



FAIRFAX COUNTY

Planning File CP 86-C-121-2
OFFICE OF COMPREHENSIVE PLANNING
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

(703) 324-1290

Fax (703) 324-3924

V I R G I N I A

March 2, 1998

Mr. John J. Bellaschi
McGuire, Woods, Battle & Boothe
8280 Greensboro Drive, Suite 900
McLean, Va. 22102-3892

Re: Interpretation for CP 86-C-121-2, The Spectrum at Reston Town Center, Revocation of Parking Reduction

Dear Mr. Bellaschi:

This is in response to your letter of October 9, 1997, requesting information on how to proceed with a potential revocation of the parking reduction approved on January 22, 1996, by the Board of Supervisors for the Spectrum at Reston Town Center approved under Conceptual Plan CP 86-C-121-2. A copy of the above referenced letter and a reduction of the plan are attached.

Building C of the Reston Spectrum Center has been constructed as two stories. As noted on the Conceptual Plan, a parking reduction was required in order to lease and occupy the second floor of Building C. You now indicate that you do not intend to use the second floor and do not wish to implement the parking reduction.

Should you elect to not implement the approved parking reduction for the Spectrum, you will be required to park the approved uses in accordance with the parking requirements of the Zoning Ordinance. However, the revocation of the parking reduction is not a zoning issue. The procedures for revocation of the approved parking reduction should be requested from the Department of Environmental Management. I would anticipate that such procedures would probably entail revision of the approved site plan and the provision of a legally binding commitment that the second story of Building C will not be leased or occupied.

If you have any questions please call Lisa Feibelman at (703) 324-1290.

Sincerely,

Barbara A. Byron, Director
Zoning Evaluation Division

Attachments: A/S

cc: Robert B. Dix, Jr., Supervisor, Hunter Mill District
John M. Palatiello, Planning Commissioner, Hunter Mill District
Jane W. Gwinn, Zoning Administrator, Office of Comprehensive Planning (OCP)
Karen Harwood, Senior Assistant County Attorney
Edward J. Jankiewicz, Director, Design Review Division, DEM
Angela Rodeheaver, Section Chief for Site Analysis, OT
Bonds and Agreements Branch, DRD, DEM
File: CP 86-C-121-2; PI 9710 0130

**McGUIREWOODS
BATTLE & BOOTHE LLP**

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John J. Bellaschi
Attorney at Law
Direct Dial: (703) 712-5416
Internet\ e-mail: jjbellas@mwbbl.com

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

OCT 10 1997

ZONING EVALUATION DIVISION

October 9, 1997

Via Hand-Delivery

Mr. Kevin Geinaw
Office of Comprehensive Planning
12055 Government Center Parkway
Suite 730
Fairfax, Virginia 22035

Ms. Karen Harwood
Office of County Attorney
12000 Government Center Parkway
Suite 549
Fairfax, Virginia 22035

Re: Revocation of Parking Reduction Approval -
The Spectrum at Reston Town Center -
Reston Spectrum Limited Partnership -
Tax Map #17-1-001-3K (Reston Section 91) -
Parking Study 7842-PS-01-2

Dear Mr. Geinaw and Ms. Harwood:

On behalf of Reston Spectrum Limited Partnership, McGuire Woods seeks to revoke the above-referenced previously approved parking reduction. Tony Calabrese requested that I contact the two of you to find out how you want us to proceed to achieve this revocation.

The above-referenced parking reduction was approved by the Board of Supervisors on January 22, 1996 (see enclosure). This parking reduction approval (the "Parking Reduction Approval") allows for a 6.8% parking reduction for Section 91 of The Spectrum at Reston Town Center ("The Spectrum").

Reston Spectrum Limited Partnership seeks to revoke the Parking Reduction Approval because The Spectrum has been built-out in compliance with the County Code's standard parking requirements without a parking reduction. Reston Spectrum Limited Partnership has decided that it will continue to operate the Spectrum without

Mr. Geinaw and Ms. Harwood
Page 2

a parking reduction in the future as well. Therefore, the Parking Reduction Approval is no longer appropriate and should be revoked. Of course, The Spectrum will continue to operate in compliance with both the County Code's standard parking requirements and the approved site plan.

We look forward to hearing from you regarding how we should proceed to achieve this revocation of the Parking Reduction Approval. You can reach me directly at (703) 712-5416.

Sincerely yours,



John J. Bellaschi

Enclosure

cc: The Honorable Robert Dix, Supervisor
Ms. Joan DuBois, Supervisor Dix's Office
Mr. John Palatiello, Planning Commissioner

Memo to the Board
January 22, 1996

ACTION -

PARKING REDUCTION FOR THE SPECTRUM AT RESTON TOWN CENTER (HUNTER MILL DISTRICT).

ISSUE:

Board approval of a 6.8 percent parking reduction for Section 91 of The Spectrum at Reston Town Center; Tax Map #17-2-001-3K; Hunter Mill District.

RECOMMENDATION:

I recommend that the Board of Supervisors approve a 6.8 percent reduction of the required on-site parking for Section 91 of The Spectrum at Reston Town Center pursuant to Paragraph 4, Section 11-102 of The Zoning Ordinance of the County of Fairfax, Virginia on condition that:

- A total of 481 on-site parking spaces shall be provided to serve the uses associated with the development of Section 91 of The Spectrum at Reston Town Center.
- The maximum gross floor area shall not exceed 89,603 square feet of retail use, 9,900 square feet of office use, and 11,594 square feet of restaurant use. Additionally, the restaurant use shall not exceed 392 table seats, 9 counter seats, and 35 employees.
- Upon written request by Fairfax County within 12 months of the issuance of the Non-residential Use Permit or at any subsequent time that the Zoning Administrator may determine that parking at the complex may be inadequate to serve the use(s), the owner(s) of the Spectrum at Reston Town Center shall submit a parking space utilization study for review and approval by the Board of Supervisors. Following review of that study, the Board may require the addition of any or all of the parking spaces reduced by this application.
- Shared parking with any additional use(s) shall not be permitted without the submission of a new parking study prepared in accordance with the applicable requirements of Fairfax County and shall be subject to the Board of Supervisors' approval.

Memo to the Board
January 22, 1996

- All parking provided shall be in accordance with the applicable requirements of Article 11 of the Fairfax County Zoning Ordinance and the Public Facilities Manual.
- All parking utilization studies conditioned by Board approval or required as a result of changed conditions will be based on County Code requirements in effect at the time of said parking utilization study submission.
- The four (4) bus shelters and 2.4 miles of trails are provided as indicated in the submitted study and all pedestrian access is proximate, unimpeded, safe and convenient.
- The conditions of this approval will be incorporated into the site plan for the Spectrum at Reston Town Center prior to final site plan approval.

TIMING:

Board action is requested on January 22, 1996.

BACKGROUND:

The Spectrum is a mixed use commercial development which is a portion of the Reston Town Center District located north of the urban core and is known as Reston, Section 91 and Section 87, Block 2 and 3. In connection with the proposed development of Section 91, a parking reduction request has been made. This request is prescribed per note #32 of the conceptual plan approved by the Planning Commission on July 14, 1994 that states:

"Applicant shall construct those portions of Building C as noted on the Conceptual Plan up to two (2) stories, so long as Fairfax County approves a parking reduction on Section 91 which allows the Applicant to lease and occupy the second level of Building C without having to provide parking spaces for the second floor...."

The proposed site construction on Reston, Section 91, Reston contains 89,603 square feet of shopping center space, 11,594 square feet of eating establishments (restaurant) space, and 9,900 square feet of office space located on the second floor of the proposed building. There will be a total of 392 table seats, 9 counter seats, and 35 employees associated with the restaurant uses. Any proposed development in Section 87 is not considered as a part of this parking reduction request.

Memo to the Board
January 22, 1996

An analysis of the parking demand for the subject portion of the Spectrum site indicates that the uses can share parking due to the anticipated parking demand that will result due to the different hours of operation of the uses on-site. The applicant has requested an additional three space reduction based on the site's proximity to a corridor served by mass transit in the interest of encouraging mass transit usage. The staff supports this minimal request; however, any additional future request related to mass transit will require quantitative justification. The requested 6.8 percent parking reduction will result in the number of parking spaces being reduced from the code requirement of 516 to a total of 481.

