



FAIRFAX COUNTY

PCA 86-W-001-7/FDPA 86-W-001-5 FILED: March 19, 1997
PCA 86-P-089-4/ FDPA 86-P-089 FILED: March 25, 1997
PLANNING COMMISSION: July 30, 1997
BOARD OF SUPERVISORS: August 4, 1997
@ 4:00 p.m.

VIRGINIA

July 16, 1997

STAFF REPORT

APPLICATIONS PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/ FDPA 86-P-089

SULLY DISTRICT

APPLICANT: FL Promenade, L.P.

ZONING: PDC and WS

PARCEL(S): 55-2 ((1)) 15 Pt.

ACREAGE:

PCA 86-W-001-7/FDPA 86-W-001-5	30.78 acres
PCA 86-P-089-4/ FDPA 86-P-089	<u>3.29 acres</u>
TOTAL	34.17 acres

FAR: 0.43

OPEN SPACE: 40%

PLAN MAP: Fairfax Center Area, Office/Mixed Use

PROPOSAL: Amend Proffers, Conceptual Development Plan and Final Development Plan for Land Bay A of the Government Center to redesign the regional stormwater management system and to permit other site modifications.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 86-W-001-7 subject to the execution of the proffers contained in Appendix 1A.

Staff recommends approval of PCA 86-P-089-4 subject to the execution of the proffers contained in Appendix 1A.

Staff recommends approval of FDPA 86-W-001-5 subject to the proposed development conditions in Appendix 1B.

Staff recommends approval of FDPA 86-P-089 subject to the proposed development conditions in Appendix 1B.

Staff recommends approval of a waiver of the barrier requirement along the southern boundary line.

Staff recommends approval of a modification of the transitional screening and a waiver of the barrier requirement along the northern boundary line.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Office of Comprehensive Planning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Reasonable accommodation is available upon 7 days advance notice. For information call (703) 324-1334.

PROFFERED CONDITION AMENDMENT /

FINAL DEVELOPMENT PLAN AMENDMENT

PCA 86-W-001-7

FDPA 86-W-001-5

PCA 86-W-001-7
FILED 03/19/87

FL. PROGRESSIVE, L. P.
PROFFERED CONDITION AMENDMENT
PROPOSED: MODIFY STORM WATER MANAGEMENT & OTHER SITE MOD.
APPROX: 30.78 ACRES OF LAND; DISTRICT - SULLY
LOCATED: N. OF INTERSTATE 66, IN THE S.W. QUADRANT OF
THE INTERSECTION OF FAIR LAKES PKWY (RT. 7700)
AND WEST OX RD. (RT. 608)

SHOWING: PDC
OVERLAY DISTRICT(S): WS
055-2- /01/ /0015- P

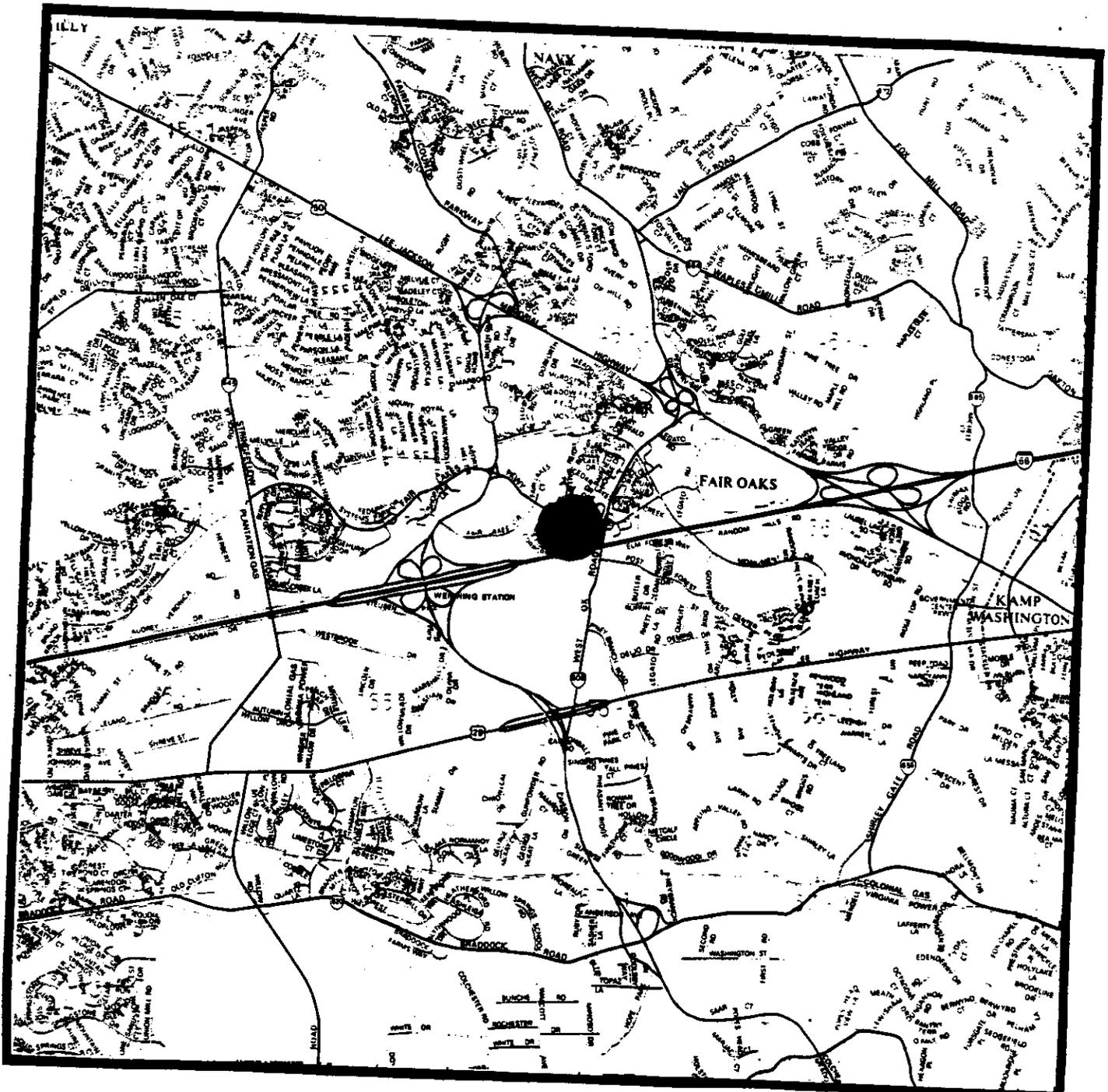
MAP REF

FDPA 86-W-001-5
FILED 03/19/87

FL. PROGRESSIVE, L. P.
FINAL DEVELOPMENT PLAN AMENDMENT
PROPOSED: MODIFY STORM WATER MANAGEMENT
APPROX: 30.78 ACRES OF LAND; DISTRICT - SULLY
LOCATED: N. OF INTERSTATE 66, IN THE S.W. QUADRANT OF
THE INTERSECTION OF FAIR LAKES PKWY (RT. 7700)
AND WEST OX RD. (RT. 608)

SHOWING: PDC
OVERLAY DISTRICT(S): WS
055-2- /01/ /0015- P

MAP REF



PCA 86-P-089-4

FDPA 86-P-089

PCA 86-P-089-4
FILED 03/25/97

FL PROMENADE, L. P.
PROFFERED CONDITION AMENDMENT
PROPOSED: MODIFY STORMWATER MANAGEMENT & OTHER SITE MOD.
APPROX: 3.29 ACRES OF LAND; DISTRICT - SULLY
LOCATED: N. OF INTERSTATE 66, IN THE S.W. QUADRANT OF
THE INTERSECTION OF FAIR LAKES PKWY (RT. 7700)
AND WEST OX RD. (RT. 608)

ZONING: FDC
OVERLAY DISTRICT(S):
055-2- /01/ /0015- P

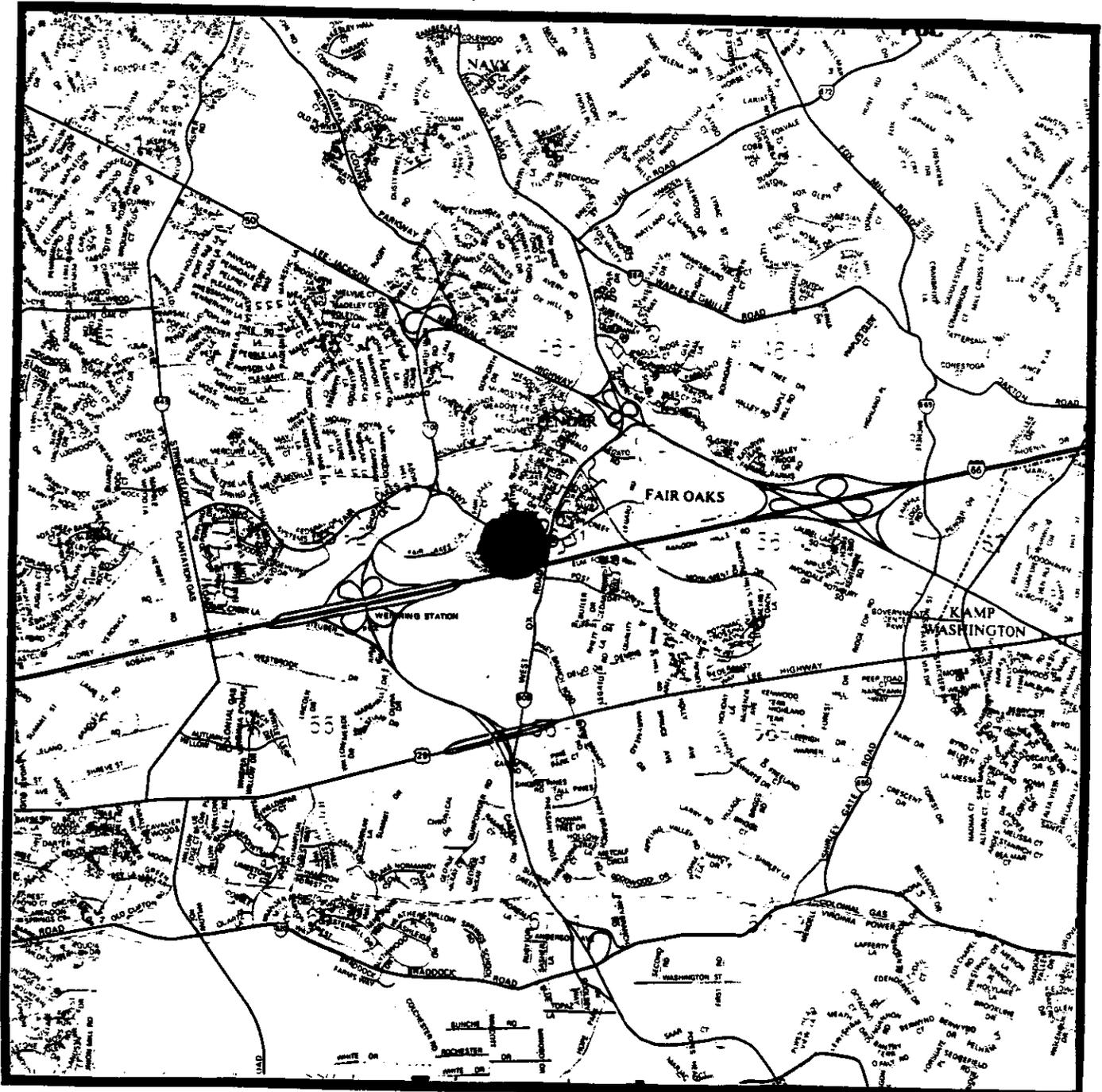
MAP REF

FDPA 86-P-089
FILED 03/25/97

FL PROMENADE, L. P.
FINAL DEVELOPMENT PLAN AMENDMENT
PROPOSED: MODIFY STORM WATER MANAGEMENT - SULLY
APPROX: 3.29 ACRES OF LAND; DISTRICT - SULLY
LOCATED: N. OF INTERSTATE 66, IN THE S.W. QUADRANT
THE INTERSECTION OF FAIR LAKES PKWY (RT. 77
AND WEST OX RD. (RT. 608)

ZONING: FDC
OVERLAY DISTRICT(S):
055-2- /01/ /0015- P

MAP REF



PROFFERED CONDITION AMENDMENT /

FINAL DEVELOPMENT PLAN AMENDMEN

PCA 86-W-001-7

FDPA 86-W-001-5

PCA 86-W-001-7
FILED 03/19/97

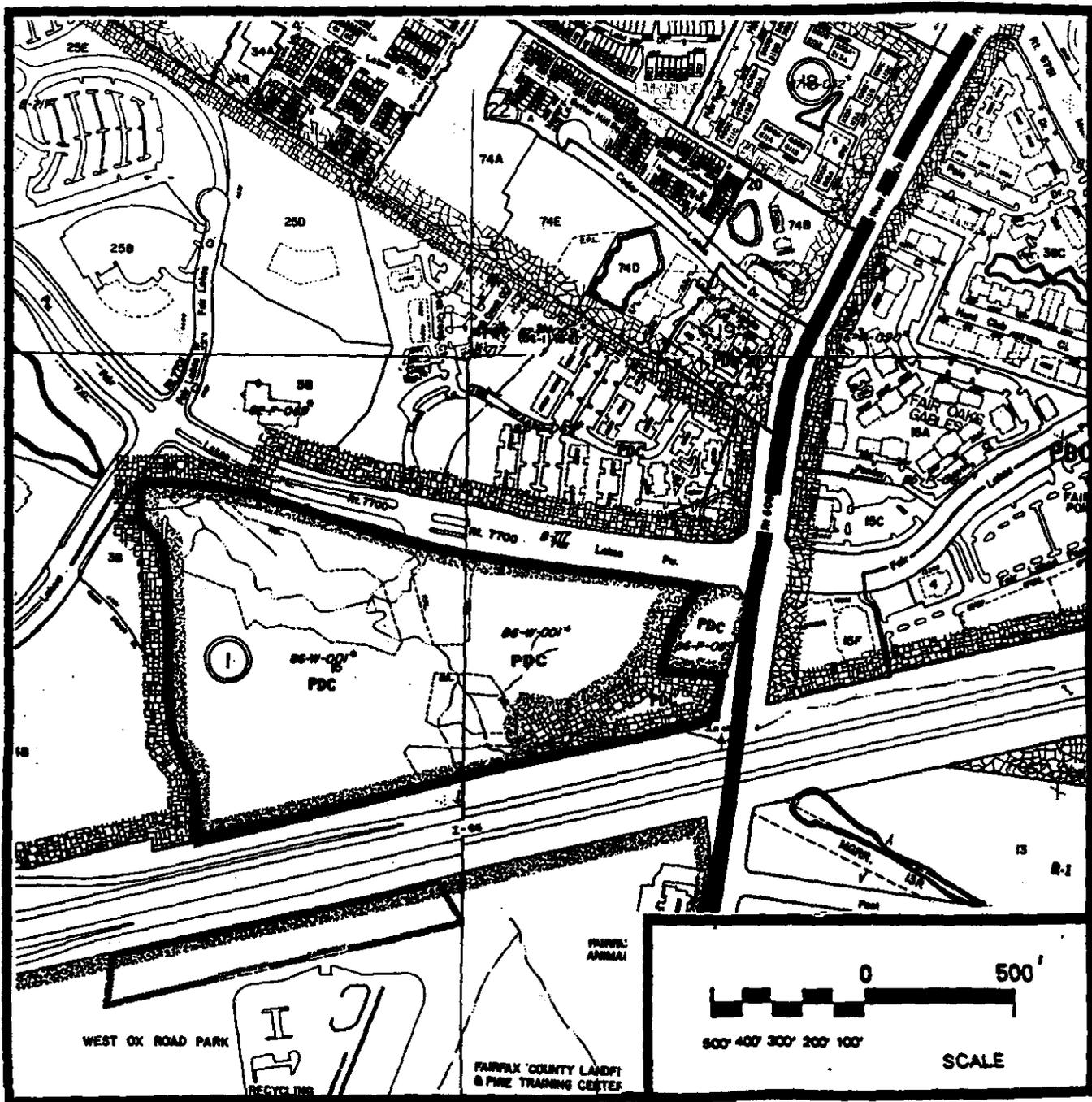
PL. FROMMANN, L. P.
PROFFERED CONDITION AMENDMENT
PROPOSED: MODIFY STORM WATER MANAGEMENT & OTHER SITE MCD.
APPROX: 30.78 ACRES OF LAND; DISTRICT - SULLY
LOCATED: N. OF INTERSTATE 66, IN THE S.W. QUADRANT OF
THE INTERSECTION OF FAIR LAKES PARK (RT. 7700)
AND WEST OX RD. (RT. 608)
ZONING: PDC
OVERLAY DISTRICT(S): WB
055-2- /01/ /0015- P

MAP REF

FDPA 86-W-001-5
FILED 03/19/97

PL. FROMMANN, L. P.
FINAL DEVELOPMENT PLAN AMENDMENT
PROPOSED: MODIFY STORM WATER MANAGEMENT
APPROX: 30.78 ACRES OF LAND; DISTRICT - SULLY
LOCATED: N. OF INTERSTATE 66, IN THE S.W. QUADRANT OF
THE INTERSECTION OF FAIR LAKES PARK (RT. 7700)
AND WEST OX RD. (RT. 608)
ZONING: PDC
OVERLAY DISTRICT(S): WB
055-2- /01/ /0015- P

MAP REF



LAND BAY "A"

A. GENERAL NOTES

1. THE PROPERTY IS TO BE DEVELOPED AS A COMMUNITY CENTER. DEVELOPER IS TO BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
2. LAND BAY "A" IS TO BE IN THE CARE OF THE BOARD OF SUPERVISORS OF PALMER COUNTY, VIRGINIA.
3. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE AND THE COMMUNITY DEVELOPMENT ACT.
4. A. BASED ON FIELD SURVEYS OF THE PROPERTY, THERE IS NO EVIDENCE OF ANY PREVIOUS DEVELOPMENT OR STRUCTURE ON THE PROPERTY.
5. B. THE BEST USE OF THE PROPERTY IS FOR COMMERCIAL AND INDUSTRIAL PURPOSES.
6. TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THERE ARE NO EXISTING UTILITIES OR STRUCTURES ON THE PROPERTY.
7. THIS DEVELOPMENT CONTAINS NO APPLICABLE ENVIRONMENTAL REGULATIONS OR RESTRICTIONS, EXCEPT AS NOTED IN PARAGRAPH 7. BELOW IN THE NEARBY FOR THE PROPERTY.
8. THE DESIGN AND CONCEPTS PROVIDED IN THE ATTACHED PLANS SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE AND THE COMMUNITY DEVELOPMENT ACT.
9. THE BOARD OF SUPERVISORS OF PALMER COUNTY SHALL BE RESPONSIBLE FOR THE REVIEW AND APPROVAL OF THE PLANS AND PERMITS FOR THE DEVELOPMENT.
10. THE BOARD OF SUPERVISORS SHALL BE ADVISED BY THE DESIGNER OF ANY CHANGES TO THE PLANS THAT MAY BE NECESSARY DURING THE COURSE OF THE DEVELOPMENT.

B. TRANSPORTATION AND PARKING

1. ALL APPROVED UTILITIES, TRUNKS AND TRUNK LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE ZONING ORDINANCE AND THE COMMUNITY DEVELOPMENT ACT.
2. ALL UTILITIES AND SERVICES SHALL BE PROVIDED AS NOTED IN THE PLANS AND PERMITS FOR THE DEVELOPMENT.
3. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
4. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.

C. UTILITIES

1. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
2. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
3. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.

D. STORMWATER MANAGEMENT (SWM), FLOODPLAINS AND EQC

1. SWM SHALL BE PROVIDED BY A COMBINATION OF BEST PRACTICES TO BE DETERMINED BY THE DESIGNER.
2. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
3. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
4. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.

F. MISCELLANEOUS

1. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
2. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
3. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
4. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
5. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
6. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.

E. LANDSCAPING, BUFFERS, SCREENING AND TREE SAVES AREAS

1. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
2. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
3. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.
4. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL UTILITIES AND SERVICES TO BE PROVIDED TO THE PROPERTY.

G. RELATIVE BUILDING HEIGHT - LAND BAY "A"

BUILDING NUMBER	HIGHEST FLOOR ELEVATION	AVERAGE EXISTING FLOOR ELEVATION	MAXIMUM BUILDING HEIGHT
1	40	40	15'
2	41	41	15'
3	42	42	15'
4	43	43	15'
5	44	44	15'
6	45	45	15'
7	46	46	15'
8	47	47	15'
9	48	48	15'
10	49	49	15'
11	50	50	15'
12	51	51	15'
13	52	52	15'
14	53	53	15'
15	54	54	15'
16	55	55	15'
17	56	56	15'
18	57	57	15'
19	58	58	15'
20	59	59	15'
21	60	60	15'
22	61	61	15'
23	62	62	15'
24	63	63	15'
25	64	64	15'
26	65	65	15'
27	66	66	15'
28	67	67	15'
29	68	68	15'
30	69	69	15'
31	70	70	15'
32	71	71	15'
33	72	72	15'
34	73	73	15'
35	74	74	15'
36	75	75	15'
37	76	76	15'
38	77	77	15'
39	78	78	15'
40	79	79	15'
41	80	80	15'
42	81	81	15'
43	82	82	15'
44	83	83	15'
45	84	84	15'
46	85	85	15'
47	86	86	15'
48	87	87	15'
49	88	88	15'
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93	132	132	15'
94	133	133	15'
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97	136	136	15'
98	137	137	15'
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100	139	139	15'
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102	141	141	15'
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128	167	167	15'
129	168	168	15'
130	169	169	15'
131	170	170	15'
132	171	171	15'
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146	185	185	15'
147	186	186	15'
148	187	187	15'
149	188	188	15'
150	189	189	15'
151	190	190	15'
152	191	191	15'
153	192	192	15'
154	193	193	15'
155	194	194	15'
156	195	195	15'
157	196	196	15'
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172	211	211	15'
173	212	212	15'
174	213	213	15'
175	214	214	15'
176	215	215	15'
177	216	216	15'
178	217	217	15'
179	218	218	15'
180	219	219	15'
181	220	220	15'
182	221	221	15'
183	222	222	15'
184	223	223	15'
185	224	224	15'
186	225	225	15'
187	226	226	15'
188	227	227	15'
189	228	228	15'
190	229	229	15'
191	230	230	15'
192	231	231	15'
193	232	232	15'
194	233	233	15'
195	234	234	15'
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212	251	251	15'
213	252	252	15'
214	253	253	15'
215	254	254	15'
216	255	255	15'
217	256	256	15'
218	257	257	15'
219	258	258	15'
220	259	259	15'
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222	261	261	15'
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224	263	263	15'
225	264	264	15'
226	265	265	15'
227	266	266	15'
228	267	267	15'
229	268	268	15'
230	269	269	15'
231	270	270	15'
232	271	271	15'
233	272	272	15'
234	273	273	15'
235	274	274	15'
236	275	275	15'
237	276	276	15'
238	277	277	15'
239	278	278	15'
240	279	279	15'
241	280	280	15'
242	281	281	15'
243	282	282	15'
244	283	283	15'
245	284	284	15'
246	285	285	15'
247	286	286	15'
248	287	287	15'
249	288	288	15'
250	289	289	15'
251	290	290	15'
252	291	291	15'
253	292	292	15'
254	293	293	15'
255	294	294	15'
256	295	295	15'
257	296		

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

The four concurrent applications pertain to Land Bay A, a 34.17 acre portion of the 221 acre Fairfax County Government Center complex. The applicant is requesting approval of two proffered condition amendment (PCA) and two final development plan amendment (FDPA) applications which are linked through a common conceptual and final development plan and a single set of proffers. Approval of the applications would result in a redesign of the approved stormwater management wet pond into a two-phase stormwater management dry pond system. The redesign of the pond system will affect the configuration of the approved hotel and office development on the subject property; however, no changes are proposed to the approved FAR of 0.43, open space of 40%, or building heights of 120 feet.

Land Bay A is owned by the Board of Supervisors and is vacant and mostly wooded. The applicant, FL Promenade, L.P., is the owner of property located to the east of the subject property and developed with a retail center. The applicant proposes to construct and utilize the first phase of the regional pond system located on the subject property in accordance with an agreement with the property owner.

Waivers and Modifications

Modification of the transitional screening and waiver of the barrier requirements along the southern boundary pursuant to Par. 11 of Sect. 13-304 of the Zoning Ordinance.

Modification of the transitional screening and waiver of the barrier requirement along the northern boundary pursuant to Par. 3 and Par. 12 of Sect. 13-304 of the Zoning Ordinance.

LOCATION AND CHARACTER

Site Description:

The 34.17 acre site is known as Land Bay A of the 221 acre mixed use Governmental Center. Land Bay A is located north of I-66, and in the southwest quadrant of the West Ox Rd./Fair Lakes Parkway intersection. Land Bay A is currently wooded and vacant. An on-site gravel road extends between Fair Lakes Parkway and generally runs parallel to I-66. A floodplain/EQC bisects the

property in a generally northwest to southeast direction. The remaining three land bays of the Governmental Center are located south of I-66 and on the east side of West Ox Road. Land Bay B contains three office buildings (two built, one future); Land Bay C contains the existing Government Center; and Land Bay D contains existing townhouses and multi-family residences.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Multi-Family Residential*	PDC	Office/Mixed Use
South	I-66, County Landfill and Recycling Center	R-1	Public Facilities
East	Office/Shopping Center	PDC	Office/Mixed Use
West	Office/Retail and Day Care Center*	PDC	Office/Mixed Use

* The 660 acre mixed use Fair Lakes development is located to the north and west. Fair Lakes Land Bay V is located to the west and Fair Lakes Land Bay VI is located to the north.

