



APPLICATION ACCEPTED: September 15, 2010  
PLANNING COMMISSION: March 2, 2011  
BOARD OF SUPERVISORS: March 8, 2011 @ 3:30pm

## County of Fairfax, Virginia

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# WSPOD

February 16, 2011

### STAFF REPORT

APPLICATION PCA 86-W-001-11 and  
FDPA 86-W-001-06

### SPRINGFIELD DISTRICT

**APPLICANT:** Jefferson at Fairfax Corner LLC

**PRESENT ZONING:** PDC, WS

**PARCEL(S):** 56-1 ((15)) 5B, 14 pt. (PCA)  
56-1 ((15)) 14 pt. (FDPA)

**ACREAGE:** 90.39 acres (PCA)  
8.12 acres (FDPA)

**FAR/DENSITY:** 0.26 (PCA)  
0.67 (FDPA)

**OPEN SPACE:** 50% (PCA)  
61% (FDPA)

**PLAN MAP:** Fairfax Center Area;  
Office-mixed-use with an overall FAR not to exceed 0.35

**PROPOSAL:** Proffered Condition Amendment application to amend RZ 86-W-001, previously approved for 999,014 square feet of office development, to transfer 200,000 square feet from office use to residential use. Final Development Plan Amendment to permit a 270-unit affordable and workforce housing multifamily residential development.

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S.Zottl

## STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 86-W-001-11 subject to the execution of proffers consistent with those found in Appendix 1 of this report.

Staff recommends approval of FDPA 86-W-001-06, subject to Board of Supervisors approval of PCA 86-W-001-11 and the development conditions found in Appendix 2.

Staff recommends approval of waiver request # 007656-WPFM-006-1, for location of underground detention facilities in a residential area, subject to the development conditions found in Appendix 2.

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.

The approval of this proffered condition amendment does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

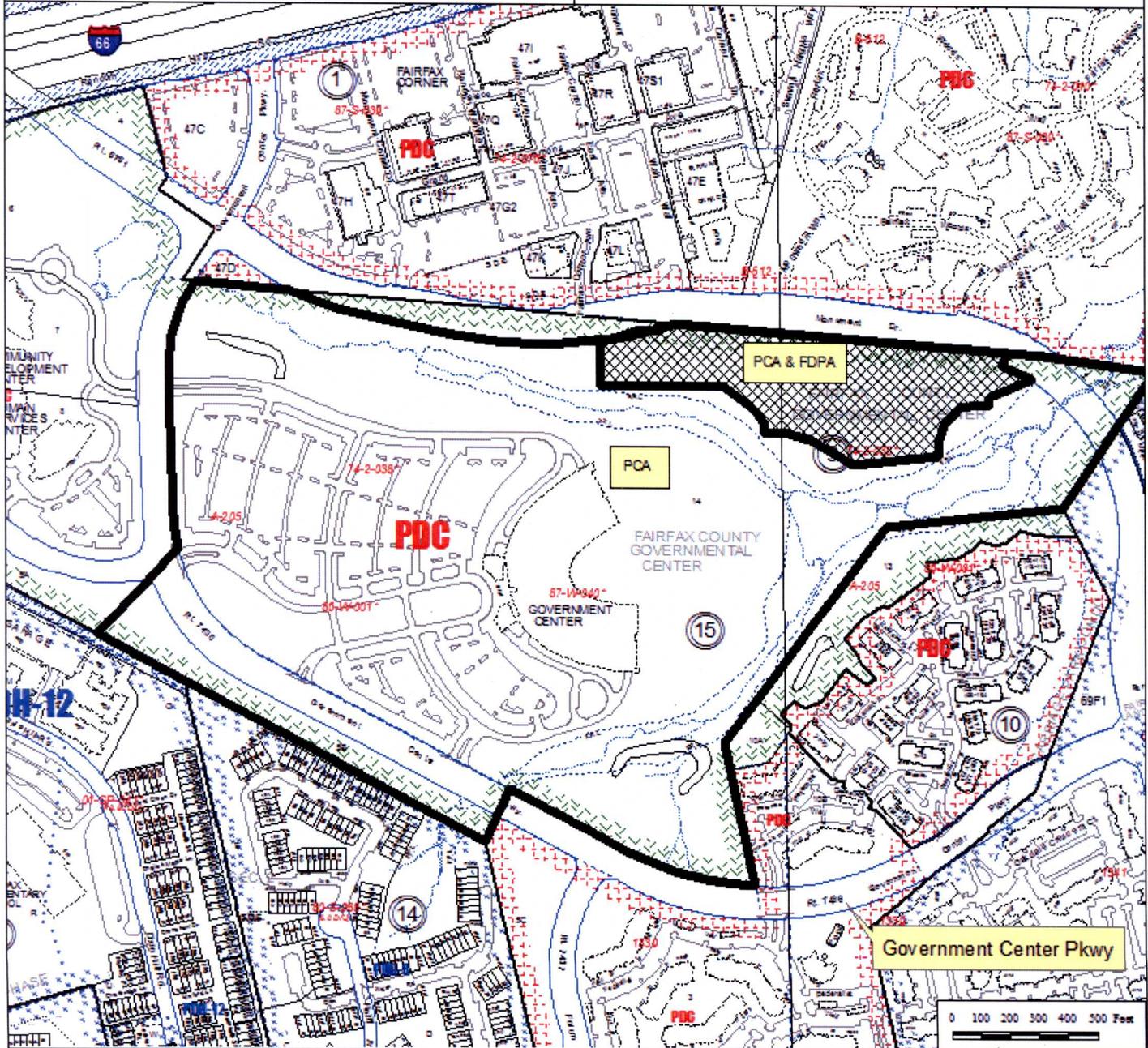
*N:\PCA\PCA 86-W-001-11 Govt Ctr Housing\Staff Report\_Cover.doc*



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Proffered Condition Amendment		Final Development Plan Amendment	
PCA 86-W-001-11		FDPA 86-W-001-06	
Applicant:	JEFFERSON AT FAIRFAX CORNER LLC	Applicant:	JEFFERSON AT FAIRFAX CORNER LLC
Accepted:	09/15/2010	Accepted:	09/15/2010
Proposed:	AMEND RZ 86-W-001 PREVIOUSLY APPROVED FROM COMMERCIAL DEVELOPMENT TO PERMIT A RESIDENTIAL OPTION	Proposed:	AMEND FDP 86-W-001 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT A RESIDENTIAL OPTION
Area:	90.39 AC OF LAND; DISTRICT - SPRINGFIELD	Area:	8.12 AC OF LAND; DISTRICT - SPRINGFIELD
Zoning Dist Sect:		Zoning Dist Sect:	
Located:	SOUTH SIDE OF MONUMENT DRIVE APPROXIMATELY 1300 FEET EAST OF ITS INTERSECTION WITH GOVERNMENT CENTER PARKWAY	Located:	SOUTH SIDE OF MONUMENT DRIVE APPROXIMATELY 1300 FEET EAST OF ITS INTERSECTION WITH GOVERNMENT CENTER PARKWAY
Zoning:	PDC	Zoning:	PDC
Overlay Dist:		Overlay Dist:	
Map Ref Num:	056-1- /15/ /0005B /15/ /0014 Pt.	Map Ref Num:	056-1- /15/ /0014 Pt.

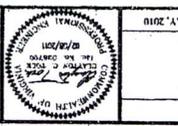








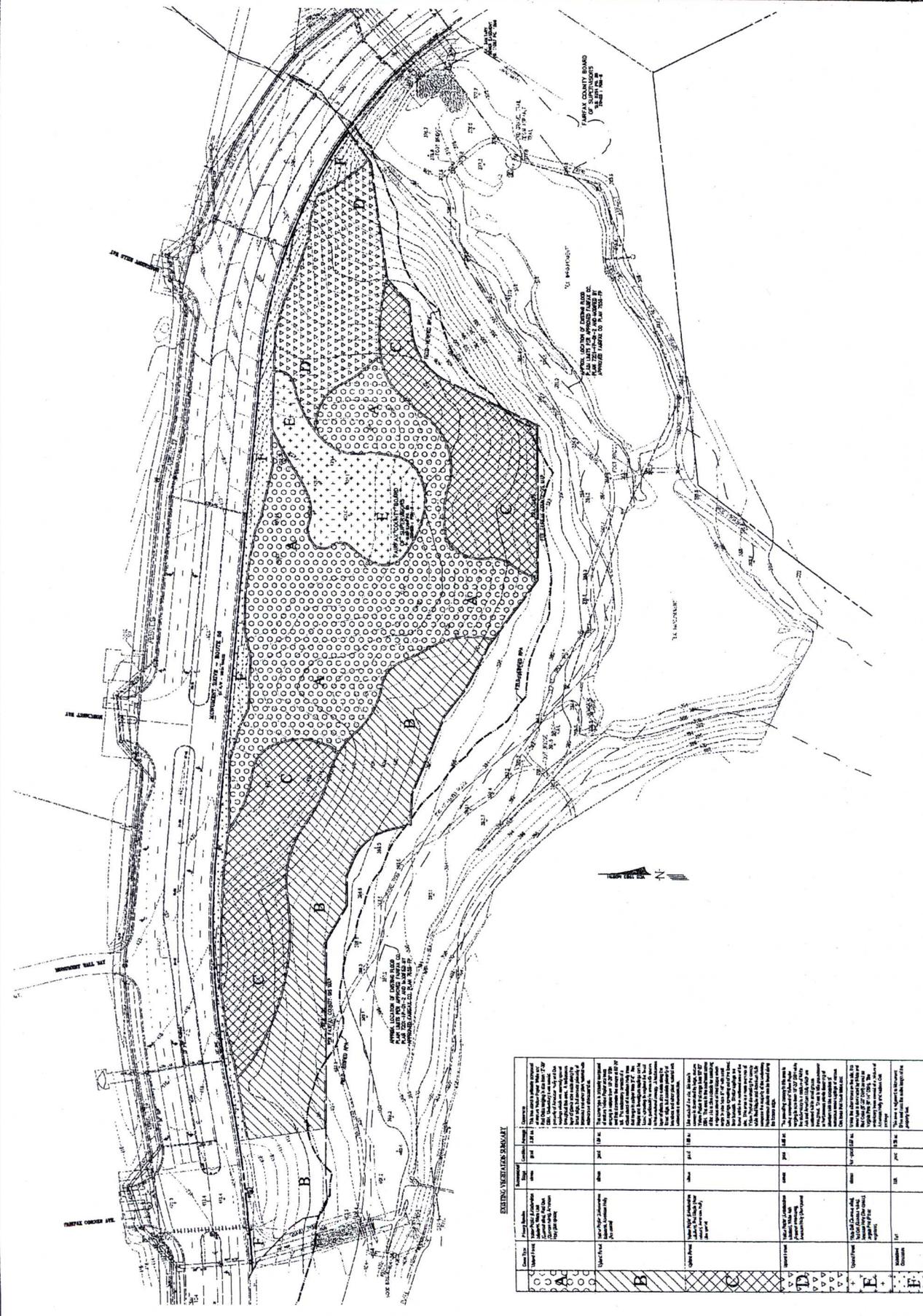




**urban**  
 CONSULTANTS  
 12144 LEE  
 SUITE 100  
 FARMINGTON, VIRGINIA 22031  
 (703) 433-1100  
 www.urbaninc.com

NO.	DATE	REVISIONS
01	05-11-10	ISSUE FOR PERMITTING
02	05-11-10	REVISED TO REFLECT COMMENTS
03	05-11-10	REVISED TO REFLECT COMMENTS
04	05-11-10	REVISED TO REFLECT COMMENTS
05	05-11-10	REVISED TO REFLECT COMMENTS
06	05-11-10	REVISED TO REFLECT COMMENTS
07	05-11-10	REVISED TO REFLECT COMMENTS
08	05-11-10	REVISED TO REFLECT COMMENTS
09	05-11-10	REVISED TO REFLECT COMMENTS
10	05-11-10	REVISED TO REFLECT COMMENTS
11	05-11-10	REVISED TO REFLECT COMMENTS
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18	05-11-10	REVISED TO REFLECT COMMENTS
19	05-11-10	REVISED TO REFLECT COMMENTS
20	05-11-10	REVISED TO REFLECT COMMENTS

PREPARED BY ADAM STEINER,  
 ISA CERTIFIED ARBORIST #  
 MA-49454

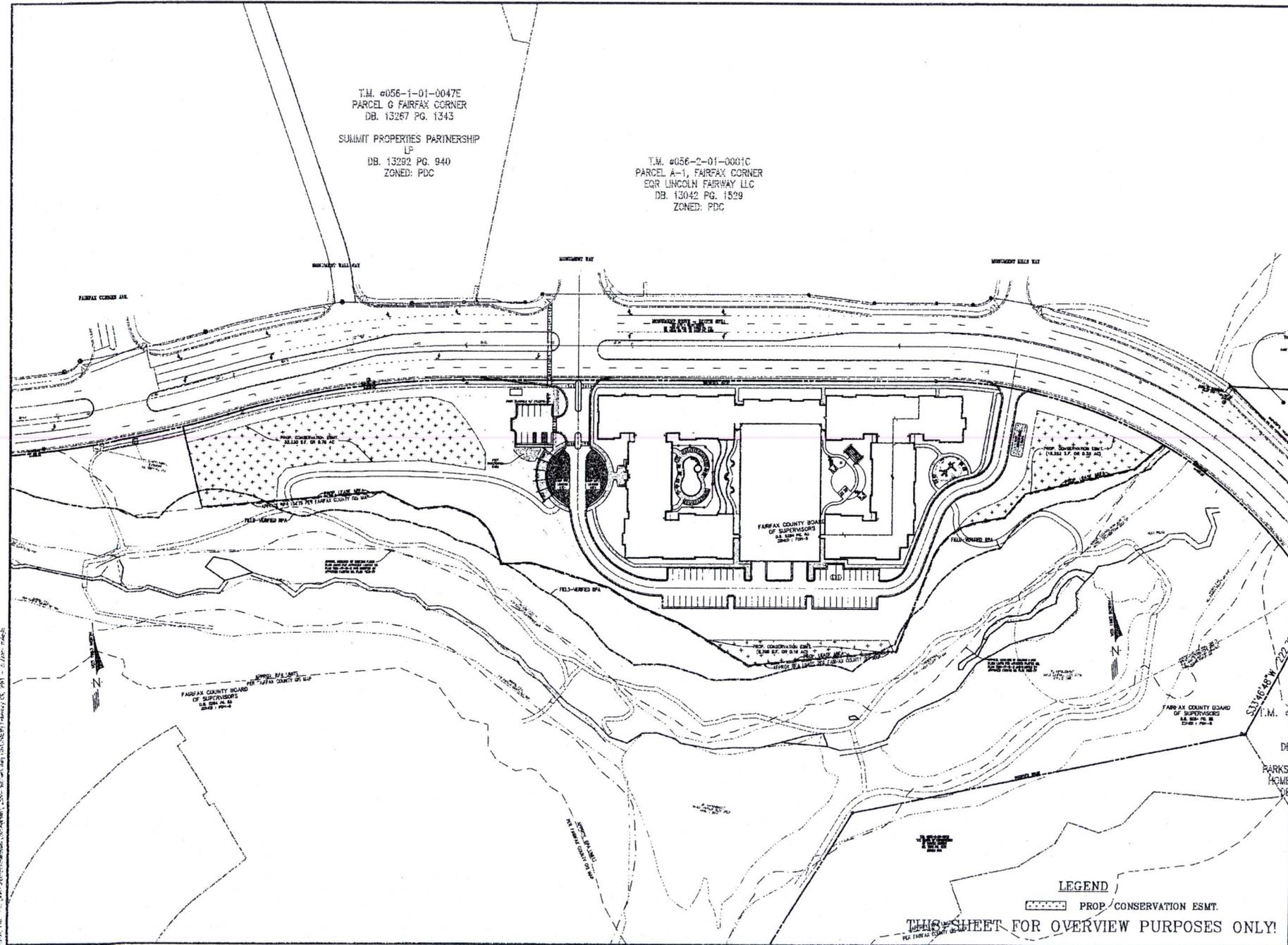


**EXISTING VEGETATION SUMMARY**

Category	Plant Species	Quantity	Notes
A	Large trees (e.g., oaks, maples)	15	These trees are scattered throughout the site and are generally well-maintained.
B	Medium trees (e.g., birches, pines)	30	These trees are primarily located in the central and eastern portions of the site.
C	Small trees (e.g., dogwoods, magnolias)	45	These trees are primarily located in the western and southern portions of the site.
D	Shrubs (e.g., hydrangeas, azaleas)	120	These shrubs are primarily located in the central and eastern portions of the site.
E	Grasses (e.g., fescue, bluegrass)	250	These grasses are primarily located in the western and southern portions of the site.
F	Flowers (e.g., tulips, daisies)	100	These flowers are primarily located in the central and eastern portions of the site.

T.M. #056-1-01-0047E  
 PARCEL G FAIRFAX CORNER  
 DB. 13267 PG. 1343  
 SUMMIT PROPERTIES PARTNERSHIP  
 LP  
 DB. 13292 PG. 940  
 ZONED: PDC

T.M. #056-2-01-0001C  
 PARCEL A-1, FAIRFAX CORNER  
 EQR LINCOLN FAIRWAY LLC  
 DB. 13042 PG. 1529  
 ZONED: PDC



REVISIONS NO. DATE DESCRIPTION		
1	05-23-10	ISSUE
2	05-23-10	REVISED
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99	05-23-10	REVISED
100	05-23-10	REVISED

Date: 05/23/10  
 County: Fairfax, VA  
 City: Springfield  
 Project: Government Center Residences at the Government Center  
 Scale: 1" = 40'  
 Date: MAY, 2010  
 CL - N/A

**urban**  
 Planning, Design, Construction Management

FAIRFAX COUNTY BOARD OF SUPERVISORS  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

OVERVIEW PLAN - FDPA AREA  
 RESIDENCES AT THE  
 GOVERNMENT CENTER  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

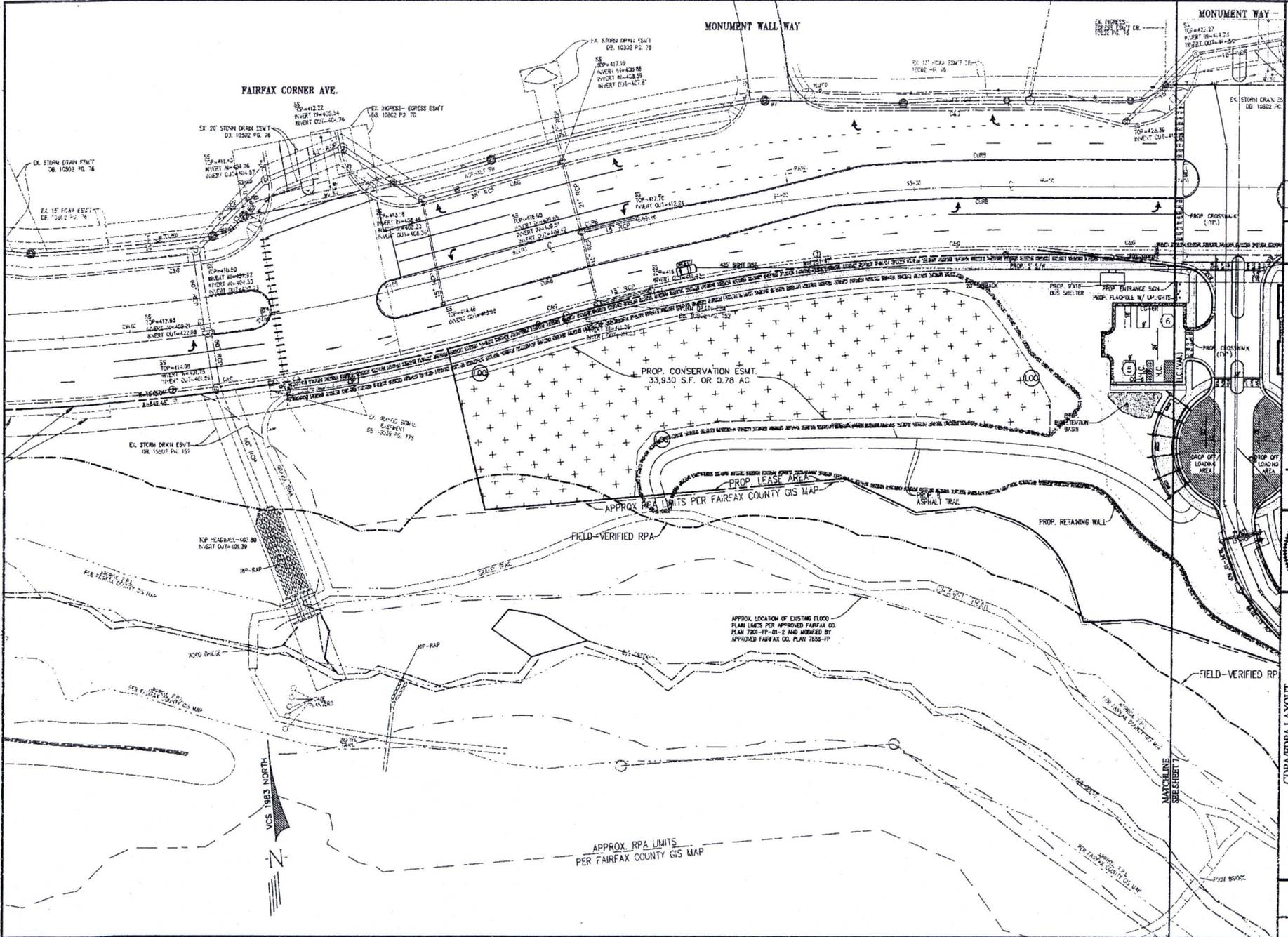
SCALE: 1" = 40'  
 DATE: MAY, 2010  
 CL - N/A

SHEET  
 6  
 OF  
 27  
 FILE NO.  
 MISC-12558

**LEGEND**  
 [Symbol] PROP. CONSERVATION ESMT.

THIS SHEET FOR OVERVIEW PURPOSES ONLY!



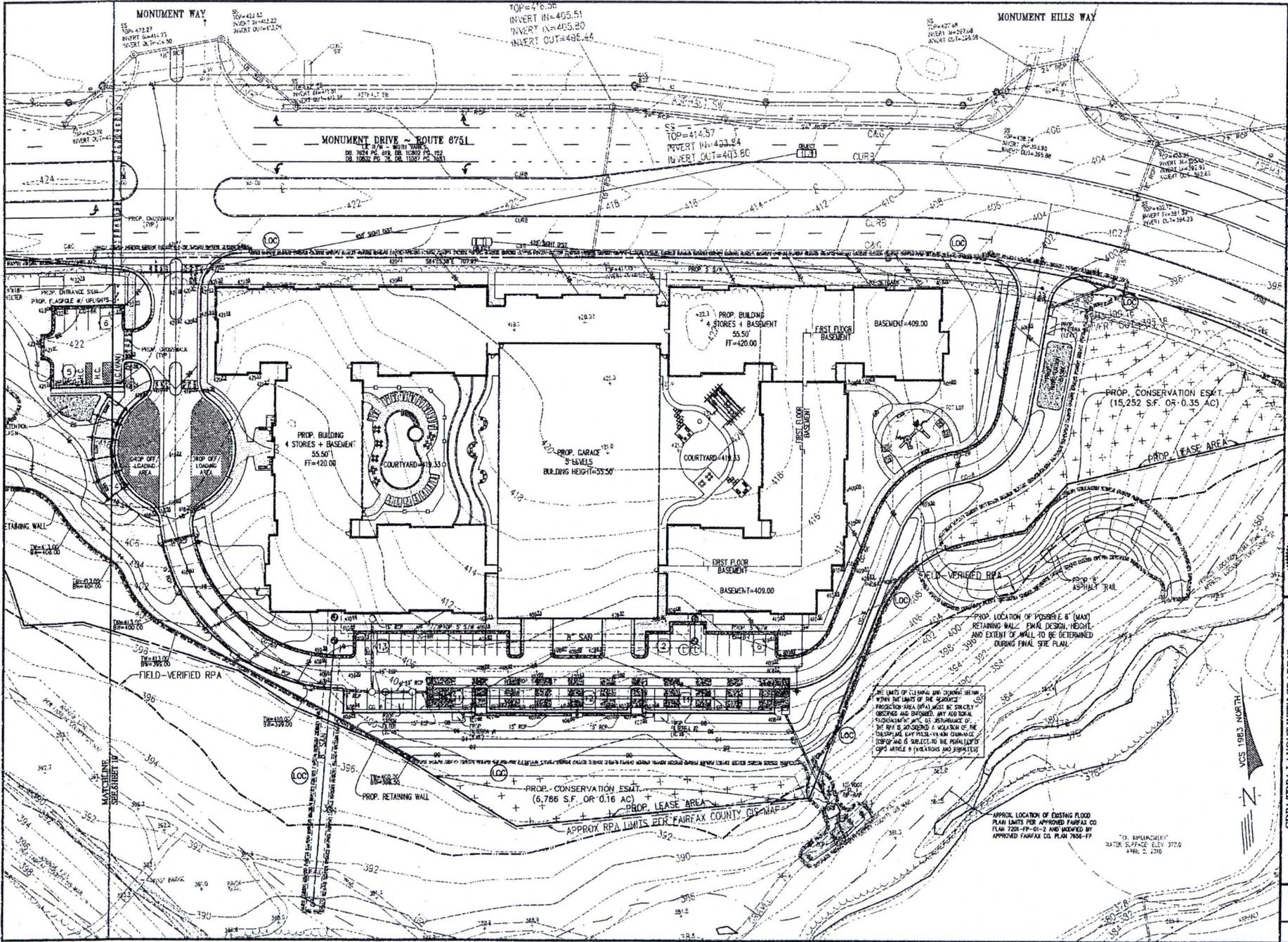


NO.	DATE	REVISIONS
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8	06-01-10	REVISED PER COMMENTS
9	06-01-10	REVISED PER COMMENTS
10	06-01-10	REVISED PER COMMENTS

Urban  
**urban**  
 Planning Engineers, Architects and Surveyors  
 10000 Lee Blvd  
 Suite 100  
 Fairfax, VA 22030  
 Tel: 703.261.1100  
 Fax: 703.261.1101  
 www.urbanva.com



CDP/FEDPA LAYOUT  
**RESIDENCES AT THE GOVERNMENT CENTER**  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 CL - N/A  
 DATE: MAY, 2010  
 SCALE: 1" = 30'  
 SHEET 8 OF 27  
 FILE No. MISC-12558



PLAN NO. 10-11-10 08-11-10 09-11-10 10-11-10 11-11-10 12-11-10 01-12-11 02-12-11		REVISIONS NO. DATE DESCRIPTION
DRAWN BY: J. L. L. L. CHECKED BY: J. L. L. L. DATE: 10/11/10		SCALE: 1" = 30' DATE: MAY, 2010
		APPROVED FOR THE BOARD OF SUPERVISORS DATE: 05/11/10
CD/PADMA LAYOUT WITH GRADING <b>RESIDENCES AT THE GOVERNMENT CENTER</b> SPRINGFIELD DISTRICT FAIRFAX COUNTY, VIRGINIA		CL # 7
SHEET 9 OF 27 FILE NO. MISC-12558		APPROVAL LOCATION OF EXISTING FLOOD PLAN LIMITS PER APPROVED FAIRFAX CO. PLAN 7201-FP-01-2 AND MODIFIED BY APPROVED FAIRFAX CO. PLAN 7004-FP



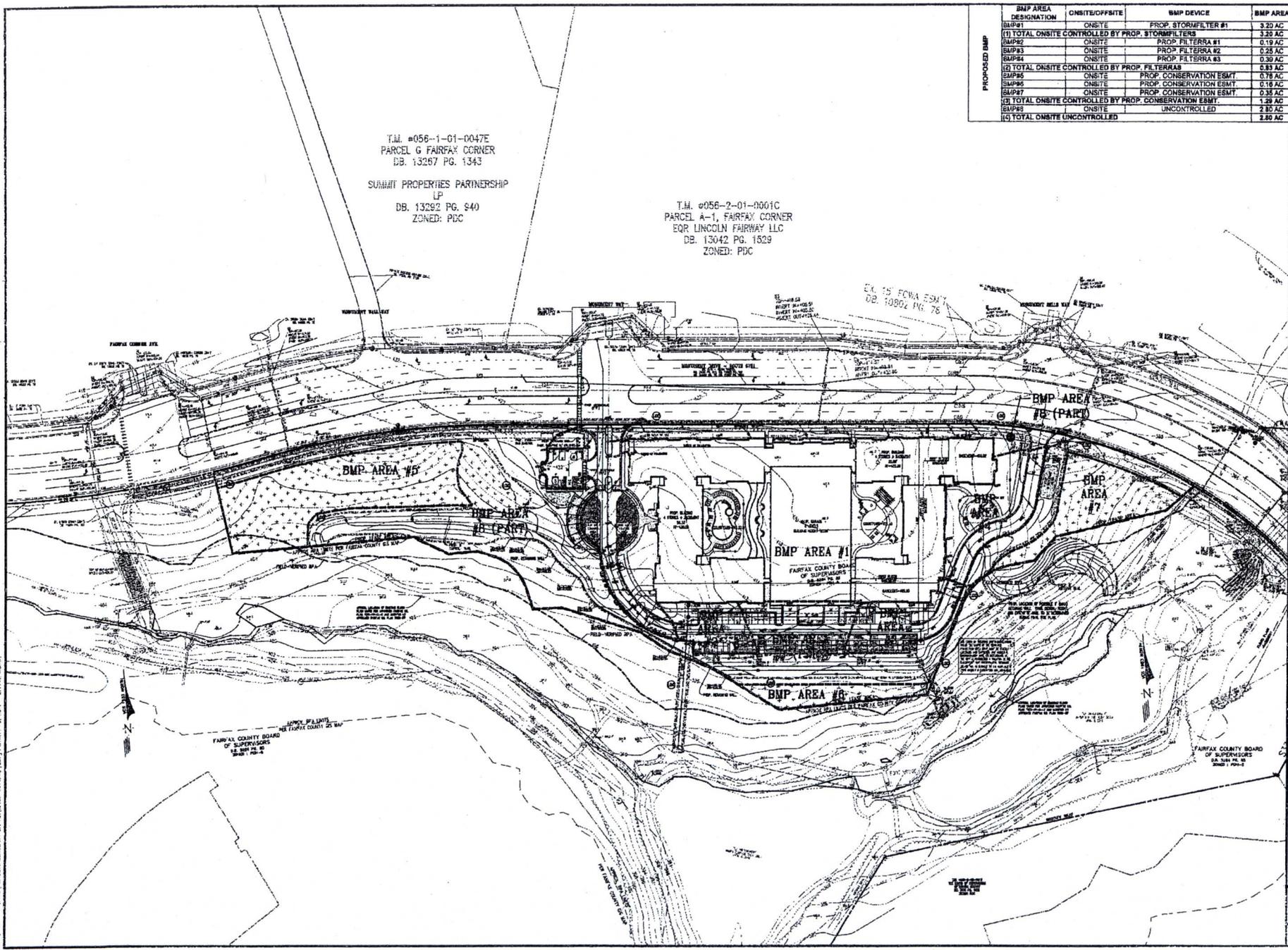


T.M. #056-1-01-0047E  
 PARCEL G FAIRFAX CORNER  
 DB. 13267 PG. 1343

SUMMIT PROPERTIES PARTNERSHIP  
 LP  
 DB. 13292 PG. 940  
 ZONED: PDC

T.M. #056-2-01-0001C  
 PARCEL A-1, FAIRFAX CORNER  
 EQR LINCOLN FAIRWAY LLC  
 DB. 13042 PG. 1829  
 ZONED: PDC

PROPOSED BMP	BMP AREA DESIGNATION	ONSITE/OFFSITE	BMP DEVICE	BMP AREA
	BMP#1	ONSITE	PROP. STORMFILTER #1	3.20 AC
(1)	TOTAL ONSITE CONTROLLED BY PROP. STORMFILTERS			3.20 AC
	BMP#2	ONSITE	PROP. FILTERRA #1	0.19 AC
	BMP#3	ONSITE	PROP. FILTERRA #2	0.25 AC
	BMP#4	ONSITE	PROP. FILTERRA #3	0.30 AC
(2)	TOTAL ONSITE CONTROLLED BY PROP. FILTERRAS			0.83 AC
	BMP#5	ONSITE	PROP. CONSERVATION ESMIT	0.76 AC
	BMP#6	ONSITE	PROP. CONSERVATION ESMIT	0.16 AC
	BMP#7	ONSITE	PROP. CONSERVATION ESMIT	0.35 AC
(3)	TOTAL ONSITE CONTROLLED BY PROP. CONSERVATION ESMIT			1.27 AC
	BMP#8	ONSITE	UNCONTROLLED	2.80 AC
(4)	TOTAL ONSITE UNCONTROLLED			2.80 AC



DATE: MAY 2010  
 SCALE: 1" = 60'  
 CL = Z

FAIRFAX COUNTY BOARD OF SUPERVISORS  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

BEST MANAGEMENT PRACTICES PLAN  
 RESIDENCES AT THE  
 GOVERNMENT CENTER  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

DATE: MAY 2010  
 SCALE: 1" = 60'  
 CL = Z

FILE No: MISC-12558  
 SHEET: 12 OF 27

urban

PLANNING  
 06-12-10  
 08-12-10  
 10-12-10  
 11-12-10  
 12-12-10

DESIGNED BY: [Name]  
 CHECKED BY: [Name]  
 DATE: [Date]

Model 11 - A:\WP51\erickson\submittal\Drawings\11256.DWG (not for construction) 11/26/2010 11:26:24 AM

**II. WATERSHED INFORMATION**

**Part 4: List of the Subareas and "C" Factor Used in the BMP Calculations**

Subarea Designation (1)	"C" (2)	Acres (3)	Product (4)
(1) TOTAL ONSITE CONTROLLED BY PROOF STORM FILTERS	0.85	3.20	3.20
(2) TOTAL ONSITE CONTROLLED BY PROOF FILTERRAAS	0.80	0.80	0.64
(3) TOTAL ONSITE UNCONTROLLED	0.45	4.80	2.16
(4) TOTAL ONSITE AREA CONTROLLED BY CONSERVATION ESMIT	0.45	1.20	0.54
<b>Total</b>			<b>6.54</b>

**III a. PHOSPHORUS REMOVAL - "OCOQUAN METHOD"**

**Part 5: Compute the Weighted Average "C" Factor for the Site**

**(A) Area of the Site (a) 8.12 acres**

Subarea Designation (1)	"C" (2)	Acres (3)	Product (4)
(1) TOTAL ONSITE CONTROLLED BY PROOF STORM FILTERS	0.85	3.20	2.72
(2) TOTAL ONSITE CONTROLLED BY PROOF FILTERRAAS	0.80	0.80	0.64
(3) TOTAL ONSITE UNCONTROLLED	0.45	4.80	2.16
(4) TOTAL ONSITE AREA CONTROLLED BY CONSERVATION ESMIT	0.45	1.20	0.54
<b>Total</b>			<b>6.06</b>
<b>(b) Total</b>			<b>8.22</b>

**(C) Weighted average "C" factor (B)(a) / (C) = 0.64**

**Part 6: Compute the Total Phosphorus Potential for the Site**

Subarea Designation (1)	Removal Efficiency (%) (2)	Area Ratio (3)	"C" Ratio (4)	Product (5)
(1) TOTAL ONSITE CONTROLLED BY PROOF STORM FILTERS	80	0.39	1.33	20.52
(2) TOTAL ONSITE CONTROLLED BY PROOF FILTERRAAS	55	0.10	1.24	6.59
(3) TOTAL ONSITE UNCONTROLLED	0	0.34	0.70	0.00
(4) TOTAL ONSITE AREA CONTROLLED BY CONSERVATION ESMIT	100	0.18	0.70	11.11
<b>Total</b>			<b>0.60</b>	<b>38.22</b>
<b>(a) Total</b>			<b>44.13</b>	

**Part 7: Determine Compliance with Phosphorus Removal Requirement**

**(A) Select Requirement (a) 40.00**

Water Supply Overlay District (Ocoquan Watershed) = 50% (Prince William County and Prince William County)  
 Chesapeake Bay Preservation Area (New Development) = 40% (Prince William County) and 50% (Prince William County)  
 Chesapeake Bay Preservation Area (Redevelopment) = 50% (Prince William County)  
 [1 - 0.8 x (7" imp" pond) x 100 = 22.13 %]

**(B) If Line 3(a) > Line 4(a), the Phosphorus removal requirement is satisfied.**

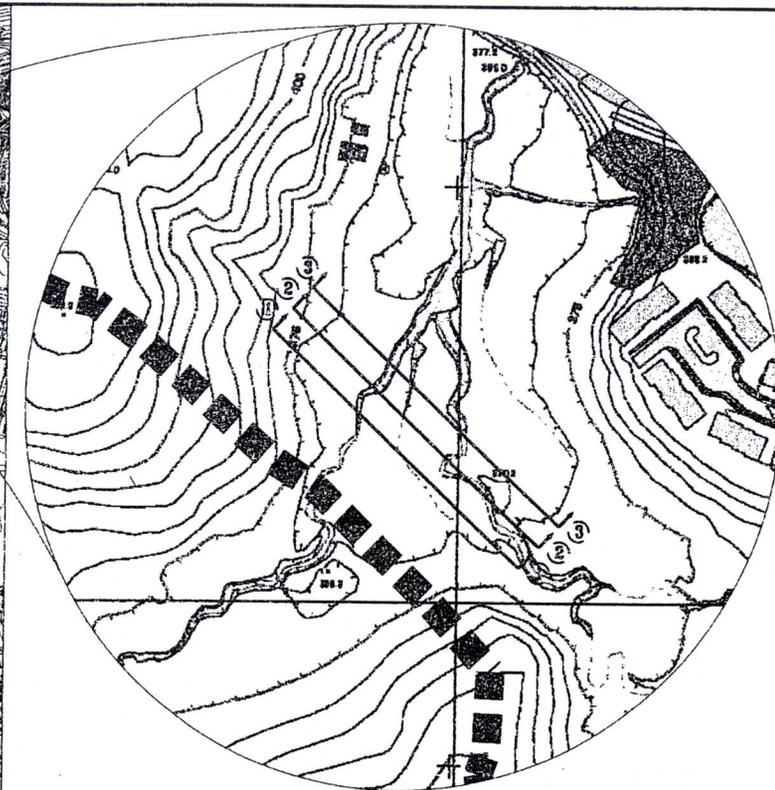
Line 3(a) 44.13 >= 40.00

**PHOSPHORUS REMOVAL REQUIREMENT IS SATISFIED**

PLAN DATE 06-17-10 06-24-10 07-12-10 07-12-10 07-12-10	REVISIONS NO. DATE DESCRIPTION
 Urban Systems, LLC 10000 Old Dominion Blvd, Suite 200 Fairfax, VA 22031 Tel: 703.271.7888 Fax: 703.271.7889	
 BEST MANAGEMENT PRACTICES PLAN <b>RESIDENCES AT THE GOVERNMENT CENTER</b> GOVERNMENT CENTER FAIRFAX COUNTY, VIRGINIA CL - NA SCALE: N/A DATE: MAY, 2010	
SHEET 13 OF 27 FILE NO. MISC-12558	



OVERALL DRAINAGE MAP  
1"=500'



CROSS SECTION LOCATIONS  
1"=100'

### OUTFALL NARRATIVE

THE SUBJECT SITE IS LOCATED WITHIN THE DIFFICULT RUN WATERSHED. THE SITE DRAINS SOUTH TO TWO EXISTING IMPROVEMENTS, THROUGH A CULVERT UNDER MONTAGUE DRIVE (ROUTE 8751) TO AN EXISTING CREEK. WITH THIS PROPOSED DEVELOPMENT, STORMWATER FROM THE SITE WILL BE CAPTURED VIA ADEQUATELY ENGINEERED DRAINAGE DRAINS LOCATED THROUGHOUT THE SITE, AND THEN THE CAPTURED STORMWATER IS CONVEYED TO AN ON-SITE 72" STORM WATER MANAGEMENT TANK, THAT OUTFALLS INTO THE EXISTING IMPROVEMENT AND EVENTUALLY OUTFALLS INTO THE EXISTING STREAM.

THE ADEQUATE OUTFALL ANALYSIS HAS BEEN PROVIDED ON SHEETS 14 AND 15 IN COMPLIANCE WITH THE NEW ADEQUATE OUTFALL PROVISIONS OF PFM THAT WERE ADOPTED BY THE BOARD OF SUPERVISORS AND EFFECTIVE FEBRUARY 7, 2006. THE POINT OF CONFLUENCE HAS BEEN IDENTIFIED AND THE OUTFALL ANALYSIS THAT IS REPRESENTATIVE OF THE STREAM REACHES FOR THE ENTIRE EXTENT OF THE DOWNSLOPE DRAINAGE AREA, 360 AC, HAS BEEN CONDUCTED ACCORDING TO THE PFM SECTION 6-0203.2B. THREE CROSS SECTIONS HAVE BEEN PLACED ON THE EXISTING STREAM FOR THE ANALYSIS. THE OVERVIEW OF THE DRAINAGE AREA AND THE TIME OF CONCENTRATION COMPUTATIONS HAVE BEEN PROVIDED ON SHEETS 14 AND 15. THE CROSS SECTIONS AND THE COMPUTATIONS FOR THE OUTFALL ANALYSIS HAVE BEEN PROVIDED ON SHEET 15. BASED ON THE RESULTS OF THE OUTFALL ANALYSIS, 2 AND 10 YEAR STORM EVENTS AT THE OUTFALL HAVE BEEN HANDLED ADEQUATELY. THE WATER SURFACE ELEVATIONS FOR THE 10 YEAR FLOW HAVE BEEN COMPUTED AS FOR THE CROSS SECTIONS 1-3 RESPECTIVELY AND ALL WATER SURFACE ELEVATIONS HAVE BEEN MAINTAINED IN THE BED OF THE EXISTING STREAM AND THE VELOCITIES FOR THE 2 YEAR STORM EVENT AT THE CROSS SECTIONS HAVE BEEN COMPUTED AS 3.06, 3.02 AND 2.89 FPS RESPECTIVELY, WHICH ARE ALL IN THE LIMITS OF THE PERMISSIBLE VELOCITY FOR THE NATURAL STREAM CHANNEL PER VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, 3RD EDITION, TABLE 5-22.

IT IS THE OPINION OF URBAN ENGINEERING & ASSOCIATES, INC. THAT AN ADEQUATE OUTFALL EXISTS FOR THE PROPOSED CLOSED CONDUIT SYSTEMS.

*Clayton C. Took*  
 URBAN ENGINEERING & ASSOCIATES, INC. DATE: 10/13/10  
 CLAYTON C. TOOK, P.E., ASSOCIATE

PLANNING DATE: 08-27-10 DESIGN DATE: 09-23-10 CONSTRUCTION DATE: 12-27-10 PROJECT NO.: 07-06-11	SHEET NO.: OF: FILE NO.: MISC-12558
URBAN ENGINEERING & ASSOCIATES, INC. 1000 W. MARKET STREET, SUITE 200 FARMINGTON, VT 05475 TEL: 802-253-1234 FAX: 802-253-1235 WWW.URBANENGINEERING.COM	SCALE: AS SHOWN DATE: MAY, 2010 CL = 5'
URBAN ANALYSIS RESIDENCES AT THE GOVERNMENT CENTER SPRINGFIELD DISTRICT FAIRFAX COUNTY, VIRGINIA	SHEET 14 OF 27 FILE NO. MISC-12558

08/27/10 10:00 AM C:\Users\jtook\Documents\12558 - outfall\12558 - outfall.dwg (OUTFALL) Plot by jtook 10/13/10

**POST DEVELOPMENT CONDITIONS:**

CROSS SECTION 1-1 (SEE SHEET 14 FOR CHANNEL SECTION LOCATION)

DA = 300 AC.  
 C' FACTOR = 0.75  
 SE = 2.78 IN/IN  
 IE = 2.71 IN/IN  
 TC = 53 MIN (SEE THIS SHEET FOR THE C' COMPUTATION)  
 QC = 745 CFS  
 Q10 = 1002 CFS  
 CHANNEL SLOPE = 0.0070  
 C' = 0.0150 STREAM CHANNEL

V2 = 2.00 FPS  
 D10 = 2.48 FT.

**POST DEVELOPMENT CONDITIONS:**

CROSS SECTION 2-2 (SEE SHEET 14 FOR CHANNEL SECTION LOCATION)

DA = 350 AC.  
 C' FACTOR = 0.75  
 SE = 2.76 IN/IN  
 IE = 2.71 IN/IN  
 TC = 53 MIN (SEE THIS SHEET FOR THE C' COMPUTATION)  
 QC = 745 CFS  
 Q10 = 1002 CFS  
 CHANNEL SLOPE = 0.0070  
 C' = 0.0150 STREAM CHANNEL

V2 = 2.00 FPS  
 D10 = 2.48 FT.

**POST DEVELOPMENT CONDITIONS:**

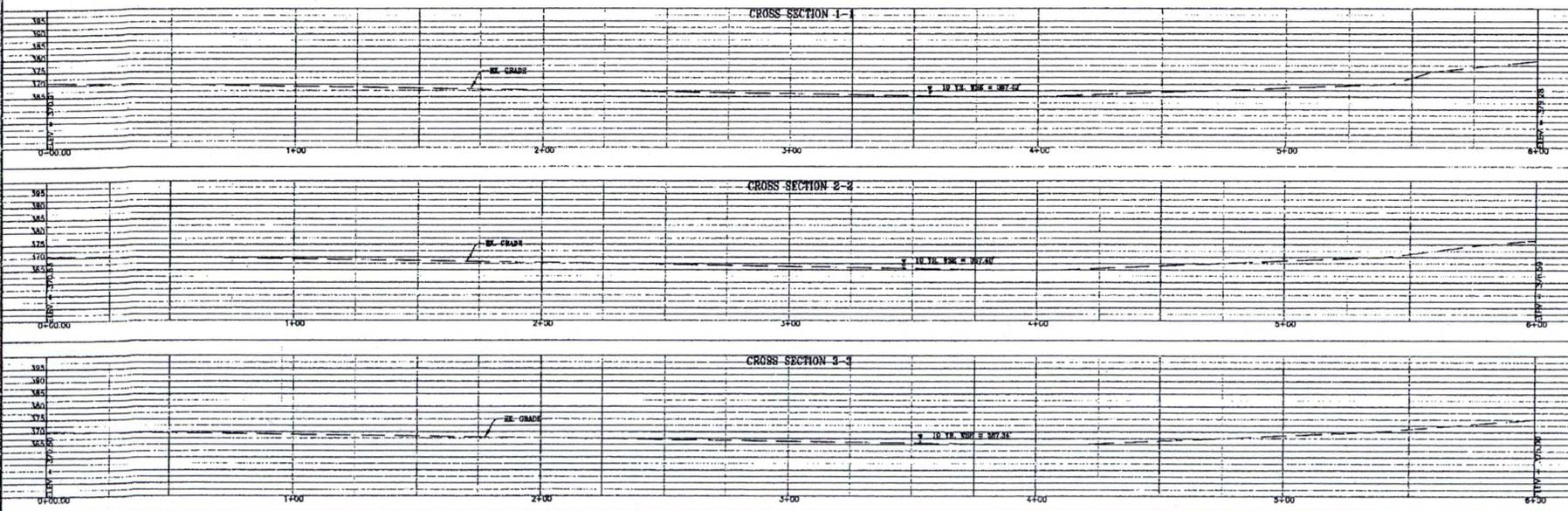
CROSS SECTION 3-3 (SEE SHEET 14 FOR CHANNEL SECTION LOCATION)

DA = 350 AC.  
 C' FACTOR = 0.75  
 SE = 2.70 IN/IN  
 IE = 2.71 IN/IN  
 TC = 53 MIN (SEE THIS SHEET FOR THE C' COMPUTATION)  
 QC = 745 CFS  
 Q10 = 1002 CFS  
 CHANNEL SLOPE = 0.0070  
 C' = 0.0150 STREAM CHANNEL

V2 = 2.00 FPS  
 D10 = 2.54 FT.

**TIME OF CONCENTRATION**

AREA A	SEGMENT D	UNIT	OR
SHEET FLOW			A-B
1 SURFACE DESCRIPTION (TABLE 3-1)			GRASS
2 SURFACE'S ROUGHNESS COEFF. n (TABLE 3-1)			0.15
3 FLOW LENGTH L (TOTAL L < 300 FT)		ft	50
4 TWO-YR 24-HR RAINFALL S		in	3.20
5 LAND SLOPE		%	0.0200
6 $T = 0.50(6L)^{0.8}(P/0.5)^{0.4}$	COMPUTE T	hr	0.024
SHALLOW CONCENTRATED FLOW			E-C
7 SURFACE DESCRIPTION (PAVED OR UNPAVED)			PAVED
8 FLOW LENGTH L		ft	370
9 SURFACE SLOPE S		%	0.0168
10 AVERAGE VELOCITY V (FIGURE 3-1)		ft/s	0.103
11 $T = L/(3600V)$	COMPUTE T	hr	0.103
CHANNEL FLOW			C-D
12 CROSS SECTIONAL FLOW AREA A'		ft <sup>2</sup>	
13 WETTED PERIMETER Pw		ft	
14 HYDRAULIC RADIUS R' = A'/Pw	COMPUTE R'	ft	
15 CHANNEL SLOPE S'		%	
16 MANNING'S ROUGHNESS COEFF. n			
17A $V = (1.49A'/n)(R')^{2/3}(S')^{1/2}$	COMPUTE V	ft/s	3.5
17B FLOW LENGTH L		ft	374
18A $T = L/(3600V)$	COMPUTE T	hr	0.258
17C $V = (1.49A'/n)(R')^{2/3}(S')^{1/2}$	COMPUTE V	ft/s	9.5
18B FLOW LENGTH L		ft	305
18C $T = L/(3600V)$	COMPUTE T	hr	0.026
20 WATERED OR SUBAREA T	TOTAL T	hr	0.502



PLAN DATE: 08-11-10  
 09-13-10  
 11-12-10  
 02-10-11

Urban  
 Planning & Engineering  
 10000 W. 10th Street  
 Suite 100  
 Denver, CO 80202  
 Phone: 303.751.1000  
 Fax: 303.751.1001  
 www.urbaninc.com

OUTFALL ANALYSIS  
**RESIDENCES AT THE GOVERNMENT CENTER**  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 CL = WA  
 DATE: MAY, 2010  
 SCALE: (H) = 200' V = 1" = 20'

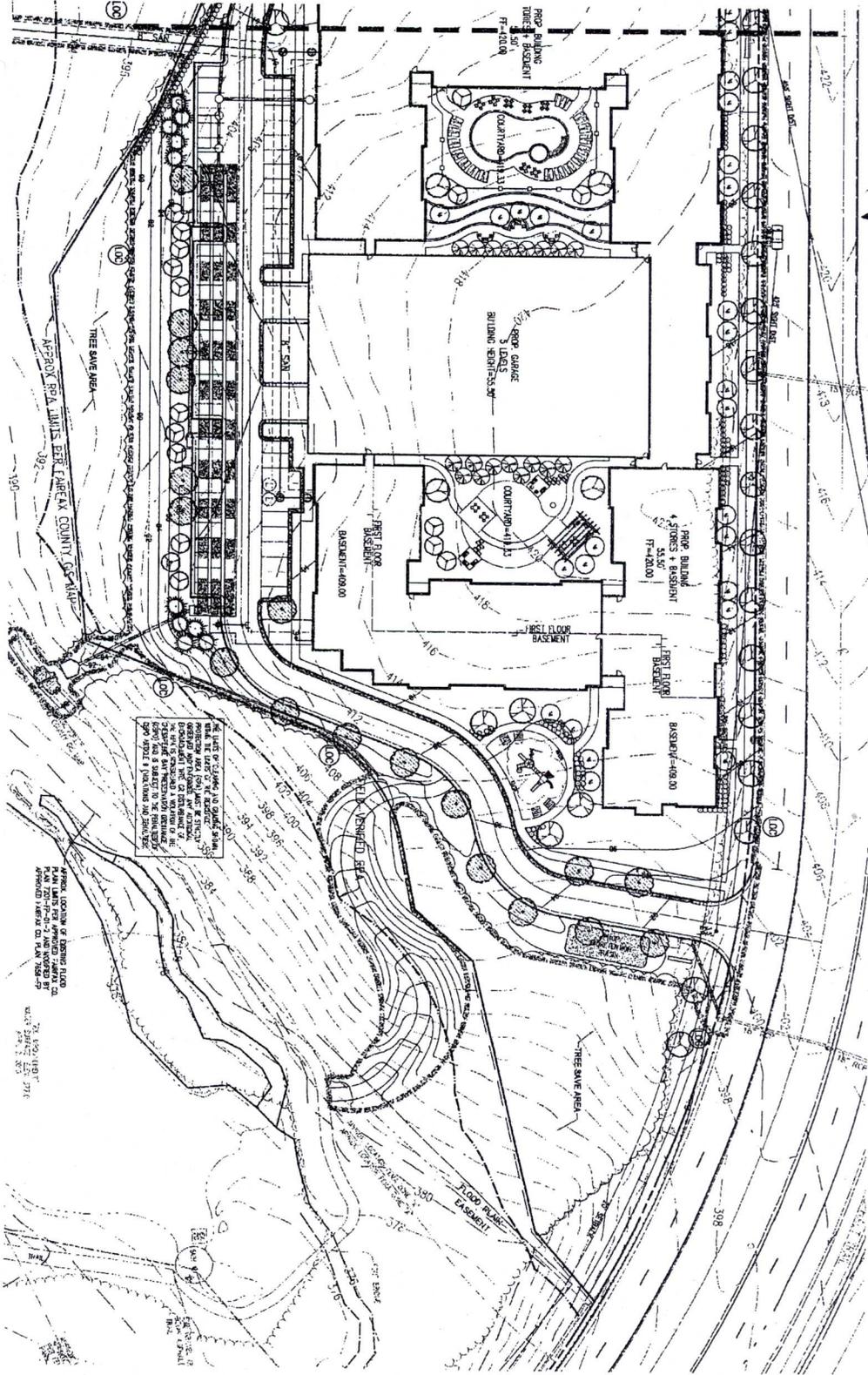
SHEET 15 OF 27  
 FILE NO. MISC-12558

REVISIONS

NO.	DATE	DESCRIPTION



MATCHLINE, SEE SHEET 16



ALL LOTS OF 2.5 ACRES TO BE GRADED TO A FINISH ELEVATION OF 55.50. THE GRADE SHALL BE LATER TO BE DETERMINED BY THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

APPROX. LOCATION OF EXISTING FLOOD PLAIN LIMITS FOR APPROVED ZONING TO BE DETERMINED BY THE LOCAL AUTHORITIES. APPROVED THEREIN OR IN ANOTHER MANNER.

- LEGEND**
- CATEGORY IV DECIDUOUS TREES
  - CATEGORY III DECIDUOUS TREES
  - CATEGORY II DECIDUOUS TREES
  - CATEGORY I DECIDUOUS TREES
  - CATEGORY I EVERGREEN TREES
  - CATEGORY I EVERGREEN TREES
  - INTERIOR PARKING LOT CANOPY TREE

**LANDSCAPE PLAN**  
**RESIDENCES AT THE**  
**GOVERNMENT CENTER**  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 30'      CL = 2'      DATE: MAY, 2010



Urban, Ltd.  
 6200 D'Neen Lane  
 Chantilly, Virginia 20151  
 Tel: 703.442.7200  
 Fax: 703.442.7200  
 www.urban-ltd.com

PLAN DATE	DESCRIPTION
08-17-10	
08-23-10	
10-13-10	
12-27-10	
02-08-11	

NO.	DATE	DESCRIPTION

SHEET  
 04  
 OF  
 27  
 FILE NO.  
 MISC-1358

**PLANTING SPECIFICATIONS**

- Quality Assurance
  - Landscaping planting and related work shall be performed by a firm with a minimum of five years experience specializing in this type and kind of work.
  - Applicable Specifications and Standards
    - Fairfax County Zoning Ordinance, American Society for Horticultural Research, American Standard for Nursery Plants, Tree and other
    - American Association of Nursery Firms
    - Landscaping Specification Guidelines for Suburban Multiple-Family Homes, Inter-Media, Landscape Contractors Association.
- Submittals
  - Submit for review to the County Representative prior to beginning work.
  - Obtain manufacturer's name of all materials required.
  - Submit all required material samples.
  - Obtain all manufacturer's warranties and conditions of all existing soil, wood, irrigation and all other materials to be used.
  - Planting schedule showing the dates for planting and the number of plants to be planted, including a schedule of work to be completed for each type of plant species, including a schedule of work to be completed for each type of plant species, including a schedule of work to be completed for each type of plant species.
  - List of proposed sources for all plant materials.

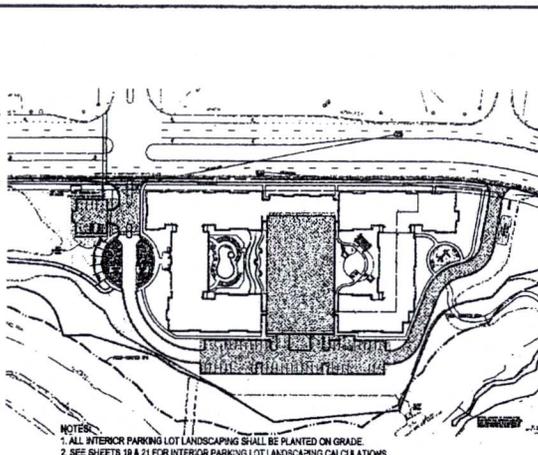
- Delivery, Storage and Handling
  - Deliver and package materials in manufacturer's approved containers or bundles, fully identified with name, item, size, type, weight, and quantity. When packaged materials are such as to prevent damage or facilitate handling.
  - Do not deliver and package materials in manufacturer's approved containers or bundles, fully identified with name, item, size, type, weight, and quantity. When packaged materials are such as to prevent damage or facilitate handling.
  - Deliver trees and shrubs in manufacturer's approved containers or bundles, fully identified with name, item, size, type, weight, and quantity. When packaged materials are such as to prevent damage or facilitate handling.
  - Deliver plants in manufacturer's approved containers or bundles, fully identified with name, item, size, type, weight, and quantity. When packaged materials are such as to prevent damage or facilitate handling.
- Planting
  - Planting shall be done only within the following dates:
    - Deciduous Trees and Shrubs: March 1 to May 31 and October 15 to December 15.
    - Evergreen Trees, Shrubs and Vines: March 1 to May 31 and September 1 to November 15.
  - All plant material shall be guaranteed by the Contractor for a period of 1 year from the date of acceptance to be in good, healthy and flourishing condition.

- Materials for Planting
  - Material shall be custom selected, handled, banded, wrapped for approval. Material shall be matching grade, within 1/2" of size and 1/2" of trunk diameter.
  - Leaf Cuttings shall be removed and 1/2" of trunk diameter.
  - Cuttings shall be removed and 1/2" of trunk diameter.
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- Planting
  - Planting shall be done only within the following dates:
    - Deciduous Trees and Shrubs: March 1 to May 31 and October 15 to December 15.
    - Evergreen Trees, Shrubs and Vines: March 1 to May 31 and September 1 to November 15.
  - All plant material shall be guaranteed by the Contractor for a period of 1 year from the date of acceptance to be in good, healthy and flourishing condition.

- Planting
  - Planting shall be done only within the following dates:
    - Deciduous Trees and Shrubs: March 1 to May 31 and October 15 to December 15.
    - Evergreen Trees, Shrubs and Vines: March 1 to May 31 and September 1 to November 15.
  - All plant material shall be guaranteed by the Contractor for a period of 1 year from the date of acceptance to be in good, healthy and flourishing condition.

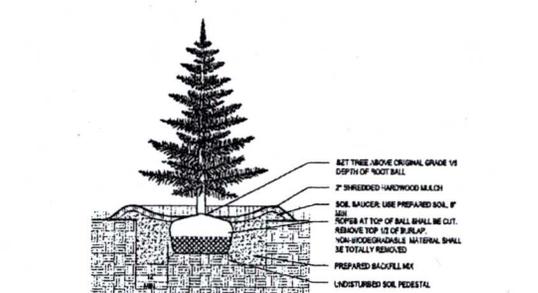
- Planting
  - Planting shall be done only within the following dates:
    - Deciduous Trees and Shrubs: March 1 to May 31 and October 15 to December 15.
    - Evergreen Trees, Shrubs and Vines: March 1 to May 31 and September 1 to November 15.
  - All plant material shall be guaranteed by the Contractor for a period of 1 year from the date of acceptance to be in good, healthy and flourishing condition.

- Planting
  - Planting shall be done only within the following dates:
    - Deciduous Trees and Shrubs: March 1 to May 31 and October 15 to December 15.
    - Evergreen Trees, Shrubs and Vines: March 1 to May 31 and September 1 to November 15.
  - All plant material shall be guaranteed by the Contractor for a period of 1 year from the date of acceptance to be in good, healthy and flourishing condition.



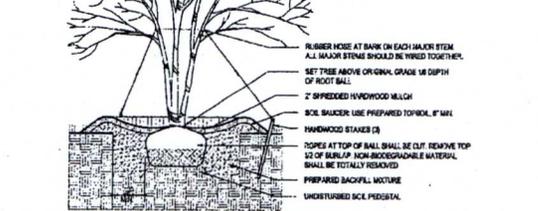
**1 INTERIOR PARKING LANDSCAPING SCHEMATIC**

- NOTES:  
 1. ALL INTERIOR PARKING LOT LANDSCAPING SHALL BE PLANTED ON GRADE.  
 2. SEE SHEETS 18 & 21 FOR INTERIOR PARKING LOT LANDSCAPING CALCULATIONS.



**2 EVERGREEN TREE PLANTING**

- NOTES:  
 1. STAKING AND GUYING SHALL BE IMPLEMENTED ONLY AS NEEDED FOR SUPPORT AND STABILITY AS DETERMINED BY THE LANDSCAPE CONTRACTOR BASED ON LANDSCAPE SPECIFICATION GUIDELINES. ALL STAKING AND GUYING SHALL BE REMOVED WITHIN ONE YEAR OF THE TIME OF INSTALLATION.



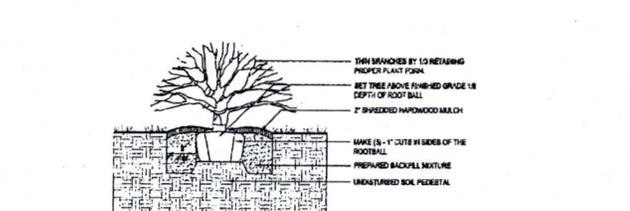
**3 ORNAMENTAL TREE PLANTING**

- NOTES:  
 1. STAKING AND GUYING SHALL BE IMPLEMENTED ONLY AS NEEDED FOR SUPPORT AND STABILITY AS DETERMINED BY THE LANDSCAPE CONTRACTOR BASED ON LANDSCAPE SPECIFICATION GUIDELINES. ALL STAKING AND GUYING SHALL BE REMOVED WITHIN ONE YEAR OF THE TIME OF INSTALLATION.

Symbol	Botanical Name	Common Name	Size	Type	Remarks	Multiplier
☉	Col. IV Deciduous Trees					
	Acer rubrum 'October Glory'	October Glory Red Maple	2" Cal	B & B	Uniform branching pattern	Whole Benefits: 1:50
	Amelanchier canadensis	Ruby Paper	2" Cal	B & B	Uniform branching pattern	Whole Benefits: 1:50
	Prunella x subcordata	Landon Plumtree	2" Cal	B & B	Uniform branching pattern	Improved Culture: 1:51
	Amelanchier canadensis	Willow Oak	2" Cal	B & B	Uniform branching pattern	Whole Benefits: 1:50
☉	Col. II Deciduous Trees					
	Amelanchier canadensis	Ruby Paper	2" Cal	B & B	Multi-stem, Min 3 heavy stems	Whole Benefits: 1:50
	Amelanchier canadensis	Ruby Paper	2" Cal	B & B	Multi-stem, Min 3 heavy stems	Improved Culture: 1:51
	Amelanchier canadensis	Ruby Paper	2" Cal	B & B	Multi-stem, Min 3 heavy stems	Whole Benefits: 1:50
	Amelanchier canadensis	Ruby Paper	2" Cal	B & B	Multi-stem, Min 3 heavy stems	Improved Culture: 1:51
☉	Col. I Deciduous Trees					
	Amelanchier canadensis	Ruby Paper	2" Cal	B & B	Multi-stem, Min 3 heavy stems	Whole Benefits: 1:50
	Amelanchier canadensis	Ruby Paper	2" Cal	B & B	Multi-stem, Min 3 heavy stems	Improved Culture: 1:51
	Amelanchier canadensis	Ruby Paper	2" Cal	B & B	Multi-stem, Min 3 heavy stems	Whole Benefits: 1:50
	Amelanchier canadensis	Ruby Paper	2" Cal	B & B	Multi-stem, Min 3 heavy stems	Improved Culture: 1:51
☉	Col. I Evergreen Trees					
	Thuja occidentalis	Japanese Cryptomeria	2" Cal	B & B	Full to ground, Dense	Whole Benefits: 1:50
	Thuja occidentalis	Japanese Cryptomeria	2" Cal	B & B	Full to ground, Dense	Whole Benefits: 1:50
	Thuja occidentalis	Japanese Cryptomeria	2" Cal	B & B	Full to ground, Dense	Whole Benefits: 1:50
	Thuja occidentalis	Japanese Cryptomeria	2" Cal	B & B	Full to ground, Dense	Whole Benefits: 1:50
☉	Col. I Evergreen Trees					
	Thuja occidentalis	Japanese Cryptomeria	2" Cal	B & B	Full to ground, Dense	Improved Culture: 1:51
	Thuja occidentalis	Japanese Cryptomeria	2" Cal	B & B	Full to ground, Dense	Improved Culture: 1:51
	Thuja occidentalis	Japanese Cryptomeria	2" Cal	B & B	Full to ground, Dense	Improved Culture: 1:51
	Thuja occidentalis	Japanese Cryptomeria	2" Cal	B & B	Full to ground, Dense	Improved Culture: 1:51

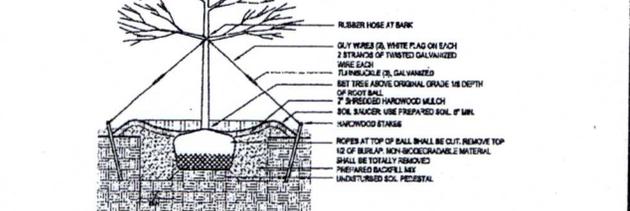
- NOTE:  
 1. THE LIST ABOVE REPRESENTS A GENERAL PALETTE OF PROPOSED PLANT MATERIAL FOR THE SITE. SIZES IS NOT INTENDED TO BE FULLY INCLUSIVE OF ALL VARIETIES THAT MAY BE PLANTED. FINAL PLANT LIST SELECTIONS WILL INCLUDE SPECIES LISTED IN PFM 12-0000 TABLE 12.19 OR AS OTHERS AS APPROVED BY JRM AT TIME OF SITE PLAN SUBMITTAL.

2. QUANTITIES OF TREES WITH AND WITHOUT CANOPY MULTIPLIERS MAY BE ADJUSTED WITH FINAL SITE PLAN. TOTAL CANOPY REQUIRED WILL BE PROVIDED WITH FINAL SITE PLAN. INSTALLED SIZES OF TREES MAY VARY TO 2" AND 3" CALIPER PLANTS TO IMPROVE CHANCES OF SURVIVABILITY AND PROVIDE A VARIABLE CANOPY FOR FUTURE GROWTH. GENERAL DENSITY OF TREES SHOWN AND MINIMUM CANOPY COVERAGE REQUIREMENTS WILL BE PROVIDED.



**4 SHRUB PLANTING**

- NOTES:  
 1. STAKING AND GUYING SHALL BE IMPLEMENTED ONLY AS NEEDED FOR SUPPORT AND STABILITY AS DETERMINED BY THE LANDSCAPE CONTRACTOR BASED ON LANDSCAPE SPECIFICATION GUIDELINES. ALL STAKING AND GUYING SHALL BE REMOVED WITHIN ONE YEAR OF THE TIME OF INSTALLATION.



**5 DECIDUOUS TREE PLANTING**

- NOTES:  
 1. STAKING AND GUYING SHALL BE IMPLEMENTED ONLY AS NEEDED FOR SUPPORT AND STABILITY AS DETERMINED BY THE LANDSCAPE CONTRACTOR BASED ON LANDSCAPE SPECIFICATION GUIDELINES. ALL STAKING AND GUYING SHALL BE REMOVED WITHIN ONE YEAR OF THE TIME OF INSTALLATION.

REVISIONS

NO.	DATE	DESCRIPTION
1	08-17-10	PLANTING
2	09-15-10	
3	12-27-10	
4	07-18-11	

Urbal  
 Professional Landscape Architects

RESIDENCES AT THE GOVERNMENT CENTER  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 3'

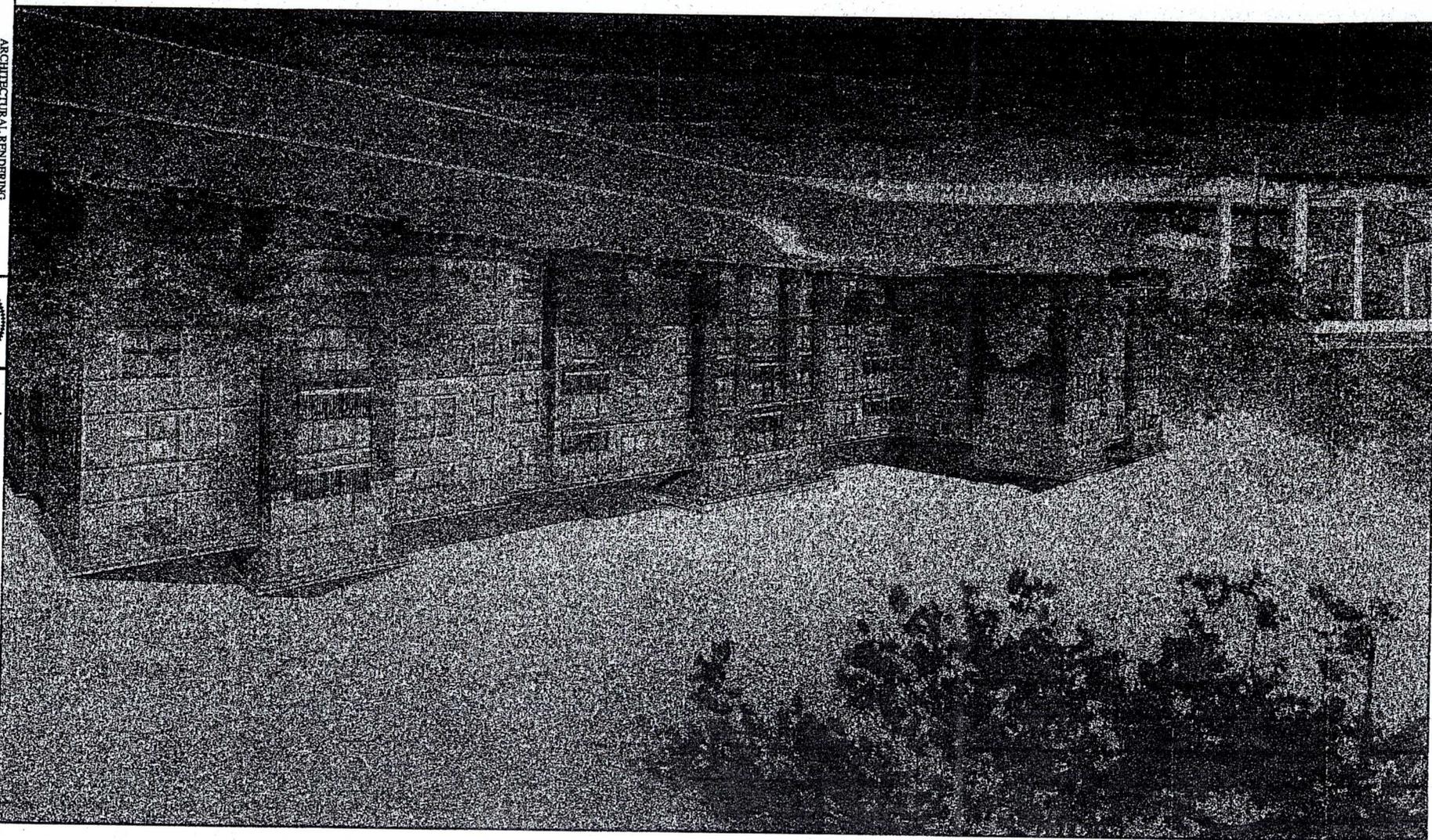
SHEET 18 OF 27  
 FILE NO. MISC-12558











MISC-12558  
 SHEET NO. 27 OF 28  
 ARCHITECTURAL RENDERING  
 RESIDENCES AT THE  
 GOVERNMENT CENTER  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 CL - 1VA  
 DATE: MAY, 2010



Urban, Inc.  
 2000 W. Tuckahoe Lane  
 Suite 200  
 Fairfax, VA 22031  
 Tel: 703.261.1234  
 Fax: 703.261.1235  
 www.urbaninc.com

NO.	DATE	DESCRIPTION
01	11-10	
02	23-10	
03	27-10	
04	29-11	









County of Fairfax, Virginia

MEMORANDUM

DATE:

TO:

FROM:

SUBJECT:

REFERENCE:

We have reviewed the referenced submission for consistency with Section 6-0303.B of the Public Facilities Manual (PFM), which restricts use of underground facilities located in a residential development (Attachment B). The Board of Supervisors may grant a waiver after taking into consideration possible impacts on public safety, the environment, and the burden placed on prospective homeowners for maintenance. Underground facilities located in residential developments allowed by the Board:

- shall be privately maintained;
- shall be disclosed as part of the chain of title to all future owners responsible for maintenance of the facilities;
- shall not be located in a County storm drainage easement; and
- shall have a private maintenance agreement, in a form acceptable to the Director of the Department of Public Works and Environmental Services (DPWES), executed before the construction plan is approved.

The applicant has indicated that the preferred method for stormwater management is via underground detention, stormwater, and infiltration.

In the waiver application, the applicant states that the Jefferson Fairfax Corner Condominium Owners Association (COA) is responsible for maintenance.

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
1200 Government Center Parkway, 5th Floor
Fairfax, Virginia 22034-5901
Phone 703-271-1730 / TTY 703-271-1777 / FAX 703-271-4819
www.fairfaxva.gov

Attachment A

Waiver #007856-WPFM-006-1 Conditions

Residences at the Government Center
PCA 86-W-001-11
October 14, 2010

- 1. The underground facilities shall be constructed in accordance with the development plan as modified by these conditions and approved by the Director of the Department of Public Works and Environmental Services (DPWES).
2. The underground facilities shall be located as shown on the approved CDPA/FOPA, as determined by DPWES.
3. The underground facilities shall be constructed of reinforced concrete products only and incorporate safety features, including locking manholes and doors, as determined by DPWES at the time of construction plan submission.
4. The underground facilities shall be constructed with a minimum interior height of 7'2" to facilitate maintenance.
5. The underground facilities shall be privately maintained and shall not be located in a County storm drain easement.
6. A private maintenance agreement, as reviewed and approved by the Fairfax County Attorney's Office, shall be executed and recorded in the Land Records of the County. The private maintenance agreement shall be executed prior to final plan approval.

The private maintenance agreement shall address:

- County inspection and all other issues as may be necessary to insure that the facilities are maintained by the Condominium Owners Association (COA) in good working condition acceptable to the County as set forth in the Land Records of the County. The private maintenance agreement shall be executed prior to final plan approval.
- A condition that the applicant, property owners, their successors or assigns shall not petition the County to take future maintenance or replace the underground facilities.
- Establishment of a reserve fund, for future replacement of the underground facilities.
- Establishment of procedures to follow to facilitate inspection by the County, i.e. advance notice procedure, whom to contact, who has the access keys, etc.
- A condition that the property owners provide and continuously maintain liability insurance. The typical liability insurance amount is at least \$1,000,000, against claims associated with underground facilities.
- A statement that Fairfax County shall be held harmless from any liability associated with the facilities.

The draft profess shall state that, the applicant, its successors and assigns, in accordance with DPWES, will privately maintain the underground facilities. Said maintenance responsibility shall be incorporated in a deed agreement to be reviewed and approved by the Fairfax County Attorney's office and recorded among the Fairfax County land records. Said agreement shall address the following issues:

- County inspection and all other issues as may be necessary to insure that the facilities are maintained by the applicant in good working order acceptable to the County in the form of a deed agreement, which results from development of the subject site;
- Liability and Insurance in an amount acceptable to the Director of the Department of Public Works, Fairfax County;
- A condition that the applicant, their successors and assigns, shall not petition DPWES for future maintenance; and
- An establishment of a reserve fund by the applicant for future maintenance and/or replacement in the amount of \$752,500 with any future Condominium Owners' Association to be formed with respect to the subject site. The said reserve fund shall be established prior to the commencement of the first residential sale on the subject site.

Any future purchasers shall be advised prior to entering into a contract of sale that the Condominium Owners' Association shall be responsible for the maintenance of the underground stormwater management facilities. These maintenance responsibilities shall also be contained within the COA's Association documents. If the proposed underground facility is not approved by DPWES, an amendment to this special exception will be required.

DPWES recommends that the development conditions be amended to require that the facilities not be located in a County storm drainage easement, a private maintenance agreement is executed for the condominium owners association to maintain the stormwater management and best management practice facilities, and disclosure is made in the chain of title of the maintenance responsibility. The applicant is required to maintain a minimum \$1,000,000 liability policy, and the applicant please sufficient monies to an escrow account for the initial reserve fund, for the COA to cover a 20-year maintenance cycle and replacement costs of the underground facility.

An analysis of the possible impacts on public safety, the environment, and the burden placed on prospective homeowners for maintenance is as follows:

ANALYSIS:

Impacts on Public Safety - The proposed underground facilities will be designed with adequate measures to ensure public safety. They are located mostly in the sidewalk parking areas and within the proposed grass and landscape areas. The units in the landscape areas will be designed such that there is cover above the structure and will have only overhead access with lockable ladders. The structure in the parking lots will have an offset stair structure and standard grade ladders, locked as required.

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
1200 Government Center Parkway, 5th Floor
Fairfax, Virginia 22034-5901
Phone 703-271-1730 / TTY 703-271-1777 / FAX 703-271-4819
www.fairfaxva.gov

Attachment A
#007856-WPFM-006-1

- 7. Operation, inspection and maintenance procedures associated with the underground facilities shall be incorporated in the site construction plan, private maintenance agreement, and COA documents which insure safe operation, inspection and maintenance of the facilities.
8. A financial plan for the COA, to finance regular maintenance and full life cycle replacement costs, shall be established prior to final subdivision plan approval. A separate line item in the COA annual budget for operation, inspection and maintenance shall be established. A reserve fund for future replacement of the underground facilities shall also be established to receive annual deposits from the members of the property owners association based on the initial construction costs and an estimated 50-year lifespan for concrete products.
9. Prior to final construction plan approval, the applicant shall escrow sufficient funds for the benefit of the property owner association which will cover a 20-year maintenance cycle of the underground facilities. These monies shall not be made available to the COA until after final bond release.
10. All future purchasers of any of the Residences at the Government Center units shall be advised prior to entering into a contract of sale, as well as within recorded property owner association documents, that the COA is responsible for the operation, inspection, maintenance and replacement of the underground facilities.
11. The owner and its successors and assigns shall disclose, as part of the chain of title to all future property owners, the presence of the underground stormwater facility and the COA responsibility for operation, inspection, maintenance and replacement of such facilities, by including the following language within the deed for each unit and the record plat:

"The owner and its successors and assigns are responsible for the operation, inspection, maintenance and replacement of the underground stormwater facilities as set forth in the COA documents and a private maintenance agreement entered into with the County."

The applicant shall propose to construct the underground facilities with precast concrete which conformed with DPWES position that the underground detention in the residential area be constructed entirely with reinforced concrete products only. Further, the stormwater detection system shall provide access points per the PFM Section 6-1306.3H.

If it is the intent of the Board to approve the waiver request, the applicant should provide adequate access for maintenance and safety. The detection pipe and stormwater vault shall be constructed entirely with reinforced concrete products only, is a minimum of 7'2" in height, and shall comply fully with the PFM Section 6-1306.3H. The applicant shall provide liability insurance in an amount acceptable to Fairfax County as a waiver condition. A typical liability insurance amount is \$1,000,000 against claims associated with underground facilities. The maintenance agreement would also hold Fairfax County harmless from any liability associated with the facilities.

Impacts on the Environment - The stormwater underground detention system is proposed under parking areas where no trees or shrubs will be permitted to be planted directly above or adjacent to the underground facilities, or in the surface channels. Staff does not believe that there will be any adverse impact on the environment from constructing the proposed waterway network facilities.

Burden Placed on Prospective Owners for Maintenance and Future Replacement - The proposed multiple-family dwelling building will contain up to 276 dwelling units. This number of unit owners can share the costs associated with the ongoing maintenance of the facility. The developer acknowledges the obligation to maintain the underground SMW facilities. The facilities will be maintained by experienced professional management companies providing the requisite knowledge and funding to insure proper maintenance. An amount will be established, at the time of plan approval, for the developer to fund the COA.

RECOMMENDATION:

DPWES recommends that the Board of Supervisors approve the waiver of underground facilities in residential areas for the Residences at the Government Center development plan, subject to Waiver #007856-WPFM-006-1 Conditions dated October 14, 2010, as contained in Attachment A.

If you have any questions, or need further assistance, please contact me at 703-271-1720.

ATTACHED DOCUMENTS:

- Attachment A - Waiver #007856-WPFM-006-1 Conditions, Residences at the Government Center, October 14, 2010
PFM Section 6-0303.B

cc: Robert A. Stotter, Deputy County Executive;
James Falcione, Director, Department of Public Works and Environmental Services;
Bryan Napolitano, Director, Environmental and Site Review Division, DPWES;
Shane Albrecht, Director, Maintenance and Stormwater Management Division, DPWES;
Waiver File;

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
1200 Government Center Parkway, 5th Floor
Fairfax, Virginia 22034-5901
Phone 703-271-1730 / TTY 703-271-1777 / FAX 703-271-4819
www.fairfaxva.gov

Attachment B

The Public Facilities Manual (PFM) Section 6-0303.B (6-04-PFM)

Underground detention facilities may not be used in residential development, including rental townhouses, condominiums and apartments, unless specifically waived by the Board of Supervisors (Board) in conjunction with the approval of a zoning, prefferred condition amendment, special exception, or special exception amendment. In addition, after receiving input from the Director regarding a request by the property owner(s) to use underground detention in a residential development, the Board may grant a waiver if an application for zoning, prefferred condition amendment, special exception, and special exception amendment was approved prior to June 8, 2004, and if an underground detention facility was a feature shown on an approved prefferred development plan or on an approved special exception plat. Any decision by the Board to grant a waiver shall take into consideration possible impacts on public safety, the environment, and the burden placed on prospective owners for maintenance of the facilities. Any property owner(s) seeking a waiver shall provide for adequate funding for maintenance of the facilities where deemed appropriate by the Board. Underground detention facilities approved for use in residential developments by the Board shall be privately maintained, shall be disclosed as part of the chain of title to all future homeowners (e.g. individual members of a homeowners or condominium association) responsible for maintenance of the facilities, shall not be located in a County storm drainage easement, and a private maintenance agreement in a form acceptable to the Director shall be executed before the construction plan is approved. Underground detention facilities may be used in commercial and industrial developments where private maintenance agreements are executed and the facilities are not located in a County storm drainage easement.

Administrative sidebar containing: PLAN DATE (08-14-10, 09-14-10, 10-14-10, 11-14-10, 12-14-10), REVISIONS, No. DATE, PLANNING (08-14-10, 09-14-10, 10-14-10, 11-14-10, 12-14-10), URBAN logo, MISCELLANEOUS CORRESPONDENCE, RESIDENCES AT THE GOVERNMENT CENTER, SPRINGFIELD DISTRICT, FAIRFAX COUNTY, VIRGINIA, DATE: MAY, 2010, SCALE: N/A, SHEET 27 OF 27, FILE No MISC-12558

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

**DESCRIPTION OF THE APPLICATION**

**Proposal**

The applicant, Jefferson at Fairfax Corner LLC, requests approval of a Proffered Condition Amendment to convert 200,000 square feet of development potential in Land Bay C from office use to residential use. A Final Development Plan Amendment has also been requested, which would permit the development of a 270-unit affordable and workforce housing development at an overall density of 0.26 dwelling units per acre (du/ac), with 61 percent of the site remaining as open space.

**Waivers Requested**

The applicant has requested a waiver of PFM Section 6-0303.8 to permit underground detention facilities in a residential development.

The applicant's draft proffers, Affidavits, and Statement of Justification can be found in Appendices 1, 3 and 4, respectively. Staff's proposed development conditions can be found in Appendix 2.

**LOCATION AND CHARACTER**

The subject property is located south of Monument Drive and is part of Land Bay C of the Fairfax County Government Center complex, containing the main Government Center building. The site contains Resource Protection Area (RPA), Environmental Quality Corridor (EQC), and floodplain; however, no development is proposed in these areas. The portion of the site proposed for development under this PCA/FDPA is heavily wooded and contains large areas proposed for tree preservation.

**BACKGROUND**

A detailed history of the Government Center property can be found in Appendix 5A.

The Government Center property was rezoned from R-1 and PDH-5 to PDC through RZ 86-W-001, approved by the Board of Supervisors on March 10, 1986, for a mixed use development at a 0.33 FAR (999, 014 square feet of office square footage was approved). Since that time, a number of amendments have been approved, and a total of 674,943 square feet of office space has been constructed, leaving 324,071 square feet of office development potential available.

The subject PCA property is Land Bay C of the Fairfax County Government Center and will transfer 200,000 square feet of that Land Bay area from office to residential use. The overall approved square footage for Land Bay C will not change; the PCA will allow square footage previously approved for office development to be converted to residential development.

The PCA property is owned by Fairfax County. In November, 2006, the County issued a request for proposals to develop an 8.12 acre portion of the Government Center property (the FDPA area) with affordable housing. The applicant, Jefferson at Fairfax Corner LLC, was selected as the developer.

**Surrounding Area Description**

Direction	Use	Zoning	Plan
North	Mixed Use Office/Retail/Residential (Fairfax Corner)	PDC	Fairfax Center
South	Single family residential, attached (Glen Alden), Multi-family residential	PDH-8, PDC	Fairfax Center
East	Multi-family residential (Carriage Park Condos)	PDC	Fairfax Center
West	Office (Pennino and Herrity Buildings)	PDC	Fairfax Center

**COMPREHENSIVE PLAN PROVISIONS (Appendix 6)**

- Plan Area:** Area III
- Planning Sector:** Fairfax Center Area, Sub-unit P1
- Plan Map:** Fairfax Center Area

In the Area III volume of the Comprehensive Plan, 2007 Edition, Fairfax Center Area, as amended through October 19, 2010, under Land Use Recommendations, beginning on page 92, the Plan states:

“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.

Buffering measures should be incorporated to mitigate potential impacts on adjacent residential communities. Pedestrian linkages to the Government Center and Fairfax Center core area are essential to the achievement of the objectives of the Plan.”

## ANALYSIS

### Conceptual/Final Development Plan Amendment

(Copy at front of staff report)

**Title of CDPA/FDPA:** Residences at the Government Center

**Prepared By:** Urban, Ltd.

**Original and Revision Dates:** May, 2010 as revised through  
February 8, 2011

The sheet index is found on Sheet 1 of the Plans, which are attached to the front of this report for reference.

The CDP/FDP depicts the following:

*Building Layout and Character:* The development proposal shows 270 dwelling units in a four story building that is a maximum of 55 feet in height. The site is accessed via two entrances on Monument Drive; an interior road provides circulation around the building. A proposed parking structure is located central to the development, and the building surrounds the parking garage on three sides. The parking garage and the residential building are approximately the same height; the parking garage is not visible from Monument Drive. The building façade along Monument Drive is entirely residential in character and includes step-backs, which provide architectural interest.

The applicant has provided illustrative architectural drawings (see Sheet 23 of the CDPA/FDPA) to show the general character of the proposed building. In addition, a proffer has been provided which states the applicant will construct the buildings consistent with the character of the architectural style and quality shown on the CDPA/FDPA. Materials will include a mixture of masonry, siding, and glass and the buildings will be consistent in style on all sides of the structure.

*Open Space and Landscaping:* 61 percent of the FPDA site area will remain as open space, which is located on the periphery of the development. A large tree save area is located in the western corner of the property. Additional open space is proposed on the southern and eastern ends of the site. All three of these areas are shown as conservation easements, which will ensure their perpetual protection. No transitional screening or barriers are required for the proposed use. The applicant has provided a detailed landscape plan which includes streetscape plantings for Monument Drive and detailed landscape plantings for the interior courtyard areas.

*On-Site Recreation:* The applicant has provided a number of on-site recreational amenities, including the following: two interior courtyards, a tot lot, trail connections, a clubhouse room, swimming pool with spa, and a fitness room.

*Access and Parking:* The site is accessed via two entrance points on Monument Drive; an interior road provides circulation around the building. Parking is provided through a five-level parking garage, located in the center of the site, as well as surface parking spaces located behind the building. A few surface parking spaces are provided at the western site entrance, closest to the building's main entrance. Four loading spaces are provided; two are located at the garage entrance and two are located at the circular entryway near the main building entrance. The applicant has provided a five foot wide sidewalk along Monument Drive, as well as eight foot wide asphalt trails that connect to the existing trail network in the area.

*Stormwater Management:* Water quality and quantity control is proposed to be met through an underground detention vault located underneath the surface parking spaces at the rear of the site; three filterra units; a bioretention basin located near the eastern access point; and through the use of conservation easements.

## **RESIDENTIAL DEVELOPMENT CRITERIA**

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. For the complete Residential Development Criteria text, see Appendix 17.

**Site Design** (Development Criterion #1)

*This Criterion requires that the development proposal address consolidation goals in the Comprehensive Plan, further the integration of the development with adjacent parcels and not preclude adjacent properties from developing according to the recommendations of the Plan.*

There is no specific consolidation recommended for this property in the Comprehensive Plan, although it is noted that this site is part of a much larger consolidation (the Government Center development, 216.54 acres). The density proposed for this development is consistent with Comprehensive Plan guidelines and previous proffer commitments.

*The development proposal should provide a logical and functional design with appropriate relationships within the development, including appropriately oriented dwelling units and usable yard areas within the individual lots. Convenient access to transit facilities should be provided where available, and all aspects pertaining to utilities shall be identified.*

The proposed layout provides logical, functional, and appropriate relationships between the new use and the adjacent existing uses. Two points of access on Monument Drive allow easy access to structured and surface parking and provide adequate circulation around the site. The proposed building is designed with varying setbacks from Monument Drive, which adds interest to the streetscape. The applicant has provided a bus shelter on the site at the intersection of Monument Drive and Monument Way. All requested trail connections have been provided, and all applicable utility information has been identified on the plan and reviewed by appropriate staff.

*Open space should be usable, accessible and integrated. Appropriate landscaping and amenities should be provided. Approximately 50 percent open space is provided on all of Land Bay C, while 61 percent is provided on the FDPA site. The open space areas located to the sides and rear of the building include RPA, EQC, and conservation easements. The applicant has provided numerous recreational facilities on the site, including two courtyards with seating, a tot lot, a swimming pool, and trails that connect to the larger trail system in the area. Landscaping is shown to be provided along the interior access road and within the courtyards and tot lot areas. Streetscape plantings in conformance with the recommendations of the Comprehensive Plan are provided along Monument Drive.*

**Neighborhood Context** (Development Criterion #2)

*While developments are not expected to be identical with the existing development within which they are to be located, this Criterion states that they should fit into the fabric of the community.* Properties in the surrounding area include multi-family and single family attached residential developments, as well as a mixed-use development. The applicant's proposal to develop this property with 270 dwelling units is in conformance with the Comprehensive Plan recommended density range, and the type of residential development (multi-family) is in harmony with that of the existing surrounding properties.

**Environment** (Development Criterion #3) (Appendix 6)

*This Criterion requires that developments respect the natural environment by conserving natural environmental resources, account for soil and topographic conditions and protect current and future residents from the impacts of noise and light. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts.* The adjacent RPA and EQC areas are being preserved and protected to the extent possible. The majority of the site will remain heavily treed, as the proposed design seeks to minimize tree loss. Through the use of retaining walls and innovative design techniques, the applicant has accounted for topographic conditions and designed the site to have the least amount of impact to the existing topography and vegetated areas. Noise is not an anticipated concern with this development. Stormwater management for this site will be provided through the underground detention vault as well as three filterra units, one stormfilter, and conservation easements.

In order to address concerns about energy conservation, the applicant has proffered to obtain LEED Certification to the Silver level as specified for multi-family development, or seek certification in accordance with the Earthcraft House Program.

**Tree Preservation and Tree Cover Requirements** (Development Criterion #4) (Appendix 7)

*This Criterion states that all developments should be designed to take advantage of existing tree cover and developed appropriately to disturb as little existing tree cover as possible, including the extension of utility improvements to the site.*

As the subject property is in a Water Supply Protection Overlay District, preservation and protection of existing quality vegetation is important for the protection of water quality. The applicant has proposed significant tree save areas, most notably on the eastern and western sides of the proposed building. These areas are shown on the plan and proffered to be protected in a conservation easement, which will provide perpetual protection for these areas, which provide valuable wildlife habitat and water quality benefits. There are open areas shown to the west and south of the entrance turn-around which are outside the access loop but within the limits of clearing and grading. The applicant has proffered to reforest these areas with seedlings, which will drastically reduce the amount of maintained grass on the site. The applicant has also included a proffer which states that the landscape plan will incorporate native species to the greatest extent feasible. In addition, the applicant has proffered to a number of the standard tree preservation activities, including the submission of a tree preservation plan at site plan, adherence to the limits of clearing and grading, tree preservation fencing, and hiring a Project Arborist.

*Criterion 5 requires that development provide safe and adequate access to the surrounding road network, and that transit and pedestrian travel and interconnection of streets should be encouraged. In addition, alternative street designs may be appropriate where conditions merit.* The Comprehensive Plan recommends that the subject properties be developed with office-mixed-use with an overall FAR not to exceed 0.35. The proposed development is located immediately adjacent to Monument Drive, and the applicant will construct a right turn taper from Monument Drive into the site at the westernmost access to the site (across from Monument Way.) The two access points along Monument Drive and the internal road on the site provide adequate vehicular circulation. As part of the streetscape design, a five foot wide sidewalk is provided along the site's Monument Drive frontage. Staff has included a development condition to ensure that additional plantings are provided between the streetscape and the building fronts. The applicant is also providing trail from the site to connect to the existing trail network in the surrounding areas to the south, east and west.

#### **Public Facilities (Development Criterion #6)**

*Criterion 6 states that residential developments should offset their impacts upon public facility systems (i.e. schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). Impacts may be offset by the dedication of land, construction of public facilities, contribution of in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding*

*capital improvement projects.* Specific Public Facilities issues are discussed in detail in Appendices 9-13.

#### **Fairfax County Public Schools (Appendix 9)**

The proposed development would be served by Eagle View Elementary School, Lanier Middle School and Fairfax High School. All three schools are projected to be over capacity for the 2011-2012 school year, with an existing deficit at Eagle View and Lanier. The total number of students generated by this development is anticipated to be 24: 13 elementary, four middle, and seven high school students. The applicant has been requested to provide a contribution of \$225,072 (\$9,378/student) for improvements to Fairfax County schools. The applicant has provided this amount as a lump sum contribution for capital improvements and enhancements at schools that residents of this development will attend.

#### **Fairfax County Park Authority (Appendix 10)**

The proposed development is anticipated to add approximately 540 new residents to the population of the Springfield District; all of the new residents will need access to recreational facilities. The Zoning Ordinance requires that \$1,600 per non-ADU unit be expended on recreational facilities (143 units x \$1,600=\$228,800.) The applicant has provided a proffer which states recreational facilities will be provided on-site at the rate of \$1,600 per non-ADU residential unit.

The funds contributed per unit as required by the Zoning Ordinance do not fully address what is needed in order to provide recreational facilities for the new residents generated by this development. In addition to the per unit funds contributed as part of the P District requirement, the Fairfax County Park Authority (FCPA) has requested a "Fair Share" contribution of \$255,577 to offset the additional impact to area parks and park facilities that this proposed development will have. The applicant has not committed to providing a contribution above the amount required by the Zoning Ordinance.

The Park Authority has also requested that cleared areas outside of the access loop be replanted with trees and shrubs to minimize turf areas and reduce mowing; the applicant has included a development condition to address this, as well as to use native plants. The Park Authority had requested the applicant provide shorter trail connections, as well as six foot wide asphalt trails. The applicant revised the development plan and the proffers to show shorter trail connections and provide eight foot wide asphalt trails.

**Fire and Rescue** (Appendix 11)

The subject property would be serviced by the Fairfax County Fire and Rescue Department Station #440, Fairfax Center. The application property currently meets fire protection guidelines.

**Sanitary Sewer Analysis** (Appendix 12)

The subject property is located within the Accotink Creek (M-9) watershed and would be sewerred into the Noman M. Cole Pollution Control Plant. An existing 18-inch pipeline located on the property is adequate for the proposed use.

**Stormwater Management/Best Management Practices** (Appendix 13)

An RPA study is required, which the applicant has completed and provided the field-verified RPA on the CDPA/FDPA. Any disturbance in the RPA will require a Water Quality Impact Assessment. It should be noted that the filterra and stormfilter units proposed to be used for BMP must be privately maintained. Staff has proposed a development condition requiring private maintenance and execution of a maintenance agreement, subject to the approval of the County Attorney; the applicant has outlined the maintenance responsibilities in the proffers. The entire downstream drainage system needs to be provided for outfall analysis, and the applicant will be required to demonstrate adequate outfall at the time of site plan. If the applicant cannot demonstrate adequate outfall at that time in conformance with the CDPA/FDPA and proffers, a PCA may be required.

**Affordable Housing** (Development Criterion #7)

*This Criterion states that ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of Fairfax County. This Criterion may be satisfied by the construction of units, dedication of land, or by a contribution to the Housing Trust Fund.* The Board of Supervisors policy is for projects which yield more than fifty proposed units to contribute to the Housing Trust Fund for each new dwelling unit. As evidenced in the chart below, 100 percent of the project's units will be operated as affordable and workforce housing in accordance with the County's Affordable Dwelling Unit (ADU) and Workforce Dwelling Unit (WDU) Programs. The County's Affordable Dwelling Unit (ADU) Program produces units that are affordable to households with incomes that are 70 percent or less of the Area Median Income (AMI). Workforce Housing is an initiative of Fairfax County to encourage more affordable housing in the County's high-density Mixed-Use

Centers, including Tysons Corner Urban Center, Transit Station Areas, Suburban Centers, and Community Business Centers. Workforce Housing units are typically smaller in size than market rate units and are targeted to households with incomes above those required by the ADU Program. Although the applicant has not provided an additional monetary contribution, staff believes the spirit of the affordable housing policy is met through the provision of 100 percent of the project units being either WDU or ADU units.

Area Median Income (AMI)	Studio	One - bedroom	Two-bedroom	Three-bedroom	TOTAL	Percent of Units
50% AMI	9	23	19	3	<b>54</b>	20.00%
70% AMI	5	17	12	2	<b>36</b>	13.33%
80% AMI	5	17	12	2	<b>36</b>	13.33%
90% AMI	10	33	25	4	<b>72</b>	26.67%
100% AMI	10	33	25	4	<b>42</b>	26.67%
<b>TOTAL</b>	<b>39</b>	<b>123</b>	<b>93</b>	<b>15</b>	<b>270</b>	<b>100.00%</b>

#### **Heritage Resources (Development Criterion #14)**

*This Criterion requires that developments address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation.* This site was evaluated for impacts to historic and cultural resources as part of the 1986 rezoning case; no cultural resources are impacted as a result of this development proposal.

#### **Fairfax Center Checklist Analysis (Appendix 16)**

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

In Fairfax Center, there are three levels of development; the Overlay Level is the most intense level. In order to justify development at the Overlay Level, this application must satisfy all applicable basic elements; all transportation elements relating to highway improvements (rights-of-way dedication, highway construction, and off-site roadway contributions) and ridesharing programs; all essential elements; and *either* three-fourths of the applicable minor elements and one-half of the applicable major elements, or the inclusion of all applicable minor elements and one-third of the major elements. Based on staff's analysis, the application, as proffered, satisfies 90 percent of the basic elements, 67 percent of the major elements, and 91 percent of the essential elements, and all of the applicable major transportation elements. The applicant is not providing shuttle service, but has proffered to provide other Transportation Demand

Management (TDM) strategies, including ride-sharing and other programs to reduce the number of trips generated from the site. It is also noted that the site will be directly served by public bus service.

## **ZONING ORDINANCE PROVISIONS (Appendix 18)**

### **Conformance with PDC District Regulations**

#### Sect. 6-201: Purpose and Intent

The PDC District was 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 have detrimental effects on neighboring properties if not strictly controlled as to location and design; to ensure high standards in the layout, design, and construction of commercial developments; and to otherwise implement the stated purpose and intent of the Zoning Ordinance.

#### Sect. 6-206: Use Limitations

This section of the Zoning Ordinance sets forth the use limitations for the PDC District. Below is a listing of the use limitations for all developments in the PDC District and a discussion of how the proposed development addresses them:

- *Meet the standards of 16-101 (General Standards) and 16-102 (Design Standards.)* This issue is discussed below under the headings, "Section 16-101, General Standards" and "Section 16-102, Design Standards."
- *Comply with the performance standards of Article 14, relating to lighting and noise.* The proposed development will be required to demonstrate compliance with these standards at the time of site plan approval. No impacts are anticipated with the proposed residential development.
- *Use the standards of Article 8 or 9 to evaluate uses categorized as Special Exception uses.* Any of the uses not established in the proffers and allowed in the District by-right may be permitted with approval of a final development plan amendment, special exception or special permit, as applicable; No such uses are anticipated in association with the proposed residential development.

- *Secondary uses shall only be permitted in a PDC District which contains one or more principal uses.* Land Bay C is currently approved for 999,014 square feet of office space- a primary use in the PDC District. The PCA application proposed to convert 200,000 square feet of unbuilt office use to residential use- a secondary use in the PDC District. This will result in approximately 75% primary use and 25% secondary use in Land Bay C.
- *Secondary uses shall be designed to protect the character of the adjacent properties.* The residential development proposed for this property provides adequate screening and buffering, as well as architecture that is comparable to that of the existing surrounding area.
- *Provide signage in accordance with Article 12.* The proposed development will be required to demonstrate compliance with this standard at the time of site plan approval.
- *Fast food restaurants shall be permitted only if there is no separate entrance into the site for the use and the use is safely and conveniently accessible from surrounding uses via clearly defined pedestrian circulation system.* No fast food restaurants are proposed as part of this application.

#### Sect. 6-207: Lot Size Requirements

Par. 1 of this section requires that no land shall be classified in the PDC District unless the Board finds that that proposed development will either yield a minimum of 100,000 square feet of gross floor area (GFA) or the development will be a logical extension of an existing P District and yield a minimum of 40,000 square feet of gross floor area.

The application property (Land Bay C) currently contains 999,014 square feet of gross floor area. This application will transfer 200,000 square feet to residential use, but will not change the total gross floor area; therefore, this requirement continues to be met.

#### Section 6-208: Bulk Regulations

The bulk regulations require that in the PDC District:

- The building heights and yard requirements be controlled by the provisions of Article 16.

- The maximum floor area ratio (FAR) be 1.5, which may be increased by the Board up to a maximum of 2.5 when the submitted CDP/FDP contain certain criteria.

The building heights and yard requirements, as controlled by Article 16, would require the development to be generally in conformance with the R-20 regulations (discussed below under Design Standards). The maximum proposed FAR for the PCA site is 0.26.

#### Section 6-209: Open Space

The open space regulations require that 15 percent of the gross area in a PDC District be open space.

The CDP/FDP provides 50 percent open space for the PCA area and 61 percent open space for the FDPA area; therefore, this requirement is met.

#### Sect. 16-101: General Standards

Par. 1 requires conformance with the Comprehensive Plan recommendations. The Comprehensive Plan for this site recommends office-mixed-use with an overall FAR not exceeding .35. This site is part of the overall Government Center development. The application property is located in Land Bay C and proposed to reduce the approved office square footage by 200,000 square feet and convert it to residential use; 25 percent of the Land Bay would then consist of residential use. At an overall FAR of 0.26, staff believes that the proposal meets the intent of the plan text for the recommended use and FAR guidelines.

Par. 2 requires that the proposed design achieve the stated purposes of the P-District more than would development under a conventional zoning district. Staff finds the overall design of the proposal to be acceptable and incorporates usable recreational space, cohesive and usable trail connections, and significant landscaping to enhance the views from off-site. The design better achieves the intent of mixed-use development envisioned by the Plan than would be possible with a conventional zoning district.

Par. 3 requires protection and preservation of scenic assets. The RPA/EQC on the site will be protected and preserved through conservation easements, which provide perpetual protection for these areas. The site is bounded by large tree save areas, which will help to preserve the scenic assets of the RPA/EQC, provide wildlife habitat, and provide air and water quality benefits.

Par. 4 requires a design that prevents injury to the use of existing development and does not deter the development of undeveloped properties. Staff does not feel that the proposed development would prohibit further development of any of the adjacent properties in conformance with the Comprehensive Plan recommendations. The applicant has committed to provide a bus shelter along the site's frontage, as well as significant trail connections. Therefore, the proposal meets the standard for compatibility with existing and future development.

Par. 5 requires that adequate transportation and other public facilities are, or will be, available to serve the proposed use. The applicant has provided the transportation improvements as requested by VDOT and Fairfax County DOT, including a bus shelter, turn lane, and TDM Strategies as listed in the proffers.

Par. 6 requires that coordinated linkages among internal facilities and services, as well as connections to major external facilities and services, be provided. The applicant is providing all requested trails and trail connections in the locations preferred by staff. A sidewalk along the site's Monument Drive frontage is provided, and a crosswalk across Monument Drive to Monument Way is provided to allow safe pedestrian crossing to the shopping and restaurants at Fairfax Corner and connects to the main Government Center trail.

#### Sect. 16-102 Design Standards

Par. 1 states that, in order to compliment 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 clearly closely characterizes the particular type of development under consideration. In this instance, the most comparable conventional district is the R-20 District. In staff's evaluation, the design of the streetscape and landscaping, as well as the placement of the building on the site, provides for an appropriate edge to the type of development envisioned by the Plan. Therefore, this standard has been satisfied.

Par. 2 states that the open space, parking, loading, signage and all other similar regulations shall have application in all planned developments. This application includes 61 percent open space for the FDPA area, which is above the requirement of 15 percent for the PDC District. In addition, the Zoning Ordinance requires 432 parking spaces and the proposed development provides 433 spaces. Four loading spaces are required, and four are provided. Staff believes that all Zoning Ordinance provisions are satisfied.

Par. 3 states that streets and driveways shall be designed to generally conform to the provisions of the Zoning Ordinance and should offer convenient access to mass transportation, recreational amenities, landscaped open space, and pedestrian access. The applicant has provided adequate pedestrian access and connections to and from the site (which connect to shopping and dining across the street at Fairfax Corner), has proffered to a bus shelter adjacent to the property, and has provided extensive recreational amenities on-site. Staff believes this provision is satisfied.

**Overlay District Requirement:**

Sect. 7-800: Water Supply Protection Overlay District (WSPOD)

The provisions of the Water Supply Protection Overlay District are designed to provide a means for specific review of development proposals that may have adverse water quality impacts. This district is also designed to encourage land uses and activities that will be compatible with water quality protection, as well as ensure that structures and uses within the district will be developed in a manner that will serve the health, safety, and welfare objectives of preserving the environmental integrity of public water supply reservoirs.

The applicant's supplemental stormwater management information indicates that the water quality control requirements will be met primarily through the use of the the underground detention vault, filterterra units, and conservation easements. The information on the CDP/FDP Plat demonstrates that the application is meeting the phosphorous removal rate for the WSPOD; additional details will be provided at site plan.

**Waiver Request:**

The applicant has requested a waiver of the PFM to allow underground detention to be provided for this residential development. The applicant is proposing an underground stormwater detention system, made of reinforced concrete, to be located under the surface parking on the southern portion of the site. This request (#007656-WPFM-006-1) has been reviewed by DPWES for impacts on public safety and the environment, and the burden of future owners for maintenance (which will, in this case, be handled by the applicant). Staff did not find any adverse impacts associated with the request (See Appendix 13A.) Therefore, staff recommends approval subject to the development conditions found in Appendix 2.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

Staff believes that all the PCA standards have been met. However, staff urges the applicant to contribute the full "Fair Share" amount as requested by the Park Authority in order to offset the additional park needs generated by this development. Although the letter of the affordable housing policy is not met, the applicant's development consists of all affordable units, which staff believes meets the spirit of the policy.

As proposed, staff believes that the FDPA proposal to develop the subject property with 270 multifamily housing units at 0.26 du/ac is in conformance with the recommendations of the Comprehensive Plan. The proposal meets P-District Standards and the Residential Development Criteria as discussed above.

### **Staff Recommendations**

Staff recommends approval of PCA 86-W-001-11, subject to proffers consistent with those set forth in Appendix 1 of the Staff Report.

Staff recommends approval of FDPA 86-W-001-06, subject to the Board's approval of PCA 86-W-001-11 and the development conditions found in Appendix 2.

Staff recommends approval of waiver request # 007656-WPFM-006-1, for location of underground detention facilities in a residential area, subject to the development conditions found in Appendix 2.

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.

The approval of this proffered condition amendment does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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**

1. Draft Proffers
2. Proposed Conditions
3. Affidavits
4. Statement of Justification
5. Proffers and Development Plan for PCA 86-W-001-10
- 5a. History of the Government Center
6. Land Use and Environmental Analysis
7. Urban Forest Management Analysis
8. Transportation Analysis
9. Schools Analysis
10. Park Authority Analysis
11. Fire and Rescue Analysis
12. Sanitary Sewer Analysis
13. Stormwater Management Analysis
- 13a. Underground Detention Waiver Request
14. Department of Housing and Community Development Analysis
15. Office of Community Revitalization and Reinvestment Analysis
16. Fairfax Center Checklist
17. Residential Development Criteria
18. Zoning Ordinance Provisions
19. Glossary of Terms

**DRAFT PROFFERS****JEFFERSON AT FAIRFAX CORNER, LLC****PCA 86-W-001-11****February 8, 2011**

Pursuant to Section 15.2-2303(a), *Code of Virginia*, 1950 as amended and subject to the Board of Supervisors approving a proffered condition amendment and conceptual development plan amendment/final development plan amendment, for property identified as Tax Map 56-1 ((15)) 5B and 14 and hereinafter referred to as the "Application Property", the Applicant and the title owner proffer for themselves, their successors and assigns, the following conditions. All previous proffers or development conditions which apply to the Application Property shall, as applicable, remain in effect as stated in the proffer statements dated July 25, 1988, and approved August 1, 1988, as amended, by the Board of Supervisors. Should there be any inconsistencies between these proffers and prior proffers, these proffers shall replace and supercede those prior proffers or portions thereof to the extent of said inconsistencies.

**1. CONCEPTUAL/FINAL DEVELOPMENT PLAN**

- A. Development of the Application Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP) prepared by Urban, Ltd. consisting of twenty six (26) sheets, dated May, 2010, as revised through February 8, 2011.
- B. Notwithstanding that the CDP/FDP is presented on twenty six (26) sheets, it shall be understood that the proffered portion of the CDP shall be the plan relative to the points of access, the maximum number and type of dwelling units, the amount and location of open space, the general location of the Environmental Quality Corridor (EQC), the location of the limits of clearing and grading, and the general location and arrangement of the building and parking garage. The FDP shall be the plan relative to that portion of the Application Property containing approximately 8.12 acres identified as Tax Map 56-1 ((5)) 14 pt. The Applicant may request an FDPA for elements other than the CDP elements from the Planning Commission for all or a portion of the CDP/FDP in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance with respect to the remaining elements.
- C. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the Final Development Plan (FDP) may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the FDP without requiring approval of an amended FDP provided such changes are in substantial conformance with the FDP as determined by the Zoning Administrator and do not increase the total number of dwelling units, increase building height, increase surface parking, decrease the

amount of open space; decrease the setback from the peripheries; or reduce open space or landscaping.

2. TRANSPORTATION

- A. Subject to the approval of VDOT and FCDOT, the Applicant shall install a bus shelter along the Application Property's Monument Drive frontage in a location as generally shown on the FDP.
- B. Subject to the approval of VDOT and FCDOT, the Applicant shall construct a right turn taper approximately 100 feet in length on Monument Drive at the westernmost access to the Application Property as shown on the FDP.
- C. Advanced density credit shall be reserved as may be permitted by the provisions of Paragraph 5 of Section 2-308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein, or as may be required by Fairfax County or VDOT at time of site plan approval.

3. LANDSCAPING

A landscape plan that shows, at a minimum, landscaping in conformance with the landscape design shown on the FDP shall be submitted in conjunction with the site plan for that land area encompassed by the FDP. Street trees along Monument Drive shall be a minimum of 3 inch caliper at the time of planting. To further soften the appearance of the residential building, foundation plantings and plantings between the building and Monument Drive, in addition to those shown on the FDP, shall be installed in conjunction with those plantings shown on the landscape plan. Plantings shall include trees, shrubs, annuals, perennials, grasses and/or ground cover as coordinated with UFM. The landscape plan shall incorporate the use of native species to the greatest extent feasible, as determined by UFM.

4. TREE PRESERVATION AND LIMITS OF CLEARING

- A. For the purposes of maximizing the preservation of trees in tree save area, the Applicant shall prepare a tree preservation plan for that area subject to the FDP. The Applicant shall contract with a certified arborist (the "Project Arborist") to prepare a tree preservation plan to be submitted as part of the first site plan submittal. The tree preservation plan shall be reviewed and approved by Urban Forest Management, and shall consist of a tree inventory which includes the location, species, size, crown spread and condition rating percent of all trees 10 inches or greater in diameter, measured 4½ feet from the ground, and located within twenty (20) feet of the limits of clearing and grading. The condition analysis shall be prepared using methods outlined in the latest edition of *The Guide for Plant Appraisal*. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be

incorporated into the tree preservation plan. Activities should include, but are not limited to, crown pruning, root pruning, mulching and fertilization.

- B. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing, consisting of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no farther than 10 feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be placed at the limits of clearing and grading as shown on the Phase I and Phase II erosion and sedimentary control sheets in all areas, as may be modified by the "Root Pruning" proffer, below. The tree protection fencing shall be made clearly visible to all construction personnel. The tree protection fencing shall be installed prior to the performance of any clearing, grading, or demolition activities on the site. All tree preservation activities, including installation of tree protection fencing, shall be performed under the supervision of the Project Arborist.
  - C. Clearing, grading and construction shall conform to the limits of clearing and grading as shown on the FDP, except as may be necessary for the installation of necessary utility lines, trails and other required site improvements, all of which shall be installed in the least disruptive manner possible, considering cost and engineering. The Applicant shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting, the Applicant and Project Arborist shall walk the limits of clearing and grading with an Urban Forest Management representative to determine where adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading.
  - D. The areas identified as tree save on the FDP shall be placed within a conservation easement, in a form acceptable to the Fairfax County Attorney, to be recorded at time of site plan approval.
  - E. The areas to the west and south of the entry to Monument Drive that are within the limits of clearing and grading shown on the FDP shall be reforested with three (3) year seedlings in four (4) foot tall protective tubes to minimize turf areas and reduce mowing. The seedlings shall be planted at a density of approximately 400 seedlings per acre. The area of reforestation shall be coordinated with UFM, and the seedlings shall be planted concurrent with installation of landscaping on the Application Property shown on the FDP.
5. STORMWATER MANAGEMENT/BEST MANAGEMENT PRACTICES
- A. The Applicant shall provide underground on-site stormwater management (SWM) and Best Management Practices (BMPs) facilities as shown on the FDP to satisfy detention and water quality requirements in accordance with the requirements of

the Public Facilities Manual, DPWES, and Chapter 118 of the Fairfax County Code, subject to the approval of the Board of Supervisors.

- B. The SWM/BMP facilities shown on the FDP shall be maintained by the Applicant, its successors and assigns, in accordance with the regulations of DPWES. The maintenance responsibilities shall be incorporated in an agreement to be reviewed and approved as to form by the Fairfax County Attorney's Office and recorded among the Fairfax County land records. The maintenance responsibilities for the SWM/BMP facilities shall be disclosed in the homeowners' association documents, if any, established for the residential units. The Applicant shall establish a reserve fund, in an amount as determined by DPWES at time of site plan, for maintenance of the facility and for replacement cost based on the life expectancy of the system.
- C. The Applicant shall incorporate low impact development techniques into the SWM/BMP facilities consisting of two (2) rain gardens and tree box filters as shown on the FDP and approved by DPWES.

#### 6. RECREATION FACILITIES

- A. Pursuant to Paragraph 2 of Section 6-409 of the Zoning Ordinance regarding developed recreation facilities, the Applicant shall provide recreational facilities to serve that portion of the Application Property subject to the FDP. The facilities shall include an outdoor swimming pool, passive seating areas, tot lot, on-site trail, an indoor recreational/leasing facility and a multi-purpose room/conference room that will be a combined minimum of 3,000 gross square feet. The Applicant proffers that the minimum expenditure for the above-referenced recreational facilities shall be \$1,600.00 per residential unit, exclusive of affordable dwelling units. In the event the total cost of recreational improvements constructed on that portion of the Application Property by the Applicant is demonstrated to be less than \$1,600.00 per unit, exclusive of affordable dwelling units, the Applicant shall provide the remainder in a cash contribution to the Fairfax County Park Authority for the development of active recreational facilities in the vicinity of the Application Property.
- B. The multi-purpose/conference room shown on the FDP shall be a minimum of 1,000 gross square feet. Fairfax County, as the Title Owner of the Application Property, shall have a priority right to reserve the multi-purpose room at no cost for public activities and events run or sponsored by the County of Fairfax, Virginia on the following days and times: Monday through Thursday from 8:00 a.m. until 10:00 p.m. and Friday from 8:00 a.m. until 6:00 p.m. The multi-purpose room may be reserved by verbal or written notice to the property manager at least one (1) business day in advance. The Applicant and its residents shall have a priority right to use the multi-purpose room on the following days and times: Friday after 6:00 p.m. and Saturdays, Sundays and holidays when the

Fairfax County Government Center is closed. The Applicant and Fairfax County shall work together to establish reasonable rules and regulations regarding the use and reservation of the multi-purpose room (which shall provide, *inter alia*, that one party may request to use the multi-purpose room for a time during which the other party has a priority right to reserve the multi-purpose room, and in the event that such requesting party gives the other party at least two (2) weeks prior notice and the other party approves (or fails to disapprove) such request within two (2) business days thereafter, such requesting party shall have the right to use the multi-purpose room during the date and time so requested). In the event of a countywide or regional emergency, Fairfax County shall be entitled to use the multi-purpose room as an emergency shelter without prior notice to Tenant. Fairfax County shall be solely responsible for all costs and expenses incurred by its use of the multi-purpose room, including costs and expenses incurred by the Applicant for cleaning and repairing any damages resulting from that use. Anticipated costs and expenses may require the submission of a reasonable deposit at time of reservation.

- C. If necessary to accommodate evening meetings in the multi-purpose room/conference room as described in Proffer 6.B., the Applicant shall coordinate with Fairfax County for the provision of shared parking at the Fairfax County Government Center.

## 7. ARCHITECTURAL DESIGN

- A. The architectural design of the residential building subject to the FDP shall be consistent with the elevations shown on Sheet 22, and shall be generally consistent in style on all sides of the structure. Building materials shall be comprised of masonry, cementitious siding and panels, and glass. The building façade shall include a minimum of 25% brick and 40% cementitious siding and panels that will result in a durable high quality façade that is easily maintained. The elevations may be refined as a result of final design and engineering so long as the character and quality of the building remains in substantial conformance with those shown.
- B. The retaining walls shown on the FDP shall be constructed of stackable retaining wall blocks such as Allan Block, Inter-Block, StoneWall that shall be compatible with the building materials used for the residential buildings.
- C. At time of site plan and building plan approval for the residential building subject to the FDP, the Applicant shall demonstrate compliance with the universal design criteria as set forth in the ICC/ANSI A117.1-2003 and the 1998 Fair Housing Design Manual.

8. SUSTAINABLE DESIGN

In order to promote energy conservation and green building techniques, the Applicant shall select one of the following programs to be implemented in the construction of the residential building shown on the FDP.

- A. Silver LEED Certification as specified for multi-family development; or
- B. Certification in accordance with the Earthcraft House Program as demonstrated through documentation provided to DPWES and DPZ prior to the issuance of a Residential Use Permit.

Selection of certification method shall be within the Applicant's sole discretion at time of site plan submission.

9. PEDESTRIAN FACILITIES

- A. The Applicant shall construct a five (5) foot wide concrete sidewalk along the Application Property's Monument Drive frontage as shown on the FDP.
- B. The Applicant shall construct an eight (8) foot wide asphalt trail through the Application Property as shown on the FDP to facilitate pedestrian connections. The location of the trail may be adjusted at time of construction to save individual existing mature trees.

10. AFFORDABILITY

- A. The Applicant shall rent and administer the residential dwelling units shown on the FDP in accordance with a Lease Agreement executed between the Applicant and the Title Owner, as may be amended. Approximately 47 percent of the residential units as shown on the FDP shall be affordable to households at 50 to 60 percent of the Average Median Income (AMI) of the Washington D.C. Metropolitan Statistical Area. The remaining residential units shall be affordable to households at 80 to 100 percent of AMI.
- B. The number of each residential unit type and its average net rentable square footage shall be approximately:

- 37 Studio units - 575 square feet
- 125 one (1) bedroom units - 725 square feet
- 94 two (2) bedroom units - 933 square feet
- 14 three (3) bedroom units - 1,277 square feet

The minimum bedroom size of any residential unit within the development, exclusive of closet space, shall be 100 square feet, and all two and three bedroom residential units shall contain a minimum of two full baths.

- C. All site plans and building plans submitted for the residential units shown on the FDP shall include a table setting forth the number of units in each bedroom count category and demonstrating compliance with the unit sizes as set forth herein.
- D. The Applicant shall include in its marketing efforts the marketing of residential units shown on the FDP to Fairfax County employees and personnel of the Fairfax Education Association, however, such marketing shall be completed on a non-discriminatory basis in conformance with the Fair Housing Act and all other applicable laws and regulations.

11. SWIMMING POOL DISCHARGE

Swimming pool discharge water shall be routed into the stormwater management system. The discharge process shall follow the guidelines below in order to ensure that pool water is properly neutralized prior to being discharged:

- A. In order to ensure that high levels of chlorine are not discharged into the surface water system, pool water shall not be chlorinated prior to backwashing and/or discharge.
- B. All waste water resulting from the cleaning and draining of the pool shall meet the appropriate level of water quality prior to discharge.
- C. 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, it shall be allowed to stand so that most of the solids settle out prior to being discharged.

12. TRANSPORTATION DEMAND MANAGEMENT STRATEGIES

- A. Transportation demand management (“TDM”) strategies, as detailed below, shall be utilized by the Applicant and/or its successors or assigns to reduce vehicular trips generated by residents of the units as shown on the FDP during peak hours.
- B. Mass transit, ride-sharing, and other transportation strategies shall be utilized to reduce baseline trips generated from the residential units shown on the FDP during peak hours by a minimum of 15%. For purposes of this proffer, the baseline number of trips from which such reductions are measured shall be determined using the trip generation rates data published by the Institute of Transportation Engineers in the Trip Generation Manual, 8<sup>th</sup> Edition and as determined by FCDOT for a total of 270 dwelling units during the highest peak hour period (AM or PM) of the adjacent street, Monument Drive. Residents shall be advised of this transportation strategy.
- C. The following is a list of strategies that shall be instituted by the Applicant prior to the issuance of the first RUP for those improvements identified on the FDP:

- (1) Designate an individual (such as property management staff) to act as the transportation coordinator ("TC"), who shall be responsible to implement the TDM strategies, with on-going coordination with FCDOT. The duties of the TC may be part of other duties assigned to the individual(s). The Applicant shall provide written notice to FCDOT within 10 days of the designation of the TC and thereafter within 10 days of any change in said designation.
  - (2) Market new units to bicyclists, and to one-car or no-car families, provided, however, that such marketing shall be completed on a non-discriminatory basis in conformance with the Fair Housing Act and all other applicable laws and regulations.
  - (3) Disseminate information regarding Metrobus, carpool and/or vanpool, ridesharing, and other relevant transit options in residential leasing packages.
  - (4) Provide Metro maps, schedules, and forms; information on the Fairfax County Ride Share Program; and information on other relevant transit options available to owners/tenants including commuter connections, either in a newsletter to be published on a regular basis and not fewer than four (4) times per calendar year or on a web site. In the event, the Applicant elects to establish a website for the project, then the Applicant shall provide written notice to FCDOT of the website address and the date the site became operational.
  - (5) Provide a business center for use by residents. The business center shall include, at a minimum, access to computer(s), printer(s), a scanner, and high-speed internet.
  - (6) Equip all residential units with internet access.
  - (7) Provide secure bike storage for residents sufficient to store, at a minimum, twenty-seven (27) bicycles. Provide two (2) bicycle racks for visitors either in the visitor parking area or in the vicinity of the main entrance. The design, style and installation of the bike racks and bicycle storage shall be approved by FCDOT.
  - (8) Participate in a larger Traffic Management Area Program should one be established by the County for this area.
- D. Twelve (12) months following issuance of the last RUP, the TC will administer a survey of residents. The survey shall be coordinated with FCDOT and shall include, at a minimum, details regarding the number of times per week the resident commutes, the mode of transportation for community purposes, and his or her work destination to evaluate the effectiveness of the TDM in meeting the TDM goals applicable at that time and to evaluate the need for changes to the

TDM Program. The TC shall submit to FCDOT a report describing the TDM strategic efforts and the effectiveness of the TDM Program in reaching trip reduction goals, including, as applicable, sample marketing materials and expenditures.

- E. If the survey reveals that changes to the TDM Program are needed or advisable, then the TC shall coordinate such changes with FCDOT and, as necessary, adjust the TDM Program as permitted herein and implement the revisions, without penalties. The Applicant shall conduct such surveys annually until it is demonstrated through two consecutive surveys that the TDM goal of a 15% reduction has been achieved, at which time, no additional surveys shall be required.

13. SCHOOL CONTRIBUTION

The Applicant shall contribute the sum of two hundred twenty-five thousand and seventy two dollars (\$225,072.00) to the Fairfax County Board of Supervisors for capital improvements and capacity enhancements at the schools that students generated by the residential development shown on the FDP will attend. Said contribution shall be made at time of site plan approval.

14. CONSTRUCTION

Except as may be specified herein, all transportation, pedestrian and landscaping improvements shall be constructed and/or installed concurrent with the development of the residential development shown on the FDP.

15. SEVERABILITY

If determined appropriate in accordance with Par. 10.D. of Sect. 16-402 of the Zoning Ordinance, any of the land bays/sections/buildings within the Application Property may be subject to proffered condition amendments and final development plan amendments without joinder or consent of the property owners of the other land bays/sections/buildings.

16. SUCCESSORS AND ASSIGNS

These proffers will bind and inure to the benefit of the Applicant and his/her successors and assigns.

17. COUNTERPARTS

These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one in the same instrument.

{A0213656.DOC / 1 Proffers PCA 86-W-001-11- 2-8-11 (cln) 006799 000003}

TITLE OWNER/GROUND LESSOR

FAIRFAX COUNTY BOARD OF SUPERVISORS

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By: Anthony H. Griffin  
Its: County Executive

[SIGNATURES CONTINUED ON NEXT PAGE]

APPLICANT/CONTRACT GROUND LESSEE

JEFFERSON AT FAIRFAX CORNER, LLC  
a Delaware limited liability company

By: East Holding Company LP,  
a Delaware limited partnership  
its Managing Member

By: Heron Pond Realty LLC  
a Delaware limited liability company  
its General Partner

By: \_\_\_\_\_  
James A. Butz  
Its: President

[SIGNATURES END]

## PROPOSED DEVELOPMENT CONDITIONS

FDPA 86-W-001-06  
Jefferson at Fairfax Corner LLC

February 16, 2011

If it is the intent of the Planning Commission to approve Final Development Plan Amendment FDPA 86-W-001-06 to allow a residential development on property located at Tax Map 56-1 ((14)) 14 pt., staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

## 1. Green Building

## A. LEED for Homes

If the applicant selects the LEED for Homes option, prior to approval of the building plan for the building, the applicant will execute a separate agreement and post, for that building, a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$384,000.00. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of Silver certification, by the U.S. Green Building Council, under the most current version of the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design for Homes (LEED® for Homes) rating system. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that each building has attained LEED Silver certification will be sufficient to satisfy this commitment. If the applicant fails to provide documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification within one year of issuance of the final RUP for the building, the escrow will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the applicant provides to the Environment and Development Review Branch of DPZ, within one year of issuance of the final RUP for the building, documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the U.S. Green Building Council to fall within three points of attainment of LEED Silver certification, 50% of the escrow will be released to the applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the applicant fails to provide, within one year of issuance of the final RUP for the building, documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification or demonstrating that the building has fallen short of certification by three points or less, the entirety of the escrow for that building will be released to Fairfax

County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environment and Development Review Branch of DPZ, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the proffered time frame shall be extended until such time as evidence is obtained, and no release of escrowed funds shall be made to the Applicant or to the County during the extension.

B. LEED-AP

The applicant will include a LEED<sup>®</sup>-accredited professional as a member of the design team. This professional will also be a professional engineer or licensed architect. The LEED-accredited professional will work with the team to incorporate sustainable design elements and innovative technologies into the project with a goal of having the project attain LEED Silver certification. At the time of site plan submission, the applicant will provide documentation to the Environment and Development Review Branch of DPZ demonstrating compliance with the commitment to engage such a professional.

C. Checklist

The applicant will include, as part of the site plan/subdivision plan submission and building plan submission, a list of specific credits within the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design for Homes (LEED<sup>®</sup> for Homes) rating system that the applicant anticipates attaining. A professional engineer or licensed architect will provide certification statements at the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED Silver certification of the project.

D. Green Building Manual

Prior to approval of the final RUP, the applicant will provide to the Environment and Development Review Branch of DPZ a letter from a LEED<sup>®</sup>-accredited professional certifying that a green building maintenance reference manual has been prepared for use by future tenants, that this manual has been written by a LEED-accredited professional, that copies of this manual will be provided to all future building tenants and that this manual, at a minimum:

- provides a narrative description of each green building component, including a description of the environmental benefits of that component and including information regarding the importance of maintenance and operation in retaining the attributes of a green building;
- provides, where applicable, product manufacturer's manuals or other instructions regarding operations and maintenance needs for each green building component, including operational practices that can enhance energy and water conservation;

- provides, as applicable, either or both of the following: (1) a maintenance staff notification process for improperly functioning equipment; or (2) a list of local service providers that offer regularly scheduled service and maintenance contracts to assure proper performance of green building-related equipment and the structure, to include, where applicable, the HVAC system, water heating equipment, water conservation features, sealants, and caulks; and
- provides contact information that building occupants can use to obtain further guidance on each green building component.

Prior to approval of the final RUP, the applicant will provide an electronic copy of the manual in pdf format to the Environment and Development Review Branch of the Department of Planning and Zoning.

#### E. LEED Online

Prior to site plan approval, the applicant will designate the Chief of the Environment and Development Review Branch of the Department of Planning and Zoning as a team member in the USGBC's LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

2. Activity on the property shall be in conformance with the Development Conditions associated with the Underground Detention Waiver #007656-WPFM-006-1, as outlined in Attachment A.

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

**Waiver #007656-WPFM-006-1 Conditions**

Residences at the Government Center  
PCA 86-W-001-11  
February 1, 2011

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

The private maintenance agreement shall address:

- County inspection and all other issues as may be necessary to insure that the applicant maintains the facilities in good working condition acceptable to the County to control stormwater generated from the development of the Residences at the Government Center site.
- A condition that the applicant, their successors, or assigns shall not petition the County to take future maintenance or replace the underground facilities.
- Establishment of a reserve fund, for future replacement of the underground facilities.
- Establishment of procedures to follow to facilitate inspection by the County, i.e. advance notice procedure, whom to contact, who has the access keys, etc.
- A condition that the applicant provide and continuously maintain, liability insurance. The typical liability insurance amount is at least \$1,000,000, against claims associated with underground facilities.
- A statement that Fairfax County shall be held harmless from any liability associated with the facilities.

7. Operation, inspection, and maintenance procedures associated with the underground facilities shall be incorporated in the site construction plan, private maintenance agreement, and documents, which insure safe operation, inspection, and maintenance of the facilities.
8. Prior to final construction plan approval, the developer shall escrow sufficient funds which will cover a 20-year maintenance cycle of the underground facilities. These monies shall not be made available to the management company until after final bond release.
9. The applicant and its successors and assigns shall disclose, as part of the chain of title, to all future property owners, the presence of the underground stormwater facilities and the responsibility for operation, inspection, maintenance and replacement of such facilities, by including the following language within the documents:

“The applicant and its successors and assigns are responsible for the operation, inspection, maintenance, and replacement of the underground stormwater facilities as set forth in the documents and a private maintenance agreement entered into with the County.”

**REZONING AFFIDAVIT**

DATE: January 12, 2011  
(enter date affidavit is notarized)

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

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

1099SO a

in Application No.(s): PCA 86-W-001-11  
(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 must 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(s) in the Relationship column.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Jefferson at Fairfax Corner LLC Agents: Malcolm H. Van de Riet II James A. Butz Gregory G. Lamb	8300 Greensboro Drive, Suite 400 McLean, VA 22102	Applicant/Contract Ground Lessee of Tax Map 56-1 ((15)) 5B, 14
Fairfax County Board of Supervisors Agent: Anthony H. Griffin	12000 Government Center Parkway Fairfax, VA 22035	Title Owner/Ground Lessor of Tax Map 56-1 ((15)) 5B, 14
Fairfax County Department of Housing and Community Development Agents: Paula C. Sampson, Director John L. Payne, Deputy Director, Real Estate and Development	3700 Pender Drive Fairfax, VA 22030	Agent for Title Owner/Ground Lessor

(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.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.  
\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

**Rezoning Attachment to Par. 1(a)**

DATE: January 12, 2011  
 (enter date affidavit is notarized)

109950a

for Application No. (s): PCA 86-W-001-11  
 (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(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Urban Engineering & Associates, Inc. t/a Urban Ltd.  Agent: Clayton C. Tock	7712 Little River Turnpike Annandale, Virginia 22003	Engineers/Agent
Heffner Architects PC  Agent: James C. Heffner III Shawn C. Glerum Mandana (nmi) Moayeri	604 Montgomery Street Alexandria, VA 22314	Architect/Agent
The Traffic Group, Inc.  Agents: Joseph J. Caloggero Carl R. Wilson, Jr.	9900 Franklin Square Drive, Suite H Baltimore, Maryland 21236	Traffic Consultant/Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. W. Bowyer Megan C. Rappolt f/k/a Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

(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.

REZONING AFFIDAVIT

DATE: January 12, 2011
(enter date affidavit is notarized)

109950a

for Application No. (s): PCA 86-W-001-11
(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, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Jefferson at Fairfax Corner LLC
8300 Greensboro Drive, Suite 400
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- [x] 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 SHAREHOLDERS: (enter first name, middle initial, and last name)
East Holding Company LP, Sole Member

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

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

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, 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 stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. 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.

**Rezoning Attachment to Par. 1(b)**

DATE: January 12, 2011  
(enter date affidavit is notarized)

104950 a

for Application No. (s): PCA 86-W-001-11  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Urban Engineering & Associates, Inc. t/a Urban Ltd.  
7712 Little River Turnpike  
Annandale, Virginia 22003

**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 SHAREHOLDER:** (enter first name, middle initial, and last name)

Barry B. Smith  
J. Edgar Sears, Jr.  
Brian A. Sears

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

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

Heffner Architects PC  
604 Montgomery Street  
Alexandria, VA 22314

**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, and last name)

James C. Heffner III

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and 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 Attachment to Par. 1(b)**

DATE: January 12, 2011  
(enter date affidavit is notarized)

109950a

for Application No. (s): PCA 86-W-001-11  
(enter County-assigned application number (s))

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

The Traffic Group, Inc.  
9900 Franklin Square Drive, Suite H  
Baltimore, Maryland 21236

**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 SHAREHOLDER:** (enter first name, middle initial, and last name)

John W. Guckert, Mickey A. Cornelius, Donald W. Hayes, Lisa M. Kielian, Anthony R. Guckert, Shulin Li, Joseph J. Caloggero, Nancy F. Krupp

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

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

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  
2200 Clarendon Boulevard, 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, and last name)

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and 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 Attachment to Par. 1(b)**

DATE: January 12, 2011  
(enter date affidavit is notarized)

109950a

for Application No. (s): PCA 86-W-001-11  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Heron Pond Realty LLC  
8300 Greensboro Drive, Suite 400  
McLean, VA 22102

**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 SHAREHOLDER:** (enter first name, middle initial, and last name)  
James A. Butz, Sole Member

=====

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

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and 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, and last name)

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and 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: January 12, 2011  
(enter date affidavit is notarized)

109950a

for Application No. (s): PCA 86-W-001-11  
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state and zip code)

East Holding Company LP  
8300 Greensboro Drive, Suite 400  
McLean, VA 22102

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

Heron Pond Realty LLC, General Partner

Limited Partners:

James A. Butz  
Gregory G. Lamb  
The Heron Pond 2007 Revocable Trust f/b/o Cynthia T. Butz, James D. Butz, David T. Butz, Julie A. Butz

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

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, 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 stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* 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.

REZONING AFFIDAVIT

DATE: January 12, 2011  
(enter date affidavit is notarized)

109950a

for Application No. (s): PCA 86-W-001-11  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Supervisors, 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 the 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.

REZONING AFFIDAVIT

DATE: January 12, 2011  
(enter date affidavit is notarized)

109950a

for Application No. (s): PCA 86-W-001-11  
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, 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 more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(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, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, 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:

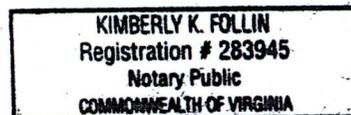
(check one) [ ] Applicant *Lynne J. Strobel* [x] Applicant's Authorized Agent

Lynne J. Strobel, attorney/agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 12 day of January 2011, in the State/Comm. of Virginia, County/City of Arlington.

*Kimberly K. Follin*  
Notary Public

My commission expires: 11/30/2011



# REZONING AFFIDAVIT

DATE: January 12, 2011  
(enter date affidavit is notarized)

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

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

10995/a

in Application No.(s): FDPA 86-W-001-06  
(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 must 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(s) in the Relationship column.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Jefferson at Fairfax Corner LLC Agents: Malcolm H. Van de Riet II James A. Butz Gregory G. Lamb	8300 Greensboro Drive, Suite 400 McLean, VA 22102	Applicant/Contract Ground Lessee of Tax Map 56-1 ((15)) 14 pt.
Fairfax County Board of Supervisors Agent: Anthony H. Griffin	12000 Government Center Parkway Fairfax, VA 22035	Title Owner/Ground Lessor of Tax Map 56-1 ((15)) 14 pt.
Fairfax County Department of Housing and Community Development Agents: Paula C. Sampson, Director John L. Payne, Deputy Director, Real Estate and Development	3700 Pender Drive Fairfax, VA 22030	Agent for Title Owner/Ground Lessor

(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.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

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

**Rezoning Attachment to Par. 1(a)**

DATE: January 12, 2011  
 (enter date affidavit is notarized)

109951a

for Application No. (s): FDPA 86-W-001-06  
 (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(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Urban Engineering & Associates, Inc. t/a Urban Ltd.  Agent: Clayton C. Tock	7712 Little River Turnpike Annandale, Virginia 22003	Engineers/Agent
Heffner Architects PC  Agent: James C. Heffner III Shawn C. Glerum Mandana (nmi) Moayeri	604 Montgomery Street Alexandria, VA 22314	Architect/Agent
The Traffic Group, Inc.  Agents: Joseph J. Caloggero Carl R. Wilson, Jr.	9900 Franklin Square Drive, Suite H Baltimore, Maryland 21236	Traffic Consultant/Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Eyan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. W. Bowyer Megan C. Rappolt f/k/a Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

(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.

REZONING AFFIDAVIT

DATE: January 12, 2011  
(enter date affidavit is notarized)

109951a

for Application No. (s): FDPA 86-W-001-06  
(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, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)**

CORPORATION INFORMATION

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Jefferson at Fairfax Corner LLC  
8300 Greensboro Drive, Suite 400  
McLean, VA 22102

**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 SHAREHOLDERS:** (enter first name, middle initial, and last name)  
East Holding Company LP, Sole Member

**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 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, 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 stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* 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.

**Rezoning Attachment to Par. 1(b)**

DATE: January 12, 2011  
(enter date affidavit is notarized)

109951a

for Application No. (s): FDPA 86-W-001-06  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Urban Engineering & Associates, Inc. t/a Urban Ltd.  
7712 Little River Turnpike  
Annandale, Virginia 22003

**DESCRIPTION OF CORPORATION:** (check one statement)

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- 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 SHAREHOLDER:** (enter first name, middle initial, and last name)

Barry B. Smith  
J. Edgar Sears, Jr.  
Brian A. Sears

=====

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

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Heffner Architects PC  
604 Montgomery Street  
Alexandria, VA 22314

**DESCRIPTION OF CORPORATION:** (check one statement)

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- 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, and last name)

James C. Heffner III

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and 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 Attachment to Par. 1(b)**

DATE: January 12, 2011  
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for Application No. (s): FDPA 86-W-001-06  
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**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

The Traffic Group, Inc.  
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**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

John W. Guckert, Mickey A. Cornelius, Donald W. Hayes, Lisa M. Kielian, Anthony R. Guckert, Shulin Li, Joseph J. Caloggero, Nancy F. Krupp

=====

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

=====

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

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  
2200 Clarendon Boulevard, 13th Floor  
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**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and 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 Attachment to Par. 1(b)**

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10995/a

for Application No. (s): FDPA 86-W-001-06  
(enter County-assigned application number (s))

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

Heron Pond Realty LLC  
8300 Greensboro Drive, Suite 400  
McLean, VA 22102

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**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

James A. Butz, Sole Member

=====

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

James A. Butz, President

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and 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, and last name)

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and 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: January 12, 2011  
(enter date affidavit is notarized)

109951a

for Application No. (s): FDPA 86-W-001-06  
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state and zip code)

East Holding Company LP  
8300 Greensboro Drive, Suite 400  
McLean, VA 22102

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

Heron Pond Realty LLC, General Partner

Limited Partners:

James A. Butz  
Gregory G. Lamb  
The Heron Pond 2007 Revocable Trust f/b/o Cynthia T. Butz, James D. Butz, David T. Butz, Julie A. Butz

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

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, 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 stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* 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.

REZONING AFFIDAVIT

DATE: January 12, 2011  
(enter date affidavit is notarized)

109951a

for Application No. (s): FDPA 86-W-001-06  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Supervisors, 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 the 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.

REZONING AFFIDAVIT

DATE: January 12, 2011  
(enter date affidavit is notarized)

109951a

for Application No. (s): FDPA 86-W-001-06  
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, 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 more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(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, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, 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:

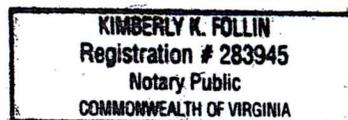
(check one) [ ] Applicant *Lynne J. Strobel* [x] Applicant's Authorized Agent

Lynne J. Strobel, attorney/agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 12 day of January 2011, in the State/Comm. of Virginia, County/City of Arlington.

*Kimberly K. Follin*  
Notary Public

My commission expires: 11/30/2011





**WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC**

Elizabeth D. Baker  
Land Use Coordinator  
(703) 528-4700 Ext. 5414  
ebaker@arl.thelandlawyers.com

August 18, 2010

RECEIVED  
Department of Planning & Zoning

AUG 18 2010

Zoning Evaluation Division

Regina C. Coyle  
Director, Zoning Evaluation Division  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: Applications for Proffered Condition Amendment and Final Development Plan Amendment  
Jefferson at Fairfax Corner LLC (the "Applicant")  
Tax Map 56-1 ((15)) 5B, 14 (the "PCA Property") and Tax Map 56-1 ((15)) pt. 14  
(the "FDPA Property")

Dear Ms. Coyle:

This letter serves as a statement of justification for two related applications affecting portions of the Fairfax Government Center property in the Springfield District of Fairfax County. One application seeks a proffered condition amendment on 90.388 acres and the other requests a final development plan amendment on a 8.12 acre portion of the site. The PCA Property is often referred to as Land Bay C of the Fairfax Government Center and is zoned to the PDC, Planned Development Commercial District. The Government Center was rezoned via RZ 86-W-001 in 1986 and has been the subject of numerous amendments. Land Bay C is currently approved for 999,014 square feet of office use. A total of 674,943 square feet of office space has been constructed.

The PCA Property is owned by Fairfax County. The County recently issued a request for proposals to develop an 8.12 acre portion of the Government Center property with affordable housing. The Applicant, Jefferson at Fairfax Corner LLC was selected as the developer. The Applicant seeks a Proffered Condition Amendment, Conceptual Development Plan Amendment and a Final Development Plan Amendment in order to revise the development program for Land Bay C to allow both office and residential uses.

Land Bay C is located south of Monument Drive and primarily north of Government Center Parkway. A small portion of Land Bay C lies in a narrow strip on the south side of Government Center Parkway. The Government Center building and associated parking are oriented to Government Center Parkway. The proposed area for the new residential development is in the northern portion of Land Bay C and will be oriented to Monument Drive. An

PHONE 703 528 4700 ■ FAX 703 525 3197 ■ WWW.THELANDLAWYERS.COM  
COURTHOUSE PLAZA ■ 2200 CLARENDON BLVD., THIRTEENTH FLOOR ■ ARLINGTON, VA 22201-3359

{A0200561.DOC / 1 Justification letter 2,006,799,000003} LUBDOR OFFICE 703 737 3633 ■ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

environmental quality corridor separates the existing government office from the proposed residential component.

The Applicant proposes a development of 270 residential units in a four story building with cellar. Two points of access would be provided from Monument Drive; one full movement intersection across from Monument Way and a second right in/right out access to the east. A small area of convenience parking is to be located near the primary site entrance; the majority of parking is located to the rear of the building in a five level parking garage and additional surface parking. Loading is accommodated in two spaces near the front door and two spaces near the garage exit lane. The residential building is designed with two protected exterior courtyards; one with a swimming pool, and both with attractive landscaping, walkways and seating. Amenities in the interior of the building include a fitness center, clubroom with billiards, multi-purpose/conference room, a business center, and coffee bar.

All units in the building are proposed as affordable units. It is anticipated that 47 percent of the units will be affordable to households at 50 to 60 percent of the Average Median Income (AMI). The other 53 percent will be affordable to households with incomes at 80 to 100 percent of AMI. Such units will serve the housing needs of Fairfax County government employees as well as others. Tax credit financing will be utilized to fund the construction.

The building will be designed with numerous green building elements such as high efficiency heating and air conditioning units, high efficiency appliances, low emission paints, and the use of recycled materials in carpets and other building elements. The intent is to be certified under the new LEED for Homes pilot program.

Extensive open space and landscaping is proposed for the development along with streetscape sections and details as specified in the Fairfax Center Area section of the Comprehensive Plan. Much of the site will remain wooded and the adjacent Environmental Quality Corridor will be preserved. Trails, walking paths and sidewalks will link the new building with nearby government offices and the Fairfax Corner mixed-use project. A children's play area will be located east of the building and an outdoor seating area under a trellis will be located west of the building. The proposal offers more than 60 percent open space for the residential site and 50 percent for the larger Land Bay C.

The proposed stormwater management system for the site consists of one (1) proposed underground SWM vault, made of 72" corrugated metal pipe. The proposed vault will be privately maintained. The vault has been located at the south side of the residential site, and discharges into an existing pond located to the southeast. The total 10 year discharge from the proposed vault will be less than the allowable release rate of 3.94 CFS. Best Management Practices is provided on site by the use of three (3) privately maintained filter-ras and one (1) privately maintained stormfilter. Within the residential site, an acre of conservation easements are proposed.

To accommodate the residential development, the application proposes to reduce the approved office GFA for Land Bay C from 999,014 to 799,014 square feet, a reduction of

200,000 square feet. This will leave 124,071 square feet of unbuilt office space in Land Bay C. The 200,000 square feet will be converted to residential use. Due to the commitment to provide all units as affordable units, the development is entitled to a 20 percent bonus (or 40,000 square feet). Thus, a total of 240,000 GFA of residential use is proposed. An additional 15,000 square feet, which is not included in GFA, is provided in the cellar.

The PCA Property and FDPA Property are located within the Fairfax Center Area of the Area III Comprehensive Plan, specifically within Sub-unit P-1. The Comprehensive Plan text for Sub-unit P-1 recommends office and mixed uses with an overall FAR not to exceed 0.35. The proposed development is in conformance with the Plan recommendations and results in a mixed-use development in Land Bay C with an overall FAR of 0.26, including bonus density associated with affordable housing. A review of the residential development criteria is enclosed.

To the best of our knowledge, there are no known hazardous or toxic materials on the PCA Property nor are there any planned with the proposed use. Furthermore, to the best of our knowledge and belief, the proposed use will be in conformance with all applicable ordinances, regulations and adopted standards with the following exception:

*The Applicant hereby requests a waiver pursuant to Section 6-0303.8 of the Public Facilities Manual to allow on-site stormwater management requirements to be met with underground detention facilities in a residential development.*

This proposal adds an attractive residential component to Land Bay C and offers housing to households at and below the average median income. The design is sensitive to its wooded environment and will include a number of green building practices. Close to employment centers and shopping and dining opportunities, it is an ideal location for a new residential community.

Thank you very much for your attention to this matter. Should you require any additional information, please call me.

Very truly yours,

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



Elizabeth D. Baker  
Land Use Coordinator

Enclosure

**Residential Development Criteria Analysis**  
**Jefferson at Fairfax Corner LLC**  
**August 18, 2010**

Residential Development Criteria have been adopted in order to evaluate zoning requests for new residential development. This document is a summary of the Jefferson at Fairfax Corner LLC's development proposal as it relates to these criteria.

- I. **Site Design**—All rezoning applications are to be characterized by high-quality site design. The Applicant believes that their proposal provides high-quality site design as follows:
  - A. Consolidation—There is no specific consolidation recommended in the Comprehensive Plan, but this application includes more than 90 acres and represents just one of four land bays in the larger Government Center development.
  - B. Layout—The proposed layout provides logical, functional, and appropriate relationships between the new use and adjacent existing and planned uses. Two points of access on Monument Drive allow easy access to structured parking and convenient surface parking spaces. The new building is situated close to the street and creates a comfortable streetscape and also allows for substantial open space to the sides and rear of the building.
  - C. Open Space—Large wooded areas are located to the sides and rear of the building for the use of the residents and for the visual benefit of the larger community. Features in the open space include a children's play area, trellised seating area and walking trails. The trails will connect the residential site to nearby government offices and retail shops and restaurants, and will be used by residents, employees and visitors to the area. Sixty-one percent (61%) open space is provided on the residential site while fifty percent (50%) open space is provided on all of Land Bay C.
  - D. Landscaping—While the majority of the site will remain in its natural wooded state, ample landscaping is provided in open space areas adjacent to the building, along the drive aisles, and in the private courtyards. Streetscape plantings in conformance with the recommendations in the Comprehensive Plan are provided along Monument Drive. A detailed landscaped plan has been provided.
  - E. Amenities—The on site amenities for the residents include a swimming pool, two outdoor landscaped courtyards, interior fitness center, clubroom, business center, multi-purpose/conference room, coffee bar, and children's play area. The development includes a variety of landscaped open space areas which serve as places for meeting, gathering and passive recreation.

- II. **Neighborhood Context**—New developments are to fit into the fabric of their adjacent neighborhoods. The proposed building addresses the public street yet maintains an overall suburban feel. The preservation of trees and RPA mirrors the development style of adjacent communities.
- III. **Environment**—Rezoning proposals should be consistent with the policies and objectives of the environmental element of the Plan.
  - A. **Preservation**—The adjacent EQC and RPA areas are being preserved and protected. Much of the site remains heavily treed; the proposed design seeks to minimize tree loss.
  - B. **Slopes and Soils**—Soil studies have been performed, and have been shown to be adequate for residential development.
  - C. **Water Quality**—Best Management Practices for stormwater management will be provided in the three privately maintained filterstrips and one privately maintained stormfilter. One acre of conservation easements is also proposed.
  - D. **Stormwater Management**—Detention will be provided in an underground vault made of 72 inch corrugated metal pipe. The vault will discharge into an existing pond located southeast of the residential building. The total 10 year discharge from the vault will be less than the allowable release rate.
  - E. **Noise**—Noise is not anticipated to be an issue at this location.
  - F. **Lighting**—All lighting on the site will be shielded and directed downward in order to minimize neighborhood glare and impacts to the night sky. Proffers will commit the Applicant to meet the County's adopted lighting and glare regulations.
  - G. **Energy/Green Building Practice**—The dwelling units will be constructed with high efficiency appliances and mechanical systems. Low emission paints and recycled carpeting are also planned. The Applicant intends to construct the building in keeping with the LEED for Homes pilot program.
- IV. **Tree Preservation and Tree Cover Requirements**—The site is currently wooded. Considerable care has been taken to preserve the existing trees while accommodating the new structure. More than 60 percent (60%) of the site has been left in open space. Tree cover meeting or exceeding Ordinance requirements will be provided.
- V. **Transportation**—All rezoning applications are to implement measures to address planned transportation improvements. The inclusion of residential into this location will develop a true live, work and play environment, reducing potential commuting trips as

residents may work in nearby offices. A Transportation Impact Analysis has been prepared and submitted to the County.

- VI. **Public Facilities**—It is anticipated that residential development impacts to the Public Facility System will occur. These include impacts on the public schools and public parks. The Applicant will be proffering a contribution to the Board of Supervisors for impacted public facilities.
- VII. **Affordable Housing**— All units in the development are proposed as affordable units. The site offers a rare opportunity to create affordable housing in close proximity to government offices making it suitable to serve the needs of County employees as well as others in Fairfax County.
- VIII. **Heritage Resources**—There are no significant cultural, architectural, economic, social, political, or historic heritage sites or structures located on the property.
- IV. **Density**— The Comprehensive Plan does not recommend a residential density in terms of dwelling units per acre, but instead sets forth a range of floor area ratios. The Application Property is located in Sub-unit P-1 of the Fairfax Center Suburban Area. The maximum FAR in Sub-unit P-1 is .35, exclusive of affordable housing bonuses. Utilizing bonuses applicable to affordable housing allows for a 20 percent increase. The proposal results in a FAR on the residential site of 0.56 without bonuses and 0.067 with bonuses. The FAR on the entirety of Land Bay C is 0.25 without bonuses and 0.26 with bonuses.



# FAIRFAX COUNTY

OFFICE OF THE CLERK  
BOARD OF SUPERVISORS  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

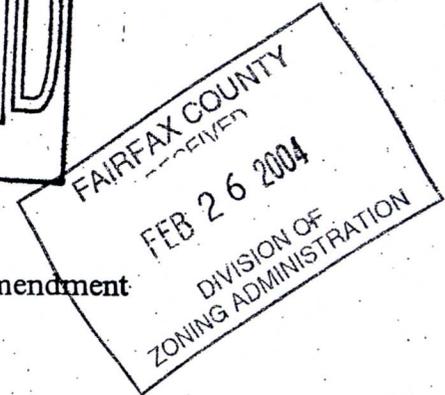
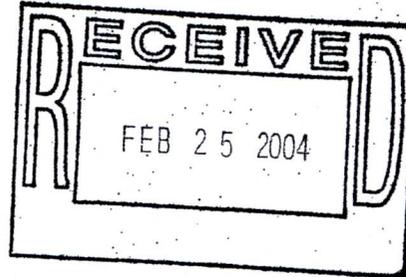
V I R G I N I A

[www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm](http://www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm)

Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)

February 11, 2004

Francis A. McDermott, Esquire  
Hunton and Williams  
1751 Pinnacle Drive, Suite 1700  
McLean, Virginia 22102



RE: Proffered Condition Amendment/Final Development Plan Amendment  
Number PCA 86-W-001-10/FDPA 86-W-001-5-2-2  
(Concurrent with PCA 86-P-089-6/FDPA 86-P-089-3 and  
PCA 82-P-069-13/FDPA 82-P-069-14-3)

Dear Mr. McDermott:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 26, 2004, approving Proffered Condition Amendment PCA 86-W-001-10 in the name of The Peterson Companies L. C., to amend the proffers and final development plan for RZ 86-W-001 previously approved for mixed use development (office and retail) to permit mixed use development (residential and retail) with an overall Floor Area Ratio (FAR) of 0.48 including bonus density for the provision of Affordable Dwelling Units (ADUs) located in the southwest quadrant of the intersection of Fair Lakes Parkway and West Ox Road, north of Interstate 66, Tax Map 55-2 ((1)) 15 pt., subject to the proffers dated January 23, 2004, consisting of approximately 30.79 acres located in Springfield District.

(NOTE: The Board waived the seven-day rule applicable to amendments on affidavits for these land use cases in order to allow the Board to proceed with the public hearing and decision on these cases today.)

The Board also approved Final Development Plan Amendment Application FDPA 86-W-001-5-2-2, subject to the final development plan amendment conditions dated January 22, 2003, except for the deletion of number 11.

In addition the Board:

- Modified the PDC District standards for the percentage of residential uses to permit 42 percent of the entire Government Center development as residential uses.

- Modified the transitional screening and waived the barrier requirements along the southern boundary in accordance with landscaping depicted on the CDPA/FDPA.
- Waived the 200 foot setback for residential buildings from Interstate 66 to permit the residential units a minimum of 52 feet from the right-of-way as depicted on the CDPA/FDPA.
- Waived the 75 foot setback for commercial buildings from Interstate 66 to permit the commercial buildings a minimum of 28 feet from the right-of-way as depicted on the CDPA/FDPA.
- Approved a variance of the maximum fence height to permit a noise wall with a maximum height of 48 feet along Interstate 66 and West Ox Road.
- Modified the loading space requirements for the multi-family dwelling units on the western portion of the site to permit a total of two spaces, and waived the loading space requirement for the stacked multi-family units on the eastern portion of the site.

The Peterson Companies L.C. requested an exception to the criteria and requirements of the Chesapeake Bay Preservation Ordinance under Section 118-6-9 General Resource Protection Area Encroachment Exception to permit encroachment into the Resource Protection Area for the uses depicted on FDPA 86-P-089-3, FDPA 86-W-001-05-02-02 and FDPA 82-P-069-14-3, and the Board has made the following findings of fact:

- The requested exception to the criteria is the minimum necessary to afford relief.
- Granting the exception will not confer upon the applicant any special privileges that are denied by this part to other property owners who are subject to its provisions and who are similarly situated.
- The exception is in harmony with the purpose and intent of the Chesapeake Bay Preservation Ordinance and is not of substantial detriment to water quality.
- The exception request is not based upon conditions or circumstances that are self-created or self-imposed.

PCA 86-W-001-10/FDPA 86-W-001-5-2-2  
February 11, 2004

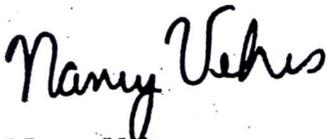
3 -

- Reasonable and appropriate conditions are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality.
- The water quality benefits resulting from the proposed facility or improvement exceed the associated water quality detriments.

Furthermore, while the construction of trails and public utilities depicted on the aforementioned FDPs are permitted or exempt uses in Resource Protection Areas and did not require an exception, the applicant addressed all the proposed encroachments as part of the Water Quality Impact Assessment and the exception request. Approval of the exception request will automatically permit all the proposed encroachments in the Resource Protection Area and eliminate the need for separate determinations that such activities are permitted.

Therefore, the Board of Supervisors approved Exception Request # 026133 under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance to permit the encroachments into the Resource Protection Area depicted on FDPA 86-P-089-3, FDPA 86-W-001-5-2-2, and FDPA 82-P-069-14-3 subject to PCA 86-P-089-6 PCA 86-W-001-10, and PCA 82-P-069-13. This approval shall be valid for as long as the FDPAs and PCAs remain valid. Additional proffered condition amendments and amendments to the approved final development plans may be approved as long as the amendment does not aggravate conflicts with the provisions of the Ordinance.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors  
NV/ns

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 26th day of January, 2004, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN  
AMENDMENT PCA 86-W-001-10/FDPA 86-W-001-5-2-2  
(CONCURRENT WITH PCA 86-P-089-6/FDPA 86-P-089-3 AND  
PCA 82-P-069-13/FDPA 82-P-069-14-3)**

WHEREAS, The Peterson Companies L. C. filed in the proper form an application to amend the proffers for RZ 86-W-001 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Springfield District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 26th day of January, 2004.



Nancy Vears

Clerk to the Board of Supervisors

**PROFFERS**  
**PCA 86-W-001-10**  
**PCA 86-P-089-6**

**August 25, 2003**  
**October 10, 2003**  
**October 21, 2003**  
**November 10, 2003**  
**December 1, 2003**  
**December 15, 2003**  
**December 31, 2003**  
**January 12, 2004**  
**January 14, 2004**  
**January 23, 2004**

Pursuant to Section 15-2.2303A of the Code of Virginia, 1950 edition, as amended, and subject to the Board of Supervisors approval of the Proffered Condition Amendment and Conceptual Development Plan/Final Development Plan Amendment, the Applicant/Owners, their successors or assigns, herein after referred to as "the Applicant" proffers the following. All previous proffers or development conditions which apply to the application property shall, as applicable, remain in effect as stated in the proffer statements dated July 25, 1988, and approved August 1, 1988 by the Board of Supervisors. Should there be any inconsistencies between these proffers and prior proffers, these proffers shall replace and supercede those prior proffers or portions thereof to the extent of said inconsistencies.

**Paragraph A1a shall be added under Land Use PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 to read as follows:**

A.1.a. The application property, which consists of Tax Map Parcel 55-2-((1))-15, also known as Land Bay A of the Government Center ("Land Bay A"), (collectively the "Property"), shall be developed in conformance with the Conceptual Development Plan Amendment and Final Development Plan Amendment (CDPA/FDPA) consisting of eighteen (18) sheets prepared by William H. Gordon Associates and dated June 2003, as revised through December 31, 2003. The existing interim athletic fields may remain until such time as development or earth storage or tree storage commences. A maximum of 667,926 gross square feet (exclusive of ADU's and ADU related density) of retail, residential and permitted accessory uses shall be developed on the property, as depicted on the CDPA/FDPA.

**Paragraph 3 under Land Use PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be revised to read as follows:**

3. Heights of the buildings shall be in conformance with the CDPA/FDPA, with no portion of any building exceeding one-hundred and twenty (120) feet for Land Bays B, C and D and one hundred (100) feet for Land Bay A.

Consistent with the Fairfax County Zoning Ordinance, mechanical penthouses shall be permitted to exceed, respectively, the one-hundred and twenty (120) foot height or the one hundred (100) foot height provided that they meet the following standards as determined by DPWES:

- They comprise less than 25% of the roof of the building
- Said mechanical penthouses do not exceed twenty (20) feet in height
- Said mechanical penthouses are located in the middle of the building's roof
- Said mechanical penthouses are architecturally clad with materials of a texture and same/similar color compatible with materials on the building upon which they are situated.

All Final Development Plan Amendments for Land Bays B, C and D of the Government Center 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. Final Development Plan Amendments for Land Bay A shall be subject to the Planning Commission approval only.

Paragraph 5 under Land Use PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be revised to read as follows:

5. All signage other than that required by the Virginia Department of Transportation ("VDOT") for the subject property shall be addressed through a Comprehensive Signage Plan pursuant to Section 12-210 of the Zoning Ordinance. No retail signs in Land Bay A that are visible from I-66 shall exceed 200 square feet each or as they may be further limited by a Comprehensive Sign Plan. No signage, including signage visible from I-66, shall consist of exposed neon tubing.

Paragraphs 11-21 under Land Use PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be added as follows:

11. Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the approved CDPA/FDPA may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the CDPA/FDPA for Land Bay A provided such changes are in substantial conformance with the CDPA/FDPA and proffers, and do not increase the total square footage, decrease the minimum amount of open space or distance to the periphery of Land Bay A shown to be provided on the CDPA/FDPA.
12. Non-residential buildings and landscaping shall be generally in character with the elevations and typical landscaping details as shown on Sheets 8, 11, 12, and 18 of the CDPA/FDPA, as determined by Urban Forester of DPWES for landscaping and by DPWES for building elevations.
13. If provided, all exposed facades of the parking structures shall be constructed of either masonry, stone, metal panels or pre-cast or poured-in-place concrete and shall be

designed to be consistent with the facade treatments (in terms of color, material and/or architectural treatments) of the buildings which they serve, as determined by DPWES.

14. The entry, plaza and courtyard areas shall include specialty paving materials, enhanced landscaping, seating areas and site amenities as generally illustrated on Sheets 9, 10, 11, 12 and 13. The design of these entry, plaza and courtyard areas, including pedestrian and vehicular connections to and through the plazas, are subject to modification by final engineering and architectural design without the requirement for an FDPA in accordance with Par. 4 of Sect. 16-403 and in substantial conformance with the CDPA/FDPA.
15. Uses not permitted for Buildings S-1, S-2, and S-3 include: drive through uses; home improvement store with or without a plant nursery, lumber yard or other large raw building material components; high volume, large discount store; or more than 24,000 square feet of the total non-residential square feet as fast food restaurants and/or as eating establishments. The maximum size of any single use in S-1, S-2, or S-3 shall be 70,000 square feet.
16. The architectural design of shopping center buildings S-1, S-2 and S-3 shall include elements which are architecturally compatible in terms of color, materials, and/or architectural details with the Galyans building on Tax Map 55-2((1))14B3, as reflected on Sheet 18 of the CDPA/FDPA as determined by DPWES.
17. There shall be no outdoor storage in Land Bay A.
18. As long as the Chantilly Youth Association remains as a lessee of a portion of a property, it shall be provided written notice, not less than thirty (30) days prior to start of clearing and grading or earth or tree storage activities on any portion of the property, that such clearing and grading or earth or tree storage is to commence. The Applicant shall provide the Chantilly Youth Association not less than thirty (30) days notice to vacate use of the site.
19. Telecommunication equipment, if any, shall be mounted not to extend above the top of the highest portion of the penthouse structure, and shall be flush mounted and of the same color as the penthouse, or mounted as far as possible from the outer edge of the building and screened to minimize visibility from the ground, as determined by DPWES. Equipment cabinets shall be located on the roof or internal to the building; if located on the roof, they shall be shielded by a screen wall. There shall be no signs on site to advertise the telecommunication facility (ies).
20. The Applicant has conducted a Phase II archeological study of that portion of the Property identified as site 56-1#P6 and registered with the Virginia Department of Historic Resources as number 44FX2723, the results of which Phase II study shall be submitted to the Fairfax County Park Authority Cultural Resource Protection Group (the "Group"). Based on the Phase II study, the Group has determined that a Phase III archeological study is warranted on a portion of site 56-1#P6. The Applicant, prior to clearing and grading on such portion, shall complete a Phase III data recovery of such portion for review by the Group. The Applicant shall submit a Phase III Data Recovery

Report for review and approval by the Group prior to site plan approval. The Applicant shall permit the Group and its agents, at their own risk and expense, to enter the Subject Property to monitor the property at the time of initial clearing and grading and to recover artifacts, provided that such testing, studies, and removal do not unreasonably interfere with or delay the Applicant's construction schedule.

21. The area along the R-2 buildings' frontage on Fair Lakes Parkway shall include supplemental landscaping to the maximum extent feasible, as determined by the Urban Forester.

Paragraph 1A under Land Use PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be added as follows:

- 1a. All residential buildings in Land Bay A shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES for either electric or gas energy homes as applicable.

Paragraph 6a under Residential PCA 86-W-001-2, RZ 86-P-89, CDPA 86-W-001-2 shall be added as follows:

- 6a. The Applicant shall provide 6.25% of the R-2 units as affordable dwelling units, as defined by Article 2 of the Zoning Ordinance. As depicted in the tabulations on the CDP/FDP, the FAR increase over 0.45 (667,926 square feet) for the Land Bay A portion of the Property shall consist of ADU's or bonus units as defined in Section 2-800 of the Zoning Ordinance. If Building R-1 does not have any ADU's required, at the time of site plan approval Applicant shall choose to either a) provide 5% of the total units in R-1 as ADU's or b) donate ½% of the projected sales prices of each unit in R-1 to the Housing Trust Fund prior to issuance of first building permit in R-1. In the event that the R-1 units are available for rent, the Applicant's ½% contribution would be based on the total development cost of Building R-1 as determined by the Applicant in consultation with the staff of the Fairfax County Department of Housing and Community Development and the Department of Public Works and Environmental Services.

Paragraphs 8-15 under Residential PCA 86-W-001-2, RZ 86-P-89, CDPA 86-W-001-2 shall be added to read as follows:

8. Pursuant to Section 6-209 of the Zoning Ordinance the Applicant shall provide the recreational facilities to serve the Application Property. At the time of each site plan approval involving residential units, the Applicant shall demonstrate that the value of any proposed recreational amenities within the respective site plan area is equivalent to a minimum of \$955.00 per market-rate residential unit on such site plan as required by Article 6 of the Zoning Ordinance. To the extent the Applicant's expenditure for onsite recreational facilities totals less than \$955 per market-rate residential unit on such site plan, the Applicant shall, at the time of such site plan approval, contribute an amount equal to the difference in total recreational funds expended (as compared to \$955 per market-rate unit for that site) for onsite amenities to the Fairfax County Park Authority for use for athletic facilities and fields at the Popes Head Estate Assemblage. If the

recreation facilities in R-1 are not available to residents of R-2 the \$955 requirement shall be calculated separately and no credit shall be provided for recreation facilities provided in R-1 towards the minimum requirement in R-2. At the time of each such site plan approval the Applicant shall contribute \$378 per market-rate residential unit on such site plan, above the \$955 per market-rate unit, to the Fairfax County Park Authority for use for athletic facilities and fields at the Popes Head Estate Assemblage.

9. At the time of issuance of the initial building permit for R-1, the Applicant shall provide to the Fairfax County Board of Supervisors a contribution of \$7,500 per student for the students projected to be generated in R-1. At the time of issuance of the initial building permit in R-2, the Applicant shall provide a contribution of \$7,500 per student for the students projected to be generated in R-2. Such contributions shall be available for use in any of the public schools in Fairfax County. The number of students projected to be generated shall be based on the student yield ratio of 0.102 students per unit for units in the R-1 building and 0.227 students per unit for units in the R-2 buildings.
10. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or by any builder or retail user, or at the Applicant's or any builder's or retail user's direction, to assist in the initial marketing and/or rental of dwelling units or advertising of retail activity on the subject property. The Applicant shall direct its agents and employees involved in marketing the Property, or advertising of retail activity, to adhere to this proffer.
11. A covenant shall be placed on each dwelling unit that prohibits the use of the garage for any purpose which precludes the storage of vehicles. This covenant shall be recorded among the land records of Fairfax County prior to the sale of lots and shall run to the benefit of the homeowners' association and to the Board of Supervisors. Prior to recordation, the covenant shall be approved by the Fairfax County Attorney's office. The homeowners' association and leasing documents shall expressly state this use restriction.
12. The HOA documents for, and the contract of sale to the initial purchaser of each unit in, the R-2 buildings shall expressly state that the HOA shall be responsible for, and HOA reserves shall be established for the maintenance of, (i) all private streets within the development; and (ii) the noise attenuation walls adjacent to Interstate 66 and West Ox Road (if not located within the right-of-way and accepted by VDOT for maintenance).
13. The residential architecture of buildings in R-1 and R-2 shall be generally in character with the elevations as shown on Sheets 16 and 17 of the CDPA/FDPA. The two unit types in R-2 shall consist of compatible colors, materials and/or architectural details, as determined by DPWES, and as qualified in proffer 14 below. If the alternative Building R-1 layout is provided, the architecture shall be consistent on all sides of the building.
14. The following shall be provided within R-2:
  - a. The sidewalk on the south side of Liberty Bridge Road shall be brick.

- b. Pedestrian sized street lights shall be installed along the south side of Liberty Bridge Road.
- c. Driveways along Liberty Bridge Road shall be concrete and shall include enhancements such as: exposed aggregate, inlaid brick and/or alternate scoring patterns.
- d. Regardless of the CDPA/FDPA, the rear facades of all R-2 units shall have brick or masonry siding on the first level.
- e. Regardless of the CDPA/FDPA, all side elevations (except the four side elevations adjacent to other interior side elevations west of Cider Hill Road) shall have enhanced siding as depicted, respectively, on Sheet 16 (the "High Profile" elevations) and/or on Sheet 17 of the CDPA/FDPA.
- f. Bricks of the same color family shall be utilized for all of the stacked units with brick components.
- g. Roofing materials of the same color family shall be utilized for all stacked units.

15. All residential driveways in R-2 shall be concrete.

**Paragraph 3 under Stormwater Management PCA 86-W-001-2, RZ 86-P-89, CDPA 86-W 001-2 shall be revised to read as follows:**

- 3. The stormwater management facilities required to be located on the Property by the applicable F.L. Promenade agreements shall be constructed in accordance with the requirements of the Public Facilities Manual and the terms of those agreements, as modified by the qualifications described in the Memorandum dated June 17, 2002 from Carl E. Bouchard to Michelle Brickner attached hereto as Attachment 1 and incorporated herein to the proffers. Additional plantings that can withstand periodic inundation from run-off shall be provided to the maximum extent feasible within cleared areas of the pond basin to retain an aesthetic, naturalized appearance for the stormwater management ponds, to enhance the habitat potential, and to minimize maintenance, subject to approval of the Urban Forester and DPWES.

**Paragraph 1(a) under Environmental PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be added:**

- 1.a. Landscaping in Land Bay A shall be provided in conformance with the CDPA/FDPA. At the time of planting, deciduous trees shall have a minimum 2 ½ to three (3) inch caliper and evergreen trees shall be a minimum of seven (7) to eight (8) feet in height. Where consistent with County policies regarding planting in stormwater management ponds, and in those areas behind the pond embankment that need to be cleared, as determined by DPWES, additional plantings shall be provided to the maximum extent feasible as determined by the Urban Forester.

**Paragraph 2(a) under Environmental PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be revised to read as follows:**

- 2.a As shown on the CDPA/FDPA the following landscaped buffers shall be provided:

- A minimum of one-hundred and ten (110) feet wide along the southern boundary of Land Bay B.
- A minimum of one-hundred (100) feet wide along the southwestern boundary of Land Bay C, between fifty (50) and two-hundred and fifty (250) feet wide along the northwestern side of Land Bay D (north of Government Center Parkway).
- A minimum of eighty (80) feet wide west of the Route 29 access road.
- A minimum of thirty-five (35) to fifty (50) feet wide along the southern boundary of Land Bay D parallel to Route 29.
- In Land Bay A a landscaped buffer along Fair Lakes Parkway shall be provided as shown on the CDPA/FDPA.

Paragraphs 14-21 under Environmental PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be revised to read as follows:

14. Lighting shall be provided in accordance with Part 9 of Section 14 of the Zoning Ordinance. All parking lot lighting shall not exceed thirty (30) feet in height, including the pole base. Architectural illumination shall be permitted only for sales models during the initial marketing period, until the models are no longer used for sales or 24 months after a Non-RUP has been issued for the initial model, whichever occurs first, which lighting shall be turned off no later than 10:00 p.m. each night. Street lights, parking lot lighting, security lighting, building illumination such as "wall packs," lighting for pedestrian paths and other common areas, shall be fully shielded (i.e. full cut-off fixtures will be used) and directed downward.
15. Prior to the issuance of the first non-residential use or residential use permit the Applicant shall restore degraded areas of the EQC to a more natural condition as provided herein. Prior to the approval of a site plan the Applicant shall submit an EQC restoration plan for the review and approval by the Urban Forester. This plan, and the subsequent EQC restoration activities, shall provide for the following:
  - The existing gravel road bed in the EQC in the area identified on the development plan shall be re-graded such that a more natural topographic condition will be provided along both sides of the stream in this area. Such re-grading will occur in a manner that will minimize disturbance to wetlands and mature woodlands on either side of the road bed, as determined by the Urban Forester. The entirety of the road bed in the EQC to the west of the stream shall be included in the area to be re-graded, and an equivalent or greater area shall be included to the east of the stream. The toe of the slope along both sides of the stream in the area of the old road crossing shall be stabilized using biological techniques, subject to Urban Forester approval. The surfaces of the re-graded areas shall be tilled and amended with a layer of organic matter. After this layer has been installed, the re-graded areas shall be replanted with native species of trees and shrubs that are well suited to the soil, topographic, and microclimatic conditions of the areas being planted. Plantings in the restoration area

shall be consistent with Public Facilities Manual guidance regarding buffer area restoration (Section 12-0704.4). In addition, if determined to be appropriate by the Urban Forester, the areas shall be seeded with a mixture containing native grasses, perennials, and woody vegetation in order to establish a native ground cover.

- The existing gravel road bed within the EQC and outside of the aforementioned restoration area shall be restored to a more natural condition where such restoration would be consistent with the development plan, as determined by DPWES. The surfaces of any such areas shall, to the extent determined to be necessary by the Urban Forester, be tilled and amended with a layer of organic matter. After this layer has been installed, these areas shall be replanted with native species of trees and shrubs that are well suited to the soil, topographic, and microclimatic conditions of the areas being planted. Plantings in the restoration area(s) shall be consistent with Public Facilities Manual guidance regarding the buffer area restoration (Section 12-0704.4). In addition, if determined to be appropriate by the Urban Forester, the areas shall be seeded with a mixture containing native grasses, perennials, and woody vegetation in order to establish a native ground cover.

16. A tree preservation plan shall be submitted for the trees proposed to be preserved along Fair Lakes Parkway, east of the main site entrance to the property, and trees located within twenty (20) feet of either side of the limits of clearing and grading elsewhere on the property, including the areas adjacent to the embankment of the SWM facility. The tree preservation plan shall be included as part of the first submission of the site plan. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be reviewed and approved by the Urban Forester.

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating of all trees greater than twelve (12) inches in diameter within twenty (20) feet of either side of the limits of clearing as shown on the site plan. The tree survey shall also include areas of clearing and grading not shown on the CDPA/FDPA resulting from engineering requirements, such as off-site clearing and grading for utilities or storm water outfall. The condition analysis shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that maximize the survivability of trees identified to be preserved, such as crown pruning, root pruning, mulching, fertilization, and/or other as necessary, shall be included in the plan for trees that are proposed for preservation along Fair Lakes Parkway, West Ox Road, within the Village Green, and within any other interior courtyard where trees will be preserved.

17. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an Urban Forester representative to determine where minor adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading, provided, however, that such adjustments shall not result

in a reduction of the planned improvements adjacent to the tree preservation area. Trees labeled for preservation on the CDPA/FDPA which are not likely to survive due to their species and/or proximity to land disturbance will be identified at this time and the Applicant shall remove them and provide replacement trees with the species and location of replacement trees subject to the approval of the Urban Forester. Any tree that is designated for removal at the edge of the limits of clearing and grading or within a tree preservation area shall be removed using a chain saw to avoid damage to surrounding trees. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees. Brush, trees up to 4" D.B.H., vines and invasive vegetation within the Village Green and along Fair Lakes Parkway may be removed using handtools only. No driven equipment shall be used in this area. Selected other trees may be removed from the tree save area as identified by the Urban Forester.

18. Tree protection fencing shall be erected at the limits of clearing and grading for areas of tree preservation and shall be shown on the tree preservation plan, phase I & II erosion and sediment control sheets. The tree protection fencing shall consist of six (6) foot high, eleven (11) gauge chain link fence attached to eight (8) foot steel posts, two (2) inches in diameter, driven twenty-four (24) inches into the ground and placed no further than ten (10) feet apart. All tree protection fencing shall be installed prior to any clearing and grading activities. Three days prior to the commencement of any clearing, grading, or demolition activities, the Urban Forester shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.
19. Development shall strictly conform to the limits of clearing and grading as shown on the approved CDPA/FDPA, allowing for modifications only to provide for utility lines, trails, EQC restoration, and/or the stormwater management facility. For the stormwater management facility, modifications to the limits of clearing and grading may be made only to the extent that such modifications are determined by DPWES to be needed to provide for the stormwater management facility consistent with Stormwater Management proffer 3. Utilities shall be located and designed such that encroachments into the EQC will be avoided where practicable as determined by DPWES and the Urban Forester. To the extent that utilities are located within the EQC, they shall be designed such that land disturbance and impacts to existing trees are minimized subject to review and approval by the Urban Forester. Except as permitted elsewhere herein the EQC shall remain as undisturbed open space with the exception of stormwater management maintenance; the removal of hazardous trees and selective maintenance to remove exotic and/or invasive vegetation. Such activities shall be subject to the Urban Forester's approval. The construction of any retaining walls will be accomplished without any grading, disturbance or clearing within the EQC.
20. With regard to the optional two-level parking garage in Land Bay A, a mix of deciduous trees shall be provided in planters within those portions of the top of the proposed parking garage which are not otherwise designated for parking spaces, travel ways, or pedestrian access. Such landscaping shall consist of five (5%) percent of the surface area of the top level of the retail parking garage. These plantings will be of a type and planted size that are to the reasonable satisfaction of the Urban Forester.

21. Evidence that a Certification of Satisfactory Completion of Remediation based on the proposed development of the property (including residential development) has been issued by the Virginia Department of Environmental Quality shall be provided to DPWES prior to site plan approval for any development on the western portion of Land Bay A. The Applicant shall hire an independent, appropriately qualified consultant, subject to DPWES approval to review and monitor the construction process for all development on the western portion of the site to ensure that the appropriate measures are taken consistent with the DEQ certification and the Risk Assessment that was submitted to DEQ by DPWES. The consultant shall report to DPWES monthly during the construction and once upon completion of construction on the western portion of the site to document that DEQ's requirements have been followed.

Paragraph 4 shall be added under Noise Attenuation PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 to read as follows:

- 4.A. As provided in subsequent paragraphs of this proffer, noise mitigation measures will be provided to ensure:
- That a maximum exterior noise level of DNL 65 dBA will be achieved for any outdoor recreation area associated with the residential units;
  - That a maximum interior noise level of approximately DNL 45 dBA will be achieved for any dwelling unit that will be exposed to noise levels in excess of DNL 65 dBA; and
  - That a maximum exterior noise level of DNL 75 dBA will be achieved for all facades including the uppermost levels (excluding attics) of all dwelling units.
- B. In order to achieve compliance with the above maximum exterior and interior noise levels, a noise barrier will be constructed, using concrete panels, in VDOT right-of-way in the locations shown on Sheet 15 of the CDPA/FDPA prior to issuance of the first RUP for buildings in R-2, subject to DPWES and VDOT approval and subject to the granting of an RPA exception, if required. In the event that either noise wall is not permitted within the I-66 or West Ox Road right-of-way, applicant shall demonstrate failed attempts to the Director of DPZ. If the Director concurs that the applicant has used best efforts to locate such noise wall(s) within the VDOT right-of-way and the right has been denied, then such noise wall(s) shall be located outside of the right-of-way as depicted on Sheet 2 of the CDPA/FDPA. The noise wall(s) will be consistent in height with the recommendations of the noise study prepared by Wyle Laboratories dated November 10, 2003, December 22, 2003 and December 23, 2003, subject to minor modification pursuant to paragraph C of this proffer. The noise wall(s) shall be constructed prior to issuance of RUPs in R-2. The noise wall(s) will be architecturally solid from ground up, with no gaps or openings, other than the minimum needed for drainage, and will be consistent in materials and design with noise attenuation walls constructed by the VDOT along Interstates, subject to final approval by DPWES in coordination with DPZ. If the noise wall is located north of the EQC line along buildings in R-2, it shall not exceed 35 feet in height as measured on the residential side of the wall. In the event that gaps in the noise wall(s) are needed to provide for drainage as determined by DPWES, the gaps shall be minimized subject to the determination of DPWES in coordination with DPZ and an

updated noise study shall be provided that demonstrates that the gaps would not result in noise levels that would be in conflict with those prescribed in paragraph A.

- C. The Applicant will submit a revised noise study, for review and approval by DPWES and DPZ prior to the approval of the first site plan for residential development of the R-1 and/or R-2 buildings, that will document attainment of the maximum exterior noise standards set forth in paragraph A of this proffer, based on final site topography and the best available information regarding future road and transit improvements within the right of way of Interstate 66.

In addition, the revised noise study will provide noise impact projections (in terms of DNL dBA) for all levels of building facades that will be affected by noise levels in excess of DNL 65 dBA.

If necessary to achieve either of the exterior noise standards of paragraph A of this proffer, minor modifications to the height and location of the noise barrier may be permitted; however, substantial modifications, as determined by DPWES and DPZ, shall not be permitted without an amendment to these proffers.

- D. In order to achieve a maximum interior noise level of approximately DNL 45 dBA, the following building material standards will be met for all facades of dwelling units in the R-1 and R-2 buildings with projected noise exposure impacts between DNL 65 dBA and DNL 70 dBA as identified in the revised noise study submitted pursuant to paragraph C of this proffer:

- Exterior walls will have a laboratory sound transmission class (STC) rating of at least 39
- Doors, windows, and other glazed areas will have a laboratory STC rating of at least 28. If doors, windows, and other glazed areas constitute more than 20% of any exposed façade, such features will have a laboratory STC rating of at least 39.
- Measures to seal and caulk between exterior wall surfaces will follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

Compliance with these building material standards will be demonstrated by the Applicant, to the satisfaction of DPWES, prior to the issuance of building permits for the units in question.

- E. In order to achieve a maximum interior noise level of approximately DNL 45 dBA, the following building material standards will be met for all facades of dwelling units in the R-1 and R-2 buildings with projected noise exposure impacts between DNL 70 dBA and DNL 75 dBA as identified in the revised noise study submitted pursuant to paragraph C of this proffer:

- Exterior walls will have a laboratory sound transmission class (STC) rating of at least 45.

- Doors, windows, and other glazed areas will have a laboratory STC rating of at least 37. If doors, windows, and other glazed areas constitute more than 20% of any exposed façade, such features will have a laboratory STC rating of at least 45.
- Measures to seal and caulk between exterior wall surfaces will follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

Compliance with these building material standards will be demonstrated by the Applicant, to the satisfaction of DPWES, prior to the issuance of building permits for the units in question.

- F. As an alternative to paragraphs D and/or E of this proffer, the Applicant may pursue other methods of mitigating interior noise impacts if it can be demonstrated, through the noise study and subject to the review and approval of DPWES and DPZ, that these methods will be effective in reducing interior noise levels to a maximum of approximately DNL 45 dBA.
- G. A reserve fund study shall be conducted to determine the maintenance and eventual replacement cost of the noise wall if located outside the VDOT right-of-way, and the HOA fees for the units in the R-2 buildings shall reflect the results of the study. The HOA shall be required to obtain and keep in force, an insurance policy for the replacement of the barrier if located outside the VDOT right-of-way.
- H. A "noise mitigation" sheet will be provided within any applicable Site Plan submission. This sheet will include the following information:
- a. A graphic illustrating the location, design details, and height of the noise barrier and identifying all building facades for which interior noise mitigation measures will be provided; and
  - b. A synopsis of the recommendations of the noise study/ies.
- I. Prior to site plan approval for units in building R-1, the Applicant shall demonstrate to the satisfaction of DPWES that the maximum exterior noise level of DNL 75 dBA will be achieved for all facades of building R-1. Prior to issuance of RUPs for units in building R-1, the Applicant shall demonstrate to the satisfaction of DPWES that interior noise levels shall not exceed 45 dBA.
- J. Plantings adjacent to the noise wall if built in the alternative location outside of the RPA shall be provided as indicated on the CDPA/FDPA and in coordination with the Urban Forester Division.
- i. In areas between the noise barrier and residential units, plantings shall be provided consistent with the Landscape Plan. Species that are selected for planting shall be well suited to the conditions that will be present in these areas (including shading from the barrier) and shall be subject to approval by the Urban Forester.

- ii. In the area between the noise barrier and West Ox Road, subject to approval by the Urban Forester and, where applicable, the Virginia Department of Transportation (VDOT), plantings shall be provided consistent in type and density with those identified on the Landscape Plan for areas between the barrier and dwelling units.
- iii. If the barrier is not located in the right-of-way, in the unwooded areas between noise barrier and the right-of-way of I-66 native species of trees shall be planted where such plantings is determined appropriate by the Urban Forestry Division. The density of tree plantings shall be consistent with guidance regarding buffer area restoration in the PFM Section 12-0704.4.

**K.** The Applicant shall disclose to all initial residential purchasers within the HOA documents that the development will include a noise wall. Maps depicting the location and height of the noise wall and proximity to the individual units will be provided as part of said disclosure at the time of the contract execution for each such initial sale. Notification of the height and location of the noise wall, as well as HOA maintenance responsibility for it, shall also be provided in the HOA documents.

**Paragraph 1c under Trails PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be revised to read as follows:**

**1c.** An eight (8) foot wide asphalt trail along Land Bay A's Fair Lake Parkway frontage.

**Paragraph 2a under Trails PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be added to read as follows:**

**2a.** At least one bicycle parking rack shall be provided, respectively, at building R-1, within the R-2 buildings area and within the retail parking lot.

**Paragraph 4 shall be added under Trails PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 to read as follows:**

**4.** A five (5) foot concrete sidewalk shall be provided along East Market Street from Fair Lakes Parkway to the western edge of Land Bay A. In addition to the sidewalks depicted on the CDPA/FDPA, a sidewalk shall be provided along the western edge of Building S-2 and sidewalks will be provided on the ends of rows of units along Beacon Grove Road.

**Paragraph 8 under Transportation PCA 86-W-001-2, RZ 86-P-089, CDPA 86-001-2 shall be revised to read as follows:**

- 8.** Prior to the issuance of the first RUP or Non-RUP, the Applicant shall construct the following road improvements:
  - a.** An eastbound right turn/deceleration lane into the western property entrance on Fair Lakes Parkway;
  - b.** An extension of the westbound left turn/deceleration lane into the western property entrance on Fair Lakes Parkway;

- c. Dual left turn lanes onto northbound West Ox Road from Fair Lakes Parkway and a modification of the traffic signal as determined by VDOT; in the event that VDOT does not permit the dual left lanes the left turn lane shall be extended to a length determined appropriate by VDOT;
- d. The extension of eastbound right turn/deceleration lane onto southbound West Ox Road; and
- e. The Applicant shall submit a traffic signal warrant analysis and, if warranted, design and install a traffic signal at the main entrance to the site from Fair Lakes Parkway at any point up to two years following the complete build out of the site as evidenced by the issuance of a tenant Non-RUP for the non-residential buildings and RUPs for residential buildings. If at the end of the two year period after complete build out VDOT has determined that such a signal is not necessary, the Applicant shall be released from this obligation.

Concurrent with the construction of the eastern entrance from Fair Lakes Parkway and prior to issuance of RUPs for the buildings in R-2, the Applicant shall construct a right turn deceleration lane.

Paragraph 10 under Transportation PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be revised to read as follows:

- 10. Prior to issuance of a RUP or Non-RUP, a bus shelter shall be provided on Fair Lakes Parkway in a location to be determined by DOT. The Applicant shall maintain this bus shelter. The maintenance responsibilities for the bus shelter shall be contained in the HOA documents.

Paragraph 11 under Transportation PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 will be met for Land Bay A by 8.e. above.

Paragraphs 16-20 under Transportation PCA 86-W-001-2, RZ 86-P-089, CDPA 86-W-001-2 shall be revised to read as follows:

- 16. Right-of-way identified on the CDPA/FDPA for R.O.W. dedication at I-66 shall be dedicated to the County Board of Supervisors in fee simple upon record plat approval of the adjacent land or upon demand by Fairfax County, whichever occurs first. Prior to, and until the beginning of, construction of the I-66 improvements project requiring said right-of-way; the Applicant may utilize said area for parking subject to a licensing agreement with the County and/or VDOT. The Applicant, its successors or assigns, shall bear the cost of the termination, vacation and removal of temporary parking spaces located in said right-of-way area. The Applicant shall dedicate an additional increment of right-of-way approximately 20 feet in width as shown on Sheet 15 of the CDPA/FDPA, contingent upon VDOT acceptance of the noise attenuation wall being located within said additional increment of right-of-way.
- 17. Prior to issuance of a Non-RUP for Building S-1, S-2, or S-3, or a RUP for R-1 or R-2, travel ways to Fair Lakes Parkway and Fair Lakes Circle via Roger Stover Drive shall be constructed in conformance with the Public Facilities Manual standards as depicted on

the CDPA/FDPA. In addition, the Applicant shall provide public ingress-egress easements for the internal streets and demonstrate the ability to access Roger Stover Drive to the west. The private streets within R-2 shall be constructed in conformance with the Public Facilities Manual standards as depicted on the CDPA/FDPA.

18. Ancillary, temporary, and permanent construction easements, parallel to the proposed right of way reservation along the southern property line and no more than fifteen (15) feet in width, shall be provided as necessary for the proposed public transportation project on I-66 at no cost to the County. Such easements shall not result in the permanent loss of required parking nor impact the use of or access to any building.
19. Residential Driveways in Land Bay A shall be a minimum of eighteen feet in length.
20. The East Market residential and non-residential associations shall have the option to utilize the Fair Lakes shuttle so long as it is in operation.

The Proffers/Development Conditions associated with PCA 86-W-001-6, PCA 86-P-089-3, FDPA 86-P-001-4, FDP 86-P-089, dated October 4, 1995, and approved by the Board of Supervisors on October 30, 1995, shall be deleted in their entirety.

The Proffers/Development Conditions associated with PCA 86-W-001-7, PCA 86-P-089-4, FDPA 86-W-001-5, FDPA 86-P-089 dated July 11, 1997, and approved by the Board of Supervisors on August 4, 1997, shall be deleted in their entirety.

The Proffers/Development Conditions associated with PCA 86-W-001-9, PCA 86-P-089-5, FDPA 86-W-001-05-02-01, FDPA 86-P-089-02 dated September 18, 2002, and approved by the Board of Supervisors on September 23, 2002, shall be deleted in their entirety.

Successors and Assigns. Each reference to "Applicant" in this proffer statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest and/or the developer(s) of the site or any portion of the site.

Counterparts. To facilitate execution, this Proffer Statement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of all the parties to this Proffer Statement appear on each counterpart of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.

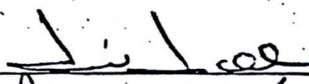
Severability. Any of the sections or individual land bays may be subject to a Proffered Condition Amendment ("PCA") or FDPA without joinder and/or consent of the other sections or land bays, if such PCA or FDPA does not affect any other sections or land bays. Previously approved proffered conditions or development conditions applicable to the section(s) or land bay(s) not the subject of such a PCA or FDPA shall otherwise remain in full force and effect.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

**TITLE OWNER:**  
**Board of Supervisors of Fairfax County, Virginia**

By:           A. Griffin            
Anthony H. Griffin, County Executive

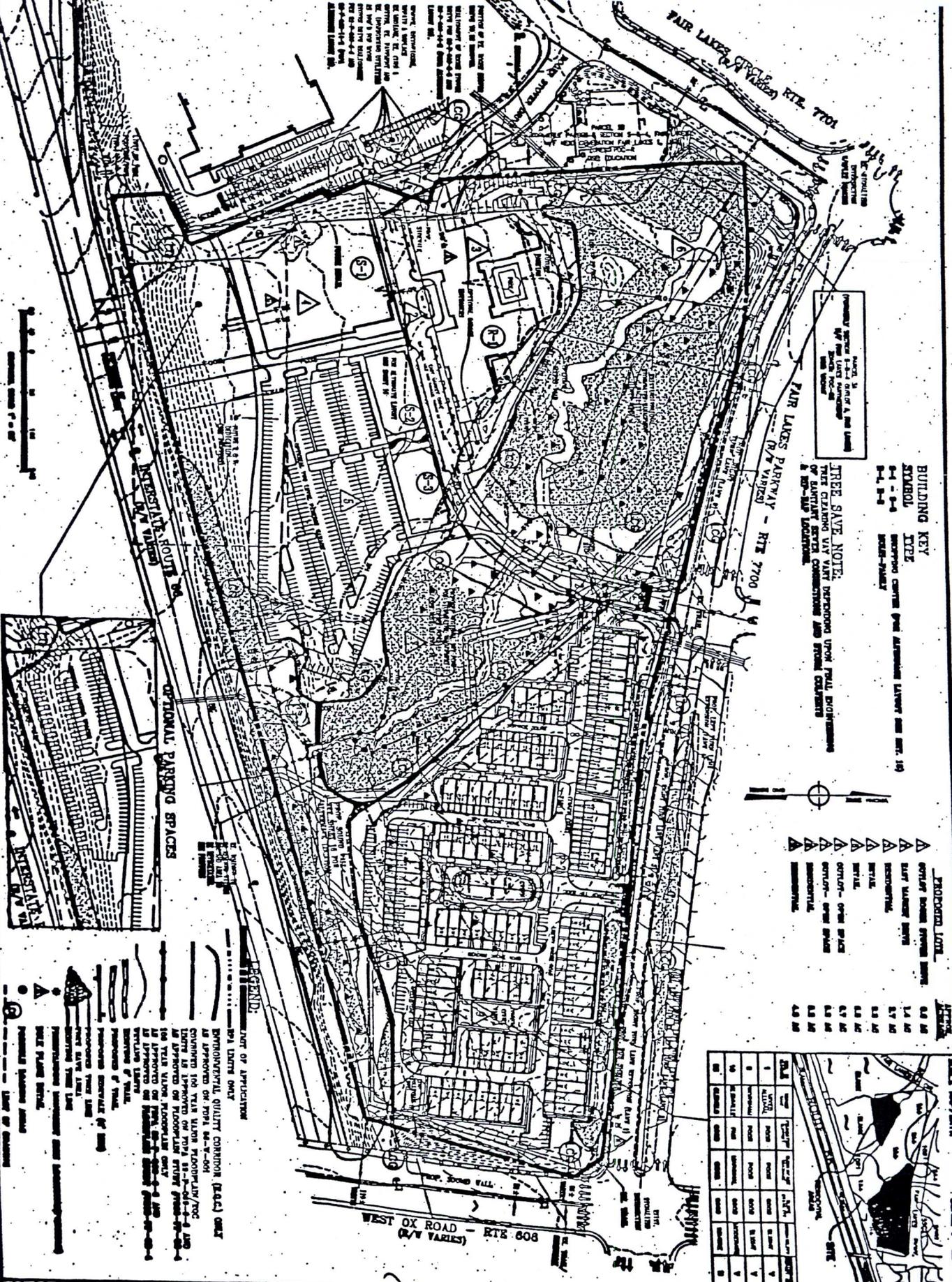
APPLICANT:  
The Peterson Companies L.C.

By:   
Name: James W. Todd  
Title: Manager

CONTRACT PURCHASER:  
East Market Investments L.L.C.

By:   
Name: Steven B. Peterson  
Title: Manager





**BUILDING KEY**  
 SYMBOL: [Symbol] STEEL  
 S-1 - S-4: [Symbol] RESIDENTIAL CENTER OVER AIRMOUNT LANEWAY AND EXT. 149  
 S-1, S-2: [Symbol] RESIDENTIAL

**PLEASE NOTE:**  
 THE CHANGES TO THE PLAN ARE BASED UPON THE CURRENT CITY MAP AND THE LATEST AVAILABILITY OF THE CITY MAP.

- PROPOSED LOT:**
- ▲ OUTLET STORE FRONT SIGN
  - ▲ SIGN MOUNTING BRACKETS
  - ▲ RESIDENTIAL
  - ▲ RETAIL
  - ▲ OUTLET - STORE FRONT
  - ▲ OUTLET - STORE FRONT
  - ▲ RESIDENTIAL

- LEGEND:**
- 0.5' 1.0' 1.5' 2.0' 2.5' 3.0' 3.5' 4.0' 4.5' 5.0'

NO.	DESCRIPTION	DATE	BY	CHKD.	APP.
1	PRELIMINARY	10/1/70	W.H.G.		
2	REVISED	10/15/70	W.H.G.		
3	REVISED	10/20/70	W.H.G.		
4	REVISED	10/25/70	W.H.G.		
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FOR/COM/FORM

**EAST MARKET AT FAIR LAKES**

LANDMARK A OF FAIRFAX COUNTY GOVERNMENT CENTER  
 SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

W.H.G. ASSOCIATES, INC.  
 4801 Lee Hwy., Suite 200, Fairfax, VA 22031  
 (703) 461-1100 • (703) 461-1101 • (703) 461-1102

DATE: 11/15/72

SCALE: AS SHOWN

PROJECT: EAST MARKET AT FAIR LAKES

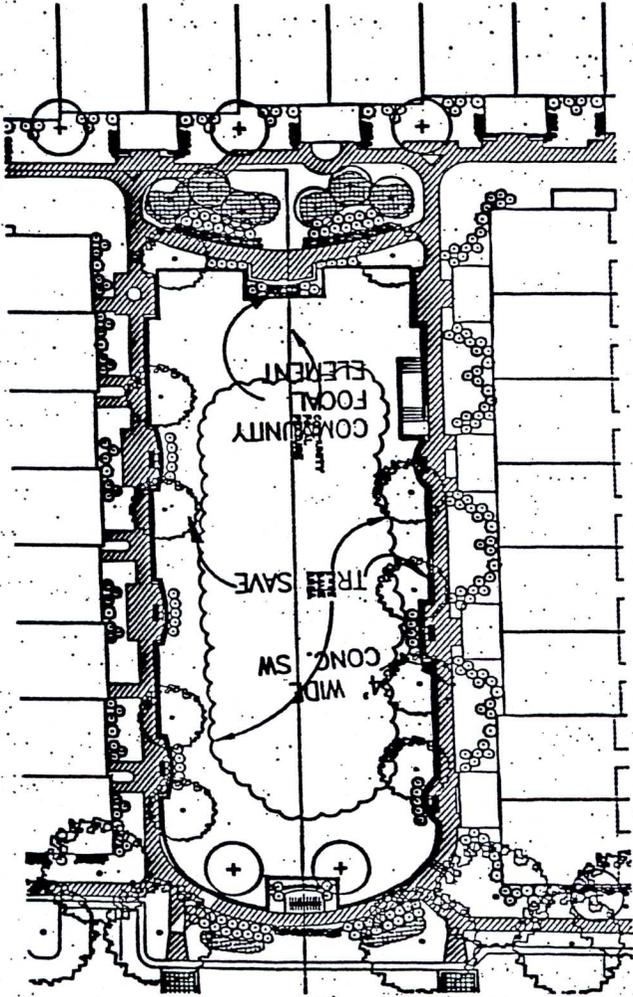
DESIGNER: W.H.G. ASSOCIATES, INC.

CLIENT: W.H.G. ASSOCIATES, INC.

NO. 100







**DETAIL PLAN (VILLAGE GREEN)**  
SCALE 1/8" = 1'-0"

**LEGEND**

- DECIDUOUS TREES
- CONIFEROUS TREES
- PLANTING TREES
- SYMBIOTIC TREES
- BRUSH
- GRASS/LOW-GROWING/SEASONAL COVERS
- SOLARIES SEE DET. (L-1)
- CONTAINER PLANTING SEE DET. (L-2)
- RETAIL PERSON. LIGHTS SEE DET. (L-3)
- RESIDENTIAL STREET LIGHTS SEE DET. (L-4)
- TRUCK RECEIPTABLE SEE DET. (L-5)
- SIGNAGE SEE DET. (L-6)
- DRIVEWAY SIGN TREATMENT (SEE DET. L-10)
- CONC. SIDEWALK

**NOTE:**  
1. THIS LAYOUT IS PROVIDED TO INDICATE PLANT PLACEMENT, PLANT QUANTITIES, BED SHAPES, AND SPACES ARE SUBJECT TO CHANGE AT THE FINAL SITE PLAN.  
2. THE PLANTER ON THIS SHEET DEMONSTRATE THE DESIGN OF THE PROPOSED LANDSCAPE, THE QUANTITIES, AND/OR LOCATION DUE TO FINAL SITE PLAN AND BUSINESS REQUIREMENTS.  
3. THE VILLAGE GREEN TREE SAVE AREA MAY INCLUDE THE CLEARANCE OF TREES AND SHRUBS UP TO 6" D.B.H. FOR THE SECURITY AND PROMOTIONAL USE.

**BC Consultants**

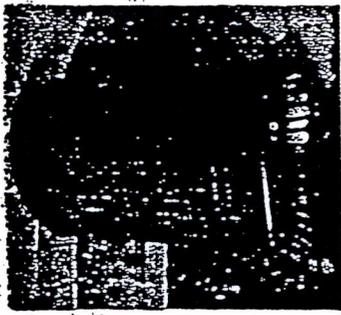
ARCHITECTS • ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS  
2000 Fair Lakes Circle, Suite 100, Fairfax, VA 22031  
(703) 441-1000 • FAX (703) 441-1001 • WWW.BCCONSULTANTS.COM

<p>LANDSCAPE DETAILS</p> <p><b>EAST MARKET AT FAIR LAKES</b></p> <p>SPRINGFIELD DISTRICT FAIRFAX COUNTY, VIRGINIA</p>		<p>DATE: 04/20/2010</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT: EAST MARKET AT FAIR LAKES</p> <p>CLIENT: BILLS/SMITH</p> <p>SHEET: 9 OF 18</p>	<p>ARCHITECTS • ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS</p> <p><b>William H. Gordon Associates, Inc.</b></p> <p>2000 Fair Lakes Circle, Suite 100 Fairfax, VA 22031 (703) 441-1000 • FAX (703) 441-1001 • WWW.BCCONSULTANTS.COM</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>NO.</td><td>DATE</td><td>DESCRIPTION</td></tr> <tr><td>1</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>2</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>3</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>4</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>5</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>6</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>7</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>8</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>9</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>10</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>11</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>12</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>13</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>14</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>15</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>16</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>17</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>18</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>19</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> <tr><td>20</td><td>04/20/2010</td><td>ISSUED FOR PERMIT</td></tr> </table>	NO.	DATE	DESCRIPTION	1	04/20/2010	ISSUED FOR PERMIT	2	04/20/2010	ISSUED FOR PERMIT	3	04/20/2010	ISSUED FOR PERMIT	4	04/20/2010	ISSUED FOR PERMIT	5	04/20/2010	ISSUED FOR PERMIT	6	04/20/2010	ISSUED FOR PERMIT	7	04/20/2010	ISSUED FOR PERMIT	8	04/20/2010	ISSUED FOR PERMIT	9	04/20/2010	ISSUED FOR PERMIT	10	04/20/2010	ISSUED FOR PERMIT	11	04/20/2010	ISSUED FOR PERMIT	12	04/20/2010	ISSUED FOR PERMIT	13	04/20/2010	ISSUED FOR PERMIT	14	04/20/2010	ISSUED FOR PERMIT	15	04/20/2010	ISSUED FOR PERMIT	16	04/20/2010	ISSUED FOR PERMIT	17	04/20/2010	ISSUED FOR PERMIT	18	04/20/2010	ISSUED FOR PERMIT	19	04/20/2010	ISSUED FOR PERMIT	20	04/20/2010	ISSUED FOR PERMIT
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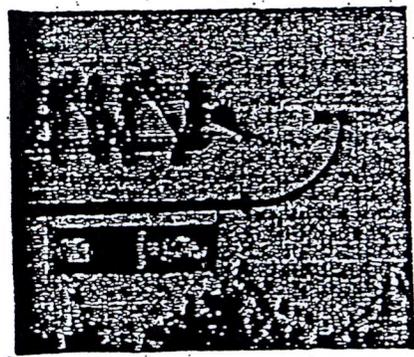




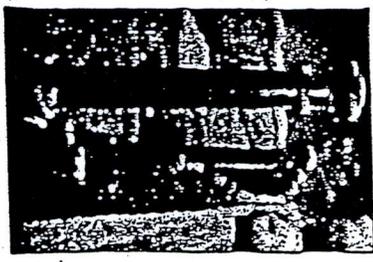
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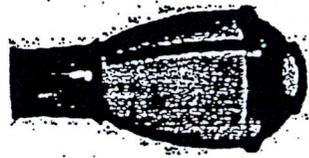
1-2 STREET RETAIL LIGHT ON POLE



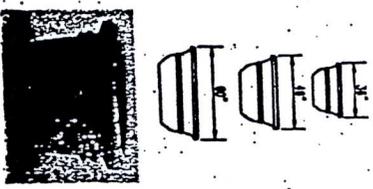
1-3 FOLLIO LIGHT ON POLE



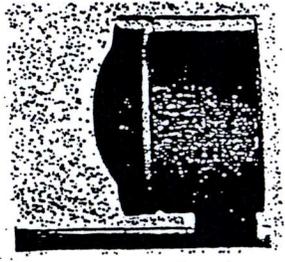
1-4 PEDESTAL LIGHT ON POLE



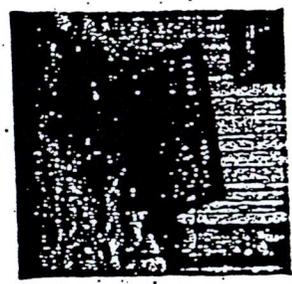
1-5 PLANTER ON POLE



1-6 PARKING LIGHT ON POLE



1-7 BENCH ON POLE



NOTE: THIS LAYOUT IS PROVIDED TO INDICATE PLANT PLACEMENT, PLANT SPECIES, SIZE, COLOR, AND SPACING AND IS NOT TO BE CONSIDERED AS A FINAL SITE PLAN. THE PLACES ON THIS SHEET DEMONSTRATE THE DESIGN INTENT/QUALITY OF THE PROPOSED LANDSCAPE. THE DESIGNER/OWNER RESERVES THE RIGHT TO CHOOSE THE PLANT SPECIES, QUANTITIES, AND LOCATIONS AND TO MAKE ANY NECESSARY MODIFICATIONS.

**BC Consultants**  
 Planning • Engineering • Architecture • Landscape Architecture  
 2000 Park Lakes Drive, Suite 100, Fairfax, VA 22031  
 (703) 261-8800 (703) 261-8400 (Fax)  
 www.bcconsultants.com

LANDSCAPE DETAILS			DESIGNER • ARCHITECT • LAND PLANNER • LANDSCAPE ARCHITECT <b>William H. Gaidon Associates, Inc.</b> 4800 Old York • Chesapeake, Virginia 23041 (757) 533-1100 • (757) 533-1101 • (757) 533-1102 • (757) 533-1103	DATE	SCALE	BY	CHECKED	APPROVED	DATE
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**EAST MARKET AT FAIR LAKES**

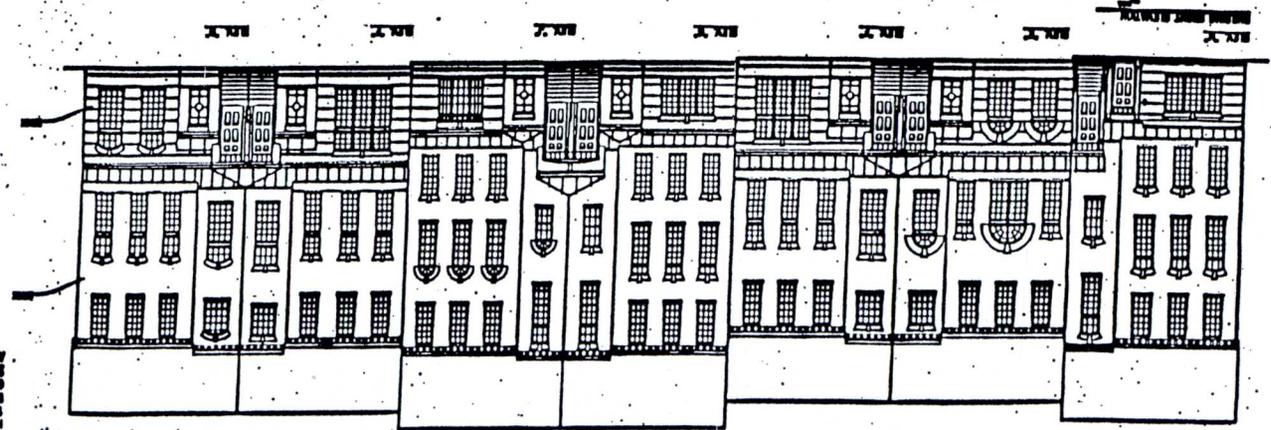
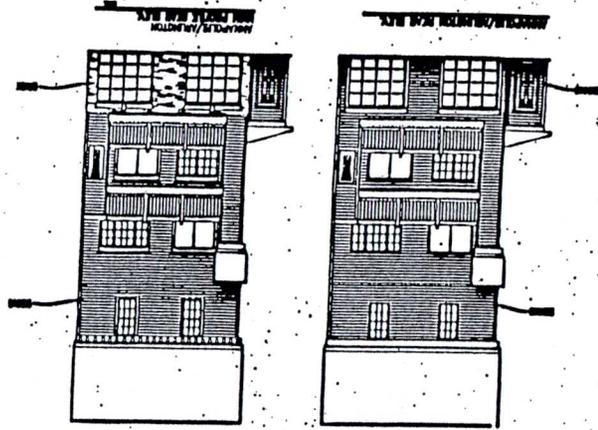
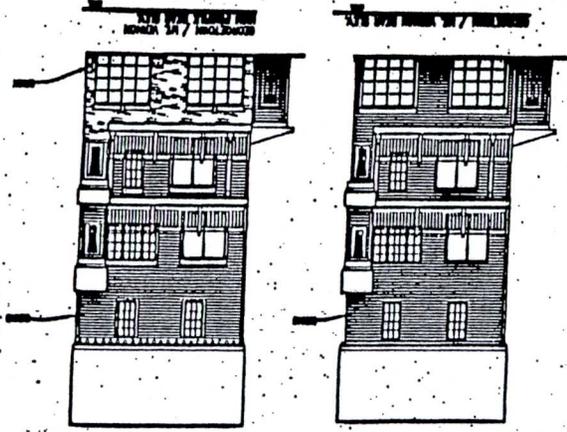
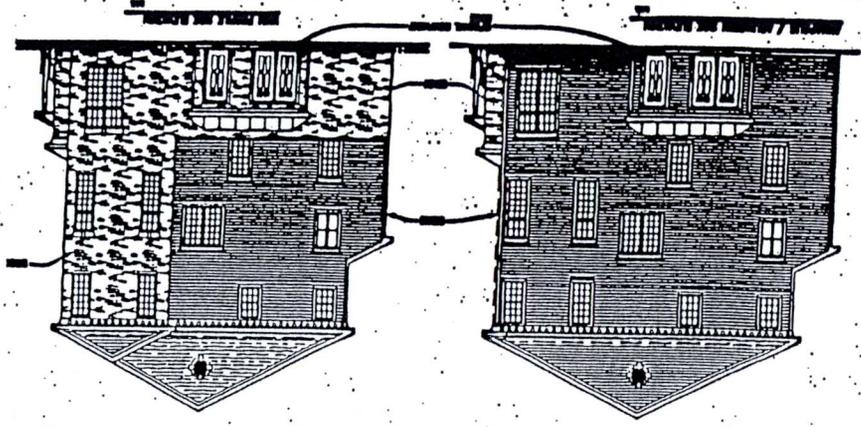
SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

NO. 12 OF 18









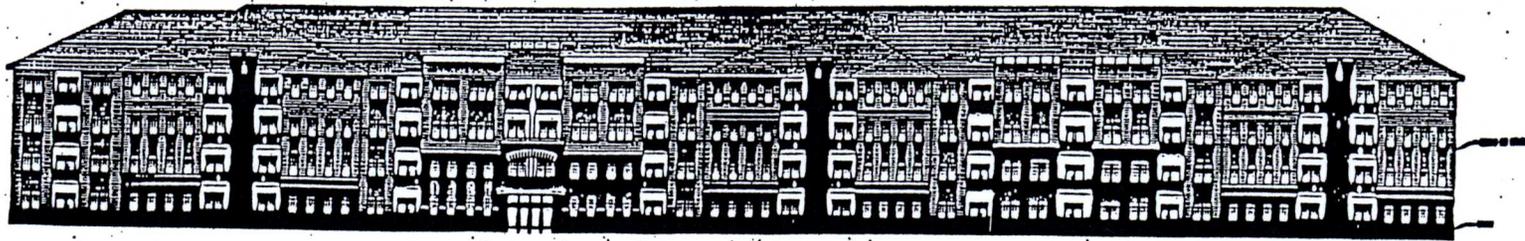
NOTES:  
 1. THESE ARCHITECTURAL ELEVATIONS BEING BY LEONARD MOFFETT  
 ARCHT. & ENGRS. 201 N. 10TH ST. PHOENIX, ARIZ.  
 2. THE NEW FRONT ELEVATION BEING THAT BE SHOWN ON THE REAR SHEET  
 ALSO BEING SHOWN HERE.

ARCHITECTURAL ELEVATIONS  
**EAST MARKET AT FAIR LAKES**  
 WASHINGTON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

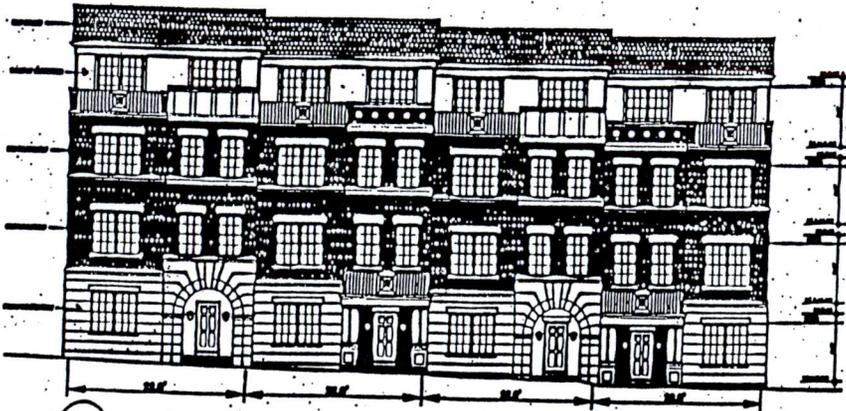
LEONARD MOFFETT ARCHT. & ENGRS.  
 201 N. 10TH ST. PHOENIX, ARIZ.

ARCHT. LEONARD MOFFETT  
 ENGR. LEONARD MOFFETT  
 DATE 1/1/21

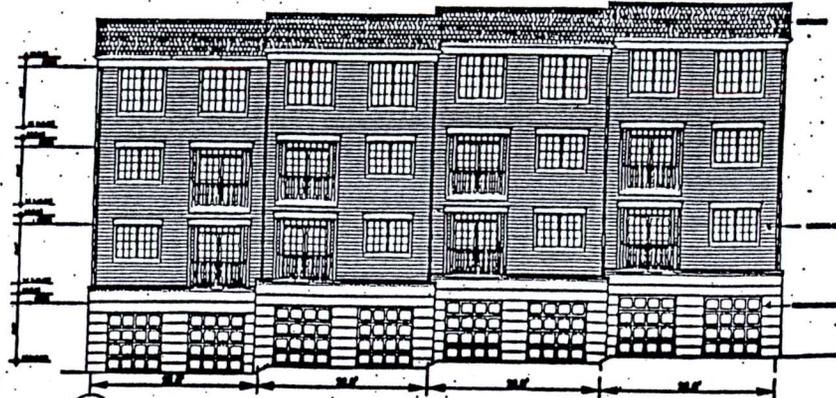
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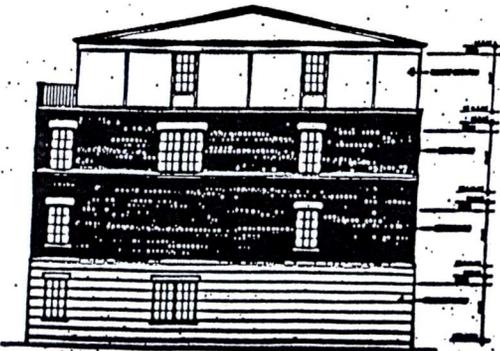
(R-1) RESIDENTIAL - MULTI-FAMILY FLATS



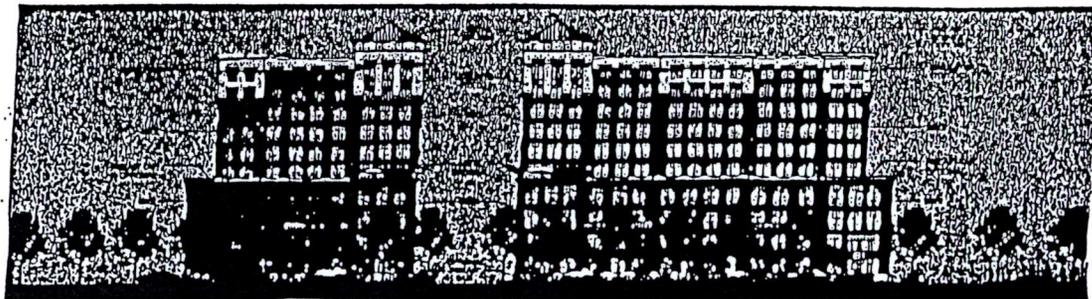
(R-2)



(R-2)



(R-2)



(R-1) OPTIONAL RESIDENTIAL - MULTI-FAMILY FLATS

THE ARCHITECTURAL ELEVATIONS LABELED R-2 DESIGNED BY MARSHAL SARANTIN DEPICTS THE GENERAL CHARACTER, DESIGN AND MATERIALS OF THE UNITS IN PORTION OF LANDSAY R-2 AND THE ELEVATION LABELED R-1 SHOWS THE GENERAL CHARACTER, DESIGN AND MATERIALS OF THE R-1 BUILDING.

10/15/03	REVISED
11/16/03	REVISED
11/17/03	REVISED

DATE	06/01/08
PROJECT	ARCHITECT
ARCHITECT	ARCHITECT
ARCHITECT	ARCHITECT
ARCHITECT	ARCHITECT

OWNER: LAMAR & LINDA PUNCE, LINDSEY, INC.  
 DESIGNER: W. GORDON ASSOCIATES, INC.  
 1000 W. 10TH AVENUE, SUITE 1000, DENVER, CO 80202  
 PHONE: 303.733.1111 FAX: 303.733.1112

SCALE: ARCH. 1/4" = 1'-0"  
 CIVIL 1/8" = 1'-0"



ARCHITECTURAL ELEVATIONS  
**EAST MARKET AT FAIR LAKES**  
 WINDSORFIELD DISTRICT  
 PUEBLO COUNTY, WYOMING



## Government Center History

Applications	Date	Description
RZ 74-2-038	November 1, 1976	Rezoned 263 acres from RE-0.5 and RE-1 Districts to PDH-5 District. <sup>1</sup>
RZ 86-W-001	March 10, 1986	Rezoned 216.5 acres from R-1 and PDH-5 to PDC District for a mixed use development at 0.3346 FAR. <sup>2</sup>
PCA 86-W-001 CDPA 86-W-001-1 FDP 86-W-001 RZ 87-W-040	August 3, 1987	Rezoned 0.03 acres from the PDH-5 District and increased FAR to 0.3347. Approved Land Bay A for a hotel and two office buildings at 0.49 FAR. <sup>3</sup>
SE 87-P-116	May 31, 1988	Withdrawn. <sup>4</sup>
PCA 86-W-001-2 CDPA 86-W-001-2 FDPA 86-W-001-1 RZ 89-P-089	August 1, 1988	Land swap with Fair Lakes for the 3.29 acres rezoned with RZ 86-P-089 for 2 acres in Land Bay A. Approved Land Bay A for a hotel and two office buildings at 0.43 FAR. <sup>5</sup>
CSP 86-W-001 CSP 86-P-089	June 20, 1990	Comprehensive sign plan for the Fairfax County Government Center. <sup>6</sup>
PCA 86-W-001-3 PCA 86-P-089	April 8, 1991	Amended the recreation facilities in Land Bay D. <sup>7</sup>
PCA 86-W-001-4 FDPA 86-W-001-2	December 7, 1992	Reduced proffered parking for Land Bay C. <sup>8</sup>
PCA 86-W-001-5 FDPA 86-W-001-3 PCA 86-P-089-2	January 12, 1995	Withdrawn <sup>9</sup>
PCA 86-W-001-6 FDPA 86-W-001-4 PCA 86-P-089-3 FDP 86-P-089	October 30, 1995	Approved interim athletic fields in Land Bay A. <sup>10</sup>
PCA 86-W-001-7 FDPA 86-W-001-5 PCA 86-P-089-4 FDPA 86-P-089	August 4, 1997	Redesigned Land Bay A stormwater management pond and reconfigured the hotel and office development at 0.43 FAR. <sup>11</sup>
PCA 86-W-001-08 PCA 86-W-001-09 CDPA 86-W-001-03 FDPA 86-W-001-05-02-01 PCA 86-P-089-05 FDPA 86-P-089-02	September 23, 2002	Transferred 25,000 SF from Land Bay C to Land Bay A. Redesigned Land Bay A to permit office and retail development at 0.45 FAR and 40% open space. <sup>12</sup>
PCA 86-W-001-10 FDPA 86-W-001-05-02-02 PCA 86-P-089-06 FDPA 86-P-089-03 PCA 82-P-069-13 FDPA 82-D-069-14-03	January 26, 2004	Redesigned Land Bay A to permit retail and residential development at 0.45 FAR and 40% open space. Approved future retail and parking for a portion of Land Bay VB3 of Fair Lakes. <sup>13</sup>

1. On November 1, 1976, the Board of Supervisors approved RZ 74-2-038 to rezone 263 acres from the RE-0.5 (currently R-2) and RE-1 (currently R-1) Districts to the PDH-5 (Planned Development Housing – five dwelling units per acre) District. Land Bays B, C and D of the Government Center were part of the original rezoning and later subject to

RZ 86-W-001. A copy of the application is on file with the Zoning Evaluation Division of the Department of Planning and Zoning.

2. On May 10, 1986, the Board of Supervisors approved RZ 86-W-001 to rezone 216.5 acres from the R-1 (Residential – one dwelling unit per acre), PDH-5 and WS Districts to the PDC and WS Districts and approved a Conceptual Development Plan for a mixed use development with an overall Floor Area Ratio (FAR) of 0.3346 (3,157,292 square feet) and 49% open space. Land Bay A depicted office and hotel uses at 0.45 FAR and 40% open space. Copies of the proffers and Conceptual Development Plan are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.
3. On August 3, 1987, the Board of Supervisors approved PCA 86-W-001, CDPA 86-W-001-1, FDP 86-W-001 and RZ 87-W-040. The application rezoned 0.03 acres from PDH-5 to PDC to be incorporated in the Government Center development and increased the FAR to 0.3347. Land Bay A was approved for a hotel and two office buildings for a total of 695,000 square feet (0.49 FAR) and 40% open space. Copies of the proffers, Conceptual/Final Development Plans and development conditions are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.
4. On May 31, 1988, a special exception request was withdrawn for Land Bay A to permit stormwater detention in a floodplain.
5. On August 1, 1988, the Board of Supervisors approved PCA 86-W-001-2, CDPA 86-W-001-2, FDPA 86-W-001-1 and RZ 86-P-089, which effectuated a land swap with Fair Lakes Partnership for the incorporation of the 3.29 acres rezoned as part of RZ 86-P-089 into Land Bay A and the deletion of two acres from RZ 86-W-001 on the western portion of Land Bay A to be incorporated into the Fair Lakes development. In addition, the applications transferred intensity from Land Bay A to Land Bay C to increase the Government Center facility to 1,024,014 square feet and decrease the commercial/office uses in Land Bays A and B to 1,414,592 square feet. The overall Government Center development was increased to 3,171,786 square feet (0.3347 FAR). Land Bay A was approved for 642,926 square feet (0.43 FAR) of development consisting of a ten-story hotel and two office buildings. Copies of the proffers, Conceptual/Final Development Plan Amendment are contained in Appendix 7.
6. On June 20, 1990, the Board of Supervisors approved CSP 86-W-001 and CSP 86-P-089, for a comprehensive sign plan (CSP) for the Fairfax County Government Center to show the location, type and size of signs permitted in Land Bays A, B, C and D. Copies of the conceptual sign plan and conditions are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.
7. On April 8, 1991, the Board of Supervisors approved PCA 86-W-001-3 and PCA 86-P-089, to revise the management and ownership structure of the recreation facilities in Land Bay D. Copies of the proffers are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.
8. On December 7, 1992, the Board of Supervisors approved PCA 86-W-001-4 and FDPA 86-W-001-2, to amend the proffers to reduce the proffered parking in Land Bay C. Copies of the proffers, Conceptual/Final Development Plans and development conditions are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.
9. On January 12, 1995, PCA 86-W-001-5, FDPA 86-W-001-3 and PCA 86-P-089-2, which proposed three options for residential development in Land Bay A, were withdrawn.
10. On October 30, 1995, the Board of Supervisors approved PCA 86-W-001-6, FDPA 86-W-001-4, PCA 86-P-089-3 and FDP 86-P-089, to permit the construction of

temporary athletic fields in Land Bay A on the western portion of the site until the approved hotel was constructed. Copies of the proffers, Conceptual/Final Development Plans and development conditions are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.

11. On August 4, 1997, the Board of Supervisors approved PCA 86-W-001-7, FDPA 86-W-001-5, PCA 86-P-089-4 and FDPA 86-P-089, to permit a redesign of Land Bay A to modify the stormwater management pond into a two-phase stormwater management pond system and to reconfigure the hotel and office development for a total development of 624,926 square feet (0.43 FAR) and 40% open space. Copies of the proffers, Conceptual/Final Development Plans and development conditions are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.
12. On September 23, 2002, the Board of Supervisors approved PCA 86-W-001-08 to transfer 25,000 square feet of intensity from Land Bay C to Land Bay A. The application was approved concurrently with PCA 86-W-001-09, CDPA 86-W-001-03, FDPA 86-W-001-05-02-01, PCA 86-P-089-05 and FDPA 86-P-089-02 to redesign Land Bay A to permit office and retail development at 0.45 FAR and 40% open space. Copies of the proffers, Conceptual/Final Development Plan and development conditions are contained in Appendix 8 and are the proffers, development conditions and plans that currently govern Land Bay A.
13. On January 26, 2004, the Board of Supervisors approved PCA 86-W-001-10, FDPA 86-W-001-5-2-2, PCA 86-P-089-6, FDPA 86-P-089-3, and PCA 82-P-069-13 (with the Planning Commission having previously approved FDPA 82-D-069-14-3 on January 22, 2004) for a 35.5 acre mixed-use development. The application property included Land Bay A (34.08 acres) of the Government Center and a portion of Land Bay VB3 (1.45 acres) of Fair Lakes. PCA 86-W-001-10/FDPA 86-W-001-5-2-2; PCA 86-P-089-6/FDPA 86-P-089-3 amended the proffers and Conceptual/Final Development Plan associated with RZ 86-P-089 (3.29 acres) and a portion of RZ 86-W-001 (30.79 acres), which are collectively known as Land Bay A (Tax Map 56-2 ((1)) 15) of the Government Center zoned PDC and WS Districts. The Board of Supervisors approved a mixed-use development consisting of residential uses; retail and other related non-residential uses. Specifically, 190 multi-family units within either one or two buildings (R-1) and between 60,000 to 120,000 square feet of retail uses within either two or three buildings (S-1, S-2, S-3) on the western portion of the site and 210 stacked "townhouse" units (including 13 affordable dwelling units) on the eastern portion of the site (R-2). The western multi-family would consist of either one four-story building (49 feet in height) with underground parking or two ten-story buildings (100 feet in height) with the first two levels as parking. Either western multi-family building option would result in the same number of units/square footage, since the two ten-story buildings would have a smaller footprint than the four-story building. The entire development consisted of 400 dwelling units (11.8 dwelling units per acre), including 13 affordable dwelling units and 40% open space. Chesapeake Bay Exception #026133 was also approved by the Board of Supervisors to permit encroachment into the RPA for the proposed noise wall, roads, parking areas, stormwater management facility, trails and utilities. PCA 82-P-069-13 and FDPA 82-D-069-14-3 amended the proffers and CDP/FDP for the 1.45 acre portion (Tax Map 55-2 ((1)) 14B1 pt.) of Land Bay VB3 of Fair Lakes (RZ 82-P-069) that is zoned PDC and WS and located adjacent to Land Bay A for additional future retail and parking. Final design of the parking and retail would require additional approval for Tax Map 55-2 ((1)) 14B1 pt, but would not necessarily require concurrent approval for Land Bay A. The proffers for PCA 86-W-001-2, CDPA 86-W-001-2, FDPA 86-W-001 and RZ 86-P-089 as amended by PCA 86-W-001-08 and PCA 86-W-001-10 and PCA 86-P-089-06 currently governs Land Bay A. The CDPA/FDPA approved with PCA 86-W-001-10, FDPA 86-W-001-5-2-2, PCA 86-P-089-6 and FDPA 86-P-089-3 currently governs Land Bay A.



# County of Fairfax, Virginia

## MEMORANDUM

DATE October 29, 2010

**TO:** Regina Coyle, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *PNN*  
Environment and Development Review Branch, DPZ

**SUBJECT:** **Land Use Analysis & Environmental Assessment:** PCA 86-W-001-11  
Jefferson at Fairfax Corner, LLC

The memorandum, prepared by John Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plan as revised through September 23, 2010. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

### DESCRIPTION OF THE APPLICATION

The applicant, Jefferson at Fairfax Corner, LLC, seeks to develop the subject property under the existing Planned District Commercial (PDC) zoning district with 270 multi-family dwelling units. All of the proposed dwelling units will be offered under the affordable dwelling unit program in two categories. Approximately forty-seven percent of the dwelling units will be affordable to households at 50-60 percent of the Average Median Income (AMI) of the Washington, D.C. Metropolitan Statistical Area. The remaining dwelling units will be affordable to households at 80-100 percent of the AMI. The proposed development will be located on approximately 8.12 acres of land with direct access from Monument Drive. The proposed building will have a height of approximately 55 feet. The proposed development will have 433 parking spaces for a development which would require 432 according to current Zoning Ordinance standards. The majority of these spaces will be located underground. The development will have approximately 61% open space. An 8-foot wide woodchip trail will be provided in the stream valley area. A 5-foot wide sidewalk will be provided along the property frontage on Monument Drive. The applicant is seeking a waiver to permit the use of underground detention in order to meet their stormwater management requirements.

## LOCATION AND CHARACTER OF THE AREA

The subject property is located in Sub-unit P1 of the Fairfax Center Area. Surrounding properties are all zoned to the PDC district. Properties to the north and east include a mix of residential, commercial retail and office uses. The Fairfax County Government Center is located south and west of the subject property. The area between the subject property and the Government Center is bisected by a portion of the headwaters of Difficult Run. This area is designated as a Resource Protection Area (RPA) and Environmental Quality Corridor (EQC).

## COMPREHENSIVE PLAN CITATIONS:

Fairfax County Comprehensive Plan, Area III, 2007 Edition, Fairfax Center Area, as amended through October 19, 2010, Sub-Unit P1, Land Use Recommendations, page 92:

“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.

Buffering measures should be incorporated to mitigate potential impacts on adjacent residential communities. Pedestrian linkages to the Government Center and Fairfax Center core area are essential to the achievement of the objectives of the Plan.”

## Environment

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through July 27, 2010, pages 7-16:

**“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County. . . .**

Policy d. Preserve the integrity and the scenic and recreational value of EQCs when locating and designing storm water detention and BMP facilities. In general, such facilities should not be provided within EQCs unless they meet one of the following conditions:

- They are consistent with recommendations of a watershed management plan that has been adopted by the Fairfax County Board of Supervisors;  
or
- They will:
  - Either:

- o Be more effective in protecting streams and better support goals of watershed management plans than stormwater management measures that otherwise would be provided outside of EQCs; or
- o Contribute to achieving pollutant reduction necessary to bring waters identified as impaired into compliance with state water quality standards or into compliance with a Municipal Separate Storm Sewer System (MS4) permit in a manner that would be more effective and/or less environmentally-disruptive than approaches that would be pursued outside of EQCs;

and

- o Replace, enhance and/or be provided along with other efforts to compensate for any of the EQC purposes, as described in Environmental Objective 9, Policy a below, that would be affected by the facilities.

When stormwater management facilities within the EQC are determined to be appropriate, encourage the construction of facilities that minimize clearing and grading, such as embankment-only ponds, or facilities that are otherwise designed to maximize pollutant removal while protecting, enhancing, and/or restoring the ecological integrity of the EQC. . . .

Policy k.

For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. . . .
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations. . . .

Programs to improve water quality in the Potomac River/Estuary, and Chesapeake Bay will continue to have significant impacts on planning and development in Fairfax County. There is abundant evidence that water quality and the marine environment in the Bay are deteriorating, and that this deterioration is the result of land use activities throughout the watershed.

In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate "Chesapeake Bay Preservation Areas", within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations.

The more restrictive type of Chesapeake Bay Preservation Area is known as the "Resource Protection Area (RPA)." With a few exceptions (e.g. water wells, recreation, infrastructure improvements, "water dependent" activities, and redevelopment), new development is prohibited in these areas. In Fairfax County, RPAs include the following features:

- water bodies with perennial flow;
- tidal wetlands;
- tidal shores;
- nontidal wetlands contiguous with and connected by surface flow to tidal wetlands or water bodies with perennial flow;
- a buffer area not less than 100 feet in width around the above features; and
- as part of the buffer area, any land within a major floodplain.

The other, less sensitive category of land in the Preservation Areas is called the "Resource Management Area (RMA)." Development is permitted in RMAs as long as it meets water quality goals and performance criteria for these areas. These goals and criteria include stormwater management standards, maintenance requirements and reserve capacity for on-site sewage disposal facilities, erosion and sediment control requirements, demonstration of attainment of wetlands permits, and conservation plans for agricultural activities. In Fairfax County, RMAs include any area that is not designated as an RPA. . . .

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

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

**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: 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. This may include: habitat for species that have been identified by state or federal agencies as being rare, threatened or endangered; rare vegetative communities; unfragmented vegetated areas that are large enough to support interior forest dwelling species; and aquatic and wetland breeding habitats (i.e., seeps, vernal pools) that are connected to and in close proximity to other EQC areas.
- **Connectivity:** This segment of open space could become a part of a corridor to facilitate the movement of wildlife and/or conserve biodiversity. This may include natural corridors that are wide enough to facilitate wildlife movement and/or the transfer of genetic material between core habitat areas.
- **Hydrology/Stream Buffering/Stream Protection:** The land provides, or could provide, protection to one or more streams through: the provision of shade; vegetative stabilization of stream banks; moderation of sheet flow stormwater runoff velocities and volumes; trapping of pollutants from stormwater runoff and/or flood waters; flood control through temporary storage of flood waters and dissipation of stream energy; separation of potential pollution sources from streams; accommodation of stream channel evolution/migration; and protection of steeply sloping areas near streams from denudation.
- **Pollution Reduction Capabilities:** Preservation of this land would result in significant pollutant reductions. Water pollution, for example, may be reduced through: trapping of nutrients, sediment and/or other pollutants from runoff from adjacent areas; trapping of

nutrients, sediment and/or other pollutants from flood waters; protection of highly erodible soils and/or steeply sloping areas from denudation; and/or separation of potential pollution sources from streams.

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.”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, pages 19-21:

**“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.**

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development.
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*).

- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources.
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.
- Reuse of existing building materials for redevelopment projects.
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
- Use of recycled and rapidly renewable building materials.
- Use of building materials and products that originate from nearby sources.
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs.

Policy b. Ensure that zoning proposals for nonresidential development and zoning proposals for multifamily residential development of four or more stories within the Tysons Corner Urban Center, Suburban Centers, Community Business Centers and Transit Station Areas as identified on the Concept Map for Future Development incorporate green building practices sufficient to attain certification through the LEED program or its equivalent, where applicable, where these zoning proposals seek at least one of the following:

- Development in accordance with Comprehensive Plan Options;

- Development involving a change in use from what would be allowed as a permitted use under existing zoning;
- Development at the Overlay Level; or
- Development at the high end of planned density/intensity ranges. For nonresidential development, consider the upper 40% of the range between by-right development potential and the maximum Plan intensity to constitute the high end of the range. . . .

Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system.

Policy e. Encourage energy conservation through the provision of measures which support nonmotorized transportation, such as the provision of showers and lockers for employees and the provision of bicycle parking facilities for employment, retail and multifamily residential uses.”

## **COMPREHENSIVE PLAN MAP: Fairfax Center Area**

### **LAND USE ANALYSIS**

The current development plans and proffers propose the construction of a 270 unit multi-family building. The applicant is proposing that 100% of the proposed units will be affordable housing. Given that the proposed development is located in a designated mixed use center, Fairfax Center Area, of the Comprehensive Plan, to be in conformance with the Policy Plan guidance on green buildings, the four-story structure should be certified as a green building under an applicable Leadership in Energy and Environmental Design (LEED) rating system or third party equivalent program. While the applicant has indicated that the development will attain green building certification, staff feels that the applicant should provide a clear commitment including details on how the USGBC's approach or the Earthcraft House approach to green building certification will be achieved. With the exception of the deficiencies noted regarding green building commitments, staff feels that the application is in general conformance with Comprehensive Plan guidance for the proposed development.

**Issue: Use and Intensity.** The proposed 270-unit multi-family housing development consists of 100% affordable dwelling and workforce housing units. The subject property makes up a portion of Sub-unit P1 of the Fairfax Center Area which is planned for office-mixed-use with a maximum overall floor area ratio of .35. The proposed residential development conforms to the basic land use and intensity recommendations of the Comprehensive Plan for this area.

**Issue: Height Limits.** The applicant is proposing a building height of 55 feet, which is generally consistent with other uses at this location as well as the adjacent residential uses. Therefore, this issue has been adequately addressed.

**Issue: Pedestrian Circulation** The GDP's Pedestrian Circulation Plan depicts circulation on the site as well as connections offsite. Internal circulation and offsite connections appear to be adequate. Staff feels that this issue has been adequately addressed.

## ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. 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.

**Issue: Water Quality Control.** The applicant is proposing an underground detention facility to collect runoff from the proposed development. The proposed underground detention facility will require waiver approval from the Department of Public Works and Environmental Services (DPWES). The outfall from this proposed facility will be directed to a portion of the Difficult Run headwaters located immediately adjacent to the property. This area is designated as both a Resource Protection Area (RPA) and Environmental Quality Corridor (EQC). The only other proposed encroachment into this area is part of a connection to the existing trail system in this area. Trails may be located within an RPA and EQC. Any final determination regarding the approval of the underground detention waiver or adequacy of proposed stormwater management facilities will be determined by staff in DPWES. Staff feels that this issue has been adequately addressed.

**Issue: Green Building.** The proposed multi-family dwelling which is being proposed in Fairfax Center Area is subject to the Policy Plan guidance on green buildings. To be in conformance with the green building policy, the applicant should obtain LEED certification or an equivalent third party certification for the building. The applicant has provided two proffer options for meeting this policy. Staff feels that either the USGBC's LEED option or certification by the EarthCraft House program would be acceptable. However, the proffer does not specify an enforcement mechanism for implementation. Applicants have consistently committed to posting an escrow for LEED certification. To avoid posting an escrow for LEED certification, some applicants have committed to pre-certification of LEED Silver under the Core and Shell program or LEED Silver through design review process under the New Construction program. For Earthcraft House certification, applicants have committed to demonstrate certification prior to issuance of Residential Use Permit (RUP) for each dwelling unit. The current proffer only states that LEED certification or Earthcraft House certification will be selected at site plan submission. Without identification of an enforcement mechanism for implementation, staff finds the proposed green building proffer unacceptable. This issue remains outstanding.

PGN: JRB

## ADDITIONAL PLAN CITATIONS

In the Fairfax County Comprehensive Plan, 2007 Edition, Area III, Fairfax Center Area, as amended through October 19, 2010, Area Wide Recommendations, on page 14-18, the Plan states:

### “LAND USE

The Fairfax Center Area Plan recommends a range of development levels to guide development within the land units of the area. To obtain the more intense uses and greater densities, applicants must provide commensurate facilities and amenities. To develop the land to its fullest potential at the overlay level, parcel consolidation must be achieved. It is intended that such parcel consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Fairfax Center Area Plan.

Mixed-use developments are encouraged within the Suburban Center area of Fairfax Center. Design review mechanisms are used to implement Plan recommendations in order to assure a standard of excellence for development throughout the area.

All land uses should reinforce the overall goals and objectives of the Plan in both their type and arrangement and should relate positively to the transportation and existing and proposed open space systems, as well as to one another, in order to achieve the highest collective Plan quality.

Existing stable neighborhoods should be preserved, enhanced, and reinforced. Infill development in these neighborhoods should be of a compatible use, type, and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14. The Fairfax Center Area includes areas not scheduled for the expansion of public sewer. Part of Difficult Run is included in this non-sewer area, a policy reaffirmed by the Board of Supervisors in May 1989.

Existing spot commercial uses along Routes 29 and 50 are inconsistent with the land use objectives for the Fairfax Center Area and should not be expanded or enhanced. With the exception of the planned retail center and the planned office use at the northeast and northwest quadrants respectively, of West Ox Road and Route 29, and land planned for office use in Sub-unit U1, no additional land should be used for commercial purposes along Route 29 in Land Units L, M, O, R, S, T, or U. Along Route 50, no additional commercial uses should be allowed west of the Suburban Center Core Area in Land Units E and D along the south side of Route 50, and west of Land Unit A along the north side of Route 50. In addition, retail centers should only be sited in planned retail center locations.

In the Fairfax Center Area, the overlay level should be considered the maximum allowable density/intensity. Densities/intensities above the overlay level, utilizing PDH bonus provision

or other bonus (except as permitted under the Affordable Dwelling Unit Ordinance) shall not be allowed.

Open space definition through the planning of the continuous linear park along Monument Drive and the east-west subconnector and other pedestrian/bicycle systems throughout the area is desirable; these systems buffer development clusters and provide recreational and transportation opportunities. Fairfax County currently encourages the formation of stream valley parks, and actively pursues a policy of the protection of environmental quality corridors.

### Buffers

Buffer needs between potentially incompatible land uses can occur at various scales - area-wide and land unit specific. At the area-wide scale, the buffer mechanism can be land use types and/or intensities planned in positive relationships to one another. It is expected that transitions and buffers will occur so that the peripheral land uses of the area would be compatible in type and intensity to the adjoining areas outside the area confines so that existing residential neighborhoods will be protected. At an individual land unit scale, land use buffering should be encouraged wherever possible. The use of setbacks, berms, and vegetative or structural (walls and fences) screens at this scale is recommended as a buffer treatment.

### Planting and Landscaping

In addition to preserving natural vegetation through EQC implementation and enforcement of the Tree Preservation and Planting requirements of the Erosion and Sedimentation Control and Conservation Ordinance, the Fairfax Center Area should use planting guidelines that will enhance the quality of development and make this area unique. To assure quality plantings, the following considerations are appropriate:

**Provide An Appropriate Design.** Planting design must be appropriate in the choice of plant materials and their uses. The size, form, texture and color of plants should relate to the surrounding plants and architecture. They should also relate to the functional use of the plant. The functional uses of a plant generally include:

- Architectural uses - such as privacy control, screening objectionable views, and space articulation;
- Engineering uses - such as glare, reflection, traffic, sound, and soil erosion controls;
- Climate control - such as sunlight, wind and temperature controls which are related to energy conservation measures; and
- Aesthetic uses - such as softening hard architecture, framing a view, and emphasizing a place (such as site entry zone, building entry area).

Planting design should strive to achieve fulfillment of the above listed functional uses, so that appropriate choice of plants can be made.

**Create A Theme For The Area.** Dominant tree species in greater quantity than any other may be used in all major spaces to ensure unity and continuity in a planting design. Smaller trees and shrubs, particularly flowering species may be repeated throughout the entire area. Through this repetition of plant use, a main theme may be created for the Fairfax Center Area, which will provide an effective impression and project a positive image of the area. However, to set certain areas apart or to create desired emphasis or to relieve monotony, some variation of species and special landscape treatment is encouraged. This may occur, for instance, at a site entry zone or building entry area.

Achieve immediate effects of planting. Large plants should be used to achieve reasonably immediate effects of planting particularly for screening and buffering purposes. All evergreen trees for screening and buffering purpose should be at least 6 feet tall. Deciduous trees should be at least 2.5 inch caliper. In the area of commercial and office uses, the planting of a few trees of 4 inch caliper or more at important locations should be encouraged.

An applicant should submit a planting plan incorporating the above considerations for review. Planting plans should be provided for the following specific areas where applicable:

- Major and minor streets;
- Parking lots;
- Screening/buffering;
- Site entry zone/Building entry area;
- Major plaza/Minor plaza; and
- Other public open spaces.

Planting design for major streets and minor streets should use major shade trees which have the following characteristics: high branching, fast growing, tolerant of city conditions and four seasonal interest, particularly good fall color. The plantings of flowering trees are encouraged along minor streets. All plantings within future Virginia Department of Transportation (VDOT) rights-of-way must conform to VDOT standards.

Planting design for parking lots and screening/buffering should be, at a minimum, in accordance with the Landscaping and Screening Ordinance. Shade trees should be used in parking lots for energy conservation purposes.

Planting design for site entry zones, building entry areas, and plazas requires special landscape treatments. Seasonal visual interest should be emphasized by using ornamental plant materials.

### Energy Efficient Planning and Design

Energy conservation methods must be incorporated in all land use decisions. Energy conservation can be achieved in two major ways - through land use mixes that minimize the need for transportation between uses, and through the siting and construction of buildings and street to provide solar access and energy conservation.

Mixed-use development saves energy. Locating employment, commercial, residential and recreational uses within close proximity to one another is highly energy efficient, especially with densities high enough to support mass transportation. Consequently, mixed-use and concentrated developments are encouraged within portions of the Fairfax Center Area for their energy saving potential. Notwithstanding the foregoing, considerations of energy saving potential shall not supersede the parameters of allowable intensity of development set forth herein.

Careful site planning is not only cost efficient in regard to energy consumption, but also cost effective for developers in regard to site work. This cost benefit results from working with existing land forms, minimizing the need for extensive earthwork. Retention of natural features and flexible site planning should be encouraged for their energy saving potentials. Heating and cooling needs of residential and commercial structures can be greatly reduced through the employment of various siting and construction techniques. A well-insulated and sited house can reduce energy needs by as much as 70 percent.

Various siting considerations should be considered when locating structures to use the most efficiently alternative energy sources and systems. Solar energy can be used in both active and passive systems. Techniques that should be encouraged include the following:

- Buildings should be clustered. This reduces the amount of roads required as well as length of power and sewer lines needed to serve the development. Cluster development should be encouraged not only for these efficiencies, but also for its ability to preserve the natural environment by reducing land requirements;
- In most conventional developments, streets should be designed to run from east to west so that building lots run from north to south and thus maximize the extent of solar access (glass oriented to the sun);
- South facing slopes allow greatest potential for solar access. Development of these slopes first should be encouraged;
- The opportunity for buildings and accessory units to receive solar access must be assured and protected;

- Use of active and passive solar heating and cooling systems should be permitted and encouraged;
- Standardized setback and orientation requirements are not always energy efficient. Flexibility in siting and building orientation is strongly encouraged;
- Arrangement of buildings should take advantage of access to natural cooling breezes in the summer;
- Vegetation, landforms and structures should be used to channel summer breezes and to buffer structures from winter winds;
- Parking lots, paved areas, streets and buildings should be shaded by trees or structures to reduce temperatures in the summer; and
- Cold air drains toward low topographic spots. Buildings should be discouraged in these areas as they would require excess energy for winter heating.

In addition, employment of various construction techniques can greatly reduce energy consumption. Included in these are the following:

- Energy efficient building types should be encouraged. Certain building types are innately more energy efficient than others. These include multi-family housing, structures which share a common wall, and earth-integrated structures;
- Window placement and the extent of exterior wall surface can also affect energy consumption. There should be minimal placement of glass on the northwestern sides of buildings. Consideration should be given to the use of double- and triple-glazed glass in order to reduce energy consumption. These issues should be considered in building design;
- The reaction of different colors and materials to heat and light varies. Use of those materials and colors that are most energy efficient should be encouraged; and
- Sufficient insulation, weather stripping and thermal glazing must be encouraged.

The following energy conservation measures are inherent in sensitive site planning and design practices:

- Locate maximum number of units in warm slope areas. Warm slopes include eastern, western, southeastern, southern and southwestern slopes. These slopes provide better habitats for people since they receive more solar heat in the winter and cooler breezes in the summer. For these reasons it is suggested that maximum number of units and higher intensity development be located on the warm slopes,

particularly on southeastern, southern and southwestern slopes. Cold slopes include northern, northeastern, and northwestern slopes, and are more appropriate for less intensive development. If a site has limited or no warm slopes, this criteria would not be applicable;

- Provide proper solar orientation for majority of units. Proper solar orientation is a basic requirement for proper solar access and is necessary for buildings incorporating active or passive solar technologies. Proper solar orientation is equally important for a properly weatherproofed conventional building to obtain significant energy savings. In Fairfax County, proper solar orientation occurs when the main axis of a building is perpendicular to a line no more than 22°-30° from due south. The use of east-west street alignments (within a range of 25° north or south of a due east-west direction) will facilitate the provision of proper solar oriented lots and is suggested as the first attempt in site layout to achieve proper solar orientation for a majority of units;
- Protect solar access for all units. Solar access is necessary for buildings incorporating active or passive solar technologies. It is also important for a conventionally designed building to have access to winter sunlight. To develop solar access and shadow diagram, one may refer to information in the Architectural Graphic Standards and other energy site planning related books;
- Encourage greater use of active and passive solar energy. The use of active solar energy equipment, facilities and devices should be encouraged to the extent possible. Their design and location should be well considered so as not to create an unsightly view. Passive architectural design measures such as glazing methods and shading devices should be encouraged; and
- Provide energy-conscious planting. There are two major aspects of this kind of planting:
  - Shading of parking lots and other large paved areas to reduce the cooling demands of adjacent buildings. Shaded parking lots are also welcomed by motorists in the summer.
  - Providing summer shade and winter warmth by using deciduous trees, and protecting the north facade with an evergreen windbreak.



# County of Fairfax, Virginia

## MEMORANDUM

November 5, 2010

**TO:** Suzie Zottl, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Hugh Whitehead, Urban Forester II *HW*  
Forest Conservation Branch, DPWES

**SUBJECT:** Residences at the Government Center  
PCA 86-W-001-11 and FDPA 86-W-001-06

1. **Comment:** The plan proposes significant tree save area, in the west end of the site, which is not proposed for protection in a conservation easement.

**Recommendation:** Request that all areas on the site protected as tree save areas be proposed for protection in perpetuity as conservation easements.

2. **Comment:** Open areas are shown west and south of the temporary turn around and south of the parking lot south of the buildings. These areas are outside of the access loop and within the limits of clearing and grading. These areas are shown to be cleared, but only portions of these cleared areas are proposed for replanting, as indicated on the landscape plan. It is assumed that maintained grass is proposed for these areas. The County's environmental vision encourages the implementation of practices that result in a cleaner and healthier environment benefiting residents and the region's biological diversity. Natural landscaping techniques use, among other practices, biodegradable mulch and reduced lawn areas to create diverse landscapes, reduce maintenance, enhance air and water quality, and conserve resources.

**Recommendation:** Require that all cleared areas outside of the access loop be replanted with trees and shrubs to minimize turf areas and reduce mowing. To minimize the cost of reforestation, 3-yr seedlings in 4-foot tall protective tubes could be used over 50 percent of the area to be replanted. To aid in stabilization, seed the area using a native grass seed mix.

HCW/  
UFMID #: 155146

cc: Anna Bentley, Planner III, Planning and Development Division, FCPA  
RA File  
DPZ File



# County of Fairfax, Virginia

## MEMORANDUM

DATE: January 28, 2011

**TO:** Regina Coyle, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Angela Kadar Rodeheaver, Chief *AKR by CAA*  
Site Analysis Section  
Department of Transportation

**FILE:** 3-4 (RZ 86-W-001)

**SUBJECT:** Transportation Impact

**REFERENCE:** PCA 86-W-001-11, FDPA 86-W-001-06; Jefferson at Fairfax  
Corner, L.L.C.  
Land Identification Map: 56-1 ((15)) Part of 14

The following comments reflect the position of the Department of Transportation, and are based in part on the applicant's traffic impact analyses dated June 10, 2010, the development plan revised to December 27, 2010, and draft proffers revised to December 22, 2010.

The revised proffers commit to the provision of a 1,000gsf community meeting room. The meeting room includes use by off-site groups in the evenings, but the development plan does not provide the additional parking spaces needed to serve the meeting room. Few if any options are available to add parking on the site.

The revised proffers also provide a commitment to Transportation Demand Management. However, the commitment could be strengthened by adding a commitment to provide Smart Trip Cards to new residents, an charge for residents parking more than one vehicle, and a 20% trip reduction goal instead of a 15% goal. Given the close proximity to transit and HOV access on Interstate 66, a 20% commitment would seem appropriate.

Note that due to the need for adequate sight distance requirements, it may not be possible to plant trees and shrubs as proposed along the front of the site.

AKR/CAA

Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services.

Fairfax County Department of Transportation  
4050 Legato Road, Suite 400  
Fairfax, VA 22033-2895  
Phone: (703) 877-5600 TTY: 711  
Fax: (703) 877-5723  
[www.fairfaxcounty.gov/fcdot](http://www.fairfaxcounty.gov/fcdot)





# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

December 2, 2010

GREGORY A. WHIRLEY  
COMMISSIONER

Ms. Regina Coyle  
Director of Planning and Zoning  
Office of Comprehensive Planning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5511

Re: Residences At The Government Center  
Chapter 527 Comments  
Tax Map # 56-1((15)) 0005B & 0014  
Fairfax County

Dear Ms. Coyle:

VDOT has reviewed the above plan and traffic impact study submitted on August 12, 2010, and received on August 16, 2010. The proposed site is located on the south side of Monument Drive adjacent to the Fairfax County Government Center. The Residences at the Government Center proposes the construction of 270 apartment units with 240,000 gross square feet (GSF). Vehicular access to the property will be provided via a full movement intersection opposite of existing Monument Way along Monument Drive with a right-in/right-out entrance situated to the east. The proposal would add about 136 AM and 166 PM peak hour trips when fully constructed and occupied. The proposed development would add about 1,760 daily (24-hour) trips on weekdays. The following comments are offered:

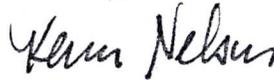
1. The terrain for the site should be identified.
2. The Tax Map Number for the site should be identified at the beginning of the report.
3. No mitigation of the impacts was proposed with the study.
4. The annual growth factors assumed in the study are not documented. It is unclear what data was used for the "historical growth". This number seems to be in line with the regional growth.
5. Exhibit 3 shows Rt. 29 carrying 37,000 vehicles as the existing condition and Exhibit 10A shows 29,400 vehicles for the 2013 buildout year. The same issue occurs in the design year of 2019 with 31,200 shown as the ADT. These can not be correct given the regional growth factor of 2% for the build out year and 1% for the design year.

**Additional Recommendations**

6. An eastbound right turn lane should be provided at the Monument Drive/Monument Way intersection.
7. The new driveways will be required to meet the Access Management Requirements.
8. The median noses will need to be modified to provide better turning radii and to permit simultaneous left turn movements across the intersection.
9. A pdf file of the study text is required with each submittal. None was provided with this package.

Please address these concerns on the next submittal. Please contact me if you have any further questions regarding these comments.

Sincerely,



Kevin Nelson  
Transportation Engineer

cc: Ms. Angela Rodeheaver

527Info2010-0124pca1ResidencesAtGovernmentCtrComments12-2-10RC



FAIRFAX COUNTY  
PUBLIC SCHOOLS

Department of Facilities and Transportation Services

Office of Facilities Planning Services  
8115 Gatehouse Road, Suite 3300  
Falls Church, Virginia 22042

February 3, 2011

**TO:** Suzianne Zottl  
Fairfax County Department of Planning & Zoning  
Zoning Evaluation Division

**FROM:** Denise M. James, Director *DMJ*  
Office of Facilities Planning Services

**SUBJECT:** PCA 86-W-001-11/FCPA 86-W-001-06, Jefferson at Fairfax Corner

**ACREAGE:** 8.12 acres

**TAX MAP:** 56-1 ((15)) 5B, 14 & 56-1 ((15)) pt. 14

**PROPOSAL:** Proffer condition amendment on 90.388 acres (Land Bay C of the Fairfax Government Center) and a final development plan amendment on an 8.12 acre portion of the site to permit 270 affordable dwelling units.

**COMMENTS:** This revises a previous memo dated October 20, 2010 to reflect that the proposal is for mid-rise multi-family units not low-rise multi-family units.

The proposal is within the Eagle View Elementary School, Lanier Middle School, and Fairfax High School boundaries. The chart below shows the existing school capacity, enrollments, and projected enrollments.

School	Capacity	Enrollment (9/30/10)	2011-2012 Projected Enrollment	Capacity Balance 2011-2012	2015-16 Projected Enrollment	Capacity Balance 2015-16
Eagle View ES	841	928	1023	-182	1214	-373
Lanier MS	1200	1236	1175	25	1408	-208
Fairfax HS	2389	2375	2580	-191	2797	-408

*Capacity and enrollment are based on the draft FCPS FY 2012-16 CIP.*

The school capacity chart shows a snapshot in time for student enrollments and school capacity balances. Student enrollment projections are done on a six year timeframe, currently through school year 2015-16 and are updated annually. As the chart above indicates, the proposed application is anticipated to further exacerbate the capacity deficit at the receiving schools. Beyond the six year projection horizon, enrollment projections are not available. It is noted that there is an ongoing boundary study for the southwestern region of the county to address capacity and school attendance area boundaries. Eagle View Elementary is part of the boundary study.

The application proposes 270 mid-rise multi-family residential units in a four story building, which are all intended to be affordable units. Based on the proposal, it is anticipated that 47% of the units will be affordable to households at 50-60% of the average median income (AMI). The other 53% will be affordable to households with incomes at 80-100% of AMI. Such units will serve the housing needs of Fairfax County government employees and others.

The chart below shows the number of projected students by school level based on the current countywide student yield ratio.

School level	Mid/high-rise ratio	Proposed units	Student yield
Elementary	0.047	270	13
Middle	0.013	270	4
High	0.027	270	7
			24 Total

#### SUMMARY:

##### Suggested Proffer Contribution

The application is anticipated to yield 24 new students. In accordance with the proffer formula guidelines set forth in the Residential Development Criteria, the students generated would justify a proffer contribution of \$225,072 (24 students x \$9,378) in order to address capital improvements for the receiving schools. It is recommended that all proffer contributions be directed to the Fairfax HS pyramid and/or to Cluster VII schools that encompass this area at the time of site plan approval or building permit approval. It is also recommended that notification be given to FCPS when construction is anticipated to commence in order for FCPS to include the timely projection of students into its five year Capital Improvement Program.

In addition, a proffer contribution for "an escalation condition" is recommended. The suggested proffer contribution is updated on an annual basis to reflect current market conditions and the amount has decreased over the last couple of years because of the down turn in the economy and lower construction costs for FCPS. As a result, an escalation condition would allow for payment of the school proffer based on either the current suggested proffer contribution or the proffer contribution in effect at the time of development, whichever is greater. This would better reflect the per student proffer contribution at the time of development, given that in this economy, development may not immediately commence. For your reference, below is an example of an escalation condition that was included as part of an approved proffer contribution to FCPS.

- A. Adjustment to Contribution Amounts. Following approval of this Application and prior to the Applicant's payment of the amount(s) set forth in this Proffer, if Fairfax County should increase the ratio of students per high-rise multifamily unit or the amount of the contribution per student, the Applicant shall increase the amount of the contribution for that phase of development to reflect the then-current ratio and/or contribution. If the County should decrease the ratio or contribution amount, the Applicant shall provide the greater of the two amounts.

#### Attachment: Locator Maps

cc: Elizabeth T. Bradsher, School Board, Springfield District  
 Ilryong Moon, School Board, At-Large  
 James L. Raney, School Board, At-Large  
 Martina A. Hone, School Board, At-Large  
 Janice Miller, School Board, City of Fairfax  
 Ann Monday, Superintendent, City of Fairfax  
 Dean Tistadt, Chief Operating Officer, FCPS  
 Linda Burke, Cluster VII, Assistant Superintendent  
 Patty Granada, Principal, Eagle View Elementary School  
 Scott Poole, Principal, Lanier Middle School  
 David Goldfarb, Principal, Fairfax High School



# FAIRFAX COUNTY PARK AUTHORITY



## M E M O R A N D U M

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Sandy Stallman, Manager *SS*  
Park Planning Branch, PDD

**DATE:** February 7, 2011

**SUBJECT:** PCA 86-W-001-11 (Concurrent with FDPA 86-W-001-06), Residences at  
Government Center - ADDENDUM  
Tax Map Number(s): 56-1 ((15)) 5B, 14

The following remarks augment comments previously submitted by the Park Authority on November 10, 2010. Trail segments described are central to providing adequate pedestrian connections - both to and from the existing trail system.

### **Trail segment on the west side of the proposed development**

- A 6 foot wide asphalt trail is requested, but 8 foot wide asphalt would be acceptable (given the altered route described below and in the November 10 memo); wood chips are not acceptable and not in accordance with the PFM.
- The segment should turn southward just west of the development, as noted in earlier comments, perhaps near the 406' elevation line shown on provided plans (Sheet 10, May 2010 plans). This minimizes intrusion into the mature forest (a core goal) while providing needed access to the existing trail system for future residents. The adjustment may also permit the applicant to increase the area of the proposed conservation easement.
- This segment of the trail should conform to ADA guidelines, maintaining 5% slope for the majority of the segment, and keeping 8% and 10% portions at ADA-acceptable levels. A quick review using elevations available on the provided plans indicates this is possible.

### **Trail segment on the east side of the proposed development**

- A 6 foot wide asphalt trail is requested; wood chips are not acceptable and not in accordance with the PFM.
- It is essential to provide a trail connection on the eastern side of the development. The segment may run from the tot lot area, south of the BMP area to connect to the existing trail, as described in the November 10 memo, or may run along the roadway on the northeastern corner of the site, turning southward and slightly westward to connect to the existing trail -- in a manner to minimize intrusion to the BMP area and existing mature forest.

- This segment of the trail should maintain slopes not in excess of 10 to 15%. Due to elevations (as shown on the plans) and the distance within which to achieve the connection, the Park Authority understands it may not be possible to conform to ADA guidelines on this eastern segment.

In both cases, and as described in the November 10 memo, it is recommended that the applicant work with the Park Authority's Trail Program Manager on the exact route of the recommended trail segments. During construction, field adjustments to save specific trees are both desired and acceptable. The Park Authority also recommends that the new trails be completed with issuance of the first residential use permit (RUP).

FCPA Reviewer: Anna Bentley  
DPZ Coordinator: Suzianne Zottl

Copy: Elizabeth Croneaur, Trail Coordinator, Special Projects Branch  
Cindy Walsh, Director, Resource Management Division  
Chron Binder  
File Copy

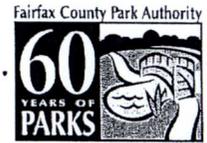
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## FAIRFAX COUNTY PARK AUTHORITY



## M E M O R A N D U M



**TO:** Regina M. Coyle, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Sandy Stallman, Manager  
Park Planning Branch, PDD *SS*

**DATE:** November 10, 2010

**SUBJECT:** PCA 86-W-001-11 (Concurrent with FDPA 86-W-001-06), Residences at  
Government Center  
Tax Map Number(s): 56-1 ((15)) 5B, 14

**BACKGROUND**

The subject of this application is an 8.12 portion of a larger approximately 90 acre site located within the Fairfax Planning District. The site is within the Fairfax Center Area on the south side of Monument Drive, bounded to the west by Government Center Parkway, to the south by the Government Center, and to the east by public open space. The entire site is owned by Fairfax County.

The Park Authority owns and operates Carney Park near the application parcel. In addition, the Park Authority's Area 5 Maintenance crew conducts maintenance operations on Parcel 14 on behalf of the County.

The Park Authority staff has reviewed the proposed Development Plan dated August 18, 2010, for the above referenced application. The Development Plan shows 270 new multi-family residential units on an 8.12 acre portion of the larger approximately 90 acre site. The entire site is planned for and currently developed with office. The proffer condition amendment proposes including a combination of affordable and workforce housing residential units (no market rate units) on a portion of the site.

Based on an average multi-family household size of 2.0 in the Fairfax Planning District, the development could add 540 new residents to the Springfield Supervisory District.

**COMPREHENSIVE PLAN CITATIONS**

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). The Policy Plan also cites differing needs for more

urban development and presents Urban Park Development guidance (Parks and Recreation, Park Classification System, p.10-11). Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

The Fairfax Center Area recommendations in the Area III Plan describe the importance of neighborhood parks and trails. In addition, recommendations for the sub-unit containing this application site specifically cite the importance of pedestrian links to achieving the Plan's objectives (Area III, Fairfax Center Area, Area-Wide Recommendations, Parks and Recreation, pp. 41-42, 92).

Finally, text from the Fairfax District chapter of the draft Great Parks, Great Communities Park Comprehensive Plan echoes recommendations in the Countywide Comprehensive Plan. Specific District chapter recommendations include adding playgrounds at local parks in the district, constructing a trail in Carney Park between two developer-built trails, protecting remaining natural areas in the district, and improving existing corridors, linkages and watersheds.

## **ANALYSIS AND RECOMMENDATIONS**

### Needs Assessment and Facility Standards Analysis:

Currently, there are 45 parks located in the Fairfax Planning District. There is a need for local and district parkland and recreational facilities in this district. Existing nearby parks (e.g., Jack Carney Park, Dixie Hill, Random Hills, Fairfax Villa, Piney Branch Stream Valley) meet only a portion of the demand for parkland generated by residential development in the Fairfax Center Area. In addition to parkland, the recreational facilities in greatest need in this area include playgrounds, basketball courts, and rectangle fields.

The applicant's site plan shows a tot lot, which would serve residents of this proposed development and contribute to off-setting the deficit of playgrounds in the area.

### Recreational Impact:

The Fairfax County Zoning Ordinance requires provision of open space and recreational features within Planned Development Districts (see Zoning Ordinance Sections 6-110 and 16-404). The minimum expenditure for park and recreational facilities within these districts (P-Districts) is set at \$1,600 per non-ADU residential unit for outdoor recreational facilities to serve the development population. Whenever possible, the facilities should be located within the residential development site.

The proffer condition amendment memorandum proposes all below-market residential units – approximately 47% affordable units (50-60% AMI) and 53% workforce units (80-100% AMI).<sup>1</sup> The affordable dwelling units (ADUs) are exempt from the minimum expenditure; the workforce units (WDUs) are not. With 143 non-ADUs proposed, the Ordinance-required amount to be spent onsite is \$228,800. Any portion of this amount not spent onsite should be conveyed to the Park Authority for recreational facility construction at one or more park sites in the service area of the development. The final development plan (FDP) shows a pool, an urban-type pocket park

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<sup>1</sup> Please note: the FDP dated May 2010 states 48% ADUs and 52% WDUs. The application memorandum, dated August 18, 2010, states 47% ADUs and 53% WDUs. The more current estimate is used for calculations.

with seating, a tot lot, and describes an indoor gym area. These amenities should be provided, as described and will be credited towards the on-site P-District required funds for recreation. The Park Authority also requests clarification regarding the specific amenities and facilities to be provided within the indoor gym area in order to apply credit appropriately.

The \$1,600 per unit funds required by Ordinance offset only a portion of the impact to provide recreational facilities for the new residents generated by this development. Given the proposed on-site facilities, it is anticipated that a large portion if not all of the Ordinance-required funds are used for outdoor recreational amenities onsite. As a result, the Park Authority is not compensated for the increased demands caused by residential development for other recreational facilities that the Park Authority must provide.

With the Countywide Comprehensive Policy Plan as a guide (Appendix 9, #6 of the Land Use section, as well as Objective 6, Policy a, b and c of the Parks and Recreation section), the Park Authority requests a fair share contribution of \$893 per new resident with any residential rezoning application to offset impacts to park and recreation service levels. This allows the Park Authority to build additional facilities needed as the population increases. Again, ADU units are exempt from this fair share contribution, but workforce units are not. To offset the additional impact caused by the non-ADU units in the proposed development, the applicant should contribute \$255,577 to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

#### Natural Resources Impact:

The applicant's site is currently a mature forest stand which may contain some unique resources with intact soils. The removal of this entire forest stand would represent an irreplaceable loss for this part of the County. The FDP shows several areas set aside as tree save areas. The Park Authority recommends that all areas on the site shown as tree save be put in an easement that allows the unique resources to be protected in perpetuity and managed to maintain quality (e.g., invasive plant management). Recommended adjustments to the proposed trail, described in the Trails section below, would allow additional forested areas to be preserved.

Only a portion of the site's cleared areas are proposed for replanting, as indicated on the landscape plan. The County's environmental vision encourages the implementation of practices that result in a cleaner and healthier environment benefiting residents and the region's biological diversity. Natural landscaping techniques use, among other practices, biodegradable mulch and reduced lawn areas to create diverse landscapes, reduce maintenance, enhance air and water quality, and conserve resources. The Park Authority recommends that all cleared areas outside of the access loop be replanted with trees and shrubs to minimize turf areas and reduce mowing. To minimize the cost of reforestation, 3-yr seedlings in 4-foot tall protective tubes could be used over 50 percent of the area to be replanted. To aid in stabilization, the area should be seeded using a native grass seed mix.

Finally, throughout the site, the Park Authority recommends the use of native plants in landscaping.

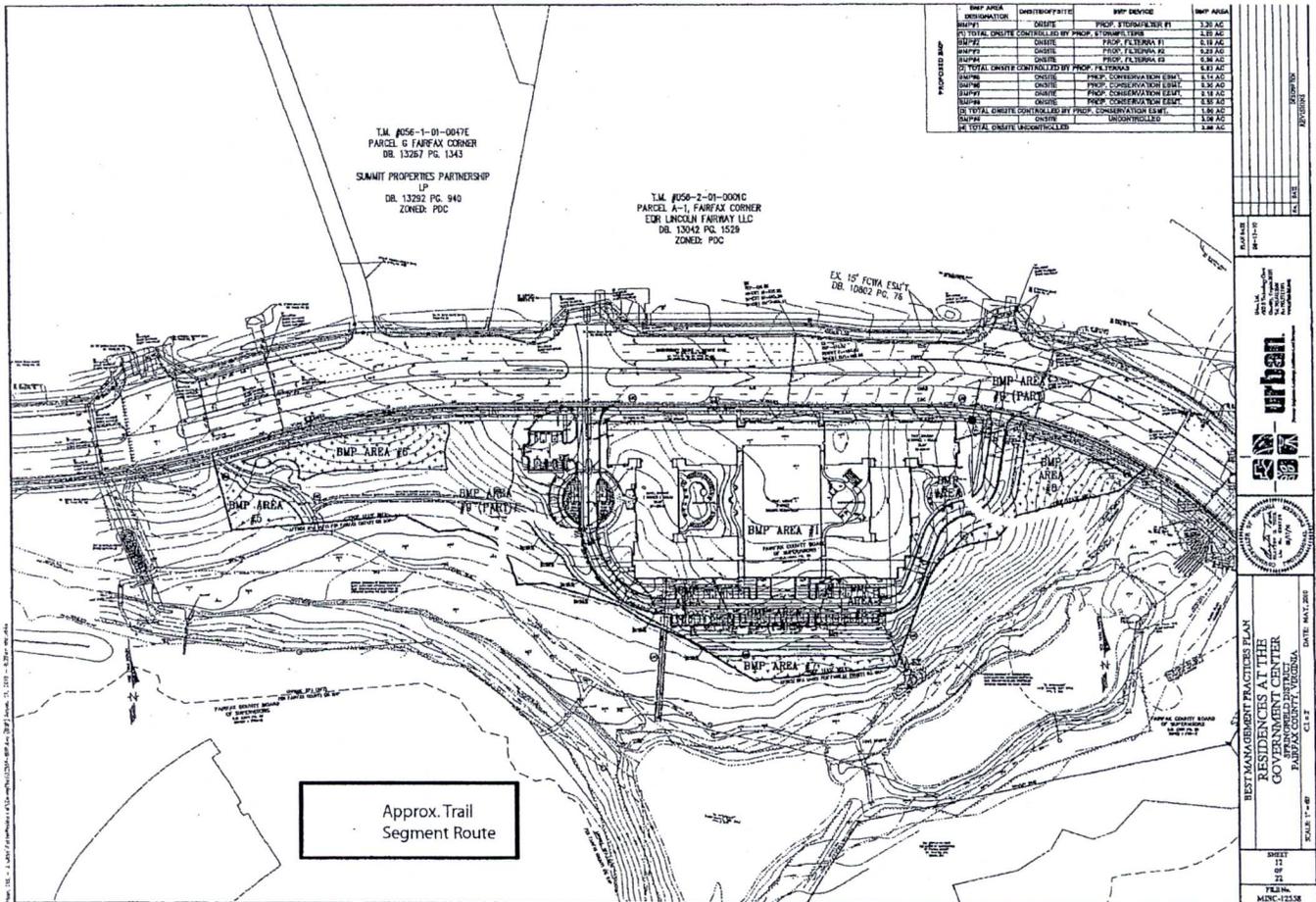
#### Cultural Resources Impact:

No cultural resource impacts.

Trails:

As has been noted, the affected parcels are adjacent to the Government Center complex and Park Authority maintained areas. Existing trails wind through this area, providing nearby residents and Government Center employees with recreational opportunities and access to natural areas. The trails are heavily used and provide a critical recreational and natural resource to the Fairfax Center Area.

The applicant has proposed a wood chip trail that would be accessible from Monument Drive to connect the residential complex to the existing gravel and asphalt trail network. The Park Authority supports the provision of trails connecting the proposed development to existing networks, but suggests an alternate alignment that would increase connectivity and trail access with less intrusion into the mature forest. The alignment shown on the FDP runs approximately half-way between and parallel to the proposed development and existing trail network. The proposed trail cuts through mature forests described above in Natural Resources Impacts. Instead, two shorter connections to the existing trail are recommended, as shown in the figure below. The western segment would run from the temporary turn around area and wind westward and south to connect to the existing network. The eastern connection could initiate near the proposed tot lot and wind eastward and slightly south to meet the existing trail. This connection would likely require switchbacks to ensure accessibility.



Recommended east and west trail segments, to replace proposed trail shown on applicant plans.

Both trail segments should be asphalt and 6 feet wide. Trails should be constructed to the County's Public Facilities Manual (PFM) standards.

It is recommended that the applicant work with the Park Authority's Trail Program Manager on the exact route of the recommended trail segments. The Park Authority also recommends that the new trails be completed with issuance of the first residential use permit (RUP). The applicant should also coordinate with the Park Authority regarding trail maintenance where the two segments meet existing County trails.

### **SUMMARY OF RECOMMENDATIONS**

This section summarizes the recommendations included in the preceding analysis section.

- The ADU units proposed are exempt from contributions; workforce housing units are not. Required and recommended recreation contribution amounts for the non-ADU multifamily units are:
  - P-District Onsite Expenditure: \$228,800
  - Requested Park Proffer Amount: \$255,577
  - Total contribution: \$484,377
- All areas on the site shown as tree save should be put in a conservation easement to ensure the resources are protected in perpetuity.
- Cleared areas outside of the access loop should be replanted with trees and shrubs to minimize turf areas and reduce mowing. To minimize the cost of reforestation, 3-yr seedlings in 4-foot tall protective tubes could be used over 50 percent of the area to be replanted; to aid in stabilization, the area should be seeded using a native grass seed mix.
- The use of native plants in landscaping is recommended.
- Two shorter connections to the existing trail are recommended: a western segment from the temporary turn around area and an eastern segment from near the proposed tot lot. Both segments should be asphalt, 6 feet wide, and completed with issuance of the first RUP.

FCPA Reviewer: Anna Bentley  
DPZ Coordinator: Suzianne Zottl

Copy: Cindy Walsh, Director, Resource Management Division  
Heather Schinkel, Manager, Natural Resource Management  
Julie Cline, Manager, Land Acquisition & Management Branch  
Dan Sutherland, Manager, Park Operations Division  
Chron Binder  
File Copy



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** October 5, 2010

**TO:** Regina Coyle, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Eric Fisher, GIS Analyst III  
Information Technology Section  
Fire and Rescue Department

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Proffered Condition Amendment PCA 86-W-001-11 concurrent with Final Development Plan Amendment Application FDPA 86-W-001-06

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #440, **Fairfax Center**
2. After construction programmed \_\_\_\_\_ this property will be serviced by the fire station \_\_\_\_\_
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. The application property is \_\_\_\_\_ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Proudly Protecting and  
Serving Our Community

Fire and Rescue Department  
4100 Chain Bridge Road  
Fairfax, VA 22030  
703-246-2126  
www.fairfaxcounty.gov





## County of Fairfax, Virginia

## MEMORANDUM

**DATE:** November 19, 2010

**TO:** Staff Coordinator  
Zoning Evaluation Division  
Department of Planning & Zoning

**FROM:** Lana Tran (Tel: 703 324-5008)  
Wastewater Planning & Monitoring Division  
Department of Public Works & Environmental Services

**SUBJECT:** Sanitary Sewer Analysis Report

**REFERENCE:** Application No. PCA86-W-001-11  
Tax Map No. 056-1/15/ /0014Pt.

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the Accotink Creek (M-9) watershed. It would be sewerred into the Noman M. Cole Pollution Control Plant (NMCPCP).
2. Based upon current and committed flow, there is excess capacity in the NMCPCP. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 18" inch line located on the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use +Application</u>		<u>Existing Use + Application Previous Rezonings</u>		<u>Existing Use + Application + Comp Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u>   </u>	<u>X</u>	<u>   </u>	<u>X</u>	<u>   </u>
Submain	<u>X</u>	<u>   </u>	<u>X</u>	<u>   </u>	<u>X</u>	<u>   </u>
Main/Trunk	<u>X</u>	<u>   </u>	<u>X</u>	<u>   </u>	<u>X</u>	<u>   </u>
Interceptor	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>
Outfall	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>

5. Other pertinent information or comments:

Department of Public Works and Environmental Services  
Wastewater Planning & Monitoring Division  
12000 Government Center Parkway, Suite 358  
Fairfax, VA 22035-0052  
Phone: 703-324-5030, Fax: 703-324-3946





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** OCT 1 - 2010

**TO:** Suzie Zottl, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** *ES* Elfatih Salim, Senior Engineer III  
Stormwater and Geotechnical Section  
Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Proffered Condition Amendment and Final Development Plan  
Amendment Applications #PCA 86-W-001-1 and FDPA 86-W-001-06; Jefferson at Fairfax Corner; CDP/FDP dated August 13, 2010; Difficult Run Watershed; LDS Project #007656-ZONA-002-1; Tax Map #056-1-15-00-0005-B and 0014; Springfield District

We have reviewed the subject application and offer the following stormwater management comments.

### Chesapeake Bay Preservation Ordinance (CBPO)

There is a 1993 Resource Protection Area (RPA) on this site. An RPA boundary delineation study will be required in accordance with the Letter to Industry #08-12. Guidelines for determining locations of Resources Protection Areas and identifying wetlands and water bodies with perennial flow are found at PFM § 6-1704.

If applicant is proposing any disturbance in the RPA, a Water Quality Impact Assessment (WQIA) will be required {PFM § 6-1703 and CBPO § 118-4-3}.

### Floodplain

There are regulated minor floodplains on the property. No disturbance in the floodplain is proposed with this development and therefore a floodplain determination letter will not be required.

Department of Public Works and Environmental Services  
Land Development Services, Environmental and Site Review Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



Suzie Zottl, Staff Coordinator  
Proffered Condition Amendment and Final Development Plan Amendment  
Applications  
#PCA 86-W-001-1 & FDPA 86-W-001-06  
Page 2 of 2

#### Downstream Drainage Complaints

There are no downstream drainage complaints on file.

#### Stormwater Detention

Stormwater detention is proposed with an underground detention facility. A separately submitted Public Facilities Manual (PFM) modification to allow underground stormwater management in residential areas is required {PFM § 6-0303.8}. The concurrent PFM modification request will be reviewed by DPWES and forwarded to DPZ to be sent to the Board of Supervisors for consideration in conjunction with the PCA/FDPA application.

#### Water Quality Control

Water Quality Control Best Management Practices (BMPs) are provided onsite by the use of three Filterras, one StormFilter, and a total of one-acre of three conservation easements. The Filterras and the StormFilter need to be privately maintained and a private maintenance agreement will be required. The conservations easements need to stay perpetually undisturbed and placed in conservation easements and without other encumbrances.

#### Site Outfall

An outfall narrative and three cross-sections at the end point of the outfall analysis have been provided on sheets 14 and 15. However, the entire downstream drainage system, between the starting point and the end point of the outfall analysis, need to be adequate {ZO § 16-501.1 and PFM § 6-0203}.

Please contact me at 703-324-1720 or [elfatih.salim@fairfaxcounty.gov](mailto:elfatih.salim@fairfaxcounty.gov) if you require additional information.

ES/tg

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES  
Jeremiah Stonefield, Chief, Stormwater and Geotechnical Section, ESRD,  
DPWES  
Mike Zakkak, Chief Site Review Engineer, ESRD, DPWES  
Zoning Application File



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:**

**TO:** Suzie Zottl, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Elfatih Salim, Senior Engineer III  
Stormwater and Geotechnical Section  
Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Proffered Condition Amendment Application #PCA 86-W-001-11,  
*CDPA/FDPA Layout with Grading and Stormwater Management Plan –  
Residences at the Government Center dated October 8, 2010 (Plan)*, Tax  
Map #056-1-15-0014 and 0005-B (Property), Springfield District

**REFERENCE:** Waiver Request #007656-WPFM-006-1, for Location of Underground  
Facilities in a Residential Area

We have reviewed the referenced submission for consistency with Section 6-0303.8 of the Public Facilities Manual (PFM), which restricts use of underground facilities located in a residential development (Attachment B). The Board of Supervisors may grant a waiver after taking into consideration possible impacts on public safety, the environment, and the burden placed on applicant for maintenance. Underground facilities located in residential developments allowed by the Board:

- shall be privately maintained;
- shall be disclosed as part of the chain of title to all future owners responsible for maintenance of the facilities;
- shall not be located in a County storm drainage easement; and,
- shall have a private maintenance agreement, in a form acceptable to the Director of the Department of Public Works and Environmental Services (DPWES), executed before the construction plan is approved.

The applicant has indicated that the preferred method for stormwater management is use of underground detention, StormFilters, and Filterras.

In the waiver application, the applicant states that the Jefferson at Fairfax Corner underground stormwater management system will be maintained by the applicant.

Department of Public Works and Environmental Services  
Land Development Services, Environmental and Site Review Division

12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503

Phone 703-324-1720 • TTY 703-324-1877 • FAX 703-324-8359

[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



The draft proffers shall state that, the applicant, its successors, and assigns, in accordance with DPWES, will privately maintain the underground stormwater management facilities. Said maintenance responsibility shall be incorporated in and agreement to be reviewed and approved by the Fairfax County Attorney's office and recorded among the Fairfax County land records. Said agreement shall address the following issues:

- County inspection and all other issues as may be necessary to ensure that the facilities are maintained by the applicant in good working order acceptable to the County to detain the flow of stormwater, which results from development of the subject site;
- Liability and insurance in an amount acceptable to the Director of the Department of Public Works, Fairfax County;
- A restriction that the applicant, their successors, and assigns, shall not petition DPWES for future maintenance; and

DPWES recommends that the development conditions be amended to require that the facilities not be located in a County storm drainage easement, a private maintenance agreement is executed for the applicant to maintain the stormwater management and best management practice facilities, and disclosure is made in the chain of title of the maintenance responsibility. The applicant is required to maintain a minimum \$1,000,000 liability policy, and the applicant places sufficient monies in an escrow account for the initial reserve fund, to cover a 20-year maintenance cycle and replacement costs of the underground facility.

An analysis of the possible impacts on public safety, the environment, and the burden placed on applicant for maintenance is as follows:

#### ANALYSIS:

Impacts on Public Safety – The proposed underground facilities will be designed with adequate measures to ensure public safety. They are located mostly in the surface parking areas and within the proposed grass and landscape areas. The units in the landscape areas will be designed such that there is cover above the structure and will have only manhole access with lockable lids. The structure in the parking lots will have an offset inlet structure and standard grate inlets, locked as required.

The applicant shall propose to construct the underground facilities with precast concrete which concord with DPWES position that the underground detention in the residential area be constructed entirely with reinforced concrete products only. Further, the stormwater detention system shall provide access points per the PFM Section 6-1306.3H.

If it is the intent of the Board to approve the waiver request, the applicant should provide adequate access for maintenance and safety. The detention pipe and Stormfilter vault should be constructed entirely with reinforced concrete products only, is a minimum of 72" in height, and should comply fully with the PFM Section 6-1306.3H. The applicant should provide liability insurance in an amount acceptable to Fairfax County as a waiver condition. A typical liability insurance amount is \$1,000,000 against claims associated with underground facilities. The maintenance agreement should also hold Fairfax County harmless from any liability associated with the facilities.



Impacts on the Environment – The stormwater underground detention system is proposed under parking areas where no trees or shrubs will be permitted to be planted directly above or adjacent to the underground facilities, or in the outfall channel. Staff does not believe that there will be any adverse impact on the environment from constructing the proposed underground facilities.

Burden Placed on Applicant for Maintenance and Future Replacement – The proposed multiple-family dwelling building will contain up to 270 dwelling units. The developer acknowledges the obligation to maintain the underground SWM facilities. The facilities will be maintained by experienced professional management companies providing the requisite knowledge and funding to insure proper maintenance.

RECOMMENDATION:

DPWES recommends that the Board of Supervisors approve the waiver of underground facilities in residential areas for the Residences at the Government Center development plan, subject to Waiver #007656-WPFM-006-1 Conditions dated February 1, 2011, as contained in Attachment A.

If you have any questions, or need further assistance, please contact me at 703-324-1720.

ATTACHED DOCUMENTS:

Attachment A - Waiver #007656-WPFM-006-1 Conditions, Residences at the Government Center, February 1, 2011

Attachment B - PFM Section 6-0303.8

cc: Robert A. Stalzer, Deputy County Executive  
James Patteson, Director, Department of Public Works and Environmental Services  
Bruce Nassimbeni, Director, Environmental and Site Review Division, DPWES  
Steve Aitcheson, Director, Maintenance and Stormwater Management Division, DPWES  
Waiver File



**Waiver #007656-WPFM-006-1 Conditions**

Residences at the Government Center  
PCA 86-W-001-11  
February 1, 2011

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

The private maintenance agreement shall address:

- County inspection and all other issues as may be necessary to insure that the applicant maintains the facilities in good working condition acceptable to the County to control stormwater generated from the development of the Residences at the Government Center site.
- A condition that the applicant, their successors, or assigns shall not petition the County to take future maintenance or replace the underground facilities.
- Establishment of a reserve fund, for future replacement of the underground facilities.
- Establishment of procedures to follow to facilitate inspection by the County, i.e. advance notice procedure, whom to contact, who has the access keys, etc.
- A condition that the applicant provide and continuously maintain, liability insurance. The typical liability insurance amount is at least \$1,000,000, against claims associated with underground facilities.
- A statement that Fairfax County shall be held harmless from any liability associated with the facilities.

7. Operation, inspection, and maintenance procedures associated with the underground facilities shall be incorporated in the site construction plan, private maintenance agreement, and documents, which insure safe operation, inspection, and maintenance of the facilities.
8. Prior to final construction plan approval, the developer shall escrow sufficient funds which will cover a 20-year maintenance cycle of the underground facilities. These monies shall not be made available to the management company until after final bond release.
9. The applicant and its successors and assigns shall disclose, as part of the chain of title, to all future property owners, the presence of the underground stormwater facilities and the responsibility for operation, inspection, maintenance and replacement of such facilities, by including the following language within the documents:

“The applicant and its successors and assigns are responsible for the operation, inspection, maintenance, and replacement of the underground stormwater facilities as set forth in the documents and a private maintenance agreement entered into with the County.”

## **Attachment B**

### **The Public Facilities Manual (PFM) Section 6-0303.8 (24-88-PFM, 83-04-PFM)**

Underground detention facilities may not be used in residential developments, including rental townhouses, condominiums and apartments, unless specifically waived by the Board of Supervisors (Board) in conjunction with the approval of a rezoning, proffered condition amendment, special exception, or special exception amendment. In addition, after receiving input from the Director regarding a request by the property owner(s) to use underground detention in a residential development, the Board may grant a waiver if an application for rezoning, proffered condition amendment, special exception, and special exception amendment was approved prior to, June 8, 2004, and if an underground detention facility was a feature shown on an approved proffered development plan or on an approved special exception plat. Any decision by the Board to grant a waiver shall take into consideration possible impacts on public safety, the environment, and the burden placed on prospective owners for maintenance of the facilities. Any property owner(s) seeking a waiver shall provide for adequate funding for maintenance of the facilities where deemed appropriate by the Board. Underground detention facilities approved for use in residential developments by the Board shall be privately maintained, shall be disclosed as part of the chain of title to all future homeowners (e.g. individual members of a homeowners or condominium association) responsible for maintenance of the facilities, shall not be located in a County storm drainage easement, and a private maintenance agreement in a form acceptable to the Director must be executed before the construction plan is approved. Underground detention facilities may be used in commercial and industrial developments where private maintenance agreements are executed and the facilities are not located in a County storm drainage easement.



# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

## MEMORANDUM

**TO:** Suzianne Zottl  
Peter Braham  
Department of Planning & Zoning

**DATE:** November 1, 2010

**FROM:** Charlene Fuhrman-Schulz  
Department of Community Development, DHCD

**SUBJECT:** Jefferson at Fairfax Corner, LLC: PCA 86-W-001-11

**REFERENCE:** Residences at the Government Center

The following are preliminary comments on the above referenced rezoning. As this project will be built on property that is owned by the Fairfax County Board of Supervisors, there are commitments made as part of the ground lease that should also be in the proffer statement.

### Architectural Design:

1. LEED for Home certification: In addition to the Energy Star Certification, the applicant shall proffer to attaining LEED for Home certification. (See Jefferson Apartment Groups description at bottom.)
2. Universal Design: the applicant shall proffer to meeting at a minimum, universal design criteria as set forth by VHDA LIHTC 2010 Low Income Housing Tax Credit Universal Design Guidance: (see link:  
<http://www.vhda.com/BusinessPartners/MFDevelopers/LIHTCProgram/Pages/UniversalDesign.aspx>)

### Pedestrian Facilities/Recreation Facilities/ other Amenities:

1. Trails/Connectivity: The applicant shall show on the FDPA and proffer to the provision of trails that provide for connectivity for the residents, employees and particularly visitors to the nearby governmental offices, as well as nearby retail shops and restaurants.
2. The project shall, at a minimum, include a fitness center, swimming pool, outdoor courtyards, business center, club room, conference room, coffee bar, leasing/management office and community room.
3. The applicant shall provide (see Ground Lease, Article 1, page 6 and Article 37, page 75) a "Multi-Purpose Room" that is, at a minimum, 1,000 square feet. The multi-purpose room shall be designed and constructed on the Premises as part of the project. In addition:

- a. Reservation of Multi-Purpose Room. Landlord shall have a priority right to reserve the use the Multi-Purpose Room for public activities and events run or sponsored by the County of Fairfax, Virginia on the following days and times: Monday through Thursday from 8 a.m. until 10 p.m. and Friday from 8 a.m. until 6 p.m. Landlord may reserve the Multi-Purpose Room by verbal or written notice to Tenant at least one (1) business day in advance. Tenant (i.e. Tenant and tenants in the Project) shall have a priority right to use the Multi-Purpose Room on the following days and times: Friday after 6 p.m. and Saturdays, Sundays and holidays when Fairfax County Government Center is closed. Landlord and Tenant shall work together to establish reasonable rules and regulations regarding the use and reservation of the Multi-Purpose Room (which shall provide, *inter alia*, that one party may request to use the Multi-Purpose Room for a time during which the other party has a priority right to reserve the Multi-Purpose Room, and in the event that such requesting party gives the other party at least two (2) weeks prior notice and the other party approves (or fails to disapprove) such request within two (2) business days thereafter, such requesting party shall have the right to use the Multi-Purpose Room during the date and time so requested).
  - b. Emergency Shelter. In the event of a countywide or regional emergency, the County shall be entitled to use the Multi-Purpose Room as an emergency shelter without prior notice to Tenant.
  - c. Cost of Use. Landlord shall be solely responsible for all costs and expenses incurred by Tenant or Landlord in connection with any uses of the Multi-Purpose Room by Landlord. Landlord shall be responsible for any costs and expenses incurred by Tenant in repairing any damage to the Premises resulting from any use of the Multi-Purpose Room by Landlord pursuant to this Article 37.
4. Retaining Wall: Architectural treatment with landscape buffer to transition to the natural wooded area that is between this development and the government center.

Affordable Workforce Housing:

1. The Project shall be used as a mixed-income rental residential development having one hundred percent (100%) of the dwelling units in the development operated as affordable workforce housing. The units will be in compliance with the (a) the federal Low-Income Housing Tax Credit Program (LIHTC Program); and as applicable with (b) the Fairfax County Affordable Dwelling Unit Program (ADU Program) and (c) the Fairfax County Workforce Dwelling Unit Program (WDU Program) as further stipulated in Exhibit H of the Ground Lease.
2. The average net rentable square footage of the units shall be approximately:

Studio Unit	575 square feet
1-bedroom unit	725 square feet
2-bedroom unit	933 square feet
3-bedroom unit	1277 square feet

- a. However, nothing herein precludes the developer from providing larger sized units, in terms of the square footage and or number of bedrooms.
  - b. The minimum bedroom size of any bedroom in the development, exclusive of closet area, shall not be less than 100 square feet.
  - c. All 2 and 3 bedroom units shall contain a minimum of two full baths.
3. Approved site plans and building plans shall include a table setting forth the number of units in each of the bedroom count categories and shall demonstrate that such units meet the minimum floor area limitations.
  4. Administration: The administration of rental affordable workforce dwelling units shall be in accordance with the terms of the Ground Lease, including, but not limited to, the terms of Exhibit H of the Ground Lease and/or all applicable LIHTC requirements.
  5. Preference shall be given to applicants for the workforce housing leases who either live or work in Fairfax County, Virginia.
  6. Distribution of Affordable Workforce Housing Units by AMI Level and Unit Type: The applicant is proffering to the provision of 47% of the units affordable to households at 50 to 60% of the AMI with the remaining 53% of the units affordable to households at 80 to 100% of the AMI. Nothing herein shall prevent the applicant from proffering to the provision of more units at the lower tiers; however at a minimum, the applicant must meet the intent of the provisions of the following table:

<b>Area Median Income (AMI)</b>	<b>Studio</b>	<b>One - bedroom</b>	<b>Two- bedroom</b>	<b>Three- bedroom</b>	<b>TOTAL</b>	<b>Percent of Units</b>
50% AMI	9	23	19	3	<b>54</b>	20.00%
70% AMI	5	17	12	2	<b>36</b>	13.33%
80% AMI	5	17	12	2	<b>36</b>	13.33%
90% AMI	10	33	25	4	<b>72</b>	26.67%
100% AMI	10	33	25	4	<b>42</b>	26.67%
<b>TOTAL</b>	<b>39</b>	<b>123</b>	<b>93</b>	<b>15</b>	<b>270</b>	<b>100.00%</b>

If I can be of further assistance, please contact me at 703-246-5164.

Cc: John Payne, HCD  
Rex Peters, HCD



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** October 12, 2010

**TO:** Regina Coyle, Director  
Zoning Evaluation Division,  
Department of Planning & Zoning  
*Barbara A. Byron*

**FROM:** Barbara A. Byron, Director  
Office of Community Revitalization and Reinvestment

**SUBJECT:** Urban Design Comments  
PCA 86-W -001-1 / FDPA 86-W-001-06  
Jefferson at Fairfax Corner

The Office of Community Revitalization and Reinvestment (OCRR) has reviewed the above referenced PCA/FDPA marked as "Received" by the Planning and Zoning Department on September 24, 2010. The following analysis and recommendations are offered for consideration regarding this application.

### OCRR Recommendations:

#### *Meeting Room*

Agreements were made with the county to provide a meeting room on the property. There is no evidence of this agreement in zoning documents. Applicant should provide proffer commitments that reflect prior agreements with Fairfax County.

#### *Landscaping*

1. **Comment:** The disturbed areas south of the entry drive, parking lot, and retaining wall are shown with minimal planting.
2. **Recommendation:** These areas should be planted more heavily and with greater native diversity to reestablish woodland that is consistent with the existing landscape. Include native canopy trees, evergreen trees, understory trees as well as a native shrub layer that mimic a regional native woodland landscape. Consult with the Fairfax County Forestry Division for plant list recommendations. A commitment to irrigating these plants for a 2-year establishment period should also be provided.



Office of Community Revitalization and Reinvestment  
12055 Government Center Parkway, Suite 1048  
Fairfax, VA 22030  
703-324-9300, TTY 711  
www.fcrevit.org

*Energy Conservation and Green Building techniques.*

1. **Comment:** A greater commitment to sustainable site stormwater remediation is desired.
  
2. **Recommendation:** The inclusion of more sustainable site design techniques will decrease the size of the underground stormwater vault and lessen the size of and impact of the stormwater outfall located adjacent to the public trail on the south side of the property. Reduce the amount of stormwater that leaves the site by:
  1. Including green roof construction for some or all of the buildings.
  2. Including Low Impact Development techniques such as permeable paving or rain gardens in the landscape.

CC: Suzie Zottl, Staff Coordinator, DPZ/PD  
Lucia Bowes Hall, Revitalization Program Manager, OCRR

FAIRFAX CENTER CHECKLIST

Case Number:

PCA 86-W-001-11

Plan Date:

Not Applicable    Applicable    Essential    Satisfied    Comments

<b>I. AREA WIDE BASIC DEVELOPMENT ELEMENTS</b>					
<b>A. Roadways</b>					
1. Minor street dedication and construction	X				
2. Major street R.O.W. dedication	X				
<b>B. Transit</b>					
1. Bus loading zones with necessary signs and pavement; Bus pull-off lanes		X	X	X	bus shelter provided
2. Non-motorized access to bus or rail transit stations		X	X	X	
3. Land dedication for transit and commuter parking lots	X				
<b>C. Non-motorized Transportation</b>					
1. Walkways for pedestrians		X	X	X	
2. Bikeways for cyclists		X	X		
3. Secure bicycle parking facilities		X	X	X	

<b>II. AREA WIDE MINOR DEVELOPMENT ELEMENTS</b>					
<b>A. Roadways</b>					
1. Major roadway construction of immediately needed portions	X				
2. Signs	X				
<b>B. Transit</b>					
1. Bus shelters		X	X	X	
2. Commuter parking	X				
<b>C. Non-motorized transportation</b>					
1. Pedestrian activated signals	X				
2. Bicycle support facilities (showers, lockers)	X				
<b>D. Transportation Strategies</b>					
1. Ridesharing programs		X	X	X	information to be provided to residents
2. Subsidized transit passes for employees		X			

FAIRFAX CENTER CHECKLIST

Transportation Systems

Case Number:

PCA 86-W-001-11

Plan Date:

Not Applicable    Applicable    Essential    Satisfied    Comments

III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS					
	Not Applicable	Applicable	Essential	Satisfied	Comments
<b>A. Roadways</b>					
1. Contribution towards major (future) roadway improvements	X				Property contributed to Fairfax Center Road Fund as part of original rezoning
2. Construct and/or contribute to major roadway improvements	X				
3. Traffic signals as required by VDOT	X				
<b>B. Transit</b>					
1. Bus or rail transit station parking lots	X				
<b>C. Transportation Strategies</b>					
1. Local shuttle service		X	X	X	meets intent- bus service available at the site
2. Parking fees	X				
<b>D. Non-motorized Circulation</b>					
1. Grade separated road crossings	X				

**FAIRFAX CENTER CHECKLIST**

Case Number:

PCA 86-W-001-11

Not  
Applicable    Applicable    Essential    Satisfied

Comments

<b>I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS</b>					
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	X	X	
C. Preservation of Natural Features					
1. Preservation of quality vegetation		X	X	X	
2. Preservation of natural landforms		X		X	
3. Minimize site disturbance as a result of clearing or grading limits		X	X	X	
D. Other Environmental Quality Improvements					
1. Mitigation of highway-related noise impacts	X				
2. Siting roads and buildings for increased energy conservation (Including solar access)		X	X	X	Green Building proffer

<b>II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS</b>					
A. Increased Open Space					
1. Non-stream valley habitat EQCs		X	X	X	
2. Increased on-site open space		X	X	X	
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	X	
2. Storage capacity in excess of design storm requirements		X			
D. Energy Conservation					
1. Provision of energy conscious site plan		X	X	X	
<b>III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS</b>					

**FAIRFAX CENTER CHECKLIST**

*Environmental Systems*

Case Number:

PCA 86-W-001-11

	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Innovative Techniques					
1. Innovative techniques in stormwater management		X		X	
2. Innovative techniques in air or noise pollution control and reduction	X				
3. Innovative techniques for the restoration of degraded environments	X				

**FAIRFAX CENTER CHECKLIST**

*Provision of Public Facilities*

Case Number:

PCA 86-W-001-11

Not  
 Applicable    Applicable    Essential    Satisfied    Comments

<b>I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS</b>					
A. Park Dedications					
1. Dedication of stream valley parks in accordance with Fairfax County Park Authority policy	X				
B. Public Facility Site Dedications					
1. Schools	X				
2. Police/fire facilities	X				

<b>II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS</b>					
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	X	X	Intent met- County given priority access to multi-purpose room
3. Government offices/facilities		X	X	X	Intent met- County given priority access to multi-purpose room

<b>III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS</b>					
A. Park Dedications					
1. Community Parks	X				
2. County Parks	X				
3. Historic and archeological parks	X				
B. Public Indoor or Outdoor Activity Spaces					
1. Health clubs	X				
2. Auditoriums/theaters	X				
3. Athletic fields/major active recreation facilities		X	X		no "Fair Share" contribution

**FAIRFAX CENTER CHECKLIST**

*Land Use - Site Planning*

Case Number:

PCA 86-W-001-11

Not  
Applicable    Applicable    Essential    Satisfied    Comments

<b>I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS</b>					
<b>A. Site Considerations</b>					
1. Coordinated pedestrian and vehicular circulation systems		X	X	X	trail connections provided
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				
4. Preservation of significant historic resources	X				
<b>B. Landscaping</b>					
1. Landscaping within street rights-of-way		X	X	X	Meets streetscape guidelines
2. Additional landscaping of the development site where appropriate		X		X	
3. Provision of additional screening and buffering	X				proffers provide additional planting

<b>II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS</b>					
<b>A. Land Use/Site Planning</b>					
1. Parcel consolidation	X				
2. Low/Mod income housing		X	X	X	100% ADU and WDU
<b>B. Mixed Use Plan</b>					
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	X	X	

**FAIRFAX CENTER CHECKLIST**

*Land Use - Site Planning*

Case Number:

PCA 86-W-001-11

Not  
Applicable    Applicable    Essential    Satisfied                      Comments

<b>III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS</b>					
A. Extraordinary Innovation					
1. Site design		X	X	X	topography/tree save
2. Energy conservation		X		X	proffered to green building

**FAIRFAX CENTER CHECKLIST**

*Detailed Design*

Case Number:

PCA 86-W-001-11

Not  
Applicable    Applicable    Essential    Satisfied    Comments

<b>I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS</b>					
A. Site Entry Zone					
1. Signs		X	X	X	
2. Planting		X	X	X	
3. Lighting		X			
4. Screened surface parking		X		X	
B. Street Furnishings					
1. Properly designed elements such as lighting, signs, trash receptacles, etc.		X	X	X	

<b>II. AREA WIDE MINOR DEVELOPMENT ELEMENTS</b>					
A. Building Entry Zone					
1. Signs	X				
2. Special planting		X		X	
3. Lighting	X				
B. Structures					
1. Architectural design that complements the site and adjacent developments		X	X	X	
2. Use of energy conservation techniques		X	X	X	
C. Parking					
1. Planting - above ordinance requirements		X		X	
2. Lighting		X			
D. Other Considerations					
1. Street furnishing such as seating, drinking fountains		X	X		
2. Provision of minor plazas		X			

<b>III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS</b>
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**FAIRFAX CENTER CHECKLIST**

*Detailed Design*

Case Number:

PCA 86-W-001-11

	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Detailed Site Design					
1. Structured parking with appropriate landscaping		X			
2. Major plazas	X				
3. Street furnishings to include strucures (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**

*Summary*

Case Number:

PCA 86-W-001-11

**I. BASIC DEVELOPMENT ELEMENTS**

1. Applicable Elements	20
2. Elements Satisfied	18
3. Ratio	<b>0.90</b>

**II. MINOR DEVELOPMENT ELEMENTS**

1. Applicable Elements	19
2. Elements Satisfied	14
3. Ratio	<b>0.74</b>

**III. MAJOR DEVELOPMENT ELEMENTS**

1. Applicable Elements	6
2. Elements Satisfied	4
3. Ratio	<b>0.67</b>

**IV. ESSENTIAL DEVELOPMENT ELEMENTS**

1. Applicable Elements	32
2. Elements Satisfied	29
3. Ratio	<b>0.91</b>

**V. MAJOR TRANSPORTATION DEVELOPMENT ELEMENTS**

1. Applicable Elements	1
2. Elements Satisfied	1
3. Ratio	<b>1.00</b>

**VI. LOW/MODERATE INCOME HOUSING ELEMENT**      yes       no

## RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

### 1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.
- b) *Layout:* The layout should:
  - provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
  - provide dwelling units that are oriented appropriately to adjacent streets and homes;

- include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
  - provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
  - provide convenient access to transit facilities;
  - Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.
- c) *Open Space:* Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.
- d) *Landscaping:* Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.
- e) *Amenities:* Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

## 2. Neighborhood Context

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;
- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

## 3. Environment:

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and low-impact site design techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.
- f) *Lighting:* Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy:* Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling.

#### **4. Tree Preservation and Tree Cover Requirements:**

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas.

#### **5. Transportation:**

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:

- Capacity enhancements to nearby arterial and collector streets;
  - Street design features that improve safety and mobility for non-motorized forms of transportation;
  - Signals and other traffic control measures;
  - Development phasing to coincide with identified transportation improvements;
  - Right-of-way dedication;
  - Construction of other improvements beyond ordinance requirements;
  - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
- Provision of bus shelters;
  - Implementation and/or participation in a shuttle bus service;
  - Participation in programs designed to reduce vehicular trips;
  - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
  - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
- Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
  - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
  - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
  - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;
  - The number and length of long, single-ended roadways should be minimized;
  - Sufficient access for public safety vehicles should be ensured.
- d) *Streets:* Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities:* Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
  - Connections between adjoining neighborhoods;
  - Connections to existing non-motorized facilities;
  - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
  - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
  - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
  - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;

- Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs:* Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

## 6. Public Facilities:

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

## 7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County. Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first

building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

#### **8. Heritage Resources:**

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;
- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

## ARTICLE 16

### DEVELOPMENT PLANS

#### 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

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- 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.
  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 by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

**COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly 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.

**DEVELOPMENT PLAN:** A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

**EASEMENT:** A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

**ENVIRONMENTAL QUALITY CORRIDORS (EQCs):** An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

**ERODIBLE SOILS:** Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

**FLOODPLAIN:** Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

**FLOOR AREA RATIO (FAR):** An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

**FUNCTIONAL CLASSIFICATION:** A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

**GEOTECHNICAL REVIEW:** An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

**HYDROCARBON RUNOFF:** Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

**IMPERVIOUS SURFACE:** Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

**INFILL:** Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

**INTENSITY:** The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

**Ldn:** Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

**LEVEL OF SERVICE (LOS):** An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

**MARINE CLAY SOILS:** Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

**OPEN SPACE:** That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

**OPEN SPACE EASEMENT:** An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

**P DISTRICT:** A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

**PROFFER:** A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

**PUBLIC FACILITIES MANUAL (PFM):** A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

**RESOURCE MANAGEMENT AREA (RMA):** That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**RESOURCE PROTECTION AREA (RPA):** That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**SITE PLAN:** A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

**SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP):** Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

**STORMWATER MANAGEMENT:** Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

**SUBDIVISION PLAT:** The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

**TRANSPORTATION DEMAND MANAGEMENT (TDM):** Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

**TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS:** This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

**URBAN DESIGN:** An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

**VACATION:** Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

**VARIANCE:** An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

**WETLANDS:** Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

**TIDAL WETLANDS:** Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

#### Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		