMILY ATTACHED - 80 UNITS  
 TOTAL UNITS - 550 UNITS  
 DENSITY - 37.5 UNITS PER ACRE WITH ADJ.  
 TO BE REZONED PM-30

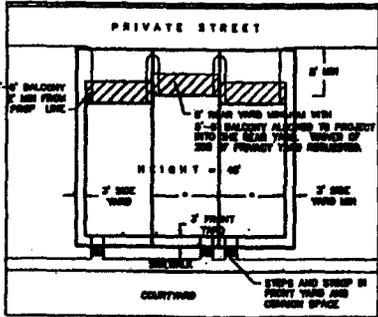
**DEVELOPMENT DATA PER AREA**  
 PRINCIPAL USE - MULTI-FAMILY AND SINGLE FAMILY ATTACHED  
 SECONDARY USE - 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-34, 1-35, 1-36, 1-37, 1-38, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-45, 1-46, 1-47, 1-48, 1-49, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55, 1-56, 1-57, 1-58, 1-59, 1-60, 1-61, 1-62, 1-63, 1-64, 1-65, 1-66, 1-67, 1-68, 1-69, 1-70, 1-71, 1-72, 1-73, 1-74, 1-75, 1-76, 1-77, 1-78, 1-79, 1-80, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-89, 1-90, 1-91, 1-92, 1-93, 1-94, 1-95, 1-96, 1-97, 1-98, 1-99, 1-100, 1-101, 1-102, 1-103, 1-104, 1-105, 1-106, 1-107, 1-108, 1-109, 1-110, 1-111, 1-112, 1-113, 1-114, 1-115, 1-116, 1-117, 1-118, 1-119, 1-120, 1-121, 1-122, 1-123, 1-124, 1-125, 1-126, 1-127, 1-128, 1-129, 1-130, 1-131, 1-132, 1-133, 1-134, 1-135, 1-136, 1-137, 1-138, 1-139, 1-140, 1-141, 1-142, 1-143, 1-144, 1-145, 1-146, 1-147, 1-148, 1-149, 1-150, 1-151, 1-152, 1-153, 1-154, 1-155, 1-156, 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SEE SHEET 4 FOR LIMITS CONTINUATIONS

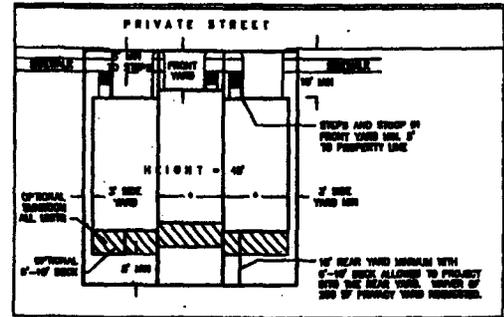
CURB	LENGTH	R/O	TIN	CHORD	D/B	WELL
1	12.54	22.82	21.77	12.54	12.54	12.54
2	12.54	22.82	21.77	12.54	12.54	12.54
3	12.54	22.82	21.77	12.54	12.54	12.54
4	12.54	22.82	21.77	12.54	12.54	12.54
5	12.54	22.82	21.77	12.54	12.54	12.54
6	12.54	22.82	21.77	12.54	12.54	12.54
7	12.54	22.82	21.77	12.54	12.54	12.54
8	12.54	22.82	21.77	12.54	12.54	12.54
9	12.54	22.82	21.77	12.54	12.54	12.54
10	12.54	22.82	21.77	12.54	12.54	12.54



THE RESERVE AT TYSONS CORNER  
 CD DP  
 VPKA RE  
 PROJECT #  
 SHEET NO.



**TYPICAL REAR-LOADED TOWNHOUSE LOT**  
 NOT TO SCALE  
 \* FINAL LOT WITH SUBJECT TO CHANGE WITH THE FINAL ENGINEERING PLAN.



**TYPICAL FRONT-LOADED TOWNHOUSE LOT LAYOUT DESIGNATED AS \***  
 NOT TO SCALE  
 \* FINAL LOT WITH SUBJECT TO CHANGE WITH THE FINAL ENGINEERING PLAN.

POTENTIAL SHEDDING LINE MAY BE ADJUSTED WITH FINAL ENGINEERING PLAN.  
 COURTS OF D.B. BUZZARD  
 SEE SHEETS 11 AND 12 FOR FULL DEVELOPMENT DRAWINGS  
 EXISTING ZONE - 30  
 PROPOSED ZONE - 499  
 PARCEL 6  
 PROPOSED PERIODIC WALL