BACKGROUND

Site History:

Application	Date	Use	BOS Action*
RZ 86-W-001	03/10/86	Government Center/ Mixed Use	BOS Approved ¹
RZ 87-W-040/ CDPA 86-W-001-1 FDP 86-W-001	08/03/87	Government Center/ Mixed Use	BOS Approved ²
RZ 86-P-089/ PCA/CDPA 86-W-001-2 FDPA 86-W-001	08/01/88	Government Center/ Mixed Use	BOS Approved ³
PCA 86-W-001-3 PCA 86-P-089	04/08/91	Residential	BOS Approved ⁴

Application	Date	Use	BOS Action [*]
PCA 86-W-001-4/ FDPA 86-W-001-2	12/07/92	Government Center/ Commuter Parking	BOS Approved ⁵
PCA 86-W-001-5/ PCA 86-P-089-2/ FDPA 86-W-001-3	01/12/95	Residential	Withdrawn ⁶
PCA 86-W-001-6/ PCA 86-P-089-3/ FDPA 86-W-001-4	10/30/95	Government Center/ Mixed Use	BOS Approved ⁷

1. This action rezoned 216.58 acres from the R-1 and PDH-5 Districts to the PDC District in order to develop a mixed use development with an overall FAR of 0.33. In addition, the Board approved a Conceptual Development Plan (CDP) depicting four land bays. A mix of office/commercial and residential uses are depicted on Land Bays A, B and D, and the 100 acre governmental center is depicted on Land Bay C.
2. This action rezoned a 0.03 acre cemetery located in the middle of Land Bay C; exchanged land area between Land Bays B and D; revised the configuration of Land Bay C while still maintaining its 100 acre size; made alterations to the road network; and approved a Final Development Plan (FDP).
3. RZ 86-P-089 rezoned 3.29 acres from the R-1 District to the PDC District. PCA 86-W-001-2 effectuated a land swap with the Fair Lakes Partnership which resulted in the incorporation of 3.29 acres that were the subject of RZ 86-P-089 into Land Bay A of the Government Center site. Approval of the application also deleted approximately two acres on the western boundary of Land Bay A which were subsequently incorporated into the Fair Lakes Development as the subject of PCA/CDPA 82-P-089-4. Although Land Bay A contained the same 642,926 sq. ft. of development as previously approved, the land bay was redesigned to accommodate the revised land area. A summary of the approved CDPA/FDPA for Land Bay A is contained in a later section of this report. Relevant excerpts from the accepted proffers and a reduction of the approved CDPA/FDPA are contained in Appendix 4.
4. These applications amended the proffers to revise the management and ownership structure of the recreation facilities in Land Bay D (the residential component of the development).
5. These applications modified Proffer #10 accepted in conjunction with the approval of PCA 86-W-001-2 and added two development conditions in order to allow flexibility in parking and to permit the establishment of commuter parking and bus stop location(s), among other uses, at the Fairfax County Government Center (Land Bay C). No change was made to the approved CDPA/FDPA.

6. These applications included three options for residential development on Land Bay A. Option 1 proposed 222 townhouse units which included affordable dwelling units; Option 2 proposed 217 townhouse units; and Option 3 proposed 600 multi-family units in 4-story buildings. These applications were withdrawn by the applicant in January of 1995.

7. These applications amended the proffers and revised the approved FDPA to permit phased development of Land Bay A, with temporary athletic fields constituting Phase I and the previously approved office and hotel uses constituting Phase II. Relevant excerpts from the accepted proffers and a reduction of the approved CDPA/FDPA are contained in Appendix 5.

COMPREHENSIVE PLAN PROVISIONS (Appendix 6)

Plan Area: Area III

Planning Sector: Fairfax Center - Subunit H2 (western portion)
Subunit I4 (eastern portion)

Plan Map: Fairfax Center

Land Use Summary Chart		
Subunit H2		
Baseline Level:	Residential	1 du/ac
Intermediate Level:	Office/Mix	0.14 FAR
Overlay Level:	Office/Mix	0.45 FAR
Subunit I4		
Baseline Level:	Residential	1 du/ac
Intermediate Level:	Residential	10 du/ac
Overlay Level:	Office/Mix	0.45 FAR

ANALYSIS

Conceptual/Final Development Plan Amendments (Copy at front of staff report)

Title of CDPAs/FDPAs: "Land Bay A - Governmental Center"

Prepared By: William H. Gordon Associates, Inc.

Original and Revision Dates: February 1997, as revised through June 9, 1997.

The primary purpose of these PCAs and FDPAs is a redesign of the approved stormwater management wet pond into a two-phase stormwater management dry pond system. The redesign of the pond system will affect the configuration of the hotel and office development, including parking and travel aisles, approved on the subject property; however, no changes are proposed to the approved FAR of 0.43, open space of 40%, or maximum building heights of 120 feet. The two CDPAs/FDPAs are depicted on one set of development plans, which includes a total of four sheets.

- Sheet 1 - Composite Overall Layout
- Sheet 2 - Phasing Plan
- Sheet 3 - Landscape Plan
- Sheet 4 - Notes and Angle of Bulk Plane Calculations

Features incorporated on the FDPAs include:

- A total of 642,926 gross sq. ft. of building area in three buildings, with an overall FAR of 0.43.
- Building A1 is located on the western portion of the site and Buildings A2 and A3 are connected twin towers that are located on the eastern portion of the site. The following table summarizes the three buildings:

Building	Use	Building Sq. Footage	Building Height
A1	Hotel	184,926	120 ft.
A2	Office/Commercial	229,000	120 ft.
A3	Office/Commercial	229,000	120 ft.
Total		642,926	

- A total of 750 surface parking spaces are to be provided for Building A1. A six level (50 ft. tall) parking structure is to be located to the east of Buildings A2 and A3 with a pedestrian overpass connecting Buildings A2 and A3 with the parking structure. A total of 1,942 parking spaces are to be provided on site.

- Primary access to the site is via Fair Lakes Parkway. Interparcel access to the Fair Lakes development is provided to the west via Roger Stover Drive. The realignment of the travel aisle adjacent to the hotel affects the alignment of Roger Stover Drive on the adjacent property to the west. The approved FDPÄ for that property includes an option for development showing the realignment of Roger Stover Drive as shown on this application.
- A variable width toe-of-slope line is shown along the southern boundary of the subject property for the future I-66 HOV improvements.
- 40% open space with areas of tree save located within the EQC area.
- Two dry SWM/BMP ponds in series are proposed to encompass the area of the site delineated as EQC and wetlands. The SWM/BMP facility previously approved for the site was a wet pond with an aeration device system that encompassed a large portion of the EQC and wetlands area. The applicant has entered into an "Agreement for Design, Construction and Maintenance of Storm Water Management System" with Fairfax County. The agreement calls for the initial construction of Phase 1 of the dry pond system by the applicant; the construction of Phase 2 would occur in association with the development of Land Bay A. The dry pond system will permit the preservation of the EQC and wetlands area.
- The interim ball fields approved on the previous FDPÄs are retained as optional temporary uses until such time as the property is developed with the hotel and office uses.

Transportation Analysis (Appendix 7)

Issue: Interstate I-66 Ramp Requirements

The potential future need for additional right-of-way for the future flyover from the westbound Interstate 66 HOV lanes to the Fairfax County Parkway needs to be addressed. VDOT staff have identified the right-of-way delineated on the development plan as the minimum necessary for construction of the flyover.

Resolution:

In response, there is a proffer for reservation of right-of-way for the I-66 HOV flyover project.

Issue: Parking

The site is parked at a significantly greater rate than the Ordinance requires. If all of the parking delineated within the area of right-of-way reservation for the flyover was removed, the applicant would still meet Ordinance parking requirements. As such, the applicant should commit to allow removal of the excess parking as needed for ramp construction without an obligation on the part of the public to pay the cost of relocating the parking, or damages for elimination of the parking.

Resolution:

In response, there is a proffer to relocate the parking outside of the HOV ramp right-of-way area at no cost to the County. Staff believes this issue has been addressed.

Issue: Pedestrian Access

An extensive pedestrian circulation plan is shown for the subject site. However, the applicant should commit to add a sidewalk adjacent to the main ingress/egress to the site.

Resolution:

A proposed development condition requires a sidewalk to be located adjacent to the main ingress/egress road to the site.

Issue: Roger Stover Drive Realignment

The realignment of the interior roadway system adjacent to building A1 shows a partial realignment of the existing Roger Stover Drive on the adjacent Fair Lakes property to the west.

Resolution:

The recently approved FDPAs for Fair Lakes Land Bay VB3 show an option to permit a corresponding shift in the alignment of Roger Stover Drive to accommodate the proposed realignment of the roadway system on the subject property. Proffers for the Fair Lakes property state that should the FDPAs for Land Bay A be approved with the realignment of Roger Stover Drive as shown, the option showing the realignment will be constructed on the Fair Lakes property. If the FDPAs are not approved, Roger Stover Drive will remain as existing.

Environmental Analysis (Appendix 8)

Issue: Environmental Quality Corridor

An Environmental Quality Corridor (EQC) was identified and delineated during the review of the original rezoning application for the property. The EQC line shown on the development plan is consistent with the EQC as previously delineated. As noted on the development plan, wetlands are present within much of the EQC.

The currently approved development plan permitted encroachments into the EQC for a wet stormwater management facility (covering the majority of the EQC within the western half of the property) and several road crossings. Additional encroachments would be needed for storm and sanitary sewer lines (i.e., the relocation of an existing sewer line), as well as for construction associated with the office structure that would be located just outside of the EQC. The proposed development plan appears to indicate that clearing and grading in the EQC will be limited to that needed for the construction of an embankment for a dry SWM/BMP facility, the construction of a road crossing (which will also function as an embankment for a second dry SWM/BMP facility), the construction of structures and parking areas that would be located outside the EQC, and the construction of storm and sanitary sewer lines. Overall, much more of the EQC would be preserved in a natural condition under the proposed development plan than under the approved development plan. However, the applicant should ensure that clearing and grading that will occur within the EQC will be minimized consistent with the development plan. The accepted proffers for the site commit to such minimization for EQC encroachments for sewer lines, other utilities, trails, and "public improvements" but do not address other encroachments into the EQC.

As noted above, the approved proffers include a commitment to the minimization of disruption to the EQC and other tree save areas for utilities, trails, and other public improvements. The applicant should provide a similar commitment to address disturbances associated with any other encroachments into the EQC or tree save areas (e.g. disturbance needed for the construction of the stormwater management facilities and other disturbances.)

A note on the development plan reads as follows: "Based on a preliminary grading study, portions of the site may be subject to clearing and grading. Therefore the proposed limits of clearing and grading shall generally be the same as the limits of this application." It is not clear what the intent of this note is.

The applicant should consider restoring to a natural condition those areas within the EQC that will be disturbed by the proposed development, to the extent that such restoration efforts will be compatible with utility locations and the proposed stormwater management facilities, as determined by DEM.

Resolution:

A proposed development condition addresses disturbances associated with any other encroachments into the EQC or tree save areas. An additional proposed development condition states that regardless of Note E3, the limits of clearing and grading shall be as shown on Sheet 1 of the CDPA/FDPA. Another proposed development condition requires restoration to a natural condition of those areas within the EQC that will be disturbed by the proposed development. With the imposition of these development conditions, staff believes these issues have been addressed.

Issue: Resource Protection Area

Staff believes that the 100-year floodplain boundaries within the western half of the site define the extent of the RPA on the property; however, the boundaries of the RPA are not identified on the development plan.

The construction of the Phase 1 pond would occur within the RPA, as would other land disturbing activities within the western portion of the property. While some of these activities would be exempt under the County's Chesapeake Bay Preservation Ordinance, other land disturbing activities would not be able to occur without an exception granted by DEM.

The applicant should identify the boundaries of the RPA on the development plan. In addition, the applicant should coordinate with the Special Projects Branch of DEM regarding the proposed land disturbing activities within the RPA because if the necessary exceptions are not granted, a Proffered Condition Amendment may be required. (The applicant should be encouraged to pursue any needed exceptions as soon as possible.)

Resolution:

This issue will be addressed at the time of site plan review.

Issue: Tree Preservation

The extent of tree preservation outside the EQC has been reduced from what is shown on the currently approved development plan. However, because the

applicant is proposing to replace the approved wet stormwater management pond with two "embankment-only" dry ponds, and because the extent of the road construction within the EQC will be reduced from what has been approved, the overall level of tree preservation that will be provided will be substantially greater than that which would be provided under the approved development. However, the applicant should be encouraged to improve tree preservation efforts outside the EQC.

The applicant should consider design modifications that would serve to improve tree preservation efforts on the site. Opportunities for increased tree preservation include:

- replacing the proposed parking lot to the west of structure A2 with a tree preservation area (consistent with what was shown on the approved development plan); and
- converting some of the proposed surface parking near structure A1 to structured parking, thereby allowing for more tree preservation in the wooded area to the east of this structure.

Resolution:

A proposed development condition in Appendix 1B requires that the surface parking area in front of Building A2 be replaced with a tree preservation area as approved in the previous FDPA. With the imposition of this development condition, staff believes this issue has been addressed.

Issue: Highway Noise

The property is affected by high noise levels generated from traffic on I-66. Based on a noise study that was prepared and submitted in conjunction with the earlier zoning application of the property, the facades of proposed structure A3 that will face I-66 will be exposed to noise impacts in excess of DNL 75 dBA and the facades of proposed structure A1 that will face I-66 will be exposed to noise impacts of DNL 70 dBA to DNL 75 dBA. Because a hotel use is being proposed for structure A1, noise levels inside this building should be reduced to DNL 45 dBA or less. Noise levels inside structure A3, which is proposed for a commercial/office use, should be no greater than DNL 50 dBA.

The initial draft proffers sufficiently addressed noise mitigation needs for areas that will be exposed to noise levels below DNL 75 dBA. These draft proffers did not, however, address noise mitigation measures for structures that will be exposed to noise levels above DNL 75 dBA.

Resolution:

In response, the applicant has revised the proffers to include a commitment for interior noise reduction within the projected DNL 75+ dBA impact area. Staff believes this issue has now been addressed.

Issue: Swimming Pool Discharge

An outdoor swimming pool is proposed adjacent to the proposed hotel building. The discharge of water from swimming pools, if performed correctly, should have little or no adverse impacts to receiving waters. Improperly discharged water, however, may have significant adverse impacts and may result in violations of the State Water Control Law. Care should be taken during the maintenance of the proposed swimming pool to ensure that water discharged from the pool meets all applicable water quality standards.

The applicant's initial draft proffers generally committed to the same measures proffered for Land Bay D of the Government Center application property, although the draft proffers did not incorporate a reference to the State's dissolved oxygen standard for surface waters as did the proffer for Land Bay D.

Resolution:

In response, the applicant has revised the proffer to reference the dissolved oxygen standard. Staff believes this issue has now been addressed.

Issue: Soil Constraints

Soils within higher elevations of the eastern half of the property should pose few constraints to development. Soils that have been mapped in areas adjacent to the EQC are generally characterized by low bearing values for foundation support and a high seasonal groundwater table. A geotechnical engineering study in conformance with Chapter 107 of the Fairfax County Code may be required by DEM for development in these areas.

The southwestern portion of the property has been subject to cutting and filling. A geotechnical engineering study will be required by DEM for any development in this area.

Resolution:

This issue will be resolved at the time of site plan review.

Issue: Trails Plan

The Trails Plan indicates that trails are required parallel to West Ox Road and along the stream that bisects the property. DEM will determine the specific type and right-of-way requirements for any required trails at the time of site plan review. DEM will also determine if the existing trail along Fair Lakes Parkway, along with a trail along West Ox Road (which is not shown on the development plan) would be a sufficient alternative to a trail along the stream.

Resolution:

A proposed development condition requires that the existing trail located parallel to West Ox Road shall not be removed. The remaining trail issues will be addressed at the time of site plan review.

Public Facilities Analysis (Sanitary Sewer, Water Service, Fire Protection and Parks Comments - Appendices 9-12, respectively)**Sanitary Sewer Analysis**

An existing sanitary sewer trunk line located on the site needs to be relocated. Staff from the Office of Waste Management has met with the applicant's engineers; preliminary design and layout was agreed upon. The proposed alignment is shown on the proposed development plan.

Water Service

Adequate water service is not currently available at the site. An offsite water main extension is required for domestic service and fire protection. The nearest adequate water mains available to provide service are a 12-inch main located approximately 150 feet west and an 8-inch main approximately 150 feet east of the property.

Fire Protection

No issues.

Park Authority

No issues.

Land Use Analysis (Appendix 6)

The Comprehensive Plan map shows that the property is located in Fairfax Center Area. The hotel and office uses and intensity of development previously approved on this site will not change with approval of this proposal. As such, it does not raise any significant issues directly related to the Plan's recommendations for use and intensity. However, the following issues were identified:

Issue: Internal Circulation

The proposed site and building design are similar in many ways to the previously-approved design. The buildings are the same general shapes; open space and ponds are in generally similar locations. However, the road system and internal circulation are different. In the approved design, Roger Stover Drive makes a deep loop south of Building A1 (the hotel). The current proposal shows that it will be narrower and cross the site north of the hotel in such a way that it does not provide the primary connection for the whole site (including the eastern portion) as it did before.

Resolution:

Both the primary spine road and the road connection to the office buildings were redesigned to reduce the impact of the road construction on the EQC and wetland areas on site. Locating the office connection road north of the wetland areas necessitated a revision to the intersection with the spine road to improve the flow of traffic turning in from Fair Lakes Parkway. In addition, the spine road was moved north of Building A1 to accommodate the right-of-way reservation for the future HOV flyover project. Staff believes this issue has been addressed.

Issue: Screening

The hotel and its parking have been re-oriented more towards I-66. At the same time, surface parking for the hotel appears to have increased. The result of these changes is to diminish the amount of natural and/or landscaped open space between the I-66 right-of-way and pavement on the site than was shown on the currently approved CDP/FDP. At its minimum width, the approved CDP/FDP provides for 60 feet of open space; the proposed revision provides for a constant 50 foot open space strip along the 600-foot length of the parking lot where it parallels I-66 and the preservation of the existing vegetation. The approved plan, because the road curved, provided up to 200+ feet of open space between the road and I-66 in places. The application includes a request for a modification of the required 35 foot transitional screening yard and a waiver

of the barrier requirements along I-66. With the buffer reduced, the development will be more visible from the highway, and impacts on the hotel (such as noise) will be greater. While greater visibility may be desirable for marketing purposes, the Plan goals call for quality of design, especially as they relate to buffering and landscaping. In addition, the construction of the future HOV flyover project will eliminate the existing vegetation between the hotel and I-66.

Resolution:

The proposed plan shows the preservation of existing vegetation between the parking lot pavement and the southern property line. A proposed development condition requires this existing vegetation to be supplemented with additional landscaping to make the vegetative screen equivalent to that required within a 35 foot transitional screening yard, as determined by DEM. An additional proposed development condition requires the developer to replant the area between the future flyover ramp and the parking lot adjacent to the hotel building with landscaping to the maximum extent feasible, as may be approved by VDOT. With the imposition of these proposed development conditions, staff believes these issues have been addressed.

Issue: Parking Lot Landscaping

Long rows of parking spaces (e.g. 23 and 26 spaces) should be broken up using planting islands.

Resolution:

A proposed development condition requires that landscape islands be located every 20 spaces throughout the surface parking lots. With the imposition of the proposed development condition, staff believes this issue has been addressed.

Issue: Landscape materials

It should be noted that many of the design details generally submitted for proposals in Fairfax Center were not included with this application. Among other things, these include commitments regarding the minimum sizes of landscape materials which are specifically included in the Plan recommendations for the area.

Resolution:

A proposed development condition requires that all deciduous trees shall be a minimum of 3.0 inch caliper in size and evergreen trees shall have a minimum

height of at least six feet at the time of planting. Staff believes this issue has been resolved.

Fairfax Center Checklist Analysis (Appendix 13)

The Fairfax Center Checklist is a tool utilized by staff in evaluating a zoning application for conformance with the Comprehensive Plan. There are transportation, environmental, site design, land use and public facilities elements on the Checklist.

In order to justify the Overlay Level, the application must satisfy all applicable basic elements; all major transportation elements; all essential elements; and three-fourths of the applicable minor elements and one-half of the major elements. With the proffers and development conditions, the proposal will justify development at the Overlay Level.

ZONING ORDINANCE PROVISIONS (Appendix 14)

Article 6

As set forth in Article 6, the Planned Development Commercial District is established "to encourage the innovative and creative design of commercial development. The District regulations are designed to accommodate preferred high density land uses which could produce detrimental effects on neighboring properties, if not strictly controlled as to location and design; to insure high standards in the lay-out, design and construction of commercial developments; and otherwise to implement the stated purpose and intent of this Ordinance. To these ends, a rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of Article 16."

These applications are requests primarily to redesign the stormwater management wet pond system depicted on the previously approved development plans for Land Bay A to a two-phase dry pond stormwater management system. With the imposition of the proposed development conditions in Appendix 1B, staff believes that all general and design standards remain satisfied for the applications.

Article 16

Sect. 16-101 General Standards for All Planned Developments

Sect. 16-102 Design Standards for all Planned Developments

Final development plans must meet the General and Design Standards for Planned Developments that are contained in Sect. 16-101 and Sect. 16-102, respectively of the Zoning Ordinance.

General Standards #1 and #2 require substantial conformance with the Comprehensive Plan and that the design of the proposed planned development result in a more efficient use of the land and in a higher quality site design than could be achieved in a conventional district. The proposal to develop hotel and office uses on the subject property is part of a larger mixed use development and is in harmony with the Comprehensive Plan recommendation for office/mixed uses. The proposal would increase the amount of tree preservation from that shown on the previously approved CDP/FDP, as well as preserve the EQC and wetland areas on site. Staff believes this standard has been addressed.

General Standard #3 requires that the design of the proposed development protect and preserve the natural features of the site. Redesigning the stormwater management system to a dry pond permits greater preservation of the EQC, the wetlands areas and increases the proposed tree preservation on site. Staff believes this standard has been addressed.

General Standard #4 requires that the proposed development be designed to prevent substantial injury to the use and value of the existing surrounding development. The Comprehensive Plan indicates that this area is planned for development of office/mixed uses. The proposed plan is in harmony with the Comprehensive Plan designation. Tree save areas are proposed along I-66, West Ox Road and Fair Lakes Parkway to help screen the development from adjacent properties. Staff believes this standard has been addressed.

General Standard #5 requires that the planned development be located in an area where transportation, police, fire protection and other public facilities are available and adequate for the proposed use. Public facilities in this area are generally adequate for the proposed project. A proffer has been proposed that would reserve right-of-way off I-66 for construction of the proposed HOV flyover ramp as delineated on the CDPA/FDPA, and to commit to relocate the surface parking from the HOV ramp area at such time as the flyover project is funded at no cost to the County. With the execution of the submitted proffers, staff believes this standard has been addressed.

Design Standard #1 requires that the bulk regulations, landscaping and screening of the proposed development generally conform with the provisions of the most comparable conventional zoning district at the peripheral lot lines. The

conventional zoning district which most closely resembles this district is the C-3 Office District. The applicable requirements of the C-3 District are as follows:

	Required	Provided
Min. Front Yd.	25° ABP, but not less than 40 ft.	100 ft. - Fair Lakes Circle 100 ft. - I-66
Max. Bldg. Hgt.	90 ft.	120 ft.
Max. FAR	1.00	0.43

As demonstrated in the preceding table, these applications generally conform to the yard setback standards of the C-3 District. It should be noted that no increase in building height or FAR from the previously approved plan are proposed with these applications. Therefore, staff believes that this standard has been addressed.

Design Standard #2 requires that adequate parking and open space be provided and other similar regulations be met. The tabulations on the CDPA/FDPA indicate that 1,673 parking spaces are required and 1,942 spaces are provided. Pursuant to Par. 1 of Sect. 6-209, a minimum of 15% open space is required in the PDC Zoning District. The proposed 40% open space exceeds the minimum amount required. Although it would be desirable to reduce the excess surface parking, staff believes that this standard has generally been addressed.

Design Standard #3 requires that streets and driveways generally conform to the applicable ordinances and regulations and afford convenient access to mass transportation. The development will be required to meet PFM and VDOT requirements; therefore, staff believes this standard will be addressed at the time of site plan review.

Design Standard #4 relates to the provision of recreation facilities and a comprehensive trails system. The Trails Plan indicates that trails are required parallel to West Ox Road and along the stream that bisects the property. The Director of DEM will determine the specific type and easement requirements for

any required trails at the time of site plan review. Staff believes this issue has been addressed.

Waivers/Modifications

A 35 foot wide transitional screening yard and either a six foot wall, wooden fence or chain link fence are required between the proposed use and the property zoned R-1 to the south across I-66. The applicant has requested a modification of the transitional screening and a waiver of the barrier requirements along the south property boundary in accordance with Par. 11, Sect. 13-304 of the Zoning Ordinance. Par. 11 states that transitional screening and barriers may be waived or modified where the subject property abuts a railroad or interstate highway right-of-way. The applicant proposes to maintain a minimum width of 45 feet between the proposed parking area and the southern boundary line and to preserve the existing trees within that area. In staff's opinion, the existing vegetation is insufficient to buffer the hotel use from I-66. Staff has proposed a development condition that requires the existing vegetation to be supplemented with additional landscaping to make the vegetative screen equivalent to that required within a 35 foot transitional screening yard, as determined by DEM. With the imposition of this development condition, staff believes that a waiver of the barrier requirement along the southern property line is justified.

