

## **PROPOSED DEVELOPMENT CONDITIONS**

Revised May 1, 2002

FDPA 84-D-049-7

If it is the intent of the Planning Commission to approve Final Development Plan Amendment FDPA 84-D-049-7 for mixed use development on property located at Tax Map 29-4 ((10)) 2A2, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

1. The development of Building F, Tysons II, shall be in substantial conformance with the plan entitled, Tysons II, A Portion of Sector I – Building F, which was prepared by Dewberry & Davis LLC and is dated August 20, 2001 as revised through April 29, 2002. The gross floor area of Building F as depicted on the plan shall not exceed 296,715 square feet, as gross floor area is currently defined in the Zoning Ordinance, exclusive of any cellar. Evidence satisfactory to DPWES and the Zoning Administrator shall be provided to demonstrate that the lowest level of Building F (elevation 442) constitutes a cellar as currently defined in the Zoning Ordinance.
2. The walkway through the parking garage between the lobby level plaza (elevation 460) and the access road adjacent to the retail center located at Tax Map 29-4 ((10)) 1-C-1 shall be a minimum of five (5) feet in width and shall include the following elements: a minimum three foot tall barrier (such as bollards or a horizontal pipe rail) between the parking spaces and the pedestrian walkway; the walkway shall be differentiated from the driving surface; the walkway shall be a different pavement type from the drive aisles/parking spaces or painted to be clearly distinguishable; signage shall be provided to require that vehicular traffic stop for pedestrians in the walkway; and security shall be provided for the walkway and garage consistent with sound property management principals.
3. The ground (elevation 442) and lobby (elevation 460) levels shall be designed and constructed to accommodate 'retail type uses' such as, but not limited to support services such as concierge services, financial institutions, eating establishments, fast food restaurants and quick service food stores (as qualified by Proffer Number 4 of PCA 84-D-049-2), business service and supply establishments, personal service establishments, health clubs, news stands or other retail sales establishments as defined by the Zoning Ordinance. Designed and constructed shall be deemed to include the following features: a service elevator between the ground level and the lobby level; 16 foot high ceilings; glass storefront panels; and, separate entrances to the individual 'retail type uses' that front onto Tysons Boulevard.

A minimum of 4800 square feet of gross floor area on either of these two levels shall be devoted to these 'retail type uses' in Building F. Further, the area devoted to outdoor seating for an eating establishment may be used to satisfy a portion of the required 4800 square feet. If outdoor seating for a fast food restaurant is allowed pursuant to a future proffered condition amendment application, such seating may also be used to satisfy a portion of the 4800 square feet.

This space shall not be converted to uses that do not meet the provisions of this condition except as follows in this paragraph. The 'retail type uses' may be relocated to buildings within Sectors II, III or IV of Tysons II as shown on the approved Conceptual/Final Development Plan for Tysons II. Until such time as all or a portion of the 4800 square feet of 'retail type uses' are provided in Building F or elsewhere, 4800 square feet of space within Building F shall be reserved or used for 'retail type uses'.

This condition shall not preclude the applicant from obtaining permits, including Non-RUPS, for spaces other than the required 4800 square feet of 'retail type uses' in the building, unless provided elsewhere in Sectors II, III or IV.

4. The crosswalk shown on the FDPA at the entrance into the site from Galleria Drive shall be made of brick pavers or a stamped and colored paving treatment. In addition, a crosswalk shall be established across the existing entrance into the parking garage on Tysons Boulevard. This crosswalk shall be the same design as the crosswalk across the entrance into the site from Galleria Drive.
5. The sidewalks along Galleria Drive and Tysons Boulevard shall be a minimum of six (6) feet in width.
6. The covered walkway connectors from Building F extending across the drive aisle from Tysons Boulevard along the Building E garage to the existing covered walkways behind Building E shall be constructed at the same time as Building F and shall be available for use prior to the issuance of the first Non-RUP for the occupancy of office space in the building. The covered walkway connectors from Building F extending along the Building F garage to the "Future Pedestrian Bridge" over Galleria Drive need not be bonded or constructed until such time as such Future Pedestrian Bridge is constructed.
7. Notwithstanding the provisions of Note 12 on the FDP, materials similar to those shown on Sheet 6 shall be utilized in the construction of Building F and the associated parking garage.

8. The three rectangular boxes, shown on the western edge of the stabilized emergency vehicle access lane on Sheet 8, Landscape Plan, shall include seating along the length of each rectangular box.
9. Notwithstanding that Sheets 4 and 5 show that the island in the middle of the motor court at the lobby level (elevation 460) is to include "Possible Planter Boxes", the island shall be developed in accordance with the features shown on Sheet 8, Landscape Plan.
10. A copy of each submission of the site plan for Building F shall be submitted to the Providence District Planning Commissioner for review and comment.