



APPLICATIONS ACCEPTED: May 26, 2011
PLANNING COMMISSION: February 9, 2012
BOARD OF SUPERVISORS: February 28, 2012 @ 3:30 pm

County of Fairfax, Virginia

January 24, 2012

STAFF REPORT

REZONING APPLICATION RZ/FDP 2011-BR-014 PROFFERED CONDITION AMENDMENT PCA 2005-SP-019

BRADDOCK DISTRICT

APPLICANT: Midland Road LLC and Ridgewood Commercial Owners Property Association

PRESENT ZONING: PRM

Requested Zoning District:	Tax Map #:	Acres:	FAR/Density:	Open Space:
PDH-12	56-2 ((1)) 37B, 37D	3.01	11.3 du/ac	31%
PDC	56-2 ((1)) 37G	0.82	0.99 FAR	28%
		Total: 3.83		

PLAN MAP: Fairfax Center Area; Overlay Level: Office use @ 0.70 FAR with option for residential/mixed-use @ 1.2 FAR

PROPOSAL: To remove 3.83 ac from RZ 2005-SP-019, previously approved PRM for a mixed use development, to permit the area to be rezoned with RZ 2011-BR-014 (3.01 acres to PDH-12; 0.82 acres to PDC) to permit the development of 39 single family attached dwelling units and a 35,000 sq. ft. office building.

S.Zottl

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 2005-SP-019, subject to the Board's approval of RZ 2011-BR-014.

Staff recommends approval of RZ 2011-BR-014 and the associated CDPs, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2011-BR-014, subject to the Board of Supervisors approval of RZ 2011-BR-014.

Staff recommends approval of a waiver of the minimum district size for PDC Districts.

Staff recommends approval of a waiver of 200 square foot privacy yard requirement for single family attached units.

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.

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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Proffered Condition Amendment

PCA 2005-SP-019



Applicant:

MIDLAND ROAD LLC AND RIDGEWOOD COMMERCIAL OWNERS ASS'N

Accepted:

05/26/2011

Proposed:

MIXED USE

Area:

3.83 AC OF LAND; DISTRICT - SPRINGFIELD

Located:

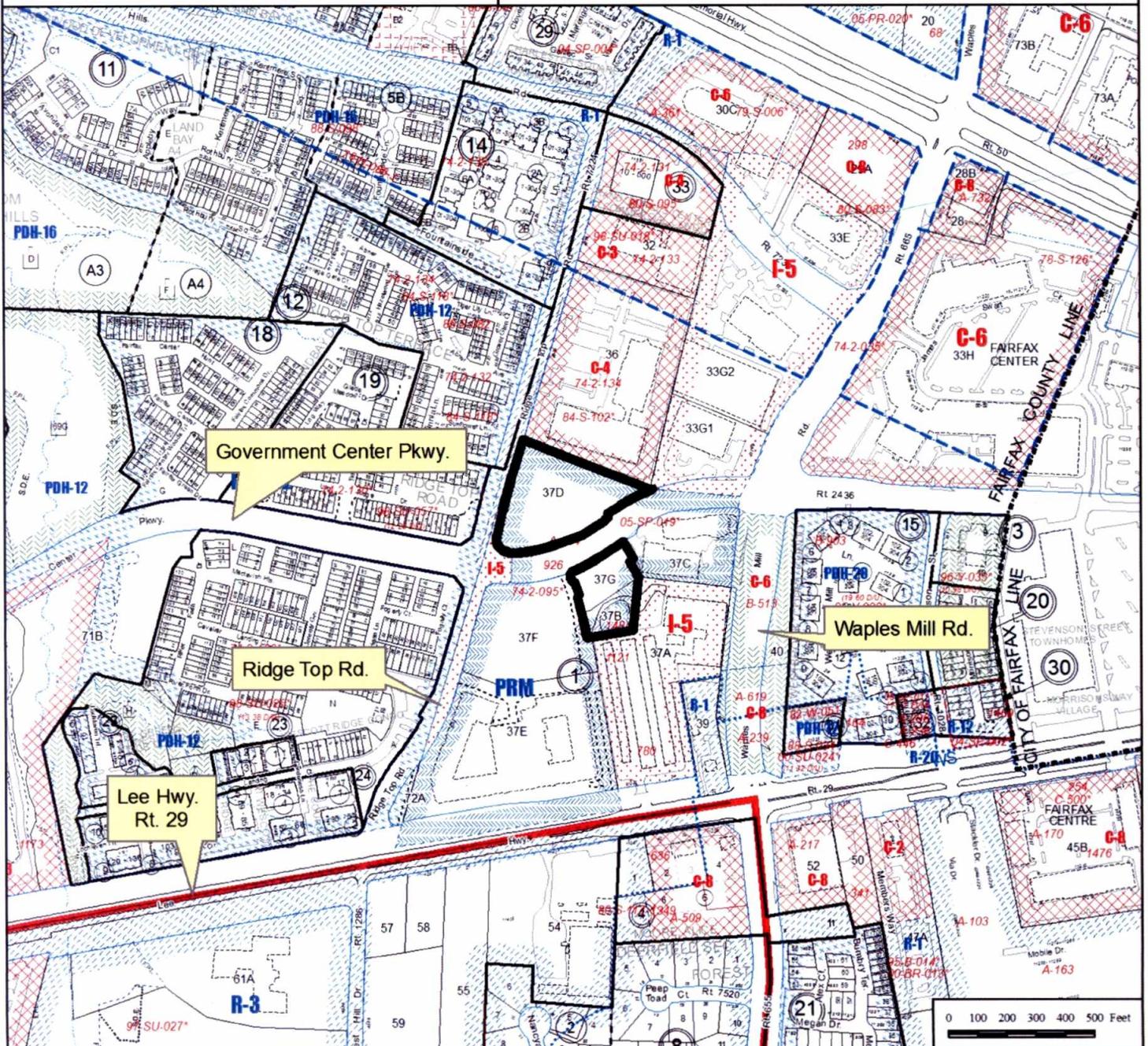
NORTHEAST AND SOUTHEAST QUADRANT OF THE INTERSECTION OF GOVERNMENT CENTER PARKWAY AND RIDGE TOP ROAD

Zoning:

PRM

Map Ref Num:

056-2- /01/ /0037B /01/ /0037D /01/ /0037G



Rezoning Application

RZ 2011-BR-014

Final Development Plan

FDP 2011-BR-014

Applicant: MIDLAND ROAD LLC AND RIDGEWOOD COMMERCIAL OWNERS ASSOCIATION
 Accepted: 05/26/2011
 Proposed: MIXED USE
 Area: 3.83 AC OF LAND; DISTRICT - BRADDOCK

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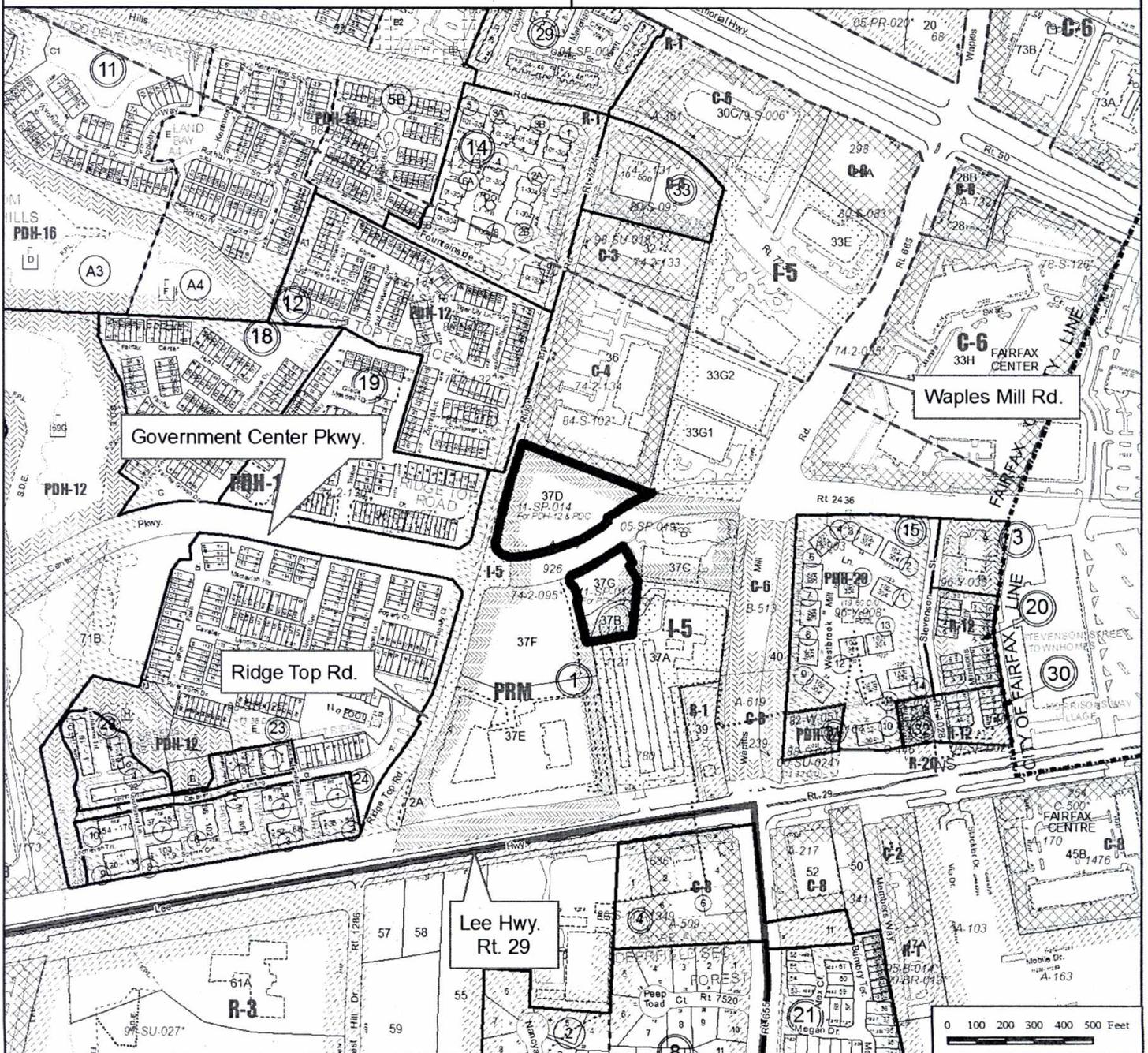
Located: NORTHEAST AND SOUTHEAST QUADRANT OF THE INTERSECTION OF GOVERNMENT CENTER PARKWAY AND RIDGE TOP ROAD

Zoning: FROM PRM TO PDH-12, FROM PRM TO PDC

Zoning: PDH-12

Map Ref Num: 056-2- /01/ /0037B /01/ /0037D /01/ /0037G

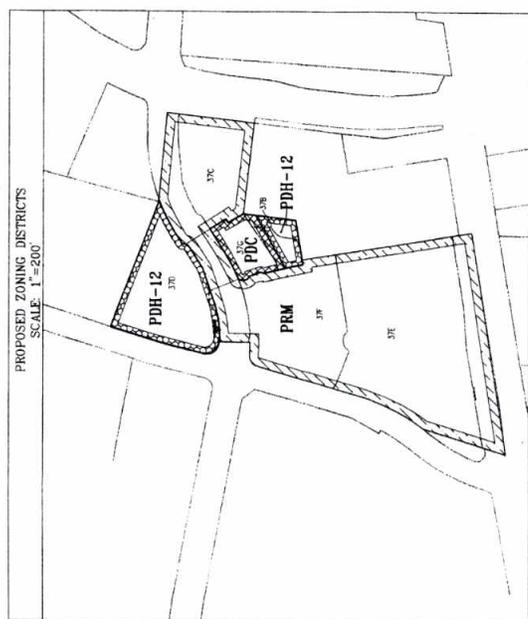
Map Ref Num: 056-2- /01/ /0037B /01/ /0037D /01/ /0037G





Urban
 Planning & Environmental Services
 7111 Lees Ferry Parkway
 Suite 100
 Fairfax, VA 22031
 Tel: 703.420.0000
 Fax: 703.420.0001
 www.urbanes.com

NO.	DATE	DESCRIPTION
1	11-11-10	PRELIMINARY
2	11-11-10	REVISED
3	11-11-10	REVISED
4	11-11-10	REVISED
5	11-11-10	REVISED
6	11-11-10	REVISED
7	11-11-10	REVISED
8	11-11-10	REVISED
9	11-11-10	REVISED
10	11-11-10	REVISED
11	11-11-10	REVISED
12	11-11-10	REVISED
13	11-11-10	REVISED
14	11-11-10	REVISED
15	11-11-10	REVISED
16	11-11-10	REVISED
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18	11-11-10	REVISED
19	11-11-10	REVISED
20	11-11-10	REVISED



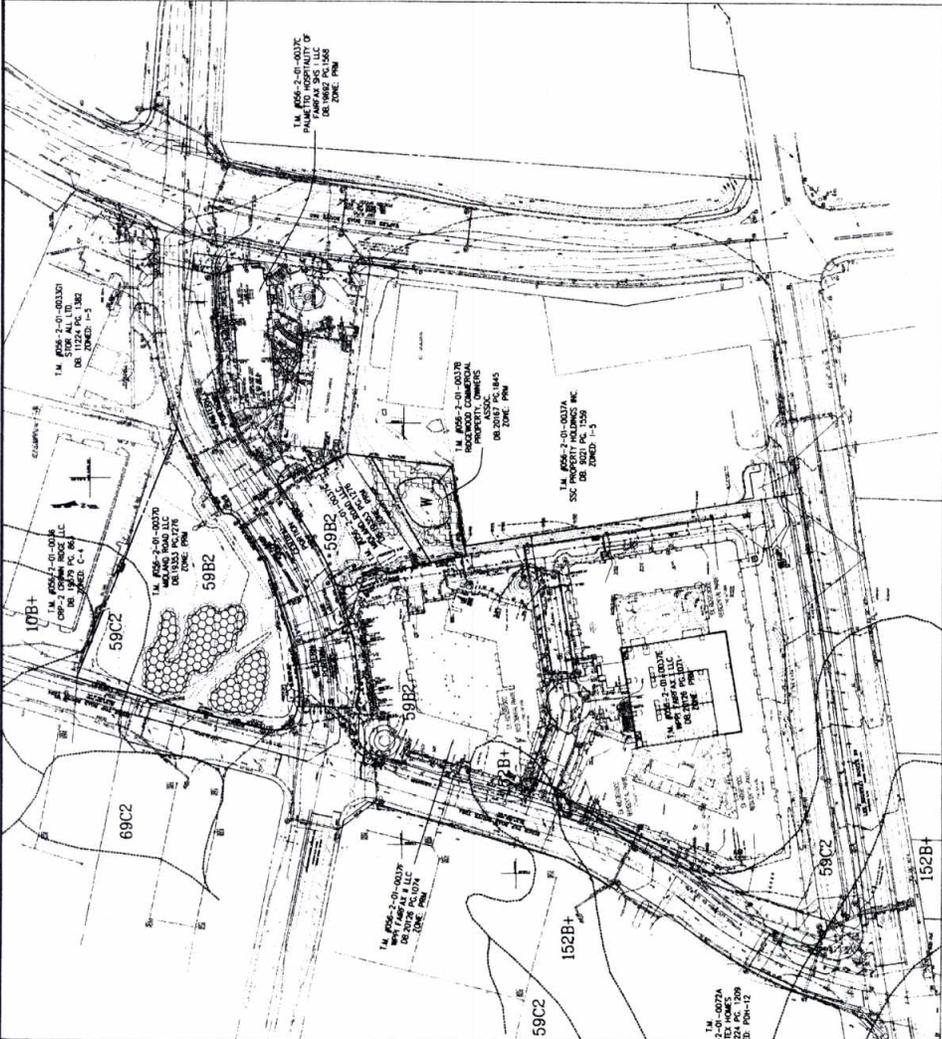
SOILS LEGEND

NAME	CLASS
1000	B
1001	D
1002	A
1003	A

NOTE: SOIL DATA SOURCES IS THE COUNTY OF FAIRFAX SOIL IDENTIFICATION MAPS.

OVERALL ZONING AREA TABULATION

EXISTING ZONING DISTRICT: PRM, PDH-12, PDC
 PROPOSED ZONING DISTRICT: PDH-12, PDC
 REMAINING (71,568 SF TO REMAIN PRM)



EXISTING VEGETATION SUMMARY

Code	Plant Species	Area (sq ft)	Notes
A
B
C

CURVE TABLE

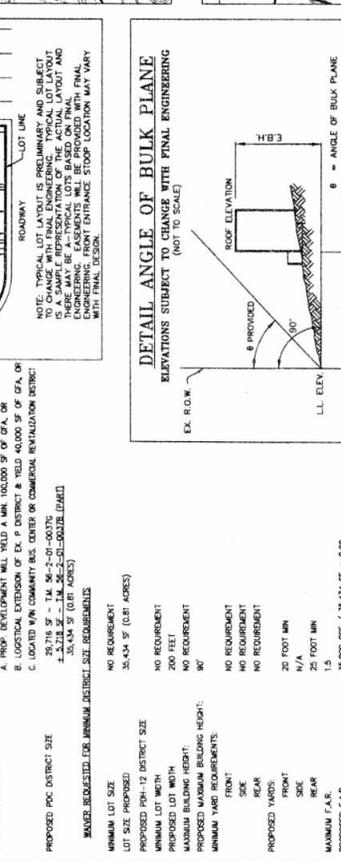
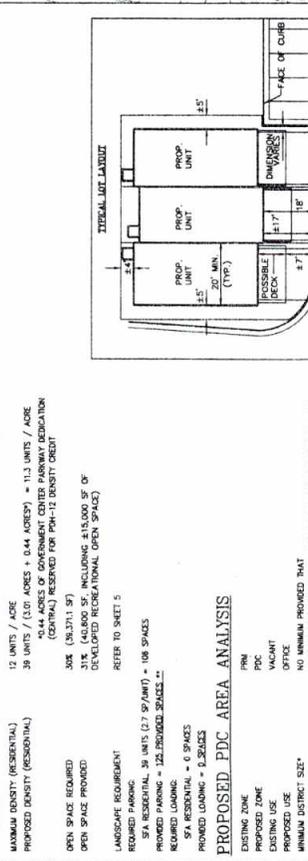
CURVE RADIUS	ARC	DELTA	TANGENT	CHORD	BEARING
2	1675.42	11.77	67.3306	53.4	11.77
3	1025.42	19.77	236.24	48.05	19.77
4	775.42	27.77	376.24	42.70	27.77
5	625.42	35.77	516.24	37.35	35.77
6	475.42	43.77	656.24	32.00	43.77
7	325.42	51.77	796.24	26.65	51.77
8	175.42	59.77	936.24	21.30	59.77
9	25.42	67.77	1076.24	15.95	67.77
10	5.42	75.77	1216.24	10.60	75.77
11	20.00	73.36	482.17	13.63	73.36
12	275.00	299.25	295.25	153.88	299.25
13	275.00	299.25	295.25	153.88	299.25
14	202.77	114.53	1127.17	52.48	114.53



PROPERTY AREA TABULATION

PROJECT	TAX MAP	PARCEL AREA	SF	AC
MOLAND ROAD LLC	56-2-01-00370	116,042	2,672	
MOLAND ROAD LLC	56-2-01-00370	29,716	0.68	
WOODWOOD COMMERCIAL PROPERTY OWNERS ASSOC.	56-2-01-00378	22,448	0.51	
TOTALS		168,207	3.85	
GOVERNMENT CENTER PARKWAY DEVELOPMENT (CENTRAL)	PUBLIC ROW #	13,227	0.31	

*GOVERNMENT CENTER PARKWAY RIGHT OF WAY DEVELOPMENT (FOR LOTS P1270) IS INCLUDED FOR PDH-12 DENSITY CREDIT ONLY AND IS NOT INCLUDED IN THE APPLICATION.



