

FAIRVIEW PARK PROPOSAL FOR THE SOUTH EASTERN  
QUADRANT OF THE ROUTE 50/I-494 INTERSECTION  
APPLICATION NO. 78-P-130  
(A Part of the Conceptual Development Plan)

PROFFERS

Recognizing his responsibility to the community and to the planning process, the applicant is making the commitments contained hereafter.

These commitments are presented as a "package", the economic impact of which has been carefully determined. Any substantive change in the development plan would necessarily result in a review of the "package" and any increase in any of the listed commitments or any additional commitments could not be made without a similar review.

The following commitments are intended as an integral part of the PDC submission and conceptual development plan and are binding on the applicant provided such PDC and conceptual development plan are approved. However, the location of buildings and of residential mix shown on illustrative plans shall be considered for illustrative purposes only and the specific location of buildings, residential unit mix and related development matters shall be determined at the time of final development plan approval pursuant to provisions of Fairfax County ordinances.

In addition to required approval or approval of modifications of Final Development Plan(s) pursuant to paragraph 4 of Section 16-402 of the Zoning Ordinance, such plan(s) shall be subject to public hearing and action by the Board of Supervisors in a manner prescribed by paragraph 7 of the above cited section.

These commitments shall be binding upon the applicant/owners only upon approval of the requested PDC zoning and the conceptual development plan submitted with Applications 78-P-130 and 80-P-073.

A. LAND USE

1. Subject development shall have no more than 2.25 million square feet of non-residential development on the area west of Holmes Run Stream Valley. At least 35% of the area west of the Holmes Run stream shall be provided as natural and landscaped open space. Underground or multilevel structured parking is encouraged to preserve the maximum amount of undisturbed open space. The non-residential development shall be an integrated business park consisting of no more than 1.9 million square feet of office space, 50,000 square feet of retail commercial space and 500 room hotel, and 250 residential units.

2. The Holmes Run Stream Valley shall be preserved as a stream valley park and dedicated to Fairfax County Board of Supervisors in accordance with the County's adopted stream valley policy.

3. Office building shall not exceed 15 stories in height and hotel/apartment buildings to the west of Holmes Run Stream Valley may exceed 15 stories but in no event shall they exceed 180 feet which is the equivalent height of a 15 story office building.

4. Applicant agrees that the portion of the quadrant east of Holmes Run, north and northwest of Falls Church High School, will be developed for residential units not to exceed 400 dwelling units. These units shall not exceed 3 stories in height. The vacant 10 acre portion of the quadrant south of Falls Church High School will be developed as single family detached units along the eastern property line with attached units adjoining the Fairfax County Park and Stream Valley to the north, west and south respectively as shown on schematic plan for this area.

5. Applicant shall dedicate to the Fairfax County Board of Supervisors land to serve future residents at the location adjacent to Arlington Boulevard and west of Jaquar Trail in that portion outside Stream Valley.

6. Applicant agrees that any retail commercial uses on the site will serve primarily the demand of the other non-residential uses on the site and will be integrated with the overall design and layout of the site.

7. A substantial open space buffer of no less than 250 feet, with 300 feet desirable, consisting of the existing tree cover and supplemented with additional landscaping will be provided along the southern perimeter of the site to eliminate any adverse visual impact upon the detached single family residences to the south of the site. If requested to do so by Fairfax County, this buffer shall be dedicated to the County and maintained in its natural state. However, it is understood that nothing herein shall preclude the installation of any utilities, storm water detention and/or siltation and erosion control devices in accord with Fairfax County Ordinances and Standards.

8. The height of all structures within 500 feet of the southern boundary of the site shall be limited to 6 stories so as to be visually unobtrusive to the stable low density residential communities to the south and east of the site. Applicant agrees to comply with the tapering of heights from the north to the south as shown on the Conceptual Development Plan.

9. The provision of lighting in buildings located within areas of the site abutting adjacent residences and communities shall be visually unobtrusive to and compatible with such residences and adjacent communities. As a general rule, parking lot lighting shall not exceed 13 feet in height.

10. Applicant shall provide internal recreation facilities in accordance with the provisions of Section 6-209 (2) of the Fairfax County Zoning Ordinance. Type and location of such will

be specified on final development plan. Any recreational facilities constructed within areas to be dedicated to the Park Authority shall be subject to the approval of the Park Authority. Applicant will provide a trail connection between southeast and northeast quadrants.

B. TRANSPORTATION

1. Primary residential vehicular access to the tract from Route 50 will be via Jaguar Trail and Camp Alger Avenue. Non-residential access will be provided directly from Route 50 by means of a new interchange located generally west of the Holmes Run Stream Valley. (As shown on applicant's submission)

2. Access to the office-hotel-retail portion of the tract will be provided by a new Route 50 grade separated interchange east of the existing I-495-50 interchange and generally west of Holmes Run Stream Valley. (See Exhibit 1 as subsequently amended) Construction of all transportation improvements on Exhibit 1 shall be the responsibility of the owners of the northeast and southeast quadrants of Route 50 and 495 and said improvements shall be dedicated as public facilities.