194 Palmer Street  
 Suite 400  
 Atlanta, GA 30333  
 Phone 404.525.8876  
 Fax 404.525.8876

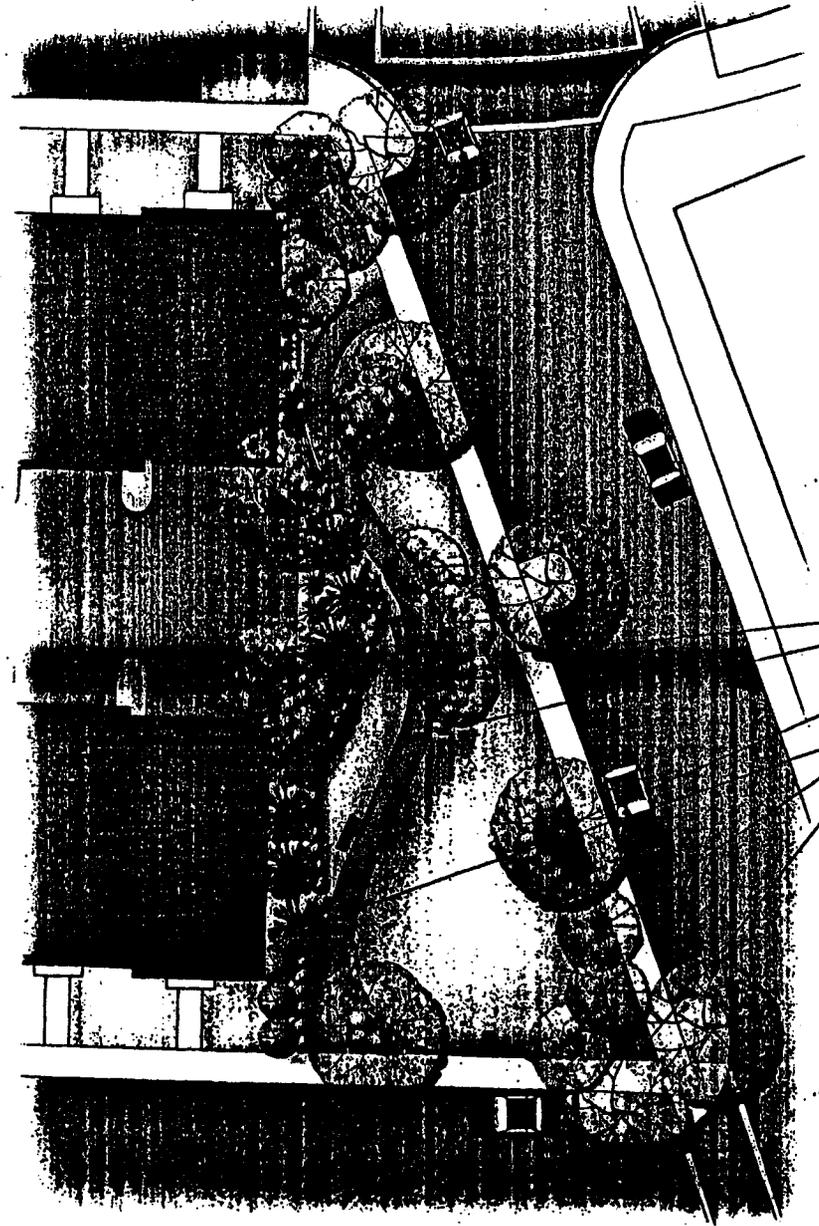


THE RESERVE AT  
 TYSON'S CORNER

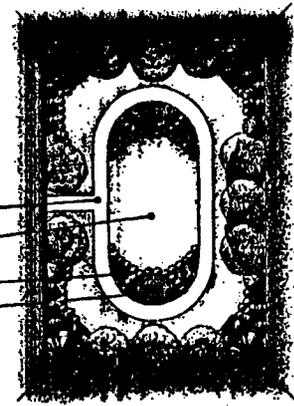
LANDSCAPE

VKA RE

REV 1	DATE
REV 2	DATE
REV 3	DATE
REV 4	DATE
REV 5	DATE
REV 6	DATE
REV 7	DATE
REV 8	DATE
REV 9	DATE
REV 10	DATE
REV 11	DATE
REV 12	DATE
REV 13	DATE
REV 14	DATE
REV 15	DATE
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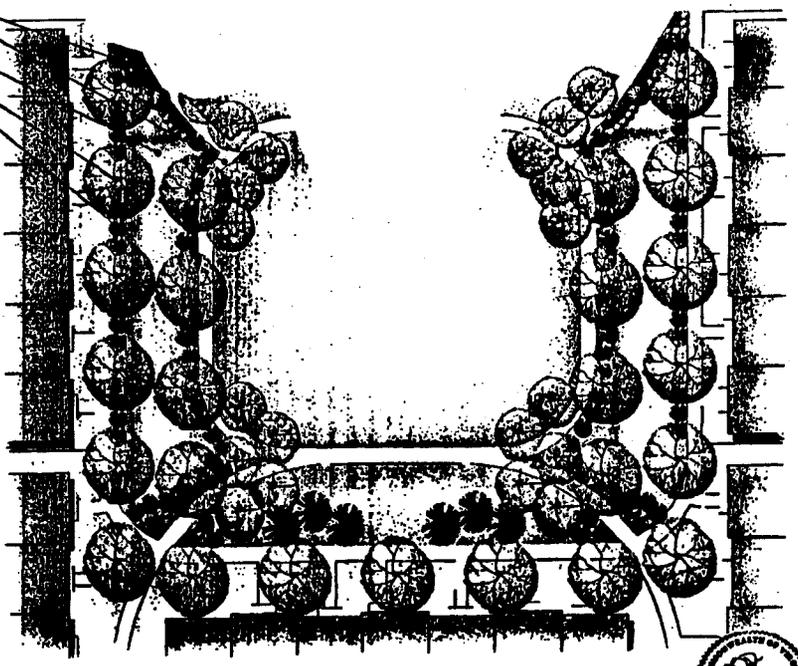