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

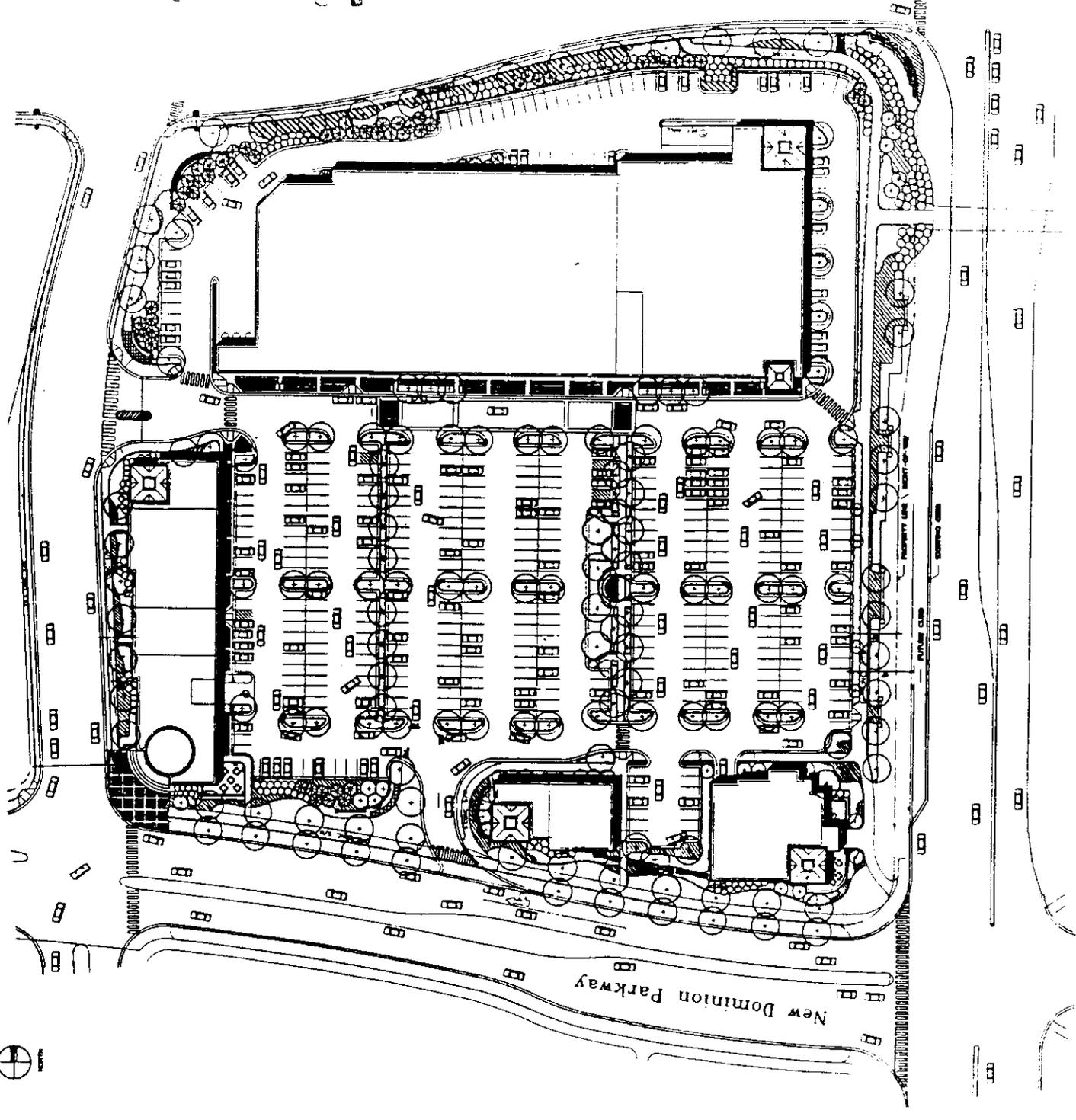
ENCLOSED DOCUMENTS:

Attachment I - Letter of Request Dated September 15, 1995
Attachment II - Site Geometry Plan (Separate from Board Package, for Board Members only)
Attachment III - Parking Study (Separate from Board Package, for Board Members only)

STAFF:

Anthony H. Griffin, Deputy County Executive for Planning and Development
Irving Birmingham, Director, Department of Environmental Management

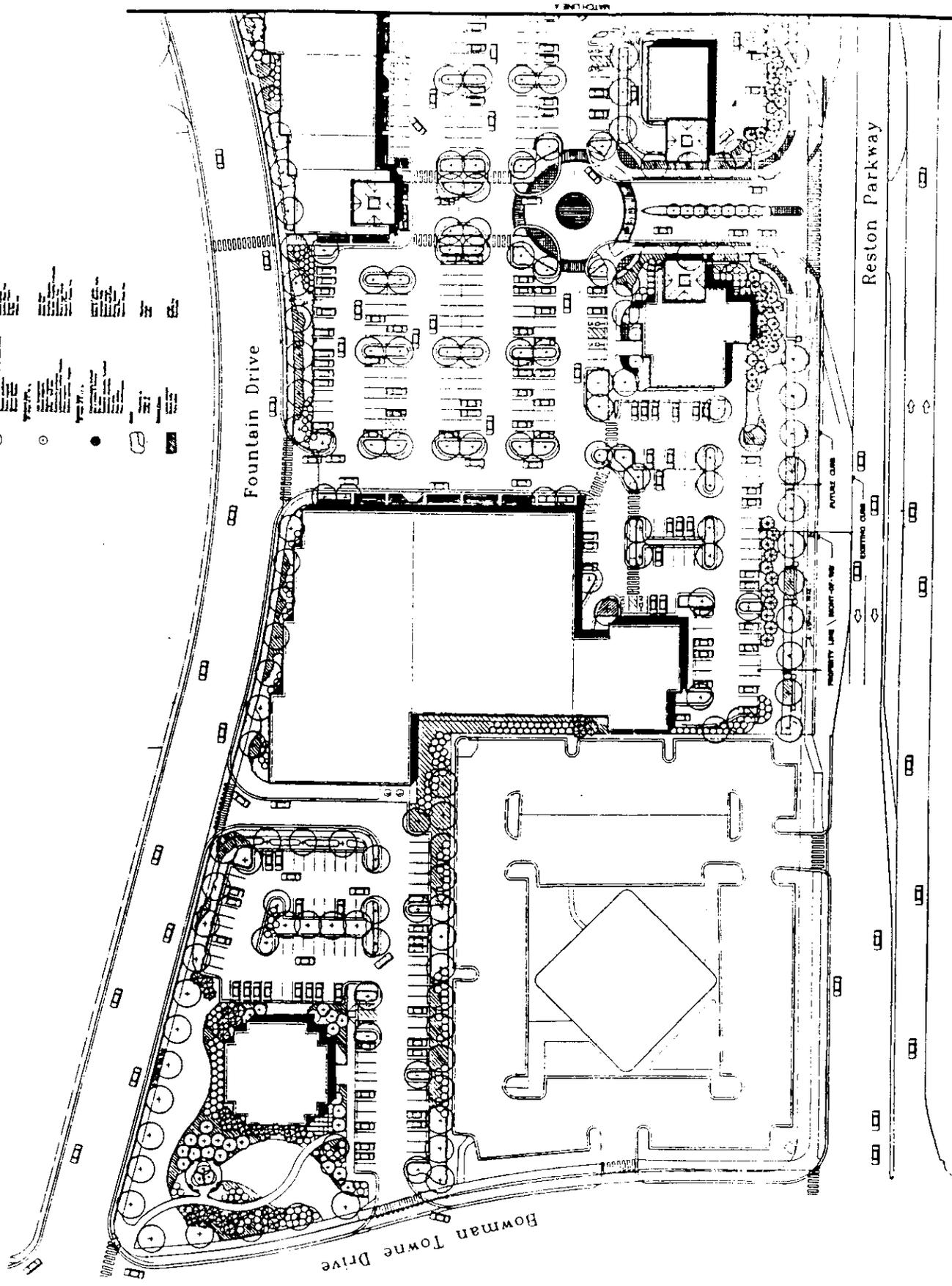
- 1. PLANTING
- 2. TREES
- 3. SHRUBS
- 4. PERENNIALS
- 5. ANNUALS
- 6. GRASSES
- 7. MULCH
- 8. STONE
- 9. BRICK
- 10. CONCRETE
- 11. ASPHALT
- 12. GRAVEL
- 13. SAND
- 14. SOIL
- 15. FERTILIZER
- 16. IRRIGATION
- 17. LIGHTING
- 18. SIGNAGE
- 19. FURNITURE
- 20. BENCHES
- 21. TRASH RECEPTACLES
- 22. BIKE RACKS
- 23. PLAY EQUIPMENT
- 24. EXERCISE EQUIPMENT
- 25. ARTWORK
- 26. WATER FEATURES
- 27. FOUNTAINS
- 28. POND
- 29. STREAM
- 30. WALKWAY
- 31. DRIVEWAY
- 32. PARKING
- 33. BIKEWAY
- 34. TRAIL
- 35. FENCE
- 36. GATE
- 37. WALL
- 38. SCREENING
- 39. BOUNDARY
- 40. VISUAL BARRIER
- 41. SOUND BARRIER
- 42. WIND BARRIER
- 43. PRIVACY
- 44. SECURITY
- 45. SAFETY
- 46. ACCESSIBILITY
- 47. WAYFINDING
- 48. ORIENTATION
- 49. COHESION
- 50. HARMONY
- 51. BALANCE
- 52. CONTRAST
- 53. RHYTHM
- 54. PATTERN
- 55. SCALE
- 56. PROPORTION
- 57. UNIFORMITY
- 58. VARIETY
- 59. SIMPLICITY
- 60. COMPLEXITY
- 61. ORDER
- 62. CHAOS
- 63. EQUILIBRIUM
- 64. DYNAMISM
- 65. STABILITY
- 66. MOVEMENT
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- 90. CHAOS
- 91. EQUILIBRIUM
- 92. DYNAMISM
- 93. STABILITY
- 94. MOVEMENT
- 95. TRANSITION
- 96. CONTRAST
- 97. HARMONY
- 98. BALANCE
- 99. UNIFORMITY
- 100. VARIETY



