



APPLICATION ACCEPTED: August 7, 2009  
APPLICATION AMENDED: March 21, 2011  
PLANNING COMMISSION: April 6, 2011  
BOARD OF SUPERVISORS: Not Yet Scheduled

# County of Fairfax, Virginia

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March 22, 2011

## STAFF REPORT

APPLICATION PCA B-993/FDPA B-993-02 and  
Resource Protection Area (RPA) Encroachment Request #84-96-WRPA-001-1

### PROVIDENCE DISTRICT

**APPLICANT:** United Dominion Realty L.P. and Circle Towers LLC

**PRESENT ZONING:** PDH-12, HC

**REQUESTED ZONING:** PDH-12, HC (Proffered Condition Amendment)

**PARCEL(S):** Parcel 48-3-((1)) 53 and  
Parcels 48-4-((1)) 3A1 and 3B1

**ACREAGE:** 16.03 acres

**FAR/DENSITY:** FAR is N/A; Overall density was 11.54 du/ac at time of construction.

**OPEN SPACE:** 44%

**PLAN MAP:** Residential – 8 to 12 units/acre

**PROPOSAL:** To amend the Proffers and Final Development Plan (FDP) associated with the Circle Towers Apartments development. Specifically, this application proposes to increase the number of residential dwellings from 606 to 727 units through affordable housing and workforce housing provisions. The proposal also seeks to add 30,000 square feet of office uses and 4,000 square feet of retail uses. Related additional parking is proposed through the construction

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Bob Katai

Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



of a new, at-grade parking plaza in the vicinity of the site's Lee Highway (US 29) frontage and the addition of several under-building parking levels.

## **STAFF RECOMMENDATIONS:**

Staff recommends approval of PCA B-993, subject to the executed proffers dated March 21, 2011 and contained in Appendix 1.

Staff recommends approval of FDPA B-993-02.

Staff recommends approval of modification of the transitional screening and a waiver of the barrier requirements along the site's Lee Highway frontage in favor of the treatments depicted on the FDPA.

Staff recommends approval of modification of the transitional screening and a waiver of the barrier requirements between on-site residential and non-residential uses in favor of the treatments depicted on the FDPA.

Staff recommends approval of a waiver of the four-foot peripheral parking lot landscaping requirement for the southerly and easterly property lines.

Staff recommends approval of Waiver #8496-WPFM-001-1 to locate underground facilities in a residential area, subject to the development conditions dated December 30, 2009 and contained in Attachment A of Appendix 8.

Staff recommends approval of RPA Encroachment Exception #8496-WRPA-001-1, subject to the proposed development conditions dated February 18, 2011 and contained in Attachment A of Appendix 9.

Staff recommends approval of waiver of the service drive along the Lee Highway frontage.

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 rezoning 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.



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

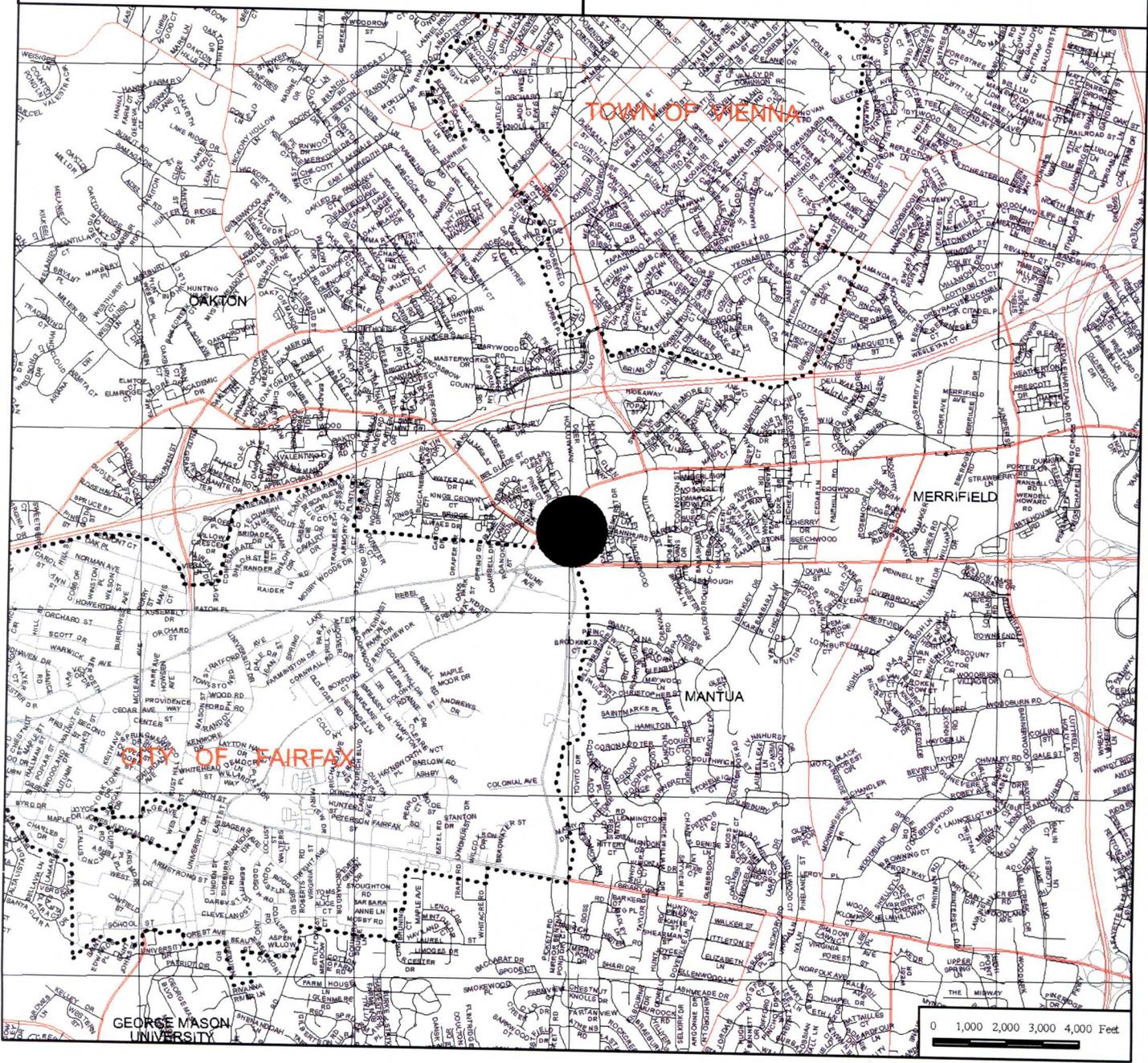
PCA -B-993

Applicant: UNITED DOMINION REALTY, L.P., CIRCLE TOWERS, LLC  
 Accepted: 08/07/2009  
 Proposed: AMEND RZ B-993 PREVIOUSLY APPROVED FOR RESIDENTIAL DEVELOPMENT TO PERMIT BUILDING ADDITIONS AND SITE MODIFICATIONS  
 Area: 16.031 AC OF LAND; DISTRICT - PROVIDENCE  
 Zoning Dist Sect:  
 Located: SOUTH SIDE OF LEE HIGHWAY EAST OF PICKETT ROAD  
 Zoning: PDH-12  
 Overlay Dist:  
 Map Ref Num: 048-3- /01/ /0053 048-4- /01/ /0003 /01/ /0003A1 /01/ /0003B /01/ /0003B1

# Final Development Plan Amendment

FDPA -B-993-02

Applicant: UNITED DOMINION REALTY, L.P., CIRCLE TOWERS, LLC  
 Accepted: 08/07/2009  
 Proposed: AMEND FDP B-993 PREVIOUSLY APPROVED FOR RESIDENTIAL DEVELOPMENT TO PERMIT BUILDING ADDITIONS AND SITE MODIFICATIONS  
 Area: 16.031 AC OF LAND; DISTRICT - PROVIDENCE  
 Zoning Dist Sect:  
 Located: SOUTH SIDE OF LEE HIGHWAY EAST OF PICKETT ROAD  
 Zoning: PDH-12  
 Overlay Dist:  
 Map Ref Num: 048-3- /01/ /0053 048-4- /01/ /0003 /01/ /0003A1 /01/ /0003B /01/ /0003B1



# Proffered Condition Amendment

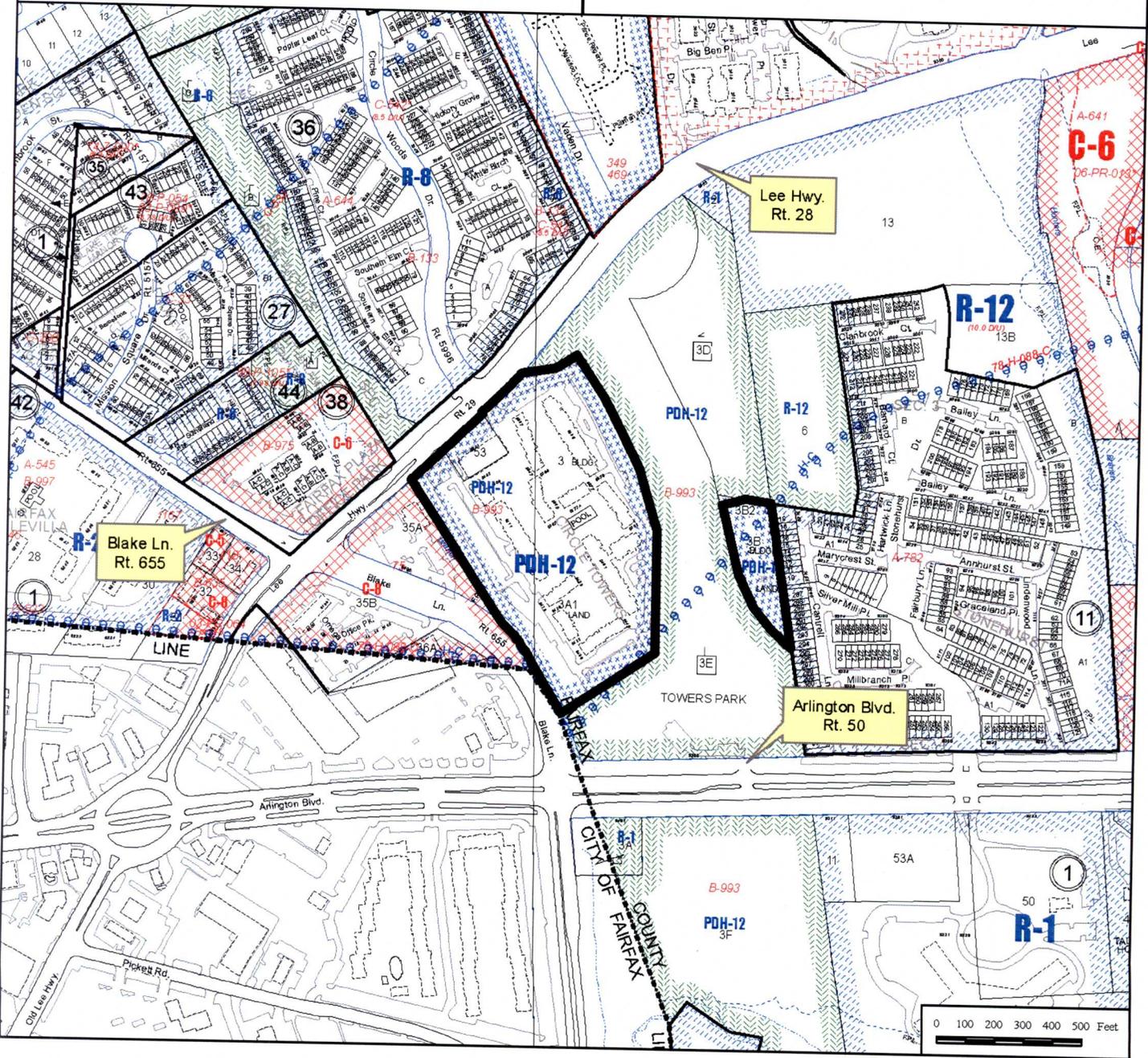
**PCA -B-993**

Applicant: UNITED DOMINION REALTY, L.P., CIRCLE TOWERS, LLC  
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 Zoning: PDH-12  
 Overlay Dist:  
 Map Ref Num: 048-3- /01/ /0053 048-4- /01/ /0003 /01/ /0003A1 /01/ /0003B /01/ /0003B1

# Final Development Plan Amendment

**FDPA -B-993-02**

Applicant: UNITED DOMINION REALTY, L.P., CIRCLE TOWERS, LLC  
 Accepted: 08/07/2009  
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 Located: SOUTH SIDE OF LEE HIGHWAY EAST OF PICKETT ROAD  
 Zoning: PDH-12  
 Overlay Dist:  
 Map Ref Num: 048-3- /01/ /0053 048-4- /01/ /0003 /01/ /0003A1 /01/ /0003B /01/ /0003B1



# CIRCLE TOWERS APARTMENTS

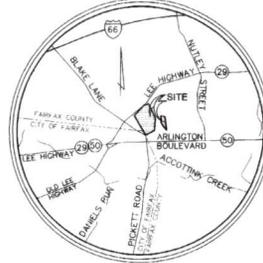
## PROFFERED CONDITION AMENDMENT PCA-B-993

## FINAL DEVELOPMENT PLAN AMENDMENT FDPA-B-993-02

PROVIDENCE DISTRICT, FAIRFAX COUNTY, VIRGINIA

**JUNE 2009**

REVISION DATES 10-28-2009	REVISION DATES 12-21-2010
REVISION DATES 08-19-2010	REVISION DATES 01-13-2011
REVISION DATES 09-17-2010	REVISION DATES 02-07-2011
REVISION DATES 10-06-2010	REVISION DATES 03-16-2011



VICINITY MAP  
SCALE: 1" = 2,000'

### SHEET INDEX

#### OWNERS/APPLICANTS

CIRCLE TOWERS, LLC  
5620 COX ROAD  
SUITE 200  
GLEN ALLEN, VA 23060  
TELEPHONE: 804.290.4763  
FAX: 804.965.1407

and

UNITED DOMINION REALTY, LP  
5620 COX ROAD  
SUITE 200  
GLEN ALLEN, VA 23060  
TELEPHONE: 804.290.4763  
FAX: 804.965.1407

#### ENGINEERS/LANDSCAPE ARCHITECTS

THE BC CONSULTANTS  
12600 FAIR LAKES CIRCLE  
SUITE 100  
FAIRFAX, VA 22033  
TELEPHONE: 703.449.8100  
FAX: 703.449.8108

#### ARCHITECT

LESSARD ARCHITECTURAL GROUP, INC.  
8521 LEESBURG PIKE  
SUITE 700  
VIENNA, VA 22182  
TELEPHONE: 703.760.9344  
FAX: 703.760.9328

#### ATTORNEY/AGENT

McGUIREWOODS LLP  
1750 TYSONS BOULEVARD  
SUITE 1800  
McLEAN, VA 22102  
TELEPHONE: 703.712.5000  
FAX: 703.712.5297

Sheet List Table

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7	LANDSCAPE PLAN
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9	LANDSCAPE PLAN
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11	EXISTING VEGETATION MAP
12	TREE PRESERVATION PLAN
13	TREE PRESERVATION PLAN
14	TREE INVENTORY AND CONDITION ANALYSIS
15	TREE INVENTORY AND CONDITION ANALYSIS
16	TREE INVENTORY AND CONDITION ANALYSIS
17	TREE INVENTORY AND CONDITION ANALYSIS
18	TREE INVENTORY AND CONDITION ANALYSIS
19	TREE PRESERVATION NARRATIVE AND DETAILS
20	SITE DETAILS
21	ELEVATIONS

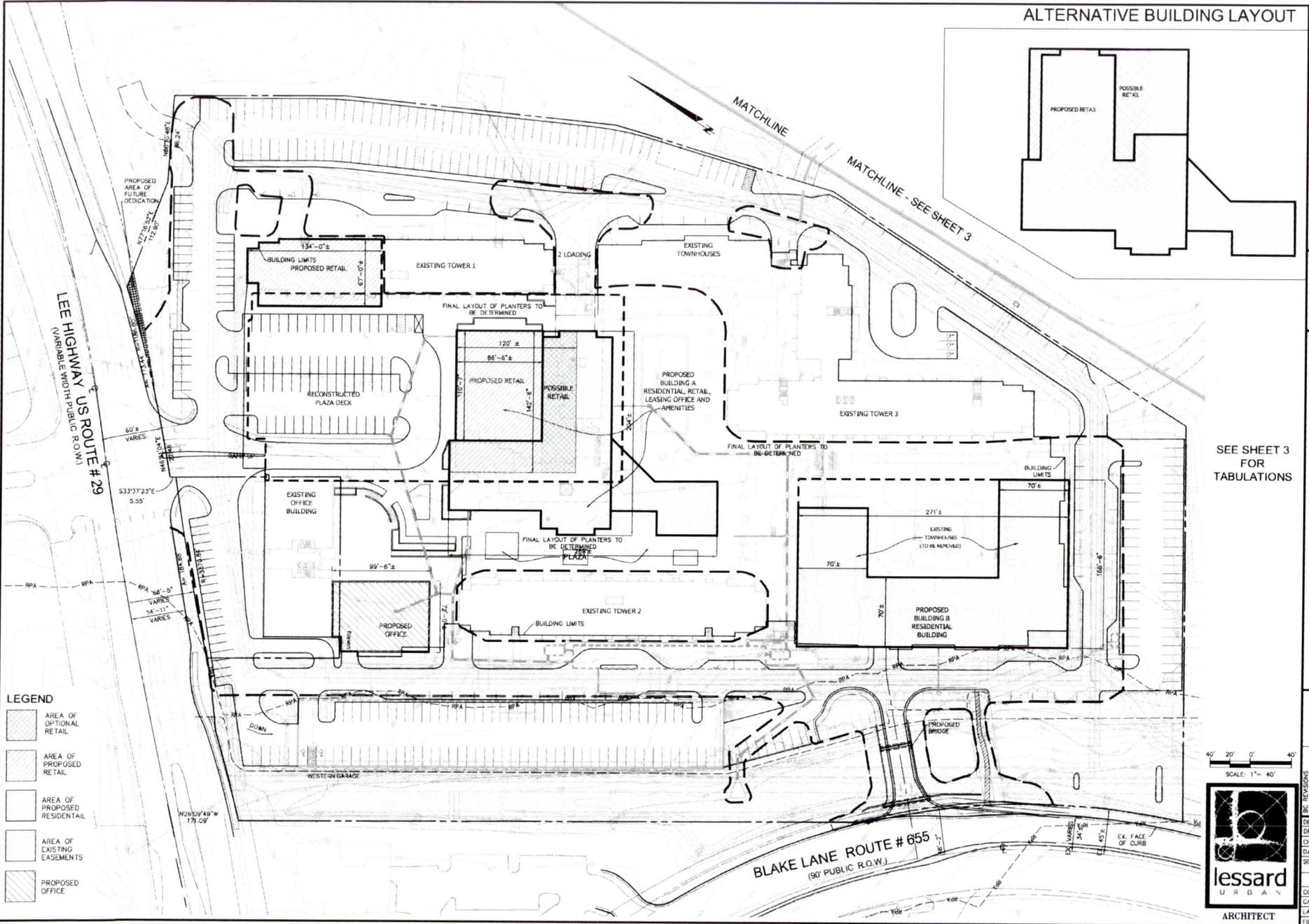
Sheet List Table

Sheet Number	Sheet Title
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27	WATER QUALITY IMPACT ASSESSMENT
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29	RPA-IMPACTS LOCATION PLAN
30	RPA EXCEPTION PLAN
31	RPA- PLANTING DETAILS
32	RPA-PLANTING VIEW AND SECTIONS
33	RPA-PLANTING SPECIFICATION

## BC Consultants

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12600 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
(703)449-8100 (703)449-8108 (Fax)  
www.bcconsultants.com





LEE HIGHWAY US ROUTE # 29  
(VARIABLE WIDTH PUBLIC ROW)

BLAKE LANE ROUTE # 655  
(90' PUBLIC R.O.W.)

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 Planners - Engineers - Surveyors - Landscape Architects  
 18800 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
 (703) 449-8100 (703) 449-8108 (Fax)  
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PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 PCA/FDPA PLAN  
**CIRCLE TOWERS APARTMENTS**  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

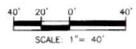
REVISIONS	DATE	BY	APP'D
REVISED: 10-28-09	10-28-09	PLR	
REVISED: 8-19-10	8-19-10	PLR	
REVISED: 10-09-10	10-09-10	PLR	
REVISED: 12-21-10	12-21-10	PLR	
DESIGNED BY: PLR			
DRAFTED BY: CAD			
CHECKED BY: PLR			
DATE: JUNE 2009			
SCALE: HOR: 1" = 40'			
VERT: 1" = 40'			
SHEET 2 OF 33			
CO. NO.			
CAD NAME: CB085PCA			
LAYOUT: PCA			
FILE NO.: 08085-01-00			

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**AREA TABULATIONS:**

ZONE:	PDH-12, HC
AREA OF PRIOR APPROVED FDP:	52,565 AC.
AREA PREVIOUSLY DEDICATED FOR PUBLIC USE, STREET RIGHT-OF-WAY AND PARTIAL SCHOOL SITE:	36,534 AC. (DENSITY RESERVED)
NET SITE AREA (AREA OF PCA):	16,031 AC.
(PARCELS 3, 3A1, 3B, 3B1, AND 53)	
MAXIMUM AREA FOR COMMERCIAL USES:	181,800 S.F.
FOR 2.0 ANCHILE 8-10E(4)(2)	
(300 S.F. COMMERCIAL X 606 DWELLING UNITS)	
MAXIMUM RESIDENTIAL DENSITY PURSUANT TO CDPA 8-993/SE 95-P-003 APPROVED IN 1995 =	606 RESIDENTIAL UNITS



**UNIT TABULATIONS:**

EXISTING UNITS (PREVIOUSLY APPROVED):

APARTMENTS:	554 UNITS
TOWNHOUSE APARTMENTS:	52 UNITS
TOTAL UNITS:	606 UNITS

PROPOSED UNITS:

APARTMENTS:	719 UNITS
TOWNHOUSE APARTMENTS:	8 UNITS
TOTAL UNITS:	727 UNITS

Maximum number of units stated. We reserve the right to distribute the units among the existing and proposed residential buildings.

\* The total units proposed include 5 ADU's and 111 Workforce units. The final number of ADU's and workforce units will be determined at site plan, as provided in the proffers.

EXISTING OFFICE (CORRECTING PRIOR APPROVED AMOUNT):

	44,700 S.F.
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PROPOSED OFFICE:

	74,700 S.F.
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EXISTING COMMERCIAL/RETAIL:

	22,000 S.F.
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PROPOSED COMMERCIAL/RETAIL: (S.F. PROFFERS)

	26,000 S.F.
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**\*\* EX. BUILDING HEIGHT (# OF FLOORS OVER PARKING):**

BUILDING 1	13 STORIES - 135'
BUILDING 2	14 STORIES - 142'
BUILDING 3	12 STORIES - 120'
TOWNHOUSES	2 STORIES - 35'
OFFICE BUILDING	4 STORIES - 55'

**\*\* PROPOSED BUILDING HEIGHT (# OF FLOORS OVER PLAZA LEVEL):**

BUILDING A	4 STORIES - 55'
BUILDING B	5 STORIES - 60'

**\*\* NOTE:** Building height does not include mechanical equipment enclosures (if entire project new construction)

OPEN SPACE REQUIRED:

	4.8 AC. (30% OF G.S.A.)
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OPEN SPACE PROVIDED:

	7.0 AC. (43% OF G.S.A.)
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**PARKING SPACE TABULATIONS:**

TOTAL APPROVED FDP PARKING (Existing Construction)

RESIDENTIAL:	1,011
606 UNITS	770
NON RESIDENTIAL	241

TOTAL PROPOSED PARKING REQUIRED FOR NEW CONSTRUCTION AREA INCREASES

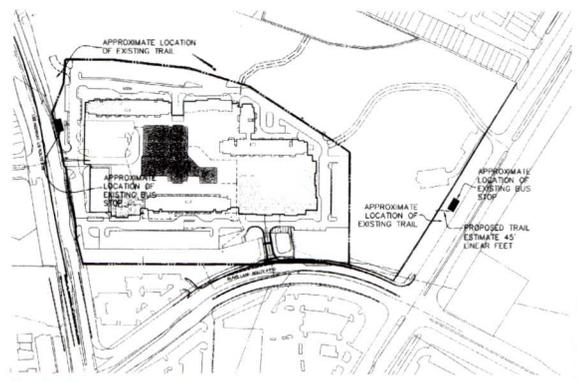
NEW RESIDENTIAL:	121 UNITS @ 1.6/UNITS	194
OFFICE 30,000 ADDITIONAL SPACE @ 3/1000		90
RETAIL 4,000 ADDITIONAL SPACE @ 4.5/1000		18
(SEE PREFERS FOR USES)		

TOTAL PARKING REQUIRED:

	1,313
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PARKING PROVIDED WITH REDUCTIONS (SHARED PARKING & TOM)

	1,128
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**ENTRANCE LOCATION EXHIBIT**

**BC Consultants**  
 Planners • Engineers • Surveyors • Landscape Architects  
 12000 Frying Pan Road, Fairfax, VA 22033  
 (703)443-9100 FAX (703)443-9101 (TVA)  
 www.bccon.com



PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 PCA - FDPA PLAN

**CIRCLE TOWERS APARTMENTS**

PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

REVISIONS

NO.	DATE	DESCRIPTION
1	08-15-11	ISSUED FOR PERMITS
2	08-15-11	ISSUED FOR PERMITS
3	08-15-11	ISSUED FOR PERMITS
4	08-15-11	ISSUED FOR PERMITS
5	08-15-11	ISSUED FOR PERMITS
6	08-15-11	ISSUED FOR PERMITS
7	08-15-11	ISSUED FOR PERMITS
8	08-15-11	ISSUED FOR PERMITS
9	08-15-11	ISSUED FOR PERMITS
10	08-15-11	ISSUED FOR PERMITS

DESIGNED BY:	PLR
DRAWN BY:	CAD
CHECKED BY:	PLR
DATE:	JUNE 2009
SCALE:	HOR 1"=40' VERT 1"=4'
SHEET:	3 OF 33
CO. NO.:	
CAD NAME:	CB08SPICA
LAYOUT:	PCA - FDPA
FILE NO.:	08085-01-00

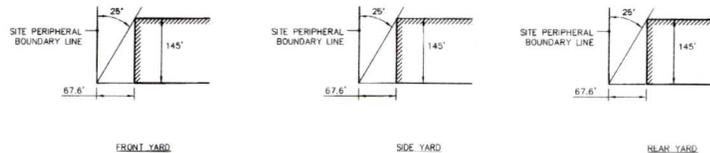
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**GENERAL NOTES:**

1. PROPERTIES DELINEATED ON THIS PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT (PCA/FDPA) APPLICATION ARE IDENTIFIED ON FAIRFAX COUNTY TAX ASSESSMENT MAPS NO. 48-3 ((1)) PARCEL 53 AND 48-4-((1)) PARCELS 3A1 AND 3B1. ALL ARE ZONED PDH-12, HC.
2. THE TOPOGRAPHIC INFORMATION SHOWN FOR THIS PCA/FDPA IS INTERPOLATED FROM HIGH FLIGHT AERIAL TOPOGRAPHY TAKEN FROM THE FAIRFAX COUNTY GIS TOPOGRAPHIC MAPS AND INFORMATION OF RECORD. THE TOPOGRAPHY IS SHOWN AT TWO (2) FEET CONTOUR INTERVALS.
3. THE BOUNDARY INFORMATION FOR THIS PCA/FDPA IS FROM DEEDS AND INFORMATION OF RECORD AND SHOULD NOT BE CONSIDERED A BOUNDARY SURVEY. NO TITLE REPORT WAS PROVIDED.
4. THE PCA/FDPA APPLICATION AREAS ARE LOCATED IN THE PROVIDENCE MAGISTERIAL DISTRICT.
5. THIS PCA/FDPA APPLICATION IS IN CONFORMANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN AND CONFORMS TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS AND CONDITIONS AS PREVIOUSLY APPROVED, MODIFIED OR WAIVED AND AS REQUESTED HEREON:
  - \* WAIVER OF THE REQUIREMENT FOR PERIPHERAL PARKING LOT LANDSCAPING FOR PROPERTY THAT ABUTS LAND NOT IN THE RIGHT-OF-WAY OF A STREET IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 13, PART 2, SECTION 13-203, PARAGRAPH 3.
  - \* MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS TO THAT AS SHOWN ON THE PLANS.
  - \* WAIVER OF THE ONSITE STORMWATER DETENTION REQUIREMENTS AS STATED IN SECTION 101-2-2-(12) OF THE FAIRFAX COUNTY CODE/SUBDIVISION ORDINANCE AND SECTION 6-13.01.3 OF THE PFM, OR IF DENIED, WAIVER OF SECTION 6-0303.8 OF THE PFM TO PERMIT UNDERGROUND (STORMWATER) DETENTION IN A RESIDENTIAL DEVELOPMENT. SEE SHEET 26 FOR ADDITIONAL INFORMATION.
  - \* WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG ROUTE 29.
6. TRAILS, WHERE REQUIRED BY THE COUNTY WIDE TRAILS PLAN DATED 2002, ARE AS SHOWN ON THE PLANS.
7. THE COUNTY OF FAIRFAX IS THE PUBLIC WATER AND SANITARY SEWER SUPPLY AGENCY FOR THE AREAS COVERED UNDER THIS PCA/FDPA APPLICATION.
8. STORMWATER MANAGEMENT AND BEST MANAGEMENT PRACTICES (SWM/BMP) WILL BE PROVIDED IN ACCORDANCE WITH FAIRFAX COUNTY ORDINANCES AS APPROVED BY THE FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES EXCEPT AS WAIVED OR MODIFIED (SEE NOTE 5 ABOVE). SEE SHEET 24, 25, 26 AND 27 FOR ADDITIONAL INFORMATION.
9. ALL KNOWN (WITHOUT THE BENEFIT OF A TITLE REPORT) EXISTING UNDERGROUND OR ABOVE GROUND UTILITY EASEMENTS HAVING A 25' WIDTH OR MORE ARE AS SHOWN ON THE PLANS.
10. THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES WITHIN THE PCA/FDPA APPLICATION AREAS. IF ANY SUBSTANCES ARE FOUND, THE METHODS FOR DISPOSAL SHALL ADHERE TO COUNTY, STATE OR FEDERAL LAWS.
11. THERE ARE NO CEMETERIES OR BURIAL SITES WITHIN THE PCA/FDPA APPLICATION AREAS.
12. IN ACCORDANCE WITH ARTICLE 16, PART 4, SECTION 16-403, PARAGRAPH 4 OF THE FAIRFAX COUNTY ZONING ORDINANCE, MINOR MODIFICATIONS TO AN APPROVED FINAL DEVELOPMENT PLAN (FDP) MAY BE PERMITTED WHEN IT IS DETERMINED THAT SUCH ARE IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED FDP AND THAT SUCH ARE IN RESPONSE TO ISSUES OF TOPOGRAPHY, DRAINAGE, UNDERGROUND UTILITIES, STRUCTURAL SAFETY, LAYOUT, DESIGN, VEHICULAR CIRCULATION OR REQUIREMENTS OF VDOT AND FAIRFAX COUNTY.
13. THE APPROXIMATE LIMITS OF CLEARING AND GRADING ARE SHOWN ON THE PLANS. THESE LIMITS MAY CHANGE WITH FINAL ENGINEERING AND ARCHITECTURAL DESIGN.
14. MAXIMUM NUMBER OF UNITS ARE STATED IN THE TABULATIONS. WE RESERVE THE RIGHT TO DISTRIBUTE THE UNITS AMONG THE RESIDENTIAL BUILDINGS.

**16-502 FINAL DEVELOPMENT PLAN COMMENTS:**

- A. VICINITY MAPS AS SHOWN ON THE PLANS.
- B. PROPERTY LINE INFORMATION AS SHOWN ON THE PLANS.
- C. REFER TO THE SITE TABULATIONS ON SHEET 3 FOR OVERALL PCA/FDPA APPLICATION AREA.
- D. SCALE AND NORTH ARROW AS SHOWN ON THE PLANS.
- E. EXISTING STREET INFORMATION AS SHOWN ON THE PLANS. NO IMPROVEMENTS TO THE PUBLIC RIGHT-OF-WAY ARE PROPOSED FOR LEE HIGHWAY. IMPROVEMENTS TO THE PUBLIC RIGHT-OF-WAY FOR BLAKE LANE ARE AS SHOWN ON THE PLANS. REQUIRED DIMENSIONS ARE AS SHOWN ON THE PLANS.
- F. TOPOGRAPHY AS SHOWN ON THE PLANS. SEE GENERAL NOTE 2 FOR ADDITIONAL INFORMATION.
- G. THE APPROXIMATE LOCATION AND ARRANGEMENT OF ALL EXISTING AND PROPOSED USES ARE AS SHOWN ON THE PLANS.
- H. BUILDING HEIGHT AS SHOWN IN THE SITE TABULATIONS ON SHEET 3.
- I. REQUIRED DIMENSIONS FOR THE EXISTING AND PROPOSED STRUCTURES ARE AS SHOWN ON THE PLANS.
- J. BULK PLANE AS SHOWN BELOW.
- K. THE TRAFFIC AND PEDESTRIAN CIRCULATION SYSTEMS (WITH DIMENSIONS WHERE REQUIRED) ARE AS SHOWN ON THE PLANS. SEE GENERAL NOTE 6 FOR COMPREHENSIVE PLAN TRAILS REQUIREMENTS.
- L. PARKING AND LOADING SPACE REQUIREMENTS ARE AS SHOWN IN THE SITE TABULATIONS ON SHEET 3.
- M. OPEN SPACE AS SHOWN ON THE PLANS AND IN THE SITE TABULATIONS ON SHEET 3.
- N. THE APPROXIMATE LIMITS OF CLEARING AND GRADING ARE AS SHOWN ON THE PLANS. EXISTING AND PROPOSED VEGETATION AND LANDSCAPING ARE AS SHOWN ON SHEETS 5 AND 6, THE EXISTING VEGETATION MAP AND SHEET 7, 8 AND 9, THE LANDSCAPE PLANS.
- O. THERE ARE NO CEMETERIES OR BURIAL SITES WITHIN THE PCA APPLICATION AREAS.
- P. EXISTING PUBLIC UTILITIES ARE IN PLACE AND CURRENTLY SERVE ALL THE PCA/FDPA APPLICATION AREAS.
- Q. REFER TO GENERAL NOTE 8 FOR STORMWATER MANAGEMENT AND BEST MANAGEMENT PRACTICES INFORMATION. SEE SHEETS 24, 25, 26 AND 27 FOR ADDITIONAL INFORMATION.
- R. EXISTING UTILITY EASEMENT INFORMATION AS SHOWN ON THE PLANS OR REFER TO GENERAL NOTE 9.
- S. THE COUNTY MAPPED RESOURCE PROTECTION AREA (RPA), THE APPROXIMATE LOCATION OF THE 100 FLOODPLAIN AND THE APPROXIMATE LOCATION OF THE ENVIRONMENTAL QUALITY CORRIDOR (EQC) ARE SHOWN ON THE PLANS. THE 100 YEAR FLOODPLAIN, RPA AND THE EQC WERE OBTAINED FROM INFORMATION OF RECORD OR FROM PREVIOUSLY APPROVED PLANS. ALL AREAS OUTSIDE OF THE RPA ARE CONSIDERED RESOURCE MANAGEMENT AREAS.
- T. DEVELOPMENT SCHEDULE AS ECONOMIC CONDITIONS ALLOW.



**ANGLE OF BULK PLANE\***

NO SCALE

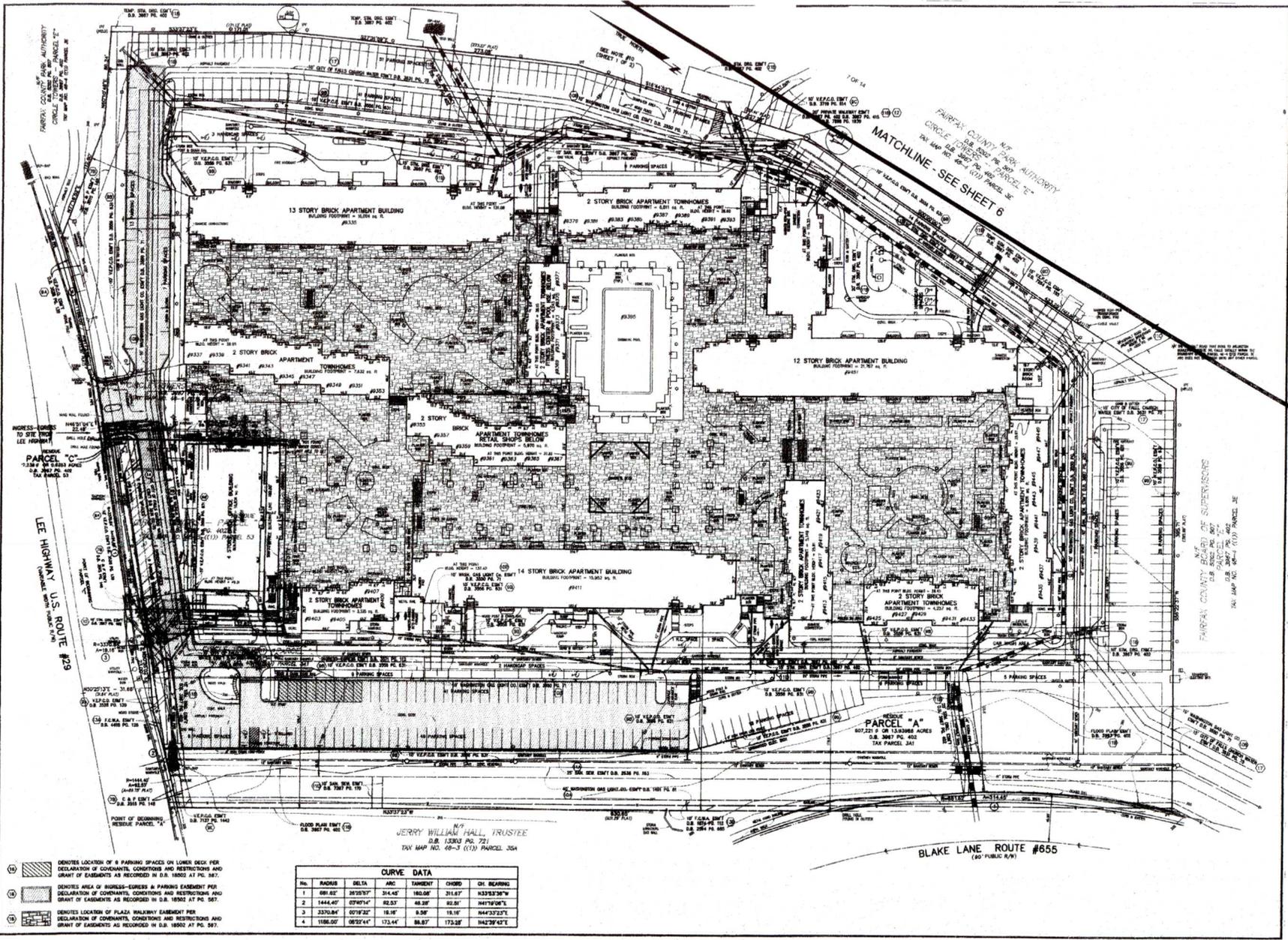
\* BULK PLANE INFORMATION TAKEN FROM THE R-12 ZONE.

**BC Consultants**  
 Planners • Engineers • Surveyors • Landscape Architects  
 12800 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
 (703)448-8100 (703)448-8108 (Fax)  
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PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 GENERAL NOTES AND COMMENTS  
**CIRCLE TOWERS APARTMENTS**  
 PROVIDENCE REFERENCE  
 FAIRFAX COUNTY, VIRGINIA

BC REGIONS	03-16-2011
10-26-09	
DESIGNED BY: PLR	
DRAWN BY: CAD	
CHECKED BY: PLR	
DATE: JUNE 2009	
SCALE: HOR: NA	
VERT: NA	
SHEET 4 OF 33	
CD NO.	
CAD NAME: C080501E	
LAYOUT NOTES	
FILE NO: 08055-01-00	



- (A) DENOTES LOCATION OF 8 PARKING SPACES ON LOWER DECK PER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS AS RECORDED IN G.S. 18000 AT PG. 167.
- (B) DENOTES AREA OF BUSSTOP-BOSSSES & PARKING EASEMENT PER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS AS RECORDED IN G.S. 18000 AT PG. 167.
- (C) DENOTES LOCATION OF PLAZA WALKWAY EASEMENT PER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS AS RECORDED IN G.S. 18000 AT PG. 167.

JERRY WILLIAM HALL, TRUSTEE  
D.B. 12503 PG. 721  
TAX MAP NO. 48-3 (11) PARCEL 354

CURVE DATA						
NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CH BEARING
1	691.62'	207.97°	314.45'	180.00'	311.67'	N33°33'34"W
2	1444.40'	07°09'47"	82.53'	48.20'	82.81'	N47°19'00"W
3	3370.84'	07°02'27"	18.16'	9.92'	18.16'	N44°37'27"W
4	1198.00'	08°22'41"	173.44'	86.87'	173.28'	N42°29'42"W

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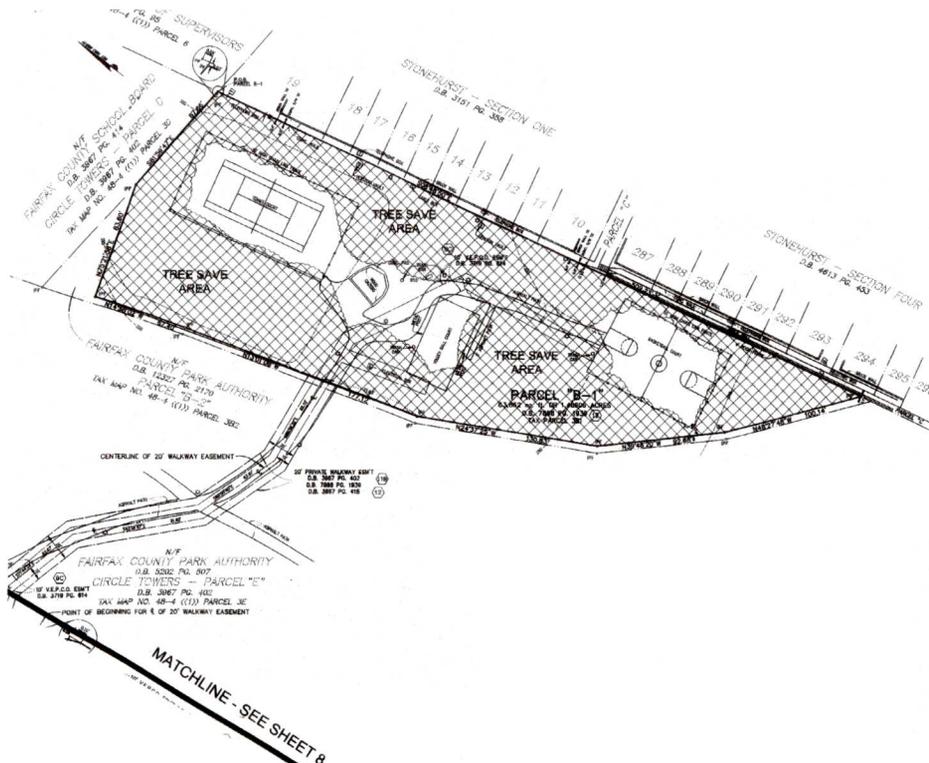


PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
EXISTING CONDITIONS PLAN  
**CIRCLE TOWERS APARTMENTS**  
FOURMILE BURET  
FAIRFAX COUNTY, VIRGINIA

NO. OF SHEETS	03-16-11
DESIGNED BY	PLR
CHECKED BY	CAD
DATE	JUNE 2009
SCALE	HOR. 1" = 40' VERT.
SHEET	5 OF 33
CO. NO.	
CAD FILE	CROSSSECT
LAYOUT	EX_COORD PLAN 1
FILE NO.	0805-01-00







**INTERIOR PARKING LOT LANDSCAPING CALCULATIONS**

INTERIOR PARKING LOT AREA:	214,836 s.f.±
AREA REQUIRED FOR INTERIOR PARKING LOT LANDSCAPING:	0.05 x 214,836 s.f. = 10,742 s.f.±
INTERIOR PARKING LOT AREA PROVIDED BY EXISTING PARKING LOT TREES TO BE PRESERVED:	14,375 s.f.±
INTERIOR PARKING LOT AREA TO BE PROVIDED BY ADDITIONAL TREE PLANTINGS:	NONE REQUIRED

**PERIPHERAL PARKING LOT LANDSCAPING CALCULATIONS**

PERIPHERAL PARKING LOT FRONTAGE ALONG R.O.W.:	238 l.f.±
NUMBER OF SHADE TREES REQUIRED AT ONE TREE PER 40 L.F.:	5.95 OR 6 TREES
NUMBER OF SHADE TREES PROVIDED ALONG R.O.W. FRONTAGE:	6 TREES
PERIPHERAL PARKING LOT FRONTAGE ALONG ADJACENT PROPERTY:	1,239 l.f.±

A WAIVER OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIRED TO A PROPERTY HAS BEEN REQUESTED. SEE GENERAL NOTE 5 ON SHEET 4 FOR ADDITIONAL INFORMATION.

**LEGEND:**

- PROPOSED TREELINE
- EXISTING TREELINE
- INDIVIDUAL TREE OR SMALL GROUP OF TREES
- EXISTING TREE TO BE REMOVED
- PROPOSED GREENROOF/PLANTER
- AREA DEDUCTED FROM THE GROSS SITE AREA\*\*
- AREA OF EXISTING UTILITY EASEMENTS
- POST DEVELOPMENT 10 YEAR TREE CANOPY CREDIT AREA (73,037 s.f.±)
- EXISTING INTERIOR PARKING LOT LANDSCAPING TREE CANOPY CREDIT AREA (TREES TO REMAIN 14,375 s.f.±)
- INTERIOR PARKING LOT AREA (214,836 s.f.±)
- PERIPHERAL PARKING LOT SHADE TREE ADJACENT TO R.O.W. (CATEGORY IV DECIDUOUS TREE)
- 3" CATEGORY IV DECIDUOUS TREE
- 2" CATEGORY III DECIDUOUS TREE
- 2" CATEGORY II DECIDUOUS TREE
- 2" CATEGORY IV EVERGREEN TREE
- 2" CATEGORY III EVERGREEN TREE
- 2" CATEGORY II EVERGREEN TREE
- IDENTIFIES PROPOSED NATIVE TREE
- IDENTIFIES PROPOSED TREE PLANTED FOR WILDLIFE BENEFIT
- IDENTIFIES PROPOSED TREE PLANTED FOR ENERGY CONSERVATION
- IDENTIFIES PROPOSED TREE PLANTED FOR WATER QUALITY
- IDENTIFIES PROPOSED TREE WHERE NO CANOPY CREDIT IS TAKEN. THIS TREE IS A SUPPLEMENTAL TREE TO BE PLANTED IN A PROPOSED PRESERVATION AREA OR RPA. CANOPY CREDIT HAS ALREADY BEEN RESERVED WITHIN THIS AREA.
- LIMITS OF CLEAVING AND GRADING

\*\* ALLOWABLE AREA TO BE DEDUCTED FROM THE GROSS SITE AREA. THIS AREA CONTAINS A 40' WASHINGTON GAS LIGHT EASEMENT, A 25' SANITARY SEWER EASEMENT AND PROPOSED DEDICATION FOR BLAKE LANE.

SEE SHEETS 30 AND 33 FOR RPA RESTORATION INFORMATION.

**TREE PRESERVATION TARGET AND STATEMENT:  
(10 YEAR TREE CANOPY CALCULATIONS)**

A. TREE PRESERVATION TARGET CALCULATIONS AND STATEMENT		Tree(s) 1
A1	Pre-development Area of Existing Tree Canopy	199,956
A2	Percentage of Gross Site Area Covered by Existing Tree Canopy (A1/B1)	27.2%
A3	Percentage of 10-Year Tree Canopy Required for the Site (See Note 2 below)	33%
A4	Percentage of the 10-Year Tree Canopy Requirement That Should be Met Through Tree Preservation	77.2%
A5	Proposed Percentage of Canopy Requirement That Will be Met Through Tree Preservation (C10/B7)	87.4%
A6	Tree the Tree Preservation Target Minimum Base Met?	Yes
If A6 is no, then a request to deviate from the Tree Preservation target shall be provided on the plan that states one or more of the particulars listed in §12-2007.3 along with a narrative that produces a site-specific explanation of why the tree preservation target cannot be met. Provide sheet number where deviation request is located. The narrative shall be prepared in accordance with §12-2007.4.		
A7		N/A
B. TREE CANOPY REQUIREMENT		
B1	Identify Gross Area	688,371
B2	Subtract Areas Dedicated to Parks, and Road Frontage	1,017
B3	Subtract Area of Extension	47,563
B4	Adjusted Gross Site Area (B1-B2-B3)	639,891
B5	Identify Site's Zoning and/or Use	PDR-12
B6	Percentage of 10-Year Tree Canopy Required	33%
B7	Area of 10-Year Tree Canopy Required (B4*B5)	87,362
B8	Modification of 10-Year Tree Canopy Requirements Requested	No
B9	If B8 is Yes, Then List Plan Sheets Where Modification Request is Located	N/A
C. TREE CANOPY PRESERVATION		
C1	Tree Preservation Target Area (B7 x A4)	26,834
C2	Total Canopy Area Meeting Standards of §12-2000	48,724
C3	C2 x 1.75	60,969
C3.1	Total Canopy Area Meeting Standards of §12-2000 But Does Not Qualify for Bonus Multiplier	11,466
C3.2	C3 x 1.00	11,466
C4	Total Canopy Area Provided by Lacustrine or Valuable Forest or Woodland Continuum	0
C5	C4 x 1.5	0
C6	Total Canopy Area Provided by "Heritage", "Memorial", "Spiceman", or "Street Tree"	0
C7	C6 x 1.5	0
C8	Canopy Area of Trees Within Resource Protection Areas and 100-Year Floodplains	12,627
C9	C8 x 1.0	12,627
C10	Totals of C3, C3.1, C5, C7 and C9	85,218
D. TREE PLANTING		
D1	Area of Canopy to be Met Through Tree Planting (B7-C10)	17,390
D2	Area of Canopy Planned for Air Quality Benefits	0
D3	C2 x 1.5	0
D4	Area of Canopy Planned for Energy Conservation	1,300
D5	D4 x 1.5	2,250
D6	Area of Canopy Planned for Water Quality Benefits	642
D7	D6 x 1.25	705
D8	Area of Canopy Planned for Wildlife Benefits	2,250
D9	D8 x 1.5	3,375
D10	Area of Canopy Provided by Native Species	7,290
D11	D10 x 1.5	10,875
D12	Area of Canopy Provided by Improved Cultivars and Varieties	0
D13	D12 x 1.25	0
D14	Area of Canopy Provided Through Tree Seedling	0
D14.1	D14 x 1.0	0
D15	Area of Canopy Provided Through Native Sprouts or Wood Seed Mail	0
D15.1	D15 x 1.0	0
D16	Percentage of D14 Represented by D15 (D15/D14) Must not exceed 33% of D14	1,855
D16.1	Area of Canopy Planned (Not to Exceed) (See Note 2 below)	0
D17	Total Canopy Area Provided Through Tree Planting	18,900
D18	(Totals of D3, D5, D7, D9, D11, D13, D14.1, D15.1 and D16.1) Is an Offset Planting Being Requested?	No
D19	Tree Bank of Tree Fund	N/A
D20	Canopy Area Requested to be Provided Through Offset Banking or Tree Fund	0
D21	Amount to be Deposited into the Tree Preservation and Planting Fund	0
E. TOTAL OF 10-YEAR TREE CANOPY PROVIDED		
E1	Total of Canopy Area Provided Through Tree Preservation (C10)	85,218
E2	Total of Canopy Area Provided Through Tree Planting (D17)	18,900
E3	Total of Canopy Area Provided Through Offset Mechanism (D20)	0
E4	Total of 10-Year Tree Canopy Provided (Totals of E1, E2 and E3)	104,118

NOTE: NUMBERS REPORTED ABOVE ARE APPROXIMATE AND MAY CHANGE WITH FINAL ENGINEERING.

