FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara Byron, Director
Zoning Evaluation Division
Department of Planning & Zoning

DATE: May 28, 2004

FROM: Barbara J. Lippa, Executive Director
Planning Commission Office

SUBJECT: Planning Commission Action Re: **CPA 86-C-121-14**, Diamond Reston Park, LLC, Hunter Mill District

On Thursday, May 27, 2004, the Planning Commission voted unanimously (Commissioner Murphy absent from the meeting) to approve the proposed conceptual plan amendment for Diamond Reston Park, LLC (CPA 86-C-121-14), to increase the approved density from 100 to 104 units for the approved high-rise residential building.

For your information, a copy of the verbatim excerpts from the Commission's action on this item is attached. Should you have any questions on this action, please do not hesitate to contact me at 324-2865.

Attachment (a/s)

cc: Cathy Hudgins, Supervisor, Hunter Mill District
Frank de la Fe, Commissioner, Hunter Mill District
Leslie Johnson, Branch Chief, ZED, DPZ
May 27, 2004 Date File
O-3 (a) File

Planning Commission Meeting
May 27, 2004
Verbatim Excerpt

CPA 86-C-121-14 - DIAMOND RESTON PARK, LLC

During Commission Matters

Commissioner de la Fe: We have an administrative review item. Earlier this Commission had approved a conceptual plan for a high-rise residential building at Reston Town Center. After construction began and as things moved along, the owners have come in with a conceptual development plan amendment to increase the density from 100 units to 104 units. This does not change the building envelope, the height, or anything else. It does raise the density from 47.7 to 49.7, however, that is still below what is desired at Reston Town Center for residential developments. And as I stated, when the original concept plan was approved, we do want higher density at Reston Town Center so we can have lower density elsewhere in Reston. So, with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE THE CONCEPTUAL PLAN AMENDMENT 86-C-121-14, DIAMOND RESTON PARK, LLC.

Commissioners Alcorn and Hopkins: Second.

Vice Chairman Byers: Seconded by Mr. Alcorn and Ms. Hopkins. Any discussion? All in favor of the motion to approve CPA 86-C-121-14, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed? Motion carried.

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(The motion carried unanimously with Commissioner Murphy absent from the meeting.)

LBR

NOTES
RESTON TOWN CENTER CONCEPT PLAN
SECTION 89, BLOCK 5
March 10, 2004

GENERAL

1. The area subject to this Town Center Concept Plan is known as Section 89, Block 5, Reston. The Tax Map reference for the parcels are 17-1-((17)) Parcels 5A and 5B (the "Property"). The property is planned Town Center and zoned PRC Town Center (Planned Residential Community).

2. Town Center Concept Plan. The properties that are the subject of this application shall be developed in substantial accordance with this Town Center Concept Plan, dated Oct. 2001, revised through March 10, 2004, and prepared by Urban Engineering and Associates, Inc.; subject, however, to these notes and provided that minor modifications may be permitted when necessitated by sound engineering and/or which may become necessary as part of final site engineering, as determined by the Department of Public Works and Environmental Services ("DPW&ES").

3. Area. The application property consists of approximately 2.09 acres (91,324 S.F.). Diamond Properties, L.L.C. is the owner of the property and shall hereinafter be referred to as the "Applicant."

4. Water and Sewer. The proposed development will use public water and sewer.

5. Storm Water Management. The Applicant may request a waiver of on-site stormwater management and BMP requirements, as the Property is part of the regional storm water management system for the Reston Town Center Study Area. Storm water management and Best Management Practices ("BMP") for the Property will be handled offsite in the regional detention pond created pursuant to that certain "TOWN CENTER STORM WATER MANAGEMENT DETENTION EASEMENT AND MAINTENANCE AGREEMENT," recorded among the land records of Fairfax County at Deed Book 6369, Page 1540. In the event a waiver of on-site stormwater management and BMP is not granted, the Applicant shall provide the required on-site facilities.