New Dominion Parkway



- 1. 1" = 10' - 0"
- 2. 1" = 20' - 0"
- 3. 1" = 40' - 0"
- 4. 1" = 80' - 0"
- 5. 1" = 160' - 0"
- 6. 1" = 320' - 0"
- 7. 1" = 640' - 0"
- 8. 1" = 1280' - 0"
- 9. 1" = 2560' - 0"
- 10. 1" = 5120' - 0"
- 11. 1" = 10240' - 0"
- 12. 1" = 20480' - 0"
- 13. 1" = 40960' - 0"
- 14. 1" = 81920' - 0"
- 15. 1" = 163840' - 0"
- 16. 1" = 327680' - 0"
- 17. 1" = 655360' - 0"
- 18. 1" = 1310720' - 0"
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- 20. 1" = 5242880' - 0"
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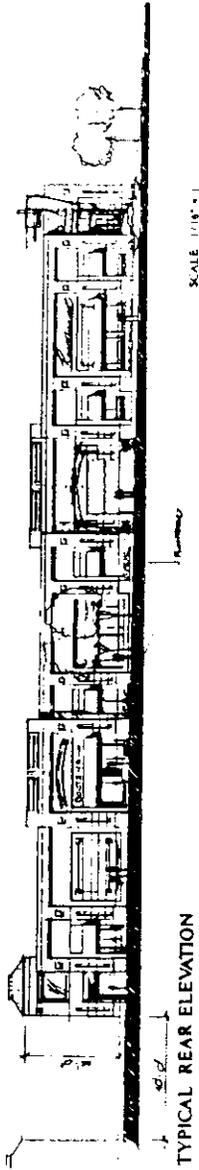


Reston Parkway

Fountain Drive

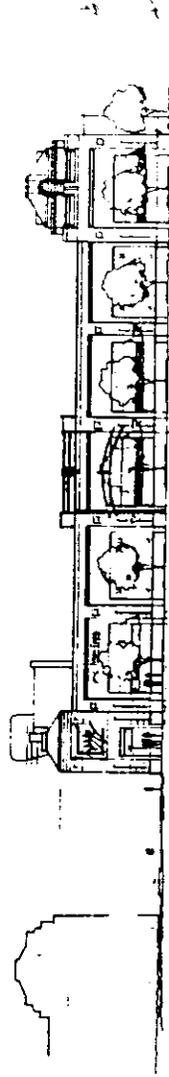
Bowman Towne Drive





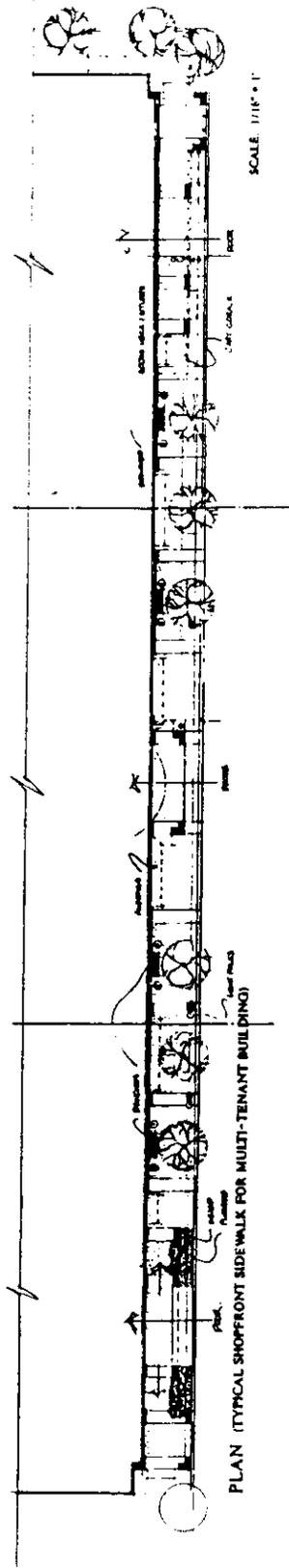
TYPICAL REAR ELEVATION

SCALE 1/16" = 1'



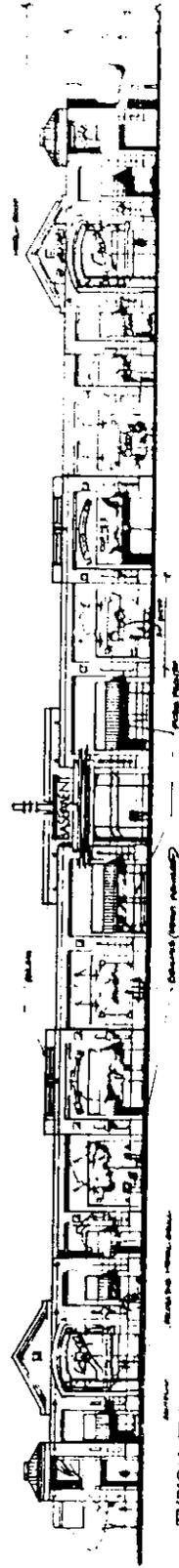
TYPICAL SIDE ELEVATION

SCALE 1/16" = 1'



PLAN (TYPICAL STOREFRONT SIDEWALK FOR MULTI-TENANT BUILDING)

SCALE 1/16" = 1'