A 25 foot wide transitional screen and either a six foot wall, wooden fence or chain link fence are required between the proposed use and the multi-family development to the north across Fair Lakes Parkway. The applicant has requested a modification of the transitional screening and a waiver of the barrier requirement along the north property boundary in accordance with Par. 3, and Par. 12 of Sect. 13-304 of the Zoning Ordinance. Par. 3 states that transitional screening may be modified where the building, a barrier and/or the land between the building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques. Par. 12 states that the Director may waive or modify the barrier requirements where the topography of the lot providing the transitional screening and the lot being protected is such that a barrier would not be effective. The applicant proposes to preserve the existing trees within a minimum 50 feet along the northern boundary. Additional landscaping is proposed to supplement the existing tree line. Staff believes the preservation of the existing trees is sufficient screening and justifies the request for modification of the transitional screening and waiver of the barrier requirement.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONFORMANCE WITH PROFFERS

It is staff's opinion that the proposal is in conformance with all previously accepted proffers.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff believes that the proposal is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Recommendation

Staff recommends approval of PCA 86-W-001-7 subject to the execution of the proffers contained in Appendix 1A.

Staff recommends approval of PCA 86-P-089-4 subject to the execution of the proffers contained in Appendix 1A.

Staff recommends approval of FDPA 86-W-001-5 subject to the proposed development conditions in Appendix 1B.

Staff recommends approval of FDPA 86-P-089 subject to the proposed development conditions in Appendix 1B.

Staff recommends approval of a waiver of the barrier requirement along the southern boundary line.

Staff recommends approval of a modification of the transitional screening and a waiver of the barrier requirement along the northern boundary line.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

- 1A. Proposed Proffers**
- 1B. Proposed Development Conditions**
 - 2. Affidavit**
 - 3. Statement of Justification**
 - 4. Proffers accepted in Conjunction with the Approval of FDPA 86-W-001, PCA/CDPA 86-W-001-2 and RZ 86-P-089 and a Reduction of the Approved CDPA/FDPA**
 - 5. Proffers accepted in Conjunction with the approval of PCA 86-W-001-6, PCA 86-P-089-3 an FDPA 86-W-001-4 and a Reduction of the approved CDPA/FDPA**
 - 6. Plan Citations and Land Use Analysis**
 - 7. Transportation Analysis**
 - 8. Environmental Analysis**
 - 9. Sanitary Sewer Analysis**
 - 10. Water Service Analysis**
 - 11. Fire Protection Comments**
 - 12. Fairfax County Park Authority Comments**
 - 13. Fairfax Center Checklist**
 - 14. Applicable Zoning Ordinance Provisions Checklist**
 - 15. Glossary**

PROFFERS / DEVELOPMENT CONDITIONS**PCA 86-W-001-7 / PCA 86-P-089-4****July 11, 1997**

Pursuant to Section 15.1-491(a), Code of Virginia 1950 edition as amended, subject to the Board of Supervisors approval of the requested Proffered Condition Amendments, Owner, its successors or assigns, proffers the following. All previous proffers/development conditions shall remain in full force and effect except that the following language shall be added to the proffer statements dated July 25, 1988 and approved on August 1, 1988 by the Board of Supervisors and dated October 4, 1995 and approved on October 30, 1995 by the Board of Supervisors for tax map 55-2 ((1)) 15 (Land Bay A). Should there be any inconsistencies between these proffers and prior proffers, these proffers shall replace and supersede those prior proffers or portions thereof.

A. LAND USE

- 1.a. Land Bay A shall be developed in conformance with the Conceptual Development Plan Amendment and Final Development Plan Amendment (CDPA/FDPA) consisting of four (4) sheets prepared by William H. Gordon Associates, Inc. and dated February, 1997 as amended through June 9, 1997. Interim uses as shown on Sheet 2 of the CDPA/FDPA shall be permitted until such time as approved uses are developed.

D. STORMWATER MANAGEMENT

3. A Storm Water Management System shall be constructed on Land Bay A in two phases which, when complete, shall satisfy all of the storm water quantity and storm water quality requirements, best management practices and all other requirements applicable to storm water drainage, detention, retention and water quality control as further described in an Agreement for Design, Construction and Maintenance of Storm Water Management System, dated January 17, 1997 and executed by the Owner, the Applicant, and Overbank, L.L.C., and as determined by the Department of Environmental Management (DEM).

E. ENVIRONMENTAL

4. All waste water resulting from the cleaning and draining of the swimming pool located on Land Bay A shall meet the appropriate level of water quality prior to discharge as determined by DEM. During discharge of swimming pool waters, the Owner, its

successors or assigns, shall implement an operational procedure to properly neutralize pool waters prior to discharge and to meet the State Water Control Board water quality standards for dissolved oxygen. Sufficient amounts of lime or soda ash shall be added to the acid cleaning solution to achieve a pH approximately equal to that of the receiving stream.

If the water being discharged from the swimming pool is discolored or contains a high level of suspended solids that could effect the clarity of the receiving stream, it shall be allowed to stand so that most of the solids settle out prior to being discharged.

F. NOISE ATTENUATION

3. Owner, its successors or assigns, shall utilize building materials with characteristics to achieve a maximum interior noise level of 45 dBA Ldn for the hotel on Land Bay A and 50 dBA Ldn for the offices on Land Bay A as shown on the CDPA/FDPA.
 - a. All buildings located between 70-75 dBA Ldn highway noise impact contours or greater shall have the following acoustical attributes:
 - (i) Exterior walls shall have a laboratory Sound Transmission Class (STC) rating of at least 45.
 - (ii) Doors and windows shall have a laboratory STC rating of at least 37. If windows constitute more than twenty percent (20%) of any facade, they should have the same laboratory STC as walls.
 - (iii) Measures to seal and caulk between exterior wall surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
 - b. All buildings located between the 65-70 dBA Ldn highway noise impact contours should have the following acoustical attributes:
 - (i) Exterior walls shall have a laboratory STC rating of at least 39.
 - (ii) Doors and windows shall have a laboratory STC rating of at least 28. If windows constitute more than twenty percent (20%) of any facade, they should have the same laboratory STC as walls.

- (iii) Measures to seal and caulk between exterior wall surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
- c. As an alternative, the Owner, its successors or assigns, may submit to the Office of Comprehensive Planning (OCP) and DEM an acoustical engineering study which will specify those building materials to be used to ensure that building interior sound levels will not be in excess of 45 dBA Ldn for the hotel and 50 dBA Ldn for the office delineated on the CDPA/FDPA within the above-referenced areas. The study methodology shall be acceptable to OCP and implementation of the study shall be approved by OCP and DEM.

H. TRANSPORTATION

16. Owner, its successors or assigns, shall reserve right-of-way for future HOV Lane at I-66. Said reservation shall be held until such time as construction of the HOV project is funded. Owner shall, upon request from VDOT and/or Fairfax County, dedicate or, if still owned by the Board of Supervisors, shall provide the aforesaid area when the HOV Lane design as specified above has been fully funded for construction. If said HOV Lane is deleted from the County's Comprehensive Plan and/or the Virginia Commonwealth Transportation Board Improvement Plan, the aforesaid reservation shall automatically expire without limitation. Prior to dedication/provision, owner shall be permitted to utilize said area for parking and/or recreational purposes/uses. If and when the HOV flyover project is funded, and prior to dedication/provision, all parking and/or recreational uses within the reservation area shall be terminated and vacated. The Owner, its successors or assigns, shall bear the cost of said termination and vacation.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

Proffers
July 11, 1997
Page 4

TITLE OWNER:

Board of Supervisors of Fairfax County, Virginia

By: _____
Anthony H. Griffin, Acting County Executive

APPLICANT:

FL PROMENADE, L.P.

By: FL Promenade L.C., its General Partner

By: _____

Name: _____

Its: _____

PROPOSED DEVELOPMENT CONDITIONS

FDPA 86-W-001-5 and FDPA 86-P-089

July 16, 1997

If it is the intent of the Board of Supervisors to approve FDPA 86-W-001-5 and FDPA 86-P-089 located at Tax Map 55-2 ((1))15 Pt., the staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supercede all the previously approved conditions:

1. Deciduous trees shall be a minimum of 3.0 inch caliper in size and evergreen trees shall have a minimum height of at least six feet at the time of planting.
2. The developer shall restore to a natural condition those areas within the EQC that are to remain undeveloped but that will be disturbed by the proposed development, to the extent that such restoration efforts will be compatible with utility locations and the proposed stormwater management facilities, as determined by DEM. Such restoration efforts shall be consistent with Public Facilities Manual guidelines for replanting unless an alternative approach is approved by the Urban Forestry Branch of DEM.
3. Any disturbance of the EQC or tree preservation areas shown on the CDPA/FDPA shall be reviewed and approved to insure minimal disruption of EQC and tree save areas as determined by DEM.
4. A sidewalk shall be located adjacent to the main ingress/egress road to the site.
5. Regardless of the wording of Note E3 on Sheet 4 of 4 of the CDPA/FDPA, the limits of clearing and grading shall be as shown on Sheet 1 of 4 of the CDPA/FDPA.
6. Landscape islands planted with shade trees shall be located between every 20 parking spaces, as determined by DEM, within the surface parking lots.
7. The proposed parking lot shown on the CDPA/FDPA to the west of structure A2 shall be replaced with a tree preservation area.
8. The existing trail located parallel to West Ox Road shall not be removed.

make the vegetative screen equivalent to that required within a 35 foot transitional screening yard, as determined by DEM.

10. Upon construction of the HOV flyover ramp the area between the flyover ramp and the parking lot adjacent to the hotel building shall be replanted with landscaping to the maximum extent feasible, as may be approved by VDOT.
11. Interim development of the subject property as temporary athletic fields (Phase 1) shall be in substantial conformance with Sheet 1 of the CDPA/FDPA entitled "Land Bay A", dated August 1995 and revised through September 1997.

Prior to the construction of any temporary athletic fields on Land Bay A, the following conditions shall be met:

- a. The limits of clearing and grading shall be provided as depicted on Sheet 1 as determined by DEM. The number, type and location of athletic fields and the exact location of the driveway and parking lot may vary from that depicted on the CDPA/FDPA, but the athletic fields, driveway and parking lot shall be located within the depicted limits of clearing and grading.
- b. Access to the athletic fields shall be via the extension of Roger Stover Drive as determined by DEM and/or VDOT.
- c. A sidewalk/pedestrian connection shall be provided between the existing terminus of Roger Stover Drive and the parking area as determined by DEM. In addition, a pedestrian connection shall be provided between the parking area and the athletic field(s) as determined by DEM.
- d. Adequate parking shall provided and the size and configuration of any on-site parking area shall meet the applicable Public Facilities Manual standards as determined by DEM at the time of site plan approval.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

REZONING AFFIDAVIT

DATE: May 15, 1997
 (enter date affidavit is notarized)

I, Lynne J. Strobel, Agent, do hereby state that I am
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

97-616

in Application No(s): PCA 86-W-001-7 / FDPA 86-W-001-5
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that to the best of my knowledge and belief, the following information is true:

1. (a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS and LESSEES** of the land described in the application, and if any of the foregoing is a **TRUSTEE***, each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
FL Promenade, L.P.	12500 Fair Lakes Circle Suite 400 Fairfax, Virginia 22033	Applicant
Alan C. Gault, Jr.		Agent
The Fairfax County Board of Supervisors, a body corporate and politic with no shareholders or partners	12000 Government Center Pkwy. Suite 533 Fairfax, Virginia 22035	Owner
Anthony H. Griffin, Acting County Executive		Agent
Dewberry and Davis	8401 Arlington Blvd. Fairfax, Virginia 22031	Engineers/Agent
Geoffrey L. Cowan		Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

NOTE: This form is also for Final Development Plans not submitted in conjunction with Conceptual Development Plans.

REZONING AFFIDAVIT

DATE: May 15, 1997
(enter date affidavit is notarized)

97-616

for Application No(s): PCA 86-W-001-7 / FDPA 86-W-001-5
(enter County-assigned application number(s))

1. (b). The following constitutes a listing** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Blvd., 13th Floor
Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

<u>Martin D. Walsh</u>	<u>Nan E. Terpak</u>
<u>Thomas J. Colucci</u>	
<u>Peter K. Stackhouse</u>	
<u>Jerry K. Emrich</u>	
<u>Michael D. Lubeley</u>	

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

_____	_____
_____	_____
_____	_____
_____	_____

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment to Par. 1(b)" form.

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

DATE: May 15, 1997
(enter date affidavit is notarized)

97-61a

for Application No(s): PCA 86-W-001-7 / FDPA 86-W-001-5
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) [] There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one) [] Applicant [X] Applicant's Authorized Agent

Lynne J. Strobel
(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 15th day of May, 19 97, in the state of Virginia.

My commission expires: November 30, 2001.

Deborah S. McCord
Notary Public

DATE: May 15, 1997
(enter date affidavit is notarized)

97-616

for Application No(s): PCA 86-W-001-7 / FDPA 86-W-001-5
(enter County-assigned application number(s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
--	---	---

William H. Gordon Associates, Inc.	4501 Daly Drive Brookfield Corporate Center Chantilly, Virginia 22021	Engineers/Agent
------------------------------------	---	------------------------

Joseph W. McClellan, Steven E. Gleason Robert W. Walker Meaghan S. Kiefer		Agents Architect/Agent Planner/Agent
---	--	---

Wetlands Studies and Solutions, Inc.	1408-N Sullyfield Circle Chantilly, Virginia 22021	Consultant/Agent
--------------------------------------	---	-------------------------

Michael S. Rolband		Agent
--------------------	--	--------------

Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.	2200 Clarendon Blvd. 13th Floor Arlington, Virginia 22201	Attorneys/Agent
---	---	------------------------

Lynne J. Strobel, Martin D. Walsh, Keith C. Martin, Tracy L. Steele		Agents
--	--	---------------

(check if applicable) [] There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

DATE: May 15, 1997
(enter date affidavit is notarized)

97-616

for Application No(s): PCA 86-W-001-7 / FDPA 86-W-001-5
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
FL Promenade, L.C., a limited liability company
12500 Fair Lakes Circle, Suite 400
Fairfax, Virginia 22033

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

MANAGERS:
Milton V. Peterson
James W. Todd
William E. Peterson

MEMBERS: Milton V. Peterson
Lauren P. Fellows
William E. Peterson
Jon M. Peterson
Steven B. Peterson

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
William H. Gordon Associates, Inc.
4501 Daly Drive, Brookfield Corporate Center
Chantilly, Virginia 22021

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

William H. Gordon
Joseph W. McClellan
Gerald A. Hish, Sr.
Eugene C. Dorn
R. Steven Hulsey

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

DATE: May 15, 1997
(enter date affidavit is notarized)

97-616

for Application No(s): PCA 86-W-001-7 / EDPA 86-W-001-5
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Wetlands Studies and Solutions, Inc.

1408-N Sullyfield Circle
Chantilly, Virginia 22021

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

Michael S. Rolband-Sole Shareholder

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: May 15, 1997
 (enter date affidavit is notarized)

I, Lynne J. Strobel, Agent, do hereby state that I am
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 97-60a

in Application No(s): PCA 86-P-089-4 / FDPA 86-P-089
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that to the best of my knowledge and belief, the following information is true:

1. (a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS and LESSEES** of the land described in the application, and if any of the foregoing is a **TRUSTEE***, each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
FL Promenade, L.P.	12500 Fair Lakes Circle Suite 400 Fairfax, Virginia 22033	Applicant
Alan C. Gault, Jr.		Agent
The Fairfax County Board of Supervisors, a body corporate and politic with no shareholders or partners	12000 Government Center Pkwy. Suite 533 Fairfax, Virginia 22035	Owner
Anthony H. Griffin, Acting County Executive		Agent
Dewberry and Davis	8401 Arlington Blvd. Fairfax, Virginia 22031	Engineers/Agent
Geoffrey L. Cowan		Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

NOTE: This form is also for Final Development Plans not submitted in conjunction with Conceptual Development Plans.

REZONING AFFIDAVIT

DATE: May 15, 1997
(enter date affidavit is notarized)

97-60a

for Application No(s): PCA 86-P-089-4 / FDPA 86-P-089
(enter County-assigned application number(s))

1. (b). The following constitutes a listing** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Blvd., 13th Floor
Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Martin D. Walsh Nan E. Terpak
Thomas J. Colucci
Peter K. Stackhouse
Jerry K. Emrich
Michael D. Lubeley

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment to Par. 1(b)" form.

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

DATE: May 15, 1997
(enter date affidavit is notarized)

97-60a

for Application No(s): PCA 86-P-089-4 / FDPA 86-P-089
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) [] There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one) [] Applicant [X] Applicant's Authorized Agent

Lynne J. Strobel

Lynne J. Strobel
(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 15th day of May, 19 97, in the state of Virginia.

My commission expires: November 30, 2001.

Deborah A. Stearns
Notary Public

DATE: May 15, 1997
(enter date affidavit is notarized)

47-60a

for Application No(s): PCA 86-P-089-4 / FDPA 86-P-089
(enter County-assigned application number(s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
William H. Gordon Associates, Inc.	4501 Daly Drive Brookfield Corporate Center Chantilly, Virginia 22021	Engineers/Agent
Joseph W. McClellan, Steven E. Gleason Robert W. Walker Meaghan S. Kiefer		Agents Architect/Agent Planner/Agent
Wetlands Studies and Solutions, Inc.	1408-N Sullyfield Circle Chantilly, Virginia 22021	Consultant/Agent
Michael S. Rolband		Agent
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.	2200 Clarendon Blvd. 13th Floor Arlington, Virginia 22201	Attorneys/Agent
Lynne J. Strobel, Martin D. Walsh, Keith C. Martin, Tracy L. Steele		Agents

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

DATE: May 15, 1997
(enter date affidavit is notarized)

97-60a

for Application No(s): PCA 86-P-089-4 / FDPA 86-P-089
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
FL Promenade, L.C., a limited liability company
12500 Fair Lakes Circle, Suite 400
Fairfax, Virginia 22033

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

MANAGERS:	MEMBERS:
Milton V. Peterson	Milton V. Peterson
James W. Todd	Lauren P. Fellows
William E. Peterson	William E. Peterson
	Jon M. Peterson
	Steven B. Peterson

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
William H. Gordon Associates, Inc.
4501 Daly Drive, Brookfield Corporate Center
Chantilly, Virginia 22021

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

William H. Gordon	_____
Joseph W. McClellan	_____
Gerald A. Hish, Sr.	_____
Eugene C. Dorn	_____
R. Steven Hulsey	_____

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

_____	_____
_____	_____
_____	_____
_____	_____

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

DATE: May 15, 1997
(enter date affidavit is notarized)

97-60a

for Application No(s): PCA 86-P-089-4 / FDPA 86-P-089
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Wetlands Studies and Solutions, Inc.

1408-N Sullyfield Circle
Chantilly, Virginia 22021

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

Michael S. Rolband-Sole Shareholder

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

COURTHOUSE PLAZA

THIRTEENTH FLOOR

2200 CLARENDON BOULEVARD

ARLINGTON, VIRGINIA 22201-3359

(703) 528-4700

FACSIMILE (703) 525-3187

February 18, 1997

ATTORNEYS AT LAW

MARTIN D. WALSH
 THOMAS J. COLUCCI
 PETER K. STACKHOUSE
 JERRY K. EMRICH
 MICHAEL D. LUBELEY
 KEITH C. MARTIN
 NAN E. TERPAK
 WILLIAM A. FOGARTY
 DAVID J. BOMGARDNER
 LYNNE J. STROBEL
 JAY DU VON
 JOHN E. RINALDI
 SEAN P. McMULLEN
 H. MARK GOETZMAN
 TRACY L. STEELE

NICHOLAS MALINCHAK (RETIRED)

PRINCE WILLIAM OFFICE

VILLAGE SQUARE
 13663 OFFICE PLACE, SUITE 201
 WOODBRIDGE, VIRGINIA 22192-4216
 (703) 690-4884
 METRO (703) 690-4847
 FACSIMILE (703) 690-2412

LEGAL ASSISTANTS/PLANNERS

CHRISTINE A. HOLADAY
 SUSAN S. FLANIGAN
 ELIZABETH D. BAKER
 SUSAN K. YANTIS
 J. GREGORY RUFF

RECEIVED
 OFFICE OF COMPREHENSIVE PLANNING

FEB 28 1997

ZONING EVALUATION DIVISION

Ms. Barbara A. Byron, Director
 Zoning Evaluation Division
 Office of Comprehensive Planning
 12055 Government Center Pkwy.
 Suite 801
 Fairfax, Virginia 22035-5505

RE: **Conceptual/Final Development Plan Amendment and
 Proffered Condition Amendment
 Property Identified Among the Fairfax County Land Records as 55-2 ((1)) 15 (the "Subject
 Property")
 Applicant: FL Promenade, L.P.**

Dear Ms. Byron:

Please accept the following as a letter of justification requesting a Conceptual/Final Development Plan Amendment and a Proffered Condition Amendment on the Subject Property.

The Subject Property is zoned to PDC District and is referred to as Land Bay A of the Fairfax County Government Center. Containing approximately 34.1 acres, the Subject Property is located north of Interstate 66 in the southwest quadrant of the intersection of Fair Lakes Parkway and West Ox Road. The Subject Property is approved for commercial development, but is currently vacant. The owner of the Subject Property is the Fairfax County Board of Supervisors.

The applicant, FL Promenade, L.P. is the owner of property located to the east of the Subject Property and developed with a retail center. The applicant proposes to utilize the regional pond located on the Subject Property. Utilization of the pond on the Subject Property has been reviewed by the applicant's consultants in coordination with representatives of Fairfax County to ensure that the proposal is viable. Further, the applicant has had numerous discussions with the owner's representatives to resolve technical and business issues.

A site plan permitting hotel and office development was approved on the Subject Property, but no improvements were constructed. In order to satisfy storm water management requirements for its current development, the applicant proposes to construct and utilize a pond on the Subject Property in accordance with an agreement with the property owner. In order to meet new storm water requirements,

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the applicant proposes a redesign of the regional pond into a two-phase pond system that will effectively and efficiently detain storm water for the Subject Property, the property owned by the applicant, and other properties in the drainage shed. The utilization of the pond on the Subject Property by other developed properties in the drainage shed was always envisioned during the approval process. Regional ponds are more efficient, easier to maintain and are a preferred method of storm water management. As a result of the pond redesign however, a conceptual/final development plan amendment and proffered condition amendment is necessary.

The applicant has reached an agreement with the owner of the Subject Property for the design of a two-phase storm water management system and the construction of the first phase as contemplated by the agreement. This agreement has been entered into and signed by all necessary parties. The agreement anticipates the filing of this application in order to allow the submission of a site plan and the issuance of building permits to allow construction by the applicant as contemplated by the agreement. A motion was made by the Board of Supervisors at their hearing held on Monday, February 10, 1997 consenting to the filing of this application. A copy of that motion is attached to this submission.

Should you have any questions regarding the above or require additional information, please do not hesitate to give me a call. The applicant does not intend to modify any of the improvements shown on the approved conceptual/final development plan with the exception of the design of the proposed pond. I would appreciate the review of this application at your earliest convenience and the scheduling of a public hearing before the Fairfax County Planning Commission. As always, I appreciate your consideration.

Very truly yours,

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY, P.C.



Lynne J. Strobel

Enclosure

cc: Alan C. Gault, Jr.
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PROFFERS/DEVELOPMENT CONDITIONS

FDPA 86-W-001-1
CDPA 86-W-001-2
PCA 86-W-001-2
RZ 86-P-089

July 25, 1988

Pursuant to Section 15.1-491(a), Code of Virginia, 1950 edition, as amended, subject to the Board of Supervisors' approval of the rezoning Conceptual Development Plan Amendment and Final Development Plan Amendment and Proffered Condition Amendment permitting 1,024,014 gross square feet of Government Center use, 1,414,592 gross square feet of commercial/office and 733,180 gross square feet of residential uses, Applicant proffers to the following development conditions:

A. LAND USE

1. The maximum Gross Floor Area (GFA) for the entire 217.64 acre site shall be 3,171,786 gross square feet which is approximately a 0.3347 FAR, with approximate FARs of the following: (a) 0.43 in Land Bay A which is 642,926 square feet, (b) 0.54 in Land Bay B which is 771,666 square feet, (c) 0.2 in Land Bay C which is 1,024,014 square feet, and (d) 0.33 in Land Bay D which is 733,180 square feet. The subject property shall be developed in conformance with the Conceptual Development Plan Amendment and Final Development Plan Amendment (CDPA/FDPA) revised through June 24, 1988, prepared by William H. Gordon Associates, and the Illustrative Landscape Plans dated May 23, 1988 as revised through June 24, 1988, prepared by Land Design Research, Inc.

2. Rezoning and PCA/CDPA/FDPA for Land Bays A and C are contingent upon acquisition of the Ballard Place right of way. If the state does not convey said right of way, a PCA/CDPA/FDPA shall be required as determined by the Zoning Administrator.

3. In accordance with the Fairfax County Zoning Ordinance, heights of buildings shall be in conformance with the heights as shown on the CDPA/FDPA with no portion of any building exceeding approximately 120 feet. Heights shall be consistent with the table titled "Summary of Building Heights for Land Bay A & B" as shown on the FDPA for heights and Land Bays A and B.

Consistent with the Fairfax County Zoning Ordinance, mechanical penthouses shall be permitted on the 120 foot office buildings in Land Bays A and B provided they meet the following standards as determined by DEM:

o They comprise less than twenty-five percent (25%) of the roof area of the building.

o Said mechanical penthouses do not exceed 20 feet in height.

o Said mechanical penthouses are located in the middle of the building.

o Said mechanical penthouses are architecturally clad with materials of a texture and color compatible with materials of the building upon which they are situated.