- COURTYARD WALK WITH BENCH SEATING
- LAWN FAN
- SEASONAL COLOR
- SPECIAL PAVING AREA WITH SEATING



**MULTI-FAMILY COURTYARD**  
 SCALE 1"=20'

- SEMI UNDERPLANTING
- WALK WITH SEATING AREAS
- POTENTIAL GROUNDWATER INFILTRATION FACILITY
- SHADE TREE
- EVERGREEN TREE BUFFER
- ORNAMENTAL OR SMALL DECIDUOUS TREE
- SEASONAL COLOR



**COMMUNITY GREEN**  
 SCALE 1"=20'

**PASSIVE RECREATION AREA**  
 SCALE 1"=20'

NOTE: GRAPHIC FOR ILLUSTRATIVE PURPOSES ONLY AND IS INTENDED TO CONVEY DESIGN INTENT (ONE V. IN PLAN MAY BE REVISED) AS











GALLOW'S BRANCH ROAD -  
ROUTE 677  
(PENDING STATE RIGHT OF WAY)

1951 KIDWELL LP  
D.B. 8083, PG. 755

SEE SHEET 5 FOR PARKING TABULATIONS

KIDWELL TOWN  
COURT  
(PENDING EASEMENT)

KIDWELL HALL  
COMPT

KIDWELL COMPT  
(PENDING EASEMENT)