BULK UNIT	Lot Line Elev. (ft)	Effective Bulk Height (ft)	Distance to Ex. R.O.W. / Lot Line (ft)	Angle of Bulk Plane Proposed
#1	4445	4500	110	10°
#2	4463	4510	110	10°
#3	4480	4515	115	14°
#4	4467	4505	115	14°
OFFICE FRONT	4464	4570	1106	10°
REAR	4465	4570	1105	25°

PROPOSED PDH-12 AREA ANALYSIS

EXISTING ZONE: PDH-12
 PROPOSED ZONE: PDH-12
 EXISTING USE: SINGLE FAMILY ATTACHED
 PROPOSED USE: 2 UNITS
 MINIMUM DISTRICT SIZE: 11,042 SF ± 14, 56-2-01-00370 (11,042 SF ± 14) (LOT ADDRESSES) 13,223 SF (LOT ADDRESSES)
 NO REQUIREMENT: 200 SF PRIVACY YARD FOR SPA UNITS REQUIRED TO BE DETERMINED WITH FINAL SITE PLAN; NUMBER OF BROWARD-YARD REQUESTED
 NO REQUIREMENT
 TO BE DETERMINED WITH FINAL SITE PLAN
 NO REQUIREMENT
 45 FEET
 MINIMUM YARD REQUIREMENTS:
 FRONT: NO REQUIREMENT
 REAR: NO REQUIREMENT
 SIDE: NO REQUIREMENT
 PROPOSED YARDS:
 FRONT: 10 FOOT MIN
 REAR: 20 FOOT MIN
 SIDE: NO REQUIREMENT
 MAXIMUM BUILDING HEIGHT: 13 UNITS / ASSE
 MINIMUM YARD REQUIREMENTS: 38 UNITS / ASSE
 MAXIMUM DENSITY (RESIDENTIAL): 11.3 UNITS / ASSE
 PROPOSED DENSITY (RESIDENTIAL): 11.3 UNITS / ASSE
 OPEN SPACE PROVIDED: 31% (46,800 SF, INCLUDING 415,000 SF OF DEVELOPED RECREATIONAL OPEN SPACE)
 LANDSCAPE REQUIREMENT: REFER TO SHEET 5
 REQUIRED PARKING: 108 SPACES
 SF4 RESIDENTIAL: 34 UNITS (0.7 SP/UNIT) = 108 SPACES
 PROPOSED PARKING = 126 (RESERVED SPACES) = 126 SPACES
 REQUIRED LOADING = 0 SPACES
 PROPOSED LOADING = 0 SPACES

PROPOSED PDC AREA ANALYSIS

EXISTING ZONE: PDH-12
 PROPOSED ZONE: PDH-12
 EXISTING USE: VACANT
 PROPOSED USE: OFFICE
 MINIMUM DISTRICT SIZE: 35,434 SF (0.81 ACRES)
 NO REQUIREMENT
 200 FEET
 NO REQUIREMENT
 NO REQUIREMENT
 NO REQUIREMENT
 NO REQUIREMENT
 NO REQUIREMENT
 20 FOOT MIN
 25 FOOT MIN
 N/A
 MAXIMUM P.A.R.: 15,000 CSF / 15,000 SF ± 0.38
 150 (63,161 SF)
 20% (10,000 SF) INCLUDING 0 SF OF DEVELOPED RECREATIONAL OPEN SPACE
 LANDSCAPE REQUIREMENT: REFER TO SHEET 5
 REQUIRED PARKING: 126 SPACES (1.1 SP/1000 SF) = 126 SPACES
 BUILDING 2.1 OFFICE: 35,000 CSF (1.1 SP/1000 SF) = 126 SPACES
 PROPOSED PARKING = 126 (RESERVED SPACES) = 126 SPACES
 REQUIRED LOADING: 35,000 CSF (170,000 + 170,000) = 2 SPACES
 PROPOSED LOADING = 1 (SINGLE UNITS REQUESTED)

*PARKING NOTE: PARKING AND LOADING SPACES WILL BE PROVIDED GENERALLY AS SHOWN ON THE PLAN. THE NUMBER OF SPACES AT THE TIME OF FINAL SITE PLAN, SO LONG AS THE MINIMUM NUMBER OF SPACES ARE PROVIDED IN ACCORDANCE WITH ARTICLE 11 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

NO.	DATE	DESCRIPTION	APPROVED	DATE

REVISION APPROVED BY DIVISION OF DESIGN REVIEW

Urban
 1111 Main Street
 Alexandria, Virginia 22304
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 Fax: 703.688.7801
 www.urban.com

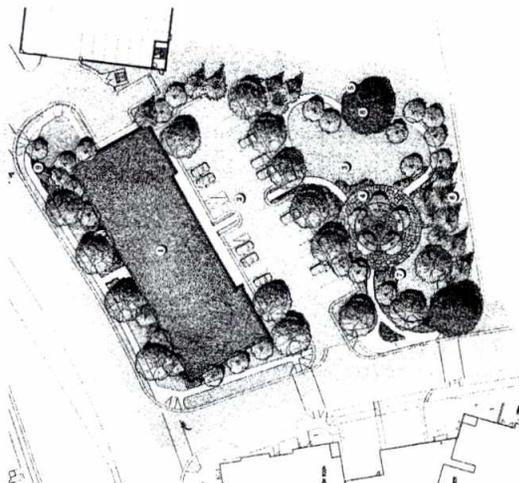


LANDSCAPE DETAILS
 RIDGEWOOD
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 DATE: DEC. 2, 2011
 SCALE: AS SHOWN

SUBSET
 OF
 9
 FILE NO.
 ZP-1813-2



Landscapes Architecture, P.C.
 4414 Cornerstone Drive, Suite 100-A
 Fairfax, VA 22031
 Tel: 703.774.6300 Fax: 703.774.6303
 Email: info@studio39.com



- LEGEND**
- 1 PROPOSED OFFICE BUILDING
 - 2 PARKING
 - 3 LAWN
 - 4 CENTRAL PLAZA WITH SEATING AND FLOWERING TREES
 - 5 SPECIALLY SHAPED TREE
 - 6 EVERGREEN BUFFER
 - 7 PERENNIALS
 - 8 HISTORICAL MARKER
 - 9 SEATING AREA

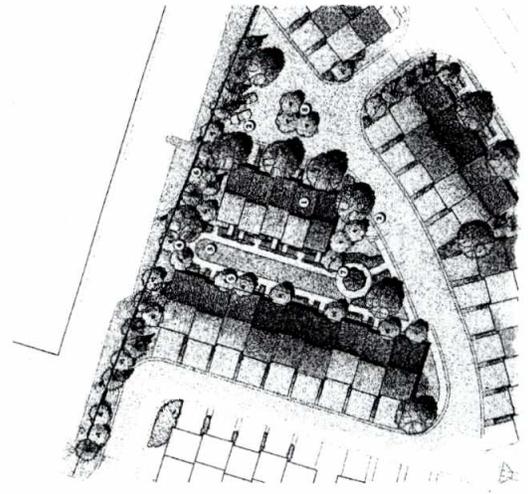
1 COMMUNITY PARK
 Scale: NTS



- LEGEND**
- 1 PROPOSED TOWNHOMES
 - 2 ART FEATURE
 - 3 SEATING AREA
 - 4 FLOWERING TREES
 - 5 ORNAMENTAL TREES

2 CORNER GATEWAY PARK
 Scale: NTS

ILLUSTRATIVE PURPOSE ONLY INTENDED TO CONVEY CHARACTER AND QUALITY OF DESIGN. NOT TO BE RELIED UPON AS THE FINAL DESIGN.



- LEGEND**
- 1 PROPOSED TOWNHOMES
 - 2 QUIET PARKING
 - 3 LAWN
 - 4 SEATING AREA
 - 5 FLOWERING TREE
 - 6 EVERGREEN BUFFER
 - 7 LAZIO
 - 8 BLAND WITH PAINTING

3 CENTRAL COURTYARD
 Scale: NTS

NO.	DATE	DESCRIPTION	REVISION APPROVED BY DIVISION OF DESIGN REVIEW

PLAN DATE: 02-23-11
02-23-11
02-23-11
02-23-11
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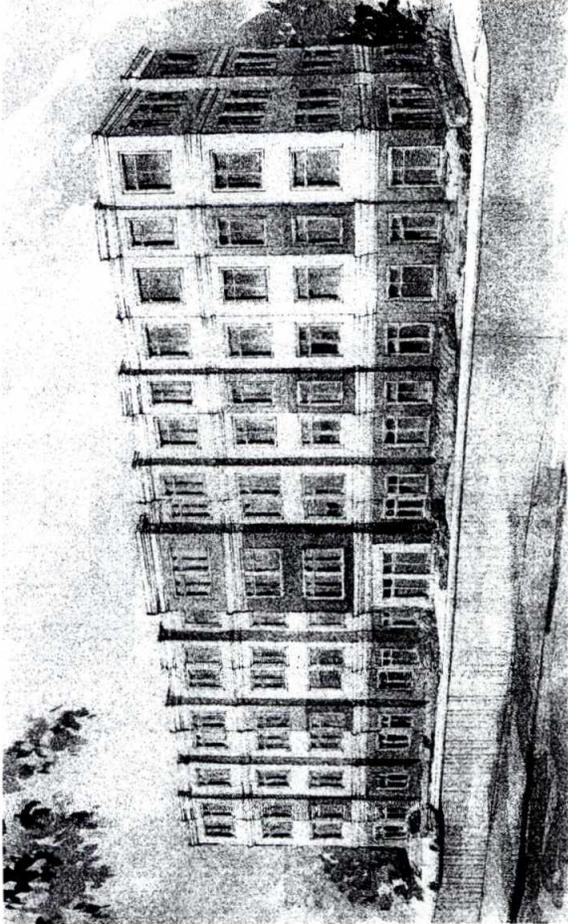
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 Planning Systems Landscape Architects and Engineers Ltd. (Virginia)
 11111 Lee Blvd., Suite 200
 Fairfax, VA 22031
 Tel: 703.461.8888
 Fax: 703.461.8889
 www.urbanva.com



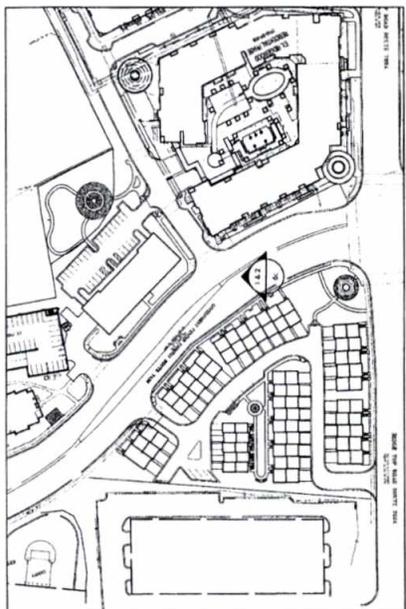
DATE: DEC. 2, 2011
 SCALE: AS SHOWN
 CL
 LANDSCAPE DETAILS
 RIDGEWOOD
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

LANDSCAPE ARCHITECTURE, P.C.
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 Fairfax, VA 22031-4000
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 Email: landscape@studio39.com

SHEET: 6C
 FILE NO.: 9
 ZP-1813-2

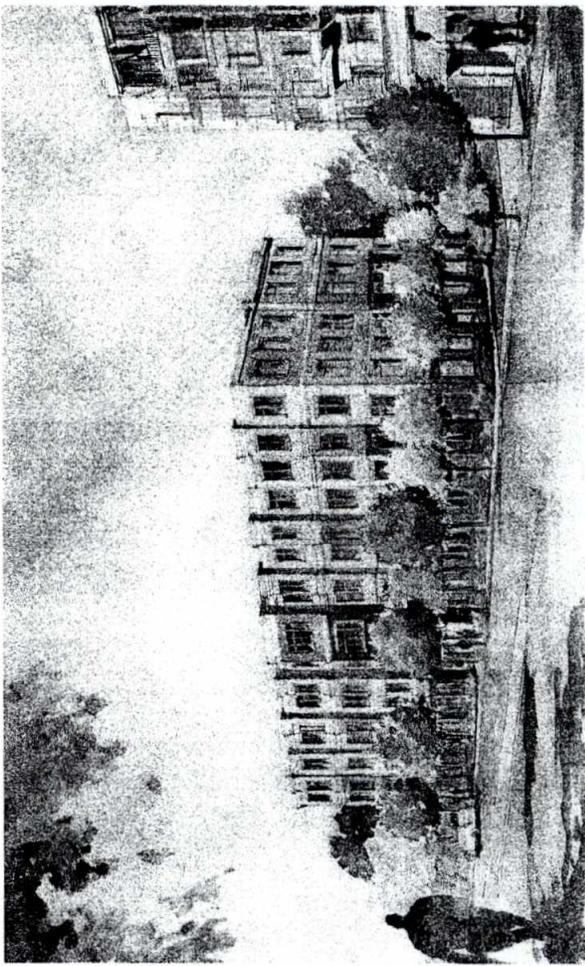


1 OFFICE BUILDING PERSPECTIVE 1
 Scale: NTS



VICINITY MAP
 NOT TO SCALE

ILLUSTRATIVE PURPOSES ONLY. INTENDED TO CONVEY
 GENERAL CONCEPTS OF DESIGN. NOT TO BE RELIED
 UPON AS THE FINAL DESIGN.



2 OFFICE BUILDING PERSPECTIVE 2
 Scale: NTS

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

DESCRIPTION OF THE APPLICATION

Proposal

The applicant, Midland Road LLC and Ridgewood Commercial Property Owners Association, requests approval of a Proffered Condition Amendment to permit the deletion of 3.83 acres from the PRM District approved with RZ 2005-SP-019 to permit 0.82 acres to be rezoned to PDC and 3.01 to be rezoned to PDH. The applicant proposes to develop 39 single family attached dwelling units at an overall density of 11.3 du/ac and a 4-story, 35,000 square foot office building at a Floor Area Ratio (FAR) of 0.99.

The applicant's draft proffers, Affidavit and Statement of Justification can be found in Appendices 1-3, respectively.

This application must also comply with certain Zoning Ordinance Provisions found in Article 6, Planned Development Districts, and Article 16, Development Plans, excerpts of which are found in Appendix 15.

Waivers and Modifications Requested

- Waiver of on-site stormwater management and best management practices in favor of an off-site, regional pond (will be addressed at site plan)
- Waiver of the minimum district size for PDC Districts
- Waiver of 200 square foot privacy yard requirement for single family attached units

LOCATION AND CHARACTER

Site Description:

The 3.83 acre application property is located in the Fairfax Center Area, north of Lee Highway and east of Ridge Top Road. Government Center Parkway bifurcates the subject property. The site is currently vacant and contains scrub vegetation.

Surrounding Area Description

Direction	Use	Zoning	Plan (@ Overlay Level)
North	Office	C-4	Fairfax Center Area; Office, 0.7 FAR
South/Southeast	Mini-Warehouse, Multifamily	I-5	Fairfax Center Area; Office, 0.7 FAR, Option for Mixed use, 1.0 FAR
East	Mini Storage, Hotel	I-5, PRM	Fairfax Center Area; Office, 0.7 FAR, Option for Mixed use, 1.0 FAR
West	Single Family Attached Residential (across Ridge Top Rd.), Mixed Use (Multifamily Residential w/ Retail)	PDH-12, PRM	Fairfax Center Area; option for Residential, 12 du/ac Office, 0.7 FAR, Option for Mixed use, 1.0 FAR

BACKGROUND

- RZ 74-2-095 was approved on July 19, 1976, to rezone the application property and adjacent storage facility property from the RE-1 and C-6 Districts to the I-1 (now I-5) District. Proffers accepted with the application included right-of-way dedication along Route 29 and Ridge Top Road, and the dedication for and construction of Government Center Parkway Extended; no GDP was proffered.
- Comprehensive Plan Amendment No. 04-III-2FC (adopted on February 27, 2006) modified the Plan language to add an option for mixed-use with an intensity of up to 1.2 FAR.
- On June 26, 2006, the Board of Supervisors approved RZ 2005-SP-019, which rezoned a total of 18.01 acres from the I-5 District to the PRM (Planned Residential Mixed-Use) District, subject to proffers dated June 20, 2006. The CDP/FDP and proffers permitted a mixed-use development including office, retail, and residential uses, and an optional hotel, with parking provided primarily in structures. A residential density of 27.76 du/ac and an FAR of 1.2 were approved, and the accepted proffers included the dedication and construction of the Government Center Parkway between Ridge Top Road and Waples Mill Road. The approved proffers and CDP/FDP for this case can be found as Appendix 4.

- Comprehensive Plan Amendment No. 09-III-2FC (adopted on October 19, 2010) modified the Plan language to add an option for a portion of the approved office use within RZ 2005-SP-019 to be replaced with single family attached units and for the remaining office component to be at least 35,000 square feet and designed to serve the community.

With the current applications, the applicant seeks Proffered Condition Amendment PCA 2005-SP-019, to remove 3.83 acres from RZ 2005-SP-019, in order to rezone it to PDH-12 and PDC as part of RZ 2011-BR-014.

Proffered Condition Amendment

The proposed PCA seeks to remove 3.83 acres from the original rezoning case RZ 2005-SP-019. The applicant has provided a proffer analysis for the original rezoning, demonstrating how the 3.83 acre PCA application area could be removed without negatively impacting the proffered conditions. Based on the applicant's analysis, the remaining 14.18 acres in and development constructed under RZ 2005-SP-019 is in conformance with the proffers. Additional tabulations for the overall Ridgewood development can be found on page 3 of the CDP/FDP. The applicant is claiming density credit for 0.44 acres for the central portion of Government Center Parkway, as well as 17,000 square feet of Parcel 37B. At the time of site plan, the applicant will have to demonstrate that this credit has not been taken. If this can not be demonstrated, the applicant will have to lose density or file a PCA.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

Plan Area:	III
Planning Sector:	Fairfax Center Area; Sub-Unit Q9
Plan Map:	Fairfax Center Area; Overlay Level: Office use @ 0.70 FAR. Option for residential/mixed-use @ 1.2 FAR.

In the Area III volume of the Comprehensive Plan, 2011 edition, Fairfax Center Area, as amended through April 26, 2011, Land Unit Recommendations, Land Unit Q, Sub-unit Q-9, on pages 101-103, the Plan states:

"Sub-unit Q9 consists of the area between Ridge Top Road and Waples Mill Road, north of Route 29. It is planned for office use at an intensity up to 0.70 FAR at the overlay level. As an option, residential/mixed-use at an intensity up to 1.2 FAR was approved under RZ 2005-SP-019 in 2006, with the consolidation of approximately 18 acres. The approved 750,000 square feet of residential, office,

hotel, and ground-level retail uses are to be provided under the following conditions:

- The character of the development should be primarily mid- or high-rise buildings with retail use integrated within the ground floor of residential and office buildings. Restaurants and ground-floor retail should help create an activity center for residents, visitors, and office workers. A defined and dynamic streetscape should be created along Ridge Top Road, Government Center Parkway, and all internal streets. Pad sites are not allowed.
- Buildings at the corner of Government Center Parkway and Ridge Top Road should be designed to incorporate ground floor retail. It is anticipated that at least 20,000 square feet of a variety of retail, restaurant, and community-serving uses should be located in the vicinity of this intersection.
- A minimum of a 50 foot vegetated buffer should extend from the planned right-of-way line to minimize noise and visual impacts of development along Route 29;
- The office component should total at least 200,000 gross square feet. However, up to 50,000 square feet of office use may be replaced by hotel use;
- The planned extension of Government Center Parkway to Waples Mill Road is to be constructed as a four-lane divided roadway within the first phase of development. Dedication of land, construction or contribution to the Fairfax Center Area Road fund should be made for the planned transportation improvements, which includes the Route 29 and Waples Mill Road interchange;
- Land uses along the periphery of the development should complement the design and orientation of the neighboring land uses. In general building heights should taper towards the south and east, or landscaping should offset and soften the transition of the building heights if this tapering is not feasible. Development also should provide substantial buffering and interparcel access to any unconsolidated parcels;
- A high quality, pedestrian-oriented living environment with recreation spaces, such as open lawn areas, urban parks, plazas and courtyards, should be provided to help meet the recreation needs of residents. Appropriate landscape features and pedestrian amenities, such as shading, seating, lighting, public art, bus shelters, trash cans, and other street amenities should be provided. A contribution should be made to offset the impact of this development on the active recreation facilities;
- Sidewalks and trails should safely connect the land uses within the development and to the surrounding area. These pedestrian pathways should

be part of the overall circulation plan that should include continuous sidewalks, attractive pavement treatments, safe crossings, and bicycle facilities;

- An effective transportation demand management (TDM) program should be provided with each phase of development. It should encourage the use of alternative forms of transportation to reduce the number of vehicular trips. It should be based on the number and type of residential units and non-residential square footage, as deemed appropriate by the Department of Transportation. Any development should establish and implement strategies for the centralized management of the program. The TDM program could include staffing, resources, and dedicated areas for these services. Resources for telecommuting, transit subsidies, and “live where you work” incentives could be provided. Other programs could include, but would not be limited to, rideshare, vanpool, and carpool matching services or guaranteed ride home programs;
- The majority of the required parking should be structured or underground. Attractive façade treatments that are consistent with the overall architectural design should be used for any portion of a parking structure that is visible from the street;
- A geotechnical study should be completed to identify the depth of the asbestos soils and provide appropriate abatement and public safety measures during construction;
- Prior to any development, a survey should be conducted to determine the presence of significant historic archeological resources, using the scope of services approved by the County. The sub-unit has a high potential for these resources as Parcel 37 is known to have contained World War II Prisoner of War camp. Should any significant resources be found, then those resources should be conserved or the adverse impacts of any development mitigated. If resources are present, the applicant should work with the History Commission to write and fund the creation and installation of a historic marker on site;
- Affordable housing should be provided through compliance with the Affordable Dwelling Unit Ordinance, an appropriate proffer of land or units for affordable housing, or a financial contribution to the Fairfax County Housing Trust Fund. In addition, the provision of workforce housing to accommodate the needs of individuals or families making from 70 to 120 percent of the County’s median income is encouraged; and,
- Any development should mitigate the impact of the residential component on public schools;

A portion of the approved office use within RZ 2005-SP-019 may be replaced with single-family attached units. The remaining office component should be designed as professional office to serve the community with at least 35,000 square feet of development. The conditions achieved under the approved development should be maintained and enhanced, particularly those related to design and open space, as follows:

- The front façades of the single-family attached units are oriented toward Ridge Top Road and the Government Center Parkway or internal courtyards and pedestrian pathways. The façades should contribute to a defined and pedestrian-friendly streetscape. Internal courtyards and pedestrian pathways should be well-lit and useable with pedestrian-friendly elements such as benches and shade trees. Garages and driveways should be oriented to the rear of the units, and sufficient visitor parking should be provided. The units should be sufficiently buffered and screened year-round from the office uses and structure parking facility to the north;
- The approved pedestrian plaza at the corner of Ridge Top Road and Government Center Parkway should be maintained near the single-family attached units. The plaza should complement the park on the south side of the Parkway and function as coordinated gateway features to the development. The plazas should be useable, well-landscaped, provide seating and include distinctive elements, such as a fountain or public art; and,
- A community park is envisioned near the office use. The park should be well-lit and well-landscaped with shade trees and include elements that encourage public usage, such as a gazebo, plaza and playground. This park may be an appropriate location for an historic marker regarding World War II Prisoner of War camp. Other recreational amenities and open spaces designed to serve residents and guests are encouraged, including roof-top areas.

Any remaining, unconsolidated parcels may develop at an intensity up to 1.0 FAR office/mixed-use, if all relevant conditions above are achieved and appropriate inter-parcel access is provided to the adjacent development.”