3. Applicant agrees to abide by existing covenants which prohibit vehicular access from areas west of Holmes Run to residential neighborhoods south and east of the site. Existing covenants do not preclude proposed construction for the new Route 50 interchange ramps.

4. Applicant agrees to improve a portion of Jaguar Trail and Marc Drive adjacent to the site as well as the intersection of Jaguar and Route 50 in order to accommodate the traffic generated by the residential development of that portion east of Holmes Run Stream Valley in the manner shown on Exhibit 1 as subsequently amended and in accordance with the Fairfax County and VDH&T standards.

5. In the event that the applicant is unable to obtain easements or rights of way necessary for the proposed transportation improvements, the applicant agrees to bear the expense of condemnation for said easements or rights of way which Fairfax County will undertake promptly at the request of the applicant.

6. Applicant agrees that all vehicular access improvements shall meet with the approval of Fairfax County and the Virginia Department of Highways and Transportation (VDH&T); with Federal Highway Administration approval as necessary as well for the new Route 50 interchange and associated I-495 improvements.

7. Applicant agrees to aggressively encourage ridesharing by office building tenants to reduce traffic generated by site development during peak traffic periods by phasing the implementation of the transportation control strategies listed below at appropriate stages in the development of the site; and maintaining these strategies until the applicant provides evidence to the Board of Supervisors that there is no further need. Where appropriate, applicant agrees to work with other area employers (i.e., Mobil, AAA and employers on northeast quadrant) in implementation of this ridesharing.

- ° Establish a formal carpool/vanpool program for Fairview Park employees which will be operational under the direction of the transportation coordinator no later than when 500,000 square feet of commercial space is occupied in either or both tracts provided by and at the expense of the occupants of the commercial uses.
- ° With technical assistance from Washington COG, provide matching service for carpooling and vanpooling candidates.
- ° Developer shall fully fund a position of "transportation coordinator" with appropriate private staff support.
- ° Designate convenient spaces as preferred parking for carpools/vanpools.
- ° Institute a pay parking policy with incentives for ridesharing participants and to reduce concentration of peak-hour traffic.

8. Applicant agrees to aggressively encourage mass transit useage including construction of bus shelters and pedestrian walkways linking adjacent communities to more convenient bus shelters.

9. In the event that WMATA does not operate direct feeder bus service to and between Fairview Park and the Dunn Loring Metro station, the applicant agrees to implement a peak-hour shuttle bus service to the Dunn Loring Metro station in coordination with other major developments in the immediate area.

10. A traffic analysis shall be conducted under the direction of the transportation coordinator at applicant's expense to determine the magnitude of total peak-hour office trips generated by this development. Said analysis shall occur:

- a. Within six (6) months after at least 2.4 million square feet of the total of 3.6 million square feet of office use is completed.
- b. Six (6) months after completion of full development of 3.6 million square feet of office use.

If the total peak-hour trips generated by commercial development by the subject property and the companion tract exceed either 3,300 inbound A.M. trips or 2,971 outbound P.M. trips and these excess trips create a significant change in the peak-hour level of service from that which would be computed in the absence of such trips at either the new interchange on Route 50 or at the northeast tract connection to Routes 29-211, additional transportation strategies shall be developed to reduce the peak-hour effect of the incremental trips to a level commensurate with the above allowable AM and PM peak hour trips.

If the total peak-hour generated trips after occupancy of 2.4 million square feet of commercial uses exceed 75% of either 3,300 inbound A.M. trips or 75% of 2,971 outbound P.M. trips, issuance of building permits for commercial uses in excess of 3.0 million square feet may be deferred by the Board of Supervisors for a period not to exceed two years to allow development and implementation of additional transportation strategies designed to assure that at the time of occupancy of the total of 3.6 million square feet of commercial use the peak-hour traffic generated by the subject property and the companion tract shall not exceed the above projections.

In order to agree impartially on the degree of the incremental impact (if any) and the most practical strategies for implementation (if required) traffic recommendations developed by the transportation coordinator shall be submitted to the Board of Supervisors. If the Board of Supervisors does not agree with the traffic analysis, the Board of Supervisors shall submit said analysis for review to an arbitration board. Said arbitration board shall consist of the following members:

- (1) One representative transportation consultant appointed and funded by Fairview Park developer.
- (2) One representative transportation consultant appointed and funded by developer of northeast quadrant.
- (3) One representative transportation engineer appointed by Fairfax County Board of Supervisors.
- (4) One representative transportation engineer appointed by VDH&T.

If the said arbitration board cannot reach a consensus opinion on the said analysis, a fifth traffic consultant shall be

appointed by the four traffic consultants selected pursuant to the above procedure. The decision of the fifth transportation consultant concerning the accuracy of said analysis shall be binding upon all parties. Compensation of the fifth traffic consultant shall be paid equally by developers of northeast and southeast quadrant unless otherwise determined by the Fairfax Board of Supervisors.

Upon approval of the arbitration board, appropriate transportation strategies shall be instituted by applicant as soon as practical. If the peak-hour traffic levels are under the allowable limits, no action shall be taken.