6. Residential Uses.

   A. Under the Town Center rezonings (RZ 86-C-121 and subsequent PCAs), and the Development Plan for Parts 4 and 5 of the Reston Town Center Study Area, Block 5, Parcels 5A and 5B are permitted to develop for residential uses with a maximum building height of 180 feet.

   B. The proposed multifamily residential building shall consist of a maximum of 104 residential units of varied sizes depending on market demand and at the discretion of the Applicant. The Applicant reserves the right to develop fewer dwelling

units than the number of units represented in the site data shown hereon, and to correspondingly reduce the number of parking spaces.

7. Pedestrian circulation. The external and internal pedestrian circulation system (including trails and sidewalks) shall be provided as shown on this Town Center Concept Plan.

8. Building height. The maximum residential building height shall not exceed 180 feet above grade. The portion of the proposed parking structure that is not located beneath the residential building will be a maximum of four (4) parking levels above grade.

9. Open space. The Applicant shall provide a minimum of 35% open space on Section 89, Block 5, Parcels 5A and 5B, combined.

10. Tree cover. The existing tree cover for the majority of the Property has been removed as part of the Property's development. The Applicant shall provide a minimum of 10% tree cover for Section 89, Block 5, Parcels 5A and 5B, combined.

11. Parking. Parking will be provided in accordance with the provisions of Article 11 of the Zoning Ordinance; however, the Applicant reserves the right to provide additional spaces per the residents' needs and market requirements, provided the minimum open space is maintained, and provided that the height of the parking structures and the footprints of the parking structures and surface parking areas are not exceeded.

12. Recreational Facilities. The Applicant shall construct recreational uses for residents of the proposed development selected from among the following:

    a) A fitness center that may include weights, exercise equipment, sauna/steam room, and the periodic availability of a personal trainer;
    b) A community center with meeting room, media equipment and other similar facilities selected by Applicant; and
    c) Passive recreation area(s) to be utilized for recreational activities, such as seating areas, formal gardens/patios, reflecting pool and other facilities selected by Applicant.

TIMING

13. Construction Timing. The Applicant commenced construction on the Property in early 2004 and expects to complete construction by mid-2005.

LANDSCAPING

14. Landscape plan. The Applicant shall implement a landscaping plan consistent with quality and quantity of plantings shown on Sheet 5 of this Town Center Concept Plan (the "Landscape Plan"). The Landscape Plan shall include deciduous trees, shrubs, bushes and similar underplantings, including a complement of three-inch (3") caliper trees along the Property's frontage on New Dominion Parkway and Fountain Drive. The

final location of the plantings and trees may be modified as necessary for the installation of utilities, Virginia Department of Transportation ("VDOT") requirements and Fairfax County requirements, including modifications resulting from the future construction of any transportation or related improvements along either New Dominion Parkway or Fountain Drive. The Landscape Plan shall be coordinated with and subject to final review and approval by the Reston Town Center Design Review Board ("DRB") and by the Urban Forestry Division of DPW&ES at the time of site plan approval.

15. Plantings Within Easements. The Applicant shall provide supplemental landscaping within or adjacent to utility and other easements on the Property consistent with the Landscape Plan, subject to appropriate approval(s). If not permitted, and to the extent feasible, the Applicant shall relocate said plantings to other portions of the site, subject to review and approval by the DRB and DPW&ES.

16. Parking deck. No parking spaces shall be designed or permitted on the rooftop of the proposed parking structure. The Applicant shall provide landscaping and other amenities for residents on the rooftop of the parking structure as generally shown on Page 6 of this Town Center Concept Plan. Subject to review and approval of the DRB and the Urban Forestry Branch of the DPW&ES, the Applicant reserves the right to modify the design and schedule of landscaping and other amenities to be provided on the parking structure rooftop to ensure the viability and care of such landscaping in view of its proposed location above a concrete parking structure. Any such modifications shall provide, at a minimum, the quality and quantity of planting depicted on this Town Center Concept Plan.