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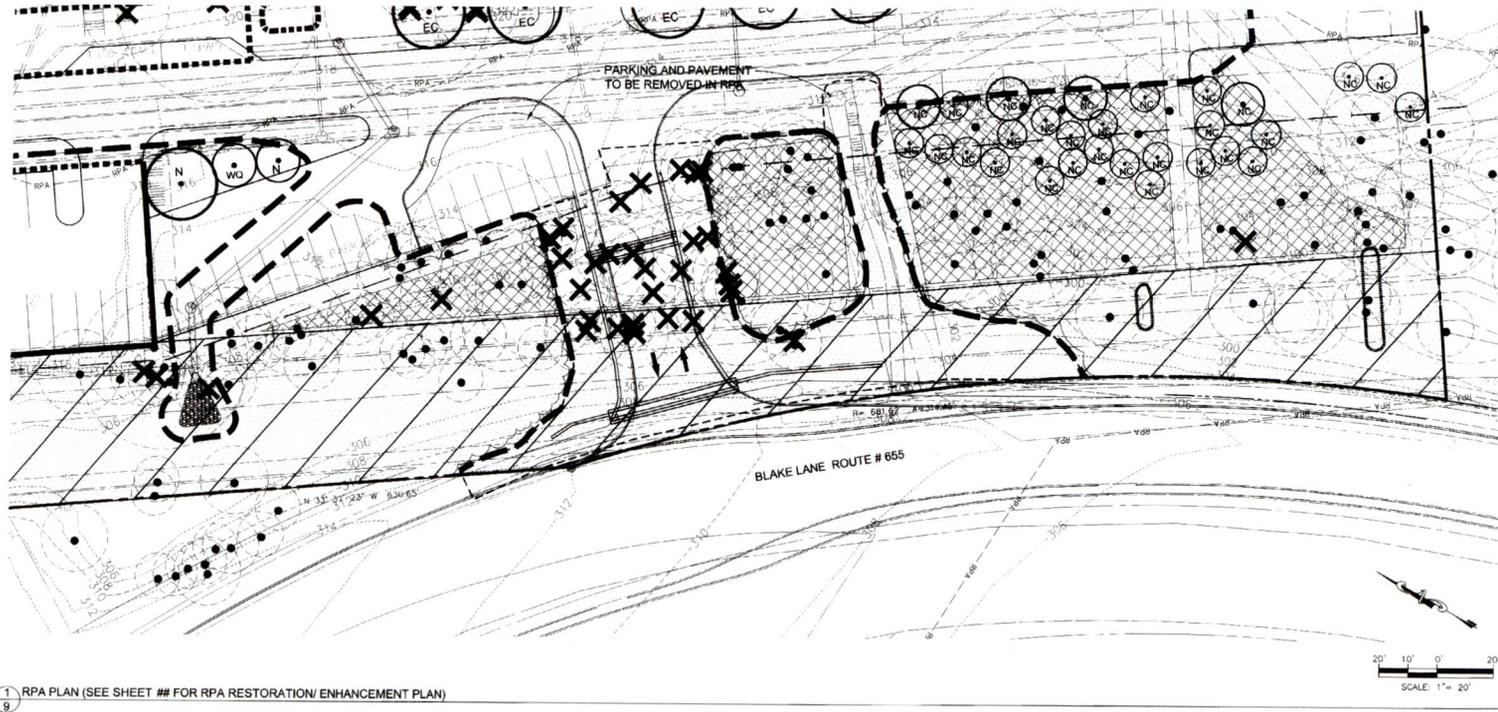
PROPOSED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
LANDSCAPE PLAN  
**CIRCLE TOWERS APARTMENTS**  
PROBENESSA DISTRICT  
FAIRFAX COUNTY, VIRGINIA

DESIGNER:	PLR
DRAWN BY:	PLR
CHECKED BY:	PLR
DATE:	JUNE 2009
SCALE:	HOR 1" = 40' VERT 1" = 40'
SHEET:	8 OF 33
CD NO.:	
CAD NAME:	CB085LSC2
LAYOUT:	LSC-2
FILE NO.:	08085.01-00

LEGEND:

	PROPOSED TREELINE		EXISTING INTERIOR PARKING LOT LANDSCAPING TREE CANOPY CREDIT AREA (TREES TO REMAIN 4,375 s.f.)	N	IDENTIFIES PROPOSED NATIVE TREE
	EXISTING TREELINE		INTERIOR PARKING LOT AREA (214,836 s.f.)	W	IDENTIFIES PROPOSED TREE PLANTED FOR WILDLIFE BENEFIT
	INDIVIDUAL TREE OR SMALL GROUP OF TREES		PERIPHERAL PARKING LOT SHADE TREE ADJACENT TO R.O.W. (CATEGORY IV DECIDUOUS TREE)	EC	IDENTIFIES PROPOSED TREE PLANTED FOR ENERGY CONSERVATION
	EXISTING TREE TO BE REMOVED		3" CATEGORY IV DECIDUOUS TREE	WQ	IDENTIFIES PROPOSED TREE PLANTED FOR WATER QUALITY
	PROPOSED GREENROOF/PLANTER		2" CATEGORY III DECIDUOUS TREE	NC	IDENTIFIES PROPOSED TREE WHERE NO CANOPY CREDIT IS TAKEN. THIS TREE IS A SUPPLEMENTAL TREE TO BE PLANTED IN A PROPOSED PRESERVATION AREA OR RPA. CANOPY CREDIT HAS ALREADY BEEN RESERVED WITHIN THIS AREA.
	AREA DEDUCTED FROM THE GROSS SITE AREA**		2" CATEGORY II DECIDUOUS TREE	LIMITS OF CLEARING AND GRADING	
	AREA OF EXISTING UTILITY EASEMENTS		2" CATEGORY I EVERGREEN TREE	** ALLOWABLE AREA TO BE DEDUCTED FROM THE GROSS SITE AREA. THIS AREA CONTAINS A 40' WASHINGTON GAS LIGHT EASEMENT, A 25' SANITARY SEWER EASEMENT AND PROPOSED DEDICATION FOR BLAKE LANE.	
	POST DEVELOPMENT 10 YEAR TREE CANOPY CREDIT AREA (73,037 s.f.)		2" CATEGORY II EVERGREEN TREE	SEE SHEETS 30 AND 33 FOR RPA RESTORATION INFORMATION.	

NOTE: SEE SHEET 8 FOR 10 YEAR TREE CANOPY CALCULATIONS

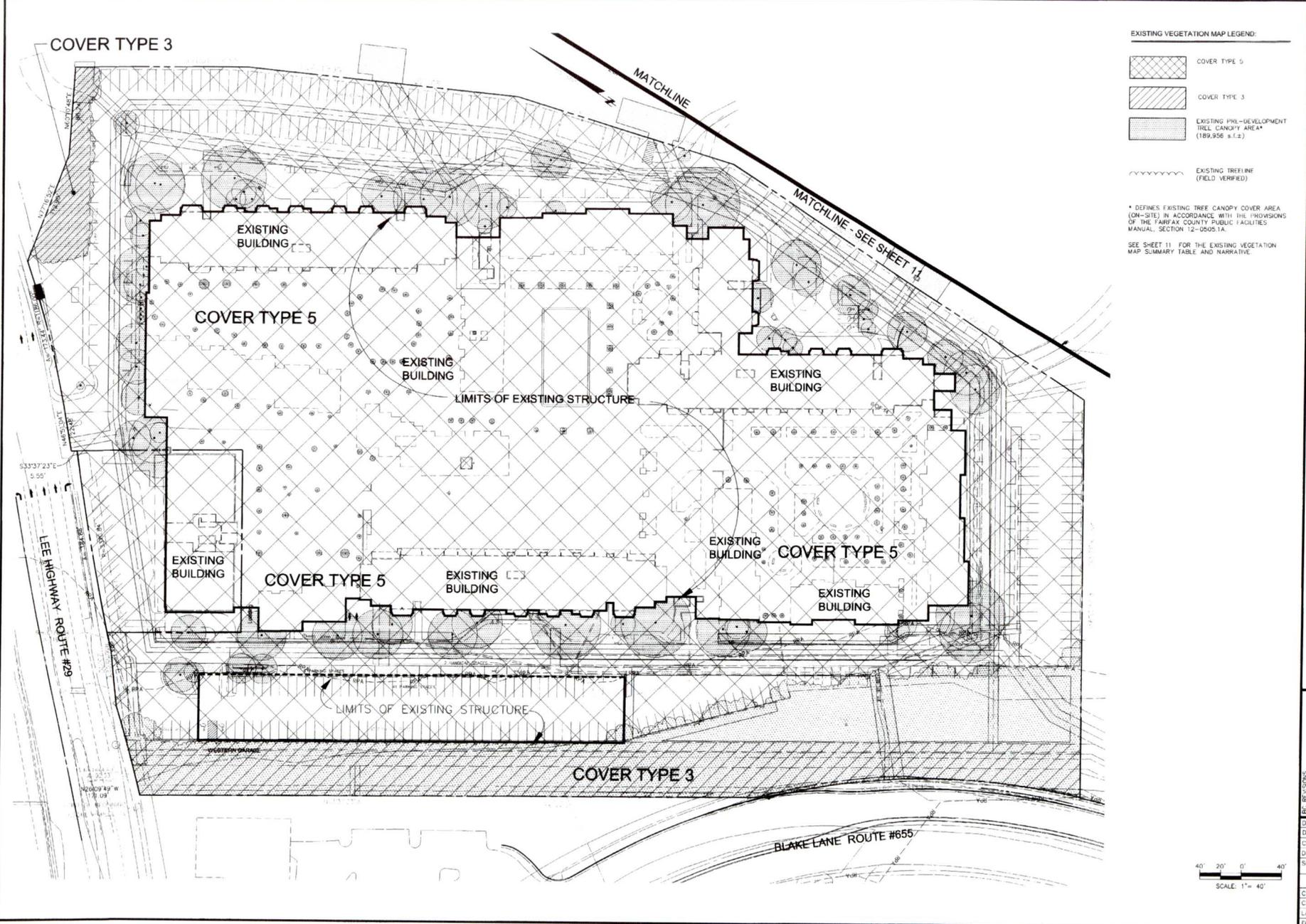


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PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 LANDSCAPE PLAN  
**CIRCLE TOWERS APARTMENTS**  
 PROVIDENCE DISTRICT  
 TAMPA COUNTY, VIRGINIA

DATE: 06/01/2009	SHEET ADDED: OCTOBER 28, 2009
DESIGNED BY: PLR	REVISION: 08-19-10 DATE: 2-2-11
DRAFTED BY: CAD	REVISION: 10-08-10 DATE: 03-16-11
CHECKED BY: PLR	REVISION: 01-13-11
DATE: JUNE 2009	APPROVANT:
SCALE: HOR 1" = 20'	
SCALE: VERT 1" = 20'	
SHEET 9 OF 33	
CO: NC	
CAD NAME: C0805LSC3	
LAYOUT: LSC3	
FILE NO: 0805B.01-00	



EXISTING VEGETATION MAP LEGEND:

-  COVER TYPE 5
-  COVER TYPE 3
-  EXISTING PRE-DEVELOPMENT TREE CANOPY AREA\* (189,956 s.f.f.)

 EXISTING TREELINE (FIELD VERIFIED)

\* DEFINES EXISTING TREE CANOPY COVER AREA (ON-SITE) IN ACCORDANCE WITH THE PROVISIONS OF THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL, SECTION 12-0205.1A.

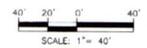
SEE SHEET 11 FOR THE EXISTING VEGETATION MAP SUMMARY TABLE AND NARRATIVE.

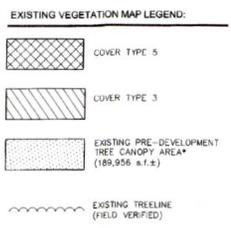
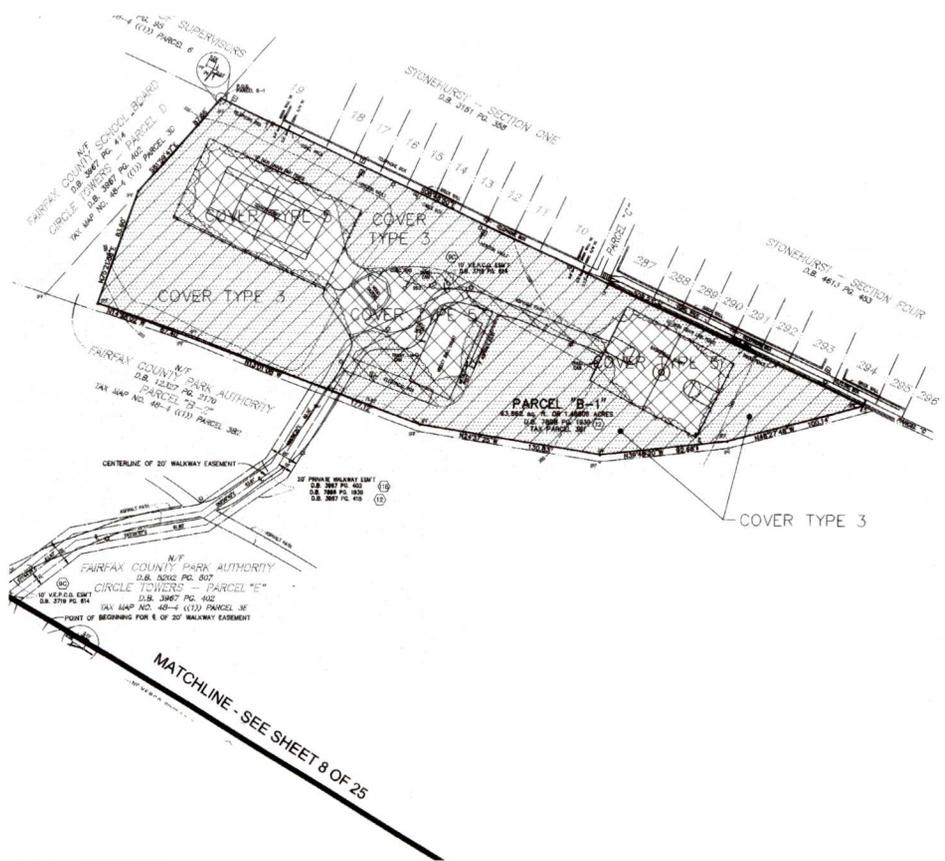
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 (703)448-6100 (Fax)  
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PROPOSED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 EXISTING VEGETATION MAP  
**CIRCLE TOWERS APARTMENTS**  
 PROVIDENCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

BC SECTIONS	DATE: 2-2-11
DESIGNED BY: PLM	
REVISIONS	
01-19-10	03-16-11
02-06-10	
03-13-11	
APPLICANT	
DESIGNED BY: PLM	
DRAWN BY: CAD	
CHECKED BY: PLM	
DATE: JUNE, 2009	
SCALE: HOR 1" = 40'	
VERT.	
SHEET 10 OF 33	
CO. NO.	
CAD NAME: CB08SCVM	
LAYOUT: E.W.P.	
FILE NO. 08085.01-00	





\* DEFINES EXISTING TREE CANOPY COVER AREA (ON-SITE) IN ACCORDANCE WITH THE PROVISIONS OF THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL, SECTION 12-0505.1A.

SEE SHEET 8 FOR THE TREE PRESERVATION TARGET AND STATEMENT.

EXISTING VEGETATION MAP SUMMARY TABLE AND NARRATIVE:

KEY	COVER TYPE	PRIMARY SPECIES	SUCCESSIONAL STAGE	CONDITION	AREA (Ac.)	NARRATIVE
	EARLY SUCCESSIONAL FOREST COMMUNITY AREA	BLACK LOCUST, BLACK WILLOW, OAK, MAPLE AND TULIP POPLAR	MATURE	FAIR TO GOOD	2.69 Ac.±	THIS AREA IS DOMINATED BY BLACK LOCUST, BLACK WILLOW, MAPLE AND TULIP POPLAR. TREES IN THIS COVER TYPE RANGE FROM 6" TO 36" DBH. THIS STAND CONTAINS PATCHES OF BIRCHES, PINES AND MULTIFLORA ROSE SCATTERED THROUGHOUT, HAVING A DIRECT IMPACT ON SOME OF THE TREES. THE OVERALL QUALITY OF THE TREES IS GOOD TO FAIR, HOWEVER, THERE ARE SEVERAL TREES THAT ARE IN VERY POOR HEALTH OR ARE POTENTIALLY HAZARDOUS.
	DEVELOPED AREA	ZELKOVA, PINE AND CRYPTOMERIA	N/A	N/A	13.34 Ac.±	AREAS OF CONSTRUCTED FEATURES INCLUDING BUILDINGS, PARKING AND ROADWAYS.
				TOTAL	16.03 Ac.±	

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PROPOSED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 EXISTING VEGETATION MAP  
**CIRCLE TOWERS APARTMENTS**  
 PROVIDENCE INTEREST  
 FAIRFAX COUNTY, VIRGINIA

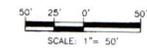
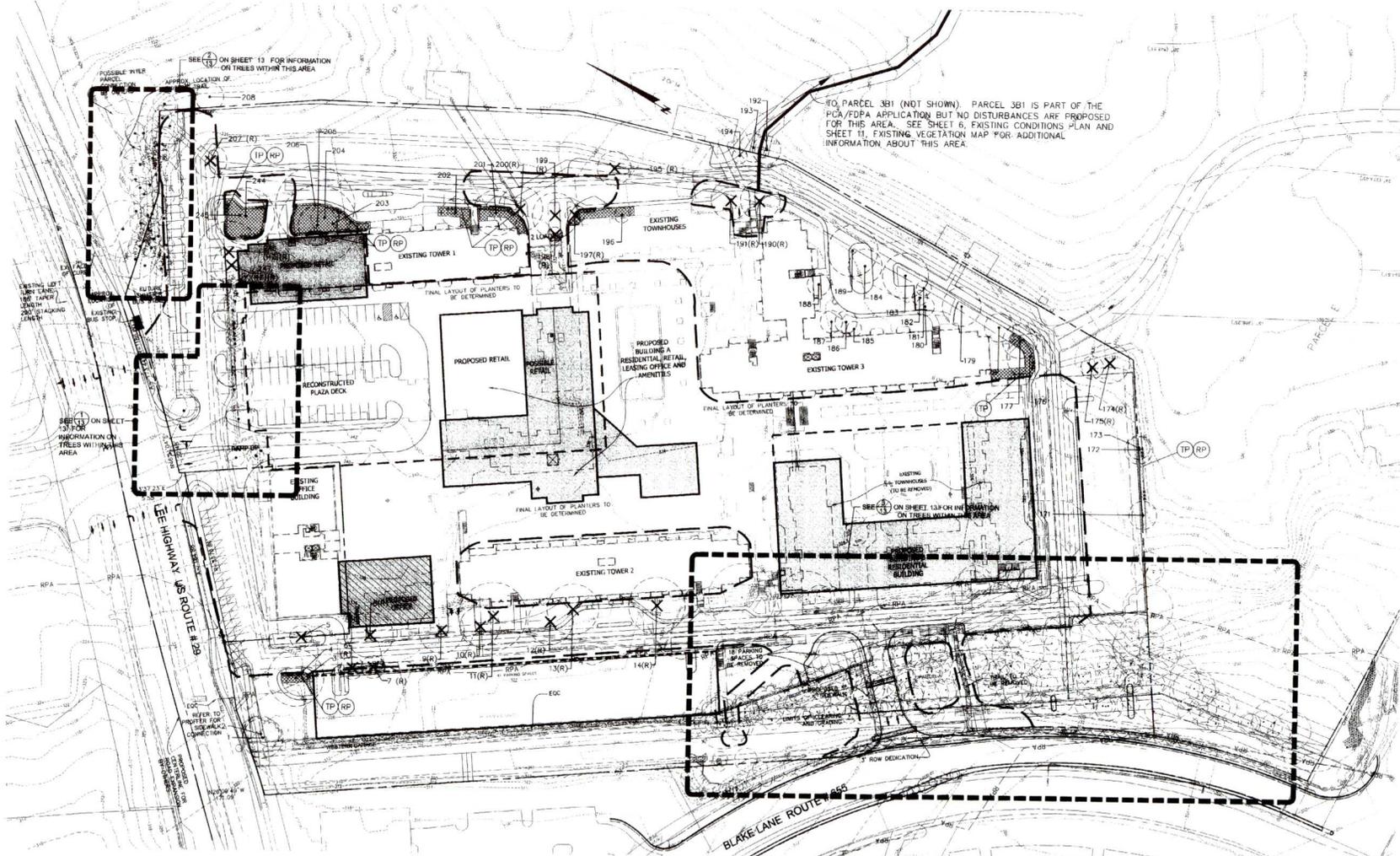
GC REVISIONS	DATE	BY	REASON
01	03-16-11	PLR	ISSUED
02	03-16-11	PLR	DESIGNED BY PLR
03	03-16-11	PLR	DRAFTED BY CAD
04	03-16-11	PLR	CHECKED BY PLR
05	03-16-11	PLR	DATE: JUNE 2009
06	03-16-11	PLR	SCALE: HOR 1" = 40'
07	03-16-11	PLR	VERT.
08	03-16-11	PLR	SHEET 11 OF 33
09	03-16-11	PLR	CD. NO.
10	03-16-11	PLR	CAD NAME: CRORSEVM2
11	03-16-11	PLR	LAYOUT: F1W-3
12	03-16-11	PLR	FILE NO. 08085.01-00

**LEGEND:**

-  LIMITS OF CRITICAL ROOT ZONE (CRZ)
-  EXISTING TREE TO BE PRESERVED
-  EXISTING TREE TO BE REMOVED
-  MULCH AREA
-  LIMITS OF CLEARING AND GRADING
-  TREE PROTECTION FENCE AND/OR
-  ROOT PRUNE

- (R) TREE IDENTIFIED AS 'TO BE REMOVED'
- (RWP) TREE IDENTIFIED AS 'TO BE REMOVED WITH PERMISSION' (OUTSIDE LIMITS OF CLEARING AND GRADING)
- (U) TREE IDENTIFIED AS 'DEAD--TO BE REMOVED'
- (HZ) TREE IDENTIFIED AS 'POTENTIAL HAZARD--TO BE CONSIDERED FOR REMOVAL'
- (PC) TREE IDENTIFIED AS 'POOR CONDITION' (LESS THAN 40% CONDITION RATING)

SEE SHEETS 14, 15, 16, 17 AND 18 FOR TREE INVENTORY AND CONDITION ANALYSIS. SEE SHEET 19 FOR HILL PRESERVATION NARRATIVE AND DETAILS.

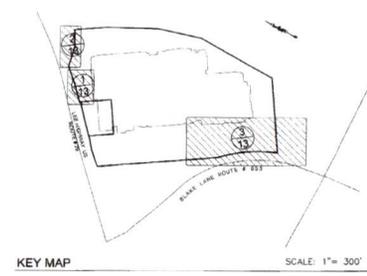
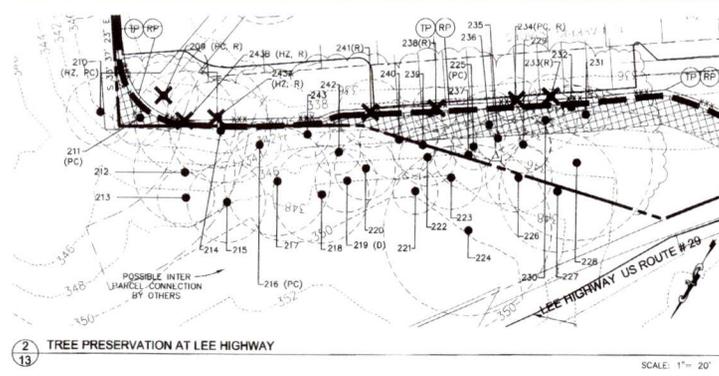
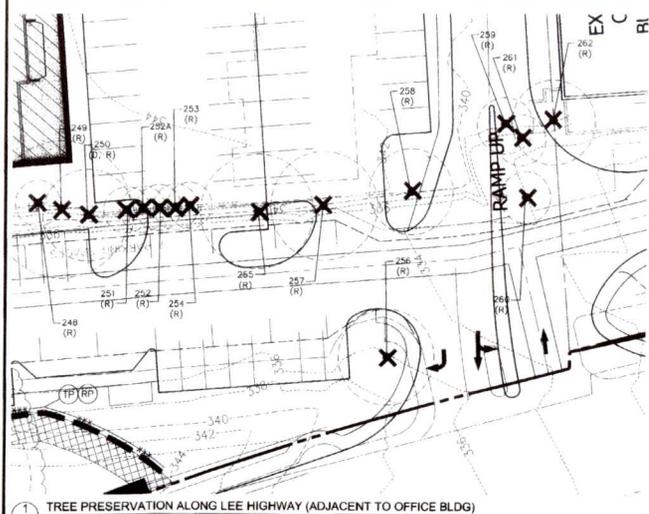


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PROPOSED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 TREE PRESERVATION PLAN  
**CIRCLE TOWERS APARTMENTS**  
 PROVIDENCE CONTRACTORS  
 FAIRFAX COUNTY, VIRGINIA

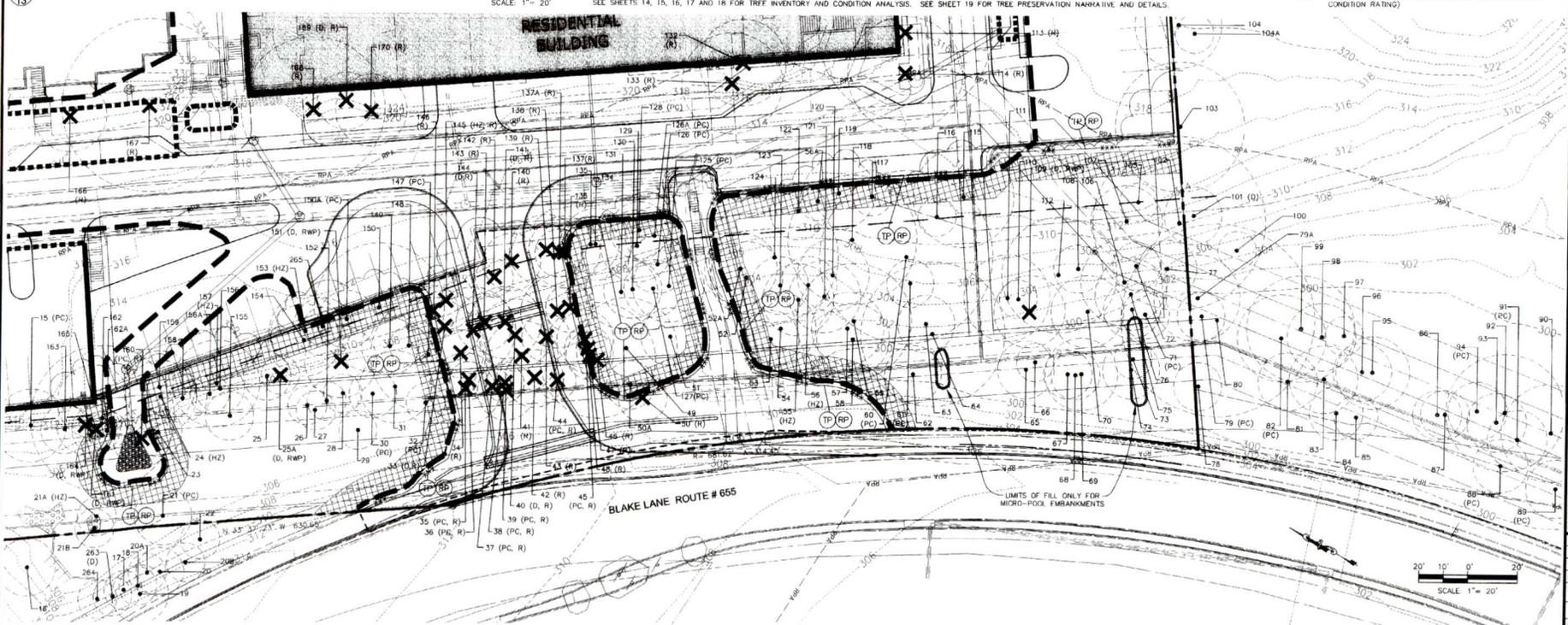
DATE: 06-27-11	DESIGNED BY: PLR
REVISED: 05-16-11	DRAFTED BY: CAD
REVISED: 08-28-10	CHECKED BY: PLR
REVISED: 10-05-10	DATE: JUNE 2009
REVISED: 12-09-10	SCALE: HOR 1" = 50'
PREPARED BY: J. P. L.	VERT
	SHEET 12 OF 33
	CO. NO.
	CAD NAME: C08051TP
	LAYOUT: TTP
	FILE NO: 08085.01-00



**LEGEND:**

- (CRZ) ○ LIMITS OF CRITICAL ROOT ZONE (CRZ)
- (CRZ) ● EXISTING TREE TO BE PRESERVED
- (CRZ) ✕ EXISTING TREE TO BE REMOVED
- LIMITS OF CLEARING AND GRADING
- ▨ MULCH AREA
- TP RP TREE PROTECTION FENCE AND/OR ROOT PRUNE
- (R) TREE IDENTIFIED AS 'TO BE REMOVED'
- (RWP) TREE IDENTIFIED AS 'TO BE REMOVED WITH PERMISSION' (OUTSIDE LIMITS OF CLEARING AND GRADING)
- (D) TREE IDENTIFIED AS 'DEAD-TO BE REMOVED'
- (HZ) TREE IDENTIFIED AS 'POTENTIAL HAZARD-TO BE CONSIDERED FOR REMOVAL'
- (PC) TREE IDENTIFIED AS 'POOR CONDITION' (LESS THAN 40% CONDITION RATING)

SEE SHEETS 14, 15, 16, 17 AND 18 FOR TREE INVENTORY AND CONDITION ANALYSIS. SEE SHEET 19 FOR TREE PRESERVATION NARRATIVE AND DETAILS.



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PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 TREE PRESERVATION PLAN  
**CIRCLE TOWERS APARTMENTS**  
 RESIDENTIAL DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

DATE: 2-11-11	03-16-11
DATE: 07/26/2009	08/17/2010
DATE: 02-08-10	02-09-10
DATE: 03-11-11	
DESIGNED BY: PLR	DRAFTED BY: CAD
CHECKED BY: PLR	DATE: JUNE 2009
SCALE: HOR 1" = 20'	VERT 1" = 20'
SHEET 13 OF 33	
CD NO.	
CAD NAME: CORRSTP2	
LAYOUT: DETAILS: TTP	
FILE NO.: 08085-01-00	

TREE INVENTORY AND CONDITION ANALYSIS													
TREE KEY	BOTANICAL NAME / COMMON NAME	SIZE	**CRZ	CONDITION	CANOPY POSITION	CROWN DENSITY	AVERAGE CROWN SPREAD (R)	FINAL STATUS	ACTIVITIES	PROBLEMS	COMMENTS		
		DBH (in)	R (ft)	% ***		%	D (ft)		ROOT PRUNE MULCH FERTILIZE PRUNE TREAT OTHER				
1	Quercus spp./Oak	21"	21'	58	Codominant	55%	40'	P		On an incline; heavily pruned; branch damage; one sided.	A, D		
2	Liriodendron tulipifera/Tulip Poplar	19"	19'	66	Codominant	50%	30'	P		Branches dead/damaged on an incline; one sided; leaning.	A, B		
3	Ilex opaca/American Holly	8"	8'	72	Suppressed	55%	20'	P	X X X	One sided; heavily limbed up.	Twin-Stem A, B		
4	Quercus spp./Oak	30"	30'	94	Dominant	98%	35'	P	X X X	Pruning scars; minor branch damage.	A, B		
5	Prunus spp./Cherry	12"	12'	97	Dominant	100%	35'	R		No visible problems.	A		
6	Zelkova serrata/Japanese Zelkova	12"	12'	72	Codominant	80%	30'	R		Branches rubbing.	A, B		
7	Zelkova serrata/Japanese Zelkova	12"	12'	91	Codominant	75%	30'	R		No visible damage.	A, B, E		
8	Zelkova serrata/Japanese Zelkova	24"	24'	72	Dominant	60%	50'	R		Heavily pruned; dead/rubbing branches; one sided; fungus at base.	A, R, F		
9	Zelkova serrata/Japanese Zelkova	24"	24'	72	Dominant	65%	50'	R		Floking bark; pruning scars; damaged branches; exposed/grubbing roots; trunk fungus.	A, B, E		
10	Zelkova serrata/Japanese Zelkova	21"	21'	75	Codominant	70%	50'	R		Girdling roots; trunk fungus; heavily pruned; branch decay; pruning scars.	A, B, E		
11	Zelkova serrata/Japanese Zelkova	36"	36'	75	Dominant	75%	40'	R		Heavily pruned; pruning scars; roots exposed; branches rubbing.	E		
12	Zelkova serrata/Japanese Zelkova	24"	24'	77	Codominant	65%	50'	R		Heavily pruned; girdling; leaning; major roots exposed; branch damage; pruning scars.	A, B, E		
13	Zelkova serrata/Japanese Zelkova	27"	27'	72	Codominant	60%	50'	R		Heavily pruned; one sided; leaning; root grinding; pruning scars; roots exposed.	A, F		
14	Zelkova serrata/Japanese Zelkova	30"	30'	72	Dominant	60%	70'	R		On slight incline; roots exposed; leaning; one sided; girdling; heavily pruned; pruning scars.	A		
15	Liriodendron tulipifera/Tulip Poplar	15"	15'	38	Dominant	75%	20'	P		Dead/rotting trunk at base; top branching only; insect infestation; branch damage; pruning scars.	Poor Condition A, B, C, E		
16	Robinia pseudoacacia/Black Locust	12"	12'	50	Dominant	75%	50'	POS		Dead/rotting/broken branches; insect infestation; 15' from culvert.	Multi-Stem Off-Site		
17	Cedrus spp./Cedar	8"	8'	78	Codominant	95%	10'	POS		Limbed up; steep slope; erosion; exposed roots; dead branches.	Off-Site		
18	Cedrus spp./Cedar	8"	8'	66	Codominant	95%	10'	POS		Limbed up; on bank; erosion; exposed roots; dead branches.	Off-Site		
19	Pinus spp./Pine	12"	12'	66	Codominant	80%	15'	POS		Erosion; exposed roots; growing into Cedar at left side.	Off-Site		
20	Cedrus spp./Cedar	10"	10'	69	Codominant	95%	15'	POS		Exposed roots; dead branches; vine covered; bark erosion.	Off-Site		
20A	Acer spp./Maple	8"	8'	72	Dominant	85%	18'	POS		On an incline; erosion; exposed roots; rubbing branches.	Off-Site		
20B	Cedrus spp./Cedar	8"	8'	70	Suppressed	90%	12'	POS		On an incline; erosion; exposed roots.	Off-Site		
21	Salix nigra/Black Willow	12"	12'	34	Dominant	40%	30'	P	X	Dying; vine covered; dead/decaying branches; trunk rot.	Poor Condition B, C		
21A	Robinia pseudoacacia/Black Locust	10"	10'	66	Codominant	60%	35'	TBD	X	Leaning; vine covered; broken/dead branches; in middle of stream.	Hazardous B, C		
21B	Salix nigra/Black Willow	8"	8'	72	Codominant	50%	15'	P	X	Vine covered; growing in middle of stream.	B, C		
22	Acer spp./Maple	8"	8'	72	Codominant	70%	15'	POS		Vine growth; rubbing branches.	Off-Site		
23	Salix nigra/Black Willow	10"	10'	59	Codominant	60%	35'	P	X X X	Dead/damaged branches.	B, C Multi-Stem		
24	Acer spp./Maple	15"	15'	69	Codominant	40%	35'	TBD	X X X	On an incline; leaning; missing/dead branches.	Hazardous A, B, C		
25	Acer spp./Maple	10"	10'	66	Codominant	60%	35'	P	X	Growing on bank; trunk fungus; broken branches.	C Multi-Stem		
25A	Felled Tree	30"	-	-	-	-	-	RWP		-	Dead C		
26	Robinia pseudoacacia/Black Locust	8"	8'	53	Codominant	35%	20'	P		Dead/decaying/rotting/broken branches.	B, C		
27	Robinia pseudoacacia/Black Locust	8"	8'	53	Dominant	35%	15'	P		Dead/damaged/rotting/broken branches.	B, C		
28	Robinia pseudoacacia/Black Locust	8"	8'	56	Codominant	50%	10'	P		Dead/damaged/rotting/broken branches.	B, C		
29	Robinia pseudoacacia/Black Locust	8"	8'	44	Dominant	20%	10'	P		Leaning; exposed roots; vine covered; broken/dead branches; growing at the edge of the stream.	B, C		
30	Robinia pseudoacacia/Black Locust	10"	10'	38	Codominant	30%	15'	P		Trunk damage; damaged/rotting/broken branches.	Poor Condition B, C		
31	Robinia pseudoacacia/Black Locust	15"	15'	69	Codominant	50%	35'	P	X	Dead/damaged/broken branches; lateral branches.	B, C		
32	Salix nigra/Black Willow	8"	8'	31	Codominant	20%	15'	P	X X X	Leaning; damaged branches; trunk damage; insect infestation; erratic branching.	Poor Condition B, C		

TREE INVENTORY AND CONDITION ANALYSIS (Continuation 2)													
TREE KEY	BOTANICAL NAME / COMMON NAME	SIZE	**CRZ	CONDITION	CANOPY POSITION	CROWN DENSITY	AVERAGE CROWN SPREAD (R)	STATUS	ACTIVITIES	PROBLEMS	COMMENTS		
		DBH (in)	R (ft)	% ***		%	D (ft)		ROOT PRUNE MULCH FERTILIZE PRUNE TREAT OTHER				
33	Dead	15"	-	-	-	-	-	R		-	Dead C		
34	Quercus spp./Oak	10"	10'	72	Codominant	60%	25'	R		Dead/damaged/broken branches; 2 major stems.	C, E		
35	Salix nigra/Black Willow	15"	15'	38	Codominant	65%	40'	R		Exposed roots; leaning; base decay; insect infestation; vine covered.	Poor Condition B, C		
36	Robinia pseudoacacia/Black Locust	8"	8'	31	Codominant	50%	12'	R		Dying; in decline; dead/decaying/broken branches; root girdling.	Poor Condition B, C		
37	Robinia pseudoacacia/Black Locust	8"	8'	58	Codominant	40%	12'	R		Dead/damaged/rotting/broken branches; insect infestation.	Poor Condition B, C		
38	Robinia pseudoacacia/Black Locust	8"	8'	31	Codominant	30%	15'	R		Dying; base rot; damaged/rotting/broken branches; leaning.	Poor Condition B, C		
39	Salix nigra/Black Willow	12"	12'	28	Dominant	20%	10'	R		Leaning; vine covered; dead/damaged/broken branches; poor condition.	Poor Condition B, C		
40	Dead	15"	-	-	-	-	-	R		-	Dead C		
41	Quercus spp./Oak	15"	15'	66	Codominant	65%	40'	R		Leaning; dead/damaged/broken branches.	C		
42	Quercus spp./Oak	12"	12'	66	Dominant	70%	35'	R		In standing water; exposed roots; leaning.	B, C		
43	Quercus spp./Oak	10"	10'	63	Codominant	45%	25'	R		Leaning; broken branches.	C		
44	Quercus spp./Oak	8"	8'	38	Codominant	35%	25'	R		In standing water; bark decay; leaning; damaged branches.	Poor Condition B, C		
45	Acer spp./Maple	12"	12'	31	Dominant	40%	30'	R		Major stem dead; 2 small stems alive; dead/decaying/broken branches.	Poor Condition Multi-Stem		
46	Acer spp./Maple	24"	24'	69	Codominant	70%	55'	R		Leaning; damaged branches.	B, C		
47	Acer spp./Maple	10"	10'	72	Codominant	40%	35'	R		Vine covered; leaning; broken branches.	C		
48	Acer spp./Maple	10"	10'	81	Dominant	40%	25'	R		Broken branches.	C		
49	Acer spp./Maple	21"	21'	53	Codominant	70%	35'	P	X X X	In standing water; exposed/grubbing roots; vine covered; broken branches.	C		
50	Salix nigra/Black Willow	10"	10'	72	Suppressed	20%	15'	R		Leaning; vine covered; in standing water; broken branches.	B, C		
50A	Salix nigra/Black Willow	10"	10'	66	Suppressed	20%	10'	P	X X X	Leaning; vine covered; broken branches.	B, C		
51	Platanus spp./Sycamore	12"	12'	56	Dominant	50%	45'	P	X X X	In standing water; base decay; damaged branches.	C		
52	Acer spp./Maple	15"	15'	63	Codominant	80%	50'	P	X X X	Growing at base of another tree; root girdling.	C, E		
52A	Quercus spp./Oak	15"	15'	47	Codominant	55%	35'	P	X X X	Growing at base of another tree; dead/broken/pruned branches; leaning.	C		
53	Acer spp./Maple	12"	12'	69	Codominant	40%	30'	P	X X X	Stem rot; damaged branches.	C Multi-Stem		
54	Acer spp./Maple	15"	15'	63	Codominant	50%	55'	P	X X X	Stem rot.	C Multi-Stem		
55	Acer spp./Maple	15"	15'	72	Codominant	40%	50'	TBD	X	Leaning; vine covered; broken branches.	Hazardous C		
56	Acer spp./Maple	12"	12'	66	Dominant	60%	50'	TBD	X	Leaning; crooked/damaged branches.	Hazardous C		
56A	Liriodendron tulipifera/Tulip Poplar	8"	8'	70	Codominant	70%	35'	P	X X X	On an incline; broken branches.	C		
57	Acer spp./Maple	15"	15'	50	Dominant	65%	40'	P		Exposed roots; vine covered; branch decay; leaning.	C		
58	Acer spp./Maple	15"	15'	63	Dominant	65%	45'	P	X	Damaged/decaying branches; leaning.	C		
59	Acer spp./Maple	24"	24'	56	Codominant	60%	40'	P	X	Dead/broken branches; trunk damage; insect infestation.	C		
60	Liriodendron tulipifera/Tulip Poplar	36"	36'	38	Codominant	70%	50'	P	X X X	Hollow/interior trunk rot; base rot; insect infestation.	Poor Condition C, E		

ON OR NEAR THE LIMITS OF CLEARING AND GRADING. FINAL STATUS TO BE EVALUATED IN FIELD WITH UFMD

SEE SHEETS 12 AND 13 FOR TREE PRESERVATION PLANS. SEE SHEET 19 FOR TREE PRESERVATION NARRATIVE AND DETAILS.

A \* LESS THAN 10' FROM STRUCTURE, CURB, SIDEWALK, TRAIL, OR PAVING.  
 B \* WITHIN PUBLIC UTILITY EXISTENT  
 C \* WITHIN FLOODPLAIN EXISTENT  
 TBD \* POTENTIAL HAZARD; STATUS TO BE DETERMINED IN CONSULTATION WITH THE URBAN FOREST MANAGEMENT DIVISION (UFMD).  
 E \* MAJOR COORDINATE STEMS  
 P \* PRESERVE  
 R \* REMOVE  
 POS \* PRESERVE OR OFF-SITE  
 RWP \* REMOVE WITH PERMISSION FROM THE UFMD. TREE IS WITHIN UNDISTURBED AREA BUT CONDITIONS WARRANT ITS REMOVAL.  
 X \* CONDUCT ACTIVITY INDICATED  
 \*\* \* DBH/DIAMETER BREAST HEIGHT AS MEASURED 4.5 FEET ABOVE GROUND.  
 \*\*\* \* CRZ CRITICAL ROOT ZONE (ONE FOOT OF RADIUS FOR EVERY INCH OF TREE DIAMETER. CRZ FOR TREES WITH MULTIPLE STEMS ARE CALCULATED BASED ON THE DIAMETER OF A TREE WITH A BASAL AREA EQUIVALENT TO THE SUM OF THE BASAL AREAS FOR ALL STEMS MEASURED.  
 CONDITION RATINGS ARE PROVIDED AS PERCENTAGES BASED ON METHODS OUTLINED IN THE LATEST EDITION OF THE GUIDE FOR PLANT APPRAISAL, PUBLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE.

**CERTIFIED ARBORIST**

International Society of Arboriculture

**CERTIFIED ARBORIST**

Dennis Dale Dixon

Member Since: 04-09-13  
 Expiration Date: Dec 31, 2011

**BC Consultants**

Planners - Engineers - Surveyors - Landscape Architects

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PROPOSED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT

TREE INVENTORY AND CONDITION ANALYSIS

**CIRCLE TOWERS APARTMENTS**

PROPOSED DISTRICT: FAIRFAX COUNTY, VIRGINIA

DESIGNED BY: PLR  
 DRAFTED BY: CAD  
 CHECKED BY: PLR  
 DATE: JUNE 2009  
 SCALE: HOR. N/A  
 VERT. N/A

SHEET 14 OF 33

CD NO.  
 CAD NAME: CB081TTP-INV1  
 LAYOUT: INVENTORY 1 & 2  
 FILE NO: 08051-01-02



TREE PRESERVATION INVENTORY (Continuation 4)																
TREE KEY	BOTANICAL NAME / COMMON NAME	SIZE	**CRZ	CONDITION	CANOPY POSITION	CROWN DENSITY	AVERAGE CROWN SPREAD	FINAL STATUS	ACTIVITIES						PROBLEMS	COMMENTS
									ROOT PRUNE	MATCH	FERTILIZE	PRUNE	PESTS	OTHER		
		"DBH (in)	R (ft)	% ***		%	D (ft)									
120	Acer rubrum/Red Maple	15'	15'	72	Codominant	50%	30'	P						Dead/broken branches, vine covered.	C	
121	Quercus spp./Oak	15'	15'	75	Codominant	80%	20'	P						Vine covered.	C	
122	Liriodendron tulipifera/Tulip Poplar	12'	12'	81	Codominant	65%	30'	P	X	X	X			On an incline; pruned; broken branches.	C	
123	Liriodendron tulipifera/Tulip Poplar	27'	27'	73	Codominant	50%	20'	P		X				Base decay.	C	
124	Liriodendron tulipifera/Tulip Poplar	15'	15'	84	Codominant	65%	35'	P	X	X	X			Broken branches.	C	
125	Quercus spp./Oak	15'	15'	28	Codominant	55%	45'	P	X	X	X			Peeling bark, trunk decay, insect infestation, fungus; dead/broken branches.	Poor Condition C	
126	Liriodendron tulipifera/Tulip Poplar	12'	12'	38	Codominant	40%	45'	P	X	X	X			On an incline; dead/decaying/damaged branches; vine covered; poor condition.	Poor Condition C	
126A	Robinia pseudoacacia/Black Locust	12'	12'	38	Codominant	40%	25'	P	X	X	X			On an incline; trunk damage/decay; insect infestation; leaning.	Poor Condition A, C	
127	Platanus spp./Sycamore	12'	12'	25	Codominant	40%	25'	P	X	X	X			Trunk damage; insect infestation; very poor condition.	Poor Condition C	
128	Robinia pseudoacacia/Black Locust	12'	12'	38	Codominant	35%	30'	P	X	X	X			On an incline; trunk damage/decay; leaning; insect infestation.	Poor Condition A, C	
129	Liriodendron tulipifera/Tulip Poplar	15'	15'	53	Codominant	55%	35'	P	X	X	X			On steep incline, branch damage; exposed roots.	C	
130	Liriodendron tulipifera/Tulip Poplar	12'	12'	59	Codominant	50%	25'	P						Decaying/damaged branches.	C	
131	Robinia pseudoacacia/Black Locust	15'	15'	53	Codominant	60%	15'	P		X				Dead branches; exposed roots; base damage.	C	
132	Pinus spp./Pine	18'	18'	50	Dominant	30%	30'	R						In decline; limbed up; dead branches; browsing needles; growing next to parking garage.	A	
133	Pinus spp./Pine	21'	21'	59	Codominant	50%	25'	R						One sided; leaning; broken/thinning branches.	A, B	
134	Liriodendron tulipifera/Tulip Poplar	15'	15'	47	Codominant	40%	20'	P	X	X	X			Trunk damage; exposed roots/erosion; broken branches; poor condition.	A, C	
135	Liriodendron tulipifera/Tulip Poplar	12'	12'	44	Codominant	15%	20'	P	X	X	X			Trunk damage; exposed roots/erosion; broken branches; poor condition.	A, C	
136	Acer spp./Maple	10'	10'	69	Codominant	65%	25'	R						On an incline; trunk damage; leaning; vines covered.	C	
137	Liriodendron tulipifera/Tulip Poplar	15'	15'	66	Codominant	45%	20'	R						On an incline; trunk damage; broken branches.	C	
137A	Liriodendron tulipifera/Tulip Poplar	10'	10'	50	Codominant	30%	15'	R						On an incline; trunk damage; thinning canopy.	C	
138	Quercus spp./Oak	15'	15'	72	Codominant	55%	50'	R						Broken branches; 2 dead trees leaning on it.	C	
139	Liriodendron tulipifera/Tulip Poplar	15'	15'	66	Dominant	25%	25'	R						On an incline; broken branches; exposed roots; vines covered.	C	
140	Liriodendron tulipifera/Tulip Poplar	12'	12'	59	Codominant	40%	30'	R						On an incline; broken branches; erosion; exposed roots.	C	
141	Dead	15'	-	-	-	-	-	R						-	Dead C	
142	Salix nigra/Black Willow	18'	18'	59	Codominant	75%	55'	R						On a steep incline; erosion; exposed roots; branch overhanging parking lot.	A, C	
143	Fagus spp./Beech	12'	12'	75	Codominant	60%	50'	R						Growing at bottom of the bank; broken branches.	C	
144	Dead (Semi Felled Tree)	18'	-	-	-	-	-	R						Dead tree resting on main branch of adjacent tree.	Dead C	
145	Robinia pseudoacacia/Black Locust	12'	12'	66	Codominant	25%	20'	R						Growing on top of steep bank; vine covered; damaged branches; leaning to parking lot.	Hazardous A, B, C	
146	Quercus spp./Oak	10'	10'	69	Codominant	40%	12'	R						On an incline, branch damage.	C	
147	Liriodendron tulipifera/Tulip Poplar	24'	24'	31	Dominant	30%	20'	P	X	X	X			Dying; branch decay; base rot.	Poor Condition C	
148	Fagus spp./Beech	8'	8'	59	Intermediate	35%	15'	P		X				Growing at bottom of the bank; one sided; broken branches.	C	
149	Acer rubrum/Red Maple	12'	12'	63	Codominant	55%	35'	P		X				Growing at bottom of bank; branch damage.	C, E	

TREE PRESERVATION INVENTORY (Continuation 5)																
TREE KEY	BOTANICAL NAME / COMMON NAME	SIZE	**CRZ	CONDITION	CANOPY POSITION	CROWN DENSITY	AVERAGE CROWN SPREAD	FINAL STATUS	ACTIVITIES						PROBLEMS	COMMENTS
									ROOT PRUNE	MATCH	FERTILIZE	PRUNE	PESTS	OTHER		
		"DBH (in)	R (ft)	% ***		%	D (ft)									
150	Robinia pseudoacacia/Black Locust	27'	27'	47	Dominant	45%	35'	P	X	X	X			Base rot; dead/decaying/missing branches; lateral branch.	A, B, C	
150A	Robinia pseudoacacia/Black Locust	12'	12'	31	Dominant	20%	20'	P	X	X	X			Vine covered; insect infestation; leaning; damaged/broken/rotting branches.	Poor Condition A, B, C	
151	Dead	15'	-	-	-	-	-	RWP						-	Dead C	
152	Salix nigra/Black Willow	8'	8'	59	Codominant	40%	25'	P						Trunk rot; leaning; dead/broken branches.	B, C	
153	Robinia pseudoacacia/Black Locust	15'	15'	63	Codominant	30%	15'	TBD	X	X	X			On top of bank; trunk decay; vine covered; leaning; missing branches.	Hazardous A, B, C	
154	Liriodendron tulipifera/Tulip Poplar	15'	15'	69	Codominant	50%	20'	P	X	X	X			On top of bank; Pruned/broken/dead/decaying branches.	A, B, C	
155	Salix nigra/Black Willow	10'	10'	69	Codominant	35%	40'	P		X				Leaning; vine covered; one sided; small tree parallel to trunk.	B, C	
156	Acer rubrum/Red Maple	10'	10'	63	Codominant	35%	25'	P		X				On steep incline; dead/decaying branches; thin crown.	B, C	
156A	Acer rubrum/Red Maple	10'	10'	44	Codominant	30%	20'	P		X				On an incline; scars; insect infestation; damaged/decaying/dead branches.	B, C, E	
157	Quercus spp./Oak	18'	18'	59	Codominant	60%	50'	TBD	X					Vine covered; growing on bank; base rot; leaning toward parking lot.	Hazardous C	
158	Salix nigra/Black Willow	10'	10'	63	Codominant	40%	35'	P		X				On an incline; leaning; missing/rotting branches; trunk rot.	B, C, E	
159	Acer spp./Maple	15'	15'	63	Codominant	55%	30'	P	X	X	X			Base rot; scars; decaying branches.	A, B, C; Multi-Stem	
160	Salix nigra/Black Willow	12'	12'	28	Codominant	40%	35'	R						Dead/decaying branches; insect infestation.	Poor Condition B, C; Multi-Stem	
161	Dead	10'	-	-	-	-	-	RWP						-	Dead B, C	
162	Salix nigra/Black Willow	10'	10'	75	Codominant	35%	40'	P	X	X	X			Damaged/rubbing branches.	A, B, C, E	
162A	Salix nigra/Black Willow	10'	10'	72	Slightly Suppressed	25%	25'	P	X	X	X			Leaning; branching at top.	B, C	
163	Fraxinus spp./Ash	10'	10'	69	Codominant	30%	25'	P		X				Growing at bottom of bank; vine covered; base damage; broken/dead/missing branches; leaning.	B, C	
164	Dead	12'	-	-	-	-	-	RWP						-	Dead B, C	
165	Fraxinus spp./Ash	15'	15'	72	Dominant	70%	40'	P	X	X	X			Growing next to parking garage column.	A, B, C, E	
166	Prunus spp./Cherry	15'	15'	63	Dominant	50%	25'	R						Pruned; pruning scars; broken branches; one sided; on an incline.	A	
167	Zelkova serrata/Japanese Zelkova	36'	36'	72	Dominant	80%	70'	R						Pruned/broken lower branches; exposed roots; nice upper branching.	A	
168	Zelkova serrata/Japanese Zelkova	30'	30'	75	Codominant	75%	55'	R						Branches touching pole light; pruned branches; little branch growth.	A	
169	Dead	12'	-	-	-	-	-	R						-	Dead A	
170	Pinus spp./Pine	15'	15'	63	Codominant	45%	40'	R						Dead branches at bottom; thinning canopy.	C	
171	Robinia pseudoacacia/Black Locust	15'	15'	47	Dominant	20%	20'	POS	X					In decline; pruned/dead branches; little canopy; on steep incline.	A Off-Site	
172	Robinia pseudoacacia/Black Locust	15'	15'	50	Codominant	10%	15'	POS	X					Trunk decay; cut roots; dead/decayed branches.	A Off-Site	

ON OR NEAR THE LIMITS OF CLEARING AND GRADING. FINAL STATUS TO BE EVALUATED IN FIELD WITH UFGD

A: LESS THAN 10' FROM STRUCTURE, CURB, SIDEWALK, TRAIL, OR PAVING.  
 B: WITHIN PUBLIC UTILITY EASEMENT  
 C: WITHIN FLOODPLAIN EASEMENT  
 D: POTENTIAL HAZARD. STATUS TO BE DETERMINED IN CONSULTATION WITH THE URBAN FOREST MANAGEMENT DIVISION (UFGD).  
 E: MAJOR COORDINATE STEMS  
 F: PRESERVE  
 G: REMOVE  
 H: PRESERVE OFF-SITE  
 I: REMOVE WITH PERMISSION FROM THE UFGD. TREE IS WITHIN UNDISTURBED AREA BUT CONDITIONS WARRANT ITS REMOVAL.  
 J: CONDUCT ACTIVITY INDICATED.  
 K: DBH/DIAMETER (BREAST HEIGHT AS MEASURED 4.5 FEET ABOVE GROUND).  
 L: CRZ: CRITICAL ROOT ZONE (ONE FOOT OF RADIUS FOR EVERY INCH OF TREE DIAMETER. CRZ FOR TREES WITH MULTIPLE STEMS ARE CALCULATED BASED ON THE DIAMETER OF A TREE WITH A BASAL AREA EQUIVALENT TO THE SUM OF THE BASAL AREAS FOR ALL STEMS MEASURED).  
 M: CONDITION RATINGS ARE PROVIDED AS PERCENTAGES BASED ON METHODS OUTLINED IN THE LATEST EDITION OF THE GUIDE FOR PLANT APPRAISAL PUBLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE.