3 STORY

2 STORY  
7900 SCIENCE APPLICATIONS COURT  
2 & 3 STORY GLASS &  
CONCRETE OFFICE AND  
STORAGE BUILDING

PARCEL C

EXISTING ZONE 1-3  
PROPOSED ZONE 1-3  
PARCEL C

578,249 SQ. FT.  
OR 13.2776 ACRES

7900 SCIENCE  
APPLICATIONS COURT  
4 STORY GLASS &  
CONCRETE OFFICE  
BUILDING

INTERSTATE ROUTE 495

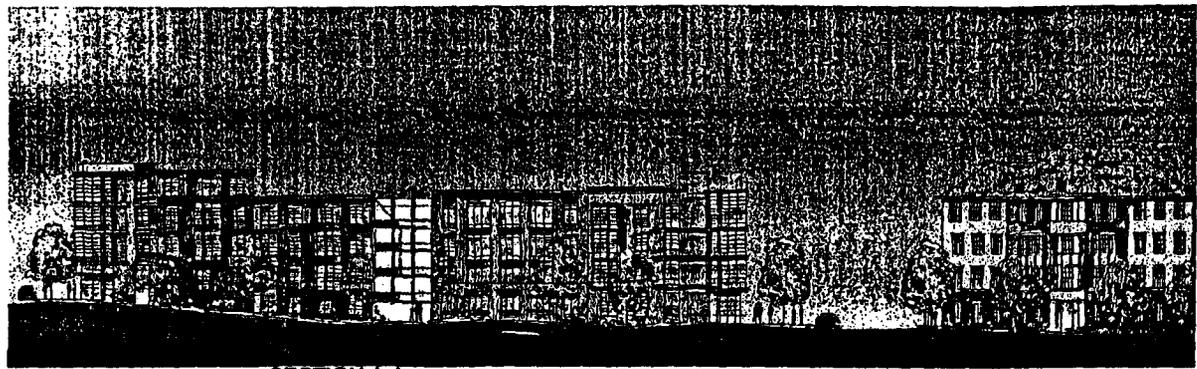
INTERSTATE ROUTE 495

AREA OF POTENTIAL  
PARKING LOT REDEVELOPMENT

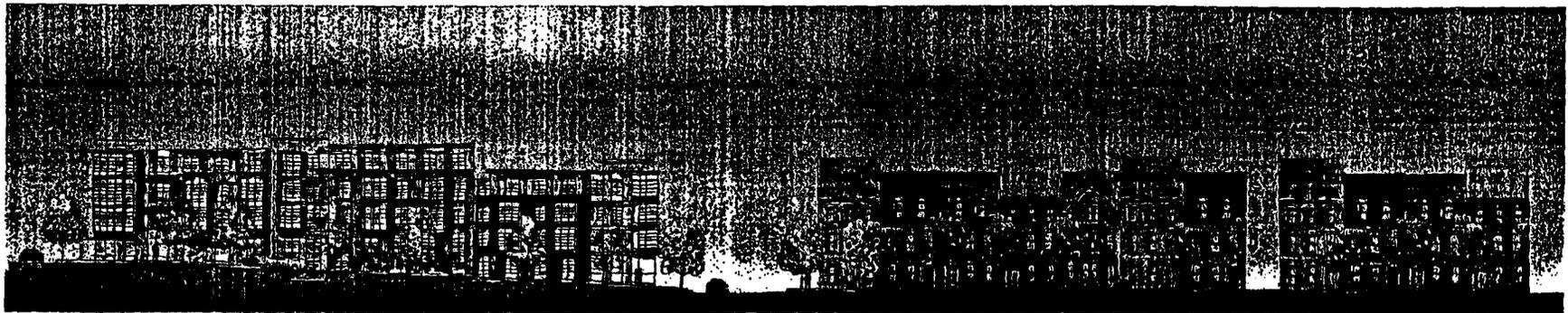
POTENTIAL PARKING AREA  
REDEVELOPMENT ON PARCEL C



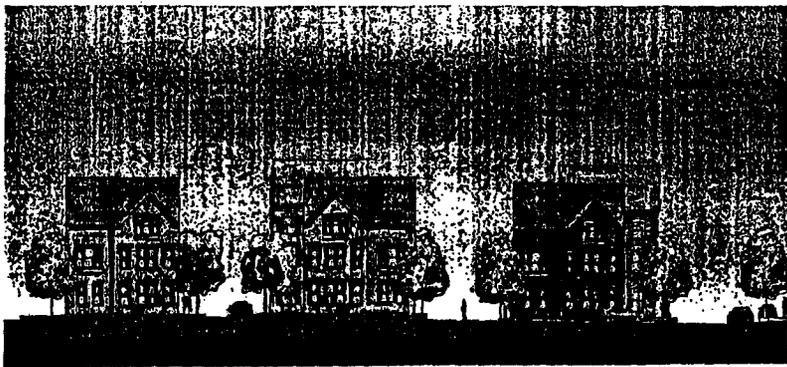
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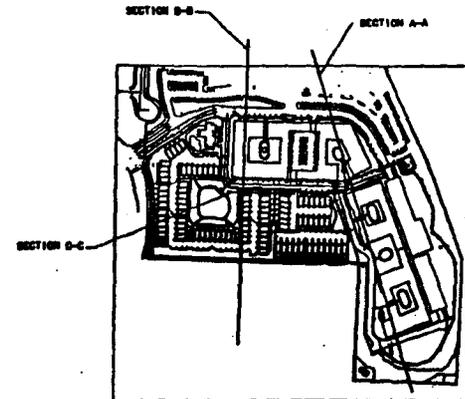
SECTION A-A



SECTION B-B



SECTION C-C



# THE RESERVE AT TYSONS CORNER

TYSONS CORNER VA

LINCOLN PROPERTY COMPANY



**ZAPS USER GENERATED REPORTS**  
**ZONING APPLICATION SUMMARY REPORT**  
**APPLICATION NUMBER: PCA 75-7 -004-02**

DECISION DATE: 3/15/2004

HEARING BODY: BOS

CRD: NO

MAGISTERIAL DISTRICT: PROVIDENCE

APPLICANT NAME LINCOLN PROPERTY COMPANY SOUTHWEST INC

STAFF COORDINATOR: CBELGI

ACTION: APPROVE

## DECISION SUMMARY:

APPROVED MARCH 15, 2004, MOTION BY SUPERVISOR SMYTH

## ZONING INFORMATION

## EXISTING ZONING

DISTRICT	AREA
I-3	33.74 ACRES
TOTAL	33.74 ACRES

## APPROVED AREA

DISTRICT	AREA
I-3	33.74 ACRES
TOTAL	33.74 ACRES

## TAX MAP NUMBERS

039-2- /01/ /0013-

## APPROVED ZONING DISTRICT DATA

ZONING DISTRICT: I-3

## APPROVED RESIDENTIAL DEVELOPMENT

LAND USE	DWELLING UNITS	LAND AREA	UNIT OF MEASURE	NO. OF UNITS
OFFC/GENRL				
TOTAL				

## APPROVED NON-RESIDENTIAL DEVELOPMENT

FLOOR AREA	UNIT OF MEASURE	LAND AREA	UNIT OF MEASURE	FAR
320,290.00	SQ FEET	14.71	ACRES	0.50
		14.71	ACRES	

## PROFFER INFORMATION

PROFFER STATEMENT DATE: 03-11-2004

ITEM	DUE DATE	TRIGGER NO.	TRIGGER EVENT	CONTRIB AMT	EXPIRATION DATE
PROFFERED PLANS	01-01-0001	0	N/A	\$0	01-01-0001
USE RESTRICTIONS	01-01-0001	0	N/A	\$0	01-01-0001
PREVIOUS PROFFERS REMAIN IN EFEC	01-01-0001	0	N/A	\$0	01-01-0001

## WAIVERS/MODIFICATIONS

## APPROVED WAIVERS/MODIFICATIONS

MODIFY STREETScape &amp; TRAIL REQUIREMENT

MODIFY TRANSITIONAL SCREENING REQUIREMENT

WAIVE 600 FT. PRIVATE STREET LENGTH REQUIREMENT

WAIVE BARRIER REQUIREMENT



Concurrent w/ RZ/FDP 2003-PP-008 PLEASE TYPE OR PRINT IN BLACK INK

COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

APPLICATION FOR ZONING MAP AMENDMENT

PROFFERED CONDITION AMENDMENT

APPLICATION NO.

PCA 75-7-114-2

(Assigned by Staff)

AMENDED

PETITION

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

I (We), Lincoln Property Company Southwest, Inc., the applicant(s), petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by reclassifying from the n/a District to the n/a District the property described below and outlined in red on the Zoning Section Sheet(s) accompanying and made a part of this application.