17. Adjacent Open Space Area. Subject to the approval of the owner of the open space area located immediately west of the Property (Fairfax County Tax Map #17-1 ((17)), Parcel 4)(the "Adjacent Open Space Area") and the granting of appropriate letters of permission and/or easements by such owner, the Applicant shall trim, manicure and enhance the portion of the Adjacent Open Space Area through which the existing pedestrian path connects New Dominion Parkway and the Reston Regional Library, including providing supplemental landscaping, as warranted, along the pedestrian path and its immediate environs. The supplemental landscaping shall include a complement of shrubs, bushes and similar plantings along the pedestrian path. The Applicant shall include the details of such supplemental landscaping as part of the Applicant's Landscape Plan discussed in Note 14 above that is to be reviewed and approved by the Urban Forestry Branch of the DPW&ES. The Applicant shall complete such work prior to the issuance of the first residential use permit for the proposed development on the Property. Unless otherwise agreed to by the Applicant and the owner of the Adjacent Open Space Area, the Applicant shall not be responsible for the future maintenance and repair of the supplemental landscaping completed by Applicant on the Adjacent Open Space Area.

PEDESTRIAN CIRCULATION

18. Pedestrian Circulation. The external and internal pedestrian circulation system (including trails, sidewalks, crosswalks and paths) shall be provided as generally shown on Sheet 2 of this Town Center Concept Plan.

19. Sidewalk and Traffic Signal Right-of-Way. The Applicant previously dedicated in fee simple to the Board of Supervisors additional right-of-way, consistent with areas depicted on this Town Center Concept Plan, for the future construction, by others, of a traffic signal at the intersection of Fountain Drive and Bowman Towne Drive, as well as to incorporate existing and/or proposed pedestrian sidewalks/trails into such right-of-way.

20. Density Credit. Advanced density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT pursuant to the Public Facilities Manuel (PFM), at the time of site plan approval for the Property.

TRANSPORTATION

21. Warrant Study and Contribution for Traffic Signal at Bowman Towne Drive and Fountain Drive. The Applicant shall update a previous traffic signal warrant study for the intersection of Bowman Towne Drive and Fountain Drive to incorporate the proposed 104-unit residential development and shall submit the results of the updated analysis to the Virginia Department of Transportation ("VDOT") within 30 days of the next site plan submission for the proposed residential building. In the event VDOT determines in writing that a traffic signal is warranted at the subject intersection by the time of the next site plan approval for the proposed 104-unit residential development, and there has been no commitment by others to fund such signal, the Applicant shall contribute $20,000 toward the installation of a traffic signal at the subject intersection. Any contribution required pursuant to this provision shall be made at the time of site plan approval.

22. Bus Shelter. The Applicant shall construct one (1) bus shelter (open, with bench and constructed of Plexiglas or similar material) along the Property's frontage on Fountain Drive in the location shown on Sheet 2 of the Town Center Concept Plan. The bus shelter shall be constructed prior to the issuance of the first residential use permit for the proposed residential building. The Applicant shall install a covered trash receptacle within the bus shelter. The property owners association to be created and tasked with maintaining the common areas of the Property following construction of the residential building shall be responsible for providing refuse removal and maintenance of the bus shelter.

SITE DESIGN

23. Reston Town Center Design Review Board. Landscaping, site design, pedestrian access, lighting, signage and architectural details are subject to final review and approval by the DRB.

24. Building Materials and Parking Structure Treatment. The Applicant shall construct the residential building and associated parking structure in accordance with the building design and elevations shown on Sheet 4 of this Town Center Concept Plan and shall utilize exterior materials and designs selected from among the following: brick, pre-cast panels, stucco, EIFS (Exterior Insulation Finish System), split-face block and Hardi panels. The parking structure will incorporate architectural and/or landscape treatments to break up visually the horizontal expanses and will include materials similar to and compatible with the residential building.