SEE SHEETS 12 AND 13 FOR TREE PRESERVATION PLANS. SEE SHEET 19 FOR TREE PRESERVATION NARRATIVE AND DETAILS.

CERTIFIED ARBORIST



International Society of Arboriculture

CERTIFIED ARBORIST  
 Dennis Dale Dixon

Card No: MA-4913A  
 Expiration Date: Dec 31, 2011

**BC Consultants**  
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 (703)449-8100 (703)449-8108 (Fax)  
 www.bcva.com



PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 TREE INVENTORY AND CONDITION ANALYSIS

CIRCLE TOWERS APARTMENTS

REFERENCE: INTEREST  
 FAIRFAX COUNTY, VIRGINIA

BC REVISIONS:  
 REVISION: 10-28-09 03-18-11  
 REVISION: 10-28-09 03-18-11

DESIGNED BY: PLR  
 DRAFTED BY: CAD  
 CHECKED BY: PLR  
 DATE: JUNE 2009  
 SCALE: HOR 1/4" = 1'-0"  
 SHEET 16 OF 33  
 CO. NO.  
 CAD NAME: CROSTTP-INV3  
 LAYOUT: INVENTORY 5 & 6  
 FILE NO: 0808.01-00

TREE PRESERVATION INVENTORY (Continuation 6)

TREE KEY	BOTANICAL NAME / COMMON NAME	SIZE	HCRZ	CONDITION	CANOPY POSITION	CROWN DENSITY	AVERAGE CROWN SPREAD	FINAL STATUS	ACTIVITIES						PROBLEMS	COMMENTS
									ROOT PRUNE	TRUNK PRUNE	BRANCH PRUNE	ROOT PRUNE	TRUNK PRUNE	BRANCH PRUNE		
		*DBH (in)	R (ft)	% ***		%	D (ft)									
173	Robinia pseudacacia/Black Locust	12'	12'	47	Suppressed	15%	25'	POS	X						Limbed up; base erosion; rotting/dead branches.	A, Off-Site Multi-Stem
174	Pinus spp./Pine	21'	21'	84	Dominant	100%	30'	R							Base erosion; on an incline.	
175	Pinus spp./Pine	12'	12'	53	Codominant	50%	20'	R							In decline; dead branches; needle loss; mounded at base.	A Two Main Upper Stems
176	Quercus spp./Oak	24"	24"	81	Codominant	70%	50'	P	X	X					Broken branches; one sided; pruned on one side; nice upper branching.	A, B
177	Quercus spp./Oak	18"	18"	59	Codominant	50%	45'	P	X						Fungus on trunk; one sided; broken/dead branches.	A, B
178	Quercus spp./Oak	15"	15"	66	Codominant	55%	35'	P							Heavily limbed up; dead/decaying branches; fungus on trunk.	A, B
179	Quercus spp./Oak	21"	21"	66	Dominant	80%	40'	P							Broken/dead branches; fungus on trunk; roots exposed.	A, B
180	Ilex opaca/American Holly	10"	10"	63	Codominant	55%	15'	P							Major trunk damage/decay; pruning damage.	A
181	Ilex opaca/American Holly	8"	8"	75	Codominant	50%	20'	P							Major trunk damage; pruning scars.	A, B Multi-Stem above ground
182	Ilex opaca/American Holly	8"	8"	81	Codominant	50%	20'	P							Pruning scars; pruning damage.	A
183	Quercus spp./Oak	24"	24"	72	Dominant	90%	40'	P							Exposed roots; heavily limbed up.	A, B
184	Zelkova serrata/Japanese Zelkova	18"	18"	72	Codominant	55%	30'	P							Very thin canopy.	A
185	Betula spp./Birch	8"	8"	69	Codominant	75%	20'	P							Leaning; heavily pruned.	A Twin Stem
186	Betula spp./Birch	12"	12"	69	Codominant	65%	25'	P							Leaning; minimal lower branches.	A
187	Betula spp./Birch	12"	12"	75	Dominant	65%	25'	P							Leaning; new lower branch growth.	A
188	Betula spp./Birch	12"	12"	72	Dominant	70%	30'	P							Exposed roots; leaning; no lower branches.	A
189	Zelkova serrata/Japanese Zelkova	27"	27"	72	Dominant	75%	50'	P							Moderately pruned; pruning scars.	A
190	Pinus spp./Pine	21"	21"	69	Codominant	70%	75'	R							Limbed up; thinning canopy; broken branches; browning needles.	A, B
191	Zelkova serrata/Japanese Zelkova	21"	21"	75	Codominant	80%	40'	R							Moderately pruned; pruning scars; new lower branch growth.	A, B
192	Pinus spp./Pine	15"	15"	72	Slightly Suppressed	75%	30'	POS							Thin lower branches.	B Off-Site
193	Pinus spp./Pine	15"	15"	75	Slightly Suppressed	80%	25'	POS							Thin lower branches.	B Off-Site
194	Picea spp./Spruce	8"	8"	63	Slightly Suppressed	95%	12'	P							One sided; thinning lower branches; interior needle loss.	A, B
195	Pyrus calleryana/Broadford Pear	18"	18"	56	Dominant	65%	40'	R							Major trunk damage; damaged/decaying branches; trunk fungus.	A, B
196	Tsuga canadensis/Canadian Hemlock	8"	8"	72	Dominant	80%	20'	P	X						Limbed up; slightly thinning.	A
197	Crataegus spp./Hawthorn	10"	10"	56	Codominant	65%	20'	R							Limbed up; broken branches; some fungus on trunk.	A, B
198	Cryptomeria japonica/Japanese Cryptomeria	8"	8"	69	Codominant	50%	15'	R							Dead/broken branches; dead/thinning needles.	A
199	Zelkova serrata/Japanese Zelkova	24"	24"	66	Dominant	80%	45'	R							Limbed up; pruning scars; root girdling; upper branches rubbing.	A, B, E
200	Zelkova serrata/Japanese Zelkova	24"	24"	88	Codominant	85%	60'	R							Moderately pruned; pruning scars; one sided; rubbing upper branches.	A, E
201	Zelkova serrata/Japanese Zelkova	24"	24"	75	Dominant	85%	60'	P	X	X	X				Heavily pruned; root girdling; one sided; rubbing/broken branches.	A, E
202	Acer spp./Maple	15"	15"	72	Dominant	65%	40'	P	X	X	X				Heavily pruned; pruning scars; broken/split branches; root rot.	A

TREE PRESERVATION INVENTORY (Continuation 7)

TREE KEY	BOTANICAL NAME / COMMON NAME	SIZE	HCRZ	CONDITION	CANOPY POSITION	CROWN DENSITY	AVERAGE CROWN SPREAD	FINAL STATUS	ACTIVITIES						PROBLEMS	COMMENTS
									ROOT PRUNE	TRUNK PRUNE	BRANCH PRUNE	ROOT PRUNE	TRUNK PRUNE	BRANCH PRUNE		
		*DBH (in)	R (ft)	% ***		%	D (ft)									
203	Pinus spp./Pine	18"	18"	75	Codominant	70%	25'	P	X	X	X				Limbed up; yellowing/thinning needles; broken branches.	A
204	Pinus spp./Pine	15"	15"	78	Codominant	55%	25'	P	X	X	X				Limbed up; thinning; dead branches.	
205	Pinus spp./Pine	12"	12"	72	Dominant	50%	20'	P	X	X	X				Limbed up; thin branching; broken/dead branches.	A
206	Zelkova serrata/Japanese Zelkova	42"	42"	59	Dominant	75%	65'	P	X	X	X				Rubbing branches; pruning damage; root girdling.	A
207	Pyrus calleryana/Broadford Pear	18"	18"	84	Dominant	90%	25'	R							Rubbing/pruned/broken branches; pruning scars.	A, B 2 Major Stems
208	Robinia pseudacacia/Black Locust	15"	15"	47	Suppressed	20%	20'	POS							Pruned/dead/decaying/split branches; on an incline.	Off-Site
209	Liriodendron tulipifera/Tulip Poplar	12"	12"	28	Suppressed	40%	25'	R							Pruned/broken/decaying/damaged branches; rot; insect infestation.	Poor Condition B
210	Robinia pseudacacia/Black Locust	12"	12"	25	Dominant	10%	15'	POS	X	X					Leaning 45'; vine cover; one multi stem; few branches; dying/decaying/broken branches.	Hazardous Poor Condition Off-Site
211	Robinia pseudacacia/Black Locust	10"	10"	31	Dominant	10%	10'	P	X	X	X				On an incline; leaning; few branches; some decay; vines.	Poor Condition B
212	Acer spp./Maple	18"	18"	63	Codominant	55%	40'	POS	X						Flared/exposed roots; on an incline; dead/broken/decaying branches; thin canopy.	Off-Site
213	Fagus spp./Beech	10"	10"	72	Codominant	50%	15'	POS							Broken/rubbing branches; one main stem straight up.	Off-Site
214	Robinia pseudacacia/Black Locust	18"	18"	41	Dominant	30%	25'	POS	X	X	X				On an incline; fungus; dead/rotten/broken/decaying branches.	Off-Site
215	Acer spp./Maple	14"	14"	47	Dominant	20%	25'	POS							No lower branches; exposed roots; compacted soil; little or no canopy.	Off-Site
216	Robinia pseudacacia/Black Locust	8"	8"	25	Dominant	50%	12'	POS	X						Almost dead/few branches; exposed roots; leaning; on an incline; little or no canopy.	Poor Condition Off-Site
217	Acer spp./Maple	19"	19"	59	Codominant	55%	40'	POS	X						Dead/decaying/broken/rubbing branches; one sided; on an incline.	Off-Site
218	Acer spp./Maple	17"	17"	75	Codominant	45%	20'	POS							Broken/pruned branches.	Off-Site
219	Dead	11"	-	-	-	-	-	-							Off-site dead tree that should be removed by others.	Dead Off-Site
220	Robinia pseudacacia/Black Locust	11"	11"	59	Dominant	25%	20'	POS							Leaning; damaged/rubbing/missing branches.	Off-Site
221	Prunus spp./Cherry	8"	8"	44	Codominant	30%	20'	POS							Leaning; growing at stump of dead tree; trunk rot; damaged/missing branches.	A Off-Site
222	Pinus spp./Pine	10"	10"	53	Codominant	30%	17'	POS	X						Leaning; dead/decaying branches; trunk rot; thin crown.	Off-Site
223	Fagus spp./Beech	11"	11"	66	Dominant	40%	25'	POS	X						Damaged/dead/broken branches.	A Off-Site
224	Quercus spp./Oak	30"	30"	41	Dominant	70%	50'	POS	X						Major branch loss; decaying/dead branches; exposed roots; compacted soil.	A Off-site

● ON OR NEAR THE LIMITS OF CLEARING AND GRADING. FINAL STATUS TO BE EVALUATED IN FIELD WITH UPMD

A: LESS THAN 10' FROM STRUCTURE, CURB, SIDEWALK, TRAIL OR PAVING.  
 B: WITHIN PUBLIC UTILITY EASEMENT  
 C: WITHIN FLOODPLAIN EASEMENT  
 D: POTENTIAL HAZARD STATUS TO BE DETERMINED IN CONSULTATION WITH THE URBAN FOREST MANAGEMENT DIVISION (UFMD).  
 E: MAJOR COORDINATE STEMS  
 F: PRESERVE  
 R: REMOVE  
 POS: PRESERVE OFF-SITE  
 RWF: REMOVE WITH PERMISSION FROM THE UFMD. TREE IS WITHIN UNDISTURBED AREA BUT CONDITIONS WARRANT ITS REMOVAL.  
 X: CONDUCT ACTIVITY INDICATED  
 \* : DBH/DIAMETER BREAKST HEIGHT AS MEASURED 4.5 FEET ABOVE GROUND.  
 \*\* : CRZ/CRITICAL ROOT ZONE (ONE FOOT OF RADII FOR EVERY INCH OF TREE DIAMETER. CRZ FOR TREES WITH MULTIPLE STEMS ARE CALCULATED BASED ON THE DIAMETER OF A TREE WITH A BASAL AREA EQUIVALENT TO THE SUM OF THE BASAL AREAS FOR ALL STEMS MEASURED).  
 \*\*\* : CONDITION RATINGS ARE PROVIDED AS PERCENTAGES BASED ON METHODS OUTLINED IN THE LATEST EDITION OF THE GUIDE FOR PLANT APPRAISAL. PUBLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE.

SEE SHEETS 12 AND 13 FOR TREE PRESERVATION PLANS. SEE SHEET 19 FOR TREE PRESERVATION NARRATIVE AND DETAILS.

CERTIFIED ARBORIST

 International Society of Arboriculture  
**CERTIFIED ARBORIST**  
 Dennis Dale Dixon  
 Certificate Number: MA-4913A  
 Expiration Date: Dec 31, 2011

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PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 TREE INVENTORY AND CONDITION ANALYSIS  
**CIRCLE TOWERS APARTMENTS**  
 JURISDICTION: DISTRICT OF COLUMBIA  
 COUNTY: FEDERAL

DC REGIONS: 02-1E-11  
 REGION: 02-26-0P  
 NEIGHBORHOOD: 02-06-10  
 DISTRICT: 02-13-11  
 PROJECT: 02-00-00

DESIGNED BY: PLR  
 DRAFTED BY: CAD  
 CHECKED BY: PLR  
 DATE: JUNE 2009  
 SCALE: HOR N/A  
 VERT N/A

SHEET 17 OF 33

CAD NAME: CR089TTP-INV4  
 LAYOUT: INVENTORY 7 & 8  
 FILE NO: 08085-01-00

TREE PRESERVATION INVENTORY (Continuation 8)															
TREE KEY	BOTANICAL NAME / COMMON NAME	SIZE	**CRZ	CONDITION	CANOPY POSITION	CROWN DENSITY	AVERAGE CROWN SPREAD	FINAL STATUS	ACTIVITY/ILS					PROBLEMS	COMMENTS
									ROOT PRUNE	MULCH	FERTILIZE	PRUNE	PESTS		
225	Pine spp./Pine	8" 8'	R (H)	31	Codominant	15%	25'	P	X	X				Broken/dead branches; thin crown, very poor condition.	Poor Condition B
226	Acer spp./Maple	12" 12'		47	Codominant	55%	25'	POS	X					Trunk damage, dead/misalign, rotting/light branches	Off-Site
227	Quercus spp./Oak	21" 21'		56	Codominant	55%	35'	POS	X					2 trees growing together; at top of n bank; broken/decaying branches; one sided.	A Off-Site Twin Stem
228	Quercus spp./Oak	27" 27'		63	Dominant	75%	50'	P	X	X	X			Dead/decaying/broken branches; vine covered, one sided.	B
229	Pine spp./Pine	10" 10'		59	Codominant	30%	15'	P	X					On an incline; one sided; dead/decaying branches; leaning; thinning crown.	B
230	Pine spp./Pine	11" 11'		53	Codominant	40%	25'	P	X	X	X			On an incline; dead/decaying branches; leaning; thinning crown.	
231	Pine spp./Pine	8" 8'		47	Suppressed	35%	20'	P	X	X	X			On an incline; damaged branches; leaning; vine covered, one sided.	
232	Pine spp./Pine	8" 8'		53	Suppressed	25%	20'	P	X	X	X			Leaning, dead branches.	
233	Pine spp./Pine	8" 8'		89	Suppressed	20%	15'	R						On an incline; dead branches; one sided.	
234	Pine spp./Pine	8" 8'		34	Codominant	35%	15'	R						On an incline; dead branches; leaning; vine covered; one sided; brown needles; poor condition.	Poor Condition
235	Pine spp./Pine	8" 8'		59	Codominant	25%	15'	P	X					Dead/broken branches; thin trunk/canopy	B
236	Pine spp./Pine	12" 12'		66	Codominant	40%	25'	P	X	X	X			On an incline; dead branches; thin crown.	B
237	Acer spp./Maple	12" 12'		41	Codominant	30%	25'	P	X					This crown; split/broken branches.	B, L
238	Prunus spp./Cherry	8" 8'		59	Codominant	55%	25'	R						On an incline; leaning; one sided; broken branches.	B
239	Pine spp./Pine	11" 11'		63	Codominant	45%	30'	POS	X	X	X			On an incline; dead/damaged branches; thin crown.	B Off-Site
240	Pine spp./Pine	14" 14'		78	Codominant	50%	30'	POS	X	X	X			On an incline; leaning; damaged/training branches.	Off-Site
241	Prunus spp./Cherry	12" 12'		72	Codominant	55%	25'	R						On an incline; leaning; no lower branches.	B
242	Acer spp./Maple	8" 8'		72	Codominant	30%	25'	POS	X					On incline; leaning; broken branches.	Off-Site
243	Robinia pseudoacacia/Black Locust	8" 8'		47	Dominant	35%	15'	POS	X					Leaning; on an incline; damaged/dead branches; one sided.	Off-Site
243A	Robinia pseudoacacia/Black Locust	18" 18'		44	Dominant	25%	20'	R						On an incline; broken/dead/rotting branches; leaning.	Hazardous B
243B	Robinia pseudoacacia/Black Locust	18" 18'		41	Dominant	30%	25'	R						On an incline; leaning; pruned/broken/decaying branches.	Hazardous B
244	Zelkova serrata/Japanese Zelkova	30" 30'		59	Codominant	70%	50'	P	X	X	X			Root grading; exposed roots; compacted soil; pruning scars.	A
245	Zelkova serrata/Japanese Zelkova	27" 27'		53	Codominant	70%	60'	P	X	X	X			Exposed roots; heavily pruned with pruning scars; fungus on trunk; rubbing branches.	A
246	Pine spp./Pine	32" 32'		63	Codominant	55%	30'	R						Leaning; thinning/dead/decaying/broken branches.	Hazardous A, B
247	Pine spp./Pine	20" 20'		50	Codominant	45%	25'	R						Leaning; thinning; dead/decaying/broken branches; browning needles.	Hazardous A, B
248	Pine spp./Pine	8" 8'		53	Suppressed	20%	20'							This canopy; broken/dead branches.	A, B, Multi-Stem (Possibly 2 trees)
249	Pine spp./Pine	24" 24'		89	Dominant	60%	60'	R						Dead branches; limbed up; thinning branches.	A, B
250	Dead	16" -		-	-	-	-	R						-	Dead A, U
251	Cryptomeria japonica/Japanese Cryptomeria	8" 8'		50	Codominant	30%	10'	R						Limbed up; thin at bottom; dead/broken branches; browning needles.	A, B

TREE PRESERVATION INVENTORY (Continuation 9)																
TREE KEY	BOTANICAL NAME / COMMON NAME	SIZE	**CRZ	CONDITION	CANOPY POSITION	CROWN DENSITY	AVERAGE CROWN SPREAD	FINAL STATUS	ACTIVITIES					PROBLEMS	COMMENTS	
									ROOT PRUNE	MULCH	FERTILIZE	PRUNE	PESTS			OTHER
252	Cryptomeria japonica/Japanese Cryptomeria	8" 8'		66	Codominant	40%	8'	R							Dead branches; thinning canopy; browning needles.	A, B
252A	Cryptomeria japonica/Japanese Cryptomeria	8" 8'		66	Suppressed	10%	5'	R							In decline; dead branches; browning needles.	A, B
253	Cryptomeria japonica/Japanese Cryptomeria	8" 8'		66	Codominant	40%	8'	R							Dead branches; thinning canopy; browning needles.	C
254	Cryptomeria japonica/Japanese Cryptomeria	8" 8'		66	Codominant	40%	8'	H							Dead branches; thinning canopy; browning needles.	A, B
255	Sophora japonica/Japanese Pagodatree	20" 20'		44	Dominant	45%	40'	R							Heavily pruned; pruning scars; trunk decay; insect infestation; fungus on trunk.	A, B
256	Malus spp./Crabapple	17" 17'		72	Dominant	75%	20'	R							Exposed roots.	A
257	Sophora japonica/Japanese Pagodatree	18" 18'		53	Codominant	45%	35'	R							Heavily pruned; trunk rot/fungus; pruning scars; insect damage; leaning.	A, B
258	Sophora japonica/Japanese Pagodatree	15" 15'		75	Dominant	60%	35'	R							Pruning scars; broken branches; trunk fungus.	A, B
259	Pine spp./Pine	10" 10'		78	Slightly Suppressed	80%	20'	R							Thinning; one sided.	A
260	Sophora japonica/Japanese Pagodatree	9" 9'		66	Codominant	50%	35'	R							Damaged/split/pruned branches; fungus growth.	A
261	Sophora japonica/Japanese Pagodatree	15" 15'		69	Slightly Suppressed	40%	50'	R							Pruning scars; thinning/one sided; trunk fungus.	A 2 Main Upper Branches
262	Pine spp./Pine	15" 15'		69	Codominant	65%	55'	R							Dead branches; limbed up; thinning branches.	A
263	Dead	8" -		-	-	-	-	-							Off-site dead tree that should be removed by others.	Dead Off-Site
264	Cedrus spp./Cedar	8" 8'		72	Codominant	95%	8'	POS							On an incline; eroded/exposed roots; branches limbed up.	B Off-Site
265	Prunus spp./Cherry	8" 8'		65	Slightly Suppressed	45%	25'	P	X	X	X				Top of the bank; erratic/broken/dead branches.	A, B, C

ON OR NEAR THE LIMITS OF CLEARING AND GRADING. FINAL STATUS TO BE EVALUATED IN FIELD WITH UFMD

A - LESS THAN 10' FROM STRUCTURE, CURB, SIDEWALK, TRAIL, OR PAVING.  
 B - WITHIN PUBLIC UTILITY EASEMENT.  
 C - WITHIN FLOODPLAIN EASEMENT.  
 TBD - POTENTIAL HAZARD STATUS TO BE DETERMINED IN CONSULTATION WITH THE URBAN FOREST MANAGEMENT DIVISION (UFMD).  
 E - MAJOR COORDINATE STEMS.  
 F - PRESERVE.  
 R - REMOVE.  
 POS - PRESERVE OFF-SITE.  
 X - REMOVE WITH PERMISSION FROM THE UFMD. TREE IS WITHIN UNDERSTURD AREA BUT CONDITIONS WARRANT ITS REMOVAL.  
 RNF - CONDUCT ACTIVITY INDICATED.  
 + - DBH/DIAMETER BREAST HEIGHT AS MEASURED 4.5 FEET ABOVE GROUND.  
 CRZ - CRITICAL ROOT ZONE (ONE FOOT OF RADIUS FOR EVERY INCH OF TREE DIAMETER. CRZ FOR TREES WITH MULTIPLE STEMS ARE CALCULATED BASED ON THE DIAMETER OF A TREE WITH A BASAL AREA EQUIVALENT TO THE SUM OF THE BASAL AREAS FOR ALL STEMS MEASURED).  
 \*\*\* - CONDITION RATINGS ARE PROVIDED AS PERCENTAGES BASED ON METHODS OUTLINED IN THE LATEST EDITION OF THE GUIDE FOR PLANT APPRAISAL. PUBLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE.

SEE SHEETS 12 AND 13 FOR TREE PRESERVATION PLANS. SEE SHEET 19 FOR TREE PRESERVATION NARRATIVE AND DETAILS.

CERTIFIED ARBORIST



CERTIFIED ARBORIST  
 Dennis Dale Dixon

Certificate Number: MA-4913A  
 Expiration Date: Dec 31, 2011

**BC Consultants**  
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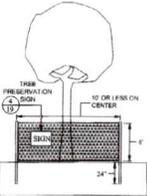


PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 TREE INVENTORY AND CONDITION ANALYSIS  
**CIRCLE TOWERS APARTMENTS**  
 PRESIDENTIAL DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

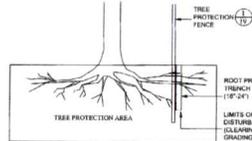
REVISIONS	DATE	BY	DESCRIPTION
1	08-16-11	PLR	ISSUED
2	08-19-10	PLR	ISSUED
3	01-13-11	PLR	ISSUED
4	02-07-11	PLR	ISSUED
5	02-07-11	PLR	ISSUED

DESIGNED BY: PLR  
 DRAFTED BY: CAD  
 CHECKED BY: PLR  
 DATE: JUNE 2009  
 SCALE: HRI: N/A  
 VERT: N/A  
 SHEET 18 OF 33  
 CD NO:  
 CAD NAME: CROBSTP-INV-9  
 LAYOUT: INVENTORY 9 & 10  
 FILE NO: 08065-01-00

PRIOR TO ANY CONSTRUCTION ACTIVITY, ALL INDIVIDUAL AND GROUPS OF TREES MARKED FOR PRESERVATION SHALL BE PROTECTED WITH TREE PROTECTION FENCING. TREE PROTECTION FENCING SHALL BE POSITIONED DIRECTLY IN THE ROOT PRUNING TRENCH AND BACKFILLED FOR STABILITY OR JUST OUTSIDE THE TRENCH WITHIN THE DISTURBED AREA. TREE PROTECTION FENCING SHALL CONSIST OF FOUR FOOT 14-GAUGE WELDED WIRE FENCE ATTACHED TO SIX FOOT TALL T-POSTS DRIVEN 18 INCHES INTO THE GROUND. POSTS SHALL BE NO FURTHER THAN 10 FEET APART. SNOW FENCE MAY BE SUBSTITUTED WITH THE APPROVAL OF FAIRFAX COUNTY. WHERE APPROPRIATE BASED ON EROSION AND SEDIMENT CONTROL PLANS, SUPER SILT FENCE MAY BE USED AS TREE PROTECTION FENCING.

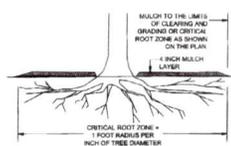


TREE PROTECTION FENCING SHALL BE MADE CLEARLY VISIBLE TO ALL CONSTRUCTION PERSONNEL. SIGNS, IN ENGLISH AND SPANISH, WHICH STATES "TREE PRESERVATION AREA - KEEP OUT" SHALL BE INSTALLED ON 18"X6" PROTECTION FENCING EVERY 20 FEET. A CERTIFIED ARBORIST SHALL MONITOR THE INSTALLATION OF TREE PROTECTION FENCING.



PRIOR TO ANY CONSTRUCTION ACTIVITY, ALL TREES MARKED FOR PRESERVATION ALONG THE LIMITS OF CLEARING AND GRADING SHALL BE ROOT PRUNED WHERE SHOWN ON THE PLAN.

- ROOT PRUNING SHALL BE CONDUCTED USING A TRENCHER OR VIBRATORY FLOW
- THE ROOT PRUNING TRENCH SHALL BE A MAXIMUM OF 6 INCHES WIDE AND 18-24 INCHES DEEP. ONCE COMPLETED THE ROOT PRUNING TRENCH SHALL BE IMMEDIATELY BACK FILLED.
- ROOT PRUNING SHALL BE CONDUCTED UNDER THE SUPERVISION OF A CERTIFIED ARBORIST.



- SPREAD MULCH BY HAND TO A UNIFORM THICKNESS OF 4 INCHES.

- MULCH SHALL COVER AS MUCH OF THE ENTIRE CRITICAL ROOT ZONE AS POSSIBLE UP TO 10' FROM THE LIMITS OF CLEARING AND GRADING.
- MULCH SHALL CONSIST OF A WOODY MATERIAL THAT HAS BEEN CHIPPED OR SHREDDED OR OTHER APPROVED MATERIAL.
- MULCH SHALL NOT TOUCH THE BASE OF THE TREE.



**TREE PRESERVATION AREA  
KEEP OUT**

NO EQUIPMENT OR MATERIALS ARE TO BE STORED OR DEPOSITED WITHIN THIS AREA. TRAFFIC BY CONSTRUCTION EQUIPMENT AND PERSONNEL IS PROHIBITED.

(CONSTRUCTION COMPANY NAME)  
(COMPANY CONTACT PERSON & TELEPHONE NUMBER)

**PENALTY FOR VIOLATIONS  
STRICTLY ENFORCED**

**SPECIFICATIONS:**

**DIMENSIONS:** WIDTH: 17 INCHES MINIMUM  
HEIGHT: 11 INCHES MINIMUM

**BACKGROUND COLOR:** WHITE

**LETTER COLOR:** BLACK

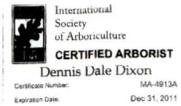
**LETTER SIZE:**  
LETTER 1: 1.5 INCH MINIMUM (LARGEST)  
LETTER 2: 0.75 INCH MINIMUM  
LETTER 3: 0.5 INCH MINIMUM  
LETTER 4: 0.375 INCH MINIMUM (SMALLEST)

LANGUAGE: ENGLISH AND SPANISH (SEPARATE SIGNS)

NOTE: ALL SIGNAGE SIGNS MAY BE SUBMITTED TO FAIRFAX COUNTY FOR APPROVAL.



**CERTIFIED ARBORIST**



SEE SHEETS 12 AND 13 FOR TREE PRESERVATION PLANS. SEE SHEETS 14, 15, 16, 17 AND 18 FOR TREE INVENTORY AND CONDITION ANALYSIS.

**SITE MONITORING SCHEDULE**

LIST OF DUTIES	DATE	DESCRIPTION OF DUTIES
PRE-CONSTRUCTION MEETING IN FIELD TO WALK LIMITS OF CLEARING AND GRADING.	SPECIFIED BY UFMF	PRIOR TO THE PRE-CONSTRUCTION MEETING AND BEFORE ANY CLEARING, GRADING OR DEMOLITION ACTIVITIES HAVE OCCURRED, A CERTIFIED ARBORIST SHALL WALK THE LIMITS OF CLEARING AND GRADING WITH A REPRESENTATIVE FROM FAIRFAX COUNTY'S URBAN FOREST MANAGEMENT DIVISION (UFMD) TO DETERMINE WHERE ADJUSTMENTS TO THE CLEARING LIMITS CAN BE MADE TO INCREASE THE SURVIVABILITY OF TREES TO BE PRESERVED THAT OCCUR ALONG THE EDGE OF THE LIMITS OF CLEARING AND GRADING, AND/OR TO IDENTIFY HAZARDOUS, DAMAGED OR DISEASED TREES THAT NEED TO BE REMOVED.
INSTALLATION OF TREE PROTECTION FENCE	AFTER UFMF'S APPROVAL OF LOCATION	THE INSTALLATION OF ALL TREE PROTECTION FENCING SHALL BE PERFORMED UNDER THE SUPERVISION OF A CERTIFIED ARBORIST AND ACCOMPLISHED IN A MANNER THAT DOES NOT HARM EXISTING VEGETATION THAT IS REQUIRED TO BE PRESERVED. AT LEAST THREE DAYS PRIOR TO THE COMMENCEMENT OF ANY CLEARING, GRADING OR DEMOLITION ACTIVITIES AND PRIOR TO THE INSTALLATION OF TREE PROTECTION FENCING, UFMF SHALL BE NOTIFIED IN WRITING AND GIVEN THE OPPORTUNITY TO INSPECT THE SITE TO ASSURE THAT ALL INDIVIDUAL TREES TO BE PRESERVED AND ALL AREAS TO BE LEFT UNDISTURBED HAVE BEEN CORRECTLY DELINEATED.
CONSTRUCTION/ SITE ANALYSIS	MONTHLY ANALYSIS OF SITE OR AS SPECIFIED BY UFMF	THE APPLICANT SHALL ACTIVELY MONITOR THE SITE TO ENSURE THAT INAPPROPRIATE ACTIVITIES SUCH AS THE STORAGE OF CONSTRUCTION MATERIALS, DUMPING OF CONSTRUCTION DEBRIS, AND TRAFFIC BY CONSTRUCTION EQUIPMENT AND PERSONNEL DO NOT OCCUR WITHIN THESE AREAS.

**TREE PRESERVATION NARRATIVE:**

1. ALL WORK PERFORMED IN ASSOCIATION WITH THIS PLAN SHALL MEET OR EXCEED CURRENT INDUSTRY STANDARDS AS PUBLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA), AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI), OR THE TREE CARE INDUSTRY ASSOCIATION (TICA). IN THE EVENT THE TREATMENTS DESCRIBED ARE NOT COVERED BY AN EXISTING STANDARD, WORK SHALL MEET OR EXCEED STANDARDS APPROVED BY FAIRFAX COUNTY'S URBAN FOREST MANAGEMENT DIVISION (UFMD).
2. THE DEVELOPER SHALL RETAIN A CERTIFIED ARBORIST ("THE ARBORIST") TO ENSURE THE PROPER IMPLEMENTATION OF THE TREE PRESERVATION PLAN ("THIS PLAN"). ALL WORK REQUIRED BY THIS PLAN SHALL BE PERFORMED UNDER THE DIRECT SUPERVISION OF THE ARBORIST AS SPECIFIED IN THE SITE MONITORING SCHEDULE AND TO ENSURE THAT ALL ACTIVITIES ARE CONDUCTED IN ACCORDANCE WITH THIS PLAN, ANY APPLICABLE DEVELOPMENT CONDITIONS AND/OR AS APPROVED BY UFMF. MONITORING SHALL OCCUR AT ALL TIMES DURING THE INSTALLATION OF TREE PROTECTION FENCING AND DURING ANY CLEARING OR GRADING, REMOVAL OF TREES, VEGETATION OR STRUCTURES OR, THE TRANSPORTING OF TREES OR VEGETATION OR ANY OTHER SIMILAR ACTIVITIES ON THE SITE WITHIN 20 FEET OF THE LIMITS OF CLEARING AND GRADING.
3. PRIOR TO ANY CONSTRUCTION ACTIVITY, ALL INDIVIDUAL TREES AND GROUPS OF TREES SHOWN TO BE PRESERVED ON THIS PLAN SHALL BE PROTECTED BY FENCING AS SPECIFIED ON THIS PLAN. THE PROTECTIVE FENCE INSTALLATION SHALL BE MONITORED AS NOTED IN THE SITE MONITORING SCHEDULE. THE FENCING SHALL BE MADE CLEARLY VISIBLE TO ALL CONSTRUCTION PERSONNEL. THE FENCING SHALL BE INSTALLED PRIOR TO ANY WORK BEING CONDUCTED ON THE SITE, INCLUDING THE DEMOLITION OF ANY EXISTING STRUCTURES OR FENCES. THE ARBORIST MUST VERIFY IN WRITING THAT THE FENCING HAS BEEN INSTALLED PRIOR TO ANY WORK OR DEMOLITION ACTIVITIES AND IN ACCORDANCE WITH THE STANDARDS SET FORTH BY THIS PLAN.
4. THE ARBORIST SHALL WALK THE LIMITS OF CLEARING AND GRADING WITH AN URBAN FORESTER FROM UFMF AS NOTED IN THE SITE MONITORING SCHEDULE. ANY ADJUSTMENTS AGREED TO BY THE ARBORIST AND UFMF SHALL BE MEMORIALIZED IN WRITING BY BOTH PARTIES BEFORE ANY SUCH ADJUSTMENTS ARE IMPLEMENTED. TREES TO BE REMOVED SHALL BE TAGGED IN THE FIELD. TREES THAT ARE IDENTIFIED IN WRITING BY UFMF AS DEAD OR DYING WITHIN THE UNDISTURBED AREA MAY BE REMOVED AS PART OF THE CLEARING OPERATION. ANY TREE THAT IS SO IDENTIFIED SHALL BE REMOVED USING A CHAIN SAW AND SUCH REMOVAL SHALL BE ACCOMPLISHED IN A MANNER THAT AVOIDS DAMAGE TO SURROUNDING TREES AND ASSOCIATED UNDERSTORY VEGETATION. 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 AND ASSOCIATED UNDERSTORY VEGETATION AND SOIL CONDITIONS.
5. ALL TREE PRESERVATION RELATED WORK OCCURRING IN OR ADJACENT TO TREE PRESERVATION AREAS SHALL BE ACCOMPLISHED IN A MANNER THAT MINIMIZES DAMAGE TO VEGETATION TO BE PRESERVED, INCLUDING ANY WOODY AND/OR HERBACEOUS VEGETATION OCCURRING IN THE UNDERSTORY. TREES DESIGNATED FOR REMOVAL ALONG THE LIMITS OF DISTURBANCE SHALL BE REMOVED USING A CHAINSAW SO AS TO AVOID DAMAGE TO SURROUNDING TREES TO BE PRESERVED AND UNDERSTORY VEGETATION. THE USE OF POWER EQUIPMENT IN THESE AREAS SHALL BE LIMITED TO SMALL HAND-OPERATED EQUIPMENT SUCH AS CHAINSAWS. ANY WORK THAT REQUIRES THE USE OF LARGER MOTORIZED EQUIPMENT SUCH AS, BUT NOT LIMITED TO, TREE TRANSPORTING SPREADERS, SKID LOADERS, TRACTORS, OR ANY ACCESSORY OR ATTACHMENT CONNECTED TO SUCH EQUIPMENT SHALL NOT OCCUR UNLESS REVIEWED AND APPROVED IN WRITING BY UFMF.
6. AS PART OF THE IMPLEMENTATION OF THIS PLAN AND THE SITE PLAN, MANAGEMENT PRACTICES SHALL PROVIDE FOR THE PROTECTION OF UNDERSTORY PLANT MATERIALS, LEAF LITTER AND SOIL CONDITIONS FOUND IN AREAS TO BE LEFT UNDISTURBED, SUBJECT TO THE APPROVAL OF UFMF. THE APPLICANT SHALL ACTIVELY MONITOR THE SITE TO ENSURE THAT INAPPROPRIATE ACTIVITIES SUCH AS THE STORAGE OF CONSTRUCTION MATERIALS, DUMPING OF CONSTRUCTION DEBRIS, AND TRAFFIC BY CONSTRUCTION EQUIPMENT AND PERSONNEL DO NOT OCCUR WITHIN THESE AREAS. THE UNDERSTORY PLANT MATERIALS, LEAF LITTER AND SOIL CONDITIONS SHALL BE RESTORED BY THE APPLICANT TO THE SATISFACTION OF UFMF IF THESE ARE FOUND TO BE DAMAGED, REMOVED OR ALTERED IN A MANNER NOT ALLOWED IN WRITING BY UFMF.
7. PRIOR TO THE SITE PRE-CONSTRUCTION MEETING AND SITE WALK WITH AN URBAN FORESTER FROM UFMF AND THE ARBORIST, THE APPLICANT SHALL HAVE THE LIMITS OF CLEARING AND GRADING MARKED WITH A CONTINUOUS LINE OF FLAGGING.
8. AT LEAST THREE DAYS PRIOR TO THE COMMENCEMENT OF ANY CLEARING, GRADING OR DEMOLITION ACTIVITIES AND PRIOR TO THE INSTALLATION OF TREE PROTECTION FENCING, UFMF SHALL BE NOTIFIED IN WRITING AND GIVEN THE OPPORTUNITY TO INSPECT THE SITE TO ASSURE THAT ALL INDIVIDUAL TREES TO BE PRESERVED AND ALL AREAS TO BE LEFT UNDISTURBED HAVE BEEN CORRECTLY DELINEATED. UFMF SHALL PROVIDE WRITTEN NOTICE TO THE APPLICANT AS TO WHETHER OR NOT THE AREAS HAVE BEEN DELINEATED CORRECTLY. IF IT IS DETERMINED BY UFMF THAT THE DELINEATION IS CORRECTED AND FIELD VERIFIED BY THE UFMF.
9. **ROOT PRUNING:** ROOT PRUNING SHALL BE PERFORMED WHEREVER GRADES WILL BE ALTERED WITHIN THE CRITICAL ROOT ZONE OF A TREE TO BE PRESERVED AND SHALL BE CONDUCTED WHERE SHOWN ON THE PLAN OR AS MOST PRACTICAL GIVEN SITE CONSTRAINTS. A VIBRATING FLOW TRENCHER, STUMP CUTTER OR ARBORIST APPROVED EQUIPMENT SHALL BE USED TO A DEPTH OF 18 INCHES. IF A TRENCHER IS USED, THE TRENCH SHALL BE BACKFILLED IMMEDIATELY TO PREVENT ROOT DEHYDRATION. IF SILT FENCE IS TO BE INSTALLED AT THE LIMITS, THE ROOT PRUNING TRENCH MAY BE USED FOR THE INSTALLATION OF SILT FENCE. WHEREVER POSSIBLE, ROOT PRUNING TRENCHES SHOULD BE MULCHED WITH WOOD CHIPS OR MULCH FOUR INCHES DEEP.
10. **WOOD CHIPS OR MULCH:** WOOD CHIPS OR LEAF AND BRANCH MULCH SHALL BE PLACED AROUND THE LIMITS OF CLEARING AND GRADING IN AREAS WHERE TREES ARE WITHIN 20' OF THE LIMITS OF CLEARING AND GRADING AS SHOWN ON THIS PLAN. CHIPS OR MULCH THAT ARE PRODUCED AS A RESULT OF CLEARING OPERATIONS ON-SITE MAY BE USED FOR THIS PURPOSE AND SHALL BE PLACED BY HAND WITHOUT THE USE OF ENGINE-DRIVEN MACHINERY. CHIPS OR MULCH ARE NOT TO BE PLACED MORE THAN TEN FEET BEYOND THE LIMITS OF CLEARING AND GRADING AND SHALL NOT BE PLACED AT A DEPTH OF NO MORE THAN FOUR INCHES WITHIN THE PRESERVATION AREAS. OUTSIDE THE PRESERVATION AREAS, (WITHIN THE UNDISTURBED AREA), CHIPS OR LEAF AND BRANCH MULCH MAY BE PLACED AT A DEPTH NOT TO EXCEED TEN INCHES.

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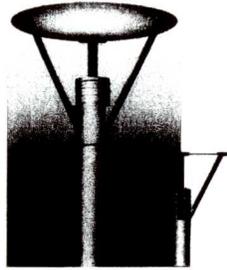
PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT

TREE PRESERVATION NARRATIVE AND DETAILS

**CIRCLE TOWERS APARTMENTS**

RESUBMITTING OFFICE: FAIRFAX COUNTY, VIRGINIA

DESIGNED BY: PLR	DATE: 03-16-11
DRAWN BY: CAD	DATE: 03-16-11
CHECKED BY: PLR	DATE: 03-16-11
DATE: JUNE 2009	SCALE: HOR: N/A
SHEET: 19 OF 33	VERT: N/A
CD NO.:	
CAD NAME: C0805TTP-DL1	
LAYOUT: TTP-DLT	
FILE NO.:	08085.01-00



**1**  
**20** POLE LIGHT FIXTURE  
NO SCALE  
LIGHTING SPECIFICATIONS ARE TO BE PROVIDED PER SECTION 7-1000 OF THE FAIRFAX COUNTY P.M. OR EQUAL



**2**  
**20** POLE LIGHT DETAIL  
NO SCALE  
LIGHTING SPECIFICATIONS ARE TO BE PROVIDED PER SECTION 7-1000 OF THE FAIRFAX COUNTY P.M. OR EQUAL



**3**  
**20** METAL FENCE  
OR EQUAL NO SCALE



**4**  
**20** BENCH  
OR EQUAL NO SCALE



**5**  
**20** TRASH RECEPTACLE  
OR EQUAL NO SCALE



**6**  
**20** PLANTER  
OR EQUAL NO SCALE

THE IMAGES ON THIS SHEET ARE TO CERTIFY THE QUALITY OF THE PROPOSED DEVELOPMENT AND ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. THE DEVELOPER RESERVES THE RIGHT TO CHANGE THE DESIGN, QUANTITIES, AND/OR LOCATION DUE TO FINAL ENGINEERING REQUIREMENTS.