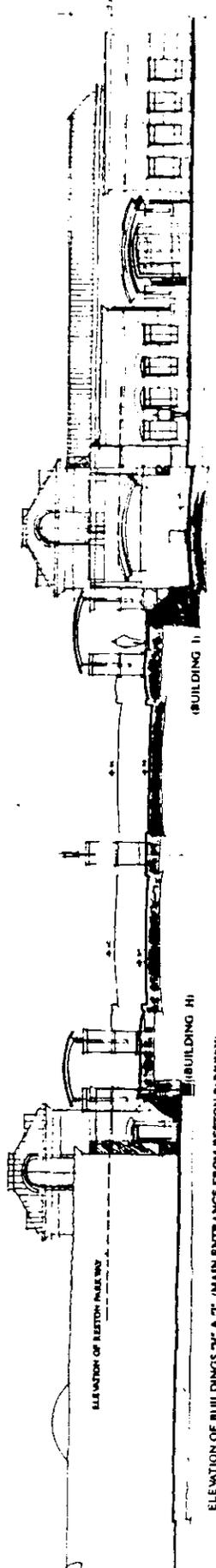
TYPICAL FRONT ELEVATION

SCALE 1/16" = 1'



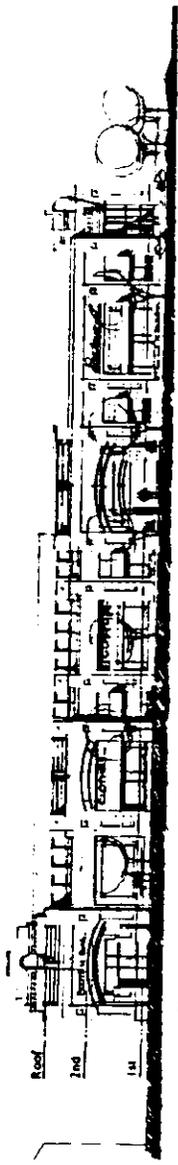
ELEVATION (REPRESENTATIVE OF REAR OF BUILDINGS D & K)

SCALE 1/8" = 1'-0"



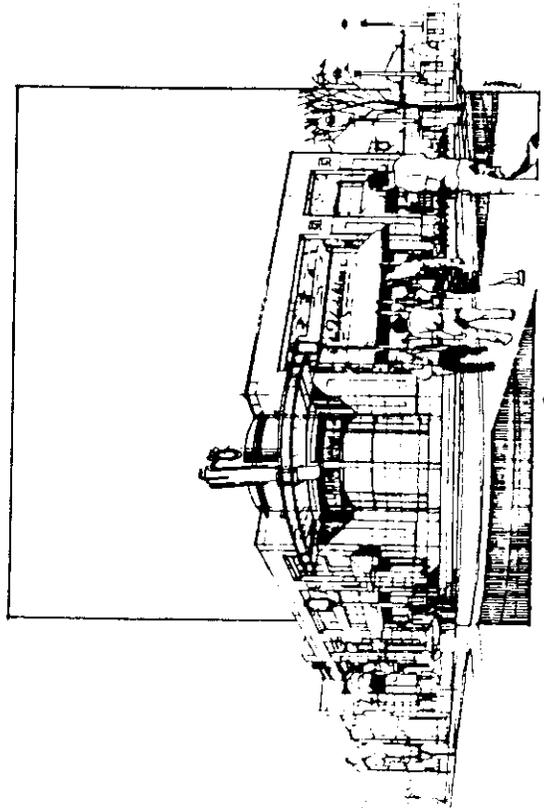
ELEVATION OF BUILDINGS H & I (MAIN ENTRANCE FROM RESTON PARKWAY)

SCALE 1/8" = 1'-0"

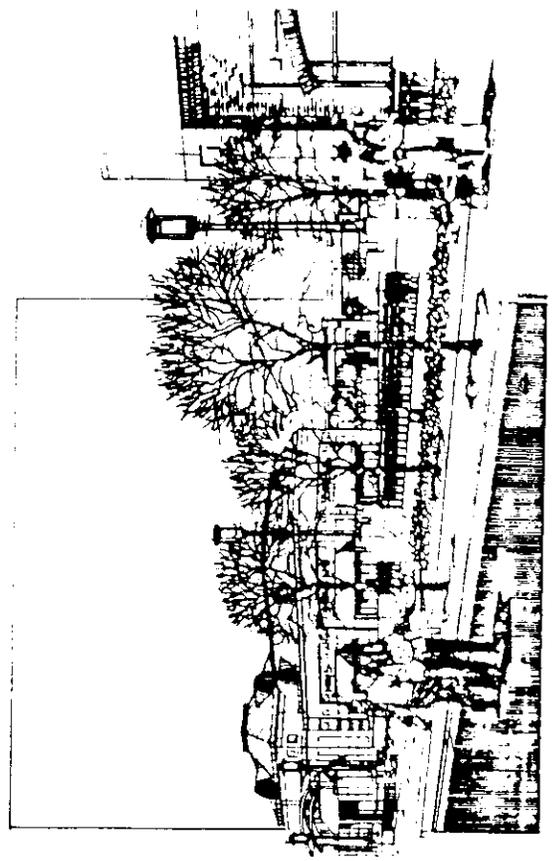


ELEVATION BUILDING 'C' SHOWING 3 STORIES @ FOUNTAIN DRIVE

SCALE 1/8" = 1'-0"



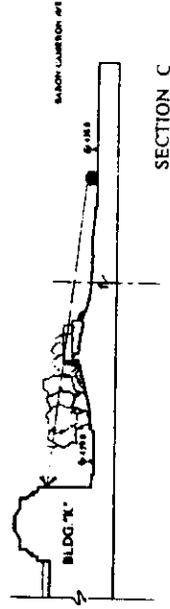
PERSPECTIVE VIEW 1
BUILDING 'C'



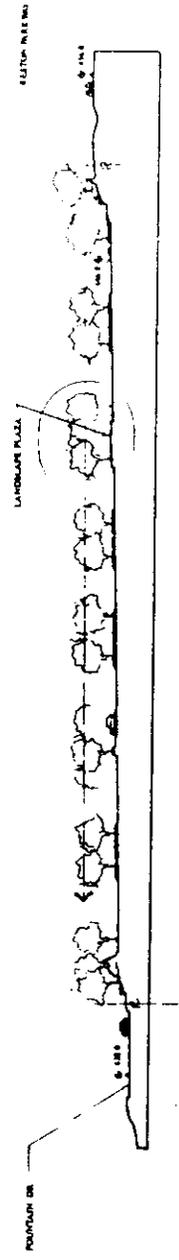
PERSPECTIVE VIEW 2
BUILDINGS 'A', 'B', 'C'



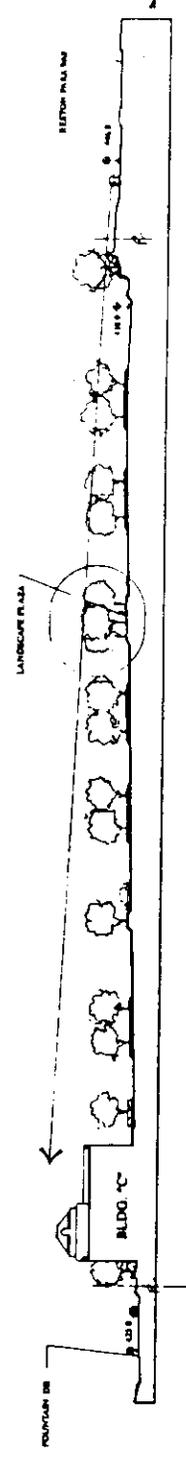
ELEVATION ALONG RESTON PARK WAY IS REPRESENTATIVE OF SECTIONS 91.17



SECTION C



SECTION B



SECTION A

GENERAL

1. These properties are known as Section 91 and Section 87, blocks 2 and 3, Reston.
2. The property which is the subject of this application shall be developed in accordance with the Town Center Conceptual Plan, dated May 5, 1994 (consisting of 5 sheets), prepared by Davis & Carter; subject, however, to these notes and provided that minor modifications may be permitted when necessary by sound engineering or which may become necessary as part of final site engineering, as determined by the Department of Environmental Management ("DEM").
3. The Tax Map reference for these parcels is 17-1 ((1)), part of parcel 3.
4. The square footage for the project shall not be less than 240,000 square feet nor exceed 310,000 square feet, except as qualified by notes #34 and #35.
5. Individual building square feet are illustrative only and subject to change in accordance with these notes. Individual Tenant spaces within buildings (as generally depicted) are illustrative only; the number of Tenants within each building, the Tenant spaces, sizes and configurations are subject to modification by the Applicant.
6. The total acreage for the site is approximately as follows:

