



# FAIRFAX COUNTY

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

V I R G I N I A

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May 26, 1999

Jonathan P. Rak, Esquire  
Wilkes, Artis, Hedrick and Lane, Ctd.  
11320 Random Hills Road - Suite 600  
Fairfax, Virginia 22030-6042

RE: Proffered Condition Amendment  
Number PCA 80-C-086  
(Concurrent with RZ 1998-HM-063  
and PCA 83-C-069)

Dear Mr. Rak:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on May 10, 1999 approving Proffered Condition Amendment PCA 80-C-086, in the name of Boston Properties Limited Partnership and Westerra Reston, LLC, subject to the proffers dated April 14, 1999, on subject parcel 16-4 ((1)) Pt. 16A1 and Pt. 16B, consisting of approximately 12.42 acres located in Hunter Mill District.

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

PCA 80-C-086  
May 26, 1999

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cc: Chairman Katherine K. Hanley  
Supervisor - Hunter Mill District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Fred R. Beales, Supervisor Base Property, Mapping/Overlay  
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation  
Ellen Gallagher, Project Planning Section, Dept. of Transportation  
Michelle Brickner, Deputy Director, DPW&ES  
DPW&ES - Bonds & Agreements  
Frank Edwards, Department of Highways - VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner  
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING  
JUL 16 1999  
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 10th day of May, 1999, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROFFERED CONDITION AMENDMENT PCA 80-C-086  
(CONCURRENT WITH PCA 83-C-069 AND RZ 1998-HM-063)

WHEREAS, Boston Properties Limited Partnership and Westerra Reston, LLC filed in the proper form an application requesting amendment to the plan of a certain parcel of land, 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 10<sup>th</sup> day of May, 1999.



Nancy Vehrs

Clerk to the Board of Supervisors



# Urban Engineering & Associates, Inc.

7712 LITTLE RIVER TURNPIKE  
ANNANDALE, VIRGINIA 22003

Tel: (703) 642-8080  
Fax: (703) 642-8251

J. EDGAR SEARS, JR., P.E., C.L.S., R.L.A.  
Principal  
BARRY B. SMITH, P.E.  
Principal  
ERIC S. SIEGEL, P.E.  
Principal

PHILIP A. BLEVINS, C.L.S.  
Associate  
JEFFREY L. GILLILAND, P.E.  
Associate  
DAVID T. McELHANEY, P.E.  
Associate

## DESCRIPTION OF A PORTION OF SECTION 912, RESTON ZONED I-4

Beginning at a point on the easterly right-of-way of Monroe Street, Route 666, width varies, said point being a southwesterly corner of the property of the Fairfax County Board of Supervisors as acquired in Deed Book 9265 at Page 199; thence running with the southerly line of said Board of Supervisors

South 62°08'37" East, 1,218.26 feet (371.327 meters) to a point; thence departing said Board of Supervisors and running

South 27°11'11" West, 568.65 feet (173.325 meters) to a point; thence

North 72°32'49" West, 1,288.42 feet (392.712 meters) to a point on the easterly right-of-way of said Monroe Street, said point being a northwesterly corner to the property of Westerra Reston, LLC as acquired in Deed Book 9881 at Page 1645 and Deed Book 9881 at Page 1672; thence running with said Monroe Street

North 26°49'11" East, 347.77 feet (105.994 meters) to a point; thence

North 42°08'32" East, 73.33 feet (22.351 meters) to a point; thence

North 51°13'05" East, 92.15 feet (28.087 meters) to a point; thence

North 34°52'25" East, 118.99 feet (36.265 meters) to a point; thence

North 28°13'18" East, 92.36 feet (28.151 meters) to a point; thence

North 14°16'23" East, 90.00 feet (27.429 meters) to the point of beginning, containing 847,423 square feet or 19.45415 acres (78,728.2 square meters or 7.87282 hectares).

This is a description of the property known as Tax Map 16-4-((1))-Parcel 16A prior to consolidation and subdivision of Section 912, Reston as recorded in Deed Book 10217 at Page 1 and corrected in Deed Book 10309 at Page 1386 and prior to subdivision of Block 1, Section 912 as recorded in Deed Book 10334 at Page 352.