3. All Final Development Plan Amendments for the site shall be the subject of public hearings before the Planning Commission and the Board of Supervisors and subject to final approval by the Board of Supervisors.

4. All FDP Amendments shall be in general accordance with the Fairfax Center Area design criteria.

5. All signage other than that required by VDOT for the subject property shall be addressed through a Comprehensive Signage Plan pursuant to Section 12-210 of the Zoning Ordinance subject to public hearing and approval by the Board of Supervisors.

6. An indoor recreation center consisting of approximately 9,550 gross square feet for County employee use shall be provided within Land Bay C, and a day care center for County employee use shall be provided in Land Bay B (Building B-3) and shall be opened prior to or concurrent with the occupancy of Phase I of the Government Center.

7. The day care center for County employee use located in building B-3 shall consist of approximately 7,100 net square feet and will be designed for up to 100 children and 22 staff members. Normal hours of operation for this center will not exceed 6:30 a.m. to 6:30 p.m. An outside play area as required by Article 9-309 of the Fairfax County Zoning Ordinance shall consist of 2,000 square feet and shall be enclosed by a fence composed of material that is architecturally compatible with the building facade. The play area will contain an interior fence, subdividing the space into two distinct play areas. No more than 20 children shall utilize the total play area at any one time.

8. Other than the child care center in B3, Board approval of a Special Exception or FDPA shall be required for establishment of any additional child care centers or nursery schools.

9. Sufficient Gross Floor Area (GFA) shall be reserved for development of a cultural center for the public sector

portion of this development, in conformance with the use limitations of the PDC District.

10. In the event that the Board of Supervisors amends the requirement for parking in the Fairfax County Zoning Ordinance, the Applicant may, as permitted by the Zoning Administrator, provide the lesser amount of parking between the approved Plan and the amended Ordinance, without the necessity of legislative approval or any further amendments to this Development Plan.

B. RESIDENTIAL

1. Energy conservation measures similar to the Virginia Power Energy Savers Program shall be provided for the residential units.

2. Garages may not be converted into living space or to any use other than for the parking of vehicles. A covenant setting forth this use restriction shall be recorded among the Fairfax County Land records prior to the sale of any lots. The covenant shall run to the benefit of the homeowners' association and to Fairfax County and shall be approved prior to recordation by the County Attorney. Each initial residential sales contract shall expressly contain this use restriction.

3. Recreational amenity facilities for Land Bay D shall consist of at least a community center, swimming pool, two tennis courts, tot lots, and trail systems as shown on the CDPA/FDPA, and shall be available for use by the issuance date for the 300th residential use permit for the residential component. All owners and residents within Land Bay D shall be provided equal access to all recreational facilities within Land Bay D.

4. Memberships to the community center including pool and tennis courts within Land Bay D shall be limited to the owners and residents of the multifamily units and single family attached units in Land Bay D. There shall be a single "umbrella" homeowners' association established for the purpose of owning and operating the community center, including the pool and tennis courts. All residents and owners within Land Bay D shall be members. The cost of operating these facilities shall be incorporated as part of the rental fee for multifamily units, and shall be incorporated as part of the homeowners' association fee for the single-family attached units. Any multifamily apartments which are converted from rental units to condominiums shall also have incorporated, as part of the condominium association fees, the pool membership fees.

5. The swimming pool as shown on the CDPA/FDPA in Land Bay D shall be subject to the following conditions:

a) Construction in conformance with Fairfax County's "Environmental Safeguards for the Construction and Operation of Swimming Pools".

b) The minimum enclosed area devoted to the pool shall be 4,500 square feet.

c) Pool hours shall not exceed from 8:00 a.m. to 9:00 p.m.

d) The maximum number of employees shall be 15.

e) A Soil Survey shall be completed prior to pool construction and shall be submitted to DEM for review and approval. If highwater table soils or unstable soils resulting from uncompacted fill, resource removal or any other circumstance resulting in instability are found in the immediate vicinity, then the pool shall be engineered and constructed to insure pool stability as determined by DEM. Any pool having a maximum depth in excess of 3 feet is required to have a hydrostatic relief valve.

A procedure shall be established as approved by DEM to insure that pool waters are properly neutralized prior to being discharged during draining or cleaning operations. The recommended method involves adding sufficient amounts of lime or soda ash to the acid cleaning solution to achieve a pH approximately equal to that of the receiving stream. In addition, the standard for dissolved oxygen shall be attained prior to the release of pool waters. This requires a minimum concentration of 4.0 milligrams per liter. If the water being discharged from the pool is discolored or contains a high level of suspended solids that could affect the clarity of the receiving stream, the water shall be allowed to stand so that most of the solids settle out prior to discharge.

f) Eighteen parking spaces shall be provided for the community center/swimming pool, as shown on the CDPA/FDPA.

g) After hour pool parties shall be limited to weekends and holidays.

6. At least fifteen percent (15%) (90 units) of the total residential units will be offered at rental rates which are affordable by households with incomes of seventy-five percent (75%) of the Washington, D.C. SMA median household income, as published and adjusted periodically by the U.S. Department of Housing and Urban Development, for a minimum period of twelve (12) years from the date of issuance of the first residential use permit for each of these units.

Residential Use Permits shall not be issued until the said units are approved for occupancy. This obligation shall be met regardless of whether the multifamily portion is developed as rental or condominium. Garden apartment units shall be utilized to fulfill the requirements of this proffer. Applicant shall submit a written report to Fairfax County on an annual basis showing the status of compliance with this proffer. These annual reports shall cease upon full compliance with this proffer.

7. The "Interparcel Access" shown on the CDPA/FDPA between Land Bays C and D shall be deleted. Instead, a public access easement between Land Bays C and D shall be recorded in the land records of Fairfax County by the applicant no later than at the time of site plan approval of Land Bay D. This easement shall be reviewed and approved by the County Attorney prior to recordation.

C. SANITARY SEWER

1. On-site sanitary sewer easements to serve adjacent properties shall be provided by Applicant where determined appropriate by the Director of DEM.

2. The Applicant or successors in interest shall replace all sanitary sewer lines determined by DEM to be inadequate as a result of the proposed development at the time sewer availability charges for the proposed development are paid.

D. STORMWATER MANAGEMENT

1. Best Management Practices (BMPs) equivalent to WSPOD standards shall be provided for the entire 217 acre site, as determined by DEM.

2. Maintenance access to stormwater management facilities shown on the CDPA/FDPA shall be provided with 15 feet of clearing including a ten foot (10') wide asphalt paved trail subject to the necessary maintenance easement agreements.

3. As determined by DEM, the permanent pool BMP ponds in both Land Bay A and Land Bay B shall exhibit innovative techniques in stormwater management through the employment of aeration devices. Such aeration devices shall be designed and engineered so as to avoid stagnation within the ponds, and to achieve, the State Water Control Board water quality standards for dissolved oxygen, pH, and temperature for Class III non-tidal waters within the coastal and piedmont zones of Virginia.

4. The Stormwater Management Pond located in Land Bay A shall be designed as a regional facility subject to approval of DPW and DEM.

E. ENVIRONMENTAL

1. Landscaping shall be provided in conformance with the landscaping plan dated May 23, 1988, as revised through June 24, 1988 titled "Illustrative Landscape Plan" prepared by LDR, subject to the approval of the County Arborist.

2.(a) The following landscaped buffers shall be provided:

- o A minimum of 110 feet wide along the southern boundary of Land Bay B,
- o A minimum of 100 feet wide along the southwestern boundary of Land Bay C, between 50 to 250 feet wide along the northwestern side of Land Bay D (north of the Government Center Parkway),
- o A minimum of a 80 feet wide west of the Route 29 access road,
- o A minimum of 35-50 feet wide along the southern boundary of Land Bay D parallel to Route 29,
- o A minimum of 25' wide along the western side of Land Bay A shall be provided.

(b) Noise attenuation berms, as shown on CDPA/FDPA sections, shall be located along southern boundary of Land Bays B and C and western and southern boundaries of Land Bay D. The said noise attenuation berms shall be designed to achieve exterior noise standard of 65 dBA Ldn as referred to in Proffer F. where deemed necessary by DEM, as shown on CDPA/FDPA sections. These buffers shall be landscaped and bermed in accordance with the Illustrative Landscape Plan dated May 23, 1988 as revised through June 24, 1988 and pertinent cross-sections prepared by LDR as approved by the County Arborist, in consultation with the Fairfax County Water Authority with regard to water easements. Street and parking lot encroachment within this buffer shall not be permitted.

3. If at the time of the final engineering of the site, utilities must be located within landscaped areas of parking lots within Land Bay C, as determined by DEM, alternate landscaped areas shall be provided within the parking lot or the utilities shall be relocated to provide a minimum of (8%) interior parking lot landscaping, subject to approval by the Director of DEM.

4. Prior to any blasting activity on the subject property, Applicant shall, at its sole expense, make well inspections and make results of the inspections available to the adjacent land owners. In the event that the County Health Department determines that off-site domestic wells

fail or are unusable due to decrease of infiltration or contamination related to the development of the application property up to a period of five years after the development is completed, as evidenced by issuance of the first non-rup for the last building in Land Bay B, the Applicant and/or successors in interest to Land Bay B shall take corrective action to resolve the off-site well problem, including repair of the affected well(s), redrilling of affected well(s), connection to a public water supply or other such remedy that is appropriate to the character and extent of the well failure(s). The Applicant and/or successors in interest to Land Bay B shall determine the most appropriate remedy or corrective action, subject to approval by the County Health Department. This condition shall apply to those neighborhoods and dwellings within the area between West Ox Road on the west, Route 29 on the south, I-66 on the north, and the Difficult Run Stream Valley on the east, including those neighborhoods known as Dixie Hills, Legato Acres, and Centennial Hills.

5. In the event that any septic system in the residential community to the south of Land Bays B and C fails as a result of the development of the application property, the Applicant and/or successors in interest to Land Bay B will either repair or replace the existing septic system if approved by the Health Department, or alternatively, connect the affected property to the public sewer system. Applicant shall request that the County Health Department provide a baseline study of the present septic system conditions, within 60 days of said request.

6. Development shall conform to the limits of clearing and grading as shown on the CDPA/FDPA dated May 16, 1988 as revised through June 24, 1988. A sewer line location and tree preservation plan shall be submitted at the time of site plan review for approval by the County Arborist for all sewer lines to be located within the Environmental Quality Corridor (EQC) and within all other tree preservation areas shown on the CDPA/FDPA. The County Arborist and Director of DEM shall have approval authority over the clearing and grading necessary for the locations of all sewer lines. Applicant shall take precautions deemed necessary by DEM and County Arborist in locating said line to minimize disturbance of existing trees.

7. All other utilities, trails, and other public improvements as required by Fairfax County located in the EQCs and within all other tree preservation areas shown on the CDPA/FDPA shall also be reviewed and approved to insure minimal disruption of EQC and tree save areas as determined by the County Arborist. Or, the owner shall provide a forest management plan developed by a consulting Arborist or urban forester that addresses these issues and is subject to the review and approval by the County Arborist. Such reviews and

approvals shall be obtained from the County Arborist and the Director of DEM prior to any land disturbing activities.

8. The EQC areas and the wooded slope open space areas on Land Bay D shown on the CDPA/FDPA dated May 16, 1988 as revised through June 24, 1988, as tree preservation areas within the stream valley, shall be dedicated in fee simple to Board of Supervisors as public open space. Said dedication shall include those facilities shown as stormwater management facilities within the same area, but shall not include tot lot areas. A dedication line shall be provided upon site plan approval on the construction plan which delineates those areas as described above. The dedication line shall comply with the limits of clearing and grading as shown on the FDPA subject to minor modifications as may be permitted in paragraph 4 of Section 16-403 of the Fairfax County Zoning Ordinance. Acreage for that dedicated portion shall be applied to computations of density for Land Bay D.

9. All open space within the single family attached unit area of Land Bay D which is not subject to Proffer E.8 shall be included within a site plan for the attached units and shall be dedicated to the future homeowners' association for Land Bay D. All such other open space within the multifamily area of Land Bay D shall be owned by a condominium unit owners' association in the event of a condominium conversion.

10. For the top deck of the parking structures in Land Bays A and B, a mix of evergreen and deciduous trees shall be provided in planters at the end of each double row. Foundation planting that provides an effective year-round screen of the entire south side of parking deck P1 from Interstate 66 shall be provided subject to County Arborist approval.

11. "Naturalized" plantings and buffers, as presented on the Illustrative Landscape Plan, shall be subject to County Arborist approval.

12. All dumpsters shall be effectively screened from view as determined by the County Arborist.

13. In Land Bay B, the applicant shall preserve stands of high quality vegetation, if grading and site distance requirements reasonably permit, as determined by the County Arborist.

F. NOISE ATTENUATION

1. For those residential areas within 200 feet from centerline of the Government Center Parkway and those areas within 375-1,180 feet from centerline of Lee Highway (Route 29) the following highway noise mitigation measures shall be implemented as determined by DEM:

a) In order to achieve a maximum interior noise level of 45 dBA Ldn in all units located within that area impacted by highway noise having levels between 65 and 70 dBA Ldn, all units within this impacted area shall have the following acoustical attributes:

- i. Exterior walls shall have a laboratory Sound Transmission Class (STC) of at least 39.
- ii. Doors and windows shall have a laboratory STC of at least 28. If "windows" function as the walls, then they shall have the STC specified for exterior walls.
- iii. Adequate measures to seal and caulk between surfaces shall be provided.

b) In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation structures such as acoustical fencing, walls, earthen berms or combinations thereof, shall be provided for those outdoor recreation areas including rear yards, unshielded by topography or built structures. If acoustical fencing or walls are used, they shall be architecturally solid from ground up with no gaps or openings. The structure employed must be of sufficient height to adequately shield the impacted area from the source of the noise.

2. For residential areas within 375 feet from centerline of Lee Highway (Route 29) the following noise mitigation measures shall be implemented as determined by DEM:

a) In order to achieve a maximum interior noise level of 45 dBA Ldn in all units located within the above area impacted by highway having levels between 70 and 75 dBA Ldn, all units within this impacted area shall have the following acoustical attributes:

- i. Exterior walls shall have a laboratory STC of at least 45.
- ii. Doors and windows shall have a laboratory STC of at least 37. If "windows" function as the walls, then they shall have the STC specified for exterior walls.

iii. Adequate measures to seal and caulk between surfaces shall be provided.

b) In order to achieve a maximum exterior noise level of 65 dBA Ldn, noise attenuation structures such as acoustical fencing, walls, earthen berms, or combinations thereof shall be provided for those outdoor recreation areas including rear yards, unshielded by topography or built structures. If acoustical fencing or walls are used, they shall be architecturally solid from ground up with no gaps or openings. The structure employed shall be of sufficient height to adequately shield the impact area from the source of the noise.

c) STC shall be interpreted to mean "as determined by an acoustical expert" acceptable to the Director of the Office of Comprehensive Planning.

3. At the applicant's option, applicant may do one of the following which will mitigate the exterior noise impacts from Lee Highway as stated above:

a) If the applicant elects to use a wall or a combination wall and berm to mitigate exterior noise impacts along the Route 29 frontage of Land Bay D, then the wall shall be of attractive and high quality brick or masonry construction in accordance with Zoning Ordinance requirements. Tree save areas and/or supplemental landscaping shall be provided between such wall and the Route 29 right of way line subject to County Arborist approval.

b) The applicant shall provide acoustically solid fencing flush to the ground without gaps as determined by DEM at the following locations:

- i. Southwest corner of Garden Apartment Building I.
- ii. South rear of Garden Apartment Building II.
- iii. Front of Garden Apartment Building III.
- iv. Southwest corner of Garden Apartment Building IV.
- v. South side of Garden Apartment tennis courts unless applicant demonstrates otherwise as determined by DEM in consultation with the Office of Comprehensive Planning.

G. TRAILS

1. Trails shall be provided in accordance with both the County Wide Trails Plan and the Fairfax Center Area Non-motorized Circulation Plan. Pedestrian circulation by way of trails/sidewalks, shall be provided within land bays, between land bays, and from developed areas to the major open space areas as shown on CDPA/FDPA including:

a) An eight foot (8') wide bike trail along the subject property's northern side of the subconnector road and on the bridge over I-66.

b) An eight foot (8') wide trail along the subject property's Route 29 frontage.

c) A ten foot (10') wide easement for a trail along Land Bay A's Fair Lakes Parkway frontage.

2. Within each land bay, bicycle parking facilities equating to five percent (5%) of the total provided parking shall be provided in a safe and accessible location.

3. If permitted by VDOT and the Fairfax Office of Transportation, the Applicant shall provide a pedestrian crossing with pedestrian activated signal across the Government Center Parkway as it separates Land Bay D. The purpose of the said signal will be to provide safe access to the recreational facilities located on the south side of the Government Center Parkway.

H. TRANSPORTATION

1. Contributions to the Fairfax Center Area Road Fund shall be made in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as revised, and as may be revised in the future. Credit will be received as credits are permitted by the Adopted Procedural Guidelines.

2. The following road improvements involving Route 29 shall be provided:

a) Right of way measured approximately (52) feet and (63) feet where turn lanes are provided, from the existing physical roadway centerline of Route 29 shall be dedicated along the subject property's Route 29 frontage or as determined by VDOT.

b) The construction of an additional westbound through lane along the frontage of the property shall be completed with face of curb set 44 feet from the existing physical roadway centerline of Route 29 or as determined by VDOT.

c) The construction of right turn deceleration lane shall be completed along westbound Route 29 into the entrances of Land Bay D, generally as shown on the FDPA.

d) The construction of the westernmost access point shall be completed and located approximately 800 feet east of the existing Route 29 crossover at Holly Avenue, generally as shown on the CDPA/FDPA.

e) The construction of the intersection at the westernmost access point shall be completed with left turn lanes, generally as shown on the CDPA/FDPA, at two locations:

i. One left turn lane inbound to the site from eastbound Route 29.

ii. Two left turn lanes outbound from the site to eastbound Route 29.

f) A traffic signal shall be provided by the Applicant or its successors in interest to Land Bay B at the westernmost crossover of Route 29 at the request of and subject to the approval of VDOT.

g) The easternmost access point on Route 29 for Land Bay D is temporary only. Applicant or its successors in interest to Land Bay D shall close said access point upon completion of the following roadway improvements:

- i. The subconnector road east of Land Bay D between the Government Center Parkway and Route 29.
- ii. The Government Center Parkway connection to the subconnector road east of Land Bay D.
- iii. The interparcel access through the adjacent property southeast of Land Bay D to the Government Center Parkway.

h) The construction of the temporary easternmost access point shall be completed with channelized entrance to provide for a right turn inbound to the site from eastbound Route 29 and a right turn outbound from the site into the site from westbound Route 29.

3. The following road improvements involving the east-west subconnector road shall be provided:

a) A four lane divided subconnector road shall be built from the southern property line of RZ 84-P-101 to north of I-66 with a transition to six lanes at I-66. The bridge across I-66 shall be six lanes traversing Land Bay B to the connection with Government Center Parkway just northeast of Land Bay B generally as shown on the FDPA.

b) A two lane section of the subconnector road with 27 feet of pavement including curb and gutter with face of curb set 35 feet from the proposed centerline shall be built from the intersection of the Government Center Parkway just northeast of Land Bay B to that point where the subconnector turns to cross the northeastern corner of Land Bay C at the EQC, as shown on the CDPA/FDPA. A four lane divided portion to the subconnector shall be built in this northeastern corner of Land Bay C, generally as show on the CDPA/FDPA. The relationship between the centerline and the face of curb, which would not change the 27 feet of pavement, may be altered to accommodate a wider than standard median to be constructed by others.

c) The subconnector bridge shall be built to accommodate six (6), eleven (11) foot wide lanes of vehicular traffic; a four (4) foot wide median and an eight (8) foot wide bicycle path. The bridge will span ten (10), twelve (12) foot wide I-66 travel lanes; three (3), twelve (12) foot wide HOV lanes; and four (4), twelve (12) foot wide lanes for an improved Random Hills

Road; except that the bridge will span three (3) twelve (12) foot wide lanes for an improved Random Hills Road if required by final bridge design or the placement of bridge supports. The use of a three (3) lane section will be subject to final approval of the Fairfax County

Department of Environmental Management (DEM) and the Virginia Department of Transportation (VDOT). The construction costs of bridging I-66 shall be seventy-five percent (75%) creditable against the Fairfax Center-Area Road Fund construction.

The Interstate 66 bridge shall be designed and constructed subject to the approval of both VDOT and FWHA.

d) The construction of two (2) right turn deceleration lanes along the eastbound subconnector shall be provided at the intersection with the Government Center Parkway just northeast of Land Bay B.

e) Sufficient off-site right of way shall be acquired and dedicated to the Board of Supervisors in fee simple for the ultimate Comprehensive Plan designation of a six lane divided subconnector and its bridging of I-66 between the portion of the subconnector previously committed as part of the Centennial Development Plan and the subconnector's intersection with the Government Center Parkway just northeast of Land Bay B. In the event the applicants or successors are unable to obtain the necessary right of way, the County will be requested to acquire the right of way and grading easements by means of its condemnation powers at the applicant's expense. Right of way measuring 90 feet shall be dedicated to the Board of Supervisors in fee simple in order to accommodate the subconnector east of the Government Center Parkway, generally as shown the FDPA.

4. The following road improvements involving the Government Center Parkway as shown on the CDPA/FDPA shall be provided as shown on the CDPA/FDPA:

a) Construction shall be completed on the Government Center Parkway as follows:

i. A seven (7) lane divided roadway within 110 feet of dedicated right of way with 90 feet of pavement and a 4 foot wide median between the intersection of the subconnector road just northeast of Land Bay B and the first entrance into Land Bay B.

ii. A four to six lane divided roadway within 110 feet of dedicated right of way with 54 to 78 feet of pavement including gutter pans and a 4 to 16 foot

median shown on the CDPA/FDPA between the northernmost entrance into Land Bay B and the southernmost entrance into Land Bay C.

iii. A six lane divided roadway within 110 feet of dedicated right of way with 78 feet of pavement and a 16 foot wide median between the southernmost entrance into Land Bay C and the intersection of the Route 29 access road.

iv. A four lane divided roadway within 110 feet of dedicated right of way within 66 to 78 feet of pavement including gutter pans and a 4 foot median as shown on the FDPA between the intersection of Route 29 access road and the eastern property line of Land Bay D.

b) The construction of turn lanes on the Government Center Parkway shall be provided at all entrances on and off of the Parkway as shown on the CDPA/FDPA as approved by DEM. Deceleration lanes will be provided at median breaks to provide for U-turns where there are no left turns.

5. The following road improvements involving Legato Road/Random Hills Road shall be provided:

a) Right of way measured approximately 27 feet from existing centerline of Legato Road shall be dedicated prior to site plan approval for any portion of Land Bay B.

b) The construction of road widening improvements with 52 feet of pavement including gutter pans with face of curb set 26 feet from centerline of existing pavement shall be completed prior to issuance of non-rups of any portion of Land Bay B.

c) The necessary right of way shall be dedicated at time of site plan approval for any portion of Land Bay B for a cul-de-sac on Legato Road in the southwest corner of Land Bay B, as shown on the CDPA/FDPA. The actual construction of the cul-de-sac will be performed and funded by others. Applicant shall design Legato Road along its frontage of Land Bay "B" and Geometric Design shall meet VDOT requirements. If a 3 lane section on Legato Road is deemed necessary by VDOT due to horizontal and vertical clearance of the bridge, applicant shall only be required to only build a 3 lane section in that area.

d) The construction of road widening improvements for Legato Road/Random Hills Road to a 4 lane undivided roadway within 54 feet of right of way with 52 feet of

pavement will extend through the entire frontage of the property along these roads; except that a 3 lane undivided roadway within the existing I-66 right of way with 40 feet of pavement and appropriate transitions will be constructed under the proposed East-West Subconnector bridge if required by final bridge design or the placement of bridge supports or high occupancy vehicle (HOV) on Route I-66. The use of a three (3) lane section will be subject to final review and approval of the Fairfax County DEM and VDOT.

6. The following road improvements involving the Legato Road access road shall be provided by the Applicant:

a) Right of way measuring 80 feet shall be dedicated and the construction of 64 feet of pavement including gutter pans for the roadway connecting Legato Road and the construction of the Government Center Parkway shall be completed, as shown on the CDPA/FDPA.

7. The following final road dedications and improvements shall be provided on the Route 29 access road as shown on the CDPA/FDPA:

(a) Dedicate right of way varying between 90 to 108 feet in width from the Access roads intersection with the Government Center Parkway and the Access Roads intersection with Route 29. The applicant shall design and construct an additional third northbound lane along the Route 29 Access Road subject to VDOT approval. Construction shall be upon demand by the County and/or VDOT. The area between the Route 29 Access Road and the Glen Alden development shall be bermed and landscaped so as to provide effective year-round screening of the road from the residences as determined by the County Arborist. The width of this buffer shall not be less than 80 feet.

(b) Construct improvements varying in width between 66 and 78 feet of pavement including gutter pans and a four foot median for the roadway referenced in paragraph 7(a), as shown on the FDPA.

(c) The additional right of way referenced in Paragraph 7(a) shall be provided by expanding the right of way to the west into the buffer area. ✓

8. The construction of a right turn deceleration lane shall be completed on the Fair Lakes Parkway at the entrance to Land Bay A, as shown on the CDPA/FDPA.

9. Dedication of all rights of way shall be made to the Board of Supervisors in fee simple. All public roadway improvements shall be implemented in accordance with VDOT and Fairfax County standards.

10. In the event that bus service is provided to the site, Applicant shall work with WMATA and VDOT to determine appropriate locations for and construct bus stops and shelters as deemed necessary by Fairfax County and WMATA.