Section 91 (southern parcel)	-	9	acres
Section 87 (northern parcel)	-	15.6	acres
Total	-	24.6	acres
7. The maximum FAR for the entire site shall not exceed .30. Either parcel (Section 87 or 91) may exceed .30, so long as the total cap is not exceeded; except as qualified by notes #34 and #35.
8. The minimum open space for the entire site shall be 20%. Either parcel (Section 87 or 91) may have a lesser open space percentage, so long as the overall minimum open space is maintained; except as qualified by notes #34 and #35.
9. The minimum height of the buildings shall be twenty five (25'). The minimum height of the highest point of the architectural "towers" of Buildings A, B and C shall be thirty five feet (35').
10. There are no scenic or natural features on the site deserving of protection.
11. Parking lot and building lighting shall be directed inward and/or downward to avoid glare onto adjacent properties.

12. Applicant reserves the right to vary the number of proposed parking and loading spaces. Applicant shall meet the minimum zoning ordinance requirements for the number of parking spaces.

PHASING

13. Construction of this development is proposed to begin during the fall of 1994. Construction is anticipated to be completed during the summer of 1995, with the project opening in the fall of 1995. The project may be developed in phases and this schedule is subject to market and financing conditions.

LANDSCAPING

14. Applicant shall implement a landscaping plan generally consistent with the Landscaping Plan submitted as part of this Town Center Conceptual Plan (Sheet CP-2).

PEDESTRIAN CIRCULATION, TRAILS AND SIDEWALKS

15. The external and internal pedestrian circulation system shall be provided as generally shown on this Town Center Conceptual Plan.
16. The Applicant is hereby modifying the Reston Town Center Master Conceptual Plan (a) to remove a walkway paralleling Baron Cameron Avenue (which removal has been approved by Reston Land Corporation for safety purposes), and (b) to remove the sidewalk requirement along the western edge of Fountain Drive, from Bowman Town Drive to Baron Cameron Avenue; instead, Applicant shall construct and/or reconstruct those portions of the County trail system leading from Baron Cameron Avenue to Bowman Town Drive.
17. The Applicant shall construct (a) a sidewalk along the east side of Fountain Drive from New Dominion Parkway to Baron Cameron Avenue, and (b) a sidewalk on the west side of Fountain Drive from New Dominion Parkway to Bowman Town Drive.

TRANSPORTATION

18. The Applicant shall construct Fountain Drive from New Dominion Parkway to Baron Cameron Avenue.
19. The Applicant shall construct traffic signal(s), including pedestrian walkway signal(s), where warranted and/or required by the Virginia Department of Transportation ("VDOT").
20. Applicant shall, if requested by the Office of Transportation and VDOT, construct two (2) on-site and two (2) off-site bus shelters (open, typical type) at appropriate locations within or near to the project. The locations of said shelters shall

be determined prior to final site plan approval and coordinated with the Office of Transportation and VDOT.

LAND USES

21. It is expected that retail sales establishments will be the predominate use on this site. In addition to retail sales establishments, the Applicant reserves the right to include the following uses, including accessory uses, which are hereby approved as part of this Conceptual Plan:
 - a. Commercial uses of special impact (Category 5), limited to eating establishments, fast food restaurants (no drive-thru or stand-alone fast food restaurants), drive-in banks, and quick service food stores (but excluding stand-alone quick service food stores, 24-hour type quick service food stores and establishments with a principal use of delivery of prepared foods).
 - b. Commercial recreation uses (Group 5), limited to health clubs, similar commercial recreation uses, and indoor recreational uses.
 - c. Institutional uses (Group 3), limited to child care center and/or nursery schools which have an enrollment of less than 100 students daily.
 - d. Quasi-public uses (Category 3), limited to child care centers and/or nursery schools which have an enrollment of 100 or more students daily.
 - e. Community uses (Group 4), such as community clubs or any other recreational or social use, operated by non-profit organizations where membership thereto is limited to residents of nearby residential areas.
 - f. Eating establishments, financial institutions, offices, personal service establishments, business service and supply service establishments (as qualified by subparagraph a), public uses, repair service establishments, and retail sales establishments (including food supermarkets).
 - g. Applicant also reserves the right to apply in the future for any special permit and special exception uses not specifically enumerated above, but otherwise permissible by the Town Center Proffers and/or the Zoning Ordinance.
22. Applicant may only include up to three (3) drive-thru facilities in the project, and only within Buildings G, H, I or L, as shown on the Conceptual Plan. Applicant may pursue Town Center Conceptual Plan Amendment(s) or Special Exception(s) to achieve more drive-thrus or to locate said use in Buildings other than G, H, I or L.

SITE DESIGN

23. Landscaping and architectural details are subject to final approval by the Reston Town Center Design Review Board ("DRB"). Loading spaces shall be finally located and configured in order to accommodate Tenant needs, so long as otherwise in substantial compliance with the Conceptual Plan and these notes.
24. Building G shall be physically connected to and architecturally integrated with Building F. Building L shall be physically connected to and architecturally integrated with Building K. Applicant reserves the right to include individual tenants within Buildings G and L (which may include drive-thrus) or to consolidate all of Building G into Building F and/or Building L into Building K.
25. In order to provide a unified architectural treatment to the project and simultaneously provide flexibility for individual Tenant needs, the Applicant shall construct the project architectural components as follows:
 - a. Building Design. The buildings (front, side and rear) shall be designed in substantial conformance with the conceptual elevations, subject to final approval by the Reston Town Center Design Review Board.
 - b. Outdoor Cafe(s). Applicant reserves the right to incorporate outdoor cafe(s) into the project.
 - c. Tenant Entrances. Applicant has delineated several typical and potential building entrances and lettering styles. Applicant may design its entrance features (i) as permitted by the Zoning Ordinance, (ii) in order to accommodate Tenant needs, and (iii) as approved by the Reston Town Center Design Review Board.
 - d. Comprehensive Sign Plan. The Applicant shall design and submit a Comprehensive Sign Plan (subject to Planning Commission review and approval) to ensure that all project identification and Tenant signs (entrance, directional, traffic and building mounted signs) are coordinated and consistent with the quality of the architecture of the development.
 - e. Reston Town Center Sign. Reston Land Corporation may place Reston Town Center entrance sign(s) and associated landscaping and sign treatments at the intersections of Reston Parkway with Bowman Town Drive and Baron Cameron Avenue. The design of said feature(s) shall be submitted concurrently with The Spectrum's Comprehensive Sign Plan (which is subject to review and approval by the Planning Commission), or Reston Land shall separately submit the

sign(s) for review and administrative approval by the Planning Commission.

26. Applicant to construct a series of landscaped berms and decorative screening walls along its frontage of Reston Parkway (as generally depicted in this Town Center Conceptual Plan and as finally approved by the Reston Town Center Design Review Board) in order to reasonably screen the Reston Parkway street-level view of surface parking areas.
27. Applicant shall fully screen the loading areas of Buildings D and K, so that these facilities will not be visible from the street level of Bowman Towne Drive or Baron Cameron Avenue, with any or all of the following measures: truck enclosures, roll-up doors, berms, landscaping and/or screening walls. Applicant shall employ these same measures to reasonably screen the Bowman Towne Drive and Baron Cameron Avenue street-level views of surface parking areas. Applicant may incorporate and shall implement such screening measures as are required by the Town Center Design Review Board.
28. Applicant shall not include any loading docks along the east side on any building located adjacent to Reston Parkway, except for Building H. Applicant shall fully screen the loading area, if any, of Building H, so that these facilities will not be visible from the street level of Reston Parkway, with any or all of the following measures: truck enclosures, roll-up doors, berms, landscaping and/or screening walls. Applicant may incorporate and shall implement such screening measures as are required by the Town Center Design Review Board.
29. Applicant shall enclose trash receptacles and screen transformers, as required by the Town Center Design Review Board.
30. Acknowledging the prominence of the intersections of Reston Parkway with Bowman Towne Drive and Baron Cameron Avenue, Applicant shall ensure that attractive architectural treatment(s) are included on the north-east corners of Buildings D and K, as approved by the Reston Town Center Design Review Board.
31. The Applicant shall construct and install rooftop parapet screens, walls or similar features designed to screen rooftop equipment from the adjoining parcels, at street level.
32. Applicant shall construct those portions of Building C as noted on the Conceptual Plan up to two (2) stories, so long as Fairfax County approves a parking reduction on Section 91 which allows the Applicant to lease and occupy the second level of Building C without having to provide parking spaces for the second floor, by the earlier of four (4) months from

approval of this Conceptual Plan or by final site plan approval for Section 91.

