

DEVELOPMENT PLAN CONDITIONS

CDP 2009-HM-019

**May 25, 2010 as approved by
the Board of Supervisors**

If it is the intent of the Board of Supervisors to approve Conceptual/Final Development Plan CDP/FDP 2009-HM-019 for a transit-oriented mixed use development integrating Metro related facilities located at Tax Map 45-17 ((24)) 3 and 17-4 ((1A)) 17A., staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the Final Development Plan entitled "Reston Station" prepared by Urban Ltd consisting of thirty-two sheets dated June 15, 2009 as revised through May 17, 2010.
2. The Metrorail facilities may be subject to the Design Guidelines attached as Exhibit B of the proffers as they pertain to the provision of accessory uses, structures, public art and other amenities.
3. Underground stormwater detention shall be provided in conformance with the DPWES Waiver #2615-WPFM-002-1 Conditions dated February 12, 2010 and attached as Exhibit A.
4. Buildings 1 through 5 in Block 1 shall each include a fully accessible space within the garage located above and/or below the public plaza level. At a minimum, this space shall be fully conditioned, well-lit, and shall contain seating, to accommodate pick-up and drop-off of individuals with ADA disabilities. Adequate signage to direct individuals to the below public plaza level access shall be provided within each building and throughout the public plaza level.
5. Where feasible, the applicant will provide additional bicycle racks and storage in the commercial garage or in buildings for use by the patrons of the private development by demand. Locations for these facilities shall be determined jointly by the applicant and the County's Department of Transportation at the time of site plan submittals for the proposed phases of development.
6. A minimum of one male and one female shower facility shall be provided in each office building.
7. A minimum of 20% of all workforce units shall consist of two bedrooms or more.

The proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.

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EXHIBIT A

Waiver #2615-WPFM-002-1 Conditions

Reston Station
Rezoning/Final Development Plan Application #RZ 2009-HM-019
February 12, 2010

1. The underground facilities shall be constructed in accordance with the development plan and these conditions as determined by the Director of the Department of Public Works and Environmental Services (DPWES).
2. To provide greater accessibility for maintenance purposes, the underground facilities shall have a minimum height of 72 inches.
3. The underground facilities shall be constructed of reinforced concrete products only and incorporate safety features, such as including locking manholes and doors, as determined by DPWES at the time of construction plan submission.
4. The underground facilities shall be privately maintained and shall not be located in a County storm drain easement.
5. A private maintenance agreement, as reviewed and approved by the Fairfax County Attorney's Office, shall be executed and recorded in the Land Records of the County. The private maintenance agreement shall be executed prior to final plan approval.

The private maintenance agreement shall address:

- County inspection and all other issues as may be necessary to insure that the facilities is maintained by the community association in good working condition acceptable to the County so as to control stormwater generated from the redevelopment of the site and to minimize the possibility of clogging events.
 - A condition that the community association and its successors or assigns shall not petition the County to assume maintenance of or to replace the underground facilities.
 - Establishment of procedures to facilitate inspection by the County, i.e. advance notice procedure, whom to contact, who has the access keys, etc.
 - A condition that the community association provide and continuously maintain liability insurance. The liability insurance amount shall be at least \$1,000,000 against claims associated with underground facilities.
 - A condition that all operation, inspection, maintenance, and replacement costs shall be the responsibility of the community association and no individual residential unit, or any residential condominium owners association which may be formed in the future, shall be responsible for these costs as described in Proffer IV.23.
 - A statement that Fairfax County shall be held harmless from any liability associated with the facilities.
6. Operation, inspection, and maintenance procedures associated with the underground facilities shall be incorporated into the site construction plan and private maintenance agreement which insure safe operation, inspection, and maintenance of the facilities.