F A I R F A X C O U N T Y

BOARD OF SUPERVISORS ACTION  
ZONING MAP AMENDMENT  
DATE OF ACTION 05/10/99

APPLICATION NUMBER: PCA 80-C-086

HUNTER MILL DISTRICT

APPLICANT: BOSTON PROPERTIES LP AND WESTERRA RESTON

STAFF: RUSS

APPLICATION DATA

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EXISTING ZONING AND ACREAGE

ZONING: I- 4

ACRES: 12.42

PROPOSAL DISTRICT:

ACTION:

I- 4  
12.42

APPROVE  
12.42

TOTAL ACRES

TOTAL ACRES

12.42

12.42

MAP NUMBERS

016-4- /01/ /0016-A P,0016-B P

REMARKS:

DELETE 11.35 ACRES FROM 12.42 ACRES TO BE INCLUDED IN RZ/FDP 1998-HM-063

ZONING MAP AMENDMENT

PCA 80-C-086

ZONING DISTRICT DATA

ZONING DISTRICT: I- 4

PROFFERED/CONDITIONED DWELLING UNIT DATA

TYPES	UNITS	ACRES	DENSITY	RANGE	LOMOD INCL	LOMOD ADD
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PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

USE	GFA	FAR	USE	GFA	FAR
-----	-----	-----	-----	-----	-----

COMMERICAL-GEN			PUBLIC/QUASI PUB		
HOTEL/MOTEL			OFFICE		
INDUSTRIAL-GEN			TRAN-UTIL-COMM		
CULT/EDU/RELG/ENT			RETAIL-EATING EST		
INDUST-WAREHOUSE			*****TOTAL*****		

REMARKS:

ZONING MAP AMENDMENT

PCA 80-C-086

CONDITION/CONTRIBUTION DATA

COND		COND
CODE DESCRIPTION		CODE DESCRIPTION
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7A OTHER MISCELLANEOUS - SEE FILE

CONTRIB DATA:	CND CODE	AMOUNT	CONDITIONED	EXPIRES	CONTRIB CODE
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	

REMARKS:

PREVIOUS PROFFERS IN EFFECT WITH THE DELETION OF NUMBERS 4 AND 6

5/10/99

4:30 p.m. Items - RZ-1998-HM-063 - WESTERRA RESTON, L.L.C.  
PCA-80-C-086 - BOSTON PROPERTIES LTD. PARTNERSHIP  
AND WESTERRA RESTON, L.L.C.  
PCA-83-C-069 - BOSTON PROPERTIES LTD. PARTNERSHIP  
AND WESTERRA RESTON, L.L.C.  
Hunter Mill District

On Wednesday, April 28, 1999, the Planning Commission voted unanimously (Commissioners Downer, Koch and Wilson absent from the meeting) to recommend the following actions to the Board of Supervisors pertinent to the subject applications:

- 1) approval of PCA-80-C-086, subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report;
- 2) approval of PCA-83-C-069, subject to the execution of proffers consistent with those contained in Appendix 1B of the staff report;
- 3) approval of RZ-1998-HM-063 and the conceptual development plan, subject to the execution of proffers consistent with those contained in Appendix 1C of the staff report, and Board approval of PCA-80-C-086 and PCA-83-C-069;
- 4) modification of the transitional screening requirement along Sunrise Valley Drive in favor of that shown on the CDP/FDP and as further described in the proposed proffers;
- 5) waiver of the barrier requirement along Sunrise Valley Drive.

The Commission also voted unanimously (Commissioners Downer, Koch and Wilson absent from the meeting) to approve FDP-1998-HM-063, subject to the development conditions set forth in Appendix 2 of the staff report and contingent upon the Board's approval of RZ-1998-HM-063.

Planning Commission Meeting  
April 28, 1999  
Verbatim Excerpts

RZ-1998-HM-063 - WESTERRA RESTON, L.L.C.

FDP-1998-HM-063 - WESTERRA RESTON, L.L.C.

PCA-80-C-086 - BOSTON PROPERTIES LTD. PARTNERSHIP AND WESTERRA RESTON, L.L.C.

PCA-83-C-069 - BOSTON PROPERTIES LTD. PARTNERSHIP AND WESTERRA RESTON, L.L.C.

After Close of the Public Hearing

Chairman Murphy: The public hearing is closed; recognize Mr. Palatiello.

Commissioner Palatiello: Thank you, Mr. Chairman. As Mr. Rak indicated, this is in effect a downzoning of this property. It does preserve the wonderful manmade wetlands area. If any members of the Commission have not been out to walk that park and see it, I would invite you to come out and be happy to take you around. And I'm sure Mr. Williamson would as well. It truly is extraordinary. It has not only, as Mr. Alcorn indicated, become somewhat of a wildlife habitat, but also a very unique engineering feat. And I believe there have been some awards bestowed upon Westerra, and, I believe, was CH2M Hill not the engineer on that? And it is a very effective manmade wetlands creation and preservation area. This application is to amend the proffers, file a Final Development Plan and rezone a small portion for these office buildings. It is not in the history in the staff report, but my recollection is that a number of years ago, I think probably about six years ago now, there was an APR nomination on this site. And the intent at that time was to put some senior housing on this particular site and I opposed that for two reasons. One was the folks in Polo Fields were opposed. They at this point do not favor any type of mixed used on this particular site. They have a pretty unique situation in that, with the office uses, the traffic that's generated -- the activity there, is basically when these folks are at work themselves. And in the evening and on the weekends this is a relatively stable, quiet area, and they did not want to see the introduction of housing north of Sunrise Valley. Additionally, I personally thought that this area was a little bit too remote for senior housing -- a little too far from the hospital, too far from doctors, too far from shopping, and the residents would have been solely dependent on some sort of van service to get them literally anywhere they wanted to go. What was then Reston Land Corporation, I guess, reluctantly agreed with my conclusion, but I'm pleased and I think we end up with a much better product as a result of that. For the record again, in regard to the letter that we received, the wetlands area, the park, is being preserved. This is part of that entire area in terms of the boundaries of the parcels, but no part of the park or wetlands area will be disturbed or changed as a result of this. With that, Mr. Chairman, I would like to thank Mr. Rak for his cooperation. This does have the support of the Planning and Zoning Committee of the Reston Citizens Association, and I would **MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-80-C-086, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.**