11. A sum of Four Hundred and Thirty Thousand Dollars (\$430,000.00) for traffic signal installation shall be escrowed with DEM at such time VDOT determines the signal is warranted.

12. Applicant shall escrow with Fairfax County one-third (1/3) of the cost of the design, construction and utility relocation as determined by Fairfax County for the East-West Subconnector from the subconnector crossing of the Environmental Quality Corridor (EQC), as shown on the submitted CDPA/FDPA, south to an at-grade intersection with Route 29.

13. The alignment of the access road serving the parking garage P1 in Land Bay A shall follow the existing road's alignment.

14. The necessary right-of-way within Land Bay A for West Ox Road, as determined by the Office of Transportation and VDOT, shall be dedicated at time of final site plan approval.

15. In the event that the right of way for off-site transitions shown on the CDPA/FDPA cannot be obtained by the applicant from adjacent property owners, the applicant will be required to provide only those transitions which can be constructed within the available right of way.

I. TRANSPORTATION MANAGEMENT STRATEGIES

1. An ongoing ride sharing program shall be coordinated with the Fairfax County ride sharing staff, and established at each office building, including the Governmental Center.

2. When sixty percent (60%) of the non-residential space is occupied including the Governmental Center, the Applicant or successors shall prepare a traffic analysis to the mutual satisfaction of the Applicant and the Fairfax County Office of Transportation comparing traffic generated by the then existing development within these areas with traffic projections made in the traffic analysis prepared by Street Traffic Studies for the subject rezoning RZ 86-W-001 and CDPA 86-W-001-1. In the event this analysis indicates that traffic generation from such existing development with the said areas is in excess of the projected traffic generation for comparable square footage of development as identified in the analysis for the rezoning, Applicant or successor shall take the following actions:

a) One or more of the following transportation management strategies shall be implemented subject to the approval of DEM and the Office of Transportation.

- i. Car-pool/van-pool programs established for employees occupying structures on the property and a program under the direction of a transportation coordinator provided by and at the expense of the occupants of additionally established uses within said areas.
- ii. A program for matching car-pool and van-pool service coordinated with various governmental agencies and other private employers.
- iii. Convenient parking in preferred locations designated for car-pool/van-pool use.
- iv. A pay parking policy provided incentives for ride sharing participants.
- v. Mass transit usage encouraged by construction of bus shelters and pedestrian walkways linking access to adjacent communities.

vi. In the event a direct feeder bus service between the application property, other area development, and the Vienna Metro Station is not provided by the public sector, a peak hour shuttle bus service to the Vienna Metro Station shall be implemented in cooperation with other major developments in the immediate area as determined by the Office of Transportation.

3. Non-rups for commercial/office development in excess of the amount occupied shall be approved only for that portion of the remaining non-residential development which can be supported by the trip rates found as a result of the study.

4. If the above Transportation Systems Management (TSM) strategies are not deemed effective by Fairfax County, additional TSM techniques acceptable to the developer and to the Fairfax County Office of Transportation shall be implemented to achieve the project level of trip generation. If the developer and the County Office of Transportation cannot agree upon the appropriate TSMs, then TSMs recommended by a mutually acceptable traffic consultant (employed at the cost of the Applicant or its successors) which achieve the projected level of trip generation shall be implemented and maintained.

5. The applicants shall work with and through Fairfax County to establish and participate in a Fairfax Center Transportation Management Association (TMA), on an equitable

basis as determined by the TMA, in conjunction with other development projects in the Fairfax Center Area.

J. PHASING

1. Phasing of development of Land Bays A and B shall occur as follows:

a) A minimum of thirty-three percent (33%) of the residential development (242,000 square feet within Land Bay D) must be completed, as evidenced by issuance of Residential Use Permits prior to the issuance of a building permit for commercial/office buildings which would exceed forty percent (40%) (566,000 square feet) of the approved total GFA for Land Bays A and B.

b) A minimum of fifty percent (50%) of the residential development (367,000 square feet) must be completed, as evidenced by issuance of Residential Use Permits, prior to the issuance of building permits for commercial/office buildings which would exceed seventy percent (70%) (990,000 square feet) of the approved total GFA for Land Bays A and B.

2. Before the issuance of the first Residential Use Permit within Land Bay D and non-rup's for residential recreational facility/community center, the following transportation improvements must occur:

a) The construction of Route 29 improvements is completed.

b) The construction of the Government Center Parkway improvements is completed southeast of the Legato Road access road.

c) The construction of the Legato Road access road, as shown on the CDPA/FDPA, is completed.

d) The construction of the Route 29 access road, as shown on the CDPA/FDPA, is completed.

e) The construction of the cul-de-sac of Legato Road is completed in the location, as shown on the FDPA.

3. Residential Use Permits (RUPs) for more than 298 units and any non-residential Use Permits (Non-Rups) shall not be issued in Land Bays B, C, or D until the following occurs:

a) The construction of the Route 29 improvements are completed.

b) The construction of the east-west subconnector road is completed to the north between the Government Center Parkway just northeast of Land Bay B and the southern property line of the Centennial Development (RZ 84-P-101) including the bridge over I-66.

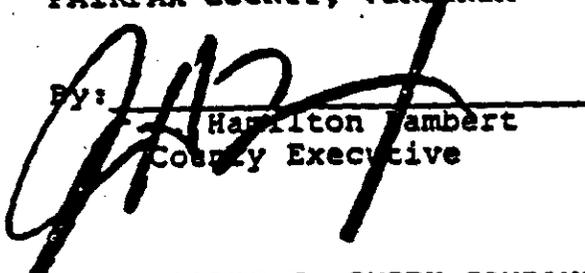
c) The construction of the east-west subconnector road is completed through the Centennial Development (RZ 84-P-101) between its southern property line and West Ox Road.

d) The construction of the Government Center Parkway in Land Bays B, C, and D, the Legato Road access road, the Route 29 access road, and the improvements to Legato Road are completed as described in paragraph two.

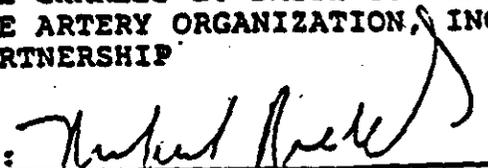
e) The construction of the cul-de-sac of Legato Road is completed in the location, as shown on the CDPA/FDPA.

4. The applicants construction of two lanes of the subconnector road (as set forth in Proffer H.3.b)), between the Government Center Parkway just northeast of Land Bay B and the northeastern corner of Land Bay C near the EQC, shall be completed no later than two years after the subconnector is completed to the east of Land Bays C and D, connecting with Route 29.

BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA

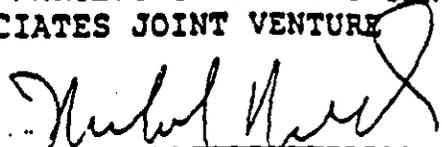
By: 
Hamilton Lambert
County Executive

THE CHARLES E. SMITH COMPANIES/
THE ARTERY ORGANIZATION, INC.
PARTNERSHIP

By: 
Michael Reynolds

SMITH/ARTERY GOVERNMENT CENTER
ASSOCIATES JOINT VENTURE

By:


Michael Reynolds

MASON ASSOCIATES GENERAL
PARTNERSHIP

By:


John T. Hazel, Jr.
General Partner
The Perch Associates
as General Partner of
Mason Associates General
Partnership

GOVT. CTR.:DFTW01
rev. 7/25/88

SMITH/ARTERY GOVERNMENT CENTER
ASSOCIATES JOINT VENTURE

By: _____
Michael Reynolds

MASON ASSOCIATES GENERAL
PARTNERSHIP

By: 

Milton V. Peterson
General Partner

York Limited Partnership
as General Partner of
Mason Associates General
Partnership

GOVT. CTR.:DFTW01
rev. 7/25/88

NARRATIVE AND NOTES

A. GENERAL NOTES

1. THE LAND BAYS B, C AND D DELINEATED ON THIS PLAN ARE LOCATED ON FAIRFAX COUNTY TAX MAP NUMBERS 56-1 (1977) PARCELS 20, 21 AND 22 AND A PORTION OF PARCEL 10. PRESENTLY, PARCELS 20 AND 21 ARE ZONED R-1 AND PARCELS 21A AND 21B ARE ZONED POC. THE LAND BAY A DELINEATED ON THIS PLAN IS LOCATED ON FAIRFAX COUNTY TAX MAP NUMBERS 56-1 (1977) PARCELS 1, 2A, 2B AND 2C CURRENTLY PARCEL 1 IS ZONED R-1 AND PARCELS 2A, 2B AND 2C IS ZONED POC AND TAX MAP 56-1 (1977) PARCEL 1 CURRENTLY ZONED R-1.
2. THE LAND ENBRACED IN LAND BAYS B, C, AND D IS NOW IN THE NAME OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA ACQUIRED FROM BENJAMIN M. SMITH, JR. TRUSTEE AND JACK W. CARNEY, TRUSTEE ON SEPTEMBER 8, 1979, DEED BOOK 5284, PAGE 85. THE LAND ENBRACED IN LAND BAY A IS NOW IN THE NAME OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA ACQUIRED FROM BENJAMIN C. WILLIAMS AND OTHERS ON JUNE 5, 1982, DEED BOOK 5182, PAGE 103 AND FROM FAIRLAKES SOUTH PARTNERSHIP ON NOVEMBER 10, 1983, DEED BOOK 5382, PAGE 1709 AND FROM FAIRLAKES SOUTH PARTNERSHIP AND FAIRLAKES SOUTH PARTNERSHIP (FORMERLY HATCH ASSOCIATES GENERAL PARTNERSHIP) 89-LAND EXCHANGE AGREEMENT RECORDS ON DEED BOOK _____ PAGE _____. ADDITIONAL LAND IN THE NAME OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA ACQUIRED FROM THELMA F. HINE, MAZEL F. BEALL AND RAYMOND F. FREYER, JR. TRUSTEES ON DEED BOOK _____ PAGE _____ AND DONALD M. REBERT, TRUSTEE ON DEED BOOK _____ PAGE _____.
3. THE CONTOUR INTERVAL IS 2 FEET.
4. THIS DEVELOPMENT CONFORMS TO ALL APPLICABLE ORDINANCES, REGULATIONS AND STANDARDS, EXCEPT AS NOTED BELOW IN THE REQUEST FOR WAIVERS AND MODIFICATIONS.
5. THIS PLAN ADHERES TO THE RELATIONSHIPS AND CONCEPTS PROPOSED IN THE COMPREHENSIVE PLAN OF FAIRFAX COUNTY.
6. THE APPLICANT INTENDS TO BEGIN CONSTRUCTION OF THE PROPOSED DEVELOPMENT AS SOON AS THE REQUIRED COUNTY APPROVALS AND PERMITS ARE ISSUED.
7. BUILDING HEIGHTS FOR LAND BAYS A, B, AND C WILL NOT EXCEED 120 FEET. BUILDING HEIGHTS FOR LAND BAY D WILL NOT EXCEED 55 FEET.

B. TRANSPORTATION AND PARKING

1. THE EAST-WEST SUBCONNECTOR IS DESIGNED FROM CENTERIAL DRIVE TO THE GOVERNMENTAL CENTER PARKWAY AND THE REMAINDER DEPICTED ON THIS PLAN IS FOR THE PURPOSE OF CONCEPT ALIGNMENT ONLY. PORTIONS OF THE EAST-WEST SUBCONNECTOR ARE TO BE BUILT BY OTHERS. FOR CLARIFICATION, SEE THE PROFFERS ACCOMPANYING THIS PLAN.
2. THE EASTERN MOST LEE HIGHWAY ACCESS FOR LAND BAY B SHALL BE CONSIDERED TEMPORARY. REFER TO THE PROFFERS FOR DETAILS.
3. AN APPLICATION TO PERMIT THE UTILIZATION OF COMPACT CAR SPACES IS BEING REQUESTED FOR LAND BAY A, B AND C AS AN INTEGRAL PART OF THIS PDPA. PARKING STRUCTURE HEIGHTS AND FOOTPRINTS SHOWN ON THE PLAN FOR LANDBAYS A AND B REFLECT MAXIMUM HEIGHT BUILDINGS SIZED FOR UNIVERSAL PARKING SPACES. IN THE EVENT THAT COMPACT CAR SPACES ARE APPROVED, HEIGHTS AND FOOTPRINTS OF THE GARAGES MAY BE DECREASED TO PROVIDE FOR THE REDUCED REQUIREMENTS WITHOUT REQUIRING ADDITIONAL APPROVAL OF THE PLANNING COMMISSION OR BOARD OF SUPERVISORS OF FAIRFAX COUNTY. IN THE EVENT THAT FUTURE COUNTY ORDINANCE REVISIONS ELIMINATE THE USE OF COMPACT CAR PARKING, ADDITIONAL STRUCTURED PARKING WILL BE PERMITTED FOR LAND BAY C WITHIN THE LIMITS OF THE EXISTING SITE SURFACE PARKING AREAS WITHOUT REQUIRING ADDITIONAL APPROVAL OF THE PLANNING COMMISSION OR BOARD OF SUPERVISORS OF FAIRFAX COUNTY.
4. SUFFICIENT AREA WILL BE PROVIDED WITHIN LAND BAY B, BETWEEN THE ADJACENT PROPERTY TO THE SOUTH AND THE PROPOSED LEGATO ROAD ACCESS TO FACILITATE THE PROPOSED COL-DE-SAC OF LEGATO ROAD (FROM THE SOUTH). THE ACTUAL CONSTRUCTION OF THE COL-DE-SAC AS SHOWN ON THE PLAN WILL BE PERFORMED AND FUNDED BY OTHERS.
5. THE PROPOSED IMPROVEMENTS OF LEGATO ROAD/RANDOM HILLS ROAD TO A FOUR LANE, UNDIVIDED SECTION WILL BE EXTENDED THROUGH THE ENTIRE FRONTAGE OF THE PROPERTY ALONG THESE ROADS; EXCEPT THAT A THREE-LANE, UNDIVIDED SECTION WITH APPROPRIATE TRANSITIONS WILL BE PROVIDED UNDER THE PROPOSED SUBCONNECTOR BRIDGE IF AFFECTED BY FINAL BRIDGE DESIGN OR THE PLACEMENT OF BRIDGE ABUTMENTS OR HIGH OCCUPANCY VEHICLE (HOV) LANES ON ROUTE 66. THE USE OF A THREE-LANE SECTION WILL BE SUBJECT TO FINAL REVIEW AND APPROVAL OF THE FAIRFAX COUNTY DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM) AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT).

C. UTILITIES

1. STORM SEWER: STORM SEWER SHOWN IS CONCEPTUAL. DETAILED STORM DESIGN SHALL BE COMPLETED DURING FINAL SITE PLAN ENGINEERING. STORM DRAINAGE COLLECTED SHALL BE DISCHARGED INTO EXISTING 100 YEAR FLOOD PLAIN PROVIDING ADEQUATE DETENTION.
2. SANITARY SEWER: PUBLIC SANITARY SEWER WILL BE PROVIDED BY AN EXISTING SANITARY FACILITIES AS SHOWN SERVING ALL LAND BAYS. DETAILED SERVICE TO INDIVIDUAL BUILDINGS SHALL BE COMPLETED DURING FINAL SITE PLAN ENGINEERING.
3. WATER: PUBLIC WATER SERVICE TO THE LOTS SHALL BE AN EXTENSION OF EXISTING WATER MAINS PROVIDED BY THE FAIRFAX COUNTY WATER AUTHORITY (FCWA). DETAILED SERVICE TO THE INDIVIDUAL LAND BAYS AND BUILDINGS SHALL BE COMPLETED DURING FINAL SITE PLAN ENGINEERING.

D. STORMWATER MANAGEMENT (SWM), FLOOD PLAINS AND EOC

1. SWM WILL BE PROVIDED BY A COMBINATION OF DET AND CFF PAVES TO BE CONSTRUCTED GENERALLY AS SHOWN ON THIS PLAN. BEST MANAGEMENT PRACTICES (BMP) SHALL ALSO BE PROVIDED AS DETERMINED BY DEM.
2. THE FLOOD PLAIN DELINEATED REPRESENTS THE ACTUAL 100 YEAR FLOOD SURFACE IN ACCORDANCE WITH DETAILED FLOOD PLAIN STUDIES PREPARED BY WILLIAM W. GORDON ASSOCIATES, INC.
3. THE ENVIRONMENTAL QUALITY CORRIDOR (EQC) REFLECTED ON THE PDPA REPRESENTS AN ACCURATE DELINEATION BASED ON ADOPTED COUNTY CRITERIA. APPROVAL OF THE PDPA SHALL CONSTITUTE ACCEPTANCE OF THE EQC LIMITS AS SHOWN, WITH ONLY THOSE ENCROACHMENTS AS PROVIDED IN PARAGRAPH E.2 BELOW.
4. TRAILS REQUIRING VEHICULAR ACCESS TO SWM FACILITIES FOR MAINTENANCE PURPOSES SHALL BE PROVIDED IN CONJUNCTION WITH THE CONSTRUCTION OF THE PEDESTRIAN/BIKE TRAILS WHERE INDICATED ON THE PDPA. THE MAINTENANCE TRAILS WILL BE REINFORCED TO A TYPICAL SECTION CONSISTING OF SIX INCHES OF FOOT BASE COURSE SPEC 210, (TYPE 21-A) AND TWO INCHES OF BITUMINOUS CONCRETE WEARING SURFACE (TYPE S-5) AND WIDENED TO A TEN FOOT WIDTH IN THOSE AREAS WHERE THE TRAIL WILL FUNCTION AS ACCESS TO THE SWM FACILITIES.

E. LANDSCAPING, BUFFERS, SCREENING AND TREE SAVE AT AREAS

1. FOR WAIVERS OF REQUIRED SCREENING AND BARRIERS, SEE THE LIST OF WAIVERS AND MODIFICATIONS PROVIDED WITH THIS PDPA.
2. THE LIMITS OF CLEARING AND GRADING SHOWN ON THE FINAL DEVELOPMENT PLAN AMENDMENT (PDPA) SHALL BE OBSERVED. MINOR DEVIATIONS FROM THE LIMITS SHOWN ON THE PDPA MAY BE PERMITTED DURING SITE PLAN REVIEW IN ACCORDANCE WITH ARTICLE 16, PART 4, SECTION 16-403, PARAGRAPH 4 OF THE ZONING ORDINANCE.
3. CLEARED AREAS NECESSARY FOR CONSTRUCTION OF THE PROPOSED APARTY RENTS ON LAND BAY C SHALL BE SUPPLEMENTED WITH ADDITIONAL PLANTINGS PROVIDED BY THE FAIRFAX COUNTY PARK AUTHORITY.
4. CROSS HATCHED AREAS (SEE LEGEND) INDICATE "POSSIBLE TREE SAVE AREAS". THE COUNTY ARBORIST AND DIRECTOR OF DCN SHALL HAVE APPROVAL AUTHORITY OVER THE CLEARING AND GRADING.
5. PROPOSED TRAILS THROUGH EXISTING WOODED AREAS SHALL BE FIELD LOCATED IN SUCH A MANNER AS TO MINIMIZE TREE CLEARING. THE FINAL ALIGNMENT WILL BE SUBJECT TO THE COUNTY ARBORIST'S REVIEW AND APPROVAL.

F. MISCELLANEOUS

1. ADDITIONAL INFORMATION FOR THE BLDG. B-3 PLAY AREA WHICH IS REQUIRED BY SECTION 8-011 OF THE FAIRFAX COUNTY ZONING ORDINANCE IS PROVIDED IN THE PROFFERS.
2. PROPOSED USES FOR LAND BAYS A AND B ARE AS FOLLOWS:

LAND BAY A - ACCESSORY USES (DELI & RESTAURANT), CHILD CARE CENTERS, SUBJECT SCHOOLS, ESTABLISHMENTS FOR SCIENTIFIC RESEARCH, DEVELOPMENT AND TRAINING, FINANCIAL INSTITUTIONS, OFFICES AND PUBLIC USES.

LAND BAY B - ACCESSORY USES (DELI & RESTAURANT), FINANCIAL INSTITUTIONS, MONASTERY SCHOOLS, CHILD CARE CENTERS, OFFICES, TO INCLUDE THE DISPLAY AND SALES OF SCIENTIFIC, ELECTRONIC OR MEDICAL EQUIPMENT, AND PUBLIC USES.
3. LOT LOT LOCATIONS IN LAND BAY D ARE CONCEPTUAL. FINAL LOCATIONS WILL BE CHOSEN SUBJECT TO THE APPROVAL OF REPRESENTATIVES OF THE FAIRFAX COUNTY ARBORIST'S OFFICE TO MINIMIZE TREE CLEARING. SELECTIVE CLEARING AND PRUNING OF TREES SHALL BE DONE WITHIN THE LOT LOT AREAS. LOT LOTS SHALL BE DEDICATED TO THE FUTURE HOMEOWNERS' ASSOCIATION AND SHALL NOT BE DEDICATED TO THE BOARD OF SUPERVISORS AS OPEN SPACE.
4. ALL BUILDING/LAND BAY ENTRANCES ARE SUBJECT TO VDOT APPROVAL.
5. THE UPPERMOST DECK OF ALL PARKING STRUCTURES SHALL BE LANDSCAPED IN ACCORDANCE WITH COUNTY REQUIREMENTS.

PARKING TABULATIONS

SITE	BUILDING	(4) SPACES REQUIRED	REGULAR SPACES PROVIDED	(5) COMPACT SPACES PROVIDED	TOTAL SPACES PROVIDED	LOADING SPACES REQUIRED	LOADING SPACES PROVIDED	HANDICAP SPACES REQUIRED	HANDICAP SPACES PROVIDED
LAND BAY A	A1	304 (6)	304	0	304	5	5	4	4
	A2	824 (7)	618	206	824	2.5 (13)	2.5	9	9
	A3	824 (7)	618	206	824	2.5 (13)	2.5	9	9
	ADDITIONAL	41 (8)	41	0	41	N/A	N/A	N/A	N/A
LAND BAY A TOTALS		1,993	1,581	412	1,993	10	10	22	22
LAND BAY B	B1	894 (7)	678	224	894	2.5 (13)	2.5	10	10
	B2	894 (7)	678	224	894	2.5 (13)	2.5	10	10
	B3	990 (7)	742	248	990	5	5	11	11
	ADDITIONAL	76 (9)	57	19	76	N/A	N/A	N/A	N/A
LAND BAY B TOTALS		2,854	2,139	715	2,854	10	10	31	31
LAND BAY C	C1	4,096 (7)	2,997	1,099	4,096 (10)	5	5	42	42
LAND BAY D		1,066 (11)	1,065		1,065 (12)	N/A	N/A	8	8

(4) SPACES REQUIRED BY FAIRFAX COUNTY ZONING ORDINANCE FOR OFFICE USE.

(5) COMPACT CAR SPACES ARE PROPOSED IN LAND BAYS A, B & C. TOTAL NUMBER OF COMPACT SPACES NOT TO EXCEED 25 % OF TOTAL. IN LAND BAY C, SPACES ARE COMPUTED AT 25 % OF TOTAL SPACES PROVIDED.

(6) REQUIRED PARKING FOR HOTEL BASED UPON THE FOLLOWING:

250 ROOMS @ ONE SPACE PER ROOM PLUS 4 SPACES PER 50 ROOMS = $250 + 20 =$ 270
 RESTAURANT = SEE NOTE (8) BELOW.
 LOUNGE = 60 SEATS @ 1 SPACE PER 4 SEATS PLUS
 10 EMPLOYEES @ 1 SPACE PER EACH 2 EMPLOYEES = $15 + 5 =$ 20
 CONFERENCE ROOM = 3,000 SF (NFA) @ 4.5 SPACES PER 1,000 SF (NFA) = $4.5 \times 3 =$ 14
 TOTAL 304

(7) REQUIRED PARKING IS COMPUTED BASED UPON THE FOLLOWING:

a.) OFFICE USE PARKING REQUIREMENTS @ 4.5 SPACES PER 1,000 SF NFA IN LAND BAYS A & B.
 b.) NET FLOOR AREA (NFA) = 80 % OF GROSS FLOOR AREA (GFA).
 c.) IN LAND BAY C, OFFICE USE COMPUTED @ 5.0 SPACES PER 1,000 SF.

(8) ADDITIONAL PARKING REQUIRED FOR SPECIFIC USES IN LAND BAY A:

RETAIL = 17,000 SF (NFA) @ 5 SPACES FOR FIRST 1,000 SF PLUS
 6 SPACES FOR EACH ADDITIONAL 1,000 SF = 101
 RESTAURANT = 100 SEATS @ ONE SPACE PER 4 SEATS PLUS
 10 EMPLOYEES @ 1 SPACE PER EACH 2 EMPLOYEES = $25 + 5 =$ 30
 TOTAL 131

EQUIVALENT OFFICE SPACES:

17,000 PLUS 3,000 SF = 20,000 SF (NFA)
 20,000 SF NFA @ 4.5 SPACES PER 1,000 SF (NFA) = 90 SPACES
 THEREFORE, 131 SPACES LESS 90 SPACES = 41 ADDITIONAL SPACES

(9) ADDITIONAL PARKING REQUIRED FOR SPECIFIC USES IN LAND BAY B:

RESTAURANT = 467 SEATS @ ONE SPACE PER 4 SEATS PLUS
 (14,000 SF) 42 EMPLOYEES @ 1 SPACE PER EACH 2 EMPLOYEES = $117 + 21 =$ 138
 CHILD CARE = 7,100 SF AND 25 EMPLOYEES AT 2 SPACES PER EACH 3 EMPLOYEES PLUS
 100 CHILDREN @ 0.16 SPACES PER CHILD = $17 + 16 =$ 33
 TOTAL 171

EQUIVALENT OFFICE SPACES:

14,000 SF PLUS 7,100 SF = 21,100 SF (NFA)
 21,100 SF NFA @ 4.5 SPACES PER 1,000 SF (NFA) = 95 SPACES
 THEREFORE, 171 SPACES LESS 95 SPACES = 76 ADDITIONAL SPACES

(10) THE TOTAL SPACES PROVIDED FOR LAND BAY C INCLUDE ALLOCATION FOR 300 COUNTY VEHICLE SPACES. PARKING IS TO BE PROVIDED AS 2,893 SPACES UNDER PHASE I AND 1,503 SPACES UNDER PHASE II.