HC

PROPERTY DESCRIPTION

LEGAL DESCRIPTION:

See attached

Lot(s)	Block(s)	Subdivision	Deed Book	Page No.
<u>39-2</u>	<u>((1))</u>		<u>13</u>	<u>33.74 acres</u>

TAX MAP DESCRIPTION:

Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.	Total Area(Ac. or Sq.Ft.)

POSTAL ADDRESS OF PROPERTY: (If any)

7970-7981 Science Applications Court

ADVERTISING DESCRIPTION: (Ex. South of Rt. 236, 1000 feet west of Rt. 274)

East side of Gallows Road (Rte. 650) and Kidwell Drive (Rte. 736), on both sides of Science Applications Court.

PRESENT USE: Office

PROPOSED USE: Office

SUPERVISOR DISTRICT: Providence

The name(s) and address(es) of owner(s) of record shall be 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 representatives on official business to enter on the subject property as necessary to process the application.

Martin D. Walsh, attorney/agent, Walsh, Colucci, Eubel, & Terpak, P.C.

Type or Print Name of Applicant or Agent

[Signature]  
Signature of Applicant or Agent

2200 Clarendon Boulevard, 13th Floor, Arlington, Va 22201

Address

Telephone No.

None

703-528-4700

Work

IDS 02/04/03

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

Elizabeth Baker, 528-4700

PCA 2002-0712

DO NOT WRITE IN THIS SPACE

Date application received: \_\_\_\_\_

Application Fee Paid: \$ 2475.00

Date application accepted: 1/27/03

Form RZ (10/89)

Planning Commission Meeting  
March 4, 2004  
Verbatim Excerpt

RZ 2003-PR-008 - LINCOLN PROPERTY COMPANY SOUTHWEST, INC.  
FDP 2003-PR-008 - LINCOLN PROPERTY COMPANY SOUTHWEST, INC.  
PCA 75-7-004-2 - LINCOLN PROPERTY COMPANY SOUTHWEST, INC.

Decision Only During Commission Matters  
(Public Hearing was held on January 22, 2004)

Commissioner Lawrence: Mr. Chairman, I have a brief statement to make before introducing motions, with your permission.

Commissioner Alcorn: Mr. Chairman? Before Mr. Lawrence starts, is this on the Lincoln Property case?

Commissioner Lawrence: It is.

Commissioner Alcorn: I'd like to disclose that I am a former employee of Science Applications International Corporation, as is my wife, and we still both own stock in that company, so I will be recusing myself from this case. And I did miss the public hearing.

Vice Chairman Byers: Okay. Go ahead, Mr. Lawrence. The floor is yours.

Commissioner Lawrence: Thank you, Mr. Chairman. First, I want to acknowledge the work of all parties involved in this application. In particular, Cathy Belgin of County staff has provided unflagging support through an intense process. The applicants, and especially Elizabeth Baker, have engaged in a continuous and thorough dialog with the affected community. In turn, the various homeowners associations have given clear and complete views on their position and needs at each step, with results which I will discuss tonight. So I begin with many thanks to one and all. This application, in common with others now in process before this Commission, seeks approval for residential buildings including townhomes and apartments. However, two features set this application apart from others we examine: first, the residential use is proposed in place of previously approved office use for this site, and second, the site falls within the Tysons Corner Urban Center. While neither of these features is unique, their combination at this particular site generates certain opportunities that would not otherwise be available. The Comprehensive Plan for the Tysons Corner Urban Center was adopted in 1994. I have reviewed some of the files from the 1994 Planning Commission public hearing conducted on the plan. As might be expected, many of the names to be found in the file are different from those now on the brass plates in front of our seats. However, some are familiar ones. Mrs. Harsel, Mr. Murphy, and Mr. Byers were here then. Another person who was involved at the time provided testimony giving the consensus views of the Countywide Federation of Citizen Associations, one Mr. Gerald Connolly. In the decade since the plan was adopted, no changes for the land area involved in the application have taken place. The vision provides for mid-rise office use, with options for residential development at 8 to 12 or at 20 to 30 dwellings units per acre. At the time the Plan