ANALYSIS

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

Title of CDP/FDP: Ridgewood
Prepared By: Urban, Ltd.
Original and Revision Dates: November, 2010 as revised through
December 2, 2011

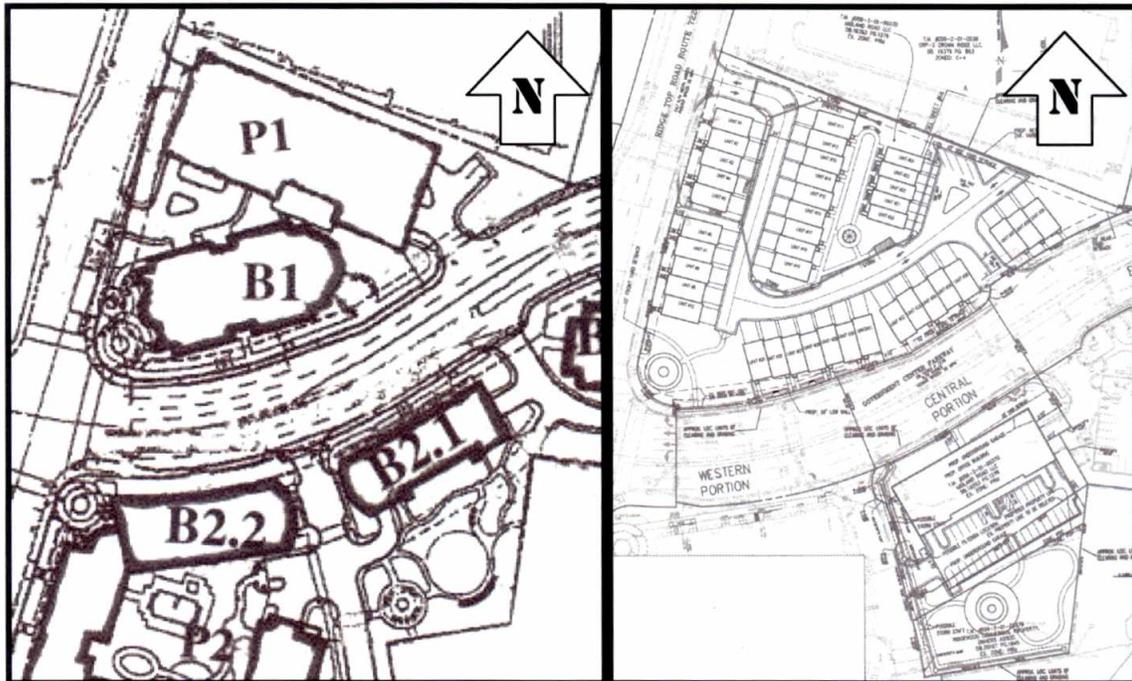
The sheet index is found on Sheet 1 of the CDP/FDP, which can be found at the front of this report.

Site Design

The portion of the site north of Government Center Parkway is proposed to be rezoned to PDH-12 and developed with 39 single family attached units. These attached units will replace the 150,000 square foot office building and parking structure approved under RZ 2005-SP-019 (shown as buildings B1 and P1 in the graphic below).

The portion of the site south of Government Center Parkway is proposed to be rezoned to PDC and developed with a 35,000 square foot office building and underground parking. This office building will replace the 16-unit multifamily residential building approved for this portion of the site under RZ 2005-SP-019 (shown as building B2.1 in the graphic below).

The southernmost section of the subject property (adjacent to the proposed office building) is proposed to be rezoned to PDH-12 but will remain as an amenity open space, as envisioned in the Comprehensive Plan and as approved under RZ 2005-SP-019.



Approved RZ 2005-SP-019 CDP/FDP

Proposed CDP/FDP Layout

Access & Parking

The "missing link" of the Government Center Parkway between Ridge Top Road and Waples Mill Road was constructed as a four-lane, divided facility as part of RZ 2005-SP-019. This section of the road bifurcates the subject property. Access to the single family attached dwelling units on the northern portion of the site is provided from both Government Center Parkway (this entrance is already constructed as is shown as a one-way, right-in only access on the CDP/FDP Plan) and Ridge Top Road (full access). Access is provided to the office building to the south through two access points (both right-in, right-out) along Government Center Parkway that are already constructed.

Parking for the residential units is provided in garages and driveways (with the exception of Units 20-24, that each have a one-car garage and a one-car driveway, all units have a two-car garage and a two-car driveway.) Eight visitor/unmarked spaces are provided along the internal street. The parking requirement for the units is 106 spaces (2.7 spaces/unit), and 125 parking spaces are provided. Although the Zoning Ordinance parking requirements are exceeded, staff recommends that the applicant or future HOA explore a shared parking agreement with the office building to the north or the proposed office building across Government Center Parkway, so that overflow parking can be accommodated in the event that the visitor spaces on-site are full.

Parking for the 35,000 square foot office building is provided in an underground parking garage that has at-grade parking on top of it. The parking requirement is 126 spaces (3.6 spaces/1000 GSF); 126 spaces are provided.

Building Uses & Layout

The development, as depicted on the CDP/FDP, proposes both a residential component and an office component. The maximum intensity proposed for the office building is 0.99 FAR, and a maximum of 39 single family dwelling units are proposed at a density of 11.3 du/ac. For the residential component, the applicant is claiming density credit for 0.44 acres of Government Center Parkway right-of-way dedication; 17,230 square feet of the area containing the park space behind the proposed office building (proposed to be rezoned to PDH-12) is also included in the density calculation. The applicant states that density credit for this land was not credited under the original rezoning; however, the tabulations provided are unclear. At the time of site plan, the applicant will have to demonstrate the density claims. If density credit can not be demonstrated, the applicant will need to lose density or file a Proffered Condition Amendment.

Staff strongly encourages the applicant to provide clear tabulations for both the original rezoning and the PCA that demonstrate what credits have been taken.

Office Building

The proposed office building is oriented to the south side of Government Center Parkway. This building is proposed as a 35,000 square foot building and will be a maximum of 90 feet in height. As described in the Comprehensive Plan, this building will house community serving professional offices, such as doctors, dentists, and other professional services.

Residential Units

The CDP/FDP shows 39 single family attached residential units. The units along the property edges face onto Government Center Parkway and Ridge Top Road, and the internal units face onto the interior open space feature. All of the proposed units are rear-loading. Due to the triangular shape of the property and having units facing onto two public streets to frame to the streetscape, a waiver of the privacy yard required for single family attached units has been requested.

As the proposal includes less than 50 units, the applicant is not required to provide ADUs or WDUs; however, they have proffered to provide ½ of 1% of the value of all units to the Fairfax County Housing Trust fund, which is in accordance with the Board of Supervisors' Affordable Housing Policy.

Architecture

A proffer states that the final architectural design of the buildings will be in substantial conformance with the "general type, quality and proportion of materials depicted in the illustrative perspectives, elevations, and sections shown on the CDP/FDP." The proffer further eliminates vinyl siding from use on the exterior of any building. Additionally, proffers commit that rooftop mechanical equipment will be shielded from view from the ground-level of adjacent streets.

The proffers commit to provide a minimum of 50% stone or brick materials on each front and side facade for the attached dwelling units. To enhance the streetscape, the applicant has committed to providing a minimum of 13 "urban style" (flat) roofs for the units that face Government Center Parkway and Ridge Top Road. A total of 25 units face onto these roads, therefore, half would have a flat, more urban style roofline. The remaining units would have a more traditional roof style, including shingles in black, gray or weathered wood.



Proposed Office Building



Proposed Single Family Attached Units, "Urban Style" and Traditional Rooflines

Recreation & Open Space

The CDP/FDP provides for a minimum of 31% open space on the PDH-12 property and 28% on the PDC property. Developed open space areas include the minor plaza/pedestrian plaza at the corner of Government Center Parkway and Ridge Top Road, the central courtyard within the single family attached dwelling unit development, and the plaza area behind the proposed office building.

The minor plaza (at the corner of Government Center Parkway and Ridge Top Road) is framed by flowering trees and features a circular pavement pattern with seating walls and planting beds that will mirror the plaza on the other side of Government Center Parkway (developed under the original rezoning application and described in the Comprehensive Plan). Details are shown on Sheet 6B of the CDP/FDP.

The interior courtyard for the residential portion of the development is designed with lawn, seating areas, a gazebo, and ornamental landscape planting. The courtyard is a linear shape and provides functional outdoor space for the residential units. As the units do not have privacy yards (due to their rear-loaded design), this central courtyard serves as the primary outdoor living space for these residents.

The park area (behind the office building) includes a lawn area with a landscaping, seating areas, paths, and a historical marker to identify the site as a German Prisoner of War camp during World War II. Screening to the adjacent unconsolidated mini-warehouse use (to the south and west) is intended to be removed if and when that parcel redevelops with a compatible use, so that this park could be expanded onto that site.

The proffers also commit to contribute per-unit funds to the Fairfax County Park Authority to provide recreational facilities to serve the property. As the residential component of this application does not include any indoor or active recreational amenities on-site for the use of residents, staff strongly encourages the applicant to consider including a proffer to join the Fairfax Center Recreation Association, which consists of pool, clubhouse and tot lot located in the Wescott Ridge community to the southwest of the subject site.

Landscaping

Due to the scrub nature of the existing vegetation on the site, no vegetation is proposed to be preserved. The applicant has shown a landscaping plan that includes a mix of evergreen and deciduous trees, including landscaping in the interior courtyard for the residential development, the minor plaza, and the park.

Proffers commit that deciduous trees along Government Center Parkway and Ridge Top Road will be a minimum of 3-3.5 inches in caliper at the time of planting (no minimum size for deciduous trees is proffered for other landscaped open space areas). All new evergreen trees used in peripheral screening, landscape areas, and public spaces are proposed to be a minimum of 6 feet in height at the time of planting. As the minimum tree size at planting proposed by the applicant is large, staff strongly recommends that the applicant include a proffer for tree watering/slow release watering bags to increase the survivability of the trees. Staff also recommends that the applicant proffer to replace, within one planting season, any trees that die within one year of the initial planting date.

Streetscape

The CDP/FDP shows a streetscape consisting of trees along Government Center Parkway and Ridge Top Road. Residential units face onto the streets, and sidewalks are provided along the frontages. The applicant has proposed elements such as wrought iron fencing and seat walls to help separate the public from private space. Other elements such as benches, trash receptacles, and shorter light poles help scale the streetscape and make it a more pedestrian-friendly environment.

Signage

The applicant has chosen to address the signage issue in the proffers, rather than by providing illustrations in the CDP/FDP. The proffers commit to abide by Article 12 of the Zoning Ordinance (Signs), and that all free-standing signs shall be monument style signs (no pole signs) in the locations shown on the CDP/FDP only. The proffers also commit to provide wayfinding signage to assist residents of the PDH property in finding the park across Government Center Parkway. The applicant has proffered that any signage will be consistent in terms of materials and design throughout the development.

Stormwater Management

Stormwater management, including best management practices (BMPs) is proposed to be accommodated in an existing regional pond located to the west, on the north side of Government Center Parkway. The applicant has requested a waiver of on-site stormwater management in favor of the regional pond. While staff believes the regional pond will accommodate the site, a recommendation on this waiver can not be made at this time. The waiver request will be evaluated at the time of site plan.

COMPREHENSIVE PLAN ANALYSIS (Appendix 5)

The Comprehensive Plan allows the option for a portion of office use approved with RZ 2005-SP-019 to be replaced with single-family attached units. The Plan calls for the remainder of the office component to be designed as community-serving professional offices with at least 35,000 square feet of development. The conditions achieved under the approved development should be maintained and enhanced, particularly those related to design and open space:

- *The front façades of the single-family attached units are oriented toward Ridge Top Road and the Government Center Parkway or internal courtyards and pedestrian pathways. The façades should contribute to a defined and pedestrian-friendly streetscape. Internal courtyards and pedestrian pathways should be well-lit and useable with pedestrian-friendly elements such as benches and shade trees. Garages and driveways should be oriented to the rear of the units, and sufficient visitor parking should be provided. The units should be sufficiently buffered and screened year-round from the office uses and structure parking facility to the north.*

The front facades of the single family units are oriented towards Ridge Top Road and Government Center Parkway, defining the pedestrian streetscape. The internal courtyard includes landscaping, benches, and a gazebo and serves as a meaningful open space for the residents. The units are rear-loading, so the garages and driveways are on the back side of the units. Ample parking for each unit is provided through garages and driveways, with the majority of the units having four spaces each. Eight visitor parking spaces are provided along the internal streets; however, as previously discussed, the applicant is encouraged to find further opportunities to accommodate overflow parking. The units are oriented away from the parcel to the north, and landscaping and a privacy fence are proposed along the northern property line.

- *The approved pedestrian plaza at the corner of Ridge Top Road and Government Center Parkway should be maintained near the single-family attached units. The plaza should complement the park on the south side of the Parkway and function as coordinated gateway features to the development. The plazas should be useable, well-landscaped, provide seating and include distinctive elements, such as a fountain or public art.*

The pedestrian (minor) plaza described has been carried forward, and the proposed plaza maintains a design similar to that on the south side of Government Center Parkway. The plaza is usable and contains seat walls, decorative paving material, an art feature, and a mixture of flowering trees and ornamental landscape plantings.

- *A community park is envisioned near the office use. The park should be well-lit and well-landscaped with shade trees and include elements that encourage public usage, such as a gazebo, plaza and playground. This park may be an appropriate location for an historic marker regarding World War II Prisoner of War camp. Other recreational amenities and open spaces designed to serve residents and guests are encouraged, including roof-top areas.*

The park described in the Comprehensive Plan has been provided on the southern side of the office building. The park is proposed to have a historical marker identifying the World War II Prisoner of War camp, and the applicant has proffered to work with the Cultural Resources Management and Protection (CRMP) Section of the Fairfax County Park Authority in providing this marker. The park landscape plan includes large shade trees, flowering trees, perennials, and designated lawn area. The central area of the park will be plaza-like, including decorative pavers, seating, and ornamental trees.

Fairfax Center Checklist Analysis (Appendix 6)

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

In order to justify development at the Overlay Level, this application must satisfy all applicable basic elements; all transportation elements relating to highway improvements (rights-of-way dedication, highway construction, and off-site roadway contributions) and ridesharing programs; all essential elements; and *either* three-fourths of the applicable minor elements and one-half of the applicable major elements, or the inclusion of all applicable minor elements and one-third of the major elements. Based on staff's analysis as found in Appendix 6, the application satisfies 100% of all applicable basic elements; 100% of all major transportation elements; 100% of all essential elements; 80% of the applicable minor elements; and 91% of the applicable major elements, justifying development at the Overlay Level.

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. For the complete Residential Development Criteria text, see Appendix 16.

Site Design (Development Criterion #1)

This Criterion requires that the development proposal address consolidation goals in the plan, further the integration of adjacent parcels, and not preclude adjacent parcels from developing in accordance with the Plan. The Plan recommends that, without full consolidation, the remainder of the land bay be developed at slightly lower intensity (1.0 FAR). This development proposal stands on its own and meets the lower level of the Plan recommendation at a proposed FAR of 0.99. Although technically this proposal represents a deconsolidation of the Ridgewood development, provisions for integrating this development with the larger development, including pedestrian connections; TDMs; the common association, and recreational facilities have been proffered. This proposal would not preclude the remaining parcels to the south and east from developing in compliance with the Plan, and pedestrian connections to integrate this development with the future development to the south and east have been proffered.

The development should provide a logical and functional design with appropriate relationships within the development, including appropriately oriented dwelling units and usable yard areas within the individual lots. Convenient access to transit facilities should be provided where available, and all aspects pertaining to utilities shall be identified. The proposed 39 unit single family attached development has units fronting on Government Center Parkway and Ridge Top Road, and these units provide a framework for the streetscape and define the edges of the development. The proposed landscaping, sidewalks, and fencing along the street defines the public space from the private space. The proposed units are rear-loading and do not provide a privacy yard. The Plan language suggests that driveways and garages should be oriented to the rear of the units. (Although this impacts the ability to provide rear yards, and the applicant has requested a waiver of the privacy yard, staff has noted that private space could be provided for each unit in the front or on top of the "urban style" roofs.)

The private open space at the center of the development provides a usable, functional, and meaningful recreational space for the residents. The units surrounding the interior open space face onto the open space and are oriented away from the parcel to the north (which is an office building with a parking structure and surface parking). The proffers commit to providing a Transportation Demand Management (TDM) plan that includes coordinating the dissemination of transit information and transit fare cards to property owners and tenants, participation in ride share programs, and bike and shower facilities for the office building.

Open space should be useable, accessible, and integrated with the development. Appropriate landscaping should be provided. 30% open space is required in the PDH-12 District; the applicant has provided 31%. This open space is provided through a mixture of private spaces (the interior open space area) and public spaces (the plaza at the corner of the Government Center Parkway and Ridge Top Road and the park area behind the proposed office building.) The applicant has proffered to provide way-finding signage to guide residents to the park area behind the office building. The open space on the site has been meaningfully designed and integrated to provide both private and public open space, meeting the objectives outlined in the Comprehensive Plan.

Neighborhood Context (Development Criterion #2)

While developments are not expected to be identical to their neighbors, this Criterion states that they should fit into the fabric of the area, especially at the interface between the two. This application directly abuts single family attached development to the west across Ridge Top Road, an office building to the north, a mini-storage facility to the northeast, and a mixed-use building to the south. The proposed rezoning to allow the 39 single family attached dwelling units as an option (where a 150,000 sq. ft. office building was previously approved) is compatible with the surrounding developments, as adequate screening and buffering, as well as thoughtful orientation of the individual units, has been provided along the northern and eastern property lines. The proposed streetscaping will complement the streetscape on the western side of Ridge Top Road and the proposed treatments for Government Center Parkway.

Environment (Development Criterion #3)
(Appendix 5)

This Criterion requires that developments conserve natural environmental features to the extent possible, account for soil conditions, and protect current and future residents from noise and lighting impacts. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts. No significant environmental features exist on the property. The

applicant intends to utilize an existing regional off-site SWM pond; no other SWM measures are proposed. The applicant has proffered to address environmental conditions, including asbestos soils and potential blasting, with the appropriate commitments. Finally, the applicant has proffered to noise attenuation measures for residential units facing onto Government Center Parkway.

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

This Criterion states that all developments should take advantage of existing quality tree cover—as preserving existing trees is highly desirable to meet the Public Facilities Manual (PFM) requirements—and that, where feasible, utility crossings should be located so as not to interfere with proposed tree save areas. No tree save area is proposed on this site, as there is no vegetation worthy of preservation. Utility crossings are not shown in great detail; however, there are no large areas of landscaping that have the potential to be impacted by such crossings. Additionally, the applicant has proffered to substantially conform to the landscaping shown and, if modifications must be made to accommodate utilities, to provide equivalent landscaping in an alternate location.

Transportation (Development Criterion #5)
(Appendix 8)

This Criterion requires that developments provide safe and adequate access to the surrounding road network, that transit and pedestrian travel be encouraged, and that interconnection of streets be encouraged. The applicant has provided a development plan which accesses public streets and provides pedestrian connections along both the external and interior streets. The proffers commit to providing a TDM program that includes integrating with the original rezoning TDM plan administration; appointing a TDM coordinator to help integrate the PDC property into the larger TDM plan; participation in the Fairfax County rideshare program; dissemination of rideshare and non-motorized travel information; transit fare cards for new tenants and residents; and bicycle racks and showers for the office building.

The following major transportation issues have been raised by the Department of Transportation:

Previous Transportation Proffers:

The applicant was requested to carry forward all previous proffers related to the original rezoning, RZ 2005-SP-019. The majority of the transportation commitments made with the previous rezoning, including the right-of-way dedication and construction of the Government Center Parkway extension to

Ridge Top Road, have been completed. The applicant has carried forward the proffer for the Ridge Top Road/ Government Center Parkway traffic signal, as well as TDM proffers that have been modified for this development. The previous proffer regarding the pedestrian connection to Parcel 37A (current mini-storage site) has also been carried forward, so pedestrian connections between the currently proposed and future open space can be made.

Entrance on northern side of Government Center Parkway:

With RZ 2005-SP-019, a right-in, right-out access point was approved for the access point along the north side of Government Center Parkway. This entrance was constructed as part of the Government Center Parkway extension to Ridge Top Road. The applicant proposes to make this entrance a right-in only entrance, narrowing it to 18 feet. While staff does not object, VDOT has expressed concern that a one-way entrance will force traffic trying to exit the development onto Ridge Top Road, and may encourage left turning movements from the site onto that road. Staff notes that if the applicant is required to provide a right-in, right-out entrance, there will be impacts to the layout as currently shown (including the loss of a dwelling unit), and a PCA may be required if the changes are not in substantial conformance with that shown.

Public Facilities (Development Criterion #6)

Criterion 6 states that the impacts on public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management) should be offset by residential development. Impacts may be offset through the dedication of land, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. (Specific Public Facilities issues are discussed in detail in Appendices 9-14.)

Fairfax County Public Schools (Appendix 9)

The proposed development would be served by Willow Springs Elementary, Lanier Middle and Fairfax High Schools. The middle and high schools are currently over capacity and are expected to be significantly over capacity by the 2016-17 school year. The applicant has been requested to provide a contribution of \$9,378 per 15 students anticipated to be generated by the development, or a total of \$140,670, for capital improvements to the receiving schools. The applicant has proffered to provide \$3,607 per each of 39 units, which equated to \$140,673, which meets the requested amount.

Fairfax County Park Authority (Appendix 10)

The development is projected to add 102 new residents to the Braddock District, who will need access to recreational facilities. Particularly in need are indoor and outdoor active recreational amenities, as none are proposed with the application. The Zoning Ordinance requires that \$1,600 per non-ADU unit be expended on recreational facilities* (39 units x \$1,600 = \$62,400). The applicant has proffered this amount and, therefore, meets the Zoning Ordinance requirement.

*Note: The P District Recreation contribution amount was increased to \$1700, effective January 11, 2012. However, the grandfather clause applies to cases accepted prior to January 11, 2012 and approved by July 1, 2012.