(11) LAND BAY D REQUIRED PARKING TABULATIONS ARE BASED ON RESIDENTIAL USE.

TOWNHOMES: 192 UNITS @ 2.3 SPACES PER UNIT = 442
 APARTMENTS: 404 UNITS @ 1.5 SPACES PER UNIT = 606
 COMMUNITY CENTER: 18 SPACES AS PER PROFFER 85C = 18
 TOTAL 1,066

(12) TOTAL SPACES PROVIDED IN LAND BAY D INCLUDE GARAGE, CARPORT, VISITOR AND RECREATIONAL VEHICLE (RV) PARKING SPACES. CARPORT LOCATIONS ARE CONCEPTUAL. FINAL LOCATIONS WILL BE DETERMINED AT TIME OF FINAL DESIGN OF SITE PLAN. A MAXIMUM OF SIXTY (60) CARPORT SPACES WILL BE PROVIDED. THE LOCATION INDICATED ON THE FDP FOR RVs WILL BE STRIPED FOR REGULAR CAR SPACES AND WILL ONLY BE RESTRIPTED IN THE FUTURE TO ACCOMMODATE RVs IF DEEMED NECESSARY BY PROPERTY MANAGEMENT.

(13) LOADING SPACES FOR BUILDINGS A2 AND A3, AND B1 AND B2 ARE BASED UPON A SINGLE USE (OFFICE) ON THE LOT.

MODIFICATION REQUESTS

RELATIVE BUILDING HEIGHT

LAND BAY A

11-111 REQUEST A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENT ALONG THE WESTERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPHS 3 AND 12 OF THE FAIRFAX COUNTY ZONING ORDINANCE. SEE ILLUSTRATIVE LANDSCAPE PLANS AND DETAILS PROVIDED WITH THIS APPLICATION FOR THE PRESERVATION OF EXISTING VEGETATION.

11-112 REQUEST A WAIVER OF THE TRANSITIONAL SCREENING AND THE BARRIER REQUIREMENTS ALONG THE SOUTHERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPH 12 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

LAND BAY B

11-113 REQUEST A WAIVER OF BARRIER REQUIREMENT ALONG THE WESTERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPH 12 OF THE FAIRFAX COUNTY ZONING ORDINANCE. SEE ILLUSTRATIVE LANDSCAPE PLANS AND DETAILS PROVIDED WITH THIS APPLICATION FOR PROPOSED SCREENING.

11-114 REQUEST A WAIVER OF THE BARRIER REQUIREMENT ALONG THE SOUTHERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPH 12 OF THE FAIRFAX COUNTY ZONING ORDINANCE. SEE ILLUSTRATIVE LANDSCAPE PLANS AND DETAILS PROVIDED WITH THIS APPLICATION FOR PROPOSED SCREENING AND PRESERVATION OF EXISTING VEGETATION.

LAND BAY C

11-115 REQUEST A WAIVER OF THE BARRIER REQUIREMENT ALONG THE SOUTHERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPH 12 OF THE FAIRFAX COUNTY ZONING ORDINANCE. SEE ILLUSTRATIVE LANDSCAPE PLANS AND DETAILS PROVIDED WITH THIS APPLICATION FOR PROPOSED SCREENING.

11-116 REQUEST A WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE WESTERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPH 5 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

11-117 REQUEST A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENTS ALONG THE EASTERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPHS 3 AND 12 OF THE FAIRFAX COUNTY ZONING ORDINANCE. EXISTING WOODED ODC AREAS WILL REMAIN AS SHOWN ON THE FORM.

LAND BAY D

11-118 REQUEST A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENT ALONG THE SOUTHERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPHS 3 AND 12 OF THE FAIRFAX COUNTY ZONING ORDINANCE. SEE ILLUSTRATIVE LANDSCAPE PLANS AND DETAILS PROVIDED WITH THIS APPLICATION FOR PROPOSED SCREENING AND PRESERVATION OF EXISTING VEGETATION.

11-119 REQUEST A WAIVER OF THE TRANSITIONAL SCREENING AND THE BARRIER REQUIREMENTS ALONG THE EASTERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPH 5 OF THE FAIRFAX COUNTY ZONING ORDINANCE. REQUEST FOR A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE WESTERN BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPH 3 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

11-120 REQUEST A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE APARTMENT - COMMERCIAL INTERFACE BOUNDARY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11-111, PARAGRAPH 3 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

11-121 REQUEST A WAIVER TO EXCEED THE MAXIMUM PRIVATE STREET LENGTH REQUIREMENT OF 800 FEET SET FORTH IN SECTION 11-102, PARAGRAPH 2 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

11-122 REQUEST A WAIVER OF THE SERVICE DRIVE REQUIREMENT OF SECTION 11-101, PARAGRAPH 3A OF THE FAIRFAX COUNTY ZONING ORDINANCE ALONG THE ROUTE 28 FRONTAGE.

11-123 REQUEST A WAIVER OF THE 200 SQUARE FOOT PRIVATE YARD REQUIREMENT OF SECTION 6-207, PARAGRAPH 2 OF THE FAIRFAX COUNTY ZONING ORDINANCE FOR THE SINGLE FAMILY ATTACHED DWELLINGS.

11-124 REQUEST A WAIVER OF THE REQUIREMENT TO PROVIDE 700 LOTS A MINIMUM DISTANCE OF 100 FEET FROM BUILDINGS AS SET FORTH IN SECTION 2-020, PARAGRAPH 1.E OF THE PUBLIC FACILITIES MANUAL. REQUEST WAIVER OF THE REQUIREMENT TO EXCLUDE BY FRONT 700 LOTS LOCATED WITHIN 100 FEET OF A ROAD, STREET OR PARKING LOT AS SET FORTH IN SECTION 2-020, PARAGRAPH 1.J OF THE PUBLIC FACILITIES MANUAL.

11-125 REQUEST A WAIVER OF THE REQUIREMENT "MAY ESTABLISHED MANAGEMENT (SMA) AND BEST MANAGEMENT PRACTICES (BMP) FACILITIES BE LOCATED ON-SITE AS SET FORTH IN SECTION 6-207, PARAGRAPH 1 AND SECTION 6-020, PARAGRAPH 2 OF THE PUBLIC FACILITIES MANUAL. SMA AND BMP FACILITIES WILL BE PROVIDED FOR THE PROPOSED DEVELOPMENT OF LAND BAY B BY DETENTION FACILITIES LOCATED WITHIN THE BOUNDARIES OF LAND BAY C AS SHOWN ON THE FORM.

GENERAL

A WAIVER IS HEREBY REQUESTED FOR CONDITIONS THAT ARE SIMILAR TO THOSE IN RELATION TO EXISTING OR PROPOSED PUBLIC STREETS BEYOND THOSE DEPICTED ON THE FORM. THE APPLICANT SHALL HAVE THE OPTION TO LOCATE SIGNALS INSIDE OR OUTSIDE OF ESTABLISHED AND PROPOSED ROAD RIGHTS-OF-WAY AS NECESSARY TO ACCOMPLISH SIGNALING, DRAINAGE, UTILITY LOCATION AND LANDSCAPING FOR THE PROPOSED DEVELOPMENT. WHERE SIGNALS MUST, BY NECESSITY, BE LOCATED OUTSIDE OF THE PROPOSED RIGHTS-OF-WAY, A PUBLIC ACCESS CORRIDOR WILL BE ESTABLISHED.

SUMMARY LAND BAYS A AND B

LAND BAY A

BLDG.	HIGHEST FIRST FL. ELEV. *	HIGHEST ROOF ELEV. **	AVE. EX. GRADE	MAXIMUM BLDG. HGT. ABOVE AVE. EX. GRADE
41	409	529	408	120'
42	419	539	418	121'
43	419	539	418	120'

PARKING STRUCTURE

	HIGHEST FIRST FL. ELEV. **	HIGHEST TOP DECK ELEV. **	AVE. EX. GRADE	MAXIMUM BLDG. HGT. ABOVE AVE. EX. GRADE
P1	418	458	423	35'

LAND BAY B

BLDG.	HIGHEST FIRST FL. ELEV. *	HIGHEST ROOF ELEV. **	AVE. EX. GRADE	MAXIMUM BLDG. HGT. ABOVE AVE. EX. GRADE
01	456	576	447	127'
02	456	576	456	120'
03	463	583	460	123'

PARKING STRUCTURE

	HIGHEST FIRST FL. ELEV. **	HIGHEST TOP DECK ELEV. **	AVE. EX. GRADE	MAXIMUM BLDG. HGT. ABOVE AVE. EX. GRADE
P2	456	505	455	50'
P3	456	505	465	40'
P4	456	505	465	46'

* ROOF ELEVATION DOES NOT INCLUDE PARAPETS (PARAPETS ALLOWED TO COVER LESS THAN 2% OF ROOF AREA, THEREFORE DOES NOT NEED TO BE INCLUDED IN CALCULATION OF BUILDING HEIGHT)

** TOP DECK ELEVATION DOES NOT INCLUDE PARAPET WALL HEIGHT. (PARAPET WALL IS GENERALLY 3.0' IN HEIGHT OR LESS.)

PROJECT TEAM

MASTER DEVELOPER - THE CHARLES E. SMITH COMPANIES / THE ARTERY ORGANIZATION PARTNERSHIP
 LAND PLANNING AND ARCHITECTURE - RTKL ASSOCIATES, INC. - CIVIL ARCHITECTS & PLANNERS
 ENVIRONMENTAL AND LANDSCAPE DESIGN - LAND DESIGN RESEARCH INC. TRANSPORTATION - STREET TRAFFIC STUDIES, LTD.
 ENGINEERING - WILLIAM H. GORDON ASSOCIATES, INC.
 LEGAL - WALTON COLLIER PALMISTON, BARNES AND LUBLEY

CONCEPTUAL DEVELOPMENT PLAN AMENDM
 FINAL DEVELOPMENT PLAN AMENDMEN
 PCA/COPA-00-W-001-2
 FDPA-00-W-001-1

GOVERNMENTAL CENTER

SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

SCALE: NONE
 DATE: MAY 16, 1988
 REVISED: JUNE 9, 1988
 REVISED: JUNE 24, 1988



AREA TABULATIONS

TOTAL AREA OF THIS FINAL DEVELOPMENT PLAN = 217.64054 ACRES
 BOUNDARY SURVEY CONDUCTED BY WILLIAM N. GORDON ASSOCIATES, INC. IN
 MARCH AND APRIL OF 1987.
 TOTAL F.A.R. OF THIS FDP AMENDMENT = 0.33456
 TOTAL F.A.R. OF APPROVED FINAL DEVELOPMENT PLAN = 0.33506

SITE	SITE AREA	BUILDING	GFA/ SF (APPROX.)	F.A.R.	USE	F OF FLOORS	MAR. BLDG. HICHT.
LAND BAY A	34.09 AC. 1,484,511 SF	A1 A2	184,926 229,000		MOTEL OFFICE	10 10	120 120
TOTAL LAND BAY A		A3	229,000 642,926	0.433	COMMERCIAL/ OFFICE	10	120
LAND BAY B	32.90 AC. 1,333,124 SF	B1 B2	248,333 248,333		COMMERCIAL/ OFFICE	10 10	120 120
TOTAL LAND BAY B		B3	275,000 771,666	0.538	COMMERCIAL/ OFFICE	10	120
LAND BAY C	100.00 AC. 4,356,000 SF	C1	1,026,014 (1)	0.235	GOVERNMENTAL CENTER/OFFICE	5	120
LAND BAY D	50.66 AC. 2,206,787 SF		733,180	0.332	RESIDENTIAL		
TOTAL SITE			3,171,786	0.33456			
			9,480,422 SF				

(1) 950,000 SF (EDPI) + 52,074 SF (LAND BAY A) + 13,950 SF (BALLARD PLACES)

OPEN SPACE TABULATIONS

SITE	OPEN SPACE REQUIRED	OPEN SPACE PROVIDED	% OPEN SPACE WITHIN EOC
LAND BAY A	15% OF GROSS AREA OF SITE	40%	65%
LAND BAY B	15% OF GROSS AREA OF SITE	25%	N/A
LAND BAY C	15% OF GROSS AREA OF SITE PLUS 20 SF TIMES NO. OF COMPACT CARS (2)	60%	31%
LAND BAY D	15% OF GROSS AREA OF SITE	45%	7%
(2) LAND BAY C: 20 SF x 1,099 CARS = 21,980 SF.			
0.5% THEREFORE, TOTAL REQUIRED =			15.5%

PARKING STRUCTURES

STRUCTURE	LOCATION	# OF LEVELS	STRUCTURE HEIGHT (FT.) (1)	EFFECTIVE HEIGHT (FT.) (2)
P1	LAND BAY A	6	50	40
P2	LAND BAY B	5/6	40/50	35/45
P3	LAND BAY C	6	40/50	30/40
P4	LAND BAY D	2	50	40
P5	LAND BAY C	2	UNDER BLDG.	N/A
P6	LAND BAY C	2	10	10
P7	LAND BAY C	2	10	10
(1)				

STRUCTURE HEIGHT IS DEFINED AS THE DIFFERENCE BETWEEN THE ELEVATION OF THE LOWEST PARKING DECK AND THE ELEVATION OF THE UPPERMOST PARKING DECK. EFFECTIVE HEIGHT IS DEFINED AS THE DIFFERENCE BETWEEN THE ELEVATION OF THE AVERAGE FINISHED GRADE AROUND THE STRUCTURE AND THE ELEVATION OF THE UPPERMOST PARKING DECK.

DENSITY TABULATIONS FOR LAND BAY D (RESIDENTIAL)

ITEMS PROVIDED	RECREATIONAL SPACE PROVIDED	SITE
TRAILS	0.5 A	LAND BAY A
N/A	N/A	LAND BAY B
TRAILS	5.0 A	LAND BAY C
TRAILS / TENNIS COURTS / COMMUNITY CENTER / TOT LOTS	2.5 A	LAND BAY D

TOTAL AREA OF LAND BAY D = 50.66 ACRES
 PROPOSED F.A.R. FOR LAND BAY D = 2,206,787 SF
 PROPOSED RESIDENTIAL:
 192 TOWNHOUSES @ 1,125 SF OF GFA/ UNIT = 216,000 SF
 404 GARDEN APARTMENTS @ 955 SF OF GFA/ UNIT = 385,820 SF
 TOTAL = 601,820 SF
 12 UNITS/ACRE

RECREATIONAL OPEN SPACE

PROFFERS/DEVELOPMENT CONDITIONS

PCA 86-W-001-6/PCA 86-P-089-4

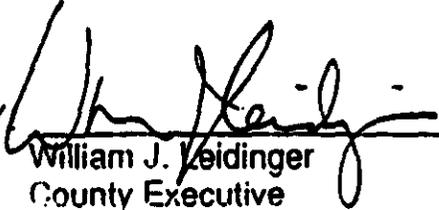
October 4, 1995

Pursuant to Section 15.1-491(a) of the Code of Virginia 1950 edition as amended, subject to the Board of Supervisors approval of the Proffered Condition Amendments, applicant proffers the following. All previous proffers/development conditions shall remain in full force and effect except the following language shall be added to the proffer statement dated July 25, 1988 and approved on August 1, 1988 by the Board of Supervisors for Tax Map 55-2 ((1)) 15 (Land Bay A).

1. Interim development of the subject property as temporary athletic fields (Phase 1) shall be in substantial conformance with Sheet 1 of the CDPA/FDPA entitled "Land Bay A", dated August 1995 and revised through September 1995.
2. Phase 2 development (office/hotel option) shall be in substantial conformance with Sheet 2 of the CDPA/FDPA entitled "Land Bay A", dated August 1995 and revised through September 1995 and Attachments 1 through 10.
3. Prior to the construction of any temporary athletic fields on Land Bay A, the following conditions shall be met:
 - a) The limits of clearing and grading shall be provided as depicted on Sheet 1 as determined by DEM. The number, type and location of athletic fields and the exact location of the driveway and parking lot may vary from that depicted on the CDPA/FDPA, but the athletic fields, driveway and parking lot shall be located within the depicted limits of clearing and grading.
 - b) Access to the athletic fields shall be via the extension of Roger Stover Drive as determined by DEM and/or VDOT.
 - c) A sidewalk/pedestrian connection shall be provided between the existing terminus of Roger Stover Drive and the parking area as determined by DEM. In addition, a pedestrian connection shall be provided between the parking area and the athletic field(s) as determined by DEM.
 - d) Adequate parking shall be provided and the size and configuration of any on-site parking area shall meet the applicable Public Facilities Manual standards as determined by DEM at the time of site plan approval.

4. The necessary right-of-way and/or easements shall be provided for the widening of I-66 and/or the construction of the flyover as depicted on Sheet 1 of the CDPA/FDPA dated September 1995 at such time as design plans for the roadway are completed, or site plan approval for Phase 2 development occurs, whichever occurs first.

BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA

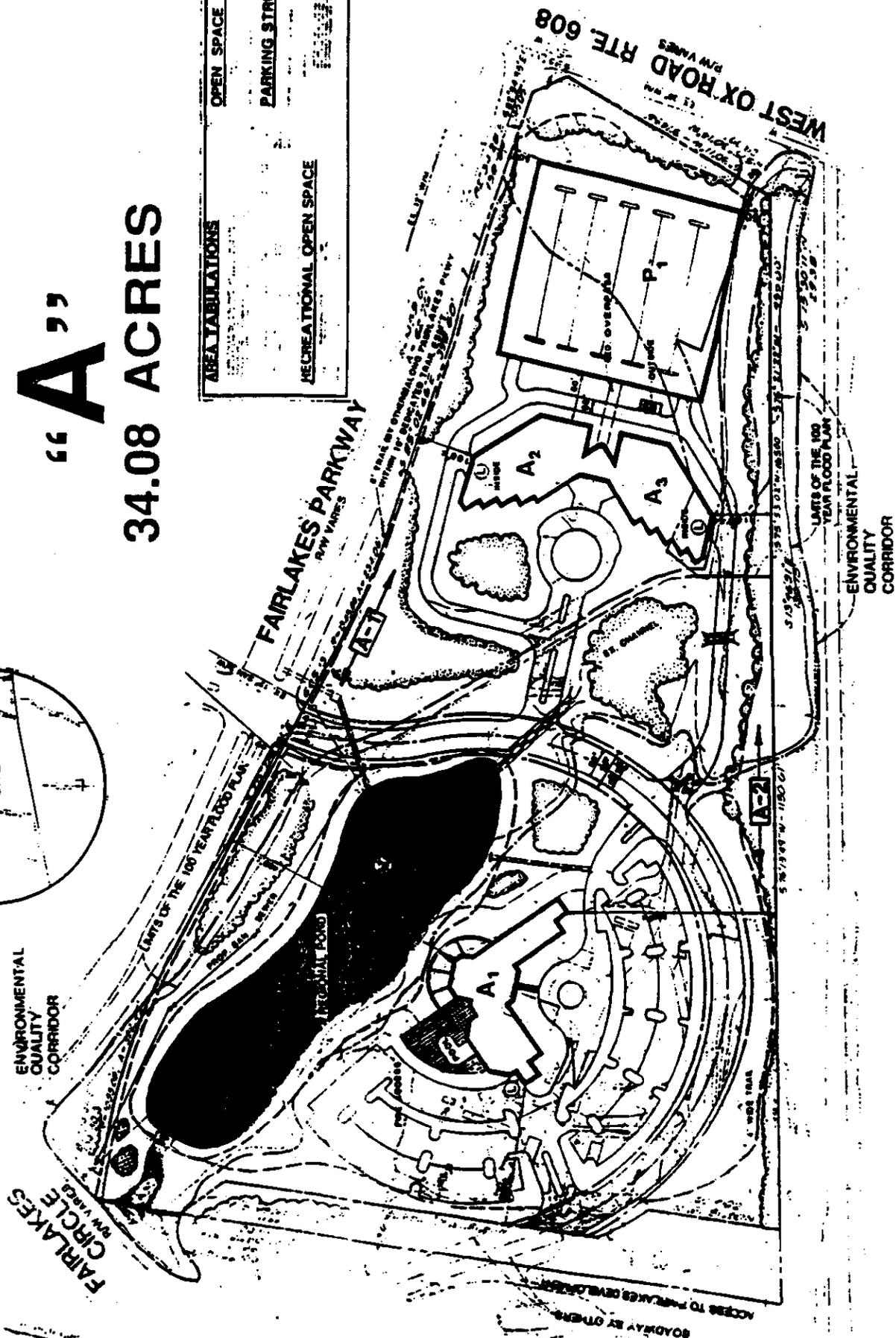
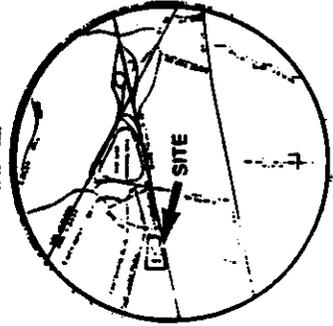
BY 
William J. Leidinger
County Executive

LAND BAY

"A"

34.08 ACRES

AREA TABULATIONS	OPEN SPACE TABULATIONS
RECREATIONAL OPEN SPACE	PARKING STRUCTURES



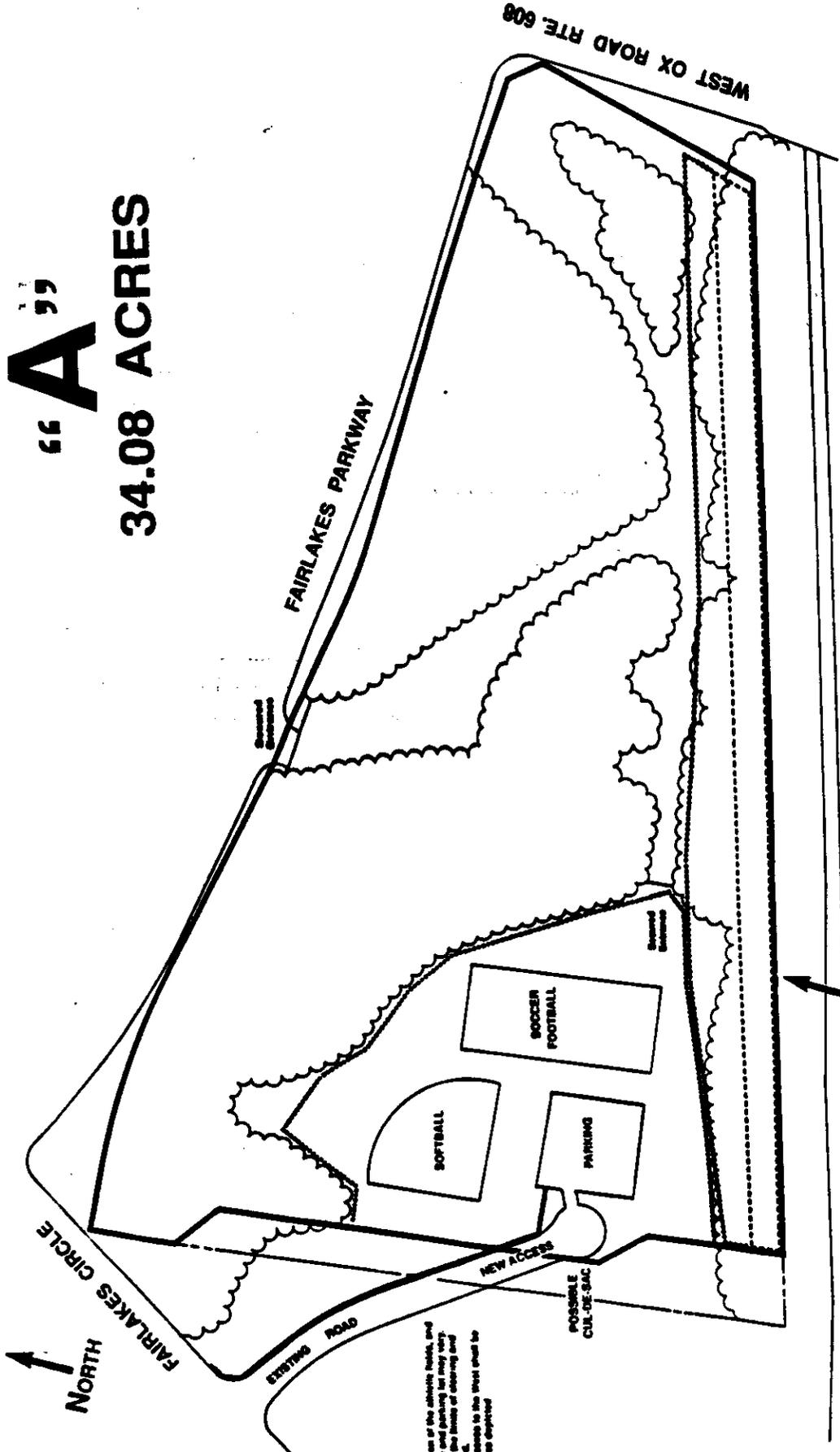
PHASE 2

SC# 1 - 100 AUGUST 1975
 REVISED SEPTEMBER 1977

LAND BAY

"A"

34.08 ACRES



The future site-specific design needed for the 107' segment is based on the need to meet minimum standards for 100% coverage. The site plan includes a 100% coverage area for the 107' segment. The site plan includes a 100% coverage area for the 107' segment. The site plan includes a 100% coverage area for the 107' segment.