was adopted, some office buildings were already on the site, and approval was given for more. The site is located at the southeastern edge of the Tysons Corner Urban Center. Just below it to the south is the Courts of Tysons complex, which also was already built at the time. That site, Land Area F-7, is the extreme southern parcel to be found within the Urban Center boundary along Gallows Road. To the north of the applicant site, just past the point where northbound Gallows traffic makes its left curve toward Old Courthouse Road, is Heritage Point. This complex is also within the Tysons Corner Urban Center, occupying a fairly small triangular parcel of land that was also called out in the Comprehensive Plan for residential use at 8 to 12 or 20 to 30 dwelling units per acre, and is built out in the 8 to 12 range. In general, the vision of the plan is for the Urban Center to have clearly defined edges, but for the non-core land areas at the edges to provide some transition from the more suburban communities surrounding the Center to the very intense "downtown" core. This vision is realized, for example, in the multi-family units along Magarity Road at the Urban Center's eastern boundary. The apartments provide a transition from the Center's inner parts to the single family neighborhoods outside the boundary. As another example, the increased density at Courts of Tysons, zoned for 20 dwelling units to the acre, provides a transition from the lower 8 to 12 density of Courthouse Station, further south on Gallows and just outside the Urban Center border. The Plan gives very clear guidance that stable residential communities adjacent to the Tysons Corner Urban Center edges should be protected from intrusive effects produced by the more urban intensities of the Center itself. The need for transitions in density to and from the Urban Center stems from this attribute of the Plan; so also does a transition in building height limits from the core to the edges of the Urban Center. Two main aspects of this application, which must be weighed in any decision about its merits, are its proposed density and its fulfillment of the need for transition. The two are related and are expressed in the proposed site design. Density above that of Courts of Tysons, and well above that of Heritage Point or of Merry Oaks across Gallows Road to the west, is proposed. The applicant chose the 20 to 30 range from the options provided in the Comprehensive Plan. Although this density can be viewed as a transition upward from the 20 per acre zoning of Courts of Tysons, it is markedly above that of its western and northern neighbors. Density is one of the main issues brought out at the public hearing for this application by the coalition of adjacent and nearby homeowner associations, and it remains an issue with them. Yet from the County viewpoint, higher density is exactly what is expected inside the boundaries of the Tysons Corner Urban Center. Further, this particular application proposes residential use. Higher residential density will put more people closer to the jobs and shopping to be found at Tysons. The Comprehensive Plan envisions at least 12,700 residential units to be built within the Center's bounds; at present only about 9,200 of those planned units are in place or approved. Other considerations aside, the choice of the 20 to 30 range will provide more movement toward the residential goals than the choice of the 8 to 12 range for this site. For the County as a whole, this is a positive choice. But other considerations cannot be arbitrarily set aside. There remains the transition aspect. There is also the inevitable impact of higher density on public facilities and infrastructure. These are major items in the overall assessment of the proposal. They also were brought out in the public hearing. Since the hearing, the applicant and the community have been in close contact and at work on the issues. Some significant changes in the proposal have occurred. Commissioners received new proffers at the February 19 meeting, reflecting many of

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the changes. This evening we have the benefit of staff analysis on those changes, as well as the most recent proffers from the applicant, and I will detail some of the changes that have been made in this application. As first proposed, the site was to have some 736 dwelling units. In the course of review, this was reduced to 640 units at the time of the public hearing. Since then, the density has been further reduced to the present figure of 574 units. The applicant has come, in the most recent change, from 33.6 dwelling units per acre to 30.15 per acre, now just barely above the 20 to 30 range given in the Plan, and within it if the number of affordable dwelling units, 31 in this case, is not added in. The community felt that in addition to the pure density issue, the proposal was inconsistent with the character and nature of neighboring communities. In particular, there was a 7 story building at the northeast corner of the site that posed a problem. The applicant has removed that building from the plan. Townhouses now face townhouses along the whole of the Gallows Road portion of the site. They provide a transition to the apartments at the back of the site along the Beltway. There is a part of the site where -- as soon as I can turn the page -- apartments face single family detached units at the southeast corner. But at this corner it is over 200 feet from the apartments to the nearest home, with a tree and vegetation buffer for screening. There is also a buffer between the townhomes on the site and those of Courts of Tysons to the south. Because of the density reduction, that buffer is now a minimum of 30 feet deep. Finally, Gallows Road itself separates the townhomes on the western border of the site from those of the Merry Oaks development. The community expressed strong concerns about traffic. Traffic congestion in our County is everywhere and Gallows Road is no exception. It is true that the proposed residential use will generate fewer trips per day than the approved office use. Nevertheless, traffic from the site will have its impact. If higher density residential is to succeed at this site, it must have a strong Traffic Demand Management program. The applicant has proffered to provide a program which will achieve the County's platinum rating. The program includes elements such as facilities for telecommuting and provision of a concierge service on-site to reduce the need for trips to the dry cleaners, the pharmacy, and so forth. Within this program, there will be repeated measures to determine whether the overall Tysons Corner Urban Center mode split of 20 percent trip reduction is being achieved and, if not, what can be done to achieve it. Among the elements that may be brought into play is one that is unique to this site. Since the office buildings at the north end of the land area will remain, the possibility of instituting a "preferred employer" program with cost incentives for people who work at the office to live on the site is available and is included in the TDM program. Other elements are, for example, coordinating information on ridesharing, carpooling, and vanpools within the site and with the surrounding neighbors. As a very direct TDM measure, the applicant proffers for a shuttle to the Dunn Loring Metro Center with service to meet peak hour demands.

Another significant concern in the community was the question of impact on the schools. While the applicant's reduction in density will correspondingly reduce the number of students generated by the site, that reduction alone will not materially affect or resolve the school overcrowding problem. That problem is not within our power to address in this process.

The community is concerned about parking. The applicant has proffered for an arrangement for residents of the proposed development to use at least 150 existing on-site office parking spaces outside business hours, to allow for overflow parking, as detailed in their Proffer Number 47.