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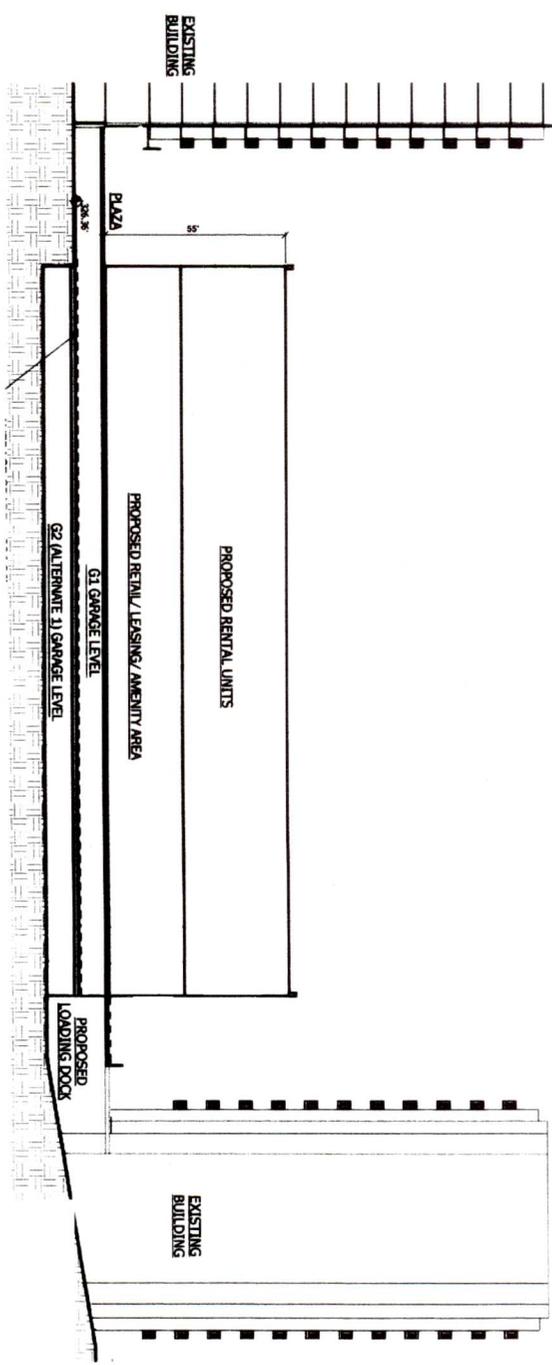


PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
SITE DETAILS  
**CIRCLE TOWERS APARTMENTS**  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

DESIGNER'S	03-16-11
DATE	
DESIGNED BY: PLR	
CHECKED BY: CAD	
DATE: JUNE 2009	
SCALE: HOR. AS SHOWN	
VERT. 1/8"=1'-0"	
SHEET 20 OF 33	
CAD NAME: CB0850E1	
LAYOUT: DETAILS	
FILE NO: 08085.01-00	

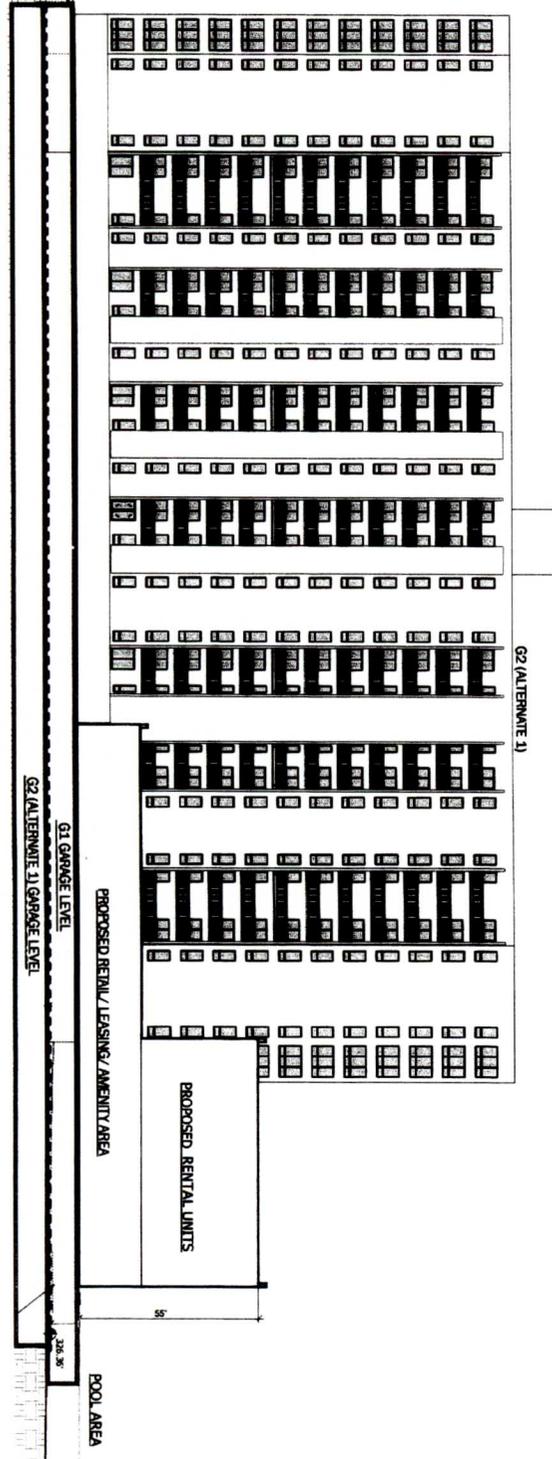


SECTION 1  
21



SCALE: 1/16"=1'-0"

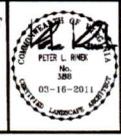
SECTION 2  
21



SCALE: 1/16"=1'-0"

BC REVISIONS	REVISED: 03-16-11
10-28-09	
08-19-10	
REVISED: 10-08-10	
07-13-11	
02-07-11	
APPLICANT:	
DESIGNED BY: N/A	
CHECKED BY: C/D	
DATE: JAN 2009	
SCALE: NET 1/8"=1'-0"	
SHEET: 21 OF 33	
CO. NO.	
OLD NAME: CORRIE	
LAYOUT ELEVATIONS	
TITLE NO.: 0808-01-02	

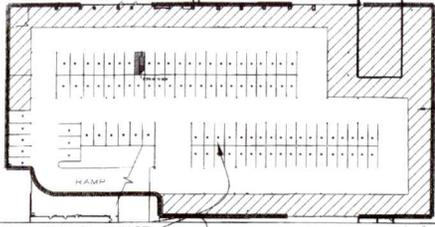
PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
ELEVATIONS  
**CIRCLE TOWERS APARTMENTS**  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA



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**ALTERNATE 1 GARAGE**



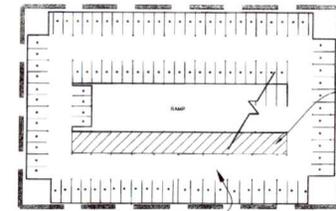
RESIDENT STORAGE AND BUILDING SERVICE AREA. NOTE: AREA CAN BE CONVERTED TO ADDITIONAL PARKING OR RELOCATED WITHIN PARKING DECKS IF DETERMINED BY APPLICANT

**PARKING SPACE TABULATIONS:**

PARKING SPACES PROVIDED:	338
SURFACE SPACES:	183
WESTERN GARAGE SPACES:	607
GARAGE SPACES:	512
LEVEL G1 GARAGE SPACES:	95
LEVEL G2 GARAGE SPACES:	
<b>TOTAL SPACES:</b>	<b>1,128</b>

SCALE: 1"=50'

**ALTERNATE 2 GARAGE**



RESIDENT STORAGE AND BUILDING SERVICE AREA. NOTE: AREA CAN BE CONVERTED TO ADDITIONAL PARKING OR RELOCATED WITHIN PARKING DECKS IF DETERMINED BY APPLICANT

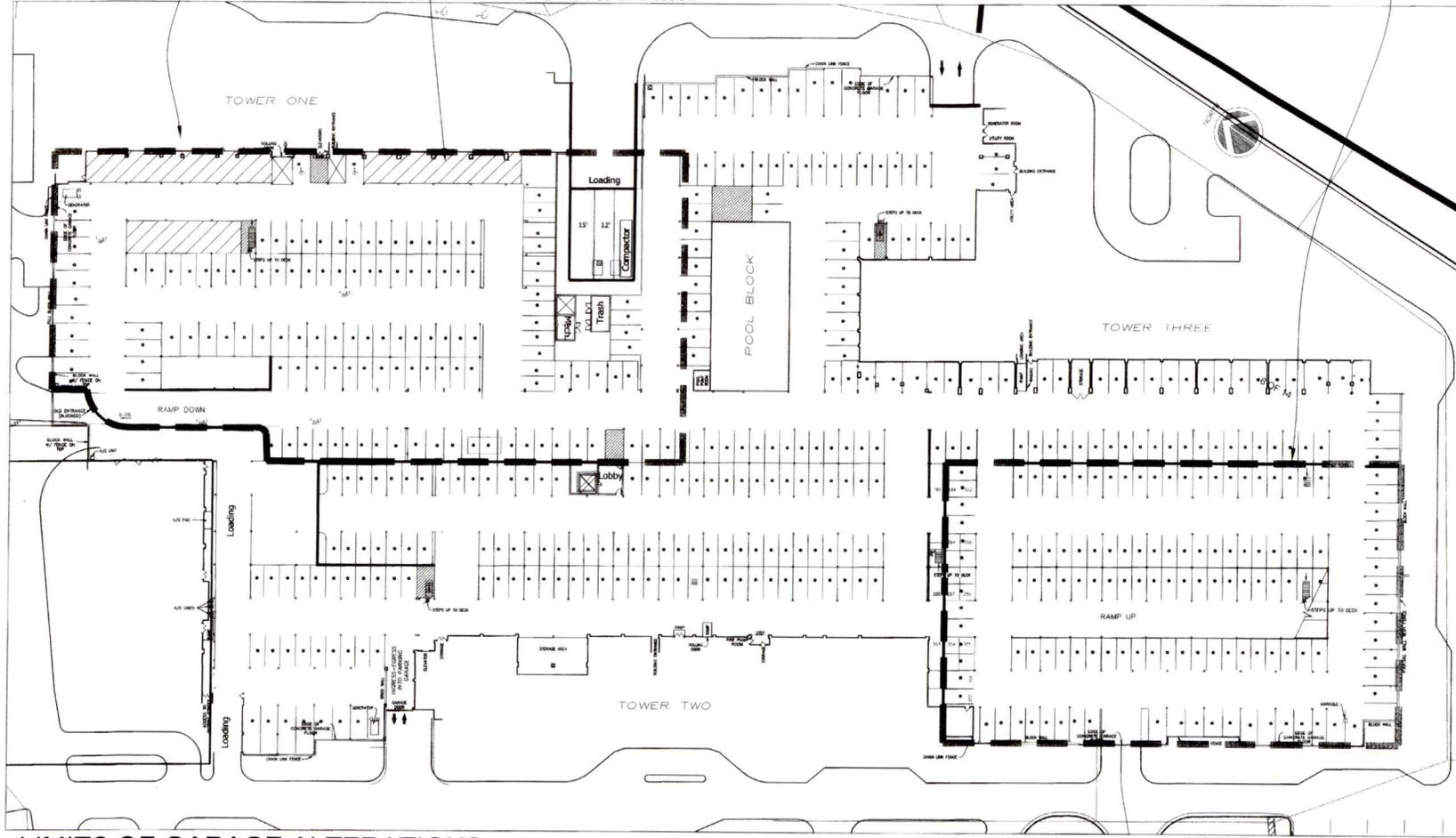
**PARKING SPACE TABULATIONS:**

PARKING SPACES PROVIDED:	337
SURFACE SPACES:	183
WESTERN GARAGE SPACES:	608
GARAGE SPACES:	528
LEVEL G1 GARAGE SPACES:	80
LEVEL 2 GARAGE SPACES:	
<b>TOTAL SPACES:</b>	<b>1,128</b>

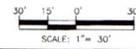
SCALE: 1"=50'

LIMITS LEVEL G2 GARAGE  
NOTE: THIS IS A CONCEPTUAL PLAN ONLY. FINAL LAYOUT TO BE DETERMINED WITH THE FINAL ARCHITECTURAL DESIGN.

LIMITS LEVEL 2 GARAGE



**LIMITS OF GARAGE ALTERATIONS**



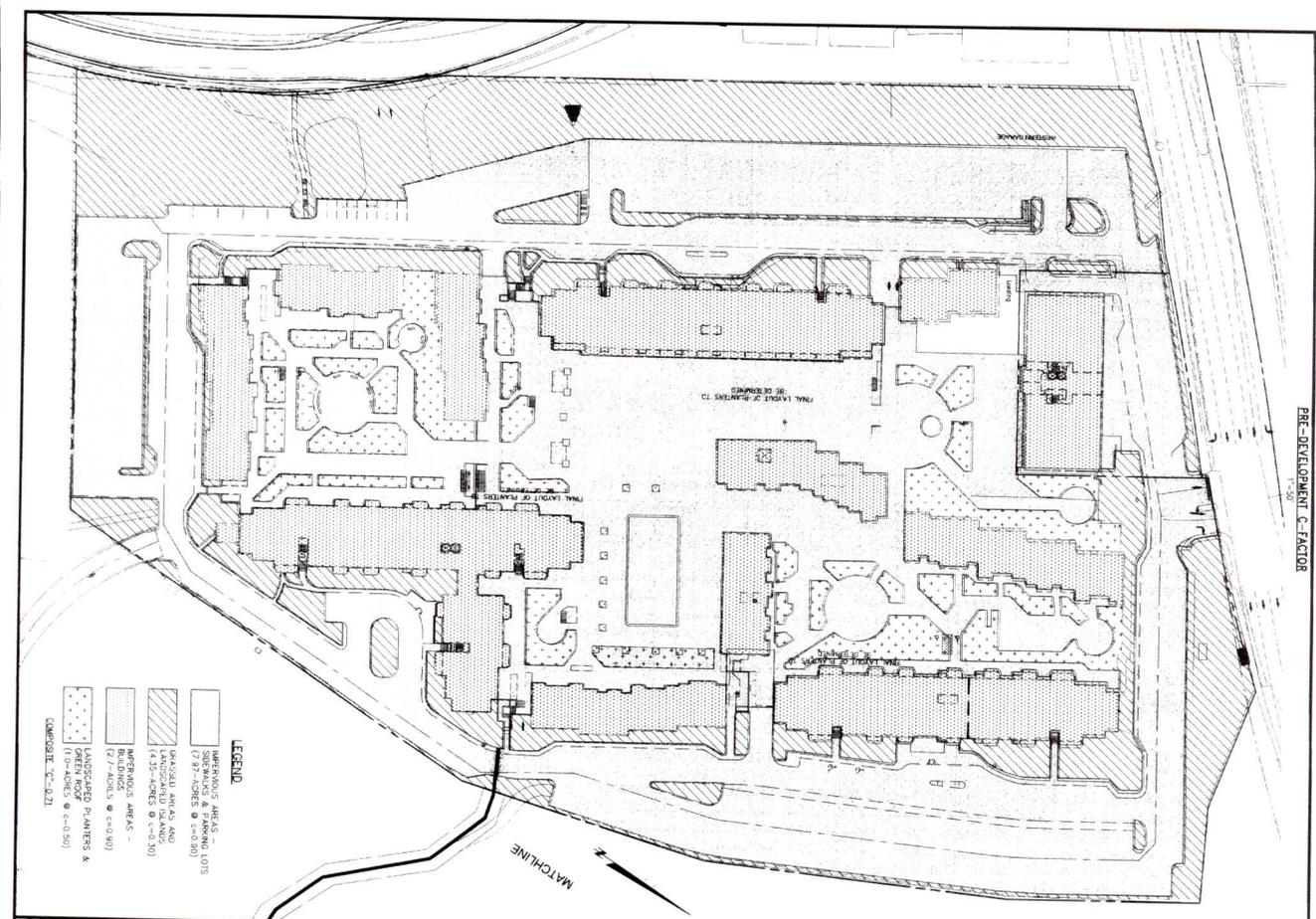
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PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
PROPOSED GARAGE PLANS  
**CIRCLE TOWERS APARTMENTS**  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

REV. REVISIONS	DESIGNED BY: PLR
SHEET ADDED: 10-08-10	DRAFTED BY: CAB
11-09-10	CHECKED BY: PLR
02-07-11	DATE: JUNE 2009
REVIEWED: 03-16-11	SCALE: HOR AS SHOWN
APPLICANT:	VERT. NA
	SHEET 23 OF 33
	CD. NO.
	CAD NAME: CROSSCARAGE
	LAYOUT: GARAGE
	FILE NO: 08085-01-00

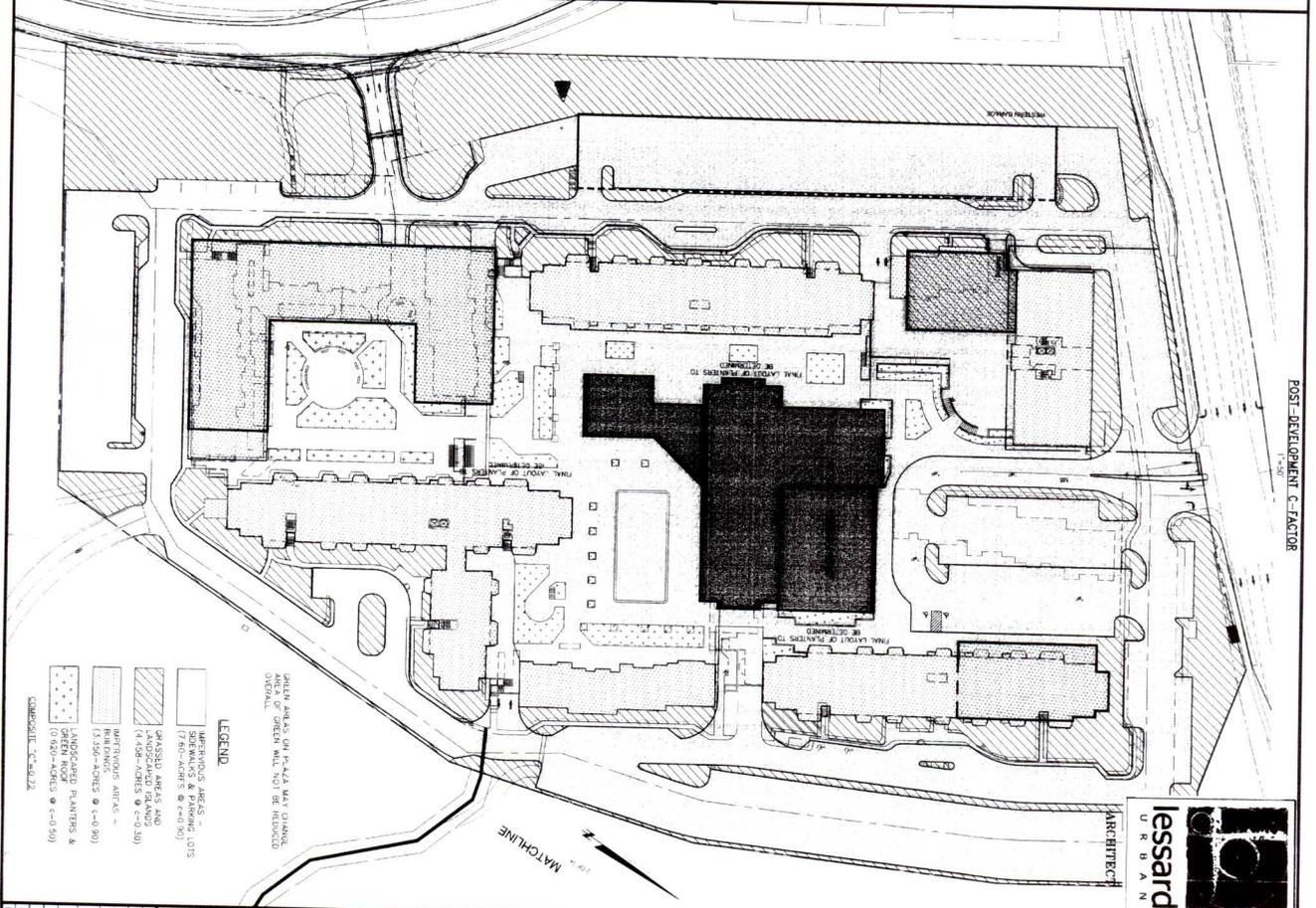




**LEGEND**

[Symbol]	IMPERVIOUS AREAS - PARKING LOTS (7.37-ACRES @ c=0.80)
[Symbol]	GRAVELLED AREAS AND LANDSCAPED ISLANDS (4.32-ACRES @ c=0.30)
[Symbol]	IMPERVIOUS AREAS - BUILDINGS (2.77-ACRES @ c=0.90)
[Symbol]	LANDSCAPED PLANTERS & COURTYARDS (0.620-ACRES @ c=0.50)

COMPOSITE: "C-021"



**LEGEND**

[Symbol]	IMPERVIOUS AREAS - PARKING LOTS (7.37-ACRES @ c=0.80)
[Symbol]	GRAVELLED AREAS AND LANDSCAPED ISLANDS (4.32-ACRES @ c=0.30)
[Symbol]	IMPERVIOUS AREAS - BUILDINGS (2.77-ACRES @ c=0.90)
[Symbol]	LANDSCAPED PLANTERS & COURTYARDS (0.620-ACRES @ c=0.50)

COMPOSITE: "C-022"

GREEN AREAS ON H.A.C.A MAY CHANGE. AREA OF GREEN WILL NOT BE REDUCED OR ENLARGED.



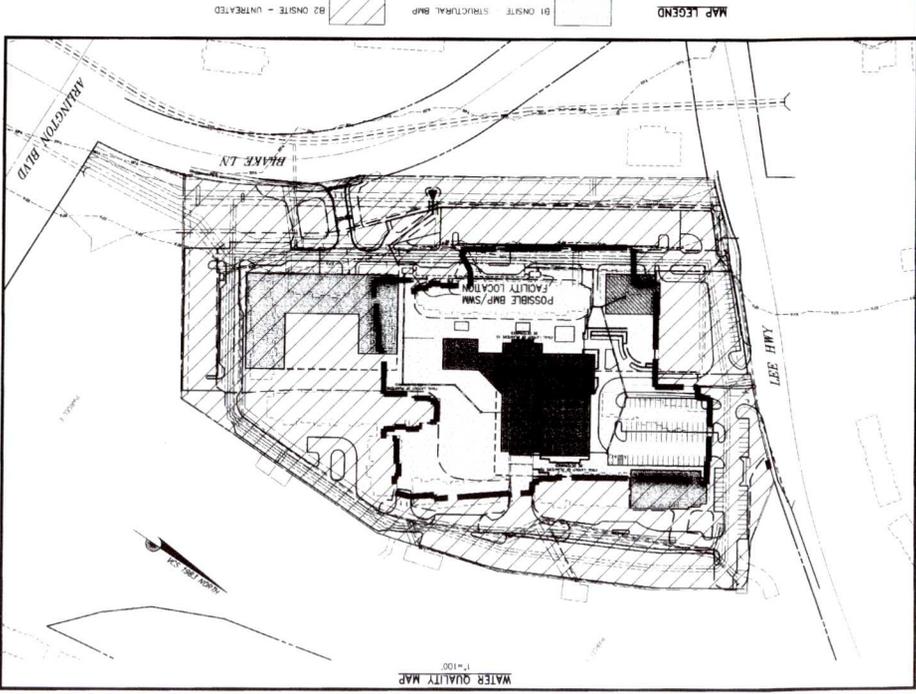
DATE: 08/05/09	SCALE: AS SHOWN	SHEET: 25 OF 34	NO. 0000000000
DATE: 08/05/09	SCALE: AS SHOWN	SHEET: 25 OF 34	NO. 0000000000

**STORMWATER MANAGEMENT PLAN**  
**CIRCLE TOWERS APARTMENTS**

FAIRFAX COUNTY, VIRGINIA



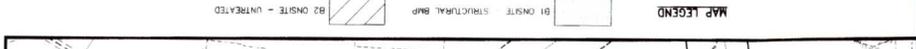
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(703)449-8100 (703)449-8108 (Fax)  
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**WATER QUALITY NARRATIVE**

THIS PROJECT IS A 16.03 ACRES SITE PROPOSED FOR REDEVELOPMENT BECAUSE THE EXISTING AREA WITHIN THE BPA IS NOT PROPOSED TO BE REDEVELOPED. THE EXISTING BUILDING WITHIN THE BPA IS ALSO CONSIDERED INCREASED. THE EXISTING BUILDING WITHIN THE BPA IS ALSO CONSIDERED AS A STRUCTURED COLLECTION OF 3.50+ACRES. AT A C-FACOR OF REDEVELOPMENT THIS WILL MEET BMP REQUIREMENTS FOR THE SITE PER FARFAX COUNTY CODE SECTION 8118-3-2(F)(3).

WATER QUALITY WILL BE PROTECTED BY THE PROVISIONS OF THE ON-SITE STORMWATER MANAGEMENT PRACTICES (SWM/NSM) FACILITY. THE PROPOSED SWM/NSM FACILITY WILL DIVERGENT CONTROL/ SLOWWATER INFLOW INTO THE RESOURCE PROTECTION AREA (RPA) ALLOWING THE WATER TO INFILTRATE INTO THE SOIL THEREBY REDUCING RUNOFF BEFORE REACHING DOWNSTREAM SYSTEMS. THE DIVERGENT RUNOFF WILL HELP TO STABILIZE PROPOSED WETLAND AREAS. RPA FINISHMENT AND RESTORATION PLANNING WILL FURTHER ADVANCE THE WATER QUALITY BENEFITS OF THE MUD-POOLS. TO ENHANCE CONTROLLED WETLAND GROWTH, THE WALLS WILL PROVIDE EXTENDED DRAINAGE OF 4.25 CUBIC FEET OF STORMWATER OVER A PERIOD OF 24 HOURS. THE DRAINING VOLUME WILL BE SLOWLY RELEASED TO INFILTRATE INTO SUPPORTING SOILS.



**BMP FACILITY DESIGN CALCULATIONS**

**II. WATERSHED INFORMATION**

THE AREA BEING CALCULATED FOR THE PROPOSED DEVELOPMENT IS 16.03 ACRES. THE WATERSHED INFORMATION IS AS FOLLOWS:

AREA A.C.	(1)	16.03
(2)	0.75	12.53
(3)	0.50	15.53

**PART 2. COMPLETE THE WEIGHTED AVERAGE C-F FACTOR FOR THE SITE**

AREA A.C.	(1)	16.03
(2)	0.75	12.53
(3)	0.50	15.53

**PART 3. COMPLETE THE TOTAL PHOSPHORUS REMOVAL FOR THE SITE**

SUBAREA	BMP	REMOVAL	AREA	C-F FACTOR	PRODUCT
(B1)	Onsite Structural BMP	50	0.22	1.08	11.88
(B2)	Onsite Unreated	0	0.78	0.97	0.00
(B3)	Onsite Unreated	0	0.78	0.97	0.00
(B4)	Onsite Unreated	0	0.78	0.97	0.00
(B5)	Onsite Unreated	0	0.78	0.97	0.00
(B6)	Onsite Unreated	0	0.78	0.97	0.00
(B7)	Onsite Unreated	0	0.78	0.97	0.00
(B8)	Onsite Unreated	0	0.78	0.97	0.00
(B9)	Onsite Unreated	0	0.78	0.97	0.00
(B10)	Onsite Unreated	0	0.78	0.97	0.00
(B11)	Onsite Unreated	0	0.78	0.97	0.00
(B12)	Onsite Unreated	0	0.78	0.97	0.00
(B13)	Onsite Unreated	0	0.78	0.97	0.00
(B14)	Onsite Unreated	0	0.78	0.97	0.00
(B15)	Onsite Unreated	0	0.78	0.97	0.00
(B16)	Onsite Unreated	0	0.78	0.97	0.00
(B17)	Onsite Unreated	0	0.78	0.97	0.00
(B18)	Onsite Unreated	0	0.78	0.97	0.00
(B19)	Onsite Unreated	0	0.78	0.97	0.00
(B20)	Onsite Unreated	0	0.78	0.97	0.00
(B21)	Onsite Unreated	0	0.78	0.97	0.00
(B22)	Onsite Unreated	0	0.78	0.97	0.00
(B23)	Onsite Unreated	0	0.78	0.97	0.00
(B24)	Onsite Unreated	0	0.78	0.97	0.00
(B25)	Onsite Unreated	0	0.78	0.97	0.00
(B26)	Onsite Unreated	0	0.78	0.97	0.00
(B27)	Onsite Unreated	0	0.78	0.97	0.00
(B28)	Onsite Unreated	0	0.78	0.97	0.00
(B29)	Onsite Unreated	0	0.78	0.97	0.00
(B30)	Onsite Unreated	0	0.78	0.97	0.00
(B31)	Onsite Unreated	0	0.78	0.97	0.00
(B32)	Onsite Unreated	0	0.78	0.97	0.00
(B33)	Onsite Unreated	0	0.78	0.97	0.00
(B34)	Onsite Unreated	0	0.78	0.97	0.00
(B35)	Onsite Unreated	0	0.78	0.97	0.00
(B36)	Onsite Unreated	0	0.78	0.97	0.00
(B37)	Onsite Unreated	0	0.78	0.97	0.00
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(B39)	Onsite Unreated	0	0.78	0.97	0.00
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(B44)	Onsite Unreated	0	0.78	0.97	0.00
(B45)	Onsite Unreated	0	0.78	0.97	0.00
(B46)	Onsite Unreated	0	0.78	0.97	0.00
(B47)	Onsite Unreated	0	0.78	0.97	0.00
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(B49)	Onsite Unreated	0	0.78	0.97	0.00
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(B99)	Onsite Unreated	0	0.78	0.97	0.00
(B100)	Onsite Unreated	0	0.78	0.97	0.00

**PHOSPHORUS REMOVAL CALCULATIONS FOR REDEVELOPMENT SITES**

THE REQUIRED PHOSPHORUS REMOVAL FOR THE PROPOSED DEVELOPMENT IS 16.03 ACRES. THE PHOSPHORUS REMOVAL CALCULATIONS ARE AS FOLLOWS:

**PHOSPHORUS REMOVAL CALCULATIONS FOR REDEVELOPMENT SITES**

THE REQUIRED PHOSPHORUS REMOVAL FOR THE PROPOSED DEVELOPMENT IS 16.03 ACRES. THE PHOSPHORUS REMOVAL CALCULATIONS ARE AS FOLLOWS:

**PHOSPHORUS REMOVAL CALCULATIONS FOR REDEVELOPMENT SITES**

THE REQUIRED PHOSPHORUS REMOVAL FOR THE PROPOSED DEVELOPMENT IS 16.03 ACRES. THE PHOSPHORUS REMOVAL CALCULATIONS ARE AS FOLLOWS:

**UNDERGROUND DEFENTION MODIFICATION**

THE PROPOSED DEVELOPMENT IS 16.03 ACRES. THE UNDERGROUND DEFENTION MODIFICATION IS AS FOLLOWS:

**UNDERGROUND DEFENTION MODIFICATION**

THE PROPOSED DEVELOPMENT IS 16.03 ACRES. THE UNDERGROUND DEFENTION MODIFICATION IS AS FOLLOWS:

**UNDERGROUND DEFENTION MODIFICATION**

THE PROPOSED DEVELOPMENT IS 16.03 ACRES. THE UNDERGROUND DEFENTION MODIFICATION IS AS FOLLOWS:

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**CIRCLE TOWERS APARTMENTS**  
 STOREMATER QUALITY PLAN  
 PROPOSED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 FARMERS MARKET  
 FARMERS MARKET

**DATE: JUNE 2008**  
 SCALE: 1/8" = 1'-0"  
 SHEET: 26 OF 33  
 NO. NO. CAD NAME: CROSSMAN  
 LAYOUT: SWM  
 FILE NO: 08055-01-00

Water Quality Impact Assessment  
Circle Towers Apartments  
Fairfax County Tax Map No. 048-4-(01)-0003  
July 19, 2010

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BC-346-08085

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Objective

This Water Quality Impact Assessment (WQIA) has been developed to identify the water quality impacts associated with the construction of an entrance from Blake Lane into the Circle Towers development proposed within the limits of a Resource Protection Area (RPA). It is intended to meet the requirements set forth by Section 8114 of the Fairfax County Code. This assessment will also portray that the improvements to this parcel are proposed in a manner and location that are least disruptive to the RPA.

Applicability

Pursuant to Section 8114-6-9 of the Chesapeake Bay Preservation Ordinance (CBPO), encroachment into the RPA may be granted subject to compliance with the Required Findings contained within Section 8114-6-9. Further, per Section 8114-6-9, the applicant must show that the water quality benefits resulting from the proposed improvement exceed the associated water quality detriments.

In addition to the Required Findings under Section 8114-6-9, Section 8118-1-3 sets forth Additional Performance Criteria that require a Water Quality Impact Assessment (WQIA) for any proposed land disturbance within an RPA that is not exempt pursuant to Article 5 or for which an exception waiving this criteria is not approved pursuant to Article 6. Given the construction of an entrance from Blake Lane will disturb the RPA and is not exempt from the requirements, the Director requires a WQIA be developed in accordance with the requirements of Section 8118-1-3 of the CBPO. This WQIA serves to meet those requirements, which are as follows:

Required Elements of the Water Quality Impact Assessment

This Water Quality Impact Assessment shall do the following:

- (a) Display the boundaries of the RPA
- (b) Display and describe the location and nature of the proposed encroachments into, and/or impacts to the RPA, including any clearing and grading, impervious surfaces, structures, utilities, and sewage disposal systems
- (c) Demonstrate the extent to which the proposed activity will comply with all applicable performance criteria of this Chapter

Improvements to the RPA are also provided to offset the proposed encroachments:

- 1) Additional flow will be added to the RPA. This RPA naturally has a relatively small drainage area. During most storm events, the total drainage area to the RPA is approximately 6 acres. The only time this basin receives significant amounts of runoff is during very large storm events when the box culverts under Blake Lane are full and hydraulic pressure pushes water into the relief culvert. Therefore, a storm sewer outfall is proposed to direct more runoff into the RPA. This will allow more water to infiltrate into the soil rather than being piped downstream by box culverts. (Refer to Appendix B)
- 2) Impervious area will be removed from the RPA. Some of the existing parking lot that sits within the RPA will be removed and restored. The construction of the entrance and Blake Lane linkage improvements will result in an additional 4,130 square feet of impervious surface within the RPA. To account for the additional impervious surface, 4,260 square feet of existing parking lot and trail will be removed from the RPA. This is an overall decrease of 130 square feet. This decrease in impervious area within the RPA will help provide water quality benefits. (Refer to Appendix B)
- 3) Water quality improvements will be made in the RPA. Additional water quality benefits will be provided by the creation of micro-pools within the existing channel to promote the establishment of wetland area. Also, RPA enhancement plantings will be provided to further abate the water quality benefits of the encroachments. (Refer to Appendix B)
- 4) The RPA will be protected. The use of silt and silt fences during construction will serve in protecting against the potential sedimentation of the channel and degradation of the water quality within the RPA.

(f) Demonstrate the extent to which the proposed activity will comply with all applicable performance criteria of this Chapter

The proposed construction of the private road meets the general performance criteria set forth in Section 8118-1-2(d) of the Chesapeake Bay Preservation Ordinance.

- a) No more land shall be disturbed than is necessary to provide for the proposed use, development, or redevelopment
- b) The Impact Location Map (Appendix B) illustrates the intended limits of clearing and grading. The encroachment is the least amount necessary to clear and grade for the improvements. A bridge span with abutments and retaining walls adjacent to the road are proposed to lessen the disturbance to the RPA.
- c) Indigenous vegetation shall be preserved to the maximum extent practicable consistent with the use, development, or redevelopment proposed.

As shown on the RPA Restoration Plan (Appendix B), the indigenous vegetation coupled with the proposed landscaping will serve as a buffer area to maximize water quality protection and mitigate the effects of the RPA encroachment.

Where the best management practices utilized require regular or periodic maintenance in order to continue their function, such maintenance shall be:

- a) ensured through a maintenance agreement with the owner or through some other mechanism or agreement that ensures an operator objective.
- b) a maintenance agreement that is acceptable to Fairfax County will be provided for the Stormwater.
- c) Impervious cover shall be minimized consistent with the use, development, or redevelopment proposed.

The width of the private road will be 24 feet wide with a 5 foot wide sidewalk adjacent the lack of curb. This width is the minimum necessary to provide safe access into the site. Thus, the construction of the entrance will result in an additional 4,130 square feet of impervious surface within the RPA. To account for the additional impervious surface, 4,260 square feet of existing parking lot and trail will be removed from the RPA. This is an overall decrease of 130 square feet.

- c) Any land-disturbing activity that exceeds an area of twenty-five hundred (2,500) square feet shall comply with the requirements of Chapter 104 of the Fairfax County Code. The construction of single-family dwellings, septic tanks and drainfields shall not be exempt from this requirement.

Erosion and sediment control will be provided in accordance with the Fairfax County Code, the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook. Signs will fence will be provided to protect the RPA against sedimentation and water quality degradation.

- d) For any development or redevelopment, stormwater runoff shall be controlled by the use of best management practices (BMP).

The total phosphorus runoff load from the property will be reduced by at least ten percent from the phosphorus runoff load prior to redevelopment by the use of a Storm Filter or equivalent system.

- e) The Director shall require certification on all plans of development that all wetlands permits required by law will be obtained prior to commencement of land-disturbing activities in any area subject to the plan of development review. No land-disturbing activity on the land subject to the plan of development shall commence until all such permits have been obtained by the applicant and evidence of such permits has been provided to the Director.

A certification will be provided with the site plan that all wetlands permits required by law will be obtained prior to commencing land-disturbing activities. If required, no land disturbance shall take place until evidence of these permits has been provided to the Director. A wetlands delineation has been performed, but it has not been determined if a permit is required because the wetlands are man-made and therefore may not fall under the jurisdiction of the Corps of Engineers. (refer to Appendix C)

- a) All on-site sewage disposal systems requiring a Virginia Pollutant Discharge Elimination System (VPDES) permit shall be subject to the restrictions imposed by the State Water Control Board or the Virginia Department of Health. All on-site sewage disposal systems not requiring a VPDES permit shall be administered by the Director of the Department of Health and shall comply with the following provisions:  
No on-site sewage disposal is proposed.

- b) Land upon which agricultural activities are being conducted, including but not limited to crop production, pasture, and dairy and feeder operations, or lands otherwise defined as agricultural land by the local government, shall have a soil and water quality conservation assessment conducted that evaluates the effectiveness of existing practices pertaining to soil erosion and sediment control, nutrient management, and management of pesticides, and where necessary, results in a plan that outlines additional practices needed to ensure that water quality protection is being accomplished consistent with the Chesapeake Bay Preservation Act and this chapter.

This site does not consist of any proposed agricultural land or agricultural activities.

The proposed construction of the private road also meets the additional performance criteria set forth in Section 8118-1-3(d) of the Chesapeake Bay Preservation Ordinance.

- a) A Water Quality Impact Assessment shall be required for any proposed land disturbance, development, or redevelopment within an RPA that is not exempt pursuant to Article 5 or for which an exception waiving this criteria is not approved pursuant to Article 6 of this Chapter.

Given that the construction of an entrance from Blake Lane will disturb the RPA and is not exempt from the requirements, this WQIA is provided in accordance with the requirements of Section 8118-1-3 of the CBPO.

- b) Allowable Development. Development is allowed within RPAs if it is water-dependent. This development is not water-dependent.

- c) Redevelopment. Outside of UDAs, is allowed within RPAs only if there is no increase in the amount of impervious area within the RPA and no further encroachments within the RPA and shall conform to the criteria set forth in this Chapter.

There is no increase in the amount of impervious area within the RPA. The construction of the entrance will result in an additional 4,130 square feet of impervious surface within the RPA. To account for the additional impervious

RPA. It also depicts the location of the disturbance including the limits of clearing and grading and the improvement. The encroachment is the least amount necessary to clear and grade for the improvements. A bridge span with abutments and retaining walls adjacent to the road are proposed to lessen the disturbance to the RPA. The construction of the improvements, including the re-development of the property and the linkage improvements to Blake Lane, result in approximately 0.66 acres of disturbance in the RPA. However, much of this area was previously disturbed with the construction of Circle Towers prior to the enactment of the Chesapeake Bay Preservation Ordinance. Therefore, there is an overall decrease in impervious area within the RPA that is discussed in section (c).

(c) Provide justification for the proposed encroachment into and/or impacts to the RPA

A third site access into the Circle Towers development is proposed on Blake Lane to help alleviate some of the current circulation problems on the site, as well as nuisance area concerns associated with the primary access at Lee Highway.

The primary access to the Property is on Lee Highway. Subsequent to development of the Property, Lee Highway was widened on several occasions, negatively impacting the Lee Highway access and resulting in limited on-site stacking options. The limited stacking creates circulation problems for the Property that the Blake Lane entrance will help solve. These problems are present under the current development and are not caused or exacerbated by the proposed redevelopment. In addition, as we discuss in more detail below, improving the secondary access to Route 50 is not a possible mitigation measure.

Based on the foregoing, we determined that a third entrance was necessary, even without the proposed redevelopment. In response, we studied the Property to determine where a proposed entrance could be most appropriately located. However, the myriad of pre-existing conditions severely limit the potential location of a proposed entrance and its current Blake Lane location is the only feasible location.

The Property is bound on the south by Lee Highway. There is an existing full movement signalized intersection on Lee Highway. VDOT access management regulations require signalized intersections to be located 2500 feet from one another along principal arterials. The distance between the intersection of Blake Lane/Lee Highway and the existing entrance is only 825 feet. These VDOT spacing requirements effectively prevent the placement of a second entrance on Lee Highway because there is not adequate distance from the existing intersections.

It should also be noted that the rezoning will require the filing of an access management exception with VDOT for the existing Lee Highway. The proposed entrance on Blake Lane has been identified as a way to address the impacts associated with the unimproved spacing. The Lee Highway entrance cannot be relocated due to the distance requirement between signals and because of the alignment opposite Circle Woods Drive constructed after the existing entrance and the distance to Fairfax Drive (future Vado Drive) located approximately 830 feet to the east on Lee Highway.

The Property is bound on the east and south by Park Authority property. The property was dedicated to the Park Authority in the 1960's as part of the initial development approvals for the Property. Absent that dedication, the Property would have adequate frontage on Arlington

Boulevard and no additional entrance on Blake Lane would be required. However, as currently developed providing an additional entrance through the east or south of the Property is not a reasonable alternative.

Additionally, the entrance on Route 50 is served by substantial turn lanes and via a narrow 25' easement running through the Park Authority property. We have no ability to widen this entrance road because the width is limited by the scope of the easement granted by the Park Authority to cross its property. In addition, there is not enough area within the existing easement to correct the roadway layout and design. However, even without these shortcomings, Route 50 is not readily able to address a change of traffic distribution.

The only other road frontage accessible to the site is Blake Lane, located along the west side of the Property. However, the western portion of the Property is separated from Blake Lane by an RPA. As we have shown, there is no reasonable alternative to crossing the RPA.

We are committed to constructing the new entrance in an environmentally sensitive manner that we anticipate will improve the quality of the existing RPA. The proposed crossing is in an area that does not contain a perennial stream. Improvements and development along Route 50 and Blake Lane redirected the natural flow of water away from the location of our proposed crossing through the installation of a box culvert system beginning north of Lee Highway that catches and pipes the water before it reaches the area of our proposed crossing.

We have worked closely with FDOT and VDOT to ensure that our proposed entrance is designed appropriately. We have narrowed the entrance to match as possible while remaining accessible to VDOT and FDOT, including reducing the radius. As currently proposed, Blake Lane will have a 100' taper to access the proposed entrance in lieu of a full-turn lane. This will minimize the intrusion into the RPA and eliminate the need to acquire Park Authority property. Additionally, we anticipate using a bridge with a span of approximately 55 feet to cross the RPA. We believe this is the optimal solution from an environmental standpoint. The Impact Location Map shows the proposed bridge in Exhibit "B".

- (d) Describe the nature and extent of any proposed disturbance or disruption of wetlands
- Approximately 1,250 square feet of wetlands will be disturbed. Some of the wetlands will be filled in when the Blake Lane embankment is added for the turn lane taper. The remaining wetlands will be disturbed with the private road construction. However, the wetlands are man-made and may not fall under the jurisdiction of the Corps of Engineers. (refer to Appendix C)

(e) Display and discuss the type and location of proposed best management practices to mitigate the proposed RPA encroachment and/or other impacts

Pursuant to Section 8118-1-2(f)(3), for redevelopment of any project not currently served by one or more BMPs, the total phosphorus runoff pollution load from the property shall be reduced by at least ten percent from the phosphorus runoff pollution load prior to redevelopment. As shown on the Impact Location Map (refer to Appendix B), BMPs are provided by the use of a Storm Filter or equivalent system. As shown with the computations on the Impact Location Map, the phosphorus load leaving the site prior to redevelopment is reduced by over 10% from the phosphorus load leaving the site prior to redevelopment.

- (f) Provide any other information deemed by the Director to be necessary to evaluate potential water quality impacts of the proposed activity. (32-03-118)
- No other information has been requested. Should any other information be deemed necessary to evaluate the potential water quality impacts of the proposed activity, the applicant can provide that information at the time of the request.

surface, 4,260 square feet of existing parking lot and trail will be removed from the RPA. This is an overall decrease of 130 square feet. The additional impervious surface requires an exception in accordance with the requirements of Section 8118-1-6-9 of the CBPO.

- a) Buffer area requirements. To minimize the adverse effects of human activities on the other components of the RPA, state waters and aquatic life, a buffer area that is effective in restoring, reducing, preventing erosion, and filtering impervious surface runoff shall be retained, if present; or established where it does not exist. Nonbuilding, permitted uses, encroachments, and vegetation clearing, authorized by this Chapter, the buffer area is not retained as well. Where land uses such as agriculture or silviculture within the area of the buffer, erosion and the lands are provided to be converted to other uses, tall buffer shall be reestablished in accordance with Section 118-1-3(f).

As shown on the RPA Restoration Plan (refer to Appendix B), the indigenous vegetation coupled with the proposed landscaping will serve as a buffer area to maximize water quality protection and mitigate the effects of the RPA encroachment.

- b) On agricultural lands, the buffer area shall be managed to prevent concentrated flows of surface water from breaching the buffer area and appropriate measures, as recommended by the Northern Virginia Soil and Water Conservation District, may be taken to prevent noxious weeds from invading the buffer area.

This site does not contain any proposed agricultural land or agricultural activities.

- c) Buffer area establishment. Where buffer areas are to be established, they shall consist of a mixture of ornamental trees, understory trees, shrubs and groundcovers. The density of ornamental trees shall be a minimum of 100 trees per acre. The density of understory trees shall be a minimum of 200 trees per acre. The density of shrubs shall be a minimum of 1000 plants per acre. If seedlings are used instead of mature plants, the density of trees shall be doubled. Large sapling trees shall not be planted on slopes greater than 2:1. Plant materials shall be randomly placed to achieve a relatively even spacing throughout the buffer. The Director may approve the use of a seed mixture in lieu of individual plants for sites with ground covering. Plants shall be native to the degree practical and suitable to site conditions. Wetland plantings including herbaceous plantings (moss-wetland seed mix) shall be used where site conditions warrant. Plant materials and planting techniques shall be as specified on the Public Facilities Manual (13-201-118:16-07-118).

In the area from which the parking lot will be removed, an RPA restoration planting plan that meets the buffer area establishment details requirements will be provided. See the RPA Restoration Plan (Appendix B). Also, RPA enhancement plantings will be provided to provide additional water quality benefits.

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PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
WATER QUALITY IMPACT ASSESSMENT  
CIRCLE TOWERS APARTMENTS  
PREPARED BY: BC CONSULTANTS, INC.  
FAIRFAX COUNTY, VIRGINIA

DATE REVISIONS	DATE	BY	DESCRIPTION
SHEET	08-19-10	03-16-11	DESIGNED BY: PIR
DRAWN	08-19-10	03-16-11	DRAFTED BY: CAD
CHECKED	08-19-10	03-16-11	CHECKED BY: PIR
DATE	06-20-09		DATE: JUNE 2009
SCALE:	HOR: N/A	VERT: N/A	
SHEET	1	27	OF 33
CD NO.			
CD NAME	CB08055A		
LAYOUT	WQA		
FILE NO.	08055.01	00	

**Resource Protection Area Encroachment Exception Request**  
**Circle Towers Apartments**  
**Fairfax County Tax Map No. 048-4-(011)-0003**  
 July 19, 2010

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**Application Form**  
**Water Quality Impact Assessment**  
**Photographs**  
**Soils Map**  
**Statement of Justification**  
**List of Property Owners to be Notified**

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 5626 Cox Road  
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 (Over Allow, 147-2360)

BC Job # 08883

**(f) Other findings, as appropriate and required herein, are met.**

The exception meets the other required findings of the Chapter as follows:

The water quality benefits resulting from the improvements will exceed the associated water quality detriments. Where practicable, a vegetated area that will maximize water quality protection, mitigate the effects of the buffer encroachment, and is equal in the area of encroachment into the buffer area shall be established elsewhere on the lot or parcel. The phosphorus load leaving the site after redevelopment will be reduced by over 10% from the phosphorus load leaving the site prior to redevelopment. Also, there will be a net reduction in the amount of impervious area within the RPA. The construction of the entrance will result in an additional 4,130 square feet of impervious surface within the RPA. To account for the additional impervious surface, 4,260 square feet of existing parking lot and trail will be removed from the RPA. This is an overall decrease of 130 square feet. The portion of the existing parking lot that is located in the RPA and that will be removed will be replanted in accordance with Section §11.8-3-1(f), Buffer Area Establishment.



Photograph #1  
 Looking north towards the RPA encroachment area from the existing trail crossing



Photograph #2  
 Looking at the RPA encroachment area from the south



Photograph #3  
 Detailed view of the channel bottom in the RPA encroachment area



Photograph #4  
 Looking north from an area within the encroachment area

**Resource Protection Area Encroachment Exception Request**  
**Statement of Justification**

This Exception Request will show that the following are met:

**(a) The requested exception to the criteria is the minimum necessary to afford relief.**

Access to Blake Lane cannot be achieved without crossing the RPA. Justification for the Blake Lane entrance is provided in section (d) below. The plan proposes the minimum land disturbance necessary to construct the road, the storm sewer outfall and the RPA's restoration. A bridge span and retaining walls are provided to minimize the impacts to the RPA.

**(b) 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 will not confer any special privileges to the landowner. The request complies with all requirements of Section §11.8-3. Also, this situation is unique to this site as discussed in part (d) below.

**(c) The exception is in harmony with the purpose and intent of this Chapter and is not of substantial detriment to water quality.**

The exception meets the intent of the Chapter as follows:

**(1) The protection of existing high quality state waters.** The proposed encroachment will not disturb any existing watercourses. Downstream watercourses are protected by:

- a) the provision of state BMP controls,
- b) a net reduction in the amount of impervious area within the RPA,
- c) the diversion of runoff into the RPA and away from the pipe system to allow for infiltration into the soils and to slow the runoff in reaching downstream systems,
- d) the creation of micro-pools within the existing channel to promote the establishment of wetland areas,
- e) the provision of RPA enhancement plantings to further advance the water quality benefits of the micro-pools.

**(2) The restoration of all other state waters to a condition or quality that will permit all reasonable public uses and will support the propagation and growth of all aquatic life, including game fish, which might reasonably be expected to inhabit them.** The adjacent watercourses will be protected as discussed above. The creation of micro-pools will support aquatic life.

**(3) The safeguarding of the clean waters of the Commonwealth from pollution.** BMP's will be provided onsite by the use of a Sandfall filter or equivalent system. The phosphorus load leaving the site after redevelopment will be reduced by over 10% from the phosphorus load leaving the site prior to redevelopment.

**(4) The prevention of any increase in pollution.** As discussed above, there will be a net reduction in phosphorus load from the property of over 10%.

**(5) The reduction of existing pollution.** As discussed above, there will be a net reduction in phosphorus load from the property of over 10%.

**(6) Water resource conservation in order to provide for the health, safety and welfare of the present and future citizens of Fairfax County and the Commonwealth of Virginia.** The encroachment protects the water resources of Fairfax County and the Commonwealth of Virginia by the mitigating the impacts as discussed above.

**(d) The exception request is not based on conditions or circumstances that are self-created or self-imposed.**

A third site access into the Circle Towers development is proposed on Blake Lane to help alleviate some of the current circulation problems on the site, as well as minimize access concerns associated with the primary access at Lee Highway.

The primary access to the Property is on Lee Highway. Subsequent to development of the Property, Lee Highway was widened on several occasions, negatively impacting the Lee Highway access and resulting in limited on-site stacking options. The limited stacking creates circulation problems for the Property that the Blake Lane entrance will help solve. These problems are present under the current development and are not caused or necessitated by the proposed redevelopment. In addition, as we discuss in more detail below, improving the secondary access to Route 50 is not a possible mitigation measure.

Based on the foregoing, we determined that a third entrance was necessary, even without the proposed redevelopment. In response, we studied the Property to determine where a proposed entrance could be most appropriately located. However, the myriad of pre-existing conditions severely limit the potential location of a proposed entrance and its current Blake Lane location is the only feasible location.

The Property is bound on the north by Lee Highway. There is an existing full movement signalized entrance on Lee Highway. VDOT access management regulations require signalized intersections to be located 2,046 feet from one another along principal arterials. The distance between the intersection of Blake Lane/Lee Highway and the existing entrance is only 825 feet. These VDOT spacing requirements effectively prevent the placement of a second entrance on Lee Highway because there is not adequate distance from the existing intersection.

It should also be noted that the zoning will require the filing of an access management exception with VDOT for the existing Lee Highway entrance. The proposed entrance on Blake Lane has been identified as way to address the impacts associated with the substandard spacing. The Lee Highway entrance cannot be relocated due to the distance requirement between signals and because of the alignment opposite Circle Woods Drive (constructed after the existing entrance and the distance to Fairfax Drive/Vaden Drive) located approximately 830 feet to the east on Lee Highway.

The Property is bound on the east and south by Park Authority property. The Property was dedicated to the Park Authority in the 1960's as part of the initial development approval for the Property. Absent that dedication, the Property would have adequate frontage on Arlington Boulevard and no additional entrance on Blake Lane would be required. However, as currently developed providing an additional entrance through the east or south of the Property is not a reasonable alternative.

Additionally, the entrance on Route 50 is served by standard turn lanes and via a narrow 25' entrance running through the Park Authority property. We have no ability to widen this entrance road because the width is limited by the scope of the easement granted by the Park Authority to cross its property. In addition, there is not enough area within the existing easement to correct the roadway layout and design. However, even without these shortcomings, Route 50 is not readily able to address a change of traffic distribution.

The only other road frontage accessible to the site is Blake Lane, located along the west side of the Property. However, the western portion of the Property is separated from Blake Lane by an RPA. As we have shown, there is no reasonable alternative to crossing the RPA.

We are committed to constructing the new entrance in an environmentally sensitive manner that we anticipate will improve the quality of the existing RPA. The proposed crossing is in an area that does not contain a potential stream. Improvements and development along Route 50 and Blake Lane redirected the natural flow of water away from the location of our proposed crossing through the installation of a box culvert system beginning north of Lee Highway that carries and treats the water before it reaches the area of our proposed crossing.

We have worked closely with FCDOT and VDOT to ensure that our proposed entrance is designed appropriately. We have narrowed the entrance as much as possible while remaining acceptable to VDOT and FCDOT, including reducing the radius. As currently proposed, Blake Lane will have a 140' apex to access the proposed entrance in lieu of a full-sum lane. This will minimize the intrusion into the RPA and eliminate the need to acquire Park Authority property. Additionally, we anticipate using a bridge with a span of approximately 35 feet to cross the RPA. We believe this is the optimal solution from an environmental standpoint. The proposed bridge is shown on the plan.