INTERSTATE ROUTE 66

PHASE 1

Scale: 1" = 100' AUGUST 1993
REVISED SEPTEMBER 1995

- KEY**
- LIMITS OF CLEARING AND GRADING
 - EXISTING TREE LINE
 - FUTURE ROW NEEDED FOR FLYOVER
 - FUTURE 148 ROW
 - SIDEWALK

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

FROM: Bruce G. Douglas, Chief *BD/ave*
Environment & Development Review Branch, OCP

SUBJECT: Comprehensive Plan Land Use Analysis for:
PCA 86-W-001-7
FDPA 86-W-001-5
PCA 86-P-089-4
FDPA 86-P-089
Land Bay A

DATE: 30 June 1997

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the application and the development plan dated May 27, 1997. The application requests changes to the previously-approved site design in order to accommodate modifications to a stormwater management facility. Approval of this application would not change the approved floor area ratio (FAR) of .433. The extent to which the proposed use, intensity, and the development plan are consistent with the guidance of the Plan is noted.

CHARACTER OF THE SURROUNDING AREA:

The site is located in the southwest quadrant of the intersection of Fair Lakes Parkway and West Ox Road. Interstate 66 forms its southern boundary, beyond which are public facility uses which include the old landfill. Other portions of Fair Lakes are located to the west and north. Adjacent to the northwest corner of the site is a one-story child care center. High rise office and two story retail uses have recently been approved immediately to the west. Across Fair Lakes Parkway to the north, the land is heavily wooded along the periphery and contains an apartment complex and office park. To the east, across West Ox Road, are an office building and free-standing restaurant.

COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:

The 34.1-acre property is located in Sub-units H2 and I4 of the Fairfax Center Area in Area III. The Comprehensive Plan text and map provide the following guidance on land use and intensity for the property:

Text:

On page 275 of the 1991 edition of the Area III Plan as amended through June 26, 1995, under

the heading "Recommendations, Land Use," the Plan states:

"Land Use

Sub-units H1, H2

These sub-units are planned for office mixed-use. Office development that incorporates architectural excellence, preservation and enhancement of natural features, uniform signing, lighting and landscaping systems and quality roadway entry treatments are development elements that must be achieved to justify the overlay level.

The eastern portion of Sub-unit H2 is planned for office mixed-use at a maximum intensity of .45 FAR. It should be part of a unified development with the entire Government Center tract. (See text under Sub-unit P1.) The .45 FAR intensity of the development on this portion of the Government Center complex should be compensated for by a concurrent square footage reduction on the remaining portion of the property located south of I-66 for an overall FAR of .35. . . .

LAND USE SUMMARY CHART - LAND UNIT H

<u>Sub-units</u>	Approximate <u>Acreage</u>	
H1	96	
H2	62	
<u>Sub-units</u>	<u>Recommended Land Use</u>	<u>Intensity/Density FAR Units/Acre</u>
Baseline Level		
H1, H2	RES	1
Intermediate Level		
H1, H2	OFF/MIX	.14
Overlay Level		
East Portion H2	OFF/MIX	.45

Note: These sub-units are within the Water Supply Protection Overlay District.

On page 276 of the 1991 edition of the Area III Plan as amended through June 26, 1995, under the heading "Recommendations, Land Use," the Plan states:

"Sub-units I3, I4

.....
The portion of Sub-unit I4 located south of Fair Lakes Parkway is planned for office mixed-use at a maximum intensity of .45 FAR. It should be part of a unified development with the entire Government Center tract. (See text under Sub-unit P1.) The .45 FAR intensity of the development on this portion of the Government Center complex should be compensated for by a concurrent square footage reduction on the remaining portion of the property located south of I-66 for an overall FAR of .35. . . .

LAND USE SUMMARY CHART -LAND UNIT I

<u>Sub-units</u>	<u>Recommended Land Use</u>	<u>Intensity/Density FAR Units/Acre</u>
Baseline Level I3, I4	RES	1
Intermediate Level I3, I4	RES	10
Overlay Level South Portion I4	OFF/MIX	.45

Note: These sub-units are within the Water Supply Protection Overlay District.

On page 289 of the 1991 edition of the Area III Plan as amended through June 26, 1995, under the heading "Recommendations, Land Use," the Plan states:

"Sub-unit P1

This sub-unit contains the Fairfax County Government Center. It also contains the mixed-use development planned in conjunction with the southern portion of Sub-unit I4 and the eastern portion of Sub-unit H2. Sub-unit P1 together with those portions of Sub-units I4 and H2 mentioned above are planned for office-mixed-use and the overall FAR should not exceed .35. . . ."

Map:

The Comprehensive Plan map shows that the property is located in the Fairfax Center Area.

Analysis:

The hotel and office uses, and intensity of development, previously approved on this site will not change with approval of this proposal. As such, it does not raise any significant issues directly related to the Plan's recommendations for use and intensity. The primary goal of this application is to accommodate revisions to the design of the stormwater management facilities on the site. In doing so, significant changes to the design of the site are incurred. Because the quality of design is so strongly emphasized and linked to development approvals in Fairfax Center, it is appropriate to review those changes at this time.

The proposed site and building design are similar in many ways to the previously-approved design. The buildings are the same general shapes; open space and ponds are in generally similar locations. However, the road system and internal circulation are very different. In the approved design, Roger Stover Drive makes a deep loop south of Building A1 (the hotel). The current proposal shows that it will be narrower and cross the site north of the hotel in such a way that it does not provide the primary connection for the whole site (including the eastern portion) as it did before. The hotel and its parking are rotated somewhat towards I-66. At the same time, surface parking for the hotel appears to have increased. The result of these changes is to diminish the amount of natural and/or landscaped open space between the I-66 right-of-way and pavement on the site.¹ The application includes a waiver of the transitional screening and barrier requirements along I-66, which is not consistent with Plan guidance. With the buffer reduced, the development will be more visible from the highway, and impacts on the hotel (such as noise) will be greater. While greater visibility may be perceived to be desirable for marketing purposes, the Plan goals related to quality of design, especially as they relate to buffering and landscaping, are not well served by these changes.

Other design issues/changes related to the new proposal include:

- The amount of existing vegetation previously planned to be saved has been reduced.
- As noted above, the two halves of the site are not linked/integrated as they were, especially in terms of circulation.
- A rather symmetrical, almost "formal" approach to the office buildings has been replaced with an off-center roadway and parking in front of Buildings A2 and A3. Whereas these two attached office buildings were previously situated on an axis with the hotel, they now focus more on parking and the "upper pond".

¹At its minimum width, the approved site plan provides for 60 feet of open space; the proposed revision provides for 50 feet. The biggest difference is that the new 50-foot strip is static for the 600-foot length of the parking lot where it parallels I-66. The approved plan, because the road curved, provided up to 200+ feet of open space between the road and I-66 in places.

- Interior parking lot landscaping for the hotel is insufficient. Long rows of parking spaces (e.g. 19, 23 and 26 spaces) should be broken up using planting islands.
- It should be noted that many of the design details required for proposals in Fairfax Center are not part of this application. Among other things, these include commitments regarding the minimum sizes of landscape materials which is specifically included in the Plan recommendations for the area.

In summary, while the use and intensity (i.e. FAR) are not being changed with this application, the modifications requested have significant impacts on the design of future development on the site.

BGD:SHL

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, OT

FILE: 3-4 (RZ 86-W-001), (RZ 86-P-089)

SUBJECT: Transportation Impact

REFERENCE: PCA 86-W-001-7; PCA 86-P-089-4;
FDPA 86-W-001-5; FDPA 86-P-089-1
FL Promenade, L. P.
Traffic Zone: 1178
Land Identification Map: Part of 55-2 ((1)) 15

DATE: July 2, 1997

The following comments reflect the analyses of the Office of Transportation. These comments are based on plans made available to this Office dated February 1997 with revisions to June 9, 1997, and draft proffers dated June 27, 1997.

The applicant, who owns the adjacent parcel to the west, is seeking approval to modify the previously approved structures, parking, access, and roadway locations on the subject site in order to construct a regional storm water detention facility within the subject site. Interim recreation facilities are also proposed.

Transportation Issues.

The primary transportation concern with the subject site is the need for right-of-way dedication to facilitate the future flyover from the westbound I-66 HOV lanes to the Fairfax County Parkway. A minor recommendation concerns the need for additional sidewalks.

Interstate-66 Ramp Requirements. Prior approvals for uses on the subject parcels have not focused on the future need for additional right-of-way for the future flyover from the westbound Interstate 66 HOV lanes to the Fairfax County Parkway since the VDOT functionals for the roadway initially located the flyover to the west of the subject site. However, re-evaluation of the flyover requirements indicated that the flyover should be shifted opposite the subject site in order to maximize the length of the weave area for HOV and non-HOV traffic exiting at the Parkway. This Office concurs with the VDOT analysis and conclusion that the ramp should be

**FAIRFAX COUNTY, VIRGINIA
MEMORANDUM**

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

FROM: Bruce G. Douglas, Chief *BD/hw*
Environment and Development Review Branch, OCP

SUBJECT: **ENVIRONMENTAL ASSESSMENT** for: PCA 86-W-001-7
F.L. Promenade, L.P. FDPA 86-W-001-5
(Government Center Land Bay A) PCA 86-P-089-4
FDPA 86-P-089

DATE:

This memorandum, prepared by Noel Kaplan, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the development plan dated May 27, 1997. References to draft proffers address the draft proffers dated May 23, 1997. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

On pages 91 to 93 of the 1990 Policy Plan as amended on February 10, 1997 under the heading "Environmental Resources", the Comprehensive Plan states:

"It is desirable to conserve a portion of the County's land in a condition that is as close to a predevelopment state as is practical. A conserved network of different habitats can accommodate the needs of many scarce or sensitive plant and animal species. Natural open space also provides scenic variety within the County, and an attractive setting for and buffer between urban land uses. In addition, natural vegetation and stream valleys have some capacity to reduce air, water and noise pollution.

relocated. VDOT staff have identified the right-of-way delineated on the development plan as the minimum necessary for construction of the flyover.

As part of the redesign of the subject site, the applicant has proposed to reserve the area needed for the flyover for a period of five years from the date of Board approval of the subject applications. This Office can not support this proposed commitment, and strongly recommends that the applicant commit to provide right-of-way dedication - not reservation - upon demand for the proposed flyover without a time constraint.

Also note that the site is parked at a significantly greater rate than the Ordinance requires. If all of the parking delineated within the area of right-of-way reservation for the flyover was removed, the applicant would still meet Ordinance parking requirements. As such, the applicant should commit to allow removal of the excess parking as needed for ramp construction without an obligation on the part of the public to pay the cost of relocating the parking, or damages for elimination of the parking.

Pedestrian Access. An extensive pedestrian circulation plan is shown for the subject site. However, the applicant should commit to add a sidewalk adjacent to the main ingress/egress to the site.

Conclusion. With modification of the plan and draft proffers as noted herein, this Office would not object to approval of the application.

AKR/CAA

cc: John Winfield, Deputy Director, Design Review Division, Department of Environmental Management
Katharine D. Ichter, Chief, Highway Operations Division, Office of Transportation

Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.

Policy a: For ecological resource conservation, identify, protect and restore an Environmental Quality Corridor system (EQC). . . . Lands may be included within the EQC system if they can achieve any of the following purposes:

- **Habitat Quality:** The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest.
- **"Connectedness":** This segment of open space could become a part of a corridor to facilitate the movement of wildlife.
- **Aesthetics:** This land could become part of a green belt separating land uses, providing passive recreational opportunities to people.
- **Pollution Reduction Capabilities:** Preservation of this land would result in significant reductions to nonpoint source water pollution, and/or, micro climate control, and/or reductions in noise.

The core of the EQC system will be the County's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements . . . :

- All 100 year flood plains as defined by the Zoning Ordinance;
- All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;
- All wetlands connected to the stream valleys; and
- All the land within a corridor defined by a boundary line which is 50 feet plus 4 additional feet for each % slope measured perpendicular to the stream bank. The % slope used in the calculation will be the average slope measured within 110 feet of a stream channel or, if a flood plain is present, between the flood plain boundary and a point fifty feet up slope from the flood plain. This measurement should be taken at fifty foot intervals beginning at the downstream boundary of any stream valley on or adjacent to a property under evaluation.

Barbara A. Byron

PCA 86-W-001-7; FDPA 86-W-001-5; PCA 86-P-089-4; FDPA 86-P-089

Page 3

Modifications to the boundaries so delineated may be appropriate if the area designated does not benefit habitat quality, connectedness, aesthetics, or pollution reduction as described above. In addition, some intrusions that serve a public purpose such as unavoidable public infrastructure easements and rights of way are appropriate. Such intrusions should be minimized and occur perpendicular to the corridor's alignment, if practical.

Preservation should be achieved through dedication to the Fairfax County Park Authority, if such dedication is in the public interest. Otherwise, EQC land should remain in private ownership in separate undeveloped lots with appropriate commitments for preservation."

On pages 86 and 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Water Quality", the Comprehensive Plan states:

"Objective 2: Prevent and reduce pollution of surface and groundwater resources.

Policy a. Implement a best management practices (BMP) program for Fairfax County, and ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements.

...

Policy e. Preserve the integrity and the scenic and recreational value of stream valleys when locating and designing storm water detention and BMP facilities.

...

Development proposals should implement best management practices to reduce runoff pollution. Preferred practices include; those which recharge groundwater when such recharge will not degrade groundwater quality, those which preserve as much natural open space as possible, and those which contribute to ecological diversity by the creation of wetlands. Regional solutions to stormwater management are preferable to small drainage area, on-site controls."

On page 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Water Quality", the Comprehensive Plan states:

"Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Barbara A. Byron

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Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance."

On page 93 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Environmental Resources", the Comprehensive Plan states:

"The retention of environmental amenities on developed and developing sites is also important. The most visible of these amenities is the County's tree cover. It is possible to design new development in a manner that preserves some of the existing vegetation in landscape plans. It is also possible to restore lost vegetation through replanting. An aggressive urban forestry program could retain and restore meaningful amounts of the County's tree cover.

Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices. . . ."

On pages 88 to 89 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Noise", the Comprehensive Plan states:

"Transportation generated noise impacts the lives of many who live in the County. Some County residents are subjected to unhealthy levels of noise from highway traffic, aircraft operations and railroads, including WMATA's Metrorail . . . Federal agencies with noise mitigation planning responsibilities have worked with the health community to establish maximum acceptable levels of exposure (Guidelines for Considering Noise in Land Use Planning and Control). These guidelines expressed in terms of sound pressure levels are; DNL 65 dBA for outdoor activity areas, DNL 50 dBA for office environments, and DNL 45 dBA for residences, schools, theaters and other noise sensitive uses.

Objective 4: Minimize human exposure to unhealthy levels of transportation generated noise.

Policy a. Regulate new development to ensure that people are protected from unhealthy levels of transportation noise. . . .

New development should not expose people in their homes, or other noise sensitive environments to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in

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areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. . . .”

On page 90 of the 1990 Policy Plan as amended on February 10, 1997, under the heading “Environmental Hazards”, the Comprehensive Plan states :

“Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.

...

Policy b: Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards.”

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County’s remaining natural amenities.

Environmental Quality Corridor

Issue:

An Environmental Quality Corridor (EQC) was identified and delineated during the review of the original rezoning application for the subject property. The EQC line shown on the development plan is consistent with the EQC as previously delineated. As noted on the development plan, wetlands are present within much of the EQC.

In the view of this Branch, EQC protection issues associated with the proposed development plan should be reviewed within the context of the approved development plan. The approved development plan displayed encroachments into the EQC for a wet stormwater management facility (covering the majority of the EQC within the western half of the property) and several road crossings. Additional encroachments would be needed for storm and sanitary sewer lines (i.e., the relocation of an existing sewer line) as well as for construction associated with structures that would be located just outside of the EQC. With respect to the proposed development plan, the relationship between the

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proposed limits of clearing and grading and tree preservation areas is unclear. The proposed development plan appears, however, to indicate that clearing and grading in the EQC will be limited to that needed for the construction of an embankment for a dry stormwater management (SWM)/best management practice (BMP) facility, the construction of a road crossing (which will also function as an embankment for a second dry SWM/BMP facility), the construction of structures and parking areas that would be located outside the EQC, and the construction of storm and sanitary sewer lines. Overall, much more of the EQC would be preserved in a natural condition under the proposed development plan than under the approved development plan. As such, this proposal should be supported. However, the applicant should ensure that clearing and grading that will occur within the EQC will be minimized consistent with an approved development plan. The approved proffers for the site commit to such minimization for EQC encroachments for sewer lines, other utilities, trails, and "public improvements" but do not address other encroachments into the EQC.

Suggested Solution:

The limits of clearing and grading should be clarified such that areas within the EQC that are currently not wooded and that will not be subject to clearing and grading will be depicted accurately.

As noted above, the approved proffers include a commitment to the minimization of disruption to the EQC and other tree save areas for utilities, trails, and other public improvements. The applicant should provide a similar commitment to address disturbances associated with any other encroachments into the EQC or tree save areas (e.g. disturbance needed for the construction of the stormwater management facilities and other disturbances).

The applicant should consider restoring to a natural condition those areas within the EQC that will be disturbed by the proposed development, to the extent that such restoration efforts will be compatible with utility locations and the proposed stormwater management facilities, as determined by the Department of Environmental Management (DEM). If the applicant will be considering such restoration efforts, it is suggested that such efforts follow the *Public Facilities Manual* (PFM) guidelines for replanting as set forth in section 12-0403.7C of the PFM.

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Stormwater Management

Issue:

The proposed development plan identifies two dry SWM/BMP ponds in series. The applicant has entered into an "Agreement for Design, Construction and Maintenance of Storm Water Management System" (the "Agreement") with Fairfax County. The Agreement calls for the initial construction of Phase 1 (the "lower pond") by FL Promenade; the construction of Phase 2 (the upper pond) would occur in association with the development of the rest of the property. The Phase 1 facility must be designed to provide water quantity and quality controls for the subject property (assuming a 90% impervious cover) as well as for the development on the upstream FL Promenade Property. According to the "design proposals" appended to the agreement, each pond will be designed as a BMP facility, and "the two ponds in series will provide storm water detention for the remaining undeveloped portion of the contributing watershed to a degree equaling or exceeding that provided with the approved wet pond . . ."

The draft proffers commit to the construction of the two-phase stormwater management system consistent with the "storm water quantity and storm water quality requirements, best management practices and all other requirements applicable to storm drainage, detention, retention and water quality control as further described" in the aforementioned Agreement.

Suggested Solution:

The draft proffer language should be transmitted to the Stormwater Management Branch of the Department of Public Works (DPW) and to DEM staff for review and comment prior to the consideration of this application by the Planning Commission.

Issue:

There are currently two roads that cross through the area identified for the Phase 2 pond. These roads are elevated above surrounding areas, and therefore it is likely that these areas will need to be graded if they are to be incorporated within the proposed pond. It is not clear if the limits of clearing and grading provided on the development plan will be sufficient to provide for the necessary grading.

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Suggested Solution:

The development plan should be reviewed by DPW to ensure that the limits of clearing and grading provided are realistic and are consistent with DPW's understanding of the grading that will be needed to provide for the Phase 2 facility.

Resource Protection Area

Issue:

The 100-year floodplain boundaries within the western half of the site define the extent of The Resource Protection Area (RPA) on the property. The boundaries of the RPA are not identified on the development plan.

The construction of the Phase I pond would occur within the RPA, as would other land disturbing activities within the western portion of the property. While some of these activities would be exempt under the County's Chesapeake Bay Preservation Ordinance, other land disturbing activities would not be able to occur without an exception granted by DEM.

Suggested Solution:

The applicant should identify the boundaries of the RPA on the development plan. In addition, the applicant should coordinate with the Special Projects Branch of DEM regarding the proposed land disturbing activities within the RPA. The applicant should be encouraged to pursue any needed exceptions as soon as possible.

Tree Preservation

Issue:

The extent of tree preservation outside the EQC has been reduced from what is shown on the approved development plan. However, because the applicant is proposing to replace the approved wet stormwater management pond with two "embankment-only" dry ponds, and because the extent of road construction within the EQC will be reduced from what has been approved, the overall level of tree preservation that will be provided will be substantially greater than that which would be provided under the approved development.

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However, the applicant should be encouraged to improve tree preservation efforts outside the EQC.

Suggested Solution:

The applicant should consider design modifications that would serve to improve tree preservation efforts on the site. Specifically, the applicant should consider:

- replacing the proposed parking lot to the west of structure A2 with a tree preservation area (consistent with what was shown on the approved development plan); and
- converting some of the proposed surface parking near structure A1 to structured parking, thereby allowing for more tree preservation in the wooded area to the east of this structure.

Issue:

A note on the development plan reads as follows: "Based on a preliminary grading study, portions of the site may be subject to clearing and grading. Therefore the proposed limits of clearing and grading shall generally be the same as the limits of this application." It is not clear what the intent of this note is.

Suggested Solution:

The above note on the development plan should either be clarified or deleted.

Highway Noise

Issue:

The property is affected by high noise levels generated from traffic on I-66. Based on a noise study that was prepared and submitted in conjunction with an earlier zoning application on the property, the facades of proposed structure A3 that will face I-66 will be exposed to noise impacts in excess of DNL 75 dBA (also referred to as 75 dBA Ldn) and the facades of proposed structure A1 that will face I-66 will be exposed to noise impacts of DNL 70 dBA to DNL 75 dBA. Because a hotel use is being proposed for structure A1, noise levels inside this building should be reduced to DNL 45 dBA or less.

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Page 10

Noise levels inside structure A3, which is proposed for a commercial/office use, should be no greater than DNL 50 dBA.

The draft proffers sufficiently address noise mitigation needs in areas that will be exposed to noise levels below DNL 75 dBA (they would actually provide for a greater level of noise reduction for commercial/office uses than the minimum needed to meet County guidelines). The draft proffers do not, however, address noise mitigation measures for structures that will be exposed to noise levels above DNL 75 dBA. Because the only structure that will be affected by noise levels above DNL 75 dBA (under the proposed development plan) is proposed for a commercial/office use, the specific commitments made in draft proffer F.1.a. would be sufficient to address the noise issue for this structure if applied in the DNL 75+ dBA impact area.

Suggested Solution:

The applicant should provide an appropriate commitment for interior noise reduction for the proposed commercial/office structure within the projected DNL 75+ dBA impact area.

Swimming Pool Discharge

Issue:

The discharge of water from swimming pools, if performed correctly, should have little or no adverse impacts to receiving waters. Improperly discharged water, however, may have significant adverse impacts and may result in violations of the State Water Control Law. Care should be taken during the maintenance of the proposed swimming pool to ensure that water discharged from the pool meets all applicable water quality standards.

Suggested Solution:

The applicant's draft proffers generally commit to the same measures proffered for Land Bay D of the Government Center application property, although the draft proffers do not incorporate a reference to the State's dissolved oxygen standard for surface waters. While the applicant's commitment should be considered to be acceptable as is, consideration should be given to referencing the dissolved oxygen standard consistent with the proffer that applies in Land Bay D.

Barbara A. Byron

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The Environmental Health Division of the Health Department (246-2444) should be contacted for more information about appropriate swimming pool maintenance and discharge procedures.

Soil Constraints

Issue:

Soils within higher elevations of the eastern half of the property should pose few constraints to development. Soils that have been mapped in areas adjacent to the EQC are generally characterized by low bearing values for foundation support and a high seasonal groundwater table. A geotechnical engineering study in conformance with Chapter 107 of the *Fairfax County Code* may be required by DEM for development in these areas.

The southwestern portion of the property has been subject to cutting and filling. A geotechnical engineering study will be required by DEM for any development in this area.

TRAILS PLAN:

The Trails Plan indicates that trails are required parallel to West Ox Road and along the stream that bisects the property. The Director, Department of Environmental Management, will determine the specific type and right of way requirements for any required trails at the time of plan review. The Director of DEM will also determine if the existing trail along Fair Lakes Parkway, along with a trail along West Ox Road (which is not shown on the development plan), would be a sufficient alternative to a trail along the stream.

BGD:NHK

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

DATE: April 22, 1997

TO: Staff Coordinator
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Gilbert Osei-Kwadwo, Chief *gok*
Engineering Analysis and Planning Branch
System Engineering and Monitoring Division

SUBJECT: Development Plan Analysis

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

APR 23 1997

ZONING EVALUATION DIVISION

REFERENCE: Application No. PCA 86-W-001-7/FDPA 86-W-001-5
PCA 86-P-089-4/FDPA86-P-089
Tax Map No. 055-2- /01/ /0015- P

An existing sanitary sewer trunk line located on the site need to be relocated. Staff from the Office of Waste Management (OWM) has met with Dewberry & Davis, the engineering consultant, representing the applicant. A preliminary design and layout was agreed upon during one of the meetings.