In the area of water drainage, the applicant is addressing a problem in the Courts of Tysons complex, and also undertaking to improve the situation at Tysons Executive Village. Proffers Numbers 27 and 28 detail this intention. The overall stormwater management design will also be evaluated at the time of zoning.

The community has asked for a 4-foot tree buffer between Gallows Road and the development, and for a 20-foot setback of greenspace before the first line of buildings on the site. Along Gallows Road, the developer is generally following the Tysons Corner Urban Center non-core guidelines in the design of the streetscape. A modification is requested to allow an 8-foot asphalt trail rather than the more usual concrete sidewalk. The applicant's drawings show a 10-foot green strip from the curb to the asphalt trail sidewalk, and trees -- planted every 50 feet with shade trees which will grow tall enough to walk under and from trail to townhomes another 20 feet of green, again planted with shade trees in twice the number shown in the guidelines, so as to preserve the shaded walkway after the widening of Gallows Road.

The community has asked for additional active recreation facilities on the site including, for example, tennis courts, soccer fields, and open parkland. The applicant's proposal falls somewhat short in this area. The applicant has provided for open space in the form of courtyards and a common green, and for exercise in a swimming pool and through walking, jogging, and anaerobics at outdoor exercise stations and an indoor fitness room. The applicant has proffered to provide a fund for the recreation facilities using the sum of \$955 per dwelling unit, with any remainder after they are developed going to the County Park Authority. Although there are no large outdoor playing courts or fields provided, the applicant has in the most recent changes proffered for an indoor space to play half-court basketball and other sports.

The community has asked for services such as a dry cleaners and a convenience store. The purpose here is to help keep residents from their vehicles by making such services available on-site. The applicant proffers for a concierge service for residents, with pickup facilities for groceries, pharmacy, dry cleaning, and the like, as an element of the overall TDM program.

There are other community concerns that may not be within the scope of this discussion but are nevertheless worth mentioning here. For example, the community points out that sidewalks need to extend not only within and across the present site, but also must be continuous from this neighborhood to the core area of Tysons itself, if pedestrians are to be encouraged, and they must be safe to use. This should certainly be done for all the pedestrian entrances to the Tysons Corner Urban Center core area.

Also related to pedestrians, it is a matter of my own interest here that VDOT is in control of the light timing on Gallows Road, including the crossing time for pedestrians. If we are to get people to use the bus, they must be able to get safely to the southbound bus stop on Gallows. This means crossing four traffic lanes, planned to be widened to six. It takes many seconds for a person walking briskly to do that. I know that because I did it several times. Imagine the time needed for a young mother pushing a stroller and leading another small child, or for a more

elderly person, to make that crossing in the rain or with a slushy winter road. The applicant has proffered for a center refuge at the crossing, if VDOT approves it, and will work with VDOT on the timing for pedestrians. The applicant also proffers for a "countdown" type pedestrian crossing signal, which should help.

Mr. Chairman, not all of the community concerns are met in this proposal. The coalition of homeowner associations remains opposed to the application. The applicant has come a long way indeed in meeting the concerns. Nevertheless, there are shortcomings here. But on balance, this application gives us what the comprehensive master plan for the Tysons Corner Urban Center seeks to achieve, an urban design, with transition to its more suburban neighbors, that will concentrate residential units close to the Tysons core.

Mr. Chairman, I'm nearly ready to present motions on this application, but I need to ask the applicant's representative a question or two. There are some proffer changes that are taking place today.

Vice Chairman Byers: Well, I would just say you started out saying you had a brief statement to make. We look forward to your lengthy statements.

Commissioner Lawrence: Thank you, sir. I'll keep that in mind.

Vice Chairman Byers: Ms. Baker, will you come forward please and identify yourself?

Elizabeth Baker: My name is Elizabeth and I am a planner with Walsh, Colucci.

Commissioner Lawrence: Ms. Baker, I wonder if I could ask you a couple of questions about the proffers? We have in the Traffic Demand Management plan some changes from the group of strategies to be included under those that "may include the following" to move some to the "shall include the following." And those are a "sidewalk system designed to encourage and facilitate pedestrian circulation" and "participation in a shuttle service as outlined in Proffer 13," and then finally a change in wording in "instituting a Preferred Employer" program which simply says "to encourage SAIC employees to live on the application property." Do you agree to those?

Ms. Baker: Yes, that's no problem. I'll make those changes.

Commissioner Lawrence: And there is one other change which has happened just today. It refers to the affordable dwelling units. Will you please elucidate on that change?

Ms. Baker: Sure. You asked us to look into providing some fully handicapped prepared ADU units within the 31 that we are going to be providing on the site. So we have considered that and that's not a problem. We're happy to change Proffer 38 to make sure it is stated that two of them will be fully handicapped. And that would be one one-bedroom and one of the two-bedroom units. So I will make that change as well.

Commissioner Lawrence: Thank you, Ms. Baker.

Ms. Baker: Thank you.

Commissioner Lawrence: That's what I had on proffer changes at the last minute. Now I'm ready to move. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 75-7-004-2, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN ATTACHMENT 1A OF THE STAFF REPORT ADDENDUM AS AMENDED TONIGHT.

Commissioner Lusk: Second.

Vice Chairman Byers: Seconded by Mr. Lusk. Any discussion?