The Zoning Ordinance recreational funds are generally anticipated to be expended on the site, and the Park Authority is not compensated for the increased demands for other off-site recreational facilities. Therefore, the applicant should, in addition to the \$1,600 spent on-site, proffer to contribute additional funds to the Park Authority. The applicant has proffered to the \$1,600 as required by the Zoning Ordinance, an additional recreational "fair share" contribution of \$2,340 per unit (not including ADUs), and a contribution of \$9,450 for the commercial property, for a total of \$163,110, (\$100,710 in excess of the Ordinance requirements.)

Fire and Rescue (Appendix 11)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #404, Fairfax Center. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

Sanitary Sewer Analysis (Appendix 12)

The property is located in the Accotink Creek Watershed and would be sewered into the Noman M. Cole Pollution Prevention Plant (NMCCPCP). An existing 8 inch line located in the street is adequate for the proposed use at this time. Based upon current and committed flow, there is excess capacity in the NMCCPCP facility; however, availability of treatment capacity will depend on the current rate of construction and the timing for the development of this site.

Fairfax County Water Authority (Appendix 13)

The subject property is served by Fairfax Water. Adequate water service is available from an existing 12 inch main located at the site. Additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

Stormwater Management (Appendix 14)

The applicant has requested a waiver to allow the use of the off-site, regional stormwater pond for detention and BMPs. While the waiver request cannot be evaluated at this time, staff does not foresee any issues with the use of this facility. The waiver request will be reviewed at the time of site plan, and applicant has proffered that a PCA will be filed to allow an alternative stormwater management design/facility, should the regional pond be infeasible.

Affordable Housing (Development Criterion #7)

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. Satisfaction of this criterion may be achieved by the construction of units, contribution of land, or by a contribution to the Housing Trust Fund. In addition, on this site, specific plan text recommends that the provision of workforce housing be encouraged to justify development at the maximum allowed by the Plan, as proposed. The requirements of the Affordable Dwelling Unit program do not apply to this project, as the project yields fewer than 50 proposed units. In addition to the Zoning Ordinance requirement, the Board of Supervisors has a policy that projects fewer than 50 units should provide a monetary contribution equivalent to 0.5% of the proposed sales price of each new dwelling unit to the Fairfax County Housing Trust Fund. The applicant has proffered this contribution.

Heritage Resources (Development Criterion #8)

Criterion 8 requires a development to address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation. The parcel south of the proposed office building (location of proposed park) is the site of a World War II German Prisoner of War camp. An archeological investigation was completed subsequent to the original rezoning. The applicant has proffered to provide a historical marker in the park.

ZONING ORDINANCE PROVISIONS (Appendix 15)**P-District Standards**

The requested rezoning of the 3.83 acre site to the PDH-12 and PRM Districts must comply with the Zoning Ordinance provisions found in Article 6, Planned Development District Regulations and Article 16, Development Plans, among others.

Article 6: PDH DistrictSect. 6-101 Purpose and Intent

This section states that the PDH District is established to encourage innovative and creative design, to ensure ample provision and efficient use of open space; to promote balanced development of mixed housing types and to encourage the provision of affordable dwelling units. As there are no environmentally sensitive areas such as Resource Protection Area (RPA) or Environmental Quality Corridors (EQC) located on the property, and the site's existing tree cover is not worthy of preservation, the applicant's primary objective was to create efficient and usable open space on the small, triangular parcel. Through several iterations of the proposal, the applicant was able to design a layout that provides meaningful public and private open space on the site.

Sect. 6-107 Lot Size Requirements

This section states that a minimum of two acres is required for approval of a PDH District, and that a privacy yard a minimum of 200 square feet for each single family attached unit be provided, unless waived by the Board with the approval of a development plan. The 3.83 acre application area meets this minimum requirement. The applicant has requested a waiver of the minimum privacy yard requirement for single family attached units. In order to provide orientation onto Ridge Top Road and Government Center Parkway, the applicant has selected a rear-loading dwelling design so that the front doors of the units face the street, and the garage and driveways are interior to the development. Similarly, the interior units are also rear-loading so that the units can face onto the interior open space. The Comprehensive Plan states that garages and driveways should be oriented to the rear of the units, to facilitate a pedestrian-friendly streetscape. As the current design provides usable common open space--the minor plaza at the intersection of Ridge Top Road and Government Center Parkway, and the interior open space-- staff does not object to a waiver of the privacy yards.

Sect. 6-109 Maximum Density

This section states that the maximum density for the PDH-12 District is 12 dwelling units per acre (du/ac). The applicant proposes to develop the application area with 39 single family attached dwelling units at an overall density of 11.3 dwelling units per acre.

Sect 6-110 Open Space

Par. 1 of this section requires a minimum of 30% of the gross area as open space in the PDH-12 District. Par. 2 of this section requires that recreational amenities be provided in the amount of \$1,600/du. As previously stated, approximately 31% of the PDH-12 application area will be provided as open space. The applicant has presented a proffer that \$1,600 per dwelling unit be contributed for recreational amenities.

Article 6: PDC District

Sect.6-201 Purpose and Intent

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

The General Standards for all planned Districts, as found in Article 16, are discussed further below.

Section 6-206 Use Limitations

The use limitations require that all developments in the PDC District:

- Meet the standards of 16-101 (General Standards) and 16-102 (Design Standards) Discussed Below;*
- Comply with the performance standards of Article 14;*
- Use the standards of Article 9 to evaluate uses categorized as Special Exception uses;*
- Uses approved pursuant to an FDP shall be in conformance with the approved FDP as provided in Sect. 16-403;*
- GFA for dwellings, including elderly housing, as a secondary use shall not exceed 50% of the GFA of all principal uses, and the GFA of all other secondary uses shall not exceed 25% of the GFA of all principal uses;*
- Secondary uses shall maintain and protect the character of adjacent properties;*
- Provide signage in accordance with Article 12; and,*
- Provide parking in accordance with Article 11.*

The proposed development is a 35,000 square foot building proposed for office uses. Parking is provided in accordance with Article 11. The proffers list principal and secondary uses that could occupy the building, and staff finds these uses to be acceptable. As noted, the proposal meets the design guidelines found in the Comprehensive Plan text for this site and the Fairfax Center criteria, including pedestrian access, streetscape design, and open space provisions. Therefore, the proposed development meets the use restrictions.

Sect.6-207 Lot Size Requirements

Section 6-207 requires that all developments in the PDC District must meet at least one of the following conditions:

- *Yield a minimum of 100,000 square feet of gross floor area*
- *Be a logical extension of an existing P District, in which case it must yield a minimum of 40,000 square feet of GFA.*

In addition, there is no minimum lot area requirement, provided that:

- *A privacy yard a minimum of 200 square feet for each single family attached unit be provided, unless waived by the Board with the approval of a development plan.*

The applicant has requested a waiver of the minimum district size. The subject property is not an extension of the existing P District, and it falls short of the 40,000 square foot GFA minimum. However, the development meets the square footage minimum recommendation of 35,000 square feet as detailed in the Comprehensive Plan, and the intent is for this office building to provide space for community serving professional offices. While the proposed development does not meet the Zoning Ordinance standards, staff believes it is a compatible use with the surrounding PRM development and the existing residential developments. Given the site-specific Comprehensive Plan language calling for a smaller scale office building in this location, staff does not object to the waiver of the minimum district size.

Sect. 6-208 Bulk Regulations

The bulk regulations require that in the PDC District:

- *The building heights and yard requirements be controlled by the provisions of Article 16; and*
- *A maximum floor area ratio (FAR) of 1.5 be provided.*

The building heights and yard requirements, as controlled by Article 16, would require the development to be generally in conformance with the R-12 and/or C-3 regulations (discussed below). The proposed FAR of 0.99 is in conformance with the Plan recommendation for this site.

Sect. 6-209 Open Space

The open space regulations require that in the PDC District:

- *15% of the gross area be open space; and*
- *Recreational amenities be provided in accordance with the Planned District regulations (minimum expenditure of \$1,600 per unit).*

The CDP/FDP provides 28% open space on the proposed PDC-zoned property. Recreational contributions were addressed under the PDH District section; the applicant has also proffered to provide a contribution of \$9,450 to Patriot Park upon issuance of a Non-RUP for the office building.

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, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions. The Comprehensive Plan states that this area is planned for office use, with an option for mixed use development at an intensity of up to 1.2 FAR, subject to certain conditions. The Plan also gives the option for this property to be developed with single family attached units and an office building at a minimum of 35,000 square feet, subject to certain conditions. The applicant proposes to develop the property with a maximum of 39 single family attached dwelling units and an office building of approximately 35,000 square feet (an FAR of 0.99). This development proposal is consistent with the Plan's intensity recommendation, and meets the bulleted conditions.

General Standard 2 states that the planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district. The proposed design allows for urban style open space areas including passive recreational courtyards and plazas that would not be required with development under a conventional zoning district (although they might be provided). The rear facing units allow the fronts to face onto the roadways, contributing to an urban feel. Parking is provided in garages and driveways for the residential units, and primarily in an underground parking garage for the office building.

Standard 3 states that the planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features. While there is no tree preservation proposed, no areas were identified as outstanding. The site vegetation is primarily scrub vegetation. There is no RPA or EQC on the site, or exceptional topographic features to work with.

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. The proposal is intended to provide a transition between adjacent residential properties and the higher intensity commercial corridor along Waples Mill, extending north to Route 50. The properties to the north, south, and east of the subject property are unconsolidated, and this development proposal does not impede their redevelopment in the future. The proffers include the construction of the park with the first phase of construction, as well as the provision of pedestrian easements to connect the spaces once the adjacent properties redevelop. If the PDH portion of the property develops first, the applicant has proffered to seed and maintain the PDC portion of the property until it is developed.

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 sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently developed. The transportation improvements constructed as part of RZ 2005-SP-019, and the proffers carried forward as part of this application, are more than adequate to support the land use changes proposed with this application. The applicant has provided sidewalks along all Government Center Parkway and Ridge Top Road, and appropriate connections to the open space areas are provided. Adequate police and fire protection service is available for the property, and adequate water and sewer infrastructure serve the site. While a TDM proffer has been provided, staff continues to recommend that those commitments be improved.

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. The development plan depicts pedestrian sidewalks along the public streets. While the park is intended to expand into the area of the unconsolidated parcel to the south and east (currently mini-warehousing), the applicant should carry forward the proffers that provide interparcel access at such time as that parcel redevelops.

Section 16-102 Design Standards

Design Standard 1 states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.

All buildings have side and rear setbacks that are at or near the minimum found in the R-12 and C-3 Districts. The front yard requirement for the R-12 District is 5 feet, and the applicant is providing a minimum of 10 feet on the PDH-12 portion of the property in order to provide sidewalks and trees along the frontage. The front yard for the office building is 20 feet. Although this is half of what would be required with a standard C-3 zoning, this application is in an area where a more urban standard is desired, which includes buildings fronting the street. In staff's evaluation, the design of the streetscape, including the pedestrian access along Government Center Parkway and Ridge Top frontages, provides an appropriate edge to the development.

	<i>Residential units</i>		<i>Commercial building</i>	
	R-12	PDH-12	C-3	PDC
Front Yard	15° ABP, min. 5'	10'	25° ABP, min. 40'	20'
Side Yard	15° ABP, min. 10'	10'	none	n/a
Rear Yard	30° ABP, min. 20'	20'	20° ABP, min. 25'	25'
Open Space	25%	31%	15%	28%

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. This application satisfies all of these applicable Zoning Ordinance provisions. The parking requirements are met, and the open space requirement of 15% in the PDC District and 25% in the PDH-12 District is exceeded.

Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be

coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

The internal streets associated with this development appear to meet PFM standards, and the street network in this area provides linkages to the greater area transportation network. Sidewalks are provided along Ridge Top Road and Government Center Parkway, as well as within the residential component of the project, and proposed wayfinding signage will help navigate residents to the park behind the office building.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

As proposed, staff believes that the applicant's proposal to develop the subject 3.83 acres with 39 single family attached dwelling units at an overall density of 11.3 du/ac and an office building at 0.99 FAR is in conformance with the recommendations of the Comprehensive Plan. The proposal meets P-District Standards and the Residential Development Criteria as discussed above.

In staff's evaluation, the proposal meets the bulleted conditions found in the Comprehensive Plan and will provide an attractive, urban-style development with usable open space and will offer additional services for current and future residents.

Staff Recommendations

Staff recommends approval of PCA 2005-SP-019, subject to the Board's approval of RZ 2011-BR-014.

Staff recommends approval of RZ 2011-BR-014 and the associated CDP, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2011-BR-014, subject to the Board of Supervisors approval of RZ 2011-BR-014.

Staff recommends approval of a waiver of the minimum district size for PDC Districts.

Staff recommends approval of a waiver of 200 square foot privacy yard requirement for single family attached units.

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

The approval of this 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.

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

APPENDICES

1. Draft Proffers
2. Affidavits
3. Statement of Justification
4. Clerk's Letter and proffers for RZ 2005-SP-019
5. Plan Citations and Land Use Analysis
6. Fairfax Center Checklist
7. Urban Forest Management Analysis
8. Transportation Analysis
9. Schools Analysis
10. Park Authority Analysis
11. Fire and Rescue Analysis
12. Sanitary Sewer Analysis
13. Water Authority Analysis
14. Stormwater Management Analysis
15. Zoning Ordinance Provisions
16. Residential Development Criteria
17. Glossary of Terms

PROFFERS
Ridgewood
Midland Road LLC, Ridgewood Commercial Property Owners Association
RZ/FDP 2011-BR-014 and PCA 2005-SP-019

August 11, 2011
September 30, 2011
October 27, 2011
December 12, 2011
January 18, 2012
January 24, 2012

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference No. 56-2-((1))-37B, 37D, and 37G (hereinafter referred to as the "Property") will be in accordance with the following conditions if, and only if, said rezoning request for the PDH-12 and PDC Districts is granted by the Board of Supervisors of Fairfax County, Virginia (the "Board"). Fairfax County Tax Map Reference No. 56-2-((1))-37B and 37D shall be referred to as the "PDH Property" and Fairfax County Tax Map Reference No. 56-2-((1))-37G shall be referred to as the "PDC Property." In the event said application request is denied or the Board's approval is overturned by a court of competent jurisdiction, these proffers shall be null and void. The Owners and the Applicant ("Applicant"), for themselves, their successors and assigns, agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board, in accordance with applicable County and State statutory procedures. The Proffered Conditions are:

I. GENERAL

1. Substantial Conformance. Subject to the proffers and the provisions of Article 16 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan ("CDP/FDP"), prepared by Urban Ltd., and dated November, 2010, as revised through December 2, 2011. It shall be understood that the CDP shall be only those elements of the plans that depict the number and the general location of points of access, the amount and location of landscaped open space, peripheral setbacks, limits of clearing and grading, building heights, the total number, type, uses and the general location of buildings and roads (the "CDP Elements"). The Applicant reserves the right to request a Final Development Plan Amendment ("FDPA") for elements other than the CDP elements 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 the approved CDP and these proffers.
2. Minor Modifications. In addition to that described above, pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications to the CDP/FDP and these proffers may be permitted as determined by the Zoning Administrator.
3. Maximum Density. The maximum floor area ratio ("FAR") permitted on the PDC Property shall be 1.0. Based on this maximum FAR, the maximum gross floor area ("GFA") that may be constructed shall be 35,000 gross square feet. The precise amount of GFA may vary based on final engineering provided that the building and Property remain in substantial conformance with that shown on the CDP/FDP as determined by

the Zoning Administrator. Similarly, the number of residential units described on the CDP/FDP for the PDH Property may be adjusted based on the final design, provided the maximum number of dwelling units shall not exceed 39 units.

4. Phasing. Build-out of the PDH Property and PDC Property may proceed in separate phases. The FAR, GFA and/or number of dwelling units per acre constructed within either the PDH Property or PDC Property shall comply with the maximum density limitations set forth in Proffer 3. Except for the Amenity Open Space described in Proffers below (which shall be constructed with the first phase of development), the creation of the landscaped open space areas and associated improvements for each respective Property shall be concurrent with the phasing of development/construction of each respective Property.
5. Density Credit. Density credit shall be reserved for the Property as provided by Section 2-308 of the Zoning Ordinance for all dedications described herein and/or as shown on the CDP/FDP or as may reasonably be required by Fairfax County, VDOT or others at the time of site/subdivision plan approvals.
6. Relationship with Original Rezoning/Common Associations. This rezoning and associated proffers are intended to complete, and be integrated with, the project originally associated RZ 2005-SP-019 (the "Original Rezoning"). However, these proffers shall only apply to the PDC and PDH Properties and not the remainder of the project associated with the Original Rezoning. Further, the all the property subject to the Original Rezoning, including the PDH and PDC are subject to a master umbrella common owners association to appropriately administer the on-going maintenance and TDM

obligations (the "Master Association"). Prior to issuance of the first RUP for the PDH Property, the Applicant shall establish a common association in accordance with Virginia law for the PDH Property (the "Townhome HOA"). The Master Association may consist of one or more umbrella owners associations for the entire Property, as well as individual condominium owners' associations ("COAs") formed for specific buildings. At a minimum, the Townhome Association, any COA associated with the Original Rezoning, and the owners of each office and/or hotel building shall be members of the Master Association. The Master Association and the Townhome Association shall be responsible for obligations as specifically identified in these proffers, including maintenance, TDM, and notification obligations.

7. Architecture. The final architectural design shall be in substantial conformance with the general type, quality and proportion of materials depicted in the illustrative perspectives, elevations, and sections shown on the CDP/FDP. Building facades not shown in the CDP/FDP shall be consistent with the general type, quality and proportion of materials depicted in the illustrative perspectives, elevations, and sections shown on the CDP/FDP. The primary materials for the office building shall be glazed glass, metal and/or stucco-style siding. The primary palette of color to be used for the office building shall consist of generally neutral tones/shades consistent with that shown on the CDP/FDP. Rooftop mechanical equipment will be shielded from view from the ground-level of adjacent streets. Vinyl siding shall not be used on the exterior of any building.

In addition, to enhance the streetscape, the townhomes on the PDH Property facing Government Center Parkway and Ridge Top Road shall include a minimum of thirteen (13) units with “urban style” flat roofs (consistent with style shown on the CDP/FDP). All other roof styles on the PDH Property shall incorporate architectural shingles in black or grey or weathered wood. All townhome units on the PDH Property shall incorporate a minimum of 50% (not including trim, gutter, etc.) stone or brick materials on each unit’s front and side (where applicable) façade(s). Horizontal cementitious beaded siding (Hardy plank) or architecturally equivalent material shall be used for the remainder. All units shall also incorporate brick stoops or stairs for their front entrance. Raised panel shutters shall be used on windows for the front and side facades. The primary palette of color to be used for the townhomes shall consist of generally neutral or faded colors consistent with that shown on the CDP/FDP. Bright primary colors such as neon shall not be used.

8. Parking Spaces. At least eight (8) parking spaces within the PDH Property shall be provided for visitors of the residential units of the PDH Property. Such visitor spaces shall be marked as visitor and shall be located so as not to require the permission of any resident to utilize the parking space.
9. Unifying Elements. As this rezoning is the completion of the project associated with the Original Rezoning, all street furniture, including garbage cans, benches and lamp posts, shall be consistent, both in terms of materials and design, throughout this rezoning and that established by the Original Rezoning. Such street furniture shall be consistent in quality and character with the illustrative examples included in the CDP/FDP.

10. Signage. All signage provided on the Property shall comply with Article 12 of the Zoning Ordinance. Pole signs shall not be permitted on the Property. All directional and wayfinding signage shall be consistent, both in terms of materials and design, throughout this rezoning and that established by the Original Rezoning. No illuminated signs shall be permitted on the office building on the PDC Property on the façade facing Ridge Top Road.

11. Townhome to Amenity Open Space Wayfinding. In addition to the proffer above, appropriate and effective wayfinding signs shall be provided to assist residents of the PDH Property utilize the pedestrian access across Government Center Parkway to access the Amenity Open Space (identified as “Community Park” on the CDP/FDP). Such signage shall be installed prior to the completion of the Amenity Open Space in prominent and easily visible locations, subject to traffic safety requirements such as sight distance. As part of the disclosures at the time of purchase, townhome owners shall be provided a map showing the location of the Amenity Open Space and specific notice in the Townhome HOA documents of the location and right to use the Amenity Open Space.

II. USES

12. PDH Uses. Single-family attached shall be the principal use permitted on the PDH Property. Secondary uses permitted in the PDH Zoning District may be permitted with the approval of a FDPA and/or a special exception or special permit as required by the PDH Zoning District.

13. PDC Uses. Office, Personal Service Establishments, Financial Institutions, Business Service and Supply Service Establishments, and Establishments for scientific research, development and training where assembly, integration and testing of products in a completely enclosed building is incidental to the principal use of scientific research, development and training uses, shall be the Principal uses permitted on the PDC Property. Retail, Eating Establishments, Garment cleaning establishments, Fast food restaurants (no drive-through) shall be permitted on the ground floor only of the office building and shall not exceed 50% of the GFA permitted on the PDC Property. Additional principal uses and other secondary uses permitted in the PDC Zoning District that are not specifically listed in this Proffer may be permitted with the approval of a FDPA and/or a special exception or special permit as required. A PCA shall not be required as long as the proposal remains in substantial conformance with the CDP.

III. **TRANSPORTATION**

14. Ridge Top Road/Government Center Parkway Traffic Signal. Unless already submitted pursuant to the original proffers associated with the Original Rezoning, prior to the issuance of non-RUP for development on the PDC Property, the Applicant shall submit to VDOT a warrant study, based on full build-out of the approved density on the Property, for a traffic and pedestrian signal at the Government Center Parkway Extended/Ridge Top Road Intersection. If such a signal is determined to be warranted by VDOT, then the Applicant shall diligently pursue designing, equipping, and constructing the signal, including, if deemed appropriate by FCDOT and VDOT,

pedestrian countdown signals. Such signal shall include a pedestrian cycle at all crossings, as deemed appropriate by VDOT and FCDOT.