FAIRFAX COUNTY WATER AUTHORITY

8560 Arlington Boulevard - P. O. Box 1500
Merrifield, Virginia 22116-0815
(703) 698-5600

May 8, 1997

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

MAY 12 1997

MEMORANDUM

ZONING EVALUATION DIVISION

TO: Staff Coordinator (Tel. 324-1250)
Zoning Evaluation Division-Suite 800
12055 Government Center Parkway
Fairfax, VA 22035-5505

FROM: Planning Branch (Tel. 698-5600 ext. 384)
Planning and Engineering Division

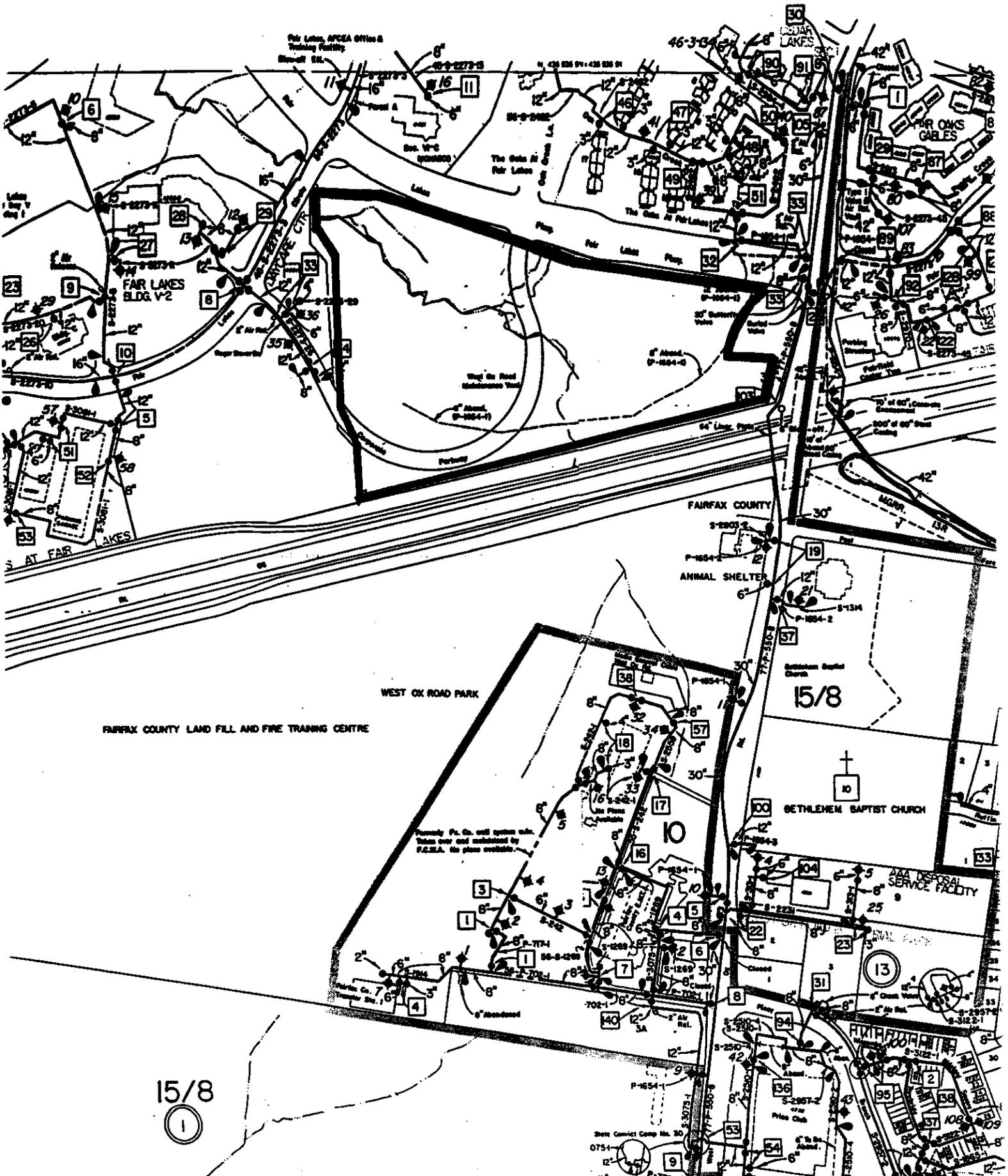


SUBJECT: Water Service Analysis, Rezoning Application PCA 86-W-001-7
FDPA 86-W-001-5

The following information is submitted in response to your request for a water service analysis for the subject rezoning application:

1. The application property is located within the franchise area of Fairfax County Water Authority.
2. Adequate water service is not available at the site.
3. An offsite water main extension is required for domestic service and fire protection.
4. The nearest adequate water mains available to provide service are a 12-inch main located approximately 150 feet west and an 8-inch main approximately 150 feet east of the property. See enclosed property map.

Attachment



FAIRFAX COUNTY LAND FILL AND FIRE TRAINING CENTRE

WEST OX ROAD PARK

FAIRFAX COUNTY

ANIMAL SHELTER

15/8

BETHLEHEM BAPTIST CHURCH

AAA DISPOSAL SERVICE FACILITY

15/8

1

Formerly Ft. Co. cell system site. Taken over and reallocated by F.A.S.A. No plans available.

Shen. Corriect Camp No. 20
0751

FAIRFAX COUNTY WATER AUTHORITY

8560 Arlington Boulevard - P. O. Box 1500
Merrifield, Virginia 22116-0815
(703) 698-5600

May 8, 1997

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OFFICE OF COMPREHENSIVE PLANNING

MAY 12 1997

ZONING EVALUATION DIVISION

MEMORANDUM

TO: Staff Coordinator (Tel. 324-1250)
Zoning Evaluation Division-Suite 800
12055 Government Center Parkway
Fairfax, VA 22035-5505

FROM: Planning Branch (Tel. 698-5600 ext. 384)
Planning and Engineering Division

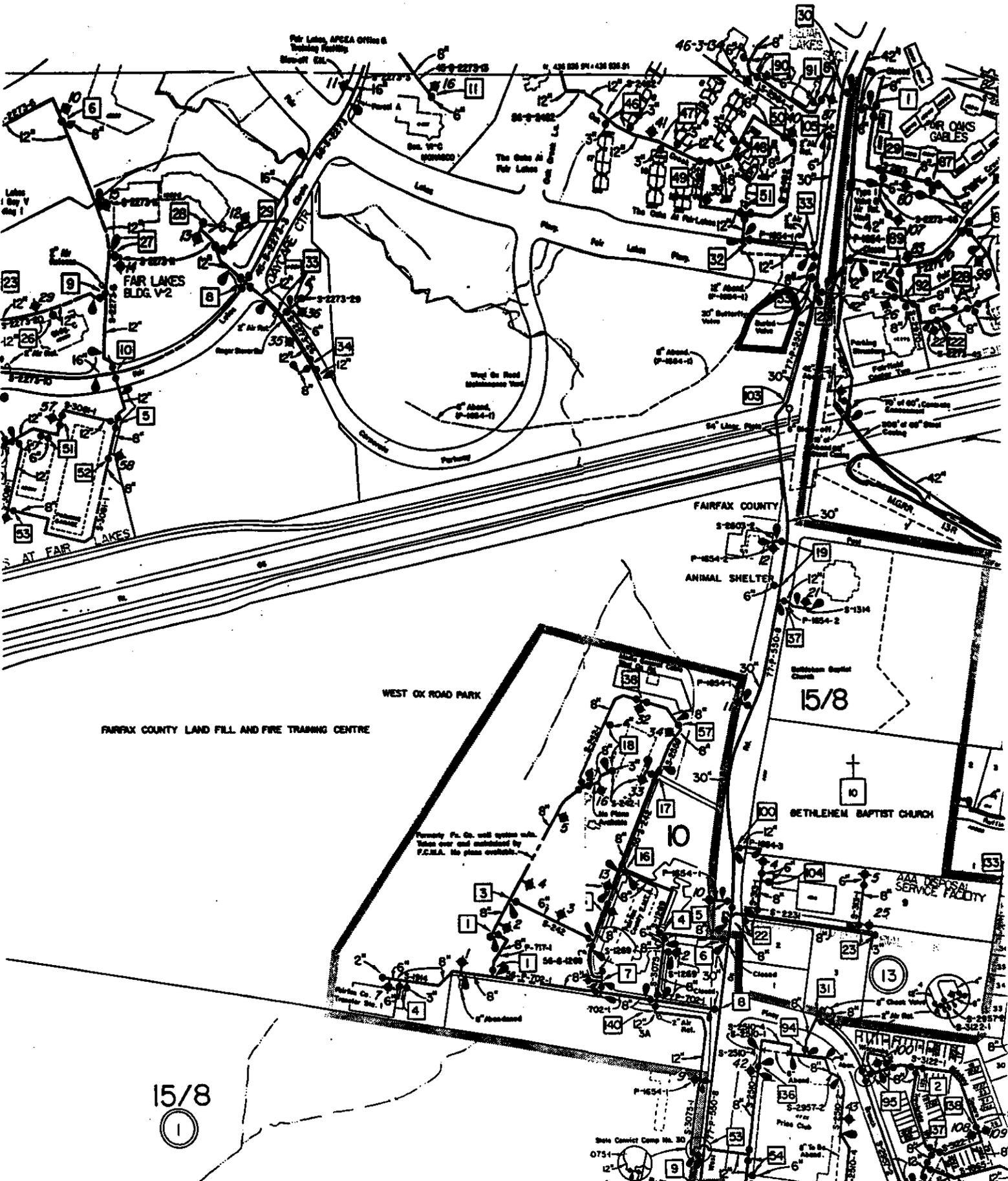
Y/R Kinkpatrick

SUBJECT: Water Service Analysis, Rezoning Application PCA 86-P-089-4
FDPA 86-P-089

The following information is submitted in response to your request for a water service analysis for the subject rezoning application:

1. The application property is located within the franchise area of Fairfax County Water Authority.
2. Adequate water service is not available at the site.
3. An offsite water main extension is required for domestic service and fire protection.
4. The nearest adequate water main available to provide service is an 8-inch main located approximately 100 feet east of the property. See enclosed property map.

Attachment



Fair Lakes, AFCEA Office & Training Facility
 Parcel A
 Parcel B

FAR LAKES BLDG. V-2

WEST OX ROAD PARK

FAIRFAX COUNTY LAND FILL AND FIRE TRAINING CENTRE

FAIRFAX COUNTY

ANIMAL SHELTER

15/8

BETHLEHEM BAPTIST CHURCH

AAA DISPOSAL SERVICE FACILITY

15/8

1

Formerly P.C. cell system with
 three cell and maintained by
 F.C.M.A. No plans available.

State Council Camp No. 30
 0751

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

April 17, 1997

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

APR 21 1997

ZONING EVALUATION DIVISION

FROM: Ralph Dulaney (246-3868) *RD*
Planning Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Final Development Plan Amendment FDPA 86-W-001-5, Proffered Condition Amendment PCA 86-W-001-7, Final Development Plan Amendment FDPA 86-P-089, and Proffered Condition Amendment PCA 86-P-089-4

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject Special Exception and Rezoning Applications:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station # 21, Fair Oaks
2. After construction programmed for FY 1997, this property will be serviced by the fire station planned for the _____ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility; however, a station location study is currently underway, which may impact this rezoning positively.

**Fairfax
County
Park
Authority**



5)

MEMORANDUM

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

DATE: April 18, 1997

FROM: Lynn Tadlock, Director *AP Petersen for LT*
Planning and Development Division

SUBJECT: PCA 86-P-089-4/FDPA 86-P-089/PCA 86-W-001-7/FDPA 86-W-001-5
Land Bay "A" Governmental Center
Loc: 55-2((1))15 pt.

The Fairfax County Park Authority (FCPA) staff has reviewed the above referenced plan(s). Based upon that review, staff has determined that the plan bears no adverse impact on the Fairfax County Park Authority.

cc: Doug Petersen, Planning and Development, FCPA
Dorothea L. Stefen, Plan Review, FCPA
Gail Croke, Planning and Development, FCPA

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OFFICE OF COMPREHENSIVE PLANNING

APR 29 1997

ZONING EVALUATION DIVISION

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

Not Applicable Applicable Applicable Essential Satisfied Comments

TRANSPORTATION SYSTEMS	Not Applicable	Applicable	Applicable	Essential	Satisfied	Comments
I. AREA WIDE BASIC DEVELOPMENT ELEMENTS						
A. Roadways						
1. Minor street dedication and construction		X		X		
2. Major street R.O.W. dedication		X		X		Right-of-way for flyover reserved for future dedication.
B. Transit						
1. Bus loading zones with necessary signs and pavement; Bus pull-off lanes	X					
2. Non-motorized access to bus or rail transit stations	X					
3. Land dedication for transit and commuter parking lots	X					
C. Non-motorized Transportation						
1. Walkways for pedestrians		X		X		
2. Bikeways for cyclists	X					
3. Secure bicycle parking facilities	X					

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Not Applicable	Applicable	Essential	Satisfied	Comments
II. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
A. Roadways					
1. Major roadway construction of immediately needed portions		X			
2. Signs		X			
B. Transit					
1. Bus shelters		X			
2. Commuter parking		X			
C. Non-motorized transportation					
1. Pedestrian activated signals		X			
2. Bicycle support facilities (showers, lockers)		X			
D. Transportation Strategies					
1. Ridesharing programs		X			
2. Subsidized transit passes for employees		X			

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
 and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Not Applicable	Applicable	Essential	Satisfied	Comments
III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Roadways					
1. Contribution towards major (future) roadway improvements	X				
2. Construct and/or contribute to major roadway improvements	X				
3. Traffic signals as required by VDOT	X				
B. Transit					
1. Bus or rail transit station parking lots	X				
C. Transportation Strategies					
1. Local shuttle service	X				
2. Parking fees	X				
D. Non-motorized Circulation					
1. Grade separated road crossings	X				

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Not			Comments
	Applicable	Essential	Satisfied	
ENVIRONMENTAL SYSTEMS				
I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS				
A. Environmental Quality Corridors (EQC)				
1. Preservation of EQCs as public or private open space	X	X	X	
B. Stormwater Management (BMP)				
1. Stormwater detention/retention	X	X	X	
2. Grassy swales/vegetative filter areas	X			
C. Preservation of Natural Features				
1. Preservation of quality vegetation	X	X	X	
2. Preservation of natural landforms	X			
3. Minimize site disturbance as a result of clearing or grading limits	X	X	X	

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Not Applicable			Applicable			Essential			Satisfied			Comments
D. Other Environmental Quality Improvements													
1. Mitigation of highway-related noise impacts			X				X						
2. Siting roads and buildings for increased energy conservation (including solar access)	X												
II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS													
A. Increased Open Space													
1. Non-stream valley habitat EQCs	X												
2. Increased on-site open space			X				X						40% OS provided; 15% is required.
B. Protection of Ground Water Resources													
1. Protection of aquifer recharge areas	X												
C. Stormwater Management (BMP)													
1. Control of off-site flows			X				X						
2. Storage capacity in excess of design storm requirements			X				X						

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Net	Applicable	Applicable	Essential	Satisfied	Comments
D. Energy Conservation						
1. Provision of energy conscious site plan	X					
III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS						
A. Innovative Techniques						
1. Innovative techniques in stormwater management	X					
2. Innovative techniques in air or noise pollution control and reduction	X					
3. Innovative techniques for the restoration of degraded environments	X					
PROVISION OF PUBLIC FACILITIES						
I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS						
A. Park Dedications						
1. Dedication of stream valley parks in accordance with Fairfax County Park Authority policy	X					
B. Public Facility Site Dedications						

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Net	Applicable	Applicable	Essential	Satisfied	Comments
1. Schools	X					
2. Police/fire facilities	X					
II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS						
A. Park Dedications						
1. Dedication of parkland suitable for a neighborhood park	X					
B. Public Facility Site Dedication						
1. Libraries	X					
2. Community Centers	X					
3. Government offices/facilities	X					
III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS						
A. Park Dedications						
1. Community Parks	X					
2. County Parks	X					
3. Historic and archeological parks	X					

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Not Applicable	Applicable	Essential	Satisfied	Comments
B. Public Indoor or Outdoor Activity Spaces					
1. Health clubs	X				
2. Auditoriums/theaters	X				
3. Athletic fields/major active recreation facilities		X		X	Proposed Interim use
LAND USE/SITE PLANNING					
AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Considerations					
1. Coordinated pedestrian and vehicular circulation systems		X		X	
2. Transportation and sewer infrastructure construction phased to development construction	X				
3. Appropriate transitional land uses to minimize the potential impact on adjacent sites		X		X	
4. Preservation of significant historic resources	X				
B. Landscaping					
1. Landscaping within street rights-of-way	X				

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Not Applicable			Applicable			Comments
	Applicable	Essential	Satisfied	Applicable	Essential	Satisfied	
2. Additional landscaping of the development site where appropriate	X	X	X				
3. Provision of additional screening and buffering	X	X	X				A proposed development condition requires landscape screening between the HOV flyover right-of-way and the parking area as part of the parking lot reconfiguration once the flyover project moves forward.
II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS							
A. Land Use/Site Planning							
1. Parcel consolidation	X						
2. Low/Mod income housing	X						
B. Mixed Use Plan							
1. Commitment to construction of all phases in mixed-use plans	X						
2. 24-hour use activity cycle encouraged through proper land use mix	X						
3. Provision of developed recreation area or facilities	X						
III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS							

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Extraordinary Innovation					
1. Site design		X			
2. Energy conservation		X			
LED DESIGN					
AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Entry Zone					
1. Signs		X			
2. Planting		X			
3. Lighting		X			
4. Screened surface parking				X	With imposition of proposed development condition
B. Street Furnishings					
1. Properly designed elements such as lighting, signs, trash Receptacles, etc.		X			
AREA WIDE MINOR DEVELOPMENT ELEMENTS					
A. Building Entry Zone					

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

Not Applicable **Applicable** **Essential** **Satisfied** **Comments**

	Not Applicable	Applicable	Essential	Satisfied	Comments
1. Signs	X				

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Not			Comments		
	Applicable	Essential	Satisfied			
2. Special planting	X					
3. Lighting	X					
B. Structures						
1. Architectural design that complements the site and adjacent developments	X					
2. Use of energy conservation techniques	X					
C. Parking						
1. Planting- above ordinance requirements	X	X	X			With imposition of proposed development condition
2. Lighting	X					
D. Other Considerations						
1. Street furnishing such as seating, drinking fountains	X					
2. Provision of minor plazas	X	X	X			Located, but no details provided
AREA WIDE MAJOR DEVELOPMENT ELEMENTS						
A. Detailed Site Design						
1. Structured parking with appropriate landscaping	X	X	X			Previously accepted proffer

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
 and PCA 86-P-089-4/FDPA 86-P-089

Submission #: 3

Date of Review: July 3, 1997

	Not	Applicable	Essential	Satisfied	Comments
2. Major plazas	X				
3. Street furnishings to include structures (Special planters, trellises, kiosks, covered pedestrian areas (arcades, shelters, etc.), Water features/pools, ornamental fountains, and special surface treatment	X				
4. Landscaping of major public spaces	X				

FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

PRIMARY

BASIC DEVELOPMENT ELEMENTS

- Applicable elements 13
- Elements satisfied 13
- Ratio 1

MINOR DEVELOPMENT ELEMENTS

- Applicable elements 5
- Elements satisfied 5
- Ratio 1

MAJOR DEVELOPMENT ELEMENTS

- Applicable elements 3
- Elements satisfied 2
- Ratio 0.67

ESSENTIAL DEVELOPMENT ELEMENTS



FAIRFAX CENTER CHECKLIST

Case #: PCA 86-W-001-7/FDPA 86-W-001-5
and PCA 86-P-089-4/FDPA 86-P-089

Applicable elements	16
Elements satisfied	16
Ratio	1

**MAJOR TRANSPORTATION ELEMENTS
(HIGHWAY RELATED)**

Applicable elements	0
Elements satisfied	0
Ratio	0

LOW/MODERATE INCOME HOUSING ELEMENT

Yes ___ No x__

PART 2 6-200 PDC PLANNED DEVELOPMENT COMMERCIAL DISTRICT**6-201 Purpose and Intent**

The PDC District is established to encourage the innovative and creative design of commercial development. The district regulations are designed to accommodate preferred high density land uses which could produce detrimental effects on neighboring properties if not strictly controlled as to location and design; to insure high standards in the lay-out, design and construction of commercial developments; and otherwise to implement the stated purpose and intent of this Ordinance.

To these ends, rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of Article 16.

6-206 Use Limitations

1. All development shall conform to the standards set forth in Part 1 of Article 16.
2. All uses shall comply with the performance standards set forth in Article 14.
3. When a use presented in Sect. 203 above as a Group or Category use is being considered for approval on a final development plan, the standards set forth in Articles 8 or 9 shall be used as a guide.

When a use presented in Sect. 203 above as a Group or Category use is being considered for approval as a special exception use, pursuant to Sect. 205 above, the use shall be subject to the provisions of Article 9 and the special permit standards of Article 8, if applicable. Provided that such use is in substantial conformance with the approved conceptual development plan and any imposed development conditions or proffered conditions and is not specifically precluded by the approved final development plan, no final development plan amendment shall be required.

In either of the above, all Category 3 and Group 3 medical care facility uses shall be subject to the review procedures presented in Part 3 of Article 9.

4. All uses permitted pursuant to the approval of a final development plan shall be in substantial conformance with the approved final development plan as provided for in Sect. 16-403.
5. Secondary uses shall be permitted only in a PDC District which contains one or more principal uses. Unless modified by the Board in conjunction with the approval of a conceptual development plan in order for further implementation of the adopted comprehensive plan, the gross floor area devoted to dwellings as a secondary use shall not exceed fifty (50) percent of the gross floor area of all principal uses in the development, except that the floor area for affordable and market rate dwelling units which comprise the increased density pursuant to Part 8 of Article 2 shall be excluded from this limitation. The gross floor area of all other secondary uses shall not exceed twenty-five (25) percent of the gross floor area of all principal uses in the development.

The floor area for dwellings shall be determined in accordance with the gross floor area definition except the following features shall not be deemed gross floor area: balconies, porches, decks, breezeways, stoops and stairs which may be roofed but which have at

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least one open side; or breezeways which may be roofed but which have two (2) open ends. An open side or open end shall have no more than fifty (50) percent of the total area between the side(s), roof and floor enclosed with railings, walls, or architectural features.

6. Secondary uses shall be designed to serve primarily the needs of the residents and occupants of the planned development in which they are located. Such uses shall be designed so as to maintain and protect the character of adjacent properties, and shall be conducted entirely within an enclosed building, with no outside display, except those uses which by their nature must be conducted outside a building.
7. Service stations, service station/mini-marts and vehicle light service establishments shall be permitted only under the following conditions:
 - A. Located in a commercial center consisting of not less than three (3) commercial establishments, such commercial establishments to be other than automobile-related.
 - B. There shall be no vehicle or tool rental and no outdoor storage or display of goods offered for sale, except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart. In addition, no more than two (2) vehicles that are wrecked, inoperable or abandoned may be temporarily stored outdoors for a period in excess of seventy-two (72) hours, and in no event shall any one such vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
8. Signs shall be permitted only in accordance with the provisions of Article 12, and off-street parking and loading facilities and private streets shall be provided in conformance with the provisions of Article 11.
9. Notwithstanding the provisions of Par. 5 and 6 above, housing for the elderly as a secondary use need not be designed to serve primarily the needs of the residents and occupants of the planned development in which located but shall be designed so as to maintain and protect the character of adjacent properties. The gross floor area devoted to housing for the elderly as a secondary use shall not exceed fifty (50) percent of the gross floor area of all uses in the development.
10. Fast food restaurants shall be permitted only in accordance with the following:
 - A. Fast food restaurants may be permitted as a secondary use when shown on an approved final development plan, and provided such use is located in a nonresidential structure containing at least one (1) other permitted principal or secondary use, in accordance with the following:
 - (1) Such fast food restaurants shall be oriented to cater primarily to occupants and/or employees in the structure in which located, or of that structure and adjacent structures in the same building complex which are accessible via a clearly designated pedestrian circulation system; and
 - (2) Such use(s) shall comprise not more than fifteen (15) percent of the gross floor area of the structure.

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- B. Fast food restaurants may be permitted by special exception when located within a freestanding structure containing four (4) or more fast food restaurants, in accordance with the use limitations of this Section and upon a determination by the Board that:
- (1) The freestanding structure is designed as an integral component of a building complex which is integrated into a pedestrian system serving the principal use(s); and
 - (2) The structure is designed and located so as to be clearly oriented toward the interior of the PDC development, and to be primarily pedestrian-oriented. Vehicular access to the use shall be limited to service vehicles and shall be provided via the internal circulation system of the building complex.
11. Veterinary hospitals shall be within a completely enclosed building, such building being adequately soundproofed and constructed so that there will be no emission of odor or noise detrimental to other property in the area.

6-208 Bulk Regulations

1. Maximum building height: Controlled by the standards set forth in Part 1 of Article 16.
2. Minimum yard requirements: Controlled by the standards set forth in Part 1 of Article 16.
3. Maximum floor area ratio: 1.5, which may be increased by the Board, in its sole discretion, up to a maximum of 2.5 in accordance with and when the conceptual and final development plans include one or more of the following:
 - A. More open space than the minimum required by Sect. 209 below - Not more than 2% for each additional 1% of the gross area provided in open space.
 - B. Unique design features and amenities within the planned development which require unusually high development costs and which achieve an especially attractive and desirable development, such as, but not limited to, terraces, sculpture, reflecting pools and fountains - As determined by the Board in each instance, but not to exceed 35%.
 - C. Below-surface off-street parking facilities - Not more than 5% for each 20% of the required number of parking spaces to be provided.
 - D. Above-surface off-street parking facilities within an enclosed building or structure - Not more than 3% for each 20% of the required number of parking spaces to be provided.

6-209 Open Space

1. 15% of the gross area shall be open space.

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS**16-101 General Standards**

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

16-102 Design Standards

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.
2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.

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- 3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.**

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted in the zoning district if the site were developed as a conventional subdivision. See Sect. 9-615 of the Zoning Ordinance.

COUNTY 456 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.1-456 of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dba: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dba value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.