Commissioner Harsel: Mr. Chairman?

Vice Chairman Byers: Ms. Harsel.

Commissioner Harsel: Concerning the TDM, Mr. Lawrence, what are you going to do with your \$40 per occupied dwelling unit? It says that if you do not meet your split survey, or if you are not reduced by 20 percent, "\$40 per occupied dwelling unit shall be contributed annually to a TDM fund for the application property until such time...." -- so you are building this fund, what's going to happen with this \$40 per unit?

Commissioner Lawrence: Yes, ma'am. The \$40 will go to, at least in part, to defray the cost of additional marketing for the TDM program. For example, additional marketing might include, besides having a website for the program, some more personal contact with residents to advise them of the program's existence and what is happening with it. In other words, that provides some dollars, not that many, but 40 per occupied unit to increase the leverage of the program. If a new element comes into play as one of the ways to make the 20 percent, then that new element needs to be marketed. For example, if we get into the Preferred Employer Program, then that program needs to be marketed to SAIC employees and the \$40 would help to defray those kinds of costs.

Commissioner Harsel: So it's not going to do anything toward buying a shuttle bus to take people up to Tysons Corner, or if people start to work with SAIC and they get reassigned to the SAIC office down in Arlington, they are not going to provide subway tokens or --

Commissioner Lawrence: It could.

Commissioner Harsel: Well it doesn't say that. It just says that you are going to -- it doesn't say what's going to happen with it. That was my confusion.

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Commissioner Lawrence: Mr. Chairman, I have a series of motions on modifications and waivers. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING WAIVERS AND MODIFICATIONS. THE FIRST ONE, A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE SOUTHEASTERN AND SOUTHERN BOUNDARIES IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Lusk: Second.

Vice Chairman Byers: Seconded by Mr. Lusk. Any discussion? All in favor of the motion to recommend the Board approve a modification of the screening requirements, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed?

Commissioner Harsel: Abstain.

Vice Chairman Byers: Ms. Harsel abstains. Mr. Lawrence. And the motion passes.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF a waiver of the barrier requirement along -- whoops, I just did that one -- A MODIFICATION OF THE NON-CORE STREETSCAPE DESIGN ALONG GALLOWS ROAD FOR THE TYSONS URBAN CENTER IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioners Koch and Lusk: Second.

Vice Chairman Byers: Seconded by Mr. Koch and Mr. Lusk. Any discussion? All in favor of that motion to recommend the Board approve a waiver of the barrier requirements and modification of non-core streetscape design, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed?

Commissioner Harsel: Abstain.

Vice Chairman Byers: Ms. Harsel abstains. Mr. Lawrence.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF THE 200 SQUARE FOOT PRIVACY YARD REQUIREMENT FOR SINGLE FAMILY ATTACHED DWELLINGS.

Commissioner Lusk: Second.

Vice Chairman Byers: Seconded by Mr. Lusk. Any discussion? All in favor of the motion to recommend the Board approve a waiver of the 200 square foot privacy yard requirement, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed?

Commissioner Harsel: Abstain.

Vice Chairman Byers: Ms. Harsel abstains. Mr. Lawrence.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE LOADING SPACE REQUIREMENT FOR MULTI-FAMILY DWELLINGS IN FAVOR OF ONE LOADING SPACE PROVIDED FOR EACH OF THE TWO BUILDINGS, TWO TOTAL SPACES.

Commissioner Lusk: Second.

Vice Chairman Byers: Seconded by Mr. Lusk. Any discussion? All in favor of that motion to recommend the Board approve a modification of the loading space requirement, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed?

Commissioner Harsel: I abstain.

Vice Chairman Byers: Ms. Harsel abstains.

Commissioner Lawrence: Finally, Mr. Chairman, I move that the Planning Commission approve FDP 2003-PR-0 -- I'm sorry -- I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE 600 FOOT MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner Lusk: Second.

Vice Chairman Byers: Seconded by Mr. Lusk. Did you put two motions together there?

Commissioner Lawrence: I don't think so. I didn't read it properly. May I read it again?

Vice Chairman Byers: You wanted to make a motion -- you wanted the Board to approve a modification of a 600 foot private road --

Commissioner Lawrence: A waiver of the 600 foot maximum length.

Vice Chairman Byers: All right. Any discussion? All in favor of that motion, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed?

Commissioner Harsel: Abstain.

Vice Chairman Byers: Ms. Harsel abstains. Motion passes. You have one more, I believe.

Leslie Johnson: Mr. Chairman?

Vice Chairman Byers: Have the FDP?

Commissioner Lawrence: I did that as the third motion.

Ms. Johnson: I didn't hear it.

Vice Chairman Byers: I didn't either. I'm checking them off here.

Commissioner Harsel: I did and I abstained.

Vice Chairman Byers: All right.

Commissioner Lawrence: Abstention sharpens the senses.

Vice Chairman Byers: All right. Thank you very much.

//

(Each motion carried by a vote of 7-0-1 with Commissioner Harsel abstaining; Commissioner Alcorn not present for the vote; Commissioners Hall, Murphy, and Wilson absent from the meeting.)

LBR