15. Fairfax Center Area Road ("FCAR") Fund. The Applicant shall contribute to the FCAR Fund in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses as determined by FCDOT and/or DPWES. Such creditable expenses shall include the actual construction costs associated with the improvements constructed with the Original Rezoning including the extension Government Center Parkway, less any credit already received for site plans associated with the Original Rezoning. The Applicant shall provide documentation of the actual construction costs and the credit already received by the Original Rezoning as part of its submission under the FCAR Guidelines.

IV. TRANSPORTATION DEMAND MANAGEMENT STRATEGIES (TDM)

16. PDH TDM Plan. The Original Rezoning contained an extensive TDM Plan and the PDH Property shall be integrated into the administration of the original TDM where possible. Further, the use of mass transit, ride-sharing, non-motorized and other transportation strategies shall be used to encourage reduction of single-occupant vehicle traffic from the PDH Property during peak hours. Prior to the issuance of the first RUP for the PDH Property, the Applicant shall appoint a Transportation Coordinator who shall coordinate with the TMC from the Original Rezoning to implement a transportation demand management (TDM) plan for the PDH Property. The TDM plan shall include at least the following elements: coordination with Fairfax County Department of Transportation's Community Residential Program, or any similar office or agency subsequently specified

by FCDOT; dissemination of transit, ride-sharing and non-motorized travel information (such as transit schedules and brochures) and Smart Trips Cards (or similar transit fare cards) in the amount of \$25.00 to all new tenants through “welcome kits” provided to new owners or residents in the PDH Property and regular dissemination of transit, ride-sharing and non-motorized travel information, either physically or through electronic means. Homeowners and of the PDH Property shall be made aware of this TDM commitment in the Townhome HOA Documents.

17. PDC TDM Plan/Bike Parking. The Original Rezoning contained an extensive TDM Plan and the PDC Property shall be integrated into the administration of the original TDM where possible. Further, the use of mass transit, ride-sharing, non-motorized and other transportation strategies shall be used to encourage reduction of single-occupant vehicle traffic from the PDC Property during peak hours. Prior to the issuance of the first non-RUP for the PDC Property, the Applicant shall appoint a Transportation Coordinator for the office building who shall coordinate with the TMC from the Original Rezoning to implement a TDM plan for the PDC Property and to integrate the building into the larger TDM Plan. The TDM plan shall include at least the following elements: participation in the Fairfax County Ride Share Program, or any similar program subsequently specified by FCDOT; dissemination of transit, ride-sharing and non-motorized travel information (such as transit schedules and brochures) in leasing packages and regular dissemination of transit, ride-sharing and non-motorized travel information, either physically or through electronic means; and dissemination of Smart Trips Cards (or similar transit fare cards) in the amount of \$25.00 to all new tenants.

Tenants of the PDC Property shall be made aware of this TDM program in their leasing documents. In addition to the TDM Plan, the Applicant shall provide secure, weather-protected, bicycle storage for the PDC Property, and provide bicycle racks for visitors/tenants/employees. At a minimum, the Applicant shall provide bicycle storage sufficient for at least ten (10) bicycles on the PDC Property. Further the Applicant shall provide shower facilities within the building on the PDC Property.

V. STORMWATER MANAGEMENT

18. Stormwater Management Facilities. The Applicant will fulfill such requirements through the use of the existing regional facility located to the west of the Property in general accordance with the stormwater management narrative on the CDP/FDP, if approved by DPWES, including providing the pro-rata share of Best Management Practices (BMPs) in regional pond, as determined by DWPEs. If the Applicant is unable to fulfill such requirement through the use of the regional pond, the Applicant shall file a proffered condition amendment (PCA) to permit an alternative stormwater management facility.

VI. LANDSCAPING

19. Landscaping and Landscaped Open Space. Site plans submitted for the respective phases of development shall include a landscape plan for that phase of development as generally shown on the CDP/FDP. The Applicant shall maintain such landscaping, including the Amenity Open Space, until the Master Association or sub-association assumes responsibility. Prior to issuance of a non-RUP on the PDC Property or the issuance of a RUP on the PDH Property, which ever occurs first, the Applicant shall construct the Amenity Open Space identified on the CDP/FDP. In the event the first

phase of development is on the PDH Property, then, concurrent with construction of the Amenity Open Space, in order to maintain the attractiveness of the PDC Property, the PDC Property shall be seeded with grass and shall be maintained by the Applicant until development of the PDC Property proceeds. All new deciduous trees provided as a part of the Government Center Parkway Extended streetscape and along Ridge Top Road, as shown on such landscape plan, shall be a minimum of 3.0 to 3.5 inches in caliper at the time of planting. All new evergreen trees used in peripheral screening and landscaping areas and public spaces shall be a minimum of six (6') feet in height at the time of planting. Such landscape plan shall be provided in substantial conformance with the landscaping concepts shown on the CDP/FDP. Further, the Applicant shall disclose the future expansion of the Amenity Open Space shown on the CDP/FDP to Parcel 37A and the potential for additional maintenance obligations associated with such expansion in the Master Association and Townhome HOA documents. Such future expansion of the Amenity Open Space shall also be noted on the record plat.

20. Location of Utilities. Along all existing public rights-of-way, utility lines shall be generally located so as to not interfere with the landscaping concepts shown on the CDP/FDP. The Applicant reserves the right to make minor modifications to such landscaping to reasonably accommodate utility lines provided such relocated landscaping shall retain a generally equivalent number of plantings and continues to reflect the concepts illustrated on the CDP/FDP and subject to UFM approval. For all other areas of the Property, in the event that during the process of site plan review any landscaping shown on the CDP/FDP cannot be installed in order to locate utility lines, as determined by

DPWES, then an area of additional landscaping consisting of equivalent flora generally consistent with that displaced shall be substituted at an alternate location on the Property, subject to approval by Urban Forest Management.

21. Native Trees. Native trees shall be used within the landscaping, streetscape and landscaped open space areas as determined appropriate by Urban Forest Management.

VII. PEDESTRIAN IMPROVEMENTS

22. Additional Pedestrian Connection to the East. After the County approves the redevelopment on the adjacent parcel identified as Tax Map 56-2-((1))-37A ("Parcel 37A") and the Parcel 37A owner or the County requests that the Applicant grant additional pedestrian interparcel connections, in a form acceptable to the County Attorney, to connect the Property and Parcel 37A with a unified pedestrian network, the Applicant shall grant such easements at no cost provided: 1) such pedestrian connections shall be located along the common boundary between the Property and Parcel 37A; 2) any such potential pedestrian connection shall not conflict or interfere with improvements on the Property or cause improvements on the Property to become non-compliant with any federal, state or local code, ordinance or regulation; and 3) the 37A owner shall bear the responsibility and cost of obtaining the necessary governmental approvals and easements. In addition to the potential interparcel access easements discussed above, the Applicant shall convey to the County, in a form acceptable to the County Attorney, public access easements over the two possible future pedestrian connections shown on the CDP/FDP at the time of site plan approval for the Amenity Open Space. Should such pedestrian connections be constructed,

nothing in this Proffer shall prevent the establishment of reasonable maintenance and cost-sharing provisions between the respective landowners. The potential for such interparcel connections and the potential additional maintenance responsibilities shall be disclosed in the Master Association and Townhome HOA documents.

23. Pedestrian Easements. Concurrent with site plan/subdivision plan approval, the Applicant shall place all sidewalks and trails shown on the CDP/FDP in public access easements, in a form acceptable to the County Attorney. The Applicant shall maintain such sidewalks and/or trails located outside the public right-of-way until such responsibility is turned over to the Master Association, Townhome HOA or other sub-association as appropriate. Additionally, the Applicant shall maintain such sidewalks and/or trails within the public right-of-way that are constructed with specialty paving as identified on the CDP/FDP or any sidewalks and/or trails within the public right-of-way that VDOT will not agree to maintain. The maintenance responsibilities for such sidewalks shall be disclosed in the appropriate association documents.

VIII. RECREATIONAL FACILITIES

24. On-Site Recreational Contributions – PDH Property. At time of issuance of a RUP, pursuant to Section 6-409 of the Zoning Ordinance, the Applicant shall contribute \$1,600.00 per each residential unit, exclusive of ADUs, approved on the PDH Property to the Fairfax County Park Authority to provide recreational facilities to serve the Property. The Applicant shall receive credit against such contribution for the cost of recreational facilities, as approved by DPWES, which may include, but not be limited to the cost of improvements for outdoor seating areas, pedestrian trails (except those shown on the

Comprehensive Plan), and plazas. In addition, the PDH Property and the Townhome HOA are encouraged to join existing recreational associations in the area (such as the Fairfax Center Recreational Association) to provide additional recreational opportunities for the townhomes. A list of potential recreational associations shall be provided to the Townhome HOA. In addition to the above contribution, at the time of issuance of a RUP, the Applicant shall contribute \$2,340.00 per dwelling unit to the Fairfax County Park Authority to provide recreational facilities serving the Fairfax Center Area. The Applicant shall receive credit against such contribution for the cost of recreational facilities open to the public generally and the residents of the Original Rezoning, as approved by DPWES, which may include, but not be limited to the Amenity Open Space, provided no credit was previously granted with the Original Rezoning.

25. Off-Site Recreational Contribution – PDC Property. Prior to issuance of a non-RUP for the building on the PDC Property, the Applicant shall contribute \$9,450 to the Fairfax County Park Authority to provide recreational facilities at Patriot Park, or other park serving the Fairfax Center Area.

IX. CONSTRUCTION AND GRADING

26. Projection from Building Facades. Decks, bay windows, patios, chimneys, areaways, stairs and stoops, mechanical equipment and other similar appurtenances may encroach into minimum yards as depicted on the "lot typical" for the townhouse units as shown on the CDP/FDP, as permitted by the Zoning Ordinance. The restrictions and limitations of this proffer shall be disclosed to purchasers prior to contract ratification and further disclosed in the Townhome HOA documents. In addition, all prospective

purchasers shall be notified of the applicable County requirements as they pertain to matters of permitting and related construction requirements.

27. Asbestos Containing Soils. If based on the soils analysis submitted as part of the site plan approval process, DPWS determines that a potential health risk exists due to the presence and associated disturbance of asbestos-containing rock on the Property, the Applicant shall:

- (A) Take appropriate measures as determined by the Fairfax County Health Department to alert all construction personnel as to the potential health risks; and
- (B) Commit appropriate construction techniques as determined by DPWES in coordination with the Fairfax County Health Department to minimize this risk. Such techniques shall include, but not be limited to, dust suppression during all blasting and drilling activities and covered transportation of removed materials presenting this risk, and appropriate disposal.

28. Blasting. If blasting is required on-site, the Applicant shall ensure that blasting is done pursuant to Fairfax County Fire Marshal requirements and all safety recommendations of the same, including without limitation, the use of blasting mats. In addition, the Applicant shall:

- (A) Retain a professional consultant to perform a pre-blast inspection of each house or residential building, to the extent that any of these structures are located on the properties listed in Paragraph I of this proffer;

- (B) Prior to any blasting being done, the Applicant shall provide written confirmation to DPWES that the pre-blast survey has been completed and provide a copy of the survey to Fairfax County upon request;
- (C) Require the blasting consultant to request access to any houses, wells, buildings, or swimming pools, by notification to owners in accordance with Paragraph I of this Proffer, to, if permitted by owner, determine the pre-blast conditions of these structures. The Applicant's consultant will be required to give a minimum of fourteen (14) days notice of the scheduling of the pre-blast survey. The Applicant shall provide the residents entitled to pre-blast inspections, the name, address and phone number of the blasting contractor's insurance carrier;
- (D) Require his consultant to place seismographic instruments prior to blasting to monitor shock waves. The Applicant shall provide seismographic monitoring records to County agencies upon their request;
- (E) Notify owners in accordance with Paragraph I of this Proffer, ten (10) days prior to blasting; no blasting shall occur until such notice has been given;
- (F) Upon receipt of a claim of actual damage resulting from said blasting, the Applicant shall cause his consultant to respond within five (5) days of meeting at the site of the alleged damage to confer with the property owner;

- (G) The Applicant will require blasting subcontractors to maintain necessary liability insurance to cover the costs of repairing any damages to structures, which are directly attributable to the blasting activity and shall take necessary action to resolve any valid claims in an expeditious matter; and
- (H) The consultant shall be required to provide an analysis of the potential for gas migration from the site to the Fire Marshal for review and approval prior to blasting. Appropriate gas migration mitigation and/or notification pursuant to County regulations shall be implemented.
- (I) For purposes of this Proffer, the following tax map parcels, as may be amended in the future, shall be notified by certified mail at the address indicated in the tax assessment records of Fairfax County:

Tax Map Parcels 56-2-((1))- 33G1, 33G2, 33H, 36, 37A, 39, 40, 54, 55, 57, 58, 61A;
 56-2-((4))-1, 2, 4, 6; 56-2-((15))-((4))-102, 103, 201, 202, 203, 204, 301, 302,
 303, 304; 56-2-((15))-((6))-102, 103, 201, 202, 203, 204, 301, 302, 303, 304;
 56-2-((15))-((7))-102, 103, 201, 202, 203, 204, 301, 302, 303, 304; 56-2-
 ((15))-((8))-102, 103, 201, 202, 203, 204, 301, 302, 303, 304; 56-2-((12))-A1,
 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,
 24, 25, 111, 112A; 56-2-((19))-A1, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 94, 95, 96, 97,
 98, 99, 100, 101, 102; 56-2-((17))-A, E, N, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
 15, 16, 17, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40,
 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51; 56-2-((24))-((1)) -1, 2, 3, 4, 5, 6, 7,

8, 9, 10, 11, 12, 13, 14, 15, 16, 17; 56-2-((24))-2-35, 36, 37, 38, 39, 40,
41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51

29. Historical Marker. The Applicant shall construct a historical marker commemorating the World War II German P.O.W. Camp that existed on the Property, in the Amenity Open Space, as shown on the CDP/FDP, memorializing the historical significance of the Property. The final form of the historical marker shall be subject to the approval of the CRMP. The marker shall be constructed at the same time the Amenity Open Space is completed.

30. Noise Attenuation Measures. Exterior wall construction techniques shall be provided to ensure that a maximum interior noise level of approximately DNL 45 dBA shall be achieved for any townhome that fronts Government Center Parkway and that a noise study shows will be exposed to noise levels in excess of DNL 65 dBA.

X. GREEN BUILDING

31. LEED for PDC Property. As part of any development on the PDC Property, the Applicant shall include a U.S. Green Building Council Leadership in Energy and Environmental Design ("LEED") accredited professional, either a professional engineer or a professional architect, as a member of the design team prior to issuance of a non-RUP for any building. The LEED accredited professional shall work with the team to incorporate LEED design elements into the project. At time of site plan submission, the Applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating compliance with the commitment to engage such a professional. In

addition, prior to site plan approval, the Applicant shall designate the Chief of the Environment and Development Review Branch of the Department of Planning and Zoning (DPZ) as team member in the USGBC's LEED online system. This team member will have privileges to review the project status and monitor progress of all documents submitted by the project team. This team member will not be assigned responsibility for any LEED credits and shall not have any authority to modify any aspect of the documentation or paperwork associated with the certification process described below.

32. LEED Certification. Prior to building plan approval for any building to be constructed on the PDC Property, the Applicant will submit documentation, to the Environment and Development Review Branch of DPZ, regarding the U.S. Green Building Council's preliminary review of design-oriented credits in the LEED program. This documentation will demonstrate that the building is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED Silver certification. Prior to release of the bond for the project, the Applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating the status of attainment of LEED Certification from the U.S. Green Building Council for each building on the property.

33. LEED Escrow. As an alternative to the actions outlined in the above paragraphs, or if the U.S. Green Building Council review of design-oriented credits indicates that the building on the PDC Property is not anticipated to attain a sufficient number of design-related credits to support attainment of LEED Silver certification, the applicant will execute a separate agreement and post, for each building, a "green building escrow," in the form

of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$2.00 per gross square foot. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of certification, by the U.S. Green Building Council, under the most current version of the LEED-NC rating system or other LEED rating system determined, by the U.S. Green Building Council, to be applicable to each building. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that the building on the PDC Property has attained LEED certification will be sufficient to satisfy this commitment. If the applicant fails to provide documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification within one year of issuance of the non-RUP for the building, the escrow will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

34. Energy Conservation for PDH Property. All dwelling units constructed on the PDH Property shall be designed and constructed as ENERGY STAR® qualified homes. The major features of an ENERGY STAR home include: Effective Insulation, High Performance Windows, Tight Construction and Ducts, Efficient Heating and Cooling Equipment, Efficient Products (may include but are not limited to: refrigerator, stove and dishwasher) and Third Party Verification (Home Energy Rater). Prior to the issuance of the RUP for each dwelling unit, documentation shall be submitted to the Environment and Development Review Branch of the Department of Planning and Zoning (DPA) from

a home energy rater certified through the Residential Energy Services network (RESNET) program that demonstrates that the dwelling unit has attained the ENERGY STAR for homes certification, as described in these conditions.

XI. MISCELLANEOUS

35. School Contribution. At the time of issuance of a RUP on the PDH Property, the Applicant shall contribute \$3,607 per unit to the Board of Supervisors, in accordance with the current countywide student yield ratio for capital improvements to schools serving the PDH Property.
36. ADU Contribution. Prior to the issuance of the first building permit, the Applicant shall contribute to the Fairfax County Housing Trust Fund (HTF) the sum equal to one half of one percent (1/2%) of the value of all of the units approved on the property. The percentage shall be based on the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. The projected sales price shall be proposed by the Applicant in consultation with Fairfax County Department of Housing and Community Development (HCD) and shall be approved by HCD and DPWES.
37. Temporary Signage. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs, which are prohibited, by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's

representative. The Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the Property to adhere to this proffer.

38. Rooftop Equipment. Telecommunications and other related equipment may be placed on the proposed Buildings' rooftops. Any such facilities must comply with the applicable requirements of the Zoning Ordinance. Other screening measures may be used such as including the facilities as part of the architecture of the buildings, utilizing compatible colors, or employing telecommunication screening material and flush mounted antennas.
39. Garage Conversion on PDH Property. Any conversion of garages or use of garages that precludes the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA and the Board of Supervisors. This restriction shall also be disclosed in the HOA documents. Prospective purchasers shall be advised of this use restriction, in writing, prior to entering into a contract of sale.
40. Escalation. All monetary contributions required by these proffers shall escalate on a yearly basis from the base year of 2012, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI), as permitted by Virginia State Code Section 15.2-2303.3.

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

42. 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 REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

MIDLAND ROAD LLC
(Owner of
Tax Map No. 56-2-((1))-37D and 37G)

By: Kettler Inc., its manager

By: _____

Name: _____

Title: _____

RIDGEWOOD COMMERCIAL PROPERTY
OWNERS ASSOCIATION
(Owner of
Tax Map No. 56-2-((1))-37B)

By: _____

Name: _____

Title: _____

REZONING AFFIDAVIT

DATE: JAN 5 2012
 (enter date affidavit is notarized)

I, David R. Gill, 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

112195a

in Application No.(s): RZ/FDP 2011-BR-014
 (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.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Midland Road LLC Agent: Charles J. Kieler Robert C. Kettler Andrew W. Buchanan	1751 Pinnacle Drive, Suite 700 McLean, VA 22102	Applicant/Title Owner of Tax Map No. 56-2 ((1)) 37D, 37G
Ridgewood Commercial Property Owners Association Agent: Charles J. Kieler	1751 Pinnacle Drive, Suite 700 McLean, VA 22102	Co-Applicant/Title Owner of Tax Map No. 56-2 ((1)) 37B
Urban Engineering & Associates, Inc., t/a Urban, Ltd. Agent: Robert W. Brown Matt K. Koirtyohann	4200-D Technology Court Chantilly, VA 20151	Engineer/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 5 2012
(enter date affidavit is notarized)

112195a

for Application No. (s): RZ/FDP 2011-BR-014
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. David R. Gill Jonathan P. Rak Gregory A. Riegle Mark M. Viani Kenneth W. Wire Sheri L. Akin Lisa M. Chiblow Lori R. Greenlief	1750 Tysons Boulevard, Suite 1800 Tysons Corner, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/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 5 2012
(enter date affidavit is notarized)

112195a

for Application No. (s): RZ/FDP 2011-BR-014
(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)
Midland Road LLC
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Robert C. Kettler, Member	The Kettler Family Limited Partnership, Member
Richard W. Hausler, Member	The Hausler Family Limited Partnership, Member
Richard I. Knapp, Member	

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

Kettler Inc., Manager

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: JAN 5 2012
(enter date affidavit is notarized)

112195

for Application No. (s): RZ/FDP 2011-BR-014
(enter County-assigned application number (s))

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

Ridgewood Commercial Property Owners Association
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Virginia non-stock corporation

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

Charles J. Kieler, President
William (nmi) Fennell, Vice President
Mary (nmi) Guzewicz, Secretary

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

Kettler Inc.
1751 Pinnacle Drive, Suite 700
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)

Robert C. Kettler
Richard W. Hausler

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

Robert C. Kettler, Chairman/Director
Andrew W. Buchanan, President
Sean H. Curtin, Secretary

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

Rezoning Attachment to Par. 1(b)

DATE: JAN 5 2012
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2011-BR-014
(enter County-assigned application number (s))

112195a

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
KFLP Corp.
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
Robert C. Kettler

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)
Robert C. Kettler, Director/President
Charlotte R. Kettler, Director/VP/Treasurer
Sean H. Curtin, Secretary

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Urban Engineering & Associates, Inc., t/a Urban, Ltd.
4200-D Technology Court
Chantilly, VA 20151

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)
J. Edgar Sears, Jr.
Brian A. Sears

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

(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 5 2012
(enter date affidavit is notarized)

112195a

for Application No. (s): RZ/FDP 2011-BR-014
(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
Tysons Corner, VA 22102

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

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

Equity Partners of McGuireWoods LLP

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

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)

DATE: JAN 5 2012
(enter date affidavit is notarized)

112195a

for Application No. (s): RZ/FDP 2011-BR-014
(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
Tysons Corner, 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**)

Covington, Peter J.
Cramer, Robert W.
Cromwell, Richard J.
Culbertson, Craig R.
Cullen, Richard (nmi)
Cutler, Christopher M.
Daglio, Michael R.
De Ridder, Patrick A.
Dickerman, Dorothea W.
DiMattia, Michael J.
Dooley, Kathleen H.
Downing, Scott P.
Edwards, Elizabeth F.
Ensing, Donald A.
Ey, Douglas W., Jr.
Farrell, Thomas M.
Feller, Howard (nmi)
Fennebresque, John C.
Foley, Douglas M.
Fox, Charles D., IV
France, Bonnie M.
Franklin, Ronald G.
Fratkin, Bryan A.
Freedlander, Mark E.
Freeman, Jeremy D.
Fuhr, Joy C.
Gambill, Michael A.