- a. Within ten (10) business days of approval of the Town Center Conceptual Plan, Applicant shall submit a written request that the County review and process said parking reduction.
- b. Assuming approval of the parking reduction within the noted four (4) month time-frame, Applicant shall construct a second story to Building C, but shall not be required to build the floor or tenant improvements to the second level until individual spaces are leased.
- c. Approval (or denial) by the County of the parking reduction shall not delay approval of any site plan or permit.

STORM WATER MANAGEMENT

33. Storm water management for this site is anticipated to be provided in the "Town Center Parkway" and "Reston Section 43" Storm Water Management Facilities (Site Plan Numbers 5734-PI-01 and 5978-PI-01), which is consistent with the approved development of the Reston Town Center. On-site drainage shall be conveyed in accordance with the Public Facilities Manual.

TOWN CENTER CONCEPTUAL PLAN AMENDMENTS

34. By securing approval of this Town Center Conceptual Plan, Applicant is not limiting or waiving any of its rights pursuant to the approved Town Center proffers. Specifically, Applicant reserves the right to subsequently pursue Town Center Conceptual Plan Amendment(s) (on the whole or any portion of the site) to revise uses, increase heights and density and to pursue any and all modifications as permitted by the Town Center rezonings, proffers and Fairfax County Zoning Ordinances.
35. Any portion of the site may be the subject of a Town Center Conceptual Plan Amendment application without joinder and/or consent of the owners of the other land areas, provided that such Amendment does not affect the other land areas. Previously approved proffered conditions or development conditions applicable to a particular portion of the site which are not the subject of such an Amendment shall otherwise remain in full force and effect.

RESTON COMMUNITY

36. All site, landscaping and final architectural treatment plans shall be submitted to the Hunter Mill District Planning Commissioner for review and comment.

37. All site, landscaping and final architectural treatment plans shall be submitted to the Reston Citizen Association's Planning & Zoning Committee for review and comment.
38. Applicant shall lease approximately 5,000 square feet of office space within the project (Buildings E or F) for use by Reston community, non-profit organization(s), rent-free for five (5) years, commencing upon completion of Applicant's Work, as defined herein.
 - a. The Applicant shall construct a separate entrance and space for the Reston community association(s).
 - b. Applicant shall provide a finished space (i.e., dry walls, drop ceiling and lighting, building-standard carpet, standard electrical plugs, and bathroom(s), per code requirements)("Applicant's Work"). The community organization(s) shall pay for utilities, other interior improvements and associated costs.
 - c. At the conclusion of the initial five year term, Applicant shall negotiate in good faith with said organization(s) and offer the leased space at the then fair market value (as negotiated by the parties or determined by a mutually agreed upon appraiser) for one additional five (5) year term. Thereafter, the parties may negotiate for such additional term(s) as they mutually deem appropriate or desirable.
39. Applicant shall contribute \$15,000 at final site plan approval to the Reston Street Light Fund.

FOUNTAIN DRIVE

40. In order to enhance the "urban" streetscaping treatment along Fountain Drive, the Applicant shall request that VDOT permit the placement of the major street trees between the sidewalk and the roadway along Fountain Drive. Where not permitted, then the area(s) between the street and sidewalk shall be maintained as open/green space, as shown on the Plan.

MEMORANDUM

**McGUIRE WOODS
BATTLE & BOOTH LLP**

TO: Ms. Lisa Feibelman
FROM: Meaghan S. Kiefer
DATE: October 18, 1996
RE: Spectrum Parking Reduction

Pursuant to my voice mail message, enclosed please find a copy of the Planning Commission approval letter for the Spectrum. The Spectrum Town Center Concept Plan was approved on July 14, 1994. I have also enclosed a copy of a letter from Tony Calabrese to Barbara Byron dated July 21, 1994, requesting approval of a parking reduction in accordance with Note #32 on the Town Center Concept Plan Plat.

This memorandum will also serve to confirm that Building C, while being two (2) stories in height, is only constructed as a one (1) story building. Specifically, tilt panels were installed above the ceiling of the ground floor on Building C, but no second floor was constructed. The Applicant is aware that, absent the approval and implementation of a parking reduction, the second floor of Building C cannot be constructed or leased.

I hope and trust that this addresses your questions. Please call me directly (712-5388) if you require additional information. As always, I appreciate your attention to this matter.

cc: Arthur N. Fuccillo, Esquire
Antonio J. Calabrese, Esquire

5388@spectrumparking@feibelman.1

S93-III-UP2 - OUT OF TURN PLAN AMENDMENT (Decision Only)

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE (LANGUAGE INCLUDED IN THE) STAFF REPORT DATED MAY 12, 1994, WITH THE AMENDMENTS AS NOTED IN A DOCUMENT THAT IS NOT DATED, BUT WAS DISTRIBUTED LAST EVENING IN THE MOTION CIRCULATED TO THE COMMISSION REGARDING OUT-OF-TURN PLAN AMENDMENT S93-III-UP2.

Commissioner Thomas seconded the motion which carried by a vote of 8-0-1 with Commissioner Downer abstaining; Commissioner Hanlon not present for the vote; Commissioners Hartwell and Strickland absent from the meeting.

//

SE 94-P-012 - EXXON CORPORATION

Commissioner Hanlon MOVED THAT THE DECISION ONLY ON THIS APPLICATION BE DEFERRED TO A DATE CERTAIN OF JULY 27, 1994 WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENTS.

Commissioner Byers seconded the motion which passed unanimously with Commissioners Hartwell and Strickland absent from the meeting.

//

CP-86-C-121-2 - RESTON SPECTRUM LIMITED PARTNERSHIP

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION APPROVE CP-86-C-121-2, TITLED THE SPECTRUM, PREPARED BY DAVIS AND CARTER AND DATED JUNE 6, 1994.

Commissioner Thomas seconded the motion which carried by a vote of 7-3 with Commissioners Baldwin, Downer, and Hanlon opposed; Commissioners Hartwell and Strickland absent from the meeting.

//

PCA-76-L-019 - RE&P PROPERTIES

Commissioner Byers (MOVED FOR APPROVAL OF PCA-76-L-019, SUBJECT TO THE PROFFERS DATED JULY 13, 1994, WITH THE REVISIONS READ INTO THE RECORD TONIGHT): "BOARD-ON-BOARD FENCING SHALL BE PLACED WITHIN THE 50-FOOT BUFFER ADJACENT TO TAX MAP PARCELS 107-2((2))22 AND 107-4((2))18 TO 22. THE LOCATION INSTALLATION OF BOARD-ON-BOARD FENCING SHALL BE DONE SO AS TO MAXIMIZE TREE PRESERVATION. SUPPLEMENTAL VEGETATION TO REPLACE THOSE TREES REMOVED BY CLEARING AND GRADING IN THE FORM OF PINE TREES SHALL BE PROVIDED IN THE 50-FOOT BUFFER ADJACENT TO TAX MAP PARCELS 107-2((2))22 AND 23 AND 107-4((2))18 TO 22 LOCATED AS TO DETERMINED BY THE URBAN FORESTER IF THE FENCE IS PLACED ON THE COMMON PROPERTY LINE. IF THE FENCE IS NOT PLACED ON THE PROPERTY LINE, REPLANTING OF THE BUFFER SHALL BE WEST OF THE FENCE."