25. Lighting. Parking lot and building lighting shall be provided in accordance with Article 14 of the Zoning Ordinance and shall be directed inward and/or downward to avoid glare on adjacent properties. The location of light poles on the Property shall be in general conformance with the locations shown on Sheet 5 of the Town Center Concept Plan, subject to final engineering and design as part of site plan approval. The maximum height of the light poles and fixtures shall not exceed eighteen (18) feet.

DEDICATION TO RESTON LIBRARY

26. Reservation of Land for Expansion of Reston Regional Library. The Applicant shall reserve for future dedication to the Fairfax County Library Foundation, without compensation, an area approximately 16,599 square feet in size along the Property's frontage on Fountain Drive and Bowman Towne Drive (minus any dedications for the installation of a traffic signal at such intersection as discussed in Note 18 above), as more particularly shown on Sheet 2 of this Town Center Concept Plan (the "Reservation Area"), to accommodate potential future expansion of the Reston Regional Library (the "Library Expansion") located adjacent to the Property (Tax Map #17-1 ((17)), Parcel 12). This reservation shall be noted on the submitted site plan for the uses and development included in this Town Center Concept Plan and shall remain in place for a period of thirteen (13) years from the date of the issuance of the first residential use permit for the proposed residential development, or until such time as Fairfax County notifies the Applicant in writing that it no longer needs the Reservation Area, whichever occurs first. Notwithstanding the foregoing reservation, however, the Applicant shall have the right to place construction staging equipment and/or construct/locate a temporary sales facility within the Reservation Area from which the Applicant may market for sale the residential units to be constructed as part of this development.

27. Dedication of Land to Fairfax County Library Foundation. The Applicant shall dedicate to the Fairfax County Library Foundation, without compensation, the Reservation Area for the Library Expansion, which is to be designed, bonded and constructed by others; provided, however, that such dedication is requested and made within the time set forth in Note 26 above. Given (a) the Applicant's need to conduct construction staging for and marketing of the proposed residential development within the Reservation Area, and (b) the Applicant's need to ensure the construction of the Library Expansion within the Reservation Area maintains sufficient lateral support for the entrance to the Applicant's development due to the sloping topography of the land within the Reservation Area, the

Applicant's requirement to dedicate the Reservation Area also is contingent upon the satisfaction of the following:

a. The Applicant has completed construction and/or marketing of the proposed residential development and no longer has an ongoing need for the Reservation Area for development purposes;

b. Approval of final construction plans for the Library Expansion, to be designed and funded by others, by the necessary public and/or private reviewing agencies for which any portion of the Reservation Area is needed;

c. Review by the Applicant of the construction plans for the Library Expansion, including any modifications to the entrance to the Property that may be necessary or desired as a result of the Library Expansion; and

d. Construction of the Library Expansion shall be at no cost to the Applicant, including any modifications to the entrance to the Property located adjacent to the Reservation Area or the construction of retaining walls within the Reservation Area to provide lateral support to the Property, as applicable.

28. In the event the Library Expansion requires less dedication from the Property than is provided by the Reservation Area, the excess Reservation Area shall be terminated and the underlying Property shall no longer be encumbered by the Reservation Area.

29. The Applicant shall perform off-site grading on the adjacent Reston Regional Library parcel (Tax Map #17-1 ((17)), Parcel 12) in accordance with the Letter of Permission included on Sheet 4 of this Town Center Concept Plan.

TOWN CENTER CONCEPT PLAN AMENDMENTS

30. By securing approval of this Town Center Concept Plan, the Applicant is not limiting or waiving any of its rights pursuant to the approved Town Center rezoning. The Applicant reserves the right to subsequently pursue Town Center Concept Plan Amendment(s), Special Exception(s) and/or Special Permit(s) (on the whole or any portion of the site) as permitted by the Town Center rezonings and the Fairfax County Zoning Ordinance.

31. Any portion of the site may be the subject of a Town Center Concept Plan Amendment, Special Exception or Special Permit without joinder and/or consent of the owners of the other land areas, provided that such application 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 application shall otherwise remain in full force and effect.