In the event that revised strategies shall be required as described, additional monitoring and/or analysis shall be conducted by applicant to determine the adequacy of the revised strategies and the results submitted to the Board of Supervisors of Fairfax County for review and additional procedures in accord with the provisions of this proffer shall be undertaken by applicant if requested by the Board of Supervisors.

In the event additional monitoring and/or analysis and/or revised strategies shall be required from time to time in accordance with this provision, the cost of the revised strategies and the additional monitoring and/or analysis shall be paid by the developers of the subject property and the companion property and/or occupants of the commercial uses.

11. Construction of substantially all the foregoing transportation improvements including the overpass and associated ramps shall be completed prior to first occupancy of the commercial portions of the development. However, with the concurrence of the County and VDH&T, certain portions of the improvements, such as the additions to the I-495 CD lanes may be deferred until a later phase of development. The issuance of building permits for commercial structures shall be dependent upon receipt by appropriate governmental authority of assurance that the grade separation at US Route 50 and associated ramps shall be available for use prior to the date of first occupancy of the commercial facilities.

C. ENVIRONMENT

1. Holmes Run Stream Valley Shall be preserved as a stream valley park in accordance with the County's adopted stream valley policy. However, the applicant shall have the right to construct and provide for utilities, storm water detention facility, siltation and erosion devices, interchange ramps, recreational facilities and such other improvements including but not limited to selective clearing necessary for improvements of the stream channel and/or sound forest management practices. Applicant shall dedicate said land to the County.

2. Applicant agrees to provide non-vehicular access to and through the Holmes Run Stream Valley as shown on the conceptual development plan.

3. Applicant agrees that a portion of the existing tree cover (not less than 25 feet of natural tree cover and/or landscaped open space) shall be preserved as a natural open space, screen and buffer along the periphery with I-495 and Route 50, while permitting points of visibility at selected intervals.

4. The applicant agrees to provide stormwater detention facilities which are designed in accord with the requirements and objectives of Fairfax County for the Upper Holmes Run watershed. More specifically, the applicant shall provide for detention/retention which will control peak discharge for the post-development state in excess of that which is calculated for the pre-development condition. This commitment shall be accomplished by the provision of detention reservoirs located in the northeastern and northwestern tributaries of the Holmes Run which traverse this property, more specifically identified by the Fairfax County Department of Public Works as detention reservoir sites DR 494-4 and DR 503-1. These reservoirs shall be designed for the 25-year and 2-year frequency storms of one-hour durations and generally will be in substantial conformance with the following design characteristics for each of the two reservoirs.

DR 494-4

Q25 In = 548 cfs	$t_p$ In = 15 minutes
Q25 Out = 85 cfs	$t_p$ Out = 70 minutes

25-Year Storage Volume Required = 21 acre feet

Q2 Out = 26 cfs	$t_p$ Out = 135 minutes
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2-Year Storage Volume Required = 13 acre feet

DR 503-1

Q25 In = 782 cfs  
Q25 Out = 595 cfs

$t_p$  In = 20 minutes  
 $t_p$  Out = 25 minutes

25-Year Storage Volume Required = 5 acre feet

Q2 Out = 356 cfs

$t_p$  Out = 25 minutes

2-Year Storage Volume Required = 1.6 acre feet

It shall be understood that provision of these storm water detention facilities will require the modification of the two aforementioned tributaries. Furthermore, whereas the applicant intends to maximize the preservation of the open space buffer, more specifically described as condition A-7, the applicant will minimize the provision of storm water detention facilities in the southwestern tributary which traverses the subject site, however the applicant shall provide for those siltation and erosion control devices including temporary siltation ponds which may be requested or required in accord with the Fairfax County Public Facilities Manual.

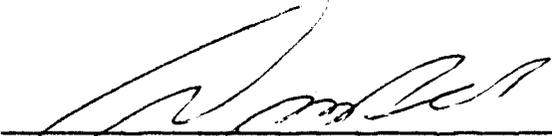
5. Applicant will comply with all Federal, state and local air and noise laws, ordinances and regulations applicable to development of this site.

6. Fairfax County identifies the subject property as an area of potential adverse noise impact resulting from adjacent highway uses.

In order to mitigate the adverse impact, if any of highway noise, residential units constructed on the subject property shall have the following acoustical attributes:

- a. Roofs and exterior walls shall be designed to have a laboratory sound transmission class (STC) of at least 39.
- b. Doors and windows shall be designed to have a laboratory sound transmission class (STC) of at least 28.
- c. Adequate sealing and caulking between surfaces shall be accomplished.

No structures for either commercial or residential use shall be erected within the 75 dba Ldn noise zone, such zone is more particularly shown on plat prepared by the Fairfax County staff and is attached to the Staff Report, being further that area within 400 feet of the centerline of I-495.



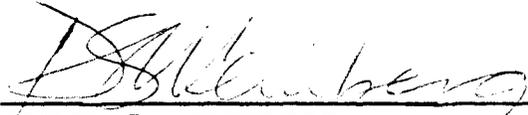
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5/11/81