**McGUIRE WOODS
BATTLE & BOOTHE**

Transomac Plaza
Suite 1000, 1199 North Fairfax Street
Alexandria, VA 22314-1437

The Blumstein Building
One North Charles Street
Baltimore, MD 21201-3793

Court Square Building
P.O. Box 1288
Charlottesville, VA 22902-1288

World Trade Center
Suite 9000, 101 West Main Street
Norfolk, VA 23510-1655

8280 Greensboro Drive
Suite 900, Tysons Corner
McLean, Virginia 22102-0346

Phone: (703) 712-5000 (Voice/TDD)

Fax: (703) 712-5030

One James Center
901 East Cary Street
Richmond, VA 23219-4030

The Army and Navy Club Building
1627 Eye Street, N.W.
Washington, DC 20006-4007

250 Avenue Louise, Etc. 64
1050 Brussels, Belgium

associated office:
P.O. Box 4970
Bahnhofstrasse 3
8022 Zurich, Switzerland

Ansonio J. Calabrese
Direct Dial: (703) 712-5411

July 21, 1994

Via Hand Delivery

Ms. Barbara Byron
Office of Comprehensive Planning
Zoning Evaluation Division, Ste. 800
12055 Government Center Parkway
Fairfax, Virginia 22035-5505

Re: The Spectrum at Reston Town Center - Parking Reduction
Request

Dear Barbara:

Pursuant to note/development condition #32 associated with The Spectrum at Reston Town Center (a copy of the notes is attached as Exhibit 1), and on behalf of Reston Spectrum Limited Partnership, I do hereby request a parking reduction for the proposed second story of Building C, shown on the approved Town Center Conceptual Plan (a reduction is included as Exhibit 2). Subject to your approval of the correct review process for a parking reduction, I believe the Board of Supervisors should be able to administratively approve this request under Fairfax County Zoning Ordinance Section 11-102(5) (Exhibit 3). We will, of course, pursue whatever procedure you deem appropriate.

The Spectrum project will be located "along a corridor served by a mass transit facility, which facility is conveniently accessible to the proposed use and offers a regularly scheduled service." The Spectrum has agreed to provide two on-site and two off-site bus shelters (please see note #20 of Exhibit 1).

At this time, I might also clarify note #20, to reflect that it is only necessary that the Fairfax County Office of Transportation (and not also the Virginia Department of Transportation) requests that the Applicant construct these four (4) bus shelters. We anticipate that these bus shelters can and will be utilized by the Washington Metropolitan Transit Authority and the Reston-based LINK System. Consequently, we believe that

Ms. Barbara Byron
July 21, 1994
Page 2

this project justifies a reduction in the parking requirements otherwise dictated by the Fairfax County Zoning Ordinance, as permitted under Section 11-102(5).

I greatly appreciate your time and attention to this matter. I look forward to working with you, your Staff, Supervisor Dix and Commission Palatiello on the implementation of this parking reduction. I encourage you or any of the listed parties to contact me with any questions you have regarding this request, or if I can provide you with any additional information. As always, I look forward to speaking with you soon.

Sincerely,

AJ CALABRESE

Antonio J. Calabrese

AJC/jmw

cc: The Honorable Robert Dix, Jr.
Mr. John Palatiello
Ms. Joan Dubois
Ms. Cathy Chianese, OCP
Mr. Ivan Cole, RCA
David Schultz, Esquire, RLC
Mr. Greg Hamm, RLC
Arthur Fuccillo, Esquire, Lerner
Ms. Meaghan Shevlin, MW&B



FAIRFAX COUNTY

Department of Environmental Management
Division of Design Review
12055 Government Center Parkway
Fairfax, Virginia 22035-5503

V I R G I N I A

June 12, 1995

Telephone (703) 324-1700

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

JUN 14 1995

ZONING EVALUATION DIVISION

Meaghan S. Kiefer, Planner
McGuire, Woods, Battle & Boothe, L. L. P.
8280 Greensboro Drive, Suite 900
Tysons Corner
McLean, Virginia 22102-3892

Subject: Parking Reduction for the Spectrum at Reston Town Center;
Tax Map #17-1-001-3; Hunter Mill District; Parking Study #7842-PS-01-1

Reference: Your Letter of April 3, 1995 and JHK & Associates, Inc. Parking Study

Dear Ms. Kiefer:

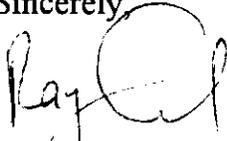
The review of your parking reduction request has been completed. It has been determined that staff can recommend a parking reduction of 21 spaces for Section 87 and 36 spaces for Section 91. Therefore, the total number of parking spaces required per this request will be 716 spaces for Section 87 and 442 spaces for Section 91 should the Board of Supervisors grant the reduction.

The parking reduction will be subject to all standard conditions associated with an approval of this type. In addition, a contingency plan must be presented to the Department of Environmental Management that illustrates how the 57 reduced parking spaces can be provided in the future if the parking demand warrants it. This request will be processed to the Board upon receipt of a satisfactory contingency plan, which should be attached to your parking study and logged as a second submission at our Plan Control counter.

Meaghan S. Kiefer, Planner
June 12, 1995
Page 2

If you have any further questions or would like more details, please contact Richard B. Hayes, Engineer II, Special Projects Branch at 324-1700.

Sincerely

A handwritten signature in black ink, appearing to read "Ray Curd". The signature is stylized with a large, circular flourish at the end.

Ray Curd, Chief
Special Projects Branch

RC/edb
1329esp

cc: Sam Chamberlain, Office of Transportation
Regina C. Murray, Office of Comprehensive Planning
Richard B. Hayes, Department of Environmental Management
Central Files



FAIRFAX COUNTY

Department of Environmental Management
Division of Design Review
12055 Government Center Parkway
Fairfax, Virginia 22035-5503

V I R G I N I A

February 6, 1996

Telephone: (703) 324-1700

Meaghan S. Kiefer, Planner
McQuire, Woods, Battle & Boothe, L.L.P.
8280 Greensboro Drive
Suite 900, Tysons Corner
McLean, Virginia 22102-3892

Subject: Parking Reduction for the Spectrum, Section 91, Reston; Tax Map: 17-1-001-3K;
Hunter Mill District

Reference: JHK & Associates, Inc. Parking Study Dated September 1995 (7842-PS-01-2)

Dear Ms. Kiefer:

On January 22, 1996, the Board of Supervisors approved a 6.8 percent parking reduction for the Spectrum. Attached to this letter are the conditions of approval of the parking reduction and a Board Summary. Note that in the seventh condition, the word "safe" was deleted by the Board. The conditions of approval set by the Board must be incorporated into the site plan prior to final plan approval or the approved plan must be revised as stated in the eighth condition.

Please contact me at 324-1700 if you have questions regarding this approval.

Sincerely,

Richard B. Hayes, Engineer II
Special Projects Branch

RBH/bc/0209bsp

Attachments

cc: Nancy Vehrs, Clerk, Office of the Clerk, Board of Supervisors
Ray Curd, Chief, Special Projects Branch, DEM
Central Files

11. **A-1 - APPOINTMENT OF MEMBERS TO THE FAIRFAX COUNTY SOLID WASTE AUTHORITY (COUNTYWIDE) (Tape 4)**

(APPTs)

On motion of Supervisor Hyland, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and appointed/reappointed the following successors to the Members of the Solid Waste Authority:

Appointments:

- Providence District Supervisor Gerry E. Connolly;
- Mason District Supervisor Penelope A. Gross;
- Lee District Supervisor Dana Kauffman; and
- Dranesville District Supervisor Stuart Mendelsohn.

Reappointments:

- Braddock District Supervisor Sharon Bulova;
- Hunter Mill District Supervisor Robert B. Dix;
- Sully District Supervisor Michael R. Frey;
- Chairman Katherine Hanley;
- Mount Vernon District Supervisor Gerry Hyland; and
- Springfield District Supervisor Elaine McConnell.