Commissioners Thomas and Byers: Second.

RZ-1998-HM-063, FDP-1998-HM-063, PCA-80-C-086 and PCA-83-C-069

Chairman Murphy: Seconded by Mr. Thomas and Mr. Byers. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA-80-C-086, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Palatiello.

Commissioner Palatiello: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-83-C-069, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX IB OF THE STAFF REPORT.

Commissioners Byers and Thomas: Second.

Chairman Murphy: Seconded by Mr. Byers and Mr. Thomas. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA-83-c-069, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Palatiello.

Commissioner Palatiello: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-1998-HM-063 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1C OF THE STAFF REPORT, AND SUBJECT TO THE BOARD'S APPROVAL OF PCA-77-C-098-3 (sic), PCA-80-C-028-4 (sic) AND PCA-83-C-031-1 (sic).

Commissioners Thomas and Byers: Second.

Chairman Murphy: Seconded by Mr. Thomas and Mr. Byers. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-1998-HM-063, subject to the Board's approvals of the accompanying PCAs, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Where did 031-1 come from? Mr. Russ? Where did that other PCA come in -- the 83-C-031-1?

Mr. Gregory Russ: It's a misprint.

RZ-1998-HM-063, FDP-1998-HM-063, PCA-80-C-086 and PCA-83-C-069

Commissioner Palatiello: Okay. And the FDP ends with us, correct? So that I would MOVE THAT THE PLANNING COMMISSION APPROVE FDP-1998-HM-063, SUBJECT TO THE DEVELOPMENT CONDITIONS SET FORTH IN APPENDIX 2 AND CONTINGENT UPON THE BOARD'S APPROVAL OF RZ-1998-HM-063.

Commissioners Thomas and Byers: Second.

Chairman Murphy: Seconded by Mr. Thomas and Mr. Byers. Is there a discussion of the motion? All those in favor of the motion to approve FDP-1998-HM-063, subject to the Board's approval of the rezoning, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Palatiello: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG SUNRISE VALLEY DRIVE IN FAVOR OF THAT SHOWN ON THE CDP/FDP AND AS FURTHER DESCRIBED IN THE PROPOSED PROFFERS.

Commissioners Byers and Thomas: Second.

Chairman Murphy: Seconded by Mr. Byers and Mr. Thomas. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Palatiello: And finally, Mr. Chairman, I would MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE BARRIER REQUIREMENT ALSO ALONG SUNRISE VALLEY DRIVE.

Commissioners Byers and Thomas: Second.

Chairman Murphy: Seconded by Mr. Byers and Mr. Thomas. Discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motions carried unanimously with Commissioners Downer, Koch and Wilson absent from the meeting.)

LBG

**PROFFER STATEMENT**

**PCA 80-C-086**

**April 14, 1999**

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, the property owners and applicants for themselves and their successors and/or assigns (hereinafter "Applicants") in this rezoning, proffer that the development of the parcel under consideration and shown on Fairfax County Tax Map Reference 16-4 ((1)) part of parcel 16B (formerly Tax Map Reference 16-4 ((1)) part of parcel 14A) (hereinafter the "Property") will be in accordance with the following conditions, subject to the approval of this proffer condition amendment application. Except as expressly amended below, the proffers accepted with RZ 80-C-086 dated March 4, 1981, remain in full force and effect. The March 4, 1981, proffers are hereby revised as follows:

1. Delete proffer number 4.
2. Delete proffer number 6.

Title Owner, Lot 16-4 ((1)) part of parcel 16B  
Boston Properties Limited Partnership  
By: Boston Properties Inc., its General Partner

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

NAME: Raymond A. Ritchey

TITLE: Executive Vice President

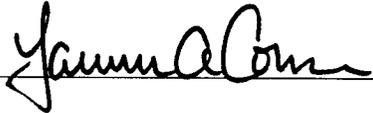
**PROFFER STATEMENT**  
**PCA 80-C-086**  
**April 14, 1999**

Signatures Continued:

Title Owner, Lot 16-4 ((1)) part of parcel 14A  
Westerra Reston, L.L.C.



BY:

  
\_\_\_\_\_

NAME: Lawrence A. Corson

TITLE: Vice President