Gibson, Donald J., Jr.
Glassman, Margaret M.
Glickson, Scott L.
Gold, Stephen (nmi)
Goldstein, Philip (nmi)
Grant, Richard S.
Greenberg, Richard T.
Grieb, John T.
Harmon, Jonathan P.
Harmon, T. C.
Hartsell, David L.
Hatcher, J. K.
Hayden, Patrick L.
Hayes, Dion W.
Heberton, George H.
Hedrick, James T., Jr.
Horne, Patrick T.
Hosmer, Patricia F.
Hutson, Benne C.
Isaf, Fred T.
Jackson, J. B.
Jarashow, Richard L.
Jordan, Hilary P.
Kanazawa, Sidney K.
Kannensohn, Kimberly J.
Katsantonis, Joanne (nmi)
Kerr, James Y., II

Kilpatrick, Gregory R.
King, Donald E.
King, Sally D.
Kittrell, Steven D.
Kobayashi, Naho (nmi)
Kratz, Timothy H.
Krueger, Kurt J.
Kutrow, Bradley R.
La Fratta, Mark J.
Lias-Booker, Ava E.
Lieberman, Richard E.
Little, Nancy R.
Long, William M.
Manning, Amy B.
Marianes, William B.
Marks, Robert G.
Marshall, Gary S.
Marshall, Harrison L., Jr.
Marsico, Leonard J.
Martin, Cecil E., III
Martin, George K.
Martinez, Peter W.
Mason, Richard J.
Mathews, Eugene E., III
Mayberry, William C.
McCallum, Steven C.
McDonald, John 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 5 2012
(enter date affidavit is notarized)

112195a

for Application No. (s): RZ/FDP 2011-BR-014
(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
Tysons Corner, 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)

McElligott, James P.
McFarland, Robert W.
McIntyre, Charles W.
McLean, J. D.
McRill, Emery B.
Moldovan, Victor L.
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.
Parker, Brian K.
Phears, H. W.
Phillips, Michael R.
Plotkin, Robert S.
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
Walker, W. K., Jr.
Walsh, James H.
Watts, Stephen H., II
Westwood, Scott E.
Whelpley, David B., Jr.
White, H. R., III
White, Walter H., Jr.
Wilburn, John D.
Williams, Steven R.
Wren, Elizabeth G.
Young, Kevin J.

(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 5 2012
(enter date affidavit is notarized)

112195a

for Application No. (s): RZ/FDP 2011-BR-014
(enter County-assigned application number (s))

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

Kettler Family Limited Partnership
1751 Pinnacle Drive, Suite 700
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**)

General Partner:

KFLP Corp.

Limited Partner:

The Robert C. Kettler Family Trust

(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 5 2012
(enter date affidavit is notarized)

112195a

for Application No. (s): RZ/FDP 2011-BR-014
(enter County-assigned application number (s))

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

The Robert C. Kettler Family Trust
1751 Pinnacle Drive, Suite 700
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**)

Beneficiaries:

Charlotte R. Kettler
Milton Taylor Kettler
Forest Walker Kettler
Caroline Canfield Kettler
Robert Peyton Kettler

(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 5 2012
(enter date affidavit is notarized)

112195a

for Application No. (s): RZ/FDP 2011-BR-014
(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 5 2012
(enter date affidavit is notarized)

112195a

for Application No. (s): RZ/FDP 2011-BR-014
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

NONE

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

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

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

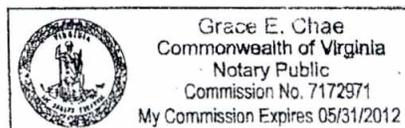
(check one) [] Applicant [x] Applicant's Authorized Agent

David R. Gill, Esquire
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 5th day of January 20 12 in the State/Comm. of Virginia, County/City of Fairfax.

Grace E. Chae
Notary Public

My commission expires: 5/31/2012



REZONING AFFIDAVIT

DATE: JAN 5 2012
(enter date affidavit is notarized)

I, David R. Gill, 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 **112194a**

in Application No.(s): PCA 2005-SP-019
(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.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Midland Road LLC Agent: Charles J. Kieler Robert C. Kettler Andrew W. Buchanan	1751 Pinnacle Drive, Suite 700 McLean, VA 22102	Applicant/Title Owner of Tax Map No. 56-2 ((1)) 37D, 37G
Ridgewood Commercial Property Owners Association Agent: Charles J. Kieler	1751 Pinnacle Drive, Suite 700 McLean, VA 22102	Co-Applicant/Title Owner of Tax Map No. 56-2 ((1)) 37B
Urban Engineering & Associates, Inc., t/a Urban, Ltd. Agent: Robert W. Brown Matt K. Koirtyohann	4200-D Technology Court Chantilly, VA 20151	Engineer/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 5 2012
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. 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 Tysons Corner, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/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 5 2012
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(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)
Midland Road LLC
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Robert C. Kettler, Member	The Kettler Family Limited Partnership, Member
Richard W. Hausler, Member	The Hausler Family Limited Partnership, Member
Richard I. Knapp, Member	

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

Kettler Inc., Manager

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: JAN 5 2012
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(enter County-assigned application number (s))

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

Ridgewood Commercial Property Owners Association
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Virginia non-stock corporation

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

Charles J. Kieler, President
William (nmi) Fennell, Vice President
Mary (nmi) Guzewicz, Secretary

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

Kettler Inc.
1751 Pinnacle Drive, Suite 700
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)

Robert C. Kettler
Richard W. Hausler

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

Robert C. Kettler, Chairman/Director
Andrew W. Buchanan, President
Sean H. Curtin, Secretary

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

Rezoning Attachment to Par. 1(b)

DATE: JAN 5 2012
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
KFLP Corp.
1751 Pinnacle Drive, Suite 700
McLean, VA 22102

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
Robert C. Kettler

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)
Robert C. Kettler, Director/President
Charlotte R. Kettler, Director/VP/Treasurer
Sean H. Curtin, Secretary

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Urban Engineering & Associates, Inc., t/a Urban, Ltd.
4200-D Technology Court
Chantilly, VA 20151

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)
J. Edgar Sears, Jr.
Brian A. Sears

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

(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 5 2012
(enter date affidavit is notarized)

112194 a

for Application No. (s): PCA 2005-SP-019
(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
Tysons Corner, VA 22102

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

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

Equity Partners of McGuireWoods LLP

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

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)

DATE: JAN 5 2012
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(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
Tysons Corner, 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**)

- | | | |
|------------------------|---------------------------|----------------------------|
| Covington, Peter J. | Gibson, Donald J., Jr. | Kilpatrick, Gregory R. |
| Cramer, Robert W. | Glassman, Margaret M. | King, Donald E. |
| Cromwell, Richard J. | Glickson, Scott L. | King, Sally D. |
| Culbertson, Craig R. | Gold, Stephen (nmi) | Kittrell, Steven D. |
| Cullen, Richard (nmi) | Goldstein, Philip (nmi) | Kobayashi, Naho (nmi) |
| Cutler, Christopher M. | Grant, Richard S. | Kratz, Timothy H. |
| Daglio, Michael R. | Greenberg, Richard T. | Krueger, Kurt J. |
| De Ridder, Patrick A. | Grieb, John T. | Kutrow, Bradley R. |
| Dickerman, Dorothea W. | Harmon, Jonathan P. | La Fratta, Mark J. |
| DiMattia, Michael J. | Harmon, T. C. | Lias-Booker, Ava E. |
| Dooley, Kathleen H. | Hartsell, David L. | Lieberman, Richard E. |
| Downing, Scott P. | Hatcher, J. K. | Little, Nancy R. |
| Edwards, Elizabeth F. | Hayden, Patrick L. | Long, William M. |
| Ensing, Donald A. | Hayes, Dion W. | Manning, Amy B. |
| Ey, Douglas W., Jr. | Heberton, George H. | Marianes, William B. |
| Farrell, Thomas M. | Hedrick, James T., Jr. | Marks, Robert G. |
| Feller, Howard (nmi) | Horne, Patrick T. | Marshall, Gary S. |
| Fennebresque, John C. | Hosmer, Patricia F. | Marshall, Harrison L., Jr. |
| Foley, Douglas M. | Hutson, Benne C. | Marsico, Leonard J. |
| Fox, Charles D., IV | Isaf, Fred T. | Martin, Cecil E., III |
| France, Bonnie M. | Jackson, J. B. | Martin, George K. |
| Franklin, Ronald G. | Jarashow, Richard L. | Martinez, Peter W. |
| Fratkin, Bryan A. | Jordan, Hilary P. | Mason, Richard J. |
| Freedlander, Mark E. | Kanazawa, Sidney K. | Mathews, Eugene E., III |
| Freeman, Jeremy D. | Kannensohn, Kimberly J. | Mayberry, William C. |
| Fuhr, Joy C. | Katsantonis, Joanne (nmi) | McCallum, Steven C. |
| Gambill, Michael A. | Kerr, James Y., II | McDonald, John 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 5 2012
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(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
Tysons Corner, 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**)

- | | | |
|----------------------------|-------------------------|---------------------------|
| McElligott, James P. | Rakison, Robert B. | Steen, Bruce M. |
| McFarland, Robert W. | Reid, Joseph K., III | Stein, Marta A. |
| McIntyre, Charles W. | Richardson, David L. | Stone, Jacquelyn E. |
| McLean, J. D. | Riegle, Gregory A. | Swan, David I. |
| McRill, Emery B. | Riley, James B., Jr. | Tackley, Michael O. |
| Moldovan, Victor L. | Riopelle, Brian C. | Tarry, Samuel L., Jr. |
| Muckenfuss, Robert A. | Roberts, Manley W. | Thornhill, James A. |
| Muir, Arthur B. | Robinson, Stephen W. | Van der Mersch, Xavier G. |
| Murphy, Sean F. | Rogers, Marvin L. | Vaughn, Scott P. |
| Natarajan, Rajsekhar (nmi) | Rohman, Thomas P. | Vick, Howard C., Jr. |
| Neale, James F. | Rosen, Gregg M. | Viola, Richard W. |
| Nesbit, Christopher S. | Rust, Dana L. | Wade, H. L., Jr. |
| Nickens, Jacks C. | Satterwhite, Rodney A. | Walker, John T., IV |
| O'Grady, Clive R. | Scheurer, P. C. | Walker, W. K., Jr. |
| O'Grady, John B. | Schewel, Michael J. | Walsh, James H. |
| O'Hare, James P. | Schill, Gilbert E., Jr. | Watts, Stephen H., II |
| Oakey, David N. | Schmidt, Gordon W. | Westwood, Scott E. |
| Oostdyk, Scott C. | Sellers, Jane W. | Whelpley, David B., Jr. |
| Padgett, John D. | Shelley, Patrick M. | White, H. R., III |
| Parker, Brian K. | Simmons, L. D., II | White, Walter H., Jr. |
| Phears, H. W. | Simmons, Robert W. | Wilburn, John D. |
| Phillips, Michael R. | Skinner, Halcyon E. | Williams, Steven R. |
| Plotkin, Robert S. | Slone, Daniel K. | Wren, Elizabeth G. |
| Pryor, Robert H. | Spahn, Thomas E. | Young, Kevin J. |
| Pusateri, David P. | Spitz, Joel H. | |
| Rak, Jonathan P. | Stallings, Thomas J. | |

(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 5 2012
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(enter County-assigned application number (s))

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

Kettler Family Limited Partnership
1751 Pinnacle Drive, Suite 700
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**)

General Partner:

KFLP Corp.

Limited Partner:

The Robert C. Kettler Family Trust

(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 5 2012
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(enter County-assigned application number (s))

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

The Robert C. Kettler Family Trust
1751 Pinnacle Drive, Suite 700
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**)

Beneficiaries:

Charlotte R. Kettler
Milton Taylor Kettler
Forest Walker Kettler
Caroline Canfield Kettler
Robert Peyton Kettler

(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

JAN 5 2012

DATE: _____
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(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 5 2012
(enter date affidavit is notarized)

112194a

for Application No. (s): PCA 2005-SP-019
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

NONE

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

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

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

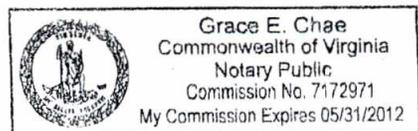
(check one) [] Applicant [x] Applicant's Authorized Agent

David R. Gill, Esquire
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 5th day of January 20 12, in the State/Comm. of Virginia, County/City of Fairfax

Grace E. Chae
Notary Public

My commission expires: 5/31/2012



MAY 17 2011

STATEMENT OF JUSTIFICATION
FOR A PROFFERED CONDITION AMENDMENT (PCA), REZONING (RZ), and
CDP/FDP

Zoning Evaluation Division

Ridgewood – PCA ~~2005-SP-019~~ (amending RZ #2005-SP-019)
RZ/CDP/FDP 2011- ~~BR-019~~

May 16, 2011

Tax Map Parcels 56-2-01- 0037B, 37D, 37G (the “Property”)

Introduction

The intent of this application is to implement the vision endorsed by the Board of Supervisors when they approved South County APR 09-III-2FC, which corrected an inequity in the then existing Comprehensive Plan and provided additional flexibility to allow office development to be located in a more appropriate location. Thus, allowing the project to be completed consistent with the already established development created under both the original replanning and rezoning of the site.

Fundamentally, this is an application to complete a successful mixed-use project in Fairfax Center by replacing an approved 10-story office building and an approved 16-unit multi-family building with 39 townhomes and a multi-story community-oriented office building.

Background

The site is located along the north and south side of the Government Center Parkway between Ridge Top Road and Waples Mill Road. The existing Comprehensive Plan was the result of Plan Text Amendment S04-III-FC2 approved by the Board of Supervisors in 2006 (the “Original Plan Amendment”). The intent of the nomination at the time was to create a mixed use project predicated on the extension of Government Center Drive through the site, which supported a minimum of 150,000 sq. ft. of office. The 150,000 sq. ft. was roughly the amount of office that could have been developed under the existing zoning at the time of the plan amendment. Thus the approval of original plan amendment ensured no “net” loss of office.

To a great extent, the vision of the plan amendment has been realized through the implementation of the project known as Ridgewood (Tax Maps 56-2-((1))-37B, 37C, 37D, 37E, 37G), which is subject to the proffers associated with Rezoning #2005-SP-019 (the “Original Rezoning”). The critical extension of Government Center Parkway has been constructed and was opened to traffic in August of 2010. A 95,000 sq. ft. hotel at the corner of Waples Mill and Government Center Parkway has opened. The two primary residential buildings, which will also have at least 20,000 sq. ft. of community-serving retail, are now constructed and occupied. So, the project has been a success in delivering on the vision the Board of Supervisors approved.

Unfortunately, since the approval of the Original Plan Amendment, the dynamics of the office market in this area of the County have significantly altered. Vacancies

have increased considerably as there are fewer tenants seeking space outside of the traditional core office locations. Smaller, isolated properties are less desirable and less likely to develop. Because of these issues, the Board of Supervisors endorsed a subsequent plan amendment 09-III-2FC to allow modification of the original concept to better respond to the drastic changes in the market. This application accomplishes this by providing a smaller office building better designed to serve the local community with space for small professionals such as insurance agents, lawyers and doctors.

Further, the site is also buttressed to the west by the thriving Ridgetop Commons community. Ridgetop Commons largely supported the original plan amendment because of the extension of Government Center Parkway, the creation of community retail, and the high-quality mixed-use environment. All of these assets are currently being constructed on the site. The issue that was most troublesome for this community was the relationship to the proposed office building (Building 1) as both the garage façade and building itself could potentially loom over their community. However, this application will mitigate that issue by providing a more natural transition to the Ridgetop Commons community and eliminate the parking garage façade facing their community by providing 39 townhomes that better match their established community.

Proposal

In practical terms, the proposed applications would allow replacement of the zoned office building located on Tax Map Parcel 56-2-((1))-37D (known as Building 1 on the Original Rezoning) with 39 larger single-family attached units to create a better transition to the Ridgetop Commons community to the west. Up to 35,000 gross square feet of community oriented office would then replace the “orphan” multi-family residential building on Tax Map Parcel 56-2-((1))-37G (Building 2.1 on the Original Rezoning) as well as utilizing some of the land area from the Tax Map Parcel 56-2-((1))-37B. The proposed zoning districts to implement this new vision would be PDC and PDH-12.

Within that context, this application would create a meaningful opportunity to replace the office building with residential, while ensuring the project is completed and the street edge along the Government Center Parkway extension is maintained. In terms of FAR, this application actually represents a reduction from the 1.2 FAR approved with the Original Rezoning. The overall FAR for the project will be approximately 50,000 gsf smaller than as approved under the Original Rezoning. In terms of rezoning districts, the residential portion of this project would be rezoned to PDH-12. The proposed density for the 39 dwelling units equals 11.3 dwelling units per acre.

As the CDP/FDP demonstrates, the proposed townhome lots will be oriented to face both Ridgetop and Government Center Parkway extended, maintaining the street edge originally envisioned. The open space and anchoring plaza areas envisioned are also maintained, and with the introduction of fee ownership to the project, create another opportunity for enhancing the vibrancy of the street edge.

Compliance with Comprehensive Plan

As noted, this application has been crafted to comply with the recently approved plan amendment, and as such, is in compliance with the Comprehensive Plan.

Compliance with Residential Development Criteria

For the reasons stated below, the subject rezoning fully complies with the applicable Residential Development Criteria contained in Appendix 9 of the Land Use Element of the Policy Plan. Specific compliance with the Criteria is as follows:

I. Site Design.

As shown on the CDP/FDP, high quality, highly amenitized site design is proposed to maximize the vision endorsed by the plan amendment. Features of the development include an efficient layout and a unit type that will enhance the fabric of the community.

(A) Layout. The proposed layout provides a logical and uniform approach and is consistent with the character of the community. The fronts of the homes will face the existing public streets and be rear loaded. The proposed entrances mirror those already approved with the Original Rezoning for the office building. This layout creates an attractive and pedestrian-friendly street presence which will be enhanced by sidewalks and frontage improvements.

(B) Open Space. Consistent with the Comprehensive Plan guidance, the site will have 30% open space, a significant increase above the open space proffered with the Original Rezoning (20%), all while preserving the plazas and open space originally envisioned.

(C) Landscaping. Because of the additional open space, there is the opportunity to enhance the landscaping and buffering consistent with that shown on the CDP/FDP, including additional landscaping on the townhome portion of the project.

(D) Amenities. In addition to the extensive open space and urban plaza, the residents will have access to the retail and park to be constructed on the southside of Government Center Parkway.

II. Neighborhood Context.

The predominant context of the surrounding developments is characterized by single-family attached homes to the west, with office to the north and multi-family mixed-use to the south. In the context of this Property and the already endorsed vision of the Comprehensive Plan, this project is clearly consistent with the "fabric" of the existing community.

III. Environment.

The proposed lot layout is designed to create limits of clearing and grading that utilize the topography in stormwater management. To address the volume and velocity of stormwater runoff from the proposed development, the applicant will be utilizing the existing regional facility that the office building would have. Again, because of the increased open space, there will be less impervious area than in the Original Rezoning.

IV. Tree Preservation and Tree Cover Requirements. As shown on the CDP/FDP, the tree preservation and cover requirements will be met.

V. Transportation. The traffic to be generated by this proposal will be minimal. It will not trigger the requirement for a Chapter 527 Traffic Impact Analysis study as the townhomes will generate significantly less traffic than the already approved office building.

VI. Public Facilities.

Through proffers, Kettler will commit to addressing impacts on public schools in accordance with the criteria and methodology adopted by the Board of Supervisors.

VII. Affordable Housing.

Through proffers, Kettler will provide the appropriate monetary contribution in accordance with the formula adopted by the Board of Supervisors.

PCA Application

As has been discussed in several meetings with staff on this project, this application is now submitted in the format suggested by staff. A partial PCA analysis has already been submitted to specifically permit this PCA to delete the area of this rezoning from the existing rezoning. Moving forward these new phases will have their own proffers and be a separate rezoning.

Conclusion

The proposed development is consistent with the current Comprehensive Plan recommendations and shall comply with all ordinances, regulations and adopted standards of Fairfax County. For all of the aforementioned reasons, the applicant respectfully requests the Staff and Planning Commission to endorse, and the Board of Supervisors to approve this rezoning request.

Respectfully submitted by



David R. Gill
McGuireWoods LLP
Agent for Applicant



County of Fairfax, Virginia

APPENDIX 4

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

June 29, 2006



Gregory A. Riegler, Esquire
McGuire Woods, L.L.P.
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 2102-4215

RE: Rezoning Application Number RZ 2005-SP-019

Dear Mr. Riegler:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on June 26, 2006, granting Rezoning Application Number RZ 2005-SP-019 in the name of Midland Road LLC to rezone certain property in the Springfield District from I-5 District to the PRM (Planned Residential Mixed-Use) District, located in the northeast quadrant of the intersection of Lee Highway and Ridge Top Road (Tax 56-2 ((1)) 37), subject to the proffers dated June 20, 2006, consisting of approximately 18.01 acres.

The Conceptual Development Plan was approved; the Planning Commission having previously approved Final Development Plan Application FDP 2005-SP-019 subject to the Board's approval of RZ 2005-SP-019.

The Board also:

- **Waived construction only of a service drive along Route 29, escrow to be provided.**
- **Modified the transitional screening and barrier requirements in favor of that shown on the CDP/FDP.**

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors
NV/ns

Cc: Chairman Gerald E. Connolly

Supervisor Elaine McConnell, Springfield District

Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration

Barbara A. Byron, Director, Zoning Evaluation Division, DPZ

Leslie B. Johnson, Deputy Zoning Administrator/Zoning Permit Review

Thomas Conry, Dept. Manager. – GIS - Mapping/Overlay

Angela K. Rodeheaver, Section Chief, Transportation. Planning Division

Charles Strunk, Project Planning Section, Dept. of Transportation

Audrey Clark, Director – Building Plan Review, DPWES

Ken Williams, Plans & Document Control, ESRD, DPWES

Department of Highways-VDOT

Sandy Stallman, Park Planning Branch Manager, FCPA

Gordon Goodlett, Development Officer, DHCD/Design Development Division

District Planning Commissioner

Barbara J. Lippa, Executive Director, Planning Commission

Jose Comayagua, Director, Facilities Management

Gary Chevalier, Office of Capital Facilities/Fairfax County Public Schools

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 26th day of June, 2006, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2005-SP-019

WHEREAS, Midland Road LLC filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the I-5 District to the PRM (Planned Residential Mixed-Use) District, and

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

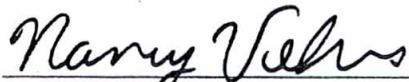
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

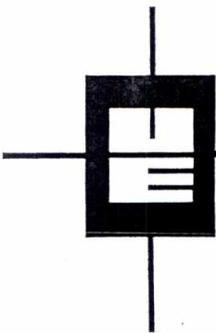
Be, and hereby is, zoned to the PRM District, and said property is subject to the use regulations of said PRM District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

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

GIVEN under my hand this 26th day of June, 2006.



Nancy Vehrs
Clerk to the Board of Supervisors



Urban Engineering & Associates, Inc.

7712 LITTLE RIVER TPKE,
ANNANDALE, VIRGINIA 22003

Telephone: (703) 642-8080
Facsimile: (703) 642-8251

J. EDGAR SEARS, JR., P.E., C.L.S., R.L.A.
Principal
BARRY B. SMITH, P.E.
Principal

ERIC S. SIEGEL, P.E.
Principal
DAVID T. McELHANEY, P.E.
Principal
JEFFREY L. GILLILAND, P.E.
Principal

PHILLIP A. BLEVINS, C.L.S.
Associate
BRIAN A. SEARS, P.E.
Associate

RIDGEWOOD FAIRFAX COUNTY TAX MAP # 056-2-01-0037

BEGINNING AT A POINT BEING THE NORTHEAST CORNER OF SSC PROPERTY HOLDINGS, INC., AS ACQUIRED IN DEED BOOK 9021 AT PAGE 1559 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA, SAID POINT ALSO BEING ON THE WESTERN LINE OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS, AS ACQUIRED IN DEED BOOK 7222 AT PAGE 1388; THENCE DEPARTING SAID BOARD OF SUPERVISORS AND RUNNING WITH THE LINES OF SAID SSC PROPERTY HOLDINGS

NORTH 83°15'44" WEST 320.00 FEET TO A POINT; THENCE
SOUTH 06°44'16" WEST 186.05 FEET TO A POINT; THENCE
SOUTH 80°44'36" WEST 141.35 FEET TO A POINT; THENCE
SOUTH 09°15'24" EAST 601.75 FEET TO A POINT ON THE NORTHERN LINE OF LEE HIGHWAY, ROUTE 29, WIDTH VARIES; THENCE DEPARTING SAID SSC PROPERTY HOLDINGS AND RUNNING WITH THE NORTHERN RIGHT-OF-WAY LINE OF SAID LEE HIGHWAY
SOUTH 80°42'51" WEST 619.40 FEET TO A POINT; THENCE
SOUTH 82°48'49" WEST 170.18 FEET TO A POINT; THENCE DEPARTING SAID LEE HIGHWAY AND RUNNING WITH THE EASTERN LINES OF RIDGETOP ROAD, AS RECORDED IN DB. 11447 PG. 599; DB. 11784 PG. 828; DB. 11882 PG. 1022; DB. 12180 PG. 2075; DB. 12180 PG. 2075; DB. 12368 PG. 739; DB. 12460 PG. 5; DB. 12771 PG. 1274.

NORTH 16°46'12" EAST 303.80 FEET TO A POINT; THENCE
110.17 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 739.12 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 33°22'16" EAST 110.07 FEET TO A POINT; THENCE
46.79 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 555.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 26°41'08" EAST 46.77 FEET TO A POINT; THENCE
NORTH 24°16'14" EAST 25.48 FEET TO A POINT; THENCE
86.76 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 662.70 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 20°31'11" EAST 86.69 FEET TO A POINT; THENCE
NORTH 16°57'46" EAST 159.31 FEET TO A POINT; THENCE
NORTH 14°34'07" EAST 53.00 FEET TO A POINT; THENCE
NORTH 16°46'12" EAST 148.69 FEET TO A POINT; THENCE

47.47 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 35.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 55°37'41" EAST 43.92 FEET TO A POINT ON THE SOUTHERN RIGHT-OF-WAY LINE OF GOVERNMENT CENTER PARKWAY; THENCE RUNNING WITH THE TERMINUS LINES OF SAID GOVERNMENT CENTER PARKWAY

46.50 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 628.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 87°38'07" EAST 46.49 FEET TO A POINT; THENCE

NORTH 00°14'36" EAST 110.00 FEET TO A POINT; THENCE

76.93 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 42.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 37°16'59" WEST 66.62 FEET TO A POINT ON THE EASTERN LINE OF SAID RIDGETOP ROAD; THENCE RUNNING WITH SAID EASTERN LINES

11.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,675.42 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 14°59'48" EAST 11.27 FEET TO A POINT; THENCE

NORTH 75°11'46" WEST 34.03 FEET TO A POINT; THENCE

NORTH 16°46'12" EAST 103.61 FEET TO A POINT; THENCE

SOUTH 75°11'46" EAST 34.03 FEET TO A POINT; THENCE

NORTH 13°16'32" EAST 79.83 FEET TO A POINT; THENCE

99.27 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,605.42 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 15°02'48" EAST 99.25 FEET TO A POINT; THENCE

NORTH 16°49'05" EAST 50.81 FEET TO A POINT BEING THE SOUTHWEST CORNER OF TR CROWN RIDGE CORP, AS ACQUIRED IN DEED BOOK 14629 AT PAGE 2055; THENCE DEPARTING SAID RIDGETOP ROAD AND RUNNING WITH THE SOUTHERN LINES OF SAID TR CROWN RIDGE CORP

SOUTH 68°37'27" EAST 468.71 FEET TO A POINT; THENCE RUNNING WITH THE RIGHT-OF-WAY LINES OF WAPLES MILL ROAD, ROUTE 665, WIDTH VARIES

SOUTH 84°35'03" EAST 316.50 FEET TO A POINT; THENCE

SOUTH 06°44'16" WEST 309.54 FEET TO THE POINT OF BEGINNING CONTAINING 784,303 SQUARE FEET OR 18.00515 ACRES, MORE OR LESS.

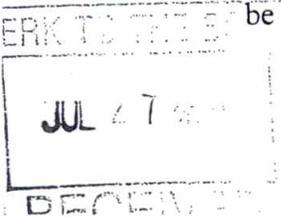
PROFFERS
Midland Road LLC – Ridgewood
RZ 2005-SP-019

June 20, 2006

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference No. 56-2-((1))-37 (hereinafter referred to as the "Property") will be in accordance with the following conditions if, and only if, said rezoning request for the PRM District is granted by the Board of Supervisors of Fairfax County, Virginia (the "Board"). In the event said application request is denied or the Board's approval is overturned by a court of competent jurisdiction, these proffers shall be null and void. The Owners and the Applicant ("Applicant"), for themselves, their successors and assigns, agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board, in accordance with applicable County and State statutory procedures. The Proffered Conditions are:

I. GENERAL

1. Substantial Conformance. Subject to the proffers and the provisions of Article 16 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan ("CDP/FDP"), prepared by Urban Engineering & Associates, Inc., and dated April 13, 2005, as revised through May 18, 2006. Notwithstanding that the CDP/FDP is presented on thirteen (13) sheets, it shall be understood that the CDP shall be only those elements of the plans that depict the



number and the general location of points of access, the amount and location of landscaped open space, peripheral setbacks, limits of clearing and grading, building heights, the total number, type, uses and the general location of buildings and roads (the "CDP Elements"). The Applicant reserves the right to request a Final Development Plan Amendment ("FDPA") for elements other than the CDP elements from the Planning Commission for all or a portion of the CDP/FDP in accordance with Section 16-402 of the Zoning Ordinance if such an amendment is in accordance with the approved CDP and these proffers.

2. Minor Modifications. In addition to that described above, pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications to the CDP/FDP and these proffers may be permitted as determined by the Zoning Administrator.
3. Maximum Density. The maximum floor area ratio ("FAR") permitted on the Property shall be 1.2. Based on this maximum FAR, the maximum gross floor area ("GFA") that may be constructed shall be 941,166 square feet. The Applicant reserves the right to construct a lesser amount of GFA provided that the buildings and Property remain in substantial conformance with that shown on the CDP/FDP as determined by the Zoning Administrator. Similarly, subject to the 1.2 FAR limitation of this proffer, the number of units described on the CDP/FDP may be adjusted upward or downward based on the final design, provided the maximum number of dwelling units shall not exceed 500 units and minimum number of dwelling units shall at least be 400 units.
4. Phasing. Build-out of the Property may proceed in phases. The FAR, GFA and/or number of dwelling units per acre constructed within a respective phase of the project may exceed the maximum density limitations set forth in Proffer 3 so long as such

maximum density limitations are not exceeded over the entirety of the Property that is the subject of the rezoning. The creation of the landscaped open space areas and associated improvements may occur in phases, concurrent with the phasing of development/construction of the Property. As such, the total area of landscaped open space provided at any given phase of development shall not be required to be equivalent to the 20% overall landscaped open space; provided that the total combined landscaped open space at the completion of all development shall satisfy the overall landscaped open space requirement as shown on the CDP/FDP. Notwithstanding the above, if the Applicant develops Building 4 with the office/retail option in accordance with the CDP/FDP, then such Building shall be developed in a single phase and such phase shall include the entire office and retail component.

5. Density Credit. Density credit shall be reserved for the Property as provided by Section 2-308 of the Zoning Ordinance for all dedications described herein and/or as shown on the CDP/FDP or as may reasonably be required by Fairfax County, VDOT or others at the time of site/subdivision plan approvals.
6. Architecture. The final architectural design shall be in substantial conformance with the general type, quality and proportion of materials depicted in the illustrative perspectives, elevations, and sections shown on the CDP/FDP. Building facades not shown in the CDP/FDP shall be consistent with the general type, quality and proportion of materials depicted in the illustrative perspectives, elevations, and sections shown on the CDP/FDP. Rooftop mechanical equipment will be shielded from view from the ground-level of adjacent streets. Vinyl siding shall not be used on the exterior of any building, except for

facades facing the interior of the amenity courtyards and parking garages for Buildings 2.2 and 3.

7. Parking Garage Façade(s). In addition to the landscape screening shown on the CDP/FDP, the facades of parking garages labeled P-1 and P-4, and the eastern face of the parking garage labeled P-3 on the CDP/FDP shall be constructed such that a minimum of thirty (30%) of the exposed facades shall be brick of a tone that is consistent with the related companion building. Such facades shall also include, as appropriate to the design of the companion building, one or more of the following features: horizontal and/or vertical reveals, insets of contrasting color, ornamental metal railing or decorative metal detailing along the top panel or other similar treatment that breaks up the continuous façade of the garage in a manner that compliments the architectural details of the related companion building. Exterior lighting fixtures, if included, shall be identical in style to the related companion building.

Additionally, the height of all horizontal panels on all parking garages shall be sufficient to reasonably ensure that the potential glare from headlights of automobiles parked inside the parking garage is screened. Lighting internal to the parking garages shall be located between the beams to prevent glare. Lighting on the upper levels of the parking garages shall be fully cut off and be equipped to prevent glare resulting from direct visibility of light sources onto adjacent residential property. Where fixtures are mounted along the edge of the topmost deck of a parking garage, an opaque house-side shield shall be affixed onto the fixture or adjacent post to eliminate glare so that the lighted portion of the fixture shall not be visible from adjacent residential property.

8. Parking Spaces. At least two percent (2%) of the residential parking spaces within the parking garage labeled P-2 shall be provided for visitors of the residential units of Buildings 2.1 and 2.2. At least two percent (2%) of the residential parking spaces within the parking garage labeled P-3 shall be provided for visitors of the residential units of Buildings 3. Such visitor spaces shall be marked as visitor and shall be located so as not to require the permission of any resident to utilize the parking space.
9. Loading Spaces. Loading space(s) within a parking garage as indicated on the CDP/FDP, shall have sufficient garage clearance to accommodate delivery trucks in accordance with the standards for clearance of loading spaces in Section 11-202(10) of the Zoning Ordinance.
10. Unifying Elements. All street furniture, including garbage cans, benches and lamp posts, 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 CDP/FDP.
11. Signage. All signage provided on the Property shall comply with Article 12 of the Zoning Ordinance. Any permanent freestanding signs shall be monument type and shall be generally located as shown on the CDP/FDP. Pole signs shall not be permitted on the Property. No illuminated signs shall be permitted on the façade of Building 1 facing Ridge Top Road. All directional and wayfinding signage shall be consistent, both in terms of materials and design, throughout the development.
12. Retail Signage. In addition to the restrictions of Proffer 11, all non-residential façade signage, except for that on Building 1 and a hotel use in Building 4, shall be subject to following additional restrictions. Building mounted signs shall only be channel letter

signs or blade signs, as limited below. For purposes of this Proffer 12, channel letter signs shall consist of individual letters mounted directly to the building or to a sign band. All channel letter signs shall be of a consistent scale with others in the development, shall be generally located on a consistent elevation with other channel letter signs. Channel letter signs, if externally lit, shall only be down lit, with lighting provided from above the channel letters. For purposes of this Proffer 12, blade signs shall be flat signs hung perpendicular to the building façade. Blade signs shall not exceed four (4) square feet and shall only be located under an awning. Open face neon signs and box signs with flat, plexiglass faces shall not be permitted.

II. USES

13. Secondary Uses. All secondary uses referenced below shall be deemed to be “specifically designated on the FDP” such that approval of a separate special exception shall not be required to initiate such a use pursuant to Section 6-405 of the Zoning Ordinance. Other principal and secondary uses permitted in the PRM Zoning District that are not specifically listed in this Proffer may be permitted with the approval of a FDPA and/or a special exception or special permit as required. A PCA shall not be required as long as the proposal remains in substantial conformance with the CDP.

- (A) Affordable dwelling units.
- (B) Bank teller machines, unmanned (not drive-through).
- (C) Business service and supply service establishments.
- (D) Fast food restaurants (not drive-through).
- (E) Eating establishments.
- (F) Commercial Recreational Uses. Such uses may include billiard and pool halls; health clubs; and other similar commercial recreational uses.

- (G) Financial institutions (not drive-through).
- (H) Garment cleaning establishments (not drive-through).
- (I) Hotels. As shown on the CDP/FDP, and at the option of the Applicant, one such use may be located in Building 4, and shall total a minimum of 50,000 square feet and a maximum of 100,000 square feet of GFA.
- (J) Offices. As shown on the CDP/FDP, such use shall be located in Building 1 and, at the option of the Applicant, in Building 4, and shall total a minimum of 150,000 square feet and a maximum of 200,000 square feet of GFA.
- (K) Personal service establishments.
- (L) Quasi Public Uses. Such uses shall include cultural centers, museums and similar facilities; and private clubs and public benefit associations.
- (M) Repair service establishments.
- (N) Accessory Uses and Home Occupations as permitted by Article 10 of the Zoning Ordinance. Such uses shall include ground-floor areas of the buildings devoted to business centers, lobbies, fitness centers, leasing/sales/management offices, recreational/party rooms or other similar uses devoted primarily to supporting the residential buildings.
- (O) Quick-service food stores.
- (P) Light public utility uses.
- (Q) Retail sales establishments. As shown on the CDP/FDP, such use shall be located in Building 2 and, at the option of the Applicant, in Building 1 and/or Building 4, and shall total a minimum of 20,000 square feet and a maximum of 42,100 square feet of GFA. In such areas labeled "Retail" on the CDP/FDP, additional permitted uses shall include uses B, C, D, E, F, G, H, J, K, M, O and P, as identified in this proffer.

14. Residential Building Amenities. In addition to the amenity courtyards shown on the CDP/FDP, the Residential Buildings shall contain interior amenities for the residents of each respective building. These interior amenity uses shall include, but not be limited to, a fitness center, conference/business center, theater and game/billiards room. At least 6,000 sq. ft. of GFA in Building 3 shall be devoted to such interior amenities. A total of

at least 6,000 sq. ft. of GFA shall be devoted to such interior amenities in Building 2.1 and Building 2.2. Such interior amenities provided in Building 2.1 or Building 2.2 shall be available to the residents of both Building 2.1 and Building 2.2.

III. TRANSPORTATION

15. Dedication for Government Center Parkway. The Applicant shall dedicate and convey in fee simple to the Board the right-of-way needed to extend Government Center Parkway through the Property as a four-lane median divided public road as shown on the CDP/FDP. Such right-of-way shall be of variable width, and shall be located within the Property in the area as generally shown on the CDP/FDP. The exact location and amount of the right-of-way to be dedicated shall be determined in relation to the final engineering design of Government Center Parkway Extended as determined by DPWES and VDOT. Dedication of such right-of-way shall be made prior to or concurrent with site plan approval for the first phase of residential and/or non-residential development on the Property or upon request from Fairfax County, whichever occurs first.

16. Government Center Parkway. Subject to VDOT and DPWES approval, the Applicant shall construct Government Center Parkway as a four-lane median divided public road within the Property in the area as generally shown on the CDP/FDP ("Government Center Parkway Extended"). Government Center Parkway Extended shall be constructed prior to the issuance of the first Residential Use Permit ("RUP") or Non-Residential Use Permit ("Non-RUP") for residential or non-residential uses on the Property. As required by VDOT and subject to VDOT approval, the Applicant shall design the intersection of Government Center Parkway Extended and Waples Mill Road to properly align. For purposes of this Proffer, "constructed" shall mean open and available for use by the public but not necessarily accepted by VDOT into the state secondary road system for

maintenance. The Applicant shall not be fully released from any applicable performance bonds for the public improvements prior to acceptance of the public improvements by VDOT into the state secondary road system for maintenance.

17. Dedication for Lee Highway. The Applicant shall dedicate and convey in fee simple to the Board right-of-way for public street purposes the area shown on the CDP/FDP. Dedication of such right-of-way shall be made prior to, or concurrent with, site plan approval for Building 3 on the Property, or upon request from Fairfax County, whichever occurs first.

18. Lee Highway Improvements. Subject to VDOT and DPWES approval, the Applicant shall convert the existing right-turn lane into an additional west-bound lane along the frontage of the Property with Lee Highway and construct a new right-turn deceleration lane in the location as generally shown on the CDP/FDP ("Lee Highway Improvements"). Lee Highway Improvements shall be constructed prior to the issuance of any Non-RUP or RUP for Building 3. For purposes of this Proffer, "constructed" shall mean open and available for use by the public but not necessarily accepted by VDOT into the state secondary road system for maintenance. The Applicant shall not be fully released from any applicable performance bonds for the public improvements prior to acceptance of the public improvements by VDOT into the state secondary road system for maintenance.

In addition to the Lee Highway Improvements and concurrent with the same, the Applicant shall escrow or otherwise provide Fairfax County the amount necessary to provide for the construction costs for a service drive across the Lee Highway frontage. The amount, type and form of the surety shall be determined by DPWES Bonds and

Agreement Branch and the Office of the County Attorney and shall be in accordance with the Fairfax County Bond and Price estimates in effect at the time of site plan approval for Building 3.

19. Waples Mill Road/Government Center Parkway Traffic Signal. Concurrent with the submission of a public improvement plan/site plan for Government Center Parkway Extended, the Applicant shall submit a traffic signal warrant analysis to VDOT for the intersection of Waples Mill Road and Government Center Parkway Extended. The warrant study shall be based on the full build-out of the approved density on the Property. If such a signal is determined to be warranted by VDOT, then the Applicant shall design, construct and equip a traffic signal at the Government Center Parkway Extended/Waples Mill Road Intersection, including, if deemed appropriate by FCDOT and VDOT, pedestrian countdown signals ("Waples Mill Signal"). Such signal shall include a pedestrian cycle at all crossings, as deemed appropriate by VDOT. Such signal shall be constructed prior to issuance of a Non-RUP or RUP for any phase of development on the Property. If the signal is determined not to be warranted by VDOT at the time of the public improvement plan/site plan approval, the Applicant shall escrow funds for the future construction of Waples Mill Signal, in an amount as determined by FCDOT. Such escrow shall fulfill this proffer.

20. Ridge Top Road/Government Center Parkway Traffic Signal. Prior to the issuance of non-RUPs and/or RUPs for 500,000 sq. ft. of GFA on the Property, the Applicant shall submit to VDOT a warrant study, based on full build-out of the approved density on the Property, for a traffic and pedestrian signal at the Government Center Parkway Extended/Ridge Top Road Intersection. If such a signal is determined to be warranted by

VDOT, then the Applicant shall diligently pursue designing, equipping, and constructing the signal, including, if deemed appropriate by FCDOT and VDOT, pedestrian countdown signals. Such signal shall include a pedestrian cycle at all crossings, as deemed appropriate by VDOT and FCDOT.

21. Waples Mill Entrance. The Applicant shall design and construct a right-turn taper on Waples Mill Road as part of the site plan for Building 4 and/or parking garage labeled P-4, as appropriate, in the location shown on the CDP/FDP. The final design and configuration of the taper shall be subject to review and approval by DPWES and VDOT.

22. Alternate Waples Mill Entrance. The entrance to Waples Mill Road, as shown on the CDP/FDP (the "Access"), shall be closed at such time as the adjacent parcel known as Tax Map 56-2-((1))-37A ("Parcel 37A") is approved for redevelopment by the County and permanent public access is provided between the Property and Waples Mill Road (the "Alternate Access"), provided the Alternate Access is:

- (A) Constructed, open and publicly accessible by Building 4;
- (B) Designed and approved by the Fairfax County Department of Transportation ("FCDOT") and VDOT to accommodate the traffic generated by both Parcel 37A and the Property; and
- (C) Located within 300' of the Access.

Upon such time as the Alternate Access meets the above criteria, as determined by FDCOT, then, upon demand by FCDOT, the Applicant shall grant easements reasonably necessary, including temporary grading and construction easements, to allow the owner of Parcel 37A ("37A Owner") or the County to close, scarify, and landscape the Access. The Applicant shall bear no cost for the construction and/or approval of the Alternate Access, beyond the escrowed funds discussed below. Such landscaping will be

substantially equivalent to that shown on the CDP/FDP for the Waples Mill Road frontage. In addition, at the time of site plan approval for Building 4, the Applicant shall escrow funds for the future closing, scarification and landscaping of the Access to be utilized by the entity that will be doing such work. The final amount of such escrow shall be determined in accordance with the County's per unit price schedule. The existence of this potential access closure, the responsibility to grant appropriate easements, and potential additional landscaping responsibilities shall be disclosed in common association documents.

23. Fairfax Center Area Road ("FCAR") Fund. The Applicant shall contribute to the FCAR Fund in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses as determined by FCDOT and/or DPWES.

24. Vehicular Interparcel Connection to the East. Prior to site plan approval for either Building 2 or Building 3, whichever occurs first, the Applicant shall convey a public access easement, in a form acceptable to the County Attorney, over a portion of the Property to allow for future interparcel access to connect the internal private streets on the Property to Parcel 37A, as defined in Proffer 22 and as designated on the CDP/FDP. The existence of this future interparcel access and the potential additional maintenance responsibilities shall be disclosed in common association documents. Should such interparcel access be constructed, nothing in this Proffer shall prevent the establishment of reasonable maintenance and cost-sharing provisions between the respective landowners.

25. Additional Pedestrian Interparcel Connections to the East. In addition to the primary automobile-related interparcel connection provided for above, after the time the County approves the redevelopment on Parcel 37A, as defined in Proffer 22, and the 37A Owner or the County requests that the Applicant grant additional pedestrian interparcel connections, in a form acceptable to the County Attorney, to connect the Property and Parcel 37A with a unified pedestrian network, the Applicant shall grant such easements at no cost provided: 1) such pedestrian connections shall be located along the common boundary between the Property and Parcel 37A; 2) any such potential pedestrian connection shall not conflict or interfere with improvements on the Property or cause improvements on the Property to become non-compliant with any federal, state or local code, ordinance or regulation; and 3) the 37A Owner shall bear the responsibility and cost of obtaining the necessary governmental approvals and easements. In addition to the potential interparcel access easements discussed above, the Applicant shall convey to the County, in a form acceptable to the County Attorney, public access easements over the two possible future pedestrian connections shown on the CDP/FDP at the time of site plan approval for the Amenity Open Space. Should such pedestrian connections be constructed, nothing in this Proffer shall prevent the establishment of reasonable maintenance and cost-sharing provisions between the respective landowners. The potential for such interparcel connections and the potential additional maintenance responsibilities shall be disclosed in common association documents.

26. Implementation of the Transportation Improvements. In order to implement the transportation improvements referenced in the above proffered conditions, the Applicant shall attempt to acquire, and then if successful, shall dedicate such off-site right-of-way

and easements as are necessary to complete the proffered improvements at the Applicant's expense. The Applicant shall use its good faith efforts and offer a reasonable fair market value for said right-of-way and easements and demonstrate these efforts to DPWES. For each of the improvements, in the event the Applicant is successful in acquiring the right-of-way and easements needed to construct the off-site improvements, the Applicant shall construct such off-site improvements.

27. Right-of-Way Acquisition/Condemnation. If, one (1) year subsequent to the initial request by the Applicant to obtain the necessary right-of-way and easements, the Applicant is unable to bring about the dedication by others and the necessary right-of-way and easements, or to acquire by purchase the right-of-way or easements at fair market value, as determined by an MAI (Member of the Appraisal Institute) appraisal, then the Applicant shall request the Board to condemn the necessary land and/or easements.

It is understood that the Applicant's request to the Board for condemnation will not be considered until the Applicant has demonstrated to the satisfaction of the County their failed attempts to acquire the right-of-way and easements and the Applicant has forwarded the request in writing to the Division of Land Acquisition or other appropriate County official, accompanied by (1) plans, plats and profiles showing the necessary right-of-way or grading easements to be acquired, including all associated easements and details of the proposed transportation improvements to be located on said right-of-way property; (2) an independent appraisal of the value of the right-of-way property to be acquired and of all damages to the residue of the affected property; (3) a sixty (60) year title search certificate of the right-of-way property to be acquired; and (4) an escrow in an

amount equal to the appraised value of the property to be acquired and of all damages to the residue which can be drawn upon by the County. It is also understood that in the event the property owner of the property to be acquired is awarded with more than the appraised value of the property and to the damages to the residue in a condemnation suit, the amount of the award in excess of the escrow amount shall be paid to the County by the Applicant within forty-five (45) days of said award. In addition, the Applicant agrees that all reasonable and documented sums expended by the County in acquiring the right-of-way and necessary easements shall be paid to the County by the Applicant within sixty (60) days of written demand.

In the event the County is successful in acquiring the off-site right-of-way and easements necessary to fully complete any or all of these off-site improvements, the Applicant shall construct the improvement(s) for which right-of-way is available. It is expressly understood that in the event the County abandons efforts or does not acquire the aforesaid right-of-way and/or easements by means of its condemnation powers, the Applicant is relieved of any responsibility under this proffer to construct any off-site portion of the aforesaid transportation improvements specifically affected by the unavailability of the right-of-way, and the Applicant shall escrow, as appropriate, for any uncompleted portions of the transportation improvements. Such escrowed funds shall be utilized by the County for road improvements in the area.

IV. TRANSPORTATION DEMAND MANAGEMENT STRATEGIES (TDM)

28. Bike Parking. In addition to the TDM Plan, the Applicant shall provide secure, weather-protected, bicycle storage for the Residential and Office Buildings, and provide bicycle racks for visitors/tenants/employees. At a minimum the Applicant shall provide bicycle storage sufficient for at least ten (10) bicycles for each building on the Property. Further

the Applicant shall provide shower facilities within Building 1 and Building 4, provided Building 4 is developed with an office use, for use by tenants/employees.

29. TDM Plan. TDM Strategies, as detailed below, shall be utilized by the Applicant to reduce trips during peak hours. The TDM strategies shall be utilized to reduce the P.M. peak hour vehicular trips by a minimum of twenty (20%) percent, based on the trip generation rates/equations applicable to such uses as set forth in the Institute of Transportation Engineers, Trip Generation, 7th Edition. Residents and employees shall be advised of all TDM strategies by the TMC, as defined below, with periodic written materials summarizing the availability of the TDM strategies. Transportation coordination duties shall be carried out by a designated property manager(s) or transportation management coordinator(s) (the "TMC"). The TMC position may be a part of other duties assigned to the individual(s). The following is a non-inclusive list of strategies that shall be implemented to meet the trip reduction goal:

- (A) Within three (3) months following approval of the first building permit on the Property, the Applicant shall designate an individual to act as the TMC for the property whose responsibility will be to implement the TDM strategies with on-going coordination with FCDOT. The TMC shall also be responsible for coordination and communication with any subsequent common association;
- (B) Participation in the Fairfax County Ride Share Program;
- (C) Dissemination of information regarding Metrorail, Metrobus, ride-sharing and other relevant transit options in sale/leasing packages;

- (D) Provide Metro maps, schedules and forms, ride-sharing and other relevant transit option information to residents, tenants and employees through either a common website or a newsletter to be published at least twice a year;
- (E) Provide a pedestrian-friendly sidewalk system to encourage pedestrian circulation;
- (F) Provide Smart Trip cards (or a similar transit fare cards) in the amount of twenty-five dollars (\$25) to all new residents of the project upon execution of their initial lease or at closing, as applicable;
- (G) Provide a transit stop, to be located on the Property or within the public right-of-way, with the necessity and location of such a stop to be determined by FCDOT and VDOT. Such a stop shall include, at a minimum, adequate signage for the transit patrons;
- (H) Buildings shall be hardwired to provide high capacity, high bandwidth communication lines, or the equivalent wireless access. Building management shall encourage individual employers/tenants to provide employees with access to their networks via such lines or via wireless connections; the Applicant shall further provide a common area in one of the residential buildings with business facilities, which may include, but not be limited to, wireless internet access, fax machine, photocopier and

desktop computers. Such common area shall be accessible by all residents on the Property;

- (I) Provide information and coordination of possible carpool and vanpool options to the residents, tenants and employees; and
- (J) The Applicant, or successor common association, shall participate in a future Fairfax Center Area shuttle or transit service (the "Shuttle") provided that such Shuttle provides reasonable and consistent peak-hour service to the Property resulting in trip reductions and such financial participation in the Shuttle service is proportional to the actual usage of the Shuttle by future residents/visitors/tenants and employees of the Property and to the participation of other users of the Shuttle.

Concurrent with the designation of the TMC, the Applicant shall establish and fund a TDM account in the initial amount of \$50,000. Funds in the TDM Account shall be utilized by the TMC each year to implement the TDM strategies. The TDM account shall be managed by the TMC. A line item for further funding of the TDM account shall be included in the common association budget upon the establishment of the common association. The common association documents shall provide that the TDM account shall not be eliminated as a line item in the common association budget and that funds in the TDM account shall not be utilized for purposes other than to fund TDM strategies. The TDM account shall be annually funded by pro-rata assessments of residents and commercial owners as implemented as provided in the common association documents. Such funding shall be a minimum of \$25,000 per year, adjusted annually for inflation

based on the Consumer Price Index. The TMC shall consult with FCDOT to develop and implement the TDM strategies. TDM strategies C, D, F, and I shall be established prior to, or current with, the issuance of the first RUP on the Property. All other TDM strategies shall be established concurrent with the issuance of the first RUP or Non-RUP for each respective building, as appropriate for each TDM strategy.

One (1) year following the issuance of the first RUP on the Property, the effectiveness of the TDM strategies shall be evaluated using surveys and/or traffic counts prepared by the TMC in cooperation with FCDOT. The Applicant shall submit to FCDOT the result of the surveys in order to determine travel characteristics and whether the required reduction in trips has been achieved. Such TDM surveys shall be conducted annually for at least three (3) years following the initial survey. If the TDM surveys show that the trip reduction objective is being met, then the Applicant shall proceed with the TDM strategies as implemented and shall provide continuing surveys on a bi-annual basis.

In the event the trip reduction objective has not been met after any TDM survey and/or traffic count, the Applicant shall meet with FCDOT to review the strategies in place and to develop modifications to the TDM strategies, adopt additional TDM strategies and/or conduct additional traffic counts, as deemed appropriate by FCDOT, that will facilitate meeting the trip reduction objective. The Applicant shall continue to conduct annual TDM surveys until such time as the surveys and/or traffic counts demonstrate that the revised TDM strategies have been effective in meeting the trip reduction objective, at which time the TDM surveys may be conducted bi-annually, so long as the trip reduction objective continues to be met. If the trip reduction objective is

not met for two consecutive surveys and/or traffic counts, then the Applicant, or successor common association, shall contribute \$50 per residential unit for which a RUP has been issued on the Property and \$0.10 per occupied square foot of commercial space to the TDM account to be utilized on supplemental TDM strategies approved in cooperation with FCDOT. The trip reduction objective, the TDM strategies and potential for such TDM penalty shall be disclosed in common association documents.

V. WORK-FORCE/AFFORDABLE HOUSING

30. ADUs. The Applicant shall provide Affordable Dwelling Units (ADUs) in accordance with Part 8 of Article 2 of the Zoning Ordinance for all residential buildings subject to the provisions of Part 8 of Article 2. Prior to site plan approval for any building required to provide ADUs, the Applicant shall provide calculations for the required number of ADUs in such a building to DPZ for review and approval. Nothing contained in these proffers shall be deemed to alter the administration of the ADUs or the number of ADUs required to be provided pursuant to Part 8 of Article 2.

31. Intent. Proffers 31 to 46 set forth the elements of a work-force housing program that is intended to provide housing units on the Property that will be affordable to future residents who have a median household income of up to 83% of the Washington D.C. metropolitan statistical area median household income ("MHI"), in order to preserve and expand the housing options available in the County.

32. Definitions: The following terms used in these Proffered Conditions shall be defined as follows, unless specifically modified:

Market-Rate Units. Dwelling units approved on the Property that are not subject to either the price/rental restrictions of Part 8 of Article 2 of the Zoning Ordinance or these proffered conditions.

Work-Force Units. Dwelling units approved on the Property subject to the price/rental restrictions of these proffered conditions, but not required pursuant to Part 8 of Article 2 of the Zoning Ordinance.

33. Work-Force Units. A total of eight percent (8%) of the dwelling units built on the Property shall be Work-Force Units and/or ADUs. The creation of Work-Force Units may occur in phases, concurrent with the phasing of development/construction of the Property and may be located entirely within any single residential building on the Property. As such, ADUs and/or Work-Force Units provided at any given phase of development shall not be required to be equivalent to the eight percent (8%); provided that the total number of ADUs and Work-Force Units at the completion of all development shall satisfy the eight percent (8%) overall requirement. Notwithstanding the above, if the percentage of ADUs provided on the Property exceeds eight percent (8%) of the total number of dwelling units, then only ADUs shall be provided, and the Applicant shall not be required to provide Work-Force Units pursuant to these Proffered Conditions.

Sale. The Work-Force Units approved on such site plans, if offered as for-sale units, shall be provided to owner(s) whose MHI is up to eighty-three percent (83%) of MHI. ("Work-Force Sale Units")

Rental. The Work-Force Units approved on such site plans, if offered as rental units, shall be provided to renter(s) whose MHI is up to eighty-three percent (83%) of MHI. ("Work-Force Rental Units")

When the required Work-Force Units that are calculated in accordance with the above paragraphs result in a fractional unit less than 0.5, the number shall be rounded down to the next whole number and any fractional unit greater than or equal to 0.5 shall be rounded up to next whole number.

34. Designation on Approved Site Plan. The approved site plan for the respective residential buildings shall designate the number of Work-Force Units, ADUs, and Market-Rate Units by bedroom count. The Applicant shall determine the interior amenities, including the number of bedrooms, for each Work-Force Unit provided. The interior amenities, at a minimum, shall be equivalent to the interior amenities provided for ADUs. If the development of the residential buildings is phased or developed in sections, then the approved site plan for the respective residential buildings shall also contain tabulations of the total number of Work-Force Units, ADUs and Market-Rate Units by bedroom count on the Property.
35. Timing of Provision of the Work-Force Units. RUPs shall not be issued for more than eighty percent (80%) of the total dwellings units approved on the Property, until RUPs have been issued for the required Work-Force Units required pursuant to this Proffer. Furthermore, the development agreement and its security (bond, letter of credit etc.), shall not be released until all of the Work-Force Units approved on the respective site plan have been issued RUPs.
36. Subject to the Administrative Provisions of the ADU Ordinance. It is intended that the Work-Force Units shall be administered in a like-fashion as ADU Units pursuant to Part 8 of Article 2 of the Zoning Ordinance in effect at the time of the execution of these proffered conditions. The following specific provisions of the Zoning Ordinance shall apply to administration of the Work-Force Units: Sections 2-805, 2-807, 2-810, 2-811, 2-812, 2-813, 2-817, and 2-818, including the recordation of the appropriate restrictive covenants in the land records of Fairfax County, except where such provisions directly conflict with these Proffered Conditions. When these Proffered Conditions conflict with

the administrative section(s) of the Zoning Ordinance, these Proffered Conditions shall control, including, but not limited to, the calculation of the sale/resale price and rental rates of Work-Force Units, the right of the Applicant not to offer the Work-Units for sale or rent to FCRHA or a non-profit as specified in Proffer 37 below, and right of the Applicant to qualify the initial purchasers of Work-Force Sale Units, as specified in Proffer 38 below.

37. Availability of Work-Force Units. For Work-Force Units, the Applicant shall not be required to provide a right of first refusal to FCRHA for sixty (60) days and or an identified non-profit for thirty (30) days after the initial notice of sale or rental of Work-Force Units, as required for ADUs by Sections 2-810(2), 2-810(3), 2-810(4), and 2-811(1) of the Zoning Ordinance. Specifically, the Applicant shall have the right to offer Work-Force Units directly to persons meeting the income requirements of these Proffered Conditions in accordance with the applicable administrative provisions of Section 2-810(5) of the Zoning Ordinance.

38. Qualification of Initial Purchasers. For the initial sale of Work-Force Sale Units, the Applicant shall have the right to sell to persons who meet the income restrictions of these Proffered Conditions. At least five (5) business days prior to the closing on the initial sale of any Work-Force Sale Unit, the Applicant shall qualify such purchaser by providing a statement to FCRHA, verified under oath which certifies the following:

- (A) The address and name of the development and the name of the owner;
- (B) For the Work-Force Sale Unit to be purchased;
 - (1) the unit address and bedroom count,
 - (2) the date of the closing of the unit,

- (3) the prospective purchaser's MHI as of the date of the closing,
 - (4) the sale price of the unit and copy of how the sale price was calculated in accordance with these Proffered Conditions,
- (C) To the best of the Applicant's information and belief, the purchaser who will be occupying the Work-Force Sale Unit meets the income criteria established by these Proffered Conditions;
- (D) The Applicant has informed the purchaser of the first time homebuyer education programs or other similar programs that FCRHA conducts, utilizing sample brochures or materials provided by FCRHA; and
- (E) The Applicant shall provide FCRHA a copy of the materials used to verify the MHI of the prospective purchaser and the materials regarding first time homebuyer education programs conducted by FCRHA.

Subsequent prospective purchasers after the initial sale of a Work-Force Sale Unit shall be qualified by the County in accordance with applicable administrative provisions of Part 8 of Article 2 of the Zoning Ordinance or such alternate procedure, that the County may adopt that are in conformance with these proffered conditions.

39. Administrative Contribution. Prior to the issuance of any RUP for a Work-Force Sale Unit, the Applicant shall contribute \$100 per Work-Force Unit shown on the approve site plan to FCRHA. Such funds shall be utilized by FCRHA for administration of the Work-Force Sale Units.

40. Alternative Administration. Notwithstanding Proffer 36, the Applicant reserves the right to negotiate with the appropriate Fairfax County agency, to enter into a separate binding written agreement solely as to the terms and conditions of the administration of the Work-Force Units after the approval of this rezoning. The requisite number and pricing/rents of Work-Force Units and ADUs provided pursuant to these Proffered Conditions shall not be altered in any manner by such an agreement. Such an agreement shall only consider administrative issues on terms mutually acceptable to both the

Applicant and Fairfax County and may only occur after the approval of this rezoning and when the revisions have been deemed to be in substantial conformance with these Proffered Conditions. Fairfax County shall be in no manner obligated to execute such an agreement. If such an agreement is executed by all applicable parties, then the Work-Force Units shall be administered in accordance with such an agreement, and all or a portion of Proffer 36 above may become null and void.

41. Alternative County Process. In the event the Board should adopt a process, procedure or ordinance for administering Work-Force Units, or similar income-restricted housing, then the Applicant may, prior to the sale or lease of the first Work-Force Unit on the Property and at its sole option, choose to administer the Work-Force Units provided pursuant to these Proffered Conditions, provided the Applicant shall maintain no fewer than eight percent (8%) of the dwelling units provided on the Property as either ADUs or Work-Force Units.

42. Work-Force Sale Units - Initial Sales Price. The initial sales price for each Work-Force Sale Unit shall be determined in accordance with the following formulas and as approved by FCRHA:

1. For Work-Force Sale Units
83% of MHI times the following adjustment factors
Two Bedroom = 90%
One Bedroom = 80%
Studio = 70%
2. Multiply the result by thirty-eight percent (38%) and divide by twelve (12) to determine the monthly shelter payment. Then subtract the following:
 - (A) Estimated monthly property tax. Such tax shall be based on the Fairfax County property tax rate in effect at the time of the sale, and to include any future or additional property taxes for such property, whether imposed by the County, Commonwealth or Federal Government;

- (B) Estimated monthly homeowners insurance. Such insurance shall be based on the estimated insurance required by a lending institution to secure a loan on a similar dwelling unit;
 - (C) Estimated monthly common association fees. Such fees shall be based on the actual average association monthly fees assessed against the unit for the prior calendar year. Common association fees shall not be included for formula for the initial sale of any Work-Force Unit;
 - (D) Estimated monthly utilities. Such utilities shall be based on the actual average monthly utilities used by the unit for the prior calendar year. Utility fees shall not be included for formula for the initial sale of any Work-Force Unit;
3. Convert the resulting estimated monthly payment, utilizing the interest-rate on a 30-year fixed-rate loan as published by Freddie Mac thirty (30) days prior to any