12. **A-2 - PARKING REDUCTION FOR THE SPECTRUM AT RESTON TOWN CENTER (HUNTER MILL DISTRICT) (Tape 4)**

Supervisor Dix moved that the Board concur in the recommendation of staff and approve a 6.8 percent reduction of the required on-site parking for Section 91 of The Spectrum at Reston Town Center pursuant to Paragraph Four, Section 11-102 of the Zoning Ordinance subject to the conditions outlined in the Memorandum to the Board dated January 22, 1996, with an amendment to the next to last condition on page 32 pertaining to the four bus shelters, deleting the word "safe." This motion was seconded by Supervisor Connolly and, as amended, carried by unanimous vote.

13. **A-3 - AUTHORIZATION TO AWARD \$50,000 FROM THE PREDEVELOPMENT FUND TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO CONDUCT PRELIMINARY STUDIES RELATED TO THE CONSTRUCTION OF LITTLE RIVER GLEN II ELDERLY HOUSING DEVELOPMENT (BRADDOCK DISTRICT) (Tape 4)**

On motion of Supervisor Bulova, seconded by Supervisor Connolly, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the award of \$50,000 from the Predevelopment Fund, Subfund 182, Housing Trust Fund, to

Memo to the Board
January 22, 1996

ACTION - 2.

PARKING REDUCTION FOR THE SPECTRUM AT RESTON TOWN CENTER (HUNTER MILL DISTRICT).

ISSUE:

Board approval of a 6.8 percent parking reduction for Section 91 of The Spectrum at Reston Town Center; Tax Map #17-2-001-3K; Hunter Mill District.

RECOMMENDATION:

I recommend that the Board of Supervisors approve a 6.8 percent reduction of the required on-site parking for Section 91 of The Spectrum at Reston Town Center pursuant to Paragraph 4, Section 11-102 of The Zoning Ordinance of the County of Fairfax, Virginia on condition that:

- A total of 481 on-site parking spaces shall be provided to serve the uses associated with the development of Section 91 of The Spectrum at Reston Town Center.
- The maximum gross floor area shall not exceed 89,603 square feet of retail use, 9,900 square feet of office use, and 11,594 square feet of restaurant use. Additionally, the restaurant use shall not exceed 392 table seats, 9 counter seats, and 35 employees.
- Upon written request by Fairfax County within 12 months of the issuance of the Non-residential Use Permit or at any subsequent time that the Zoning Administrator may determine that parking at the complex may be inadequate to serve the use(s), the owner(s) of the Spectrum at Reston Town Center shall submit a parking space utilization study for review and approval by the Board of Supervisors. Following review of that study, the Board may require the addition of any or all of the parking spaces reduced by this application.
- Shared parking with any additional use(s) shall not be permitted without the submission of a new parking study prepared in accordance with the applicable requirements of Fairfax County and shall be subject to the Board of Supervisors' approval.

Memo to the Board
January 22, 1996

- All parking provided shall be in accordance with the applicable requirements of Article 11 of the Fairfax County Zoning Ordinance and the Public Facilities Manual.
- All parking utilization studies conditioned by Board approval or required as a result of changed conditions will be based on County Code requirements in effect at the time of said parking utilization study submission.
- The four (4) bus shelters and 2.4 miles of trails are provided as indicated in the submitted study and all pedestrian access is proximate, unimpeded, safe and convenient.
- The conditions of this approval will be incorporated into the site plan for The Spectrum at Reston Town Center prior to final site plan approval.

TIMING:

Board action is requested on January 22, 1996.

BACKGROUND:

The Spectrum is a mixed use commercial development which is a portion of the Reston Town Center District located north of the urban core and is known as Reston, Section 91 and Section 87, Block 2 and 3. In connection with the proposed development of Section 91, a parking reduction request has been made. This request is prescribed per note #32 of the Conceptual Plan approved by the Planning Commission on July 14, 1994 that states:

"Applicant shall construct those portions of Building C as noted on the Conceptual Plan up to two (2) stories, so long as Fairfax County approves a parking reduction on Section 91 which allows the Applicant to lease and occupy the second level of Building C without having to provide parking spaces for the second floor...."

The proposed site construction on Reston, Section 91 contains 89,603 square feet of shopping center space, 11,594 square feet of eating establishments (restaurant) space, and 9,900 square feet of office space located on the second floor of the proposed building. There will be a total of 392 table seats, 9 counter seats, and 35 employees associated with the restaurant uses. Any proposed development in Section 87 is not considered as a part of this parking reduction request.

Memo to the Board
January 22, 1996

An analysis of the parking demand for the subject portion of the Spectrum site indicates that the uses can share parking due to the anticipated parking demand that will result due to the different hours of operation of the uses on-site. The applicant has requested an additional three space reduction based on the site's proximity to a corridor served by mass transit in the interest of encouraging mass transit usage. The staff supports this minimal request; however, any additional future request related to mass transit will require quantitative justification. The requested 6.8 percent parking reduction will result in the number of parking spaces being reduced from the code requirement of 516 to a total of 481.

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

ENCLOSED DOCUMENTS:

- Attachment I - Letter of Request dated September 15, 1995
- Attachment II - Site Geometry Plan (Separate from Board Package, for Board Members only)
- Attachment III - Parking Study (Separate from Board Package, for Board Members only)

STAFF:

Anthony H. Griffin, Deputy County Executive for Planning and Development
Irving Birmingham, Director, Department of Environmental Management

ATTACHMENT I

MCGUIRE WOODS
BATTLE & BOOTHE LLP

8280 Greensboro Drive
Suite 900, Tysons Corner
McLean, Virginia 22102-3892
Telephone/TDD (703) 712-5000 • Fax (703) 712-5050

Direct Dial: 703-712-5388

September 15, 1995

VIA HAND DELIVERY

Mr. Rich Hayes
Department of Environmental Management
Special Projects Division
12055 Government Center Parkway
Fairfax, VA 22035

Re: Amended Parking Reduction for The Spectrum
Section 91, Reston
Tax Map # 17-1 ((1)) 3K, Hunter Mill District
CP 86-C-121-2

Dear Mr. Hayes:

As a follow-up to our meeting last month, enclosed please find five (5) copies of a revised parking reduction request for The Spectrum. As the enclosed report will demonstrate, we are seeking a reduction of the parking requirement for Section 91 only. You may recall that the previous request submitted to your office in February requested a reduction for both Section 87 and Section 91.

The basis of our request is the intent to share parking between the retail/restaurant uses and the office component within The Spectrum. Section 11-102(4) of the Fairfax County Zoning Ordinance allows the Board to reduce the number of required parking spaces when it can be determined that the same spaces may adequately serve two or more uses by reason of the hours of operation of such uses.

The shared parking analysis detailed in the report indicates a peak need of 484 parking spaces, which is three (3) spaces more than the 481 spaces which exist on site. Consequently, we are also seeking your support to reduce by three (3) the number of required spaces to the 481 provided.

Section 11-102(5) permits the Board of Supervisors to reduce the number of required off-street parking spaces when it can be

JAN 22 1996 A-2 (1)

Mr. Rich Hayes
September 15, 1995
Page 2

determined the use is located along a corridor served by a mass transit facility, which facility is conveniently accessible to the proposed use and offers a regular scheduled service. This request is justified by the provision of four (4) bus shelters, which will be served by both Metrobus and LINK.

The existence of the parking garage and surface parking located directly across New Dominion Parkway coupled with the construction of an extensive trail network (which will be utilized by pedestrians and bicyclists to access both the Reston Town Center and the Spectrum) further justify this request for a parking reduction.

I appreciate your time and attention to this matter.
Please call me if you have any questions.

Sincerely,



Meaghan S. Kiefer
Planner

Enclosures

cc: Arthur Fuccillo, Esquire
Mr. Peter Henry
Mr. John Wright, P.E.
Antonio J. Calabrese, Esquire

5388\spectrum\parking\submit.3

JAN 22 1996

A-2

(2)

(END)