**(e) Reasonable and appropriate conditions are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality.**

Protection of the water quality is discussed above in part (c). Further conditions that will prevent a degradation of water quality are:

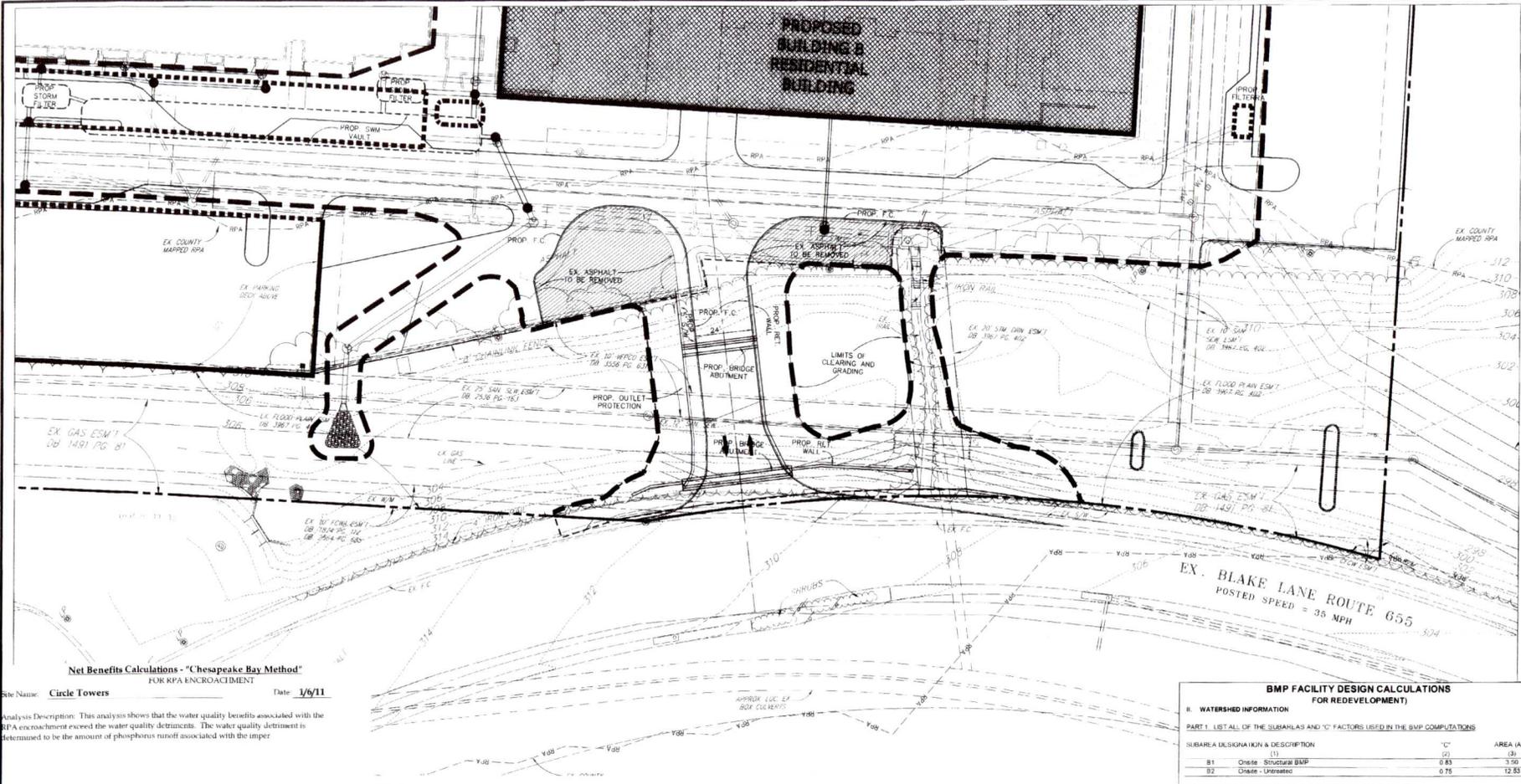
- 1) The amount of runoff directed towards the RPA will be limited to the maximum amount permitted before the velocity in the channel becomes erosive as a two-year storm event.
- 2) Super silt fence will be provided during construction along the limits of clearing and grading adjacent to the RPA. This will serve in protecting against the potential sedimentation of the channel and degradation of the water quality within the RPA.

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 (703)449-8100 (Fax)  
 www.bccom.com



PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 RPA EXCEPTION NOTES  
**CIRCLE TOWERS APARTMENTS**  
 PROPOSED SITE  
 FAIRFAX COUNTY, VIRGINIA

DATE OF REVISION:	08-19-10
SHEET ADDED:	03-16-11
SHEET DELETED:	12-27-10
DATE OF REVISION:	01-13-11
REVISION:	REVISION
DESIGNED BY:	PLR
DRAWN BY:	CAD
CHECKED BY:	PLR
DATE:	JUNE 2009
SCALE:	HOR: N/A VERT: N/A
SHEET:	28 OF 33
CD NO.:	
CAD NAME:	CA0805W04
LAYOUT:	EXCPT NOTE
FILE NO.:	08005-01-00



**Net Benefits Calculations - "Chesapeake Bay Method"**  
FOR RPA ENCROACHMENT

Site Name: **Circle Towers** Date: **1/6/11**

Analysis Description: This analysis shows that the water quality benefits associated with the RPA encroachment exceed the water quality detriments. The water quality detriment is determined to be the amount of phosphorus runoff associated with the imper

2) Calculate Existing Impervious Area in RPA to be Removed

(1A) Pavement Area (Include roads, driveways, sidewalks, paved trails, etc.)	428.00 S.F.
(1B) Structures Area (Include houses, sheds, patios, etc.)	0.00 S.F.
<b>Total area (1C) =</b>	<b>428.00 S.F.</b>
	/ 43,560 = <b>0.0098 acres</b>

2) Calculate Proposed Impervious Area in RPA

(2A) Pavement Area (Include roads, driveways, sidewalks, paved trails, etc.)	3,379.00 S.F.
(2B) Structures Area (Include houses, sheds, patios, etc.)	0.00 S.F.
<b>Total area (2C) =</b>	<b>3,379.00 S.F.</b>
	/ 43,560 = <b>0.0776 acres</b>

3) Net Increase in Impervious Area in RPA

<b>Total area (4A) = 2C - 1C</b>	<b>2,951.00 S.F.</b>
	/ 43,560 = <b>0.0677 acres</b>

4) Phosphorus Loading

(A) Phosphorus Loading Proposed by Additional Impervious Area in RPA:

Phosphorus from Additional Impervious Surface:  
 $L(\text{new}) = 36 \times R(0.05 + 0.009(D)) \times (C) \times (A) \times 2.72/12$   
 $= 36 \times [0.05 + 0.009(100)] \times (1.08) \times 0.0677 \times 2.72/12 =$  **0.567 lbs/yr**

(B) Reduction in Phosphorus Loading by Adding Filters:  
 Drainage Area = 0.42 ac.  
 Imperviousness = 54.0 %

Phosphorus Draining to Filter:  
 $L(\text{filter}) = 36 \times [0.05 + 0.009(D)] \times (C) \times (A) \times 2.72/12$   
 $= 36 \times [0.05 + 0.009(3)] \times (1.08) \times 0.4200 \times 2.72/12 =$  **1.984 lbs/yr**

Phosphorus Captured by Filter:  
 $L(\text{cap}) = 0.55 \times L(\text{filter}) =$  **1.091 lbs/yr**

5) Net Water Quality Benefit

(A) Total Phosphorus Loading Removed:  
 $L(\text{net}) = L(\text{cap}) - L(\text{new}) =$  **0.524 lbs/yr**

**Net benefit is a reduction of 0.52 pounds of phosphorus per year.**

**BMP FACILITY DESIGN CALCULATIONS FOR REDEVELOPMENT**

B. WATERSHED INFORMATION

PART 1. LIST ALL OF THE SUBAREAS AND "C" FACTORS LISTED IN THE BMP COMPUTATIONS

SUBAREA DESIGNATION & DESCRIPTION	"C"	AREA (AC)
B1 Onsite - Structural BMP	0.83	3.56
B2 Onsite - Untreated	0.75	12.83

PART 2. COMPUTE THE WEIGHTED AVERAGE "C" FACTOR FOR THE SITE

(A) AREA OF THE SITE	(B) SUBAREA DESIGNATION	(C) "C"	(D) AREA (AC.)	(E) PRODUCT
16.03 ACRES	B1	0.83	3.56	2.91
	B2	0.75	12.83	9.40
<b>(b) TOTAL =</b>				<b>12.30</b>
<b>(C) WEIGHTED AVERAGE "C" FACTOR</b>				<b>(D) / (A) =</b> <b>0.77</b>

PART 3. COMPUTE THE TOTAL PHOSPHORUS REMOVAL FOR THE SITE

SUBAREA DESIGNATION & DESCRIPTION	BMP TYPE	REMOVAL EFF. (%)	AREA RATIO	"C" FACTOR RATIO	PRODUCT
B1	Onsite - Structural BMP	30	0.22	1.08	11.81
B2	Onsite - Untreated	0	0.78	0.98	0.00
<b>20% Credit for Onsite Areas</b>					<b>(a) TOTAL = 11.81</b>

PART 4. DETERMINE COMPLIANCE WITH PHOSPHORUS REMOVAL REQUIREMENT

(A) SELECT REQUIREMENT:	(B) IF FARFAX COUNTY REDEVELOPMENT REQUIREMENTS (10%)	(C) THEN PHOSPHORUS REMOVAL REQUIREMENTS IS SATISFIED
(A) AREA OF THE SITE	(a) 11.81 %	(c) 11.81 %
(B) SUBAREA DESIGNATION	(b) 11.81 % = LINE 4(a)	(c) 11.81 %

**BMP FACILITY DESIGN CALCULATIONS**

B. WATERSHED INFORMATION

PART 1. LIST ALL OF THE SUBAREAS AND "C" FACTORS USED IN THE BMP COMPUTATION

SUBAREA DESIGNATION & DESCRIPTION	"C"	AREA (AC)
B1 Onsite - Structural BMP	0.83	3.56
B2 Onsite - Untreated	0.75	12.83

PART 2. COMPUTE THE WEIGHTED AVERAGE "C" FACTOR FOR THE SITE

(A) AREA OF THE SITE	(B) SUBAREA DESIGNATION	(C) "C"	(D) AREA (AC)
16.03	B1	0.83	3.56
	B2	0.75	12.83

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 www.bccon.com



PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 RPA-IMPACTS LOCATION PLAN  
**CIRCLE TOWERS APARTMENTS**  
 PREPARED BY: PLR  
 CHECKED BY: PLR  
 DATE: JUNE 2009  
 SCALE: HUR, NA  
 SHEET 29 OF 33  
 CD: NO  
 CAD: NAME: BPA-EXPT-11  
 LAYOUT: IMPACTS  
 FILE NO: 08085-01-00

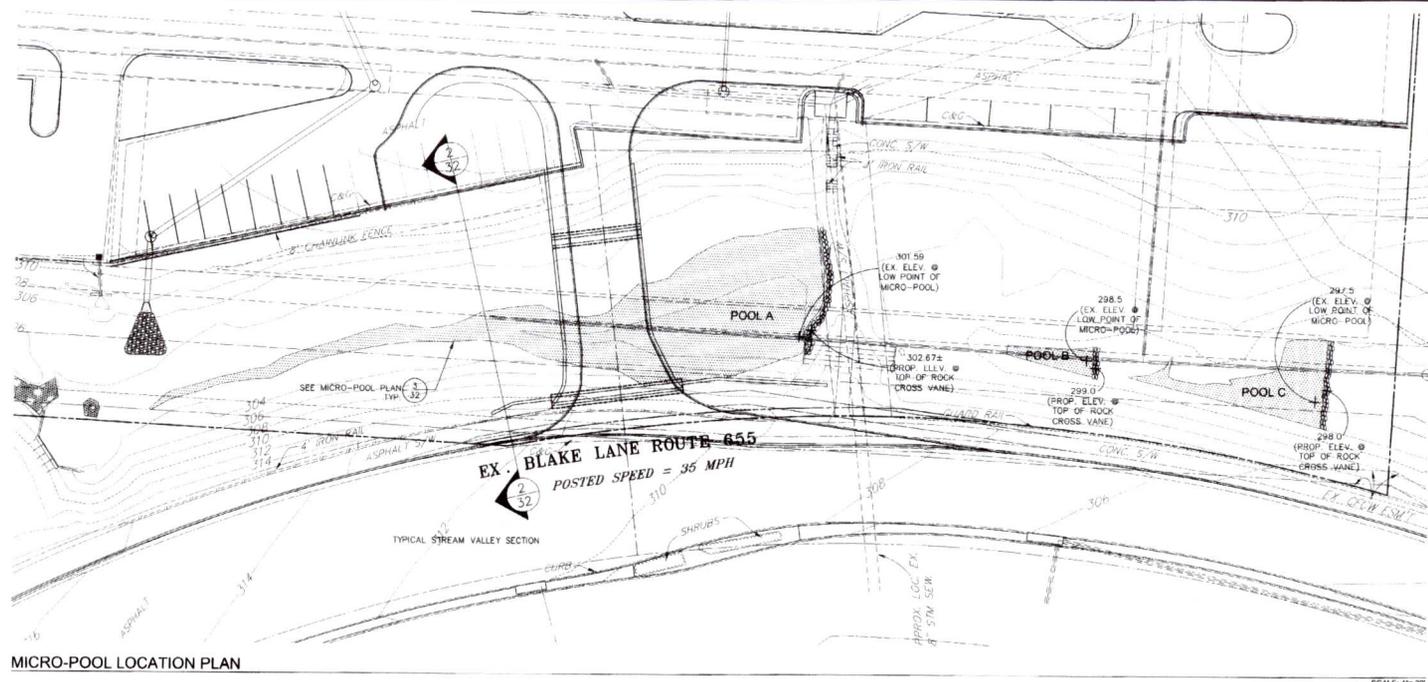
**LEGEND:**

-  3" CATEGORY IV DECIDUOUS TREE \*
-  2" CATEGORY III DECIDUOUS TREE \*
-  2" CATEGORY II DECIDUOUS TREE \*
-  LIMITS OF CLEARING AND GRADING
-  LIMITS OF FILL ONLY FOR MICRO-POOL EMBANKMENTS
-  RPA RESTORATION AREAS PLANTED TO CHEESAPEAKE BAY ORDINANCE STANDARDS (11.467 ±1.) (RA#)
-  RPA RESTORATION AREAS WITHIN UTILITY EASEMENTS OR OTHER ENCUMBRANCES (PLANTED WITH SHRUBS ONLY) (RS#)
-  RPA ENHANCEMENT AREAS (E#)
-  WETLAND ENHANCEMENT AREAS (W#)
-  WETLAND RESTORATION AREAS (W#)
-  SWALE RESTORATION AREAS (CB#)
-  MICRO-POOL AREAS
-  AREA LABEL
-  LOCATION OF EXISTING TREE TO BE REMOVED
-  LOCATION OF EXISTING TREE TO BE PRESERVED

- N IDENTIFIES PROPOSED NATIVE TREE
- W IDENTIFIES PROPOSED TREE PLANTED FOR WILDLIFE BENEFIT
- EC IDENTIFIES PROPOSED TREE PLANTED FOR ENERGY CONSERVATION
- WQ IDENTIFIES PROPOSED TREE PLANTED FOR WATER QUALITY
- NC IDENTIFIES PROPOSED TREE WHERE NO CANOPY CREDIT IS TAKEN. THIS TREE IS A SUPPLEMENTAL TREE TO BE PLANTED IN A PROPOSED PRESERVATION AREA OR RPA. CANOPY CREDIT HAS ALREADY BEEN RESERVED WITHIN THIS AREA.

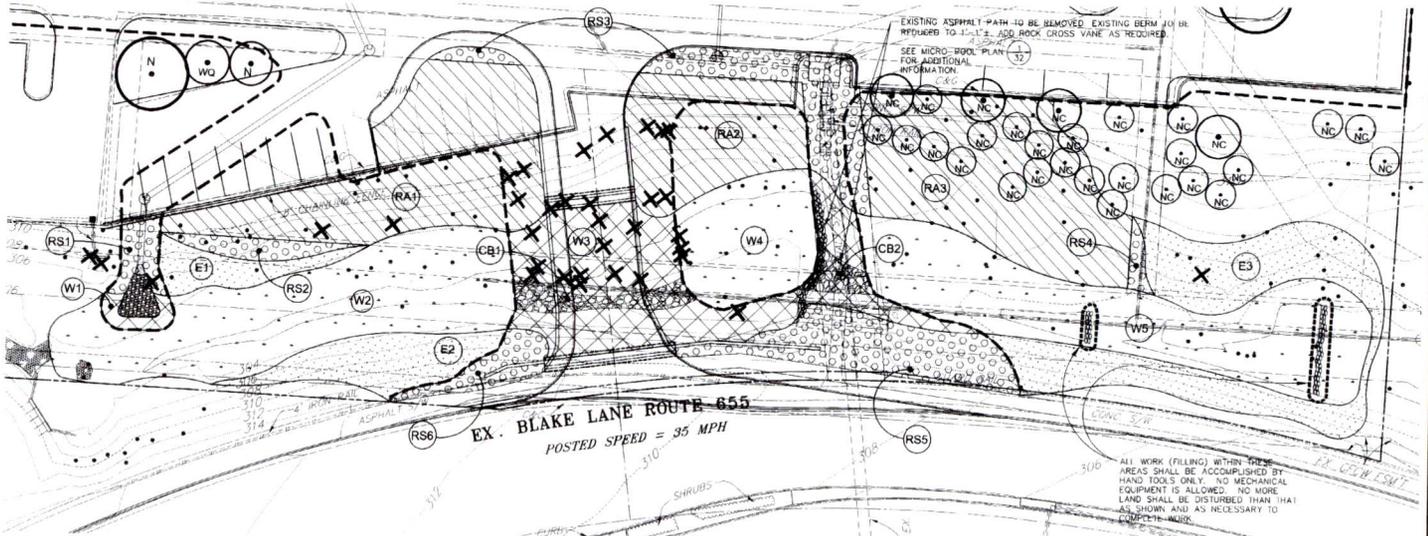
SEE SHEET 33 FOR RPA RESTORATION AND ENHANCEMENT PLANT LIST AND CALCULATIONS AND; WETLAND ENHANCEMENT/RESTORATION PLANT LIST

\* TREE PLANTED IN ADDITION TO THOSE LISTED IN THE PLANT LIST SHOWN ON SHEET 33 AS REQUESTED BY UMFD.



**MICRO-POOL LOCATION PLAN**

SCALE: 1"=20'



**RPA RESTORATION AND ENHANCE PLAN**

SCALE: 1"=20'

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PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 RPA EXCEPTION PLAN  
**CIRCLE TOWERS APARTMENTS**  
 PRODUCE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

DESIGNED BY: PIR	DATE: 06-26-2009
DRAWN BY: CAD	REVISION: 02-06-10 03-16-11
CHECKED BY: PIR	REVISION: 02-21-10
DATE: JUNE 2009	REVISION: 2-7-11
SCALE: HOR 1"=20'	TYPICAL
SHEET 30 OF 33	
CD. NO.	
CAD NAME: RPA-BORSEKCEPT	
LAYOUT: EXCEPTION	
FILE NO: 000001-00	







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

**DESCRIPTION OF THE APPLICATION**

The applicants, United Dominion Realty L.P. and Circle Towers LLC, request amendment of the proffers and Conceptual/Final Development Plan (CDP/FDP) associated with RZ B-993. This rezoning was originally approved by the Board of Supervisors in 1970 and last amended on July 17, 1995. Specifically, this application proposes to increase the number of residential dwellings from a total of 606 units to 727 units by demolishing a portion of the single-family attached dwellings and constructing new multi-family units in two new buildings. In addition, the applicant proposes to retrofit the units within the site's existing residential towers to modernize the dwellings and, in some cases, divide existing units into smaller dwellings. All of the 121 additional multifamily units will be attributable to affordable housing units, workforce dwelling units, and associated bonuses. The proposal also seeks to add 30,000 square feet of office uses through the construction of a new wing to the site's existing office building and to increase the site's retail uses by 4,000 square feet through new construction and retrofit of existing retail/residential spaces. Related additional parking is proposed through the construction of a new, at-grade parking plaza in the vicinity of the site's Lee Highway (US 29) frontage and the addition of under-building parking areas and/or underground parking levels.

Concurrent with this application, the applicant is also requesting approval of a Parking Reduction. Under this request, the number of parking spaces provided for the redeveloped project would be reduced from the required 1,313 to 1,128 spaces or approximately 14%. The proposed Conceptual/Final Development Plan Amendment proposes a site layout which reflects the requested parking reduction. Should the reduction not be granted, some areas reserved for residential storage would need to be converted to parking and a second level of underground parking may need to be developed under the proposed parking plaza. The final determination of this reduction will be made by the Board of Supervisors concurrent with a decision on this application. At the time of publication of this staff report, the DPWES recommendation on the reduction request was not available. Staff anticipates receipt of the recommendation or letter of intent prior to the Planning Commission hearing.

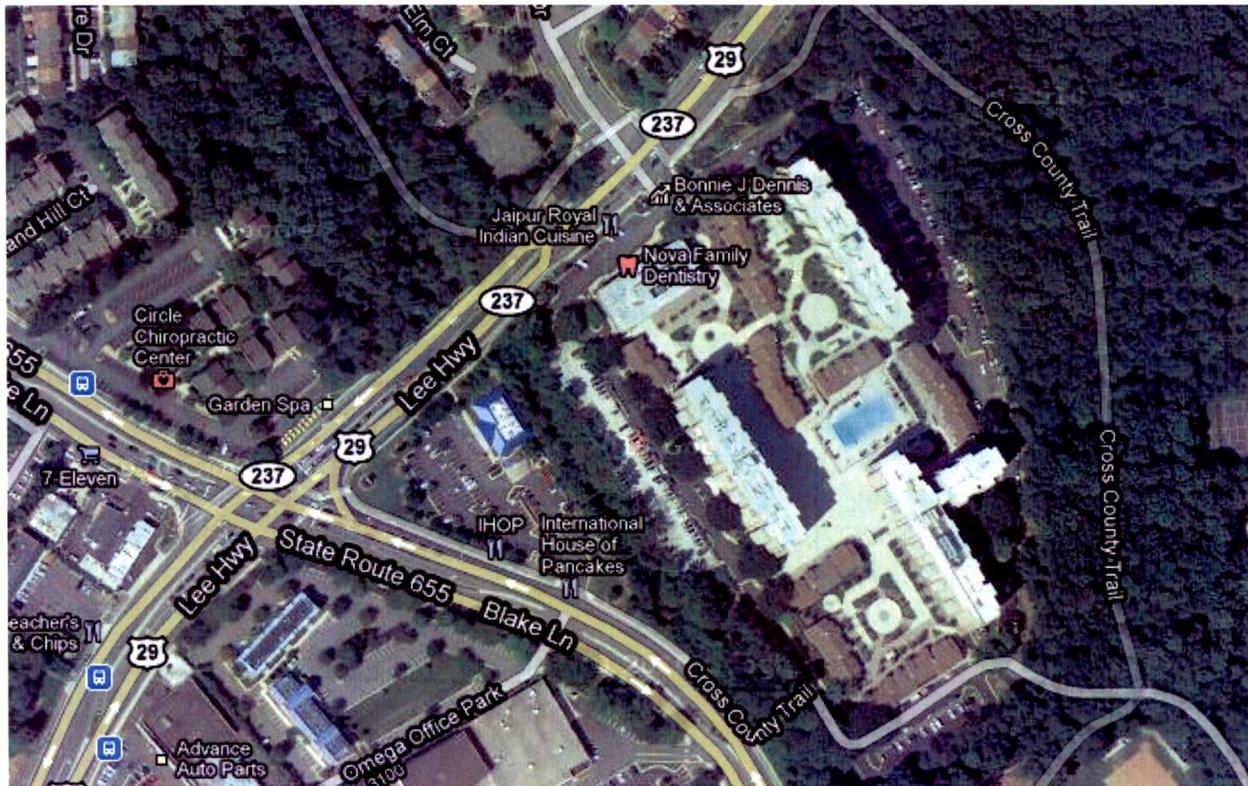
The applicant is also requesting approval of a Resource Protection Area (RPA) Encroachment Exception, Request #8496-WRPA-001-1. The encroachment exception will facilitate: construction of a vehicular/pedestrian access bridge from the site to Blake Lane; removal of an existing asphalt pedestrian path; installation of a stormwater outfall; and creation of three micro-pools. These activities will encroach into the RPA associated with Hatmark Branch, a tributary to Accotink Creek, and would provide a third access to the project site. As discussed in the attached staff report (Appendix 9), the Department of Public Works and Environmental Services (DPWES) - Environmental and Site Review Division is recommending approval of the RPA encroachment exception.

The application also requests the following waivers and modifications:

- Modification of the transitional screening and waiver of barrier requirements along the site's Lee Highway (US 29) frontage to reflect the existing and proposed landscaping depicted on the FDPA;
- Modification of the transitional screening and waiver of barrier requirements between uses on property zoned PDH-12 to reflect the existing and proposed landscaping depicted on the FDPA;
- Waiver of peripheral parking lot landscape requirement along the property's east and south property lines to reflect the existing parking lots;
- Waiver of the service drive requirement along Lee Highway; and
- Waiver to permit underground detention and best management practices (BMPs) in a residential development.

The applicant's proposed Proffers, Affidavit, and Statement of Justification can be found in Appendices 1, 2, and 3, respectively.

## LOCATION AND CHARACTER



The 16.03-acre site is zoned PDH-12 (Planned Development Residential, 12 du/ac) and is within the Highway Corridor (HC) Overlay District. It is located just northeast of the City of Fairfax, east of the confluence of US Routes 29 and 50 (also known as Fairfax Circle). The northern boundary of the site adjoins Lee Highway (Route 29), and a portion of the western boundary adjoins Blake Lane (Route 655). The site is bounded by parkland to the east and south (Towers Park). The Vienna/Fairfax/GMU Metro Station is approximately three-quarters of a mile to the north.

The site is developed with the Circle Towers Apartments, a residential complex built in the 1970s. The complex consists of 554 multi-family units located in three high-rise (12 to 14-story) towers and 52 single-family attached units, which are two and three stories in height. The structures are built atop the one-story parking structure. The residential buildings are sited around a number of internal hardscape plazas. The first floors of two of the residential buildings contain retail spaces that open onto these plazas. The site also contains a four-story office building along its Lee Highway frontage.

As stated above, existing parking is provided in a semi-subterranean parking garage, a parking deck, and surface lots. Access to the site is provided from a driveway off of Lee Highway to the north and from an easement through Towers Park to US Route 50 to the south. Paved pedestrian trails provide access to Blake Lane to the west and Towers Park to the east and south. A stream bed, Hatmark Branch, parallels the site's western boundary. For most of the year, the stream bed is dry as its waters were diverted into an underground drainage system. The area surrounding this watercourse is a Resource Protection Area (RPA).

The 16.03-acre project site consists of two parcels. Parcel A contains 13.9 acres and is developed with the residential, office, and retail buildings. Parcel B-1 contains 1.4 acres and is developed with three sports courts and is heavily wooded along its perimeter. Parcel B-1 is separated from Parcel A by a 240-foot swath of Towers Park. A 20-foot wide pedestrian easement improved with an asphalt path connects the sports court parcel to Parcel A.

The site is surrounded by the following uses:

Direction	Use	Zoning	Plan
North	Residential, Single Family Attached (Circle Woods)	R-8	Residential, 4-5 du/ac
South	Recreation & City of Fairfax (Towers Park)	PDH-12	Public Park
East	Recreation (Towers Park)	PDH-12	Public Park
West	Commercial (International House of Pancakes)	C-8	Retail and Other

## **BACKGROUND**

In 1970, the Board of Supervisors (Board) approved RZ B-993, which rezoned approximately 50 acres of land to the PDH-10 District to permit development of a total of 605 dwelling units with approximately 11,900 square feet of commercial and 30,000 square feet of office use. There were no proffers associated with this rezoning. In accordance with the PDH regulations in effect at the time of the rezoning, the approved 605 units were inclusive of a density bonus of approximately 105 units, which was granted by the Board based on the applicant's commitment to dedicate approximately 33 acres to the Board for public use, including a park and future school site. The 33 acres (which are located to the south and east of the current site) were conveyed to the County in 1973. The Final Record Plat included a total land area of 52.56 acres, including 3.22 acres which were dedicated to the City of Fairfax. The remaining 49.35 acres are located in Fairfax County and are subject to RZ B-993. The 49.35 acres (rounded to 50 acres) and the 105-unit density bonus resulted in a total of 605 units. In 1978, in conjunction with the implementation of the current Zoning Ordinance, the Board rezoned the site to the PDH-12 District. In doing so, the Board did not authorize any increase in residential density above the approved and existing 605 units.

At the time of the original re-zoning, the Zoning Ordinance did not require the submission and approval of conceptual and final development plans. With a subsequent 1995 request to amend the list of non-residential uses and to clarify the status of established uses, the applicant submitted a Conceptual/Final Development Plan Amendment, FDPA B-993. On June 8, 1995, the Planning Commission approved Final Development Plan Amendment FDPA B-933. The FDPA recognized the site's existing 606 residential units, 44,700 square feet of office use and 22,000 square feet of retail use. The FDPA also included a list of PDH secondary uses that were permitted in the office/retail portions of the development. These uses included drive-in banks, quick service food stores, and fast food restaurants (by special exception only). On July 17, 1995, the Board of Supervisors approved Final Development Plan Amendment FDPA B-993 subject to development conditions, including the list of secondary uses approved by the Planning Commission. At the same meeting, the Board approved SE 95-P-003 which permitted a fast food restaurant on the site. (That fast food restaurant has subsequently closed and has not been replaced). The practice of submitting proffers was implemented subsequent to the 1970s rezonings and therefore, no proffers were associated with these past applications.

## **COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Vienna Planning District, Area II

**Planning Sector:** V1-Lee Community Planning Sector

**Plan Map:** Residential, 8 to 12 units/acre

**Plan Text:** *There is no site-specific text for this site.*

**ANALYSIS**

**Final Development Plan Amendment (FDPA)**  
 (Copy at front of staff report)

**Title of FDPA:** Circle Towers Apartments

**Prepared By:** BC Consultants

**Original and Revision Dates:** June 2009, as revised through March 21, 2011

<b>FDPA INDEX</b>	
<b>Sheet #</b>	<b>Contents</b>
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12 -13 of 33	Tree Preservation Plan
14 -18 of 33	Tree inventory and Condition Analysis
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20 of 33	Site Details
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30 of 33	RPA Exception Plan
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32 of 33	RPA Planting View and Sections
33 of 33	RPA Planting Specification

Site Layout: The following table summarizes the existing and proposed development.

	Existing	Proposed	Increase/Decrease
Total Number of Residential Units	606	727	+121 units
Number of Multiple Family Units	554	719	+165
Number of Attached Single Family Residences	52	8	-44
Square Footage of Retail Use	22,000	26,000	+4,000
Square Footage of Office Use	44,700	74,700	+30,000
Open Space Acreage	8.3 acres	7.0 acres	-1.3 acres
Number of Parking Spaces	1,011	1,128 with parking reduction	+117 with parking reduction

Proposed Changes to Uses and Site Layout: The existing 606 residential units will be increased through the addition of five Affordable Dwelling Units (ADU), 10 ADU bonus units, and 106 Workforce Dwelling Units (WDUs) bonus units. In addition, 111 existing units will be converted into Workforce Dwelling Units (WDUs). The proposed and converted units will be located in three areas, including: 1) proposed Building B, a new five-story building located in the southern portion of the site; 2) the three existing residential towers through reconfiguration and/or division of existing units; and 3) the upper stories of proposed Building A, the new retail/amenities/residential building. To facilitate this redevelopment, six of the seven low-rise townhome buildings, containing 44 of the existing 52 townhomes, will be removed and some of the interior plazas will be reduced in size.

The existing 44,700 square feet of office space is located in a four-story building located along the development's Lee Highway (US 29) frontage. The proposed 30,000 square feet of new office space will be located in a four-story addition to the existing office building. The new wing will be located on the south side of the existing office building, on the side opposite of the Lee Highway frontage.

The site's existing 22,000 square feet of retail uses are located on the ground floors of the office building and two of the residential buildings. This retail space, along

with 4,000 square feet of new retail, will be relocated and concentrated in the buildings along the development's Lee Highway frontage. Specifically, retail will be located within the ground floors of: 1) the office building and its addition; 2) the northern half of Residential Tower No. 1; and 3) the new retail/amenities/residential building, proposed Building A.

Landscaping and Open Space/Amenities: New/replacement landscaping is limited to plantings in three general areas. The largest single area of plantings will occur in the Resource Protection Areas (RPA) disturbed by construction of the Blake Lane access. To replace RPA vegetation, the FDPA shows 32 native trees being planted to replace the 32 existing trees that will be removed. Additionally, a number of understory shrubs and grasses are proposed for this area. The second area of plantings will be the landscaping strips along the Lee Highway (US 29) frontage. The FDPA shows the removal of one tree and the planting of 20 native trees to provide partial screening for the existing Circle Woods single-family attached development located on the opposite side of Lee Highway from the subject site. The applicant is requesting that the required transitional screen along the highway be modified to reflect this partial screen. The third area of plantings will be landscaping of the planters located in the reconfigured plazas. The FDPA does not indicate specific plants for these planters. In addition, the applicant envisions creation of a vegetated roof over the retail portion of proposed Building A, the retail/community amenities/residential building facing Lee Highway (US 29).

The existing development contains a 1.47-acre, heavily wooded sports court parcel, which provides open space as well as amenities. No changes are planned for this parcel as part of this application. In addition, apartment residents have use of an on-site, outdoor swimming pool and indoor community spaces. As proposed, the indoor amenities will be expanded and enhanced. The applicant envisions updating the amenities to possibly include a new exercise facility, business center, theatre room and expanded residential services, such as concierge, package acceptance, and on-site dry cleaning pick-up.

Access: Currently, the vehicular access to the site is provided from the north by a driveway off of Lee Highway and from the south by a paved driveway through Tower Park to Route 50. The Lee Highway entrance aligns with Circle Woods Drive to the north and is controlled by a signal light. This entrance currently allows multiple turning movements upon entering the site. The FDPA proposes restricting left turn movements upon entering the site to eliminate existing stacking issues and reduce potential turning conflicts. The redesigned driveway will facilitate right turns leading to the western surface parking lots and garage entrances, as well as access to the proposed at-grade parking plaza facing Lee Highway. The re-designed entrances takes into account that the adjoining portion of Route 50 is planned for widening to six travel lanes. The proffers include a provision for the dedication of right-of-way as well as provision of temporary and permanent construction easements. No changes are proposed to the access from US Route 50, which is a winding, paved roadway

located within an easement through Towers Park. A third, new access is proposed to provide direct access from the site to Blake Lane.

The development has an interior network of concrete paths and sidewalks connecting the various plazas and uses. A paved pedestrian path currently provides access to Blake Lane. The project site contains paved paths that tie into the paved paths in Towers Park. From the entrance driveway, the site's Lee Highway frontage has a sidewalk that proceeds to the west about halfway to the neighboring International House of Pancakes (IHOP) parcel (Tax Map Parcel #48-3-((1))-35A). The applicant has proffered construction of extension of the concrete sidewalk to the west property line connecting to the IHOP sidewalk.

Parking: The existing development provides 1,011 parking spaces distributed over a parking deck, a number of surface parking lots, and a semi-subterranean, one-story parking garage. The proposed redevelopment will require 302 additional spaces, or a total of 1,313. The applicant has requested a parking reduction to 1,128 spaces.

If the parking reduction and zoning requests are approved, some of the existing parking spaces will be eliminated and/or relocated and new spaces will be created as follows. First, the above ground deck fronting on Lee Highway will be removed, and the existing parking under the deck will be lowered and covered by an at-grade parking plaza. This modification will increase the visibility of the relocated retail uses. In addition, a second parking level will be added above the existing parking garage floor for the area beneath the proposed Building B, the new five-story residential building.

An integral part of the requested parking reduction is the potential for shared parking between the various uses and an effort to lower the number of automobile trips, especially single occupant vehicles. To this end the proffers include a Traffic Demand Management (TDM) Plan. The TDM Plan would reduce the number of vehicular trips through dissemination of transportation information, incentives, and monitoring aimed at encouraging the use of transit, ride-sharing, walking, and biking. The proffered goals of the plan are to reduce automobile trips generated by the residential uses, both existing and proposed, by 25%. The reduction goal for office uses is a 20%. For new office uses, the TDM provisions would be reflected on leases. For existing office uses, the TDM provisions would be implemented when leases are renewed. Should the reduction goals not be met, the proffers include provisions for increased efforts and penalty contributions.

Resource Protection Area: The existing western parking deck, surface parking lots and access drives intrude into the Resource Protection Area (RPA) associated with the streambed along the site's western property line. Beyond this intrusion, the watercourse paralleling Blake Lane is lined with native vegetation. As noted earlier, the watercourse is the realignment of Hatmark Branch, a tributary to Accotink Creek. During construction of nearby streets and developments, the water that

would have flowed in the streambed had been diverted to underground stormdrains. Therefore, the streambed is generally dry and currently is limited to handling stormwater from a small, adjoining portion of the subject site.

The applicant intends to remove approximately 18 parking spaces located at the edge of the RPA and the existing asphalt pedestrian trail that extends across the RPA to Blake Lane. This elimination of existing impervious surfaces within the RPA will be partially offset by construction of the new Blake Lane vehicular/pedestrian access and installation of stormwater facilities within the watercourse. Also, the applicant intends to direct a portion of the project's filtered stormwater to the streambed and thereby increase its water flow. This water flow will feed several micro-pools being proposed in the streambed. The increased water flow and micro-pools, along with proffered revegetation, will help restore the stream habitat.

Stormwater Management: Currently, stormwater is conveyed off-site through a system of underground drains. As proposed, a portion of the stormwater will be retained on-site in an underground detention vault and filtered for phosphorus removal. Under this plan, the runoff will meet the required 10% phosphorus reduction in compliance with the PFM Section 118-3-2(F)3. As part of this redevelopment effort, a portion of the filtered water will be directed to the streambed. The proposal is to have this intermittent water fill the micro-pools and establish associated wetlands related to the streambed restoration undertaken as part of the RPA encroachment exception.

## **Land Use Analysis (Appendix 5)**

### **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, respecting the County's historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. The Board of Supervisors adopted the Residential Development Criteria as part of the Land Use Section of the Policy Plan in order to set standards for evaluating new residential development.

#### **Development Criterion 1, Site Design**

As part of site design, Criterion 1 encourages consolidation and integration of adjoining parcels. These provisions are not applicable to the redevelopment efforts of this project site which is a single, integrated development generally bordered by major roadways and Towers Park. For the same reasons, proceeding with this project does not preclude adjacent parcels from developing in accordance with the Plan. The one, non-park parcel that borders the site is the International House of

Pancakes property to the northwest. This C-8 property is separated from the existing Circle Tower development by a streambed/RPA and a number of utility easements.

The proposed reconfiguration of the development would result in a more logical and functional layout of the various uses by concentrating the retail and office uses towards the front of the site, the community amenities in the middle, and the residential uses to the sides and rear of the property. The network of pedestrian plazas will provide usable, accessible, and well-integrated open space. As part of this redevelopment, the residential amenities will be expanded and upgraded.

### **Development Criterion 2, Neighborhood Context (Appendix 5)**

This criterion states that residential development should be designed to fit into the adjoining community through appropriate transitioning measures and pedestrian, bicycle, and vehicular connections. The most prominent aspects of the development -- the four-story office building and the three, 12 to 14-story residential towers -- will remain. The new, four-story retail/amenities/ residential building will be situated in the front-interior of the site and will be visible from US Route 29. However, the four-story office building addition will be directly behind the existing office building and the new, five-story residential building will be located in close proximity to Towers 2 and 3, towards the rear of the property. As such, the view of both of these buildings from nearby streets and properties will be obscured.

The most noticeable aspects of the redevelopment efforts will be the removal of the elevated building platform along the Lee Highway frontage and its replacement with an at-grade parking plaza surrounded by ground floor retail uses. This change will make Circle Towers' retail uses more visible from Lee Highway. With the proposed additional trees (shown on the FDPA) within the planting areas along Lee Highway and the proffered conformance with County lighting and sign regulations, staff believes that the planned modifications will fit into the surrounding community.

The existing paved connections to Towers Park and the proffered pedestrian connections (construction of the sidewalk along Lee Highway to the IHOP site, construction of a paved trail to the bus pad proposed along the north side of Route 50, and the installation of a sidewalk on the north side of the proposed Blake Lane bridge) will provide vital pedestrian connections to surrounding properties.

#### Issue: Automobile-Oriented Uses

The proffered list of permitted secondary uses includes automobile-oriented uses such as fast food restaurant and quick service food stores. These uses, especially associated drive-through service operations, can increase traffic congestion and vehicular/pedestrian conflicts.

Resolution:

The applicant has amended the proffers to add a provision that fast food restaurants and quick service food stores cannot be located in stand-alone buildings and cannot include drive-through services. These limitations will address potential traffic generating concerns and vehicular/pedestrian conflicts. The existing drive-in bank teller would not be affected by this proffer.

Issue: Parking Decks

The first submitted FDPA depicted two new above ground parking decks, one located along the east property line and one along the south property line. These decks were to provide parking for the proposed uses and as replacements for any removed parking. As these elevated parking decks would abut the adjoining Towers Park, staff expressed concerns regarding adverse visual and lighting impacts that these parking decks might have upon the park, as well as any impacts that these decks might cause upon nearby park trees.

Resolution:

The applicant amended the application to delete the new parking decks. Therefore, for the project to proceed, the requested parking reduction is necessary or additional parking would need to be provided by adding additional below grade levels to the parking garage. Either option would eliminate the impacts to adjoining parkland. Staff notes that any additional parking would have to be under-ground and located within the existing structure footprint to conform to the proffered layout; otherwise a subsequent proffered condition amendment and/or final development plan amendment will be required.

Issue: Secondary Uses

The Comprehensive Plan recommends the subject site for residential development. However, the current zoning (PDH-12) does permit limited non-residential uses as secondary uses. Specifically, Section 6-106 of the Zoning Ordinance requires that secondary uses of a commercial nature, including retail and office uses, be designed to serve primarily the needs of the residents of the planned development. The ordinance appears to favor commercial uses such as financial institutions, personal service establishments, quick-service food stores, and eating establishments. While uses such as a grocery store or pharmacy are not prohibited, care must be taken so that such uses do not dominate the project and unduly impact the residential development and surrounding neighborhood.

Resolution:

The proposed non-residential square footage is within the maximum allowed for secondary uses. The applicant envisions a mix of tenants that may include a

grocery store, eating establishments, specialty shops, offices, a convenience market, and a dry cleaner. Other businesses as identified under Proffer Number 3 are also possibilities. To limit the impacts associated with larger retail businesses, Proffer Number 3 sets a maximum gross floor area for any one business to 20,000 square feet. In addition, Proffer Number 3 limits the locating of quick-service food stores, eating establishments (except for coffeehouses, which are permitted in any of the proposed retail spaces), and fast food restaurants to Proposed Building A (the new retail/amenities/residential building facing the reconstructed plaza deck) and the existing office building. By imposing these size and location limitations, the applicant is attempting to balance the desire for a mix of retailers with the need to minimize impact to the surrounding neighborhood.

### **Development Criterion 3, Environment (Appendices 5 and 9)**

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; preservation, slopes and soils, water quality, drainage, noise, lighting, and energy.

For the most part, the redevelopment efforts are confined to the existing footprint of building pads and paved areas. The major exception is the construction of the Blake Lane access. However, the FDPA depicts removal of asphalt and revegetation of the area associated with 18 existing parking spaces to help off-set the proposed disturbance. Also, the applicant has proffered revegetation and vegetation enhancement of the streambed areas adjoining disturbed areas associated with installation of the Blake Lane bridge. The FDPA plans show that the redevelopment will meet the phosphorus removal required under Best Management Practices (BMP). In addition, as proffered, proposed Buildings A and B will be designed to obtain Leadership in Energy and Environmental Design (LEED) certification. The applicant has proffered the construction of a vegetated roof over the retail portion of proposed Building A in conformance with Public Facilities Manual (PFM) provisions. Lastly, the proffers reflect staff's request that the applicant provide non-proprietary performance monitoring data related to energy and water consumption on the property.

#### **Issue: RPA Encroachment**

The application proposes encroachment into the site's RPA to facilitate installation of the Blake Lane access drive, which would cross over Hatmark Branch. Since there are two existing points of access to the site, it could not be demonstrated that there were no reasonable alternatives and therefore, the proposed third access could not be considered an allowed use. Therefore, an RPA encroachment exception under Chesapeake Bay Preservation Ordinance (CBPO) 118-6-9 is required to permit the proposed access.

Resolution:

The applicant filed for the RPA encroachment exception with the Department of Public Works and Environmental Services (DPWES) on August 30, 2010. On October 26, 2010, this request, accompanied by a Water Quality Impact Assessment (WQIA), was deemed complete. The submitted RPA encroachment exception sought to permit the new access drive, a bridge with two travel lanes and sidewalk on one side, and related retaining walls. Storm drain improvements will also encroach into the RPA. The applicant is proposing to remove a greater area of impervious surface within the county-mapped 1993 RPA than that which is associated with the new access drive. However, this alone would not justify the encroachment exception in this instance as the floodplain is the only RPA component on this site and only a small part of the area where pavement removal is to occur within the floodplain. Therefore, the applicant is proposing: 1) to reroute some of the site's runoff, which now enters the storm drain system, through the restored streambed; 2) to create three micro-pools to restore overland-flow area; 3) to revegetate area within the county-mapped RPA; and 4) to install a Filterra serving a portion of the site not otherwise controlled by a BMP and thereby improve water quality greater than the determinants of the new access drive. In its attached staff report dated February 18, 2011 (Appendix 9), DPWES staff details the proposal, provides its analysis, and discusses the mandatory findings. At the conclusion of its staff report, DPWES staff states its determination that the mandatory findings have been satisfied and recommends approval of the RPA encroachment exception.

**Development Criterion 4, Tree Preservation (Appendices 7 and 11)**

Existing vegetation on the site consists of forested tree canopy along the western streambed and around the sport courts. Except for the area in the vicinity of the proposed Blake Lane access, the existing tree canopy will not be affected by the redevelopment efforts. Approximately 35 trees will be removed to facilitate installation of the Blake Lane access and stormwater facilities. Related to the RPA, the applicant has proffered tree preservation efforts that address retention efforts, replanting plans, protective fencing, financial assurances, and inspection and site monitoring. In addition to the forested canopy, a variety of trees, shrubs, and grasses are located within planting strips and planters throughout the development. As part of the proposed redevelopment, all of the vegetation will be replaced in the plazas. In addition, dead or hazardous trees will be removed from and replaced in the existing planting strips along access ways and around buildings.

**Development Criterion 5, Transportation (Appendix 6)**

The Fairfax County Department Transportation (FCDOT) reviewed the application and noted that most of its concerns have been addressed by the transportation improvements proposed on the FDPA and as specified in the proffers. These

improvements include: 1) right-of-way dedication and construction of a taper lane at the proposed right-in/right-out entrance on Blake Lane; 2) right-of-way dedication along a portion of the site's Lee Highway frontage; 3) construction of two concrete bus shelter pads along the north and south sides of US Route 50; 4) a trail extension to the proposed bus shelter pad along the north side of US Route 50; 5) completion of the concrete sidewalk along Lee Highway between the subject site and the IHOP parcel to the west; and 6) the implementation of a Transportation Demand Management (TDM) Program. In addition to these improvements, both the FCDOT and the Fairfax County Park Authority (FCPA) have listed several additional clarifications and issues related to transportation. The major issues are discussed below. Other transportation related requests include: 1) installation of bike racks at the Vienna Metro Station, 2) review and possible enhancement of the signage and striping related to the two existing street crossings of the Fairfax Connector Trail within Towers Park; and 3) installation of sidewalks along both sides, as opposed to only one side, of the proposed bridge span to Blake Lane.

Issue: Timing of the Blake Lane Access

Originally, the applicant proposed that the new Blake Lane access would be completed and opened for use prior to issuance of the 700<sup>th</sup> Residential Use Permit. Because the applicant's proposed redesign of the site's access from US Route 29 limits turning movements and because the proposed redevelopment will incrementally increase vehicular traffic, FCDOT recommended that the Blake Lane access be open to traffic no later than issuance of the 650<sup>th</sup> RUP. In addition, because construction vehicles utilizing the site's US Route 50 entrance may create potential traffic conflicts with users of Towers Park, FCPA requested that the applicant open the Blake Lane access prior to any building construction activities. FCPA also requested that the applicant prohibit construction vehicles from using the access road through Towers Park.

Resolution:

The applicant has modified the proffers to commit that the Blake Lane access will be open and operational prior to the issuance of the 660<sup>th</sup> RUP. This threshold is related to the fluctuating number of units caused by the removing and retrofitting of existing units and the construction of Building A, the amenities/retail/ residential building. Given the proximity of this construction activity to Lee Highway, the applicant anticipates that construction vehicles would utilize the existing access as opposed to the proposed one along Blakely Lane. In addition, the applicant has added language to the proffers regarding coordination with FCPA regarding activities at Towers Park. In any case, that section of US Route 50 adjacent to the subject site prohibits trucks exceeding eight tons gross weight. As such, dump trucks, equipment trailers, and other over-sized construction vehicles would not be permitted to utilize the southern entrance. The applicant has reflected the existence of this restriction in the proffers.

Issue: Inclusion of Office and Retail Uses in the TDM program

Initially, the applicant has proffered a Transportation Demand Management (TDM) program to encourage the use of transit, ride-sharing, biking and walking to reduce the automobile trips generated by the project's existing and proposed residential uses by 15%. Staff, however, noted that the TDM program should aim for a more ambitious reduction and also include the site's non-residential uses in order to further reduce the number of trips generated to and from the site, especially since the applicant was requesting a reduction in required parking.

Resolution:

The applicant has since modified the proffers to include a reduction goal of 25% for existing and proposed residences and a reduction goal of 20% for existing and proposed office uses in the TDM program. The proffers are written in a manner that takes into account existing agreements with tenants and as such, commit to implement TDM practices upon execution of lease renewals or upon execution of new leases. Although staff would like to see an attempt to target reductions in trips generated by employees of retail uses, especially employees, staff feels that the proffered goals will adequately address vehicle trip reductions.

**Development Criterion 6, Public Facilities (Appendices 10 through 14)**

The addition of residential uses impacts public facility systems, such as schools, parks, stormwater management and fire and rescue.

Fairfax County Public Schools (FCPS) calculated that the proposed mix of 727 units would generate 68 students. Although the number of units will increase with the project, the redevelopment would not generate any new students compared to the existing 606-unit development. This calculation is based on the elimination of most of the townhouse units, which have a substantially higher multiplier for student generation than mid and high-rise multi-family units. As a result, FCPS is not requesting any monetary contribution towards capital improvements for schools. However, FCPS has noted that based on student enrollment projections, the elementary, middle, and high schools that serve this area are projected to become over capacity. For that reason, FCPS has noted that should the applicant be so inclined, the suggested proffered amount is \$9,378.00 per student. The applicant has not proffered any funds toward schools.

The Fairfax County Fire and Rescue Department notes that the property is serviced by the Station #430, Merrifield, and meets fire protection guidelines.

Fairfax County Water Authority notes the property is served by a 20-inch water main located in Blake Lane and that capacity exists to support the proposed redevelopment.

Sanitary sewer service will continue to be provided by Fairfax County at its Noman Cole Pollution Control Plant. The plant currently has excess capacity. The existing eight-inch line located on the property is adequate for the proposed uses. All impacted county lines have adequate capacity for the proposed uses.

As discussed previously in this report, the applicant plans to construct stormwater facilities to meet applicable regulations. Through on-site detention and phosphorous removal, creation of micro-pools, and transmittal to the County stormwater system, the project will meet Best Management Practices.

FCPA has reviewed this project and raised numerous concerns, especially since the site abut Towers Park, a County park, on two sides and the impact that the increase in residents will have on abutting parks.

Issue: Fair Share Contribution and Natural Resource Management Contribution

FCPA notes that the project will add affordable and work force housing plus a net increase of five market rate units. The minimum expenditure for park and recreational facilities is set by ordinance at \$1,600 per new, market-rate residential unit, with exemptions for ADUs and WDUs. In general, FCPA recommends that the facilities be located within the residential development site. On this basis, FCPA recommends that \$8,000 (5 units x \$1,600 per unit = \$8,000) be spent on on-site recreational facilities. In accordance Zoning Ordinance Sect. 6-110, Par. 2, any monies not spent on-site shall be conveyed to FCPA for recreational facility construction at one or more park sites in the project site's service area.

Because it is likely that a large portion, if not all of these Zoning Ordinance required funds, will be utilized on-site, FCPA requests a fair share contribution of \$893 per new resident to offset impacts to park and recreation service levels. Based on an average multiple-family household size of 2.25 people in the Vienna Planning District, the five new market rate units could add 11 new residents. Therefore, FCPA is requesting a contribution of \$9,823 (11 residents x \$893 per resident = \$9,823) to offset the anticipated impact to County park and recreation facilities caused by the projected residents of the five new market rate units.

Finally, the adjacent 33-acre Towers Park was part of the original Circle Towers development. FCPA notes that the forested portion of the park is in need of natural resource management, such as invasive species removal, deer management, and native vegetation restoration. To ensure sustainability of the forest as well as to offset impacts to existing trees within the development, FCPA has recommended a contribution of \$3,200 per acre or \$105,600 (33 acres x \$3,200 per acre = \$105,600) for natural resource management in Towers Park.

Resolution:

The applicant has proffered a \$15,000 contribution for publically accessible recreational facilities. Expenditure of these monies, as determined by the Board of Supervisors, can be used for trail construction, such as the construction of a pedestrian trail along Lee Highway, across the northern portion of Towers Park. Under a separate proffer, the applicant is committing to contribute \$2,000 towards the Nottaway Nights program.

Issue: Route 50 Bus Stop Access Trail

The applicant has proffered to construct a connection from the existing county asphalt trail to the existing bus stop (future bus pad site) located along the north side of US Route 50. Because this trail would cross through a portion of Towers Park, FCPA had requested topography and preliminary grading information. However, the applicant did not supply it. As such, FCPA cannot evaluate the impacts to parkland and therefore cannot support the request at this time. In any event, FCPA does not believe that funds contributed for recreational purposes should be used (credited) to offset this trail connection since the primary purpose of the trail is to improve Circle Towers residents' access to transit, rather than promoting public access to Towers Park.

Resolution:

As of the publication of this staff report, the applicant still has not yet provided details on topography and preliminary grading for the proposed trail. However, the proffers have been modified to exclude this trail construction from the aforementioned \$15,000 contribution for publically accessible recreational facilities. The applicant must provide topography and grading information, as well as secure an easement from the Park Authority, prior to approval of the site plan.

Issue: Lee Highway Frontage Trail

The Comprehensive Plan Trails Map depicts a minor paved trail along the Lee Highway frontage of Towers Park. At present, there is an existing sidewalk along the subject site's Lee Highway frontage, which ends at the site's east property line. From that point, a narrow, informal dirt footpath continues in close proximity to the roadway. Based on site visit observations, it appears that the path is utilized by Circle Tower residents and others to access the Vienna Metro Station and the Pan Am Shopping Center to the east. Staff notes that there is a paved path on the north side of Lee Highway. Although this path may provide a viable alternative for pedestrians headed to the transit station, it provides a circuitous route to the shopping center, which like Circle Towers, is on the south side of the highway. For these reasons, staff recommended that the applicant commit to construct a minor paved trail in the location of the dirt footpath.

Resolution:

The applicant has not committed to providing the requested paved trail. Instead, as previously mentioned, the applicant has proffered a \$15,000 contribution for publically accessible recreational facilities and portions of these funds could be used to partially fund construction of the trail.

Issue: Landscape Material Selection

Given that the project site abuts Towers Park on two sides, FCPA has recommended requested that the applicant commit to the use of only native non-invasive plant species for any new landscaping to minimize any chance that invasive species could move into the park.

Resolution:

The applicant has proffered to use only native, non-invasive species on the project's perimeter and incorporate native and non-invasive species into its interior landscaping.

**Development Criterion 7, Affordable Housing**

Criterion 7 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 the County. This criterion may be achieved by the construction of units, by contribution of land, or by a contribution to the Housing Trust Fund.

Issue: Mix of Unit Types

The Circle Towers development, which was constructed in the 1970s, was not required to create affordable units. However, under the applicant's current proposal, five affordable units and 111 workforce units will be added to the site. Most of these units will result from reconfiguring and retrofitting existing units within the three residential towers. Some of the affordable/workforce units may be accommodated in the proposed new retail/amenities building and/or within the proposed new five-story residential building. Provision of these affordable/workforce units can qualify the applicant to obtain 10 units as an ADU bonus and 107 units as a WDU bonus. A maximum of 20% of additional residential density is permitted with the bonus provisions of ADUs and WDUs. The proposed 121 new units represent this maximum.

The amount of permitted affordable housing is dependent on the number of units located in each building type (high-rise, mid-rise, or townhouse). Therefore, for the preliminary ADU bonus calculations to remain valid, staff noted that the proffers should confirm the mix of units within the three building types. Also, as the

affordability thresholds for the WDUs are dependent on building types, staff recommended that the proffers confirm the location of those units. Specifically, to conform with the WDU policy adopted by the Board of Supervisors, stick-built rental units only have the option of two tiers; 50% of the WDUs at or below 80% Area Median Income (AMI) and 50% of the WDUs at or below 100% AMI. As submitted, the proffers indicated that such rentals may utilize a third tier that would allow units being rented at 120% AMI. This provision conflicts with adopted policy

Resolution:

The applicant has amended the proffers to include the breakdown in unit counts and where applicable, the building type that such units will be located. This tabulation will help review of future site plans and building permits.

**Development Criterion 8, Heritage Resource**

No heritage resources have been identified or are known on the property.

**ZONING ORDINANCE PROVISIONS**

**Maximum Density/Use/Bulk Regulations**

The maximum density permitted in the PDH-12 District is 12 dwelling units per acre. The density of the development was based on the original project site of 52.5 acres, prior to dedication of 33.3 acres for Towers Park and a school site. This overall density was 11.54 units per acre.

At this time, the project site consists of 16.04 acres. The previously approved units are recognized as being properly established. However, per determinations made by the Zoning Administrator, any additional units must conform to the current density requirements based a project site of 16.04 acres. Therefore, only units that are not counted towards density can be added to this site. To this end, the applicant is proposing only affordable dwelling units, workforce dwellings units, and associated bonus dwelling units. In this manner, the density, for zoning purposes, remains at 11.54 units per acre in compliance with the PDH-12 zoning.

The PDH District regulations set forth in Part 2 of Article 6, Planned Development District, of the Zoning Ordinance require that the application meet provisions such as performance standards, site plan regulations, parking requirements, and sign regulations. The development, with imposition of the proposed proffers, meets these requirements.

Part 2 of Article 6 also lists allowable primary and secondary uses. The proffers and FDPA indicate that the majority of the floor area of the development will be occupied by residences. In accordance with the Zoning Ordinance, less than 10 percent of the

site will be occupied by retail and office uses. The proffers commit to compliance with the PDH standard that requires that secondary non-residential uses (retail and office uses) not exceed a ratio of 300 square feet per residential unit. For the 727-unit development, the retail and office uses and related ancillary surface parking cannot exceed 218,100 square feet. Based on figures contained in the application, the non-residential uses do not exceed the 10 percent maximum.

The 16.04-acre subject site complies with the PDH-12 required minimum lot size of 2 acres. The proposal, with 43% open space (7.0 acres) complies with PDH-12 requirement for a minimum of 30% open space (4.8 acres). The PDH-12 district requirements and project conformance is summarized below.

<b>PDH-12 District Bulk Standards</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	2 acres	16.031 acres
Lot Width	No minimum	Varies between 400 to 750 feet
Max. Building Height	No maximum	Existing, 14 stories; new buildings will be 3 to 5 stories in height
Front Yard	No minimum	Approximately 60 feet
Side	No minimum	Approximately 65 feet
Rear Yard	No minimum	Approximately 120 feet
FAR	N/A	N/A
Open Space	30% (4.8 acres)	44% (7.0 acres)
Parking Spaces*	1,313 spaces	1,313 spaces (Parking Reduction requested to 1,128 spaces)
<b>Barrier Requirements</b>		
North (R-8, Circle Woods)	Barrier E, F, or G (six foot high)	Waiver requested
East (PDH-12, Towers Park)	No requirement	None
South (PDH-12, Towers Park)	No requirement	None
West (C-8, International House of Pancakes)	No requirement	None
<b>Transitional Screening Requirements</b>		
North (R-8, Circle Woods)	Transitional Screening 2 (35-foot landscaped buffer)	Modification requested to reflect landscape strip and vegetation as depicted on the FDP
East (PDH-12, Towers Park)	No requirement	None
South (PDH-12, Towers Park)	No requirement	None
West (C-8, International House of Pancakes)	No requirement	Existing trees as depicted on the FDP

In the PDH-12 District, there are no lot width or yard minimums or building height or floor area ratio maximums. Rather, developments within this district must meet the standards set forth in Part 1 of Article 16, as described below.

## **Conformance with Article 16**

### Section 16-101 General Standards

General Standard 1 states that the planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, and intensity of use and public facilities. This standard also notes that planned developments are not to exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions. As determined by the Zoning Administrator in her letter dated December 18, 2009, the approved density for the 16.03 site is 606 dwelling units. To not exceed this density, only units, such as affordable and workforce dwelling units, which do not affect density for zoning purposes, can be added. There is no plan guidance for appropriate intensity of non-residential development of this parcel. However, the Zoning Ordinance does limit the amount of secondary uses to 300 square feet per residential unit. Through site design, enhanced landscaping, and conformance with lighting and signage ordinances, the additional non-residential square footage will not appear to increase the intensity of development from surrounding properties. Therefore, the proposal meets this standard.

General Standard 2 requires that the design of the development achieve the stated purpose and intent of the planned development district more than would be possible under a conventional zoning district. This current application facilitates reconfiguration of some of the uses and buildings as well as addition of residential units and non-residential square footage within the existing development footprint. The proposed development would not be permitted under a conventional zoning district as it would not meet the use, lot size, or bulk regulations of the equivalent R-12 Residential District. Rather than an integrated community, a standard R-12 development would have resulted in a traditional low-rise residential community. For these reasons, the proposal meets this standard.

General Standard 3 states that 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. In dedicating Towers Park and a portion of a school site, the original planned development protected large areas of trees and topographic features. The current application generally limits construction to the existing developed area with the exception of construction of the Blake Lane access. As part of that disturbance,

the applicant has proffered restoration of a portion of the stream bed and surrounding vegetation. Therefore, the proposal meets this standard.

General Standard 4 states that 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. As previously noted, the project is screened from surrounding development by major roads, a streambed, and Towers Park. As such, staff does not believe that adding the proposed residential units and additional non-residential uses will harm or devalue surrounding development or prevent implementation of the comprehensive plan. Given the property's separation from surrounding development, this standard has been met.

General Standard 5 states that the planned development shall be located in an area in which transportation, police, and fire protection, other public facilities and public utilities, including sewage, 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. As demonstrated in the public facilities analysis, adequate facilities are generally available to support the proposed development. The applicant has proffered improvements to meet current stormwater quality and quantity best management practices. This standard has been met.

General Standard 6 states that 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. A major component of the redevelopment is to create a third ingress/egress option to the project via construction of a Blake Lane access point. This two-way driveway will alleviate traffic congestion at the Lee Highway entrance, where redesign options are limited given past and future widening of the highway. The Blake Lane access will also provide a sidewalk, replacing an existing paved trail that crosses the stream. Internally, the pedestrian connections between the plazas will be reconfigured to reflect new building construction and parking layouts. The existing pedestrian connections to the adjoining park trails will be retained. Lastly, as part of the redevelopment, the applicant has proffered completion of the sidewalk along Lee Highway to the IHOP parcel to the west. For these reasons, the proposal meets this standard.

#### Section 16-102, Design Standards

Design Standard 1 requires that in order to complement development on adjacent properties, at all peripheral boundaries of the PDH District, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. In this case, that zoning district is R-12.

The boundaries of this PDH district contain the project site and Towers Park. Therefore, this standard would be relevant to the IHOP parcel to the west, which is designated C-8, and the Circle Woods parcels to the north, which are designated R-8. The boundary between the Circle Towers and IHOP properties would be considered a side lot line and under R-12 zoning would require a side setback controlled by a 25° angle of bulk plane, but not less than 10 feet. For the existing and proposed project, the required side setback would be 10 feet. The Circle Towers side setback is 55 feet. The Lee Highway frontage, which separates the Circle Towers and Circle Woods developments, is considered a front property line and under R-12 zoning would require a front setback controlled by a 25° angle of bulk plane, but not less than 20 feet. For the existing and proposed project, the required front setback would be 25.6 feet. The Circle Towers front setback is 60 feet. Therefore, the setbacks exceed any of those associated with the traditional R-12 zoning and the proposal meets the design standard.

Design Standard 2 states that 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.

As discussed above, the proposed development complies with applicable zoning standards, with the exception of parking, for which a reduction has been requested and with the exception of screening and barrier requirements, for which modifications and waivers have been requested. Compliance with signage provisions has been proffered. As proposed, the development meets this design standard.

Design Standard 3 requires that streets and driveways shall be designed to generally conform to applicable County ordinances and regulations, and where applicable, shall be designed to afford convenient access to mass transportation facilities. The standard further requires that 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.

The proposed Blake Lane access, including street tapers, has been depicted and proffered to comply with VDOT and FCDOT standards. Likewise, the westward Lee Highway sidewalk extension has been proffered to meet VDOT standards. The proffers also contain a commitment to dedicate additional right-of-way related to anticipated improvements to Lee Highway. The applicant has proffered installation of two bus shelter pads along Route 50, as well as construction of a paved trail extension to the pad located on the north side of that highway. As mentioned previously in this report, the applicant has proffered a contribution to publically accessible recreation facilities, which can be utilized for additional trail construction. For these reasons, the proposal meets this design standard.

### **Highway Corridor Overlay District**

The project site, besides being designated PDH-12, is within the Highway Corridor Overlay. The purpose of this overlay is to prevent or reduce traffic congestion and/or street hazards by placing limitations on certain automobile oriented uses. These uses and limitations are listed in Article 7, Part 6 of the Zoning Ordinance and include drive-in financial institutions, fast food restaurants, quick-service food stores, service stations, and service stations/mini-marts. This Ordinance section also states that "Nothing herein shall be construed so as to impair a vested right."

The approved 1995 FDP lists drive-in financial institutions, quick-service food stores, and fast food restaurants (approved by special exception) as permitted secondary uses. Currently, a drive-in bank teller is established on the site. The proposed proffers duplicate the approved list of secondary uses. In accordance with the overlay district, drive-in financial institutions, fast food restaurants, and quick-service food stores must meet the additional provisions listed in Section 7-608. These provisions require pedestrian and vehicular circulation to be coordinated with adjacent properties and require that access be designed in a manner that does not impede traffic on public streets carrying through traffic. For Circle Towers, a developed site that is surrounded by State roads that carry through traffic, these concerns can be addressed by integrating any such businesses into the planned retail/office complex and by prohibiting any new drive-through services. Therefore, the applicant has amended the proffers to prohibit stand-alone financial institutions, fast food restaurants and quick-service food stores and to prohibit new drive-through operations.

### **Landscaping**

The proposal must comply with Part 2, Parking Lot Landscaping and Part 3 Transitional Screening and Barriers of Article 13 Landscaping and Screening of the Zoning Ordinance. The application complies with the interior parking lot landscaping requirements of Section 13-201 by providing at least five percent of the total area of the parking lots as landscaping. However, as discussed below under the Waivers and Modifications section of this report, the applicant is requesting waivers from the peripheral parking lot landscaping requirements of Section 13-203 and the transitional screening and barrier requirements of Sections 13-303 and 304.

## **WAIVERS AND MODIFICATIONS**

### **Waiver of the Service Drive Requirement**

The applicant seeks a waiver of the required service drive along the project site's Lee High frontage. The project involves redevelopment and intensification of an existing apartment complex. The site is segregated from future adjacent

development by a streambed to the west and Towers Park to the east. The Park Authority has not expressed an interest in having a service drive installed across the northern portion of the park. Reflecting these facts, FCDOT is recommending approval of the waiver. Therefore, staff supports the requested waiver.

### **Waiver of Peripheral Parking Lot Landscape Requirement**

For parking lots that contain 20 or more spaces and where transitional screening is not required, peripheral parking lot landscaping is required. Therefore, peripheral parking is required along the parking lots adjoining the east and south property lines of the Circle Towers development. As these parking lots abut Towers Park, as opposed to a street, the required peripheral parking landscaping is a planting strip four feet in width and at least one tree for each 50 feet.

Section 13-202 (3) permits the Board to waive this requirement where such waiver will not have any deleterious effect on the existing or planned development of adjacent properties. The parking lots adjoining Towers Park were constructed in the 1970s and will not be modified by the proposed redevelopment. Currently, the parking lots are separated from Towers Park by forested berms located on park property. Therefore, the waiver of peripheral parking lot landscaping will not have adverse impacts to adjoining uses.

### **Modification of the Transitional Screening Requirement**

Sect. 13-303 outlines the transitional screening requirements. For this site, given the mix of multiple family, office, and retail uses and given the surrounding uses, the Lee Highway frontage should provide Transitional Screening 2. This type of screening involves a strip of open space a minimum of 35 feet wide and planted with a mixture of large and medium evergreen trees that achieves a minimum of 10-year tree canopy of 75 percent or greater; and a mixture of trees consisting of at least 70 percent evergreen trees, and consisting of no more than 35 percent of any single species of evergreen or deciduous tree; and a mixture of predominately medium evergreen shrubs at a rate of three shrubs for every 10 linear feet for the length of the transition yard area. Currently, the Lee Highway frontage has a landscaping strip that tapers in width from 40 feet to zero, east to west. This strip is primarily planted with evergreen and deciduous shrubs. The eastern portion of the strip contains several trees and a tree preservation area. This strip does not comply with the county's transitional screening requirements both in width and vegetation mix.

The applicant has requested a modification from the transitional screening requirements to those shown on the FDPA. Sect. 13-305 permits waivers and modifications to the requirements. A basis for this modification request appears to be that the existing development was constructed prior to current standards and that subsequent widening of Lee Highway further reduced the project's frontage landscaping. Flexibility to alter placement of site improvements is highly limited by

the locations of the existing residential and office towers. The overhead utility lines further limit the type and location of plantings in the open space strip. The proffers have been revised to address planting under the utility lines. Conformance to current transitional screening and barrier requirements may render the existing site circulation unworkable and would eliminate a substantial number of surface parking spaces. As remediation, the applicant, as depicted on the Final Development Plans, proposes planting over a dozen trees, some evergreen, in the existing planting strip along the site's Lee Highway frontage. Given this history and constraints related to existing development, staff feels that a modification, subject to the proposed vegetation enhancements, is supportable.

In addition to the screening along Lee Highway, transitional screening is required between residential and non-residential uses located within the subject property. The proposed plans do not depict screens. However, the separation is generally attained through site planning by concentrating non-residential uses along the site's Lee Highway frontage, by locating the community amenities between the non-residential and residential uses, by vertically separating uses by limiting non-residential uses to the first floor of mixed use buildings, and by creating separate public and semi-public plazas for the different uses. Given that the project involves redevelopment of an existing residential development with secondary uses and given the mitigation of potential impacts to the residential uses through site layout, staff feels that interior transitional screening is not necessary.

### **Waiver of the Barrier Requirements**

Because the subject site is located across the street from the Circle Woods single-family attached development, the Zoning Ordinance requires a six-foot high barrier along the project site's Lee Highway frontage. The required barrier would need to be a six-foot high wall or fence that provided visual and physical separation from the Circle Woods development across Lee Highway. The applicant requests this waiver because one of the primary goals of this redevelopment effort is to increase the visibility, and thereby the economic viability, of the site's retail and office businesses. In the application material, the applicant notes that the project site is separated from the attached single family development (Circle Woods) by the four to six-lane Lee Highway as well as parking lots adjoining both sides of the frontage. Staff feels that with the applicant's proposed increase in landscaping (as discussed above) in the existing planting strip, the installation of a barrier would not be necessary.

For required interior barriers between the residential and non-residential uses, the above discussion under interior transitional screening applies. Therefore, staff feels that interior barriers are not necessary.

**RPA Encroachment Exception Request #8496-WRPA-001-1 concurrent with Water Quality Impact Assessment #8496-WA-001-1**

To facilitate construction of the Blake Lane access, the applicant has requested RPA Encroachment Exception Request #8496-WRPA-001-1 concurrent with Water Quality Impact Assessment #8496-WA-001-1. As detailed in Appendix 9 DPWES has reviewed the request and assessment and is recommending approval.

### **Waiver to Allow Underground Detention in a Residential Development**

In order to satisfy stormwater management (SWM) requirements, the applicant seeks a waiver to permit underground stormwater detention in a residential development. The FDPA depicts a potential storage vault location beneath a paved access drive along Tower 2. For the reasons discussed in the Environmental Analysis and detailed in the memo contained in Appendix 8, DPWES supports the requested waiver, subject to Waiver #8496-WPRM-001-1 conditions, dated December 30, 2009, and contained in Appendix 8, Attachment A.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

Staff concludes that the subject applications, PCA B-993 and FDPA B-993-02, are in harmony with the Comprehensive Plan and are in conformance with all of the applicable Zoning Ordinance provisions.

### **Staff Recommendations**

Staff recommends approval of PCA B-993, subject to the executed proffers dated March 21, 2011 and contained in Appendix 1.

Staff recommends approval of FDPA B-993-02.

Staff recommends approval of modification of the transitional screening and a waiver of the barrier requirements along the site's Lee Highway frontage in favor of the treatments depicted on the FDPA.

Staff recommends approval of modification of the transitional screening and a waiver of the barrier requirements between on-site residential and non-residential uses in favor of the treatments depicted on the FDPA.

Staff recommends approval of a waiver of the four-foot peripheral parking lot landscaping requirement for the southerly and easterly property lines.

Staff recommends approval of Waiver #8496-WPFM-001-1 to locate underground facilities in a residential area, subject to the development conditions dated December 30, 2009 and contained in Attachment A of Appendix 8.

Staff recommends approval of RPA Encroachment Exception #8496-WRPA-001-1, subject to the proposed development conditions dated February 18, 2011 and contained in Attachment A of Appendix 9.

Staff recommends approval of waiver of the service drive along the Lee Highway frontage.

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 rezoning 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.

## **APPENDICES**

1. Draft Proffers for PCA B-993
2. Affidavit
3. Statement of Justification
4. PCA-FDPA Plan
5. Land Use and Environmental Analysis
6. Transportation Analysis
7. Urban Forest Management Analysis
8. DPWES Analysis Memo Addressing Underground Facilities in a Residential Area Waiver #8496-WPFM-001-1 and Waiver Conditions
9. DPWES Analysis Memo and Staff Report Addressing RPA Encroachment Exception #8496-WRPA-001-1 and Proposed Development Conditions
10. Fairfax County Public Schools Analysis
11. Fairfax County Park Authority Analysis
12. Sanitary Sewer Analysis
13. Fairfax Water Authority Analysis
14. Fire and Rescue Analysis
15. Glossary of Terms

**PROFFERED CONDITIONS**  
**Circle Towers Apartments**  
**Circle Towers, LLC and United Dominion Realty, L.P.**

**PCA-B-993 / FDPA-B-993-02**  
**March 21, 2011**

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners (the "Owners") and Applicant (the "Applicant") in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County as Tax Map Reference 48-3-((1))-53 and 48-4-((1))-3, 3A1, 3B, 3B1 (hereinafter referred to as the "Property") will be in accordance with the following proffered conditions (the "Proffers") if, and only if, said Proffered Condition Amendment and Final Development Plan Amendment request is granted. In the event said application request is denied, these Proffered Conditions shall be null and void. The Owners and the Applicant, for themselves, their successors and assigns, agree that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. The Proffered Conditions are:

**I. GENERAL**

1. Substantial Conformance. Subject to the Proffered Conditions and the provisions of Article 16-403 and Article 18-204 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, the development shall be in substantial conformance with the Proffered Condition Amendment/Final Development Plan (the "PCA/FDPA"), prepared by BC Consultants dated June 2009 and revised through March 16, 2011.

2. Minor Modifications. Minor modifications from what is shown on the PCA/FDPA and these Proffers, which may become occasioned as a part of final architectural and/or engineering design,

may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Section 16-403 of the Zoning Ordinance.

3. Uses. The uses on the subject property shall be limited to: 727 dwelling units, and accessory residential uses including but not limited to maintenance areas, leasing center, amenity areas, resident storage, and up to 183,300 sq. ft. for non-residential uses to include:

1. Accessory uses, accessory service uses and home occupations as permitted by Article 10.
2. Automated teller machines, located within a multiple family dwelling.
3. Business service and supply service establishments.
4. Automobile-oriented uses.
5. Quick-service food stores.\*+
6. Billiard and pool halls.
7. Bowling alleys.
8. Health clubs.
9. Eating establishments. +
10. Financial institutions.\*
11. Garment cleaning establishments.
12. Institutional uses (Group 3).
13. Interment uses (Group 2).
14. Kennels, limited by the provisions of Sect. 106 of the Zoning Ordinance.
15. Offices.
16. Personal service establishments.
17. Retail sales establishments.+
18. Fast food restaurants (with Special Exception).\*+

Those areas labeled on the PCA/FDPA as Proposed Retail and Possible Retail may include any mix of non-residential uses permitted under this Proffer.

\* These uses may not be located in a stand alone building and may not include new drive-through services.

+ Each individual retail use shall not occupy more than 20,000 square feet of gross floor area, exclusive of any loading areas. Individual retail uses occupying between 10,000 and 20,000 square feet of gross floor area shall only be located in Proposed Building A as identified on the PCA/FDPA. Quick-service food stores, eating establishments, and fast food restaurants shall only be located in Proposed

Building A and the Existing Office Building as identified on the PCA/FDPA. Notwithstanding these restrictions, a coffee house shall be permitted in Tower I, Proposed Building A, or the Existing Office Building.

4. Density Credit. The Applicant reserves density credit in accordance with provisions of paragraph 4 of Section 2-308 of the Zoning Ordinance.

5. Final Development Plan Amendment (FDPA). The Applicant reserves the right to request a Final Development Plan Amendment (FDPA) for elements other than Conceptual Development Plan (CDP) elements from the Planning Commission for all or a portion of the FDP in accordance with Section 16-402 of the Zoning Ordinance if such an amendment is in accordance with these Proffers. CDP elements are limited to the ultimate points of access at the periphery of the Property; the general location of proposed building footprints, use, and parking areas; maximum building heights; and the amount and location of common open space areas.

## **II. DESIGN**

6. Architecture. The architectural design of the residential and non-residential project components shall be complimentary to each other in terms of the general type and quality of materials. In addition, subject to compliance with the design elements in these Proffers and the general footprint and overall height and gross floor area limitations on the PCA/FDPA, Building modification to the design and configuration of the approved structure may be made at the time of site plan and/or building permit review.

7. Building Materials. Buildings shall consist of high quality materials, a combination thereof including, but not limited to stone, cast stone, masonry, glass, precast materials, metal, cementitious fiber board, asphalt shingles, clay tiles, slate, wood, coatings EIFS or other comparable materials.

8. Unifying Elements. All street furniture, including garbage cans, benches and lamps, shall be consistent, both in terms of materials and design, throughout the development. Such street furniture shall be consistent in quality and character with the illustrative examples included in the PCA/FDPA.

9. Phasing. Build-out of the Property may proceed incrementally, subject to the additional timing provisions contained in these Proffered Conditions. The FAR, Dwelling Units and/or GFA constructed within a respective portion of the project may exceed the maximum density limitations set forth in these Proffers so long as such maximum density limitations are not exceeded over the entirety of the Property. If the existing development is destroyed or damaged by any casualty that is not intentionally caused by the owner prior to approval of a final site plan, it may, in the Owner's sole discretion, be reconstructed as it currently exists or may be developed in accordance with the PCA/FDPA and Proffers.

### **III. TRANSPORTATION**

10. Blake Lane. The Applicant shall dedicate and then construct and convey in fee simple a taper lane at the proposed right-in/right-out site entrance on Blake Lane as shown on the PCA/FDPA subject to VDOT's review and approval. Additionally, the Applicant shall construct the new entrance from the Property to Blake Lane as shown on Sheet 2 of the PCA/FDPA and labeled thereon as "Proposed Bridge". Such improvements shall be substantially completed prior to issuance of the 660<sup>th</sup> Residential Use Permit (RUP). For purposes of this proffer, the term "substantially completed" is defined as constructed and available for use by the public but not necessarily accepted for maintenance by the Virginia Department of Transportation (VDOT).

11. Bus Shelters. The Applicant shall install two concrete bus shelter pads, one on the North side of U.S. Route 50 and one on the South side of U.S. Route 50, in the general locations shown on the PCA/FDPA. Final location and sizes of the bus shelter pads shall be determined in consultation with FCDOT and VDOT at the time of site plan review. The bus shelter pads shall be installed prior to issuance of the first RUP; provided, however, that the Zoning Administrator may approve a later date

for completion of the improvements without requiring a PCA upon demonstration by the Applicant that despite diligent efforts and due to factors beyond the Applicant's control, the required improvements have been delayed.

12. Right-of-Way Dedication. At the time of site plan approval for either of the proposed buildings identified on the PCA/FDPA as Proposed Building A and Proposed Building B or upon demand by Fairfax County, the Applicant shall dedicate right-of-way along Lee Highway/U.S. Route 29 as depicted on the PCA/FDPA. Upon request by Fairfax County, the Applicant will provide temporary and permanent construction easements that are reasonably necessary to facilitate the Route 29 construction so long as these easements do not require removal of parking or materially impact the use of the Property by the Applicant. Additionally, the Applicant shall not be responsible for any costs associated with these easements and the County shall restore any disturbed areas to their original condition.

#### **IV. TRANSPORTATION DEMAND MANAGEMENT PROGRAM**

13. Transportation Demand Management Program. This Proffer sets forth a program for a Transportation Demand Management plan (the "TDM Plan") that shall be implemented by the Applicant to encourage the use of transit (Metrorail and bus), other high-occupancy vehicle commuting modes, walking and biking all in order to reduce automobile trips generated by the residential uses on the Property by 25% and office uses (subject to the limitation in this Proffer) on the Property by 20% consistent with those traffic studies completed by the Applicant. Office areas that are leased prior to the effective date of these Proffers shall not be included in the TDM Plan. Any office area initially leased or subject to an existing lease that is renewed after the effective date of these Proffers, whether in an existing or new office building, shall be included in the TDM Plan.

- a. Program Manager. No later than thirty (30) days after the approval of the Site Plan for the Property, the Applicant shall designate an individual to act as the

Program Manager (“PM”) for the Property, whose responsibility will be to implement the TDM strategies. The duties of the PM may be part of other duties assigned to the individual(s). The Applicant shall provide written notice to the Fairfax County Department of Transportation (FCDOT) of the appointment of the PM within fourteen (14) days after such appointment and thereafter shall do the same within fourteen (14) days of any change in such appointment. Following the initial appointment of the PM, the Applicant shall continuously employ a PM for the Property. The Applicant may change the person designated at any time, at its sole option, provided written notice given to FCDOT per this paragraph.

- b. TDM Plan. Ninety (90) days after the appointment of the PM, the PM shall submit to FCDOT for review and approval the TDM Plan to be implemented for the Property. The TDM Plan and any amendments thereto shall include, but not be limited to, provisions for the following with respect to the Property:
  - i. Information Dissemination. The Applicant will make available to the residents and tenants electronic information about transit, ridesharing, and other TMP elements and such information shall be displayed for resident use on electronic monitors. The information shall include transit schedules, rideshare applications and incentive information, parking information, etc. This information shall be kept current. Electronic monitors shall be placed in a prominent locations in the residential buildings and include a web site with this information. Appropriate links to transit providers will be provided and updated on the aforementioned website.
  - ii. Ride Matching. The PM shall coordinate and assist employees and residents with vanpool and carpool formation programs, ride matching services and established MWCOG (Metropolitan Washington Council of Governments) guaranteed ride home programs for employees and residents.
  - iii. Internet Access. All residential units shall be prewired to provide internet access to permit residents to work from home. However, the Applicant shall not be responsible for providing such internet access.
  - iv. Car Sharing Information. The PM shall make information available regarding the existence of local car sharing programs (such as ZipCar) at the Vienna-Fairfax-GMU metrorail station to tenants, residents, visitors and guests.
  - v. Preferential Parking. Applicant shall provide preferential parking for car/van pools in all parking facilities within the Property.
  - vi. Coordination. The PM shall work with FCDOT, and any other transportation management entities established in the local area of the

development, to promote alternatives to single-occupant automobile commute trips.

- vii. Bicycle Facilities. The Applicant shall provide bicycle racks of a type, amount, and in locations as determined by the Applicant and FCDOT.
- viii. Pedestrian Connections. The Applicant shall provide an integrated system of on-site sidewalks and trails within the property as reflected on the PCA/FDPA. The PM shall provide information to residents and office tenants as to the best pedestrian and/or bicycle routes to take to and from the Vienna-Fairfax-GMU metrorail station.
- ix. Shuttle. The Applicant will endeavor to provide a shuttle van for transportation of residents and employees to the nearest Metrorail station. This provision will be provided based on a cost/benefit analysis and at the Applicant's discretion.
- c. FCDOT Response. If FCDOT has not responded with any comments to the PM within ninety (90) days of receipt of the TDM Plan, the TDM Plan shall be deemed to be approved and the Applicant, through the PM, shall implement the TDM Plan.
- d. Vehicle Trip Objectives.
  - i. Residential. The residential goal of the TDM Plan shall be to reduce the number of residential vehicle trips generated by the Property's residents, visitors and guests by twenty-five percent (25%) during the PM peak hour of the adjacent street as projected by using methods based on ITE's, 8<sup>th</sup> edition, Trip Generation rates and/or equations (the "ITE Trip Generation Rate") for Land Use Code 220, Multifamily Apartments and based on a total of 727 dwelling units.
  - ii. Office. The office goal of the TDM Plan shall be to reduce the number of office vehicle trips generated by the Property's tenants by twenty percent (20%) during the PM peak hour of the adjacent street as projected by using methods based on ITE's, 8<sup>th</sup> edition, Trip Generation rates and/or equations (the "ITE Trip Generation Rate") for Land Use Code 710, General Office and based on the total gross square footage of office uses subject to this Proffer.
- e. Annual Surveys & Coordination with FCDOT. One (1) year following approval of the TDM program by FCDOT for the Property, the PM shall conduct an annual survey (the "Annual Survey") completed in September of each year and provided to FCDOT. The Annual Survey shall be conducted during a week without any holidays and when Fairfax County Public Schools are in session. The Annual Survey shall gather information on the effectiveness of the TDM Plan and shall be used by the PM to determine whether changes to the TDM

Plan are needed to insure that the vehicle trips are within the Vehicle Trip Objectives targeted goal. If the Annual Survey reveals that changes to the TDM Plan are needed, the Applicant, through the PM shall coordinate such changes with FCDOT and implement and adjust the TDM Plan accordingly. The PM shall coordinate the preparation of the Annual Survey materials and the methodology for validating survey results with FCDOT at least thirty (30) days prior to completing each year's Annual Survey, and shall collect and analyze the results. Such analysis shall include at a minimum:

- i. A description of the TDM measures in effect for the survey period and a description of how such measures have been implemented;
- ii. The number of people surveyed and the number of people who responded on the Property;
- iii. The results of any surveys taken during the survey period;
- iv. The number of residents and tenants participating in the TDM programs displayed by category of participants and by mode of use;
- v. An evaluation of the effectiveness of the TDM Plan and its program elements and, if necessary, proposed modifications to the plan and program elements; and
- vi. Annual surveys shall be conducted unless and until the Applicant has demonstrated to FCDOT that it is meeting or exceeding the 25% trip reduction goal for residential and 20% trip reduction goal for office. After the goal has been met for three (3) consecutive years, the Applicant will reduce the surveys to bi-annually. If the Applicant demonstrates the goal has been met for two (2) consecutive bi-annual surveys, the Applicant may terminate the surveys, although it will continue this proffered TDM program.

If an annual survey shows that the Applicant is not meeting the residential and office reduction goals, then the Applicant shall convene a meeting with FCDOT to review the TDM Plan then in place and to develop modifications to the TDM Plan to address the extent of the shortfall. Within thirty (30) days following such meeting, the Applicant shall submit an updated TDM Plan to FCDOT for its review and approval. If FCDOT has not responded with any comments to the PM within forty-five (45) days of receipt of the TDM Plan, the TDM Plan shall be deemed to be approved and the Applicant, through the PM, shall implement the TDM Plan.

In the event the trip reduction goals for residential and or office use are not met for two (2) consecutive surveys, the Applicant shall provide a contribution in the amount of one thousand two hundred and fifty dollars

(\$1,250.00) for each one percent (1%) of the residential and or office goal that is not obtained, up to a maximum of five thousand dollars (\$5,000.00) for the survey period. The contribution is to be used for transportation incentives for the property to directly reduce trips. Following such initial contribution, additional contributions shall be made for any annual survey where the trip reduction goal is not met up to a total of five surveys. If the trip reduction goals for residential and or office use are not met for two (2) consecutive surveys, the Applicant and FCDOT may agree to readjust the trip reduction goal for future trip reduction goals.

- f. SmarTrip Cards. The Applicant shall distribute one SmarTrip card or its equivalent for each dwelling unit at the time of initial lease execution by a new tenant. Each card shall be for a minimum of Twenty-Five Dollars (\$25.00) and distributed to encourage and incentivize the use of Metrorail or bus. The PM shall maintain records and ensure that each card has a minimum value of Twenty-Five Dollars (\$25.00).

#### 14. Parking Reduction

a. In addition to the TDM Plan, the Applicant shall reduce parking demand for residential uses on the property in accordance with this Proffer. As described in the parking reduction request submitted by the Applicant and approved on the same date as these Proffers (the "Parking Reduction"), the Applicant anticipates that parking demand generated by the residential uses on the Property will be reduced by 15% below the Zoning Ordinance requirement for Multiple Family Dwellings due to the site's proximity to transit enhanced by the TDM Plan (the "Parking Reduction Goal"). Fairfax County determined through a review of the Parking Reduction that a 13.1% reduction due to the site's proximity to transit is achievable. The Applicant shall therefore monitor the reduction in residential parking demand in accordance with this proffer and shall provide additional parking spaces up to the 1.9% difference between the Fairfax County calculated reduction level and the Parking Reduction Goal for the residential component of the site, totaling up to 23 parking spaces. Nothing in this proffer shall prohibit the Applicant from adding additional parking spaces in accordance with Proffer 37.

b. One year after the final RUP for the Property the Applicant shall perform a parking utilization study (the "Parking Utilization Study") showing the actual parking demand for residential uses on the Property. The Parking Utilization Study may be submitted in conjunction with the Annual Survey performed under the TDM Plan. If the Parking Utilization Study finds that Parking Reduction Goal is being met, then the Applicant shall have no further responsibility for monitoring the Parking Reduction.

If the Parking Utilization Study shows that the Applicant is not meeting the Parking Reduction Goal, then the Applicant shall convene a meeting with FCDOT to review the TDM Plan then in place and to develop modifications to the TDM Plan to address the extent of the parking reduction shortfall. Within thirty (30) days following such meeting, the Applicant shall submit an updated TDM Plan to FCDOT for its review and approval. If FCDOT has not responded with any comments to the PM within forty-five (45) days of receipt of the TDM Plan, the TDM Plan shall be deemed to be approved and the Applicant, through the PM, shall implement the TDM Plan. In the alternative, the Applicant may cause portions of those areas shown on the PCA/FDPA and labeled thereon as "Resident Storage and Building Service Area" to be converted to parking spaces such that the number of new parking spaces created equals the percentage by which the Parking Reduction Goal is not being met up to a maximum of 23 additional parking spaces. If the Applicant exercises this alternative then it shall have no further responsibility for monitoring the Parking Reduction and shall be relieved of the obligation to perform a second Parking Utilization Study.

Subject to the preceding paragraph, two years after the final RUP for the Property the Applicant shall perform a second Parking Utilization Study to determine if the Parking Reduction Goal is being met. If the second Parking Utilization Study finds that the Parking Reduction Goal is being met, then the Applicant shall have no further responsibility for monitoring the Parking

Reduction. If the second Parking Utilization Study finds that the Parking Reduction Goal is not being met, the Applicant shall cause portions of those areas shown on the PCA/FDPA and labeled thereon as "Resident Storage and Building Service Area" to be converted to parking spaces such that the number of new parking spaces created equals the percentage by which the Parking Reduction Goal is not being met up to a maximum of 23 additional parking spaces.

15. Service Drive Waiver. Upon request by Fairfax County, the Applicant shall provide temporary and permanent easements that are reasonably necessary to facilitate a service drive connection in the location shown on the PCA/FDPA so long as the easements do not require removal of parking or materially impact the use of the Property by the Applicant. Additionally, the Applicant shall not be responsible for any costs associated with these easements and the County shall restore any disturbed areas to their original condition.

## **V. ENVIRONMENTAL**

16. Stormwater Management Facilities and Best Management Practices. The Applicant shall implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property, as determined by DPWES. Stormwater Management Facilities/Best Management Practices ("BMPs") shall be provided as generally depicted and described on the PCA/FDPA Plan. The Applicant reserves the right to pursue additional stormwater management measures provided the same is in substantial conformance with the PCA/FDPA Plan including a waiver to allow underground detention facilities.

17. Landscaping. Landscaping shall be provided in substantial conformance with the landscaping concepts shown on the PCA/FDPA Plan. If, during the process of site plan review, any new landscaping shown on the PCA/FDPA Plan cannot be installed due to utility lines, trails, etc., then an area of additional landscaping consisting of trees and/or plant material of a type and size generally

consistent with that displaced, shall be substituted at an alternate location on the Property, subject to approval by the Urban Forest Management (UFM) Division, DPWES. The Applicant shall only use native, non-invasive species on the perimeter of the Property. The Applicant shall incorporate native and non-invasive species into its interior landscaping. Proposed landscaping shall exclude any plant species identified as invasive by the Virginia Department of Conservation and Recreation.

18. Lighting. All outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.

19. RPA/EQC

a. The vicinity of the RPA/EQC shall be restored in the general location shown on the sheets entitled *RPA Exception Plan* and *RPA Planting View and Sections* accompanying the PCA/FDPA, subject to review and approval by DPWES and review by the Northern Virginia Soil and Water Conservation District (NVSWCD). Hydrology calculations in accordance with the PFM shall be used to determine velocities from the design flow rates in the swale/channel bed. Plant materials for the swale/channel shall be specified based on these results. Non-erosive velocities of the substrate material in the swale/channel during the 2-year storm event shall be demonstrated in the design calculations. Allowable velocities shall be based on requirement of the Public Facilities Manual (PFM) or by other accepted engineering methods as approved by DPWES. The extent of review for the new outfall shall be limited to the Property.

b. Once the swale/channel work is complete, stable and has passed inspection by DPWES ("Completion Date"), the Applicant shall post a performance bond with Fairfax County in the amount of at least \$112,500.00 (the "Maintenance Bond") to guarantee maintenance of the swale/channel and associated riparian plantings for a five-year period. The amount of the Maintenance

Bond shall be adjusted annually based on changes to the Construction Cost Index, published by the Engineering News Record, from the date of approval of the PCA/FDPA to the actual date of payment.

c. Within 45 days of the Completion Date of the swale/channel, representatives of the Applicant, DPWES and NVSWCD shall meet on site and select three (3) locations for the survey cross sections of the swale/channel, at least fifty (50) feet from one another, between the proposed outfall and the southern property line. For each cross section, the locations of two (2) photographic monuments shall be chosen. Within 45 days of the date of this meeting, the Applicant shall prepare and submit to DPWES and NVSWCD for review and approval, the initial baseline swale/channel monitoring report (“Monitoring Report”). The Monitoring Report shall be sealed by a licensed, professional engineer (“Engineer”) retained by the Applicant.

d. The Monitoring Report shall include:

- i. The locations of the cross sections;
- ii. Cross sections survey data, consisting of a graphic section drawing including the coordinates of survey points (with average spacing of two (2) feet or less) for the area of the swale / channel below the plane formed by the section monument;
- iii. Photographs of the stream from each photo monument;
- iv. Analysis of the swale/channel condition relative to an 85% survival rate and plant density specified on the construction plans approved by DPWES; and
- v. A narrative statement describing the status of the swale/channel.

e. On or about the date one (1) year after the Completion Date and on or about each anniversary thereafter for the next four (4) years, the Applicant shall prepare and submit to DPWES

and NVSWCD for review and approval an annual Monitoring Report sealed by the Engineer. All survey data shall be compared graphically and numerically to the initial Monitoring Report. The narrative statement shall address whether correction action is required under the Repair Criteria, as defined in paragraph f of this Proffer. The Applicant shall complete corrective actions recommended in the annual Monitoring Report, as approved by DPWES and NVSWCD.

f. Repair Criteria shall be based on the changed shape in the cross-sectional area of the swale/channel and the location of any swale/channel's thalweg at each cross-section, and the plan material analysis. No repairs shall be required provided that the changes at each cross-section, when compared to the pre-construction survey:

- i. have not changed by more than an average of 5% as measured vertically from a plane formed by the survey monuments or
- ii. the thalweg has not moved more than 3 feet or 25% of the swale/channel width (original top-of-bank to top-of-bank), whichever is greater.

g. Upon submission of the final annual Monitoring Report on the fifth anniversary date, the Applicant shall complete required corrective actions, if any. If no corrective action is required, or upon approval of required corrective actions by DPWES and NVSWCD, Fairfax County shall release the balance of the Maintenance Bond.

## **VI. GREEN BUILDING PRACTICES**

20. Vegetated Roof. The Applicant shall construct a vegetated roof in conformance with the PFM over the retail portion of Proposed Building A as shown on the sheet entitled Stormwater Management Plan and further identified as Post-Development C-Factor as found on sheet 24 of the PCA/FDPA.

21. LEED Certification.

a. At a minimum, U.S. Green Building Council (“USGBC”) Leadership in Energy and Environmental Design (“LEED”) certification at the Certified level under LEED New Construction (“LEED Certification”) shall be achieved for Proposed Building A (“Proposed Building A”) and Proposed Building B (“Proposed Building B”), as labeled and shown on the PCA/FDPA. The existing buildings to remain on site will not be part of the LEED Certification and are not subject to these LEED proffers. LEED Certification shall be evaluated separately for Proposed Building A and Proposed Building B. This LEED Certification requirement shall not preclude the Applicant from obtaining site and development approvals and permits, including but not limited to site plans, grading plans, building permits, non-RUP’s, and RUP’s, for any element of the project.

b. The Applicant shall include a LEED accredited professional as a member of the design team for Proposed Building A and Proposed Building B. The LEED accredited professional shall work with the team to incorporate LEED design elements into the project. Prior to the issuance of a building permit for Proposed Building A and Proposed Building B, the Applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating compliance with the commitment to engage such a professional.

c. Prior to the issuance of the building permit for Proposed Building A and Proposed Building B individually, the Applicant shall provide a LEED Certification Checklist (the “Checklist”) to the Environment and Development Review Branch of DPZ that lists the anticipated credits within the applicable version of LEED New Construction. The Checklist shall meet, at least, the minimum number of credits necessary to attain LEED Certification of Proposed Building A and Proposed Building B as applicable.

d. Prior to the issuance of the first demolition permit for Proposed Building A, the Applicant shall execute a separate agreement and post a "Building A LEED Escrow," in the form of

cash or a Letter of Credit, at the determination of the Applicant, from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$2.00 per gross square foot of Proposed Building A. This Building A LEED Escrow shall be in addition to and separate from other bond or escrow requirements and shall be released in full to the Applicant upon demonstration to DPWES of attainment of certification by the USGBC for Proposed Building A.

If, within one (1) year of issuance of the final non-RUP for Proposed Building A, but in no case later than five (5) years after the final RUP for Proposed Building A, the Applicant fails to provide evidence demonstrating attainment of LEED Certification, or otherwise provides evidence that Proposed Building A has fallen short of LEED Certification by four points or more, the entirety of the Building A LEED Escrow shall be contributed to Fairfax County and shall be posted to a fund within the County's budget supporting implementation of environmental initiatives.

However, if within one (1) year of issuance of the final non-RUP for Proposed Building A, but in no case later than five (5) years after the final RUP for Proposed Building A, the Applicant provides evidence to DPWES demonstrating that Proposed Building A has been determined by the USGBC to fall within three points or less of attainment of LEED Certification, then 50% of the Building A LEED Escrow shall be released to the Applicant and the other 50% of the escrow shall be contributed to Fairfax County and shall be posted to a fund within the County's budget supporting implementation of environmental initiatives.

If the Applicant provides evidence that LEED Certification for Building A has been delayed through no fault of the Applicant, this proffered time-frame shall be extended until such time as LEED Certification is attained or two (2) years from issuance of the final non-RUP for Proposed Building A, but in no case later than six (6) years after the final RUP for Proposed Building A, and no release of escrowed funds shall be made to the Applicant or the County during this extended time-frame.

e. Prior to the issuance of the first building permit for Proposed Building B, the Applicant shall execute a separate agreement and post a "Building B LEED Escrow," in the form of cash or a Letter of Credit, at the determination of the Applicant, from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$2.00 per gross square foot of Proposed Building B. This Building B LEED Escrow shall be in addition to and separate from other bond or escrow requirements and shall be released in full to the Applicant upon demonstration to DPWES of attainment of certification by the USGBC for Proposed Building B.

If, within one (1) year of issuance of the final RUP for Proposed Building B the Applicant fails to provide evidence demonstrating attainment of LEED Certification, or otherwise provides evidence that Proposed Building B has fallen short of LEED Certification by four points or more, the entirety of the Building B LEED Escrow shall be contributed to Fairfax County and shall be posted to a fund within the County's budget supporting implementation of environmental initiatives.

However, if within one (1) year of issuance of the final RUP for Proposed Building B the Applicant provides evidence to DPWES demonstrating that Proposed Building B has been determined by the USGBC to fall within three points or less of attainment of LEED Certification, then 50% of the Building B LEED Escrow shall be released to the Applicant and the other 50% of the escrow shall be contributed to Fairfax County and shall be posted to a fund within the County's budget supporting implementation of environmental initiatives.

If the Applicant provides evidence that LEED Certification for Building B has been delayed through no fault of the Applicant, this proffered time-frame shall be extended until such time as LEED Certification is attained or two (2) years from issuance of the final RUP for Proposed Building B, and no release of escrowed funds shall be made to the Applicant or the County during this extended time-frame.

f. Within one (1) year of the issuance of the final non-RUP for Proposed Building A or the final RUP for Proposed Building B, as applicable, the Applicant shall provide to the Environment and Development Review Branch of DPZ a letter from a LEED-accredited professional stating that: a LEED building maintenance reference manual (the “Manual”) has been prepared for use by future building owner’s and/or tenants; the Manual has been written by a LEED-accredited professional; an electronic copy of the Manual shall be available to all future building occupants on a website to be maintained by the Applicant and/or future common owners association; and, the Manual, at a minimum, provides the following:

i. A narrative description of LEED components, including a description of the environmental benefits of that component and information regarding the importance of maintenance and operation in retaining the attributes of Proposed Building A and Proposed Building B;

ii. Product manufacturer’s manuals or other instructions, where applicable, regarding operations and maintenance needs for applicable LEED components, including operational practices that can enhance energy and water conservation;

iii. A maintenance staff notification process for improperly functioning equipment to assure proper performance of LEED building-related equipment and the submitted building; and,

iv. Contact information that the Buildings occupants can use to obtain further guidance on each LEED component that is applicable to the submitted building. Submission of this letter, as described above, shall satisfy this proffer.

v. In addition to the letter specified above, and also within one (1) year of the issuance of a RUP for Proposed Building A and / or Proposed Building B as applicable, the

Applicant shall provide an electronic copy of the Manual in PDF format (or other electronic format as determined acceptable by the County) to the Environment and Development Review Branch of the DPZ. This electronic version of the manual shall be edited to exclude information pertaining to security systems or maintenance of systems in classified and secure areas.

g. All references to the U.S. Green Building Council shall apply to similar certifying agencies that are created subsequent to approval of this rezoning application, provided that the alternative certifying agency is acceptable to Fairfax County and the Applicant.

h. After issuance of the final RUP or non-RUP, which ever occurs later, and upon request by Fairfax County, the Applicant shall endeavor to provide non-proprietary performance monitoring data related to energy and water consumption on the Property. At the time of request, Fairfax County shall provide the applicant with information on how the data will be used and shall agree to prohibit the use of the data in a manner that is detrimental to the Applicant. The Applicant may decline to provide the requested data if the cost to produce or obtain the data is deemed commercially unreasonable in Applicant's sole discretion.

22. Energy Conservation. All new appliances for use in the residential dwelling units, limited to dishwashers, refrigerators, and clothes washers, shall be Energy Star Qualified.

## **VII. AFFORDABLE HOUSING/WORKFORCE HOUSING**

23. Affordable Dwelling Units (ADU's). The Applicant shall provide ADUs in accordance with Part 8 of Article 2 of the Zoning Ordinance (the "ADU Ordinance"). The ADU's shall be provided and administered as either for-sale or rental units consistent with market rate units in the same building in accordance with the requirements of the ADU Ordinance.

24. Workforce Dwelling Units (WDU's). In addition, the Applicant shall provide one hundred eleven (111) WDUs that will be leased and/or sold to households with a household income of not more than 120% of the Area Median Income (AMI). All WDUs shall be provided and administered in accordance with the Board of Supervisors' Workforce Dwelling Unit Administrative Policy Guidelines dated October 15, 2007. One hundred four (104) of the WDU's attributable to Tower 1, Tower 2 and Tower 3 will be leased and/or sold such that they are evenly divided among the following income tiers: up to 80% of AMI, up to 100% of AMI and up to 120% of AMI. The seven (7) WDUs attributable to Building A and Building B will be leased and/or sold such that four (4) units are provided for the income tier of up to 80% of AMI and three (3) units are provided for the income tier of up to 100% of AMI. If at the time of site plan less than 727 total dwelling units are proposed, the number of WDUs, and the distribution of the WDUs between income tiers, shall be modified in accordance with the Board of Supervisors' Workforce Dwelling Unit Administrative Policy Guidelines dated October 15, 2007.

25. Dispersion of WDUs. The Applicant shall locate the proffered WDUs in the building identified as "Existing Tower 3" on the PCA/FDPA, however, the Applicant may at its' election place the WDUs in any of the buildings identified as "Existing Tower 1", "Existing Tower 2", or "Existing Tower 3" on the PCA/FDPA. The WDUs shall have equal access to all amenities on the Property.

26. Alternative Administration of WDU's. The Applicant reserves the right to enter into a separate binding written agreement with the appropriate Fairfax County agency as to the terms and conditions of the administration of the WDU's. Such an agreement shall be on terms mutually acceptable to both the Applicant and Fairfax County and may occur after the approval of these Proffers. Neither the Board of Supervisors nor Fairfax County shall be obligated to execute such an agreement. If such an agreement is executed by all applicable parties, then the WDU's shall be

administered in accordance with such an agreement, and the administrative requirements of the preceding Proffer shall become null and void. Such an agreement and any modifications thereto, shall be recorded in the land records of Fairfax County.

### **VIII. TREE PRESERVATION**

27. Tree Preservation: The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 8 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the PCA/FDPA and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan. Minor modifications may be permitted by UFMD, DPWES to the extent that these do not change the designations of individual trees, or result in significant physical impacts to the areas designated to be left undisturbed.

28. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or registered consulting arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's Certified Arborist or a Registered Consulting Arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. 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 adjacent trees and associated understory vegetation and soil conditions.

29. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the PCA/FDPA, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by UFMD, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the PCA/FDPA, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities. The Applicant shall not be responsible for replanting areas that are disturbed by existing easement holders, when such disturbance is not directly related to development under the PCA/FDPA.

30. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (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 erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the “Root Pruning” proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist or registered consulting arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, and the Providence District Supervisor shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

31. Tree Appraisal: The Applicant shall retain a Certified Arborist or a Registered Consulting Arborist with experience in plant appraisal, to determine the replacement value of all trees 8 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into

consideration the age, size and condition of these trees and shall be determined by the so-called “Trunk Formula Method” contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFM.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit as determined by the Applicant payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the “Bonded Trees”) that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Application Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees, as reasonably possible, shall be of equivalent size, species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

32. Root Pruning. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner

that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

33. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a Certified Arborist or a Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES

## **IX. RECREATION**

34. Recreation Contribution. Pursuant to Sect. 6-409 of the Zoning Ordinance, regarding developed recreational facilities, the Applicant shall provide recreational facilities to serve the Property. Per Sect. 6-409, recreational facilities such as tot lots, fitness center, gazebos, multi-purpose room, lap pool, recreational trails, walking paths and similar features may be used to fulfill this requirement. In the event it is demonstrated that the proposed facilities do not have sufficient value, at the time of the issuance of the first Residential Use Permit, the Applicant shall contribute funds in the amount needed to achieve the overall proffered amount of \$8,000.00 to the Fairfax County Park Authority for off-site recreational facilities intended to serve the future residents, as determined by the Supervisor for the Providence District.

In addition, at the time of the first RUP, the Applicant shall contribute \$15,000.00 to the Fairfax County Park Authority for off-site recreational facilities as determined by the Supervisor for the Providence District.

35. Route 50 Pedestrian Access. The Applicant shall provide a pedestrian connection to the existing bus stop located on the north side of Route 50 as shown on the PCA/FDPA prior to the issuance of the final RUP. The final location shall of the pedestrian connection shall be field located in consultation with the UFMD, DPWES. If the required easements for the construction of such access are not granted at no cost (excluding associated processing fees) to the Applicant by the Park Authority, within ninety (90) days of a written request, the Applicant shall escrow funds equivalent to that required for construction based on the Unit Price Schedule in effect at the time of the written request and as approved by DPWES and shall be relieved of the obligation to construct such access.

36. Pedestrian Connection to Tax Map 48-3-((1))-35A. The Applicant shall provide a pedestrian connection to Tax Map 48-3-((1))-35A to match the width of the existing pedestrian walkway located along the north end of the property, as shown on Sheet 12 of the PCA/FDPA as “REFER TO PROFFER FOR SIDEWALK CONNECTION”. This pedestrian connection shall be subject to VDOT’s and/or FCDOT’s review and approval. Should sufficient right-of-way not exist to construct this pedestrian connection, if VDOT and/or FCDOT approval cannot be obtained in the location shown, or if any easements are required from the owner of Tax Map 48-3-((1))-35A, the Applicant shall escrow money equivalent to that required for construction based on the Unit Price Schedule in effect at the time of the written request and as approved by DPWES for these improvements to be constructed by others in the future and shall be relieved of the obligation to construct such access.

37. Nottaway Nights. Prior to the issuance of the first RUP, the Applicant shall contribute \$2,000 to the Nottaway Nights program.

**X. PARKING**

38. Parking. The Applicant shall provide minimum parking at the level approved pursuant to the Parking Reduction for the Property approved by the Board of Supervisors on the same date as these Proffers, and as shown as Parking Space Tabulations in the tabulations on Sheet 3 of the PCA/FDPA. The Applicant reserves the right to pursue future parking reductions for the Property as may be permitted by the Fairfax County Zoning Ordinance without the need for an amendment to these Proffers or the PCA/FDPA.

The Applicant reserves the right to provide parking in excess of the minimum requirements shown in the tabulations on Sheet 3 of the PCA/FDPA if such additional parking is in substantial conformance with the future and alternative parking locations shown on the PCA/FDPA.

If the Applicant allocates or assigns parking spaces to specific dwelling units, it shall treat ADUs and WDUs in a similar manner. This provision shall in no way limit the Applicant from reserving parking spaces for office or retail uses or from leasing parking spaces or selling parking permits to individual residents on a first come, first serve basis. However, where parking spaces are leased, or parking permits are sold, to individual residents, one (1) parking space or (1) parking pass as applicable shall be assigned at no charge to each ADU.

The Applicant shall reserve parking spaces for those uses identified on the PCA/FDPA as Proposed Retail and Potential Retail at the minimum level required by the Zoning Ordinance during business hours.

**X. CONSTRUCTION**

39. Construction. At the time of site plan submission, the Applicant shall provide to FCDOT and DPWES for their review and approval a plan identifying anticipated construction entrances, construction vehicle routes and a plan to coordinate with FCDOT and/or VDOT concerning construction vehicle routes and to coordinate with the Fairfax County Park Authority regarding activities at Towers Park. However, no construction vehicles shall use Nutley Avenue between Route 29 and Route 50 on their way to or from the Property.

**XI. OTHER**

40. Signs. The signage used throughout the plan including the entrance sign shall conform to Article 12 of the Zoning Ordinance.

41. Universal Design. The following is a list of universal design features that the Applicant will endeavor, at its sole option and subject to compliance with all Federal and State Fair Housing laws and regulations, to incorporate into the new development:

- Lever handles for opening doors rather than twisting knobs;
- Buttons on elevator control panels that can be distinguished by touch;
- Use of meaningful icons as well as text labels;
- Install lighting near outside walkways, stairs, and entrances.

42. Successors and Assigns. These proffers shall bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to the “Applicant” in these proffers shall include and be binding upon the Applicant’s successor(s) in interest and/or developer(s) of any portion of the Property.

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

**{the rest of this page has been intentionally left blank}**

UNITED DOMINION REALTY, L.P.  
Title Owner of Tax Map No. 48-3-((1))-53

By: \_\_\_\_\_  
Name: Richard A. Giannotti  
Title: Executive Vice President

CIRCLE TOWERS LLC

Title Owner of Tax Map No. 48-4-((1))-3, 3B, 3B1, 3A1

By: \_\_\_\_\_

Name: Richard A. Giannotti

Title: Executive Vice President

\10025890.19

REZONING AFFIDAVIT

DATE: JAN 7 2011  
 (enter date affidavit is notarized)

I, Scott E. Adams, 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

1056390

in Application No.(s): PCA B-993/FDPA B-993-02  
 (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)
United Dominion Realty, L.P. Agent: Richard A. Giannotti	1745 Shea Center Drive, Suite 200 Highlands Ranch, CO 80129	Applicant/Title Owner of Tax Map No. 48-3 ((1)) 53
Circle Towers LLC Agent: Richard A. Giannotti	1745 Shea Center Drive, Suite 200 Highlands Ranch, CO 80129	Co-Applicant/Title Owner of Tax Map No. 48-4 ((1)) 3, 3A1, 3B, 3B1
The BC Consultants, Inc. Agent: Peter L. Rinek Dennis D. Dixon	12600 Fair Lakes Circle, Suite 100 Fairfax, VA 22033	Engineer/Agent
M.J. Wells & Associates, Inc. Agent: Robin L. Antonucci William F. Johnson	1420 Spring Hill Road, Suite 600 McLean, VA 22102	Traffic Consultant/Agent

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

\* 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: JAN 7 2011  
(enter date affidavit is notarized)

105639-18

for Application No. (s): PCA B-993/FDPA B-993-02  
(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.

<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)
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. Joanna C. Frizzell (former) David R. Gill Jonathan P. Rak Gregory A. Riegler Mark M. Viani Kenneth W. Wire Sheri L. Akin Lisa M. Chiblow Lori R. Greenlief	1750 Tysons Boulevard, Suite 1800 McLean, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent
Lessard Urban Inc. Agent: Tim (nmi) Bakos	8521 Leesburg Pike, Suite 700 Vienna, VA 22182	Architect/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: JAN 7 2011
(enter date affidavit is notarized)

10563910

for Application No. (s): PCA B-993/FDPA B-993-02
(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)
Circle Towers LLC
1745 Shea Center Drive, Suite 200
Highlands Ranch, CO 80129

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)
United Dominion Realty, L.P., Sole Member/Manager

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: JAN 7 2011  
(enter date affidavit is notarized)

1056394

for Application No. (s): PCA B-993/FDPA B-993-02  
(enter County-assigned application number (s))

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

The BC Consultants, Inc.  
12600 Fair Lakes Circle, Suite 100  
Fairfax, VA 22033

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

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

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

James H. Scanlon

=====

**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)

M.J. Wells & Associates, Inc.  
1420 Spring Hill Road, Suite 600  
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 SHAREHOLDERS:** (enter first name, middle initial, and last name)

M.J. Wells & Associates, Inc. Employee Stock Ownership Trust (ESOT). All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

=====

**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: JAN 7 2011
(enter date affidavit is notarized)

105639r

for Application No. (s): PCA B-993/FDPA B-993-02
(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)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) [X] 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)

Equity Partners of McGuireWoods LLP

- Adams, John D. Becket, Thomas L. Brown, Thomas C., Jr.
Alphonso, Gordon R. Beil, Marshall H. Buchan, Jonathan E.
Anderson, Arthur E., II Belcher, Dennis I. Busch, Stephen D.
Anderson, Mark E. Bell, Craig D. Cabaniss, Thomas E.
Andre-Dumont, Hubert Beresford, Richard A. Cacheris, Kimberly Q.
Bagley, Terrence M. Bilik, R. E. Cairns, Scott S.
Barger, Brian D. Blank, Jonathan T. Capwell, Jeffrey R.
Barnum, John W. Boland, J. W. Cason, Alan C.
Barr, John S. Brenner, Irving M. Chaffin, Rebecca S.
Becker, Scott L. Brooks, Edwin E. Cobb, John H.

(check if applicable) [X] 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 Attachment to Par. 1(c)**DATE: JAN 7 2011  
(enter date affidavit is notarized)10563915for Application No. (s): PCA B-993/FDPA B-993-02  
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102(check if applicable)  The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,  
**General Partner, Limited Partner, or General and Limited Partner**)

Cogbill, John V., III	Gibson, Donald J., Jr.	King, Donald E.
Covington, Peter J.	Glassman, Margaret M.	King, Sally D.
Cramer, Robert W.	Glickson, Scott L.	Kittrell, Steven D.
Cromwell, Richard J.	Gold, Stephen (nmi)	Kobayashi, Naho (nmi)
Culbertson, Craig R.	Goldstein, Philip (nmi)	Kratz, Timothy H.
Cullen, Richard (nmi)	Grant, Richard S.	Krueger, Kurt J.
de Cannart d'Hamale, Emmanuel	Greenberg, Richard T.	Kutrow, Bradley R.
De Ridder, Patrick A.	Grieb, John T.	La Fratta, Mark J.
Dickerman, Dorothea W.	Harmon, Jonathan P.	Lias-Booker, Ava E.
DiMattia, Michael J.	Harmon, T. C.	Lieberman, Richard E.
Dooley, Kathleen H.	Hartsell, David L.	Little, Nancy R.
Dorman, Keith A.	Hayden, Patrick L.	Long, William M.
Downing, Scott P.	Hayes, Dion W.	Manning, Amy B.
Edwards, Elizabeth F.	Heberton, George H.	Marianes, William B.
Ensing, Donald A.	Horne, Patrick T.	Marks, Robert G.
Ey, Douglas W., Jr.	Hosmer, Patricia F.	Marshall, Gary S.
Farrell, Thomas M.	Hutson, Benne C.	Marshall, Harrison L., Jr.
Feller, Howard (nmi)	Isaf, Fred T.	Marsico, Leonard J.
Fennebresque, John C.	Jackson, J. B.	Martin, Cecil E., III
Foley, Douglas M.	Jarashow, Richard L.	Martin, George K.
Fox, Charles D., IV	Jordan, Hilary P.	Martinez, Peter W.
France, Bonnie M.	Kanazawa, Sidney K.	Mason, Richard J.
Franklin, Ronald G.	Kannensohn, Kimberly J.	Mathews, Eugene E., III
Freedlander, Mark E.	Katsantonis, Joanne (nmi)	Mayberry, William C.
Freeman, Jeremy D.	Keenan, Mark L.	McCallum, Steven C.
Fuhr, Joy C.	Kennedy, Wade M.	McDonald, John G.
Gambill, Michael A.	Kilpatrick, Gregory R.	McElligott, James P.

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

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

DATE: JAN 7 2011  
(enter date affidavit is notarized)

1056394

for Application No. (s): PCA B-993/FDPA B-993-02  
(enter County-assigned application number (s))

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

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

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

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

McFarland, Robert W.  
McIntyre, Charles W.  
McLean, J. D.  
McRill, Emery B.  
Muckenfuss, Robert A.  
Muir, Arthur B.  
Murphy, Sean F.  
Natarajan, Rajsekhar (nmi)  
Neale, James F.  
Nesbit, Christopher S.  
Nickens, Jacks C.  
O'Grady, Clive R.  
O'Grady, John B.  
O'Hare, James P.  
Oakey, David N.  
Oostdyk, Scott C.  
Padgett, John D.  
Pankey, David H.  
Parker, Brian K.  
Phears, H. W.  
Plotkin, Robert S.  
Potts, William F., Jr.  
Pryor, Robert H.  
Pusateri, David P.  
Rak, Jonathan P.  
Rakison, Robert B.

Reid, Joseph K., III  
Richardson, David L.  
Riegle, Gregory A.  
Riley, James B., Jr.  
Riopelle, Brian C.  
Roberts, Manley W.  
Robinson, Stephen W.  
Rogers, Marvin L.  
Rohman, Thomas P.  
Rosen, Gregg M.  
Rust, Dana L.  
Satterwhite, Rodney A.  
Scheurer, P. C.  
Schewel, Michael J.  
Schill, Gilbert E., Jr.  
Schmidt, Gordon W.  
Sellers, Jane W.  
Shelley, Patrick M.  
Simmons, L. D., II  
Simmons, Robert W.  
Skinner, Halcyon E.  
Slone, Daniel K.  
Spahn, Thomas E.  
Spitz, Joel H.  
Stallings, Thomas J.  
Steen, Bruce M.

Stein, Marta A.  
Stone, Jacquelyn E.  
Swan, David I.  
Tackley, Michael O.  
Tarry, Samuel L., Jr.  
Thornhill, James A.  
Van der Mersch, Xavier G.  
Vaughn, Scott P.  
Vick, Howard C., Jr.  
Viola, Richard W.  
Wade, H. L., Jr.  
Walker, John T., IV  
Walsh, James H.  
Watts, Stephen H., II  
Werlin, Leslie M.  
Westwood, Scott E.  
Whelpley, David B., Jr.  
White, H. R., III  
White, Walter H., Jr.  
Wilburn, John D.  
Williams, Steven R.  
Wilson, James M.  
Wren, Elizabeth G.  
Young, Kevin J.  
Younger, W. C.

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

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

DATE: JAN 7 2011  
(enter date affidavit is notarized)

1056391

for Application No. (s): PCA B-993/FDPA B-993-02  
(enter County-assigned application number (s))

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

McGuireWoods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

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

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

(Former Equity Partner List)

Johnston, Barbara C.  
Wilson, Ernest G.

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

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

DATE: JAN 7 2011  
(enter date affidavit is notarized)

1056396

for Application No. (s): PCA B-993/FDPA B-993-02  
(enter County-assigned application number (s))

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

United Dominion Realty, L.P.  
1745 Shea Center Drive, Suite 200  
Highlands Ranch, CO 80129

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

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

General Partner:

UDR, Inc.

Limited Partner:

UDR, Inc.

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

REZONING AFFIDAVIT

DATE: JAN 7 2011  
(enter date affidavit is notarized)

1056396

for Application No. (s): PCA B-993/FDPA B-993-02  
(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: JAN 7 2011  
(enter date affidavit is notarized)

1056394

for Application No. (s): PCA B-993/FDPA B-993-02  
(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.)

Carson Lee Fifer, Jr. of McGuireWoods LLP donated in excess of \$100 to Sharon Bulova.  
Jonathan P. Rak of McGuireWoods LLP donated in excess of \$100 to Sharon Bulova.  
Gregory A. Riegle of McGuireWoods LLP donated in excess of \$100 to Sharon Bulova.

(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

Applicant's Authorized Agent

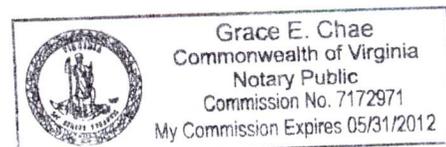
Scott E. Adams, Esquire

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 7<sup>th</sup> day of January 20 11, in the State/Comm. of Virginia, County/City of Fairfax.

Grace E. Chae  
Notary Public

My commission expires: 5/31/2012



**STATEMENT OF JUSTIFICATION**

**Circle Towers, LLC/United Dominion Realty, LP – Circle Towers  
48-3-((1))-53 and 48-4-((1))-3, 3A1, 3B and 3B1**

**June 4, 2009**

**Revised August 19, 2010**

**Revised October 8, 2010**

**I. Introduction**

These applications are filed on behalf of Circle Towers, LLC and United Dominion Realty, LP (together, the "Applicant") to provide for the modernization and reinvestment in the ageing, high-rise apartment complex commonly known as Circle Towers (the Property"), near the intersection of Lee Highway and Blake Lane. This reinvestment is necessary to make the community more energy efficient, provide the amenities expected of a complex of this scale and to reorient the stale existing retail so that it is better positioned to be successful and create activity and vibrancy in the community.

In order to provide this reinvestment, the Applicant is utilizing the bonus provisions to of County's Affordable Housing Policy to provide a full 20% of the units as "Work-Force" Units. Fundamentally, no significant additional density is being requested beyond that allowed by the bonus density provisions associated with the County's work-force housing policy and the existing PDH-12 zoning. Please note the applications requested are an amendment to an approved Final Development Plan (FDP) approved by the Board of Supervisors in 1995 pursuant to FDPA B-993 in favor of the enclosed FDPA and a proffered condition amendment (PCA) to offer proffers related to this application. The Property is currently unproffered.

**II. Background**

The Property was originally developed in the early 1970s with three 12 to 14 story high-rise towers, 52 townhome units, scattered retail facing the interior courtyard and a four-story office building. In the nearly four decades since the original construction, the Property has not undergone a significant remodeling or received any significant upgrades. Further, the scattered and inefficient retail is no longer viable as it continues to be interior to the development without visibility from Lee Highway or Blake Lane. Thus, the purpose of this nomination is to provide the proper incentive to justify reinvesting in an outdated and inefficient high-rise complex to comply with current County planning and environmental policies while also creating the modern amenities residents demand.

Further, when the Property was originally developed, the tract was over 50-acres, as noted in the prior FDPA (FDPA B-993) approved by the Board of Supervisors in 1995. As part of the development review process, the original

owner agreed to and, eventually did dedicate approximately 36.5-acres to the County and the Park Authority. Thus, this application is recognition that the existing density on this Property reflects the original dedications, and such open space continues to be integral to the development.

### **III. FDPA/PCA Overview**

With this background, the Applicant is proposing up to 727 dwelling units (719 multi-family units and 8 townhomes). A portion of these units will be distributed throughout the three existing towers and eight existing townhomes. Additional multi-family units will be located in the new proposed residential/retail/amenity building (Building A on the FDPA) and the new multi-family building at the rear of the site (Building B on the FDPA). The existing retail will be relocated and consolidated into the two locations shown on the FDPA, a portion of the first floor of Tower 1, and in the new centrally located retail/amenity building. The existing office building will receive new exterior architectural treatment. Additionally, a new office building is proposed adjacent to the existing office building as shown on the FDPA, with local serving office uses proposed, similar to the existing tenants. The proposed secondary commercial/office uses are local serving and will be in accordance with Section 6-106 of the Fairfax County Zoning Ordinance.

#### **a. Design Enhancements**

Although a popular design element when the complex was originally constructed, today the interior courtyard is severely underutilized and lacks the activity necessary for it to be a true amenity. It is "dead" space and is not accessible due to multiple grade changes. Therefore, the application is proposing to activate this plaza by creating a new primary entrance to the "plaza" level directly from the existing entrance on Lee Highway. The intent is to transform the segregated plaza into an active urban amenity more appropriate for modern communities, address accessibility and add "green" features. This new activity space would be anchored by community retailers and a new and expanded amenity building and leasing office. This new building would include residential units over the sections of the retail, leasing and amenity spaces and would replace several "sticks" of existing townhomes. This relocated retail space would be visible from Lee Highway, making it much more viable and better able to draw activity on to the plaza level. As shown on the FDPA Plat, the net result is a new mixed-use building, significantly below the scale of the existing towers.

Additionally, the existing townhomes on the southern end of the community would also be demolished with new units constructed into a new energy efficient multi-family building. The new development will generally be of a height and scale consistent with the existing development, likely a mid-rise building with podium parking. Further, unlike the existing development and much

of the development in the area from the same era, both new buildings will fully comply with modern stormwater management requirements.

The new development will also comply with current County policies supporting the provision of work-force and affordable housing. The project will also provide for strategically located mixed-use development proximate to multiple transit options. As a result, the Applicant is committed to implementing meaningful Transportation Demand Management (TDM) measures to reduce the transportation impact.

#### **b. Modern Amenities**

Communities similar in scale to Circle Towers typically have multiple common area amenities, like club rooms, exercise facilities, business centers, cyber cafes/libraries and theatre rooms as well as specific residential services such as a concierge, package acceptance, and on-site dry cleaning pick-up, many of which do not currently exist on the site. The existing units also lack many of the in-unit amenities typically found in new apartment communities, such as open floor plans, washers and dryers, built in microwaves, high speed internet, ample closet space, and energy efficient appliances.

The additional units proposed are necessary to justify the investment to create these common amenities and upgrade the existing apartment units to conform to resident's expectations. The additional income from these units would allow for the new amenities to be constructed and maintained. This enhanced revenue stream would also allow for expedited capital improvements across the entire property.

As importantly, by providing the mechanism for updating and modernizing the units, the nominator will commit that the new buildings shown on the FDPA plate as Proposed Building A and Proposed Building B will meet the County's recent green building policy initiative (LEED certification or similar alternative program). In updating and modernizing the existing units, the nominator will also be able to install Energy Star appliances in all of the units as the appliances are replaced as well as install HVAC systems that are of greater energy efficiency than the existing systems to further minimize the impact on the environment.

### **V. COMPLIANCE WITH RESIDENTIAL DEVELOPMENT CRITERIA**

The proposed development fully complies with the Residential Development Criteria contained in Appendix 9 of the Land Use Element of the Comprehensive Plan. Detailed compliance with the applicable criteria is summarized in Attachment A.

## **VI. PARKING REDUCTION**

The applicant has submitted a parking reduction request for this project based on four factors. First, the existing site, comprised of 606 residential units, office and retail use has functioned for nearly four decade, long before the Metro serviced this area with a fixed parking count that is less than the current parking ordinance. Second, the mix of on-site uses results in different peak parking demands; i.e. shared parking. Third, the site's proximity to the Vienna mass transit station. Fourth, the implementation of a Transportation Demand Management (TDM) program. The requested parking reduction is consistent with the objectives of the Fairfax County parking requirements.

## **VII. ENVIRONMENT**

The design of the redevelopment requires a new entrance to the site from Blake Lane. This proposed entrance will cross an RPA/EQC. However, the Applicant has committed to improve the area of the crossing, which is currently not of particularly high environmental quality in that the majority of upstream water is diverted from the RPA/EQC by a culvert system across Blake Lane. The redevelopment will create a net environmental benefit for the RPA/EQC. An RPA Exception has been filed with DPWES and is being processed concurrently with this development application. An EQC Narrative Statement is attached hereto as Attachment B, which provides detailed information on improvements to the EQC and the net environmental benefit achieved.

## **VIII. CONCLUSION**

The proposed development is consistent with identified objectives, the general goals of the Fairfax County Comprehensive Plan, the PDH District recommendations, and the Residential Development Criteria. The development of the Property provides a unique opportunity to reposition a declining property and retro-fit it to meet modern development standards. For all of the aforementioned reasons, the Applicant respectfully requests the Staff and the Planning Commission to endorse, and the Board of Supervisors to approve this request.

Respectfully submitted,



---

Scott E. Adams, Esquire

## ATTACHMENT A

### RESIDENTIAL DEVELOPMENT CRITERIA

#### 1. SITE DESIGN

a.) *Consolidation:* This application is about reinvesting in an ageing high-rise apartment complex so that it can better respond to the market. No new parcels or construction is proposed on parcels that are not already developed, so the development will not preclude other parcels from developing in accordance with the Comprehensive Plan.

b.) *Layout:*

- The layout provides logical, functional and appropriate relationships on the Property, especially given the intent to revitalize the existing retail and to create a reason to draw people into the site;
- The FDPA depicts several residential buildings (both existing and proposed) that are orientated to maximize the new plaza and public open space, reduce the visual impact on surrounding properties, and provide for the logical extension of access to off-site transit facilities.

c.) *Open Space:*

- Again, much of the original area of the site was previously dedicated to the Park Authority and the County as part of the original development. Those 36 acres are largely still preserved as open space. The site also has its own 1.46 acre open space/amenity parcel for current residents.

d.) *Landscaping and:*

- The site benefits from the extensive open space previously dedicated, The Landscape Plan includes provisions for trees, shrubs and/or perennial beds to be planted along most of the proposed roads, screening the development from Lee Highway while providing a public space for residents and the community to utilize. Further plantings around the proposed plaza, public spaces, sidewalks and other public amenities will enhance the community.

e.) *Amenities*

- As noted, the Applicant will be creating a new central amenity building to provide the modern amenities expected in a community of this scale. It is anticipated the new amenity building will contain facilities such as an exercise room, lap pool, demonstration kitchen and theatre rooms, as well as specific residential services such as a concierge, package acceptance, and on-site dry cleaning pick-up.

#### 2. NEIGHBORHOOD CONTEXT

- The proposed community fits into the existing development as all new construction is internal to the site and largely replaces already existing structures.

- Consistent with the neighboring communities, the residential development will be oriented to maintain the continuity of open space while providing pedestrian connections to continue to link the site to neighboring developments and nearby-transit.

### **3. ENVIRONMENT**

*Preservation:* A portion of the Site is shown as being located within a Resource Protection Area (RPA), including the proposed entrance to Blake Lane. However, most this area is already disturbed by the original development. The Applicant will continue to work with the County to identify potential ways to mitigate impact to the RPA due to the pre-existing development. A full explanation of our RPA restoration plan is included in the attached Statement of Justification for our concurrent RPA Exception request. Again, the existing open space/amenity parcel will not be disturbed and none of the original 36.5 acres dedicated as part of this development is proposed to be disturbed.

*Slopes and Soils:* The development will almost be entirely within areas previously disturbed and not impact soils or slopes.

*Drainage and Water Quality:* The Applicant is proposing to utilize underground detention vaults in order to improve phosphorus removal above the 10% required for redevelopment sites.

*Noise and Lighting:* Again, given that Property is buffered by extensive open space and that this application proposes no new construction that is not consistent with the existing scale of the development there will likely be little impact to surrounding properties due to noise or light.

*Energy:* As noted in the statement of justification, by providing the mechanism for updating and modernizing the units, the Applicant will commit that the new buildings will meet the County's recent green building policy initiative (LEED certification or similar alternative program). In updating and modernizing the existing units, the nominator will also be able to install Energy Star appliances in many of the units as well as install more energy efficient HVAC systems to further minimize the impact on the environment.

### **4. TREE PRESERVATION**

- The existing tree cover will be preserved on the open space and amenity parcel as well as the original 36.5 acres dedicated to the County and Park Authority. The Applicant will preserve trees consistent with the FDPA's tree preservation plan.

### **5. TRANSPORTATION**

*a.) Transportation Improvements:* The primary improvement is to improve the internal circulation of the site by providing direct access from Lee Highway to the Retail/Amenity plaza. This allows the retail and residential vehicular traffic to be better segregated and reduces confusion within the site. Circulation is also

bolstered by the proposed right-in/right-out entrance on Blake Lane which will provide more access options, reducing the demand on the Lee Highway entrance. Also, the extensive system of internal pedestrian sidewalks and crossings will link the site to the surrounding community while providing intra-site pedestrian access.

b.) *Transportation Management/Non-motorized Facilities:* The site already has significant pedestrian improvements, including a crosswalk across Lee Highway to provide access to the Vienna Metro station. This access will only be enhanced by the pedestrian improvements to be developed as part of the MetroWest project. The Applicant is certainly to explore providing additional strategic enhancements to maximize the pedestrian accessibility of the site.

c.) *Streets:* No new streets are proposed, but all entrances will be designed and constructed to Virginia Department of Transportation (VDOT) standards.

## **6. PUBLIC FACILITIES**

a.) *Sewer.* The property will be serviced by public sewer facilities.

b.) *Schools.* Through proffers the Applicant shall contribute funds to the Fairfax County Board of Supervisors for schools impacted by the proposed development according to the methodology described in the Residential Development Criteria adopted as part of the Comprehensive Plan.

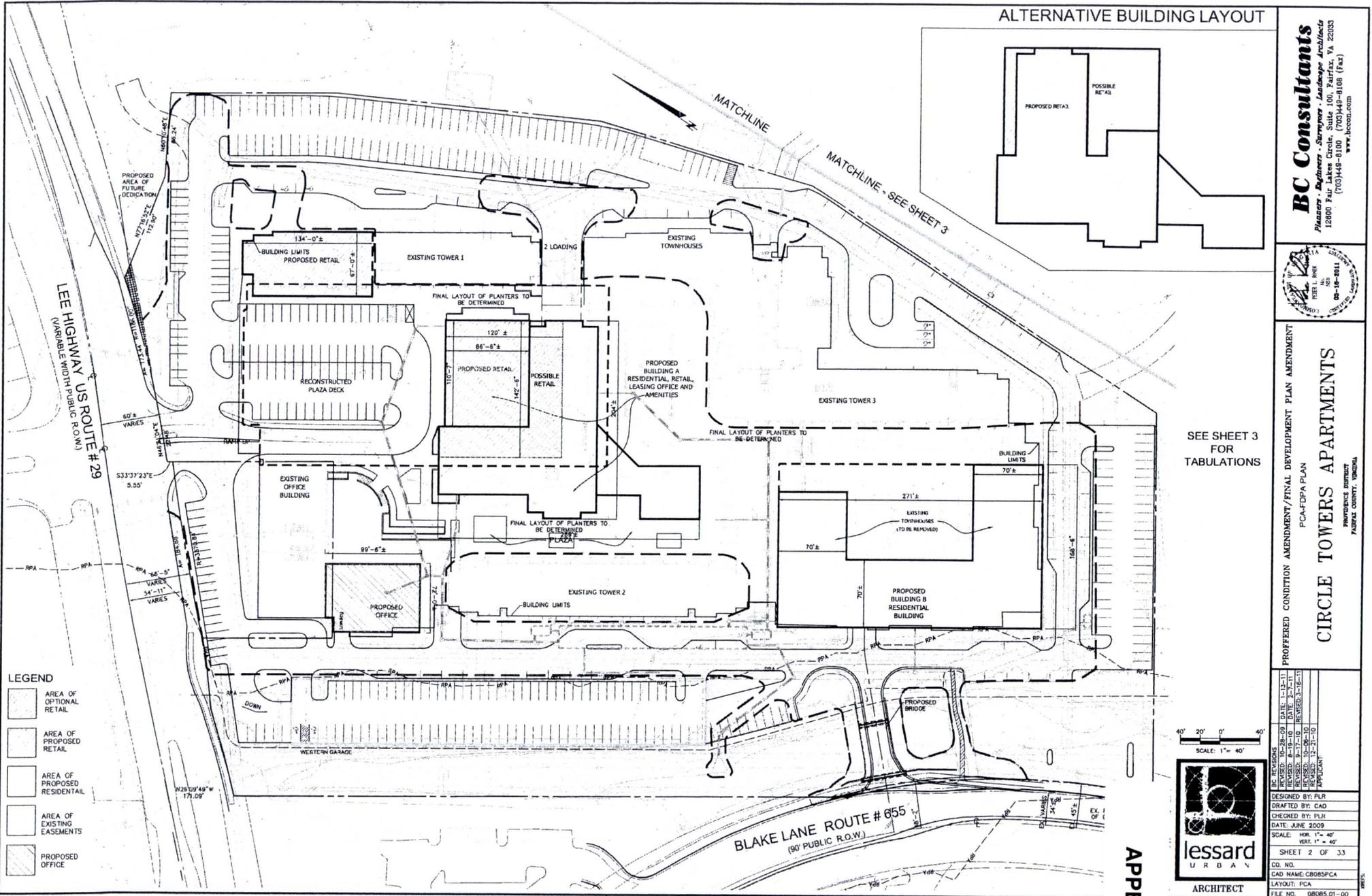
c.) *Parks.* The project offers significant on-site recreational amenities of a type and scale appropriate to a property of this size, thus there is no anticipated impact on area parks.

## **7. AFFORDABLE HOUSING**

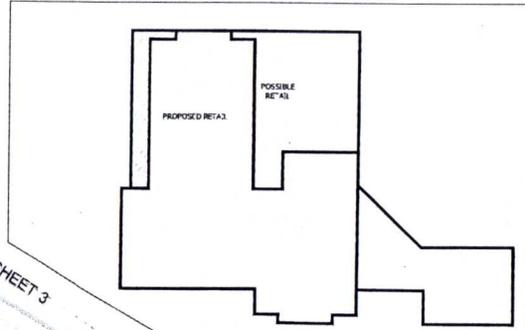
As noted, the Applicant will fully comply with the Guidelines for the Provision of Workforce Housing (the "County Policy") as well as the Affordable Dwelling Unit Ordinance. The Applicant is willing to commit to develop up to 20% of units as "Work-Force Units" consistent with County Policy, provided the applicant is also able to obtain approval of one additional market rate unit for each Work-Force Unit as stated in the County Policy.

## **8. Heritage Resources**

- There are no known heritage resources on the site.



ALTERNATIVE BUILDING LAYOUT



**BC Consultants**  
 Planners, Engineers, Surveyors, Landscape Architects  
 12800 Fair Lakes Blvd., Fairfax, VA, 22035  
 (703)448-0100 (703)448-0101 (Fax)  
 www.bccom.com



PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 PCA-FDPA PLAN  
**CIRCLE TOWERS APARTMENTS**  
 PREVIOUSLY APPROVED  
 FAIRFAX COUNTY, VIRGINIA

SEE SHEET 3 FOR TABULATIONS

SCALE: 1" = 40'



DESIGNED BY: PLR	DATE: 11-11-11
DRAFTED BY: CAD	DATE: 7-7-11
CHECKED BY: PLR	DATE: JUNE 2009
SCALE: HORIZ. 1" = 40'	VERT. 1" = 40'
SHEET 2 OF 33	
DD. NO.	CAD NAME: CB08SPCA
LAYOUT: PCA	FILE NO. 08085.01-00

v:\p\proj\2008\08085\plan\cadd\PCA\CB08SPCA.dwg, 31/7/2011, 1:06:40 AM, 1.1

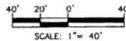


NO REVISIONS WITHIN THIS AREA ARE PROPOSED WITH THIS AMENDMENT

MATCHLINE

MATCHLINE - SEE SHEET 2

EXISTING TOWNHOUSES



**AREA TABULATIONS:**

ZONE	PDH-12, HC
AREA OF PRIOR APPROVED FDP:	52.565 AC.
AREA PREVIOUSLY DEDICATED FOR PUBLIC USE, STREET RIGHT-OF-WAY AND PARTIAL SCHOOL SITE:	36.534 AC. (DENSITY RESERVED)
NET SITE AREA (AREA OF PCA) (PARCELS 3, 3A1, 3B, 3B1, AND 53):	16.031 AC.
MAXIMUM AREA FOR COMMERCIAL USES PER Z.O. ARTICLE 8-108(4)(2) (300 S.F. COMMERCIAL X 606 DWELLING UNITS)	181,800 S.F.
MAXIMUM RESIDENTIAL DENSITY PURSUANT TO CDPA 8-983/SE 93-P-003 APPROVED IN 1995 =	606 RESIDENTIAL UNITS

**UNIT TABULATIONS:**

<b>EXISTING UNITS (PREVIOUSLY APPROVED):</b>	
APARTMENTS	554 UNITS
TOWNHOUSE APARTMENTS	52 UNITS
TOTAL UNITS	606 UNITS
<b>PROPOSED UNITS:</b>	
APARTMENTS	719 UNITS
TOWNHOUSE APARTMENTS	8 UNITS
TOTAL UNITS	727 UNITS

Maximum number of units stated. We reserve the right to distribute the units among the existing and proposed residential buildings.

\* The total units proposed include 5 ADU's and 111 Workforce units. The final number of ADU's and Workforce units will be determined at site plan, as provided in the proffers.

EXISTING OFFICE (CORRECTING PRIOR APPROVED AMOUNT):	44,700 S.F.
PROPOSED OFFICE:	74,700 S.F.

EXISTING COMMERCIAL/RETAIL:	22,000 S.F.
PROPOSED COMMERCIAL/RETAIL: (SEE PROFFERS)	26,000 S.F.

**\*\* EX BUILDING HEIGHT (# OF FLOORS OVER PARKING):**

BUILDING 1	13 STORES - 135'
BUILDING 2	14 STORES - 145'
BUILDING 3	12 STORES - 120'
TOWNHOUSES	2 STORES - 35'
OFFICE BUILDING	4 STORES - 55'

**\*\* PROPOSED BUILDING HEIGHT (# OF FLOORS OVER PLAZA LEVEL):**

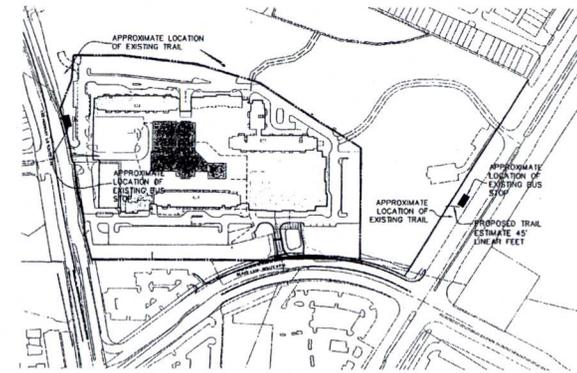
BUILDING A	4 STORES - 55'
BUILDING B	5 STORES - 60'

\*\* NOTE: Building height does not include mechanical equipment enclosures. (If entire project new construction)

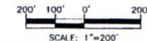
OPEN SPACE REQUIRED:	4.8 AC. (30% OF G.S.A.)
OPEN SPACE PROVIDED:	7.0 AC. (43% OF G.S.A.)

**PARKING SPACE TABULATIONS:**

TOTAL APPROVED FDP PARKING (Existing Construction)	1,011
RESIDENTIAL	606 UNITS
NON RESIDENTIAL	241
TOTAL PROPOSED PARKING REQUIRED FOR NEW CONSTRUCTION AREA INCREASES	
NEW RESIDENTIAL	
RESIDENTIAL 121 UNITS @ 1.6/UNITS	194
NEW NON RESIDENTIAL	
OFFICE 30,000 ADDITIONAL SPACE @ 3/1000	90
RETAIL 4,000 ADDITIONAL SPACE @ 4.3/1000	18
(SEE PROFFERS FOR USES)	
TOTAL PARKING REQUIRED:	1,313
PARKING PROVIDED WITH REDUCTIONS (SHARED PARKING & TDM)	1,128



ENTRANCE LOCATION EXHIBIT



**BC Consultants**  
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 (703)449-9100 (703)449-9108 (Fax)  
 www.bccom.com



PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT  
 PCA - FDP/PA PLAN  
 PERFORMANCE ARTISTS  
 FAIRFAX COUNTY, VIRGINIA

DESIGNED BY: PLR
DRAFTED BY: CAD
CHECKED BY: PLR
DATE: JUNE 2009
SCALE: HOR 1"=40'
VERT 1"=4'
SHEET 3 OF 33
CO. NO.
CAD NAME: CB085PCA
LAYOUT: PCA - FDP/PA
FILE NO: 08085.01-00



## County of Fairfax, Virginia

**MEMORANDUM**

DATE: January 6, 2011

**TO:** Barbara C. Berlin, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT: Land Use Analysis & Environmental Assessment:**  
PCA B-993/FDPA B-993-2  
United Dominion Realty, LP (Circle Towers)

The memorandum, prepared by Maya Dhavale, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the proffered condition amendment and final development plan amendment plat dated June 2009 revised through December 21, 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, United Dominion Realty, LP, is seeking to amend the existing proffers and development plan to redevelop and renovate the existing Circle Towers development. The property is currently developed with three 12 to 14 story residential towers, townhouse residential, low rise office, and ground level retail. It is zoned PDH-12. Currently there are 606 residential units, 44,700 square feet of office development and 22,000 square feet of commercial/retail development. The property is 16.03 acres; the original site size was 52.65 acres including 36.53 acres that were permanently dedicated to the Park Authority.

The applicant proposes to renovate the residential units in the existing towers. The townhomes in the southwestern portion of the site will be demolished and traffic will be rerouted throughout the development. A new residential/retail/leasing office/amenity building will be constructed in the current central plaza. An additional new residential building will be constructed in the southwestern corner of the site where the townhomes had been. The applicant intends to have 727 units on site, an increase of 121 units, distributed between the residential buildings. The applicant also proposes to increase the commercial/retail area by 4,000 square feet to 26,000 square feet, and to increase the office square footage by 30,000 for a total of 74,700. The project plans show 1,128 parking spaces and 7.0 acres of open space.



## **LOCATION AND CHARACTER OF THE AREA**

The property is located between Lee Highway (Route 29) and Arlington Boulevard (Route 50), adjacent to Blake Lane. The property to the north is planned for residential at 4-5 du/ac, zoned R-8, and is currently developed with residential, single family attached dwellings. The properties to the south and east are public parks, zoned PDH-12 and planned for use as public parks. The property to the west is zoned C-8 and planned for retail; it currently has a commercial use.

## **COMPREHENSIVE PLAN CITATIONS:**

### **Land Use**

Fairfax County Comprehensive Plan, 2007 Edition, Area II, Vienna Planning District as amended through March 9, 2010, V1 Lee Community Planning Sector, page 42:

“Infill development in this planning sector 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.”

### **Environment**

Fairfax County Comprehensive Plan, 2007 Edition, Area II, Vienna Planning District, as amended through March 9, 2010, District-wide Recommendations, page 7-8:

#### “Environment

The Vienna Planning District straddles the ridge line that separates the two largest watersheds (Difficult Run and Accotink Creek) in the Piedmont Upland area of the County. Therefore this district contains large areas of the headwaters for these large watersheds. The watershed divide roughly parallels Route 123. . . .

For the entire district, policies that focus on pollution control, reclamation, and preservation should be followed. The district should benefit from attention to preservation.

Older, developed portions of the County often have fair to poor surface water quality. This is due primarily to nonpoint source pollution in the form of runoff which contains high levels of fertilizers, pesticides, sediment, and hydrocarbons. Suburban areas such as Vienna have benefitted somewhat from state-of-the-art water quality control practices. However, they remain a challenge in the County's efforts to improve surface water quality and meet the requirements of the Chesapeake Bay Preservation Act. . . .”

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through July 27, 2010, page 6 through 20:

“The core of Fairfax County’s Environmental Quality Corridor (EQC) system is its stream valleys. Streams provide habitat for aquatic species and are an integral component of stream valley habitat systems. Streams also serve to replenish water sources that may ultimately provide drinking water and are places of natural beauty, that provide recreational and aesthetic opportunities, contributing to the quality of life in Fairfax County. Much of the County’s parkland consists of stream valley parks, and much of the County’s existing and planned trail system is located near streams. Land use and development activities have the potential to degrade the ecological quality of streams through the direct transport of pathogens and pollutants, as well as through hydrologic changes that can alter the character of flow in streams, resulting in alterations to stream morphology (e.g., stream bank erosion). The protection and restoration of the ecological quality of streams is important to the conservation of ecological resources in Fairfax County. Therefore, efforts to minimize adverse impacts of land use and development on the County’s streams should be pursued. . . .

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

Policy j. Regulate land use activities to protect surface and groundwater resources.

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. . . .
- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage the preservation of wooded areas and steep slopes adjacent to stream valley EQC areas. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes. . . .
- 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. . . .

- Policy m. Support watershed management planning and consider any watershed management plans that are adopted or endorsed by the Board of Supervisors as a factor in making land use decisions.
- Policy n. Optimize stormwater management and water quality controls and practices for redevelopment consistent with revitalization goals. . . .

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. . . .

**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, as applied to Chesapeake Bay Preservation Areas adopted by the Board of Supervisors as generally depicted in

Figure 5 of the *Chesapeake Bay Supplement* to the Comprehensive Plan, as may be amended by the Board of Supervisors. . . .

**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). (See Figure 4.) 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. . . .

The following efforts within EQCs support the EQC policy and should be encouraged:

- Stream stabilization and restoration efforts where such efforts are needed to improve the ecological conditions of degraded streams. Natural channel design methods should be applied to the greatest extent possible and native species of vegetation should be used.
- Replanting efforts in EQCs that would restore or enhance the environmental values of areas that have been subject to clearing; native species of vegetation should be applied.
- Wetland and floodplain restoration efforts.
- Removal of non-native invasive species of vegetation from EQCs to the extent that such efforts would not be in conflict with county ordinances; such efforts should be pursued in a manner that is least disruptive to the EQCs.

Other disturbances to EQCs should only be considered in extraordinary circumstances and only where mitigation/compensation measures are provided that will result in a clear and substantial net environmental benefit. In addition, there should be net benefits relating to most, if not all, of the EQC purposes listed above that are applicable to the proposed disturbances.

Preservation should be achieved through dedication to the Fairfax County Park Authority, if such dedication is in the public interest. Otherwise, EQC land should remain in private ownership in separate undeveloped lots with appropriate commitments for preservation. The use of protective easements as a means of preservation should be considered. . . .

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

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

**Objective 12: Improve the identification and mitigation of environmental impacts, and the monitoring and enforcement of environmental policies as applied to land disturbing activities.**

Policy a: Require both public and private development proposals to identify environmental constraints and opportunities and demonstrate how environmental impacts will be mitigated. . . .

**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. . . .

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). . . ."

**COMPREHENSIVE PLAN MAP:** Residential use at 16-20 dwelling unit per acre and public park.

**LAND USE ANALYSIS**

The applicant is proposing to redevelop portions of the site and to renovate existing structures to provide 727 residential units and expanded amenity, retail, and office uses. The history of the site explains the relative density and intensity of the use which is unlike surrounding uses. The original size of the site was over 50 acres; this density was consolidated onto the current site when the remaining portion was dedicated to the Park Authority in the 1970s. The additional proposed density and intensity at this location appear to generate little direct impacts on surrounding properties as the expanded amenity and retail uses are to be community-focused and intended to serve the residents of the development.

**Compatibility**

Provided that the applicant emphasizes community-focused retail on site, the intensity of the proposed use is not anticipated to result in significant impacts on adjacent residential parcels. The new construction is lower than the current towers, and is situated on a relatively small proportion of the site.

If the applicant provides a proffer detailing the community-focused retail uses intended to serve the residents of Circle Towers and not attract traffic from off-site to specifically preclude the inclusion of a grocery store, the proposed land use and intensity are in general conformance with the Comprehensive Plan's basic land use recommendations. Without a proffer specifically excluding a grocery store use, this is an outstanding issue.

## **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.

### **Resource Protection Area (RPA)/Environmental Quality Corridor (EQC) Encroachment**

The applicant has identified concerns with accessibility and onsite circulation. The property is currently accessible from two separate entrances, one on Lee Highway and the other on Arlington Boulevard. Both of these entrances have constraints which make addressing the concerns difficult; the Lee Highway entrance, the primary point of entry for the site, was built prior to substantial road improvements by VDOT and no longer meets the standards required for improvements, and the Arlington Boulevard entrance is in an easement from the Park Authority which makes widening or redesign difficult. To address the accessibility and circulation concerns, the applicant is proposing a third access point to the site with an entrance from Blake Lane. This proposed entrance entails crossing the RPA and EQC along the western edge of the site.

Prior to the newly revised EQC policy, staff could consider an encroachment if it was for a public purpose, or if the encroachments were in an area that appeared to be EQC but did not actually meet the definitions of the EQC purposes discussed in the policy – habitat quality, connectivity of natural areas, hydrology/stream buffering/stream protection, and pollution reduction capabilities. Under the newly revised EQC policy, barring meeting one of these conditions, an EQC may be encroached upon if there are extraordinary circumstances and where mitigation and compensation measures will create a clear and substantial net environmental benefit for most if not all of the EQC purposes discussed in the policy (noted above). Given that this application did not meet either of the two conditions for encroachment under the previous EQC policy, the Blake Lane crossing can now be considered under the newly revised EQC policy, particularly the extraordinary circumstances of the constraints on the two other entrance points, and the issues imposed after the construction of Circle Towers was completed. Additionally, the applicant has exhausted efforts to provide improved accessibility and circulation through other alternatives.

### **Preservation of Net Environmental Impact**

This case is the first to use the newly revised EQC policy under the net environmental benefit provision. As such, the applicant has designed a wetland area to be constructed and habitat to be

restored in the existing EQC. This restoration area will offset and mitigate the encroachment and impact of the EQC/RPA crossing. The crossing itself has been designed in an environmentally sensitive manner; it is a bridge spanning the EQC rather than built on a culvert or filled area. The applicant proposes plantings to mimic a wetland environment as well as restoration of trees in the EQC.

However, these types of environmental benefits can erode if not properly designed, installed, or established. For this reason, staff wish to strongly emphasize the role of monitoring in preservation of the net environmental impact. Without a commitment to ensuring that the wetland plantings and ecosystem construction are well established and providing the promised ecosystem services, any net environmental benefit will be lost while the permanent encroachment of the crossing will remain. For this reason, the applicant has proffered to a multi-year monitoring agreement with defined expectations. Without such an agreement, staff cannot be comfortable in assuming that any provided benefit will remain in perpetuity.

Staff also defer to DPWES in their assessment of the net environmental benefit and the regulatory obligations met through the RPA exception process.

### **Tree Cover**

The EQC/RPA encroachment and subsequent restoration of the EQC will necessitate the removal of trees but will also result in a substantial number of enhancement plantings throughout the site. The applicant has proffered to coordinate with DPWES Urban Forestry Management to ensure maximum tree preservation as well as the planting of native and non-invasive species, as possible.

### **Green Building**

The applicant has proffered to commit to LEED certification for one of the proposed buildings (Proposed Building B, 100% residential) but only for the non-retail portion of the other (Proposed Building A, amenity/retail/residential). Staff strongly prefers to see clear commitments to certification of entire green buildings. Commitment to partial certification may not be an option under the USGBC's LEED program, and these partial commitments may create unintended barriers to proffer implementation and escrow release. Staff strongly encourages the applicant to consider LEED-CS instead of LEED-NC to resolve the concern regarding retail tenants in the Proposed Building B, which will allow the entire building to be LEED certified.

Additionally, the applicant is required to demonstrate a net environmental benefit of the site as part of the EQC encroachment that the applicant is requesting. LEED certification of both eligible buildings is a demonstrable commitment that provides a lasting environmental benefit and strengthens the applicant's case as providing a clear and substantial net environmental benefit.

This is an outstanding issue.

Barbara C. Berlin  
PCA B-993/FDPA B-993-2  
Page 10

PGN: MPD



## County of Fairfax, Virginia

## MEMORANDUM

DATE: February 14, 2011

**TO:** Barbara C. Berlin, Director  
Zoning Evaluation Division

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

**SUBJECT:** Transportation Impact Addendum

**FILE:** 3-4 (RZ B-993)

**REFERENCE:** PCA B-993, FDPA B-993-02; Circle Towers L.L.C. and United Dominion Realty, L.P.  
Land Identification: 48-3 ((1)) 53; 48-4 ((1)) 3, 3A1, 3B, and 3B1

The following additional comments reflect the position of the Department of Transportation. These comments are based on the applicant's development plan revised to January 13, 2011 and draft proffers last revised to January 18, 2011.

The development plan adequately addresses all prior concerns related to the site design and traffic operations. However, this Department feels additional progress is needed relative to the Transportation Demand Management [TDM] commitments. It is recommended that the applicant:

- Extend the goals and monitoring program to the existing office use.
- Increase the trip reduction goal of 15% for residential uses to 25% for both residential and office uses.
- Add remedies and/or penalties.

Also, the key recommendations for TDM elements to support a parking reduction have not been addressed. These are:

- Provision of a robust parking management program that unbundles parking from leases and sales agreements, and uses access control and pricing to allocate spaces.
- A commitment to provide additional parking spaces, should the program not reduce parking demand as expected.

This Department would not object to the service drive waiver long the site's Route 29 frontage.

AKR/CAA

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



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

February 11, 2011

GREGORY A. WHIRLEY  
COMMISSIONER

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

Re: PCA/FDPA B-993 (2009) Circle Towers LLC  
Tax Map # 48-3 ((01)) 0003, 3A, 3B, 3B1 & 53  
Fairfax County

Dear Ms. Berlin:

I have reviewed the above listed plan submitted on January 19, 2011, and received on January 25, 2011. I have no additional comments regarding this project on this submittal. Please note the median nose for the entrance on Rt. 29 will need to be properly designed on the site plan.

If you have any questions, please call me at (703)383-2424.

Sincerely,

Kevin Nelson  
Transportation Engineer

cc: Ms. Angela Rodeheaver

fairfaxrezoning2009-B-993pca3CircleTowersApts2-11-11RC



# County of Fairfax, Virginia

## MEMORANDUM

January 10, 2011

**TO:** Bob Katai, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Todd Nelson, Urban Forester II   
Forest Conservation Branch, DPWES

**SUBJECT:** Circle Towers Apartments; PCA B-993/FDPA B-993-02

**RE:** Request for assistance dated December 22, 2010

I have reviewed Proffered Condition Amendment/Final Development Plan Amendment PCA/FDPA B-993-02 stamped "Received, Department of Planning and Zoning, December 22, 2010," and the draft proffer dated December 21, 2010. Urban Forest Management Division (UFMD) comments and recommendations made on the previously submitted PCA/FDPA appear to be adequately addressed on this submission and there are no additional UFMD comments and/or recommendations.

Please contact me at 703-324-1770 if you have any questions.

TLN/  
UFMID #: 147100

cc: RA File  
DPZ File





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** December 30, 2009

**TO:** Suzanne Lin, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Beth Forbes, Stormwater Engineer *BF*  
Stormwater & Geotechnical Section, Environmental & Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Circle Towers, PCA-B-993/FDP-B-993-02, Proffer Condition Amendment  
Plat dated October 28, 2009, Tax Map #48-3-01-0053 and #48-4-01-0003,  
-0003A1, -0003B & -0003B1, Providence District

**REFERENCE:** Waiver #8496-WPFM-001-1 for the 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 stormwater management facilities located in a residential development (Attachment B). The Board of Supervisors (Board) may grant a waiver after taking into consideration possible impacts on public safety, the environment, and the burden placed on prospective property owners for maintenance. Underground stormwater management 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 owner of Circle Towers has requested a Proffer Condition Amendment to allow the redevelopment of a portion of the site. Some buildings will be demolished and replaced; other buildings will remain. The site currently provides retail, office and residential uses. The mixed-use development would continue under the current proposal. Should the PCA be approved, there would be 44,700 sf of office use, 24,700 sf of commercial/retail uses, and up to 756 apartment units on the property.

Additional stormwater detention will be required to mitigate a proposed increase in impervious area. The site was originally developed before the county's current detention requirements



were promulgated; no detention facilities exist on the property. The property owner feels the underground storage is necessary to effectively utilize the site. The existing buildings, parking, walkways and the floodplain limit the locations an above-ground facility could be placed.

### ANALYSIS

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

Impacts on Public Safety – The underground facility is proposed to be located under a paved access road at the front of an existing residential building. The access to the underground vault will lie in a high-traffic, high-visibility area so unofficial entry to the vault would be easily noticed.

If it is the intent of the Board to approve the waiver request, the property owner 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 private maintenance agreement shall also hold Fairfax County harmless from any liability associated with the facilities. In addition, locking manholes and doors must be provided at each access point.

Impacts on the Environment – The surrounding area is currently developed and the underground facility would outfall into an existing piped storm drainage system. The underground storage would be constructed underneath an existing access road. Staff does not believe that there will be any adverse impact on the environment from the construction and maintenance of the underground facility.

The proposed location for the vault, however, may conflict with other site utilities. The sanitary lateral from Tower 2, an existing apartment building to remain, will need to be relocated. The separation between a site water line and the proposed vault may also be an issue. These utility conflicts may cause the vault to be constructed in another location. Another location may have a different environmental impact.

The applicant has proposed an in-line storage facility. Underground storage facilities are normally required to be off-line. With an off-line design, should a facility become clogged, the storm drain system could continue to operate. When in-line facilities become clogged, the storm drain system's operations would cease. The storm drain system would back up and could overflow. Flooding may be possible depending on the intensity and duration of the storm event. As proposed all of the stormwater runoff entering the facility would originate from the applicant's property, so any backup events would impact only the applicant's property. Any flooding caused by a clogged facility would impact only the applicant's property and a major floodplain. The impact to the major floodplain from the failure of this single facility would be inconsequential.

If it is the intent of the Board to approve the waiver request, staff recommends the underground storage facility be located where no off-site stormwater runoff would enter the vault.

Burden Placed on Property Owner for Maintenance and Future Replacement – While the high-traffic area proposed for the vault will deter unofficial entry, it will also make replacement of the vault problematic. The main entrance to Tower 2 apartment building is likely to be inaccessible should the vault need to be replaced.

If it is the intent of the Board to approve the waiver request, the property owner must execute a maintenance agreement prior to site plan approval. Staff recommends the property owner be required to establish a financial plan for the operation, inspection, and maintenance of the underground facilities. The property owner should be required to establish a fund for the annual maintenance. Staff recommends that the property owner provide an initial deposit in an escrow account in an amount equal to the estimated costs for the first 20 years of maintenance of the facility. The engineer has provided \$6,000 as an estimate of the annual maintenance cost for the facility; staff finds this estimate reasonable. Before site plan approval, \$120,000 should be placed into escrow to fund 20 years of maintenance. These monies would not be available to the owner until bond release. About \$190 per apartment would be escrowed if only 630 of the possible 756 units are completed. This estimate is based on the entire maintenance costs being provided by the residential portion of the development. It is likely that the non-residential uses on the site will also share the burden of the maintenance costs.

The property owner should also be required, as a waiver condition, to address future replacement of the underground facilities as part of its private maintenance agreement with the County. In order to maximize the useful life of the underground facility, the property owner must be required to construct the underground facilities with reinforced concrete products only. A replacement cost fund, based on an estimated 50-year lifespan for concrete products, should be established. The replacement reserve fund must be separate from the annual maintenance fund to ensure the monies are available at the time replacement is necessary and have not been previously spent on maintenance activities. The engineer has estimated the construction cost of this facility to be about \$590,000; staff finds this estimate reasonable. The amount of the annual contribution toward the replacement reserve fund, assuming interest compensates for inflation, would be approximately \$11,800. The annual contribution to the replacement reserve fund would be about \$19 per year per apartment unit if 630 units are completed. This estimate is based on the entire replacement cost being provided by the residential portion of the development. It is likely that the non-residential uses of the site will also share the burden of the replacement costs.

#### RECOMMENDATION

DPWES recommends that the Board approve the waiver to locate underground facilities at Circle Towers, a mixed-use development. If it is the intent of the Board to approve the waiver, DPWES recommends the approval be subject to Waiver #8496-WPFM-001-1 Conditions, Circle Towers, dated December 30, 2009, as contained in Attachment A.

If you have any questions, or need further assistance, please contact me at 4-1720.

#### ATTACHED DOCUMENTS:

Attachment A – Waiver #8496-WPFM-001-1 Conditions, Circle Towers, dated December 30, 2009

Attachment B – PFM Section 6-0303.8

cc: Robert A. Stalzer, Deputy County Executive  
James Patteson, Director, DPWES  
Michelle Brickner, Acting Director, Land Development Services, DPWES  
Steve Aitcheson, Director, Maintenance and Stormwater Management Division, DPWES  
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES  
Zoning Application File (8496-ZONA-001)  
Waiver File

Waiver #8496-WPFM-001-1 Conditions

Circle Towers

Proffer Condition Amendment Application #PCA-B-993/FDP-B-993-02

December 30, 2009

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

The private maintenance agreement shall address:

- County inspection and all other issues as may be necessary to insure that the facility is maintained by the property owner in good working condition acceptable to the County so as to control stormwater generated from the redevelopment of the site and to minimize the possibility of clogging events.
  - A condition that the property owner and its successors or assigns shall not petition the County to assume maintenance of or to replace the underground facility.
  - Establishment of a reserve fund for future replacement of the underground facility.
  - 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 owner provide and continuously maintain liability insurance. The typical liability insurance amount is at least \$1,000,000 against claims associated with underground facility.
  - A statement that Fairfax County shall be held harmless from any liability associated with the facility.
6. The underground facility shall be located so as to only receive stormwater runoff from the property and no others.

7. Operation, inspection, and maintenance procedures associated with the underground facility shall be incorporated into the site construction plan and private maintenance agreement which insure safe operation, inspection, and maintenance of the facility.
8. A financial plan for the property owner to finance regular maintenance and full life-cycle replacement costs shall be established prior to site plan approval. A separate line item in the annual budget for operation, inspection, and maintenance shall be established. A reserve fund for future replacement of the underground facility shall also be established to receive annual deposits based on the initial construction costs and an estimated 50-year lifespan for concrete products.
9. Prior to final construction plan approval, the property owner shall escrow sufficient funds which will cover a 20-year maintenance cycle of the underground facility. These monies shall not be made available to owner until after final bond release.

## **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.

# **BC Consultants**

*Planners • Engineers • Surveyors • Landscape Architects*

December 29, 2009

Ms. Michelle Brickner, Director  
Office of Land Development Services  
Fairfax County DPWES  
12055 Government Center Parkway  
Fairfax, Virginia 22035-5503

Re: Circle Towers  
County No.: PCA-B-993/FDP-B-993-02  
Tax Map No.: 48-3 ((1)) 53,  
48-4 ((1)) 3, 3A1, 3B, & 3B1  
BC Project No.: 08085.01

Dear Ms. Brickner,

On behalf of our client, UDR, we hereby request a waiver of the Fairfax County Public Facilities Manual (PFM) section §6-0303.8, to permit underground detention in a residential development for the above-referenced project. This ±16.03-acre site, currently zoned PDH-12, is located at the intersection of Lee Highway and Blake Lane within the Providence District. The proposed project is the demolition of existing buildings and construction of a mixed-use facility and townhouses with parking and associated infrastructure. The adjacent parcels are zoned for residential and commercial uses. The following is the statement of justification that outlines the reasons for this request as well as the accompanying justification in accordance with the instructions outlined in the Department of Public Works and Environmental Services (DPWES) letter to industry #04-19 dated October 29, 2004.

## **Statement of Justification**

This waiver is being requested because the effective utilization of the site does not leave sufficient space for an above ground facility. Additionally, this is a redevelopment project and a substantial portion of the site is currently occupied by buildings, parking lots, walkways, and a flood plain.

## **Type of Facilities**

The underground storm water management facilities proposed with this project will be a concrete vault to address quantity control requirements. Two (2) Stormfilter or equal Best Management Practices (BMP) vaults will be used to address quality control requirements.

## **Materials**

The proposed storm water detention vault and BMP vaults will be constructed out of cast-in-place or precast concrete. Both are utilized in order to maximize the life of the facility as well as minimize any maintenance requirements.

## **Size**

The proposed storm water detention vault will have a volume of approximately 15,300-cubic feet in order to address quantity control requirements. The vault will be approximately 170-feet (length) x 15-feet (width) x 6-feet (depth).

The BMP facilities are cartridge systems that will have 55 cartridges combined. The dimensions of each vault will be 18-feet (length) x 8-feet (width) x 6-feet (depth). These dimensions are based upon the manufacturer's standards.

## **Location**

The facility will be located underneath the southwestern parking lot, north of the existing 48" outfall pipe as depicted on the Proffered Condition Amendment/Final Development Plan (PCA/FDP) and shown on Attachment "C". The exact location and configuration will be subject to change with final design as necessary to accommodate access requirements.

## **Safety**

Due to the fact that the facility will be located underground there should be no safety issues for the residents as there will be no access to the system other than for maintenance personnel.

## **Environment**

This site was previously developed as high-rise apartment rentals and commercial buildings with parking. The areas surrounding the site are developed with residential apartments to the north, vacant recreational & parkland to the east and south, and a restaurant to the west. The proposed stormwater management system will provide both quantity and quality control for the storm water runoff generated by this project. In addition, the discharge from the system will tie directly into an existing storm sewer system. Because both quantity and quality controls are being provided and the only concentrated storm water discharge will be directed into existing adequate outfall, there should be no adverse environmental impacts.

## Maintenance

Because this entire facility will be owned, operated, maintained, and funded by the property owners, there will be no homeowners or condominium owners association. However, if we assume that all residents of the facility will, in some way, share the annual maintenance costs of the storm water management facilities equally, the annual cost would be \$6,000 or \$10 per unit based on a total of 630 residential units (see Attachment "B").

## Conclusion

Based on the information presented above, it is our opinion that the use of underground detention is an appropriate and reasonable option to address storm water management requirements for this project. This option should provide an environmentally sensitive solution without imposing an undue cost burden upon the individual unit owners.

Enclosed with this letter are copies of the PCA/FDP as well as the landscape plan to assist you with your evaluation of this waiver request. Should you have any questions or need additional information, please let us know.

Sincerely,



The BC Consultants, Inc.  
Josh Melson, P.E.  
Project Engineer

JHM

Attachments: Attachment A - Construction Cost Estimate  
Attachment B - Maintenance Cost Estimate  
Attachment C - Schematic of the Facility  
Attachment D - Draft Proffer Conditions

Enclosures: Proffered Condition Amendment/Final Development Plan

# ATTACHMENT A

## CONSTRUCTION COST ESTIMATE

### STORMWATER QUANTITY CONTROL

Description	Quantity	Unit	Unit Cost	Total
Concrete Vault (170'x15'x6')	1	EA	\$ 400,000	\$ 400,000
Excavation	3,250	CY	\$ 20	\$ 65,000
Backfill	2,540	CY	\$ 20	\$ 50,800
Construction	1	EA	\$ 77,370	\$ 77,370
			<b>TOTAL COST</b>	<b><u>\$ 593,170</u></b>

# ATTACHMENT B

## MAINTENANCE COST ESTIMATE

### STORMWATER QUANTITY CONTROL

Frequency	Once Every Year and After Large Storms *
Cost per Visit	\$ 3,000
Cost Per Year	\$ 6,000
No. Residents/Units	630
Annual Cost per Resident/Unit	\$ 10

\* We have assumed 1 large storm per year, thus the stormwater facility will be maintained twice a year.





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** February 18, 2011

**TO:** Bob Katai, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Beth Forbes, Stormwater Engineer *BF*  
Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Proffered Condition/Final Development Plan Amendments #PCA/FDPA B-993,  
Circle Towers, Plan dated February 7, 2011, LDS Project #8496-ZONA-001-7,  
Tax Map #48-3-1-0053 and #48-4-01-0003, -0003A1, -0003B & 0003B1,  
Providence District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. Before a site plan can be approved, a site-specific, field-verified RPA delineation will be required (CBPO 118-1-9(c), LTI 08-12).

A new driveway is proposed to be located in the RPA. Driveways are an allowed use in the RPA provided that the following CBPO conditions are met (CBPO 118-2-1(d)):

1. it can be demonstrated there are no reasonable alternatives to the alignment,
2. it can be demonstrated the alignment and design will minimize encroachment into the RPA,
3. the design and construction satisfies all applicable criteria of the CBPO including the approval of a Water Quality Impact Assessment (WQIA), and
4. the road design is reviewed through a site plan or subdivision plan.

Since there are two other existing points of access to the site, there are reasonable alternatives to the new driveway. Condition 1 is not met and, therefore, the driveway cannot be considered an allowed use. A General RPA Encroachment Exception under CBPO 118-6-9 is necessary; a request for an exception and a WQIA have been received. A staff report recommending approval of the request will be forwarded under separate cover. The encroachment exception request and WQIA will be heard by the Board of Supervisors (Board) in conjunction with this zoning action.

Water quality controls are required, if not waived. The project is likely to qualify as redevelopment (PFM 6-0401.2B). Underground filtering facilities are located on the plan to meet the controls required for the increase in impervious surfaces in the proposal. At the site plan stage, the filtering



Bob Katai, Staff Coordinator

Proffered Condition/Final Development Plan Amendments #PCA/FDPA B-993, Circle Towers

February 18, 2011

Page 2 of 2

facilities must be designed under either Letter to Industry #01-11 or Technical Memorandum #10-3. A green roof has also been proffered; since the roof is within the drainage area of the filtering facility its area cannot be used twice in meeting the CBPO's water quality requirements. A Filterra unit is included in the plan as part of the requirements of General RPA Encroachment Exception.

#### Floodplain

There are regulated floodplains on the property. Before site plan approval, a floodplain study will be required since work within a major floodplain is proposed and it is a component of the RPA (PFM 2-0110.3A(6)). As long as a) the driveway is designed and constructed under VDOT or Fairfax County requirements and b) it can be demonstrated the driveway would cause no adverse impact to any other property from any resulting change in the floodplain limits, the approval for the use the in floodplain can be requested from this office (ZO 2-903). It appears these conditions can be met. If these two conditions cannot be met, a Special Exception for a Use in a Floodplain will be necessary for the new driveway.

#### Downstream Drainage Complaints

There are no downstream drainage complaints on file.

#### Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). An underground facility is located on the plan. It should be noted utility conflicts may require the underground detention to be located in a different part of the site.

The applicant has requested a waiver for an underground detention facility in a residential area (PFM 6-0303.8). This type of waiver must be approved by the Board in conjunction with the zoning action. On December 31, 2009, DPWES recommended that the Board approve the waiver with conditions. The version of the waiver request which appears on Sheet 26 of the plan was not submitted to DPWES.

The applicant should be aware that the EPA has issued a Draft Benthic TMDL Development Report for Accotink Creek. Should the recommendations in this report be adopted, detention requirements more stringent than those currently in the PFM may be applied to this project.

#### Site Outfall

An outfall narrative has been provided for 2 of the 3 of the site's outfall locations. The engineer feels that an adequate outfall exists, yet the draft Watershed Workbook for Accotink Creek indicates that the stream banks are unstable between this site and Accotink Creek. In light of the known drainage problem downstream, DPWES can require the outfall analysis extend further downstream than the minimum requirements (PFM 6-0203.2E).

Please contact me at 703-324-1720 if you require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division  
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES  
Elfatih Salim, Stormwater Engineer, Stormwater & Geotechnical Section, ESRD, DPWES  
Zoning Application File



**FAIRFAX  
COUNTY**  
V I R G I N I A

**APPLICATION FILED:** August 30, 2010  
**PLANNING BOARD:** March 10, 2011

**February 18, 2011**

**DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES**

**ENVIRONMENTAL AND SITE REVIEW DIVISION**

**STAFF REPORT**

**RESOURCE PROTECTION AREA (RPA) ENCROACHMENT  
EXCEPTION #8496-WRPA-001-1 and  
WATER QUALITY IMPACT ASSESSMENT (WQIA) #8496-WQ-001-1**

**IN CONJUNCTION WITH PROFFERED CONDITION AMENDMENT B-993 AND  
FINAL DEVELOPMENT PLAN AMENDMENT B-993-02**

**PROVIDENCE DISTRICT**

**APPLICANT:** Circle Towers LLC

**PROJECT LOCATION:** 9377A Lee Highway

**TAX MAP REFERENCE:** 48-4-01-0003A1

**APPLICATION SUBMITTED:** August 30, 2010

**APPLICATION ACCEPTED:** October 26, 2010

**WATERSHED:** Accotink Creek

**RPA EXCEPTION REQUEST:** General RPA Encroachment Request under  
Chesapeake Bay Preservation Ordinance (CBPO)  
Section 118-6-9

**PROPOSAL:** Exception to allow encroachment into the 1993 RPA  
for a new driveway

**LOT SIZE:** 16 acres

**AREA OF REQUESTED  
RPA ENCROACHMENT:** 11,100 square feet (0.26 acres) of previously  
undisturbed area within the county-mapped RPA is

proposed to be disturbed to construct a driveway and storm drain improvements

**PUBLIC HEARING:**

General RPA Encroachment Request under CBPO Section 118-6-9 concurrent with Proffered Condition Amendment B-993 and Final Development Plan Amendment B-993-02

**DESCRIPTION:**

The applicant is requesting an RPA encroachment exception to permit a new driveway onto the site. Construction of the driveway will include a bridge with a new sidewalk and retaining walls. Storm drain improvements will also encroach into the county-mapped RPA.

**DOCUMENTS AND  
CORRESPONDENCE:**

In addition to the February 7, 2011, PCA/FDPA plan, the following information is part of this application:

- RPA Encroachment Exception Application signed and dated August 23, 2010 (Attachment A),
- Statement of justification received August 30, 2010 (Attachment B) and
- WQIA prepared by BC Consultants, Inc., received August 30, 2010, which includes site photographs and a soils map (Attachment C)

**BACKGROUND:**

Circle Towers was constructed before the CBPO was promulgated. A portion of the site was designated as RPA in 1993. A parking garage, surface parking, travelways and a corner of a residential building are now in the county-mapped RPA.

Since the complex was completed, US Route 50 has been widened leaving less area for stacking on the property and complicating circulation within the site. As part of a Proffered Condition Amendment and Final Development Plan Amendment, the applicant has requested to construct a new access point to the property from Blake Lane. The proposed driveway will traverse the RPA. Driveways are an allowed use in the RPA provided that there are no alternatives (CBPO 118-2-1(d)(1)). In this case, there are 2 other alternatives to access the property, therefore, an RPA encroachment exception is required.

**ANALYSIS:**

The applicant is proposing to remove a greater area impervious surface within the county-mapped 1993 RPA than the new driveway will create. Normally, this type of trade would be considered redevelopment and a WQIA alone would suffice. Since the only component of the RPA on this site is the major floodplain, only a small part of the area where the pavement is to be removed is within the RPA. Hence, despite the removal of impervious surfaces, the work proposed is considered development in the RPA and an exception is required.

A bridge over the RPA is proposed so overland flow, rather than a culvert pipe, will carry stormwater flow under the driveway. Also, some of the site's runoff, which now enters the storm drain system, will be rerouted through a restored area.

To mitigate the disturbance to the RPA, the applicant has proposed to restore the overland-flow area by creating 3 micro-pools, removing a slightly greater amount of impervious area within the county-mapped RPA than will be added, and revegetating areas within the county-mapped RPA.

The micro-pools are to be created by the construction of 3 weirs. These weirs have been proposed to be constructed with utility easements. Each of the weirs extends into a sanitary sewer easement. Weir "C" also extends into a Washington Gas easement. Normally, it would not be allowed to permanently place such devices in utility easements, however, to have these weirs placed in an unencumbered area to the east would require considerable additional grading and tree removal in the county-mapped RPA.

Additional mitigation is proposed by the installation of a Filterra serving a portion of the site not otherwise controlled by a BMP. As located, the Filterra will provide water quality improvements greater than the detriments of the new driveway within the county-mapped RPA. Since the applicant only needs to show a benefit when compared to the actual RPA, the Filterra will provide benefits greater than required.

The applicant has proposed revegetating areas equal to the area of clearing and grading on the property

within the county-mapped RPA at the densities required by the CBPO. Other areas within the county-mapped RPA will be revegetated at lower densities also with a mix of native species. The actual RPA is likely to be within the restored stream channel itself so vegetating this area will not be possible.

Revegetation at CBPO densities within the county-mapped RPA can be difficult considering the many dedicated utility easements. While the areas closest to the stream restoration might normally be the best areas to revegetate more densely, these are the areas where sanitary sewer, water, gas, and storm drain easements make it unreasonable to plant trees.

Before a site plan for any work on this property can be approved, a site-specific, field-verified RPA delineation must be approved (LTI 08-12). The controlling component of the delineation is likely to be the boundary of the major floodplain, therefore, a floodplain study will also be necessary before site plan approval.

**REQUIRED FINDINGS:**

General RPA Encroachment Exceptions under CBPO 118-6-9 may be granted based upon the findings listed in CBPO Section 118-6-6 and the additional finding in CBPO Section 118-6-9. It is the opinion of county staff that the required findings, as discussed below, have been fully satisfied in this application.

(a) *The requested exception to the criteria is the minimum necessary to afford relief:*

The proposed driveway is the minimum acceptable width. Since the bridge will include a sidewalk, the trail across the RPA is no longer needed and will be removed. It is the opinion of staff that the proposal is the minimum necessary to afford relief.

(b) *Granting the exception will not confer upon the applicant any privileges that are denied by this part to other property owners who are subject to its provisions and who are similarly situated:*

It is the opinion of staff the approval would not confer privileges upon the applicant beyond that afforded to other property owners who are similarly situated.

*(c) The exception is in harmony with the purpose and intent of this Chapter and is not of substantial detriment to water quality:*

The applicant proposes to remove an area of impervious surface within the county-mapped RPA slightly greater than the increase in impervious area created by the driveway. The applicant also proposes to revegetate an area equivalent to the county-mapped RPA's disturbance. These areas are likely to be greater than the actual disturbance to the site-specific RPA. Finally, the applicant proposes to reroute runoff to a restored overland flow area with 3 micro-pools. It is the opinion of staff that the exception would be in harmony with the purpose and intent of the CBPO, and would not be detrimental to water quality.

*(d) The exception request is not based upon conditions or circumstances that are self-created or self-imposed:*

It is the opinion of staff that the exception is not based on conditions that were self-created and self-imposed. The requested driveway is a response to the traffic circulation concerns within the site; these concerns have been exacerbated by the widening of public roads.

*(e) Reasonable and appropriate conditions are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality:*

It is the opinion of staff that the proposed development conditions are reasonable and appropriate, and will prevent a degradation of water quality.

*(f) Other findings, as appropriate and required herein, are met:*

It is the opinion of staff the requirements of a Water Quality Impact Assessment, CBPO 118-4-3, have been provided.

*(g) Exceptions under CBPO 118-6-9 are subject to the additional finding that the water quality benefits resulting from the proposed construction exceed the associated water quality detriments:*

The applicant has demonstrated the project will provide a quantifiable benefit. A Filterra is proposed to be constructed in conjunction with an existing storm drain inlet in an area of the site which has not been proposed to be served by another BMP. Calculations using the Chesapeake Bay Method showing the phosphorus load after the improvements would be less than the current load have been submitted. With the inclusion of the Filterra, these calculations demonstrate that the proposed work will benefit water quality more than the proposed disturbance will be a detriment to the water quality. It is the opinion of Staff this exception request has met this finding.

**STAFF RECOMMENDATION:**

Staff recommends approval of RPA Encroachment Exception #8496-WRPA-001-1 and Water Quality Impact Assessment #8496-WQ-001-1. If it is the intent of the Board of Supervisors to approve the RPA Encroachment Exception and the WQIA, staff recommends that such approval be subject to the proposed development conditions contained in Attachment A, which were drafted with the intent to meet the required findings of CBPO Sections 118-4-3, 118-6-6 and 118-6-9.

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

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board. For further information, contact the Environmental and Site Review Division, Land Development Services, Department of Public Works and Environmental Services, 12055 Government Center Parkway, Suite 535, Fairfax, Virginia 22035-5503, 703-324-1720.

**PROPOSED DEVELOPMENT CONDITIONS****CIRCLE TOWERS****#8496-WRPA-001-1 and #8496-WQ-001-1****February 18, 2011**

If it is the intent of the Board of Supervisors to approve Resource Protection Area (RPA) Encroachment Exception #8496-WRPA-001-1 for the property located at 9377A Lee Highway (Tax Map #048-4-01-0003A1) to allow a driveway and stormwater improvements to encroach into the RPA pursuant to Section 118-6-9 of the Fairfax County Chesapeake Bay Preservation Ordinance (CBPO), staff recommends that the Board condition the approval by requiring conformance with the following conditions:

1. This RPA Encroachment Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This RPA Encroachment Exception is granted only for the purposes, structures or uses indicated on the plat approved with the application, as qualified by these development conditions.
3. Any plan submitted pursuant to this RPA Exception shall be in substantial conformance with the *Circle Towers Apartments Proffered Condition Amendment – Final Development Plan* prepared by BC Consultants, Inc., dated June, 2009, and updated through February 7, 2011, and these conditions notwithstanding the limits of disturbance shown for the installation of the micropool weirs and any other restoration techniques deemed necessary by DPWES. If additional disturbance is necessary, any additional mitigation required will be at the approval of DPWES.
4. The Applicant shall demonstrate quantitatively that the water quality benefits of the improvements in the RPA exceed the water quality detriments in order to meet the finding of CBPO 118-6-9. The applicant shall show that the phosphorus load after development shall be less than the phosphorus load from the existing conditions by using the Chesapeake Bay Method, as approved by the Department of Public Works and Environmental Services.
5. In order that the land disturbed within the RPA can be considered to be the minimum necessary to afford relief for the proposed construction,
  - a. any development plan will be subject to approval by DPWES,
  - b. the limits of clearing and grading shall be clearly shown on any development plan and shall be strictly observed and enforced,
  - c. indigenous vegetation shall be preserved to the maximum extent possible,
  - d. any stockpiles shall be located outside the RPA, and

- e. any encroachment into, and/or disturbance of, the RPA not shown on the approved development plan will be considered a violation of the CBPO and is subject to the penalties of CBPO Article 9.
6. The pervious areas within the county-mapped RPA created by the removal of at least 3700 square feet of parking area pavement, as depicted in the PCA/FDPA Plan, shall be revegetated as specified in CBPO Section 118-3-3(f) wherever it is unencumbered by utility easements. The total revegetation buffer areas shall be equivalent to the amount of disturbed area in the county-mapped RPA attributed to the new driveway and the restoration activities. The location and extent of any additional areas required will be to the satisfaction of DPWES.
7. The final landscape plan shall be subject to Urban Forestry Management Division approval.
8. Each site outfall shall meet the adequacy requirements of the Public Facilities Manual as determined by DPWES.
9. The maintenance of the overland flow restoration area shall be the responsibility of the property owner, particularly since some of the restoration's features lie within an existing utility easements. Should any of the features of the restoration be disturbed, during maintenance of the utilities (sanitary, storm, water, or gas) or any other activity, the property owner shall restore the feature within 6 months of the disturbance to the satisfaction of DPWES.
10. The approval of any development plan for this property shall require a site-specific RPA delineation.
11. The approval of any development plan for this property shall require a floodplain study. Should any work be proposed within the floodplain which causes the water surface elevation to rise on another property, it shall be demonstrated the work causes no adverse impact to the other property and the new floodplain area shall be set aside in an easement. The approval of any site plan showing work within the floodplain shall require a written determination of a permitted use in a floodplain from DPWES.



Department of Facilities and Transportation Services

**FAIRFAX COUNTY  
PUBLIC SCHOOLS**

Office of Facilities Planning  
10640 Page Avenue  
Fairfax, Virginia 22030

August 24, 2010

**TO:** Brenda Cho  
Fairfax County Department of Planning & Zoning  
Zoning Evaluation Division

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

**SUBJECT:** PCA/FDPA B-933, Circle Towers

**ACREAGE:** 16 acres

**TAX MAP:** 48-3 ((1)) 53; 48-4 ((1)) 3, 3A1, 3B, 3B1

This revises a previous memo on this application to reflect changes to the development proposal contained in the applicant's resubmission.

The application area is within the Marshall Road Elementary School, Luther Jackson Middle School, and Oakton High School boundaries. The chart below shows the existing school capacity, enrollment, and projected six year enrollment.

School	Capacity	Enrollment (9/30/09)	2010-2011 Projected Enrollment	Capacity Balance 2010-2011	2015-16 Projected Enrollment	Capacity Balance 2015-16
Marshall Road ES	534	580	639	-105	713	-179
Jackson MS	1,125	1070	1170	-45	1457	-332
Oakton HS	2,192	2374	2323	-131	2431	-239

*Capacity and enrollment are based on the FCPS FY 2011-15 CIP and 6 year projections.*

The application proposes to redevelop the existing 606 units (554 high-rise multi-family units and 52 townhomes) with a total of 727 units (715 high-rise multi-family units and 12 townhomes).

The chart below shows the number of anticipated students for the proposed re-development based on the current County-wide student yield ratio.

School level	Mid/highrise multi-family & townhome ratio	Proposed Units	Student yield	Mid/highrise multi-family & townhome ratio	Current Units	Student yield
Elementary	.047 / .204	715 / 12	34 / 2 = 36	.047 / .204	554 / 52	26 / 11 = 37
Middle	.013 / .057	715 / 12	9 / 1 = 10	.013 / .057	554 / 52	7 / 3 = 10
High	.027 / .118	715 / 12	19 / 1 = 20	.027 / .118	554 / 52	15 / 6 = 21
			<b>66 total</b>			<b>68 total</b>

**SUMMARY:**

The proposed application is not anticipated to generate any new students than what would be anticipated from the existing 606 units. However, based on student enrollment projections, all three schools are projected to be over capacity. While not required, should the applicant be inclined to making a monetary proffer contribution towards capital improvement for the schools serving the development, the current suggested proffer contribution is \$9,378 per student.

cc: Patricia S. Reed, School Board Member, Providence District  
Ilryong Moon, School Board Member, At-Large  
James L. Raney, School Board Member, At-Large  
Martina A. Hone, School Board Member, At-Large  
Dean Tistadt, Chief Operating Officer, FCPS  
Phyllis Pajardo, Cluster II, Assistant Superintendent  
Fabio Zuluaga, Cluster VIII, Assistant Superintendent  
Jennifer Heiges, Principal, Marshall Road Elementary School  
Louise H. Porter, Principal, Luther Jackson Middle School  
John Banbury, Principal, Oakton 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   
Park Planning Branch, PDD

**DATE:** January 10, 2011

**SUBJECT:** PCA/FDPA B-993-02, Circle Towers – REVISED  
Tax Map Number(s): 48-3 ((1)) 53; 48-4 ((1)) 3, 3A1, 3B, 3B1

### BACKGROUND

This memo replaces the previous Park Authority memos dated October 27 and October 28, 2010. The Park Authority staff has reviewed the proposed Development Plan dated June 2009 as revised through December 21, 2010, for the above referenced application as well as the draft proffers dated October 28<sup>th</sup> and revised through December 21, 2010. The Development Plan shows the redesign of an existing mixed use development to update existing buildings and add affordable dwelling units, work force housing and five (5) market rate units. Based on an average multiple-family household size of 2.25 in the Vienna Planning District, the five new market rate units could add 11 new residents (5 x 2.25 = 11) to the Providence Supervisory District. The subject property is located adjacent to Towers Park which was dedicated to the Park Authority as part of the original site development.

### 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). 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).

### ANALYSIS AND RECOMMENDATIONS

#### Recreation Contribution:

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 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.

During previous review of this application, it was communicated to the Park Authority that no additional market rate units were proposed with this development. Further discussion has indicated that five (5) new market rate units will be provided with the final development.

With five non-ADUs proposed, the Ordinance-required amount to be spent onsite is \$8,000. 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 \$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. Typically, 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 contribution is further supported by a 2007 Letter to the Industry titled "Update to Park Proffer Calculation Formula." This allows the Park Authority to build additional facilities needed as the population increases. To offset the additional impact caused by new residents of the five new market rate units, the applicant should contribute \$9,823 to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

#### Route 50 Pedestrian Access:

Draft Proffer 36 addresses the applicant's commitment to construct a trail connection to the existing bus stop located along the north side of Route 50. This trail connection is only reflected on Sheet 2 of the plan graphic at a scale of 1" = 200' but appears to be proposed across Park Authority property. The Park Authority has previously requested additional information to evaluate this request including topography and preliminary grading. No additional information has been provided. Without sufficient plan level detail, the Park Authority cannot evaluate the impacts to parkland and, therefore, cannot support the request at this time.

Should the Park Authority ultimately be provided sufficient information to approve the location of the proposed trail connection, funds contributed to the Park Authority should not be used to offset this trail construction as this trail is proposed to benefit the applicant's TDM program rather than to promote public access to the park.

#### Lee Highway Pedestrian Access:

Through previous review of the proposed application, the Park Authority requested that the applicant commit to construct a minor paved trail along the Lee Highway frontage of Towers Park. This trail is indicated on the Comprehensive Plan Trails Map and a significant amount of foot traffic is noted continuing from the application property across the park's frontage on Lee Highway, connecting to the Vienna Metro Station. Currently, there is no formal trail across the park frontage, requiring pedestrians to follow a narrow footpath, dangerously close to Lee Highway traffic.

Previous response from the applicant has stated that the request is “out of proportion” with the proposed development, noting the existing trail network in Towers Park.

The Park Authority continues to recommend the importance of requiring the applicant to construct this pedestrian connection. Although there are trails through Towers Park for recreational use, they do not provide the logical link in connectivity from Circle Towers to the Vienna Metro Station. Particularly as the proposed application seeks the addition of bonus units for workforce housing, the enhancement of safe pedestrian connections to public transportation is of direct benefit to the proposed development.

Possible Inter-Parcel Connection:

Several plan sheets indicate any area at the northeast corner of the property which is identified on Sheet 12 of 33 as “Possible Inter-Parcel Connection by Others”. The location of this connection is reflected on Park Authority and in an area where the existing grade, approximately a 22% slope, is not favorable for construction. A connection in this location would require extensive grading with significant disturbance to parkland. The limits of clearing and grading do not reflect construction in this area, nor does the tree preservation plan. No information is provided to evaluate any inter-parcel connection; therefore, the Park Authority cannot support any potential connection in this area.

Disturbance to Park Authority Property:

If the development of the proposed trails or any element of the proposed application results in any land disturbing activities on park property, it is noted that the applicant will be required to submit a request for a permit and/or easement request. The applicant should be aware that any such request must be approved by the Park Authority Board. Applications are available from the Easement Coordinator, Fairfax County Park Authority, Planning and Development Division, 12055 Government Center Parkway, Suite 421, Fairfax, Virginia 22035; main telephone number (703) 324-8741.

Natural Resources Impact:

Previous submissions had reflected the future construction of several parking garages adjacent to Towers Park without clearly identifying construction impacts to parkland and vegetation. The revised submission no longer proposes structured parking adjacent to the park, instead, retaining the existing parking areas in this location. Graphically, the plan poorly indicates limits of existing curb and gutter and new construction. It appears, however, that no grading is proposed within the body of the development that would affect Towers Park.

Landscape Material Selection:

In previous review, the Park Authority had requested that the applicant commit to the use of only native, non-invasive plant species for any new landscaping to be installed. The applicant has committed to restrict species selection only along the perimeter with the park property. Although the Park Authority would prefer that all new landscaping meet this standard, at a minimum, the Park Authority requests the following modification to draft Proffer 16:

The applicant shall only use native, non-invasive species on the perimeter of the Property. The Applicant shall incorporate native and non-invasive species into its interior landscaping **wherever possible. Any proposed landscaping shall exclude any**

**plant species identified as invasive by the Virginia Department of Conservation and Recreation.**

Natural Resource Management Contribution:

The applicant seeks to claim credit for the adjacent 36.5 acre Towers Park to meet the open space requirements of the development, as the park property was a part of the original development. The forested portion of the park is in need of natural resource management (e.g. invasive species removal, native vegetation, tree planting and deer management). In order to ensure sustainability of the forest at Towers Park as well as to offset impacts to existing trees within the development, the applicant should contribute \$3,200 per acre or \$112,000 to the Park Authority for natural resource management in the park.

The applicant's response to this request in letter dated October 8, 2010, suggests that this request was not previously put forward by the Park Authority and out of context with the scale of the proposed development.

The Park Authority has previously made this request, first, generally, in letter dated September 9, 2009 and subsequently by letters dated November 10, 2009 and September 27, 2010 and October 27, 2010. The proposed redevelopment could increase the number of potential residents in Circle Towers by 438 new residents. Contributing toward enhancement and management of the quality of open space available to the residents and workforce of the Circle Towers development is consistent with the Policy Plan and of value to future residents. The Park Authority, therefore, continues to request a contribution of \$112,000 for natural resource management within Towers Park.

Park Operations Impact During Construction:

In previous review, the Park Authority expressed concern regarding the applicant's intent to utilize the access easement across Towers Park for construction access. It is inappropriate and unsafe to establish any heavy construction traffic through the park. The diamond field at Towers Park has been upgraded with lighting to expand the programming of the park along with improvements to playground equipment. The City of Fairfax Connector Trail runs through Towers Park, connecting Route 50 and Lee Highway. This park is well utilized for practices and games as well as for use of the playgrounds and trails. The entrance to the parking area is approximately 60 feet from the intersection of the entrance road and Route 50. Park patrons must enter the park from Route 50 then immediately turn left into the parking area. The addition of construction vehicles at this location would create an unsafe situation for park patrons with the additional potential for traffic to back up onto Route 50. Construction traffic, if permitted on the access road, would conflict with pedestrian safety. Concerns regarding safety and vehicle conflicts are not limited not only to special events but the day-to-day usage of the park as well.

It should be noted that weight restrictions on Route 50 along the frontage of Towers Park prohibit vehicles over eight tons gross weight. This restriction on Route 50 should, in itself, limit any significant construction traffic from utilizing the access easement across Towers Park. The Park Authority recommends that draft Proffer 40 be modified to clarify that the applicant will utilize the Route 50 access in keeping with the existing weight restrictions.

Draft Proffer 40 also indicates that the applicant shall coordinate construction activities with Fairfax County Park Authority. Additionally, the applicant should commit to the provision of supplemental safety measures at the Route 50 access, such as flagmen, at the request of the Park Authority should the Park Authority determined that the level of traffic during the construction phase constitutes an unsafe condition at the park entrance.

### **SUMMARY OF RECOMMENDATIONS**

This section summarizes the recommendations included in the preceding analysis section. Following is a table summarizing required and recommended recreation contribution amounts:

<b>Proposed Units</b>	<b>P-District Onsite Expenditure</b>	<b>Requested Park Proffer Amount</b>	<b>Total</b>
Multifamily units (5 new market rate)	\$8,000	\$9,823	\$17,823

- Provide preliminary design and grading of proposed trail connection to Route 50 bus shelter, including proposed impacts to existing vegetation;
- Construct a minor paved trail across the Lee Highway frontage of Towers Park;
- Remove inter-parcel access to Towers Park;
- Modify Proffer 16 as noted above;
- Contribute \$112,000 to the Park Authority for natural resource management within Towers Park;
- Modify Proffer 40 to clarify that the applicant shall utilize the Route 50 access in keeping with existing weight restrictions;
- Commit to provide supplemental safety measures at the Route 50 access at the request of the Park Authority.

FCPA Reviewer: Gayle Hooper  
DPZ Coordinator: Bob Katai

Copy: Cindy Walsh, Director, Resource Management Division  
Liz Cronauer, Trail Program Manager, Special Projects Branch  
Chron Binder  
File Copy



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** October 14, 2009

**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. PCA/FDPA B-993

Tax Map No. 048-3- /01/ /0053; 048-4- /01/ /0003, 0003A1, 0003B, 0003B1

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-2) watershed. It would be sewer into the Noman Cole Pollution Control Plant (NMCPCP).
2. Based upon current and committed flow, there is excess capacity in the (NMCPCP) at this time. 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 8" 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.

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

5. Other pertinent information or comments:





FAIRFAX COUNTY WATER AUTHORITY  
8560 Arlington Boulevard, Fairfax, Virginia 22031  
www.fairfaxwater.org

**PLANNING & ENGINEERING  
DIVISION**

Jamie Bain Hedges, P.E.  
Director  
(703) 289-6325  
Fax (703) 289-6382

September 2, 2009

Ms. Regina Coyle, Director  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5505

Re: PCA/FDPA B-993  
Circle Towers

Dear Ms. Coyle:

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

1. Fairfax Water has an existing 20" water main located in Blake Lane capable of supporting the proposed site development. See the enclosed water system map.
2. Comprehensive comments with regard to the proposed water facilities will be provided at the time of final site plan submission.
3. Fairfax Water has a fully integrated transmission network allowing ample flow to be routed to the site from multiple independent sources. Fairfax Water's programmed investment in transmission and distribution system development provides the Circle Towers site access through 24-inch diameter transmission mains from pumping facilities located at either Fairfax Circle or Fair Oaks. As illustrated on the attached sketch, the Circle Towers site has access to water storage facilities located at Penderwood and Fairfax Hospital. Alternative supply to Circle Towers is available from a variety of additional sources including pumping facilities at Tysons Corner or Popes Head Road. Having a variety of supply options increases service reliability, provides for sufficient domestic and fire protection capacity, and maintains adequate delivery pressure irrespective of demand.

4. In accordance with existing policies and procedures, the developer will be financially compensated for any additional desired facilities incorporated into the approved site plan by Fairfax Water. This includes compensation for any increases in water main size requested by Fairfax Water.
5. Customers served by Fairfax Water enjoy the lowest commodity rate for water in the Washington Metropolitan area, currently \$1.83 per 1,000 gallons.
6. Fairfax Water operates as a true enterprise fund. All water system revenues are returned to the water system to support infrastructure reinvestment and system improvements.
7. Fairfax Water is governed by a Board appointed by the Fairfax County Board of Supervisors. Citizens of Fairfax County whose water service is provided by Fairfax Water have representation in the decisions made regarding the water system that serves them.
8. Fairfax Water owns and operates two state of the art treatment facilities, sourced by two separate watersheds, the Occoquan Reservoir and the Potomac River. These plants produce superb quality water that meets and surpasses all current and anticipated regulations.

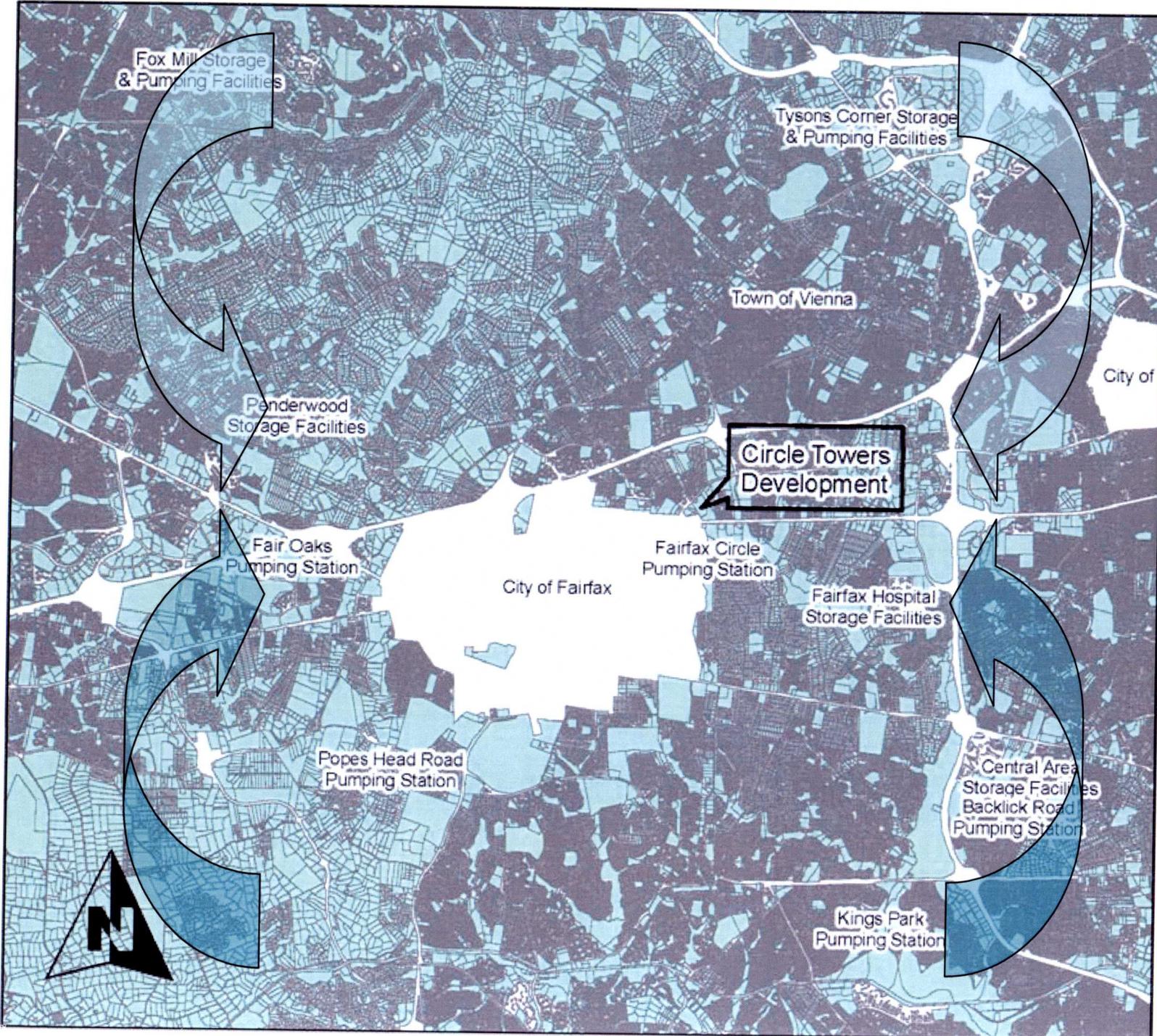
If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,



Traci K. Goldberg, P.E.  
Manager, Planning

cc: Jamie Bain Hedges, P.E., Director Planning & Engineering  
Managing Partner, Circle Towers, LLC  
David R. Gill, McGuire Woods, LLP  
Peter Rinek, BC Consultants



Transmission System

Water Supply Options

Potomac Supply

Occoquan Supply



# County of Fairfax, Virginia

## MEMORANDUM

DATE: September 8, 2009

**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/Final Development Plan Amendment Application  
PCA/FDPA B-993

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 #430, Merrifield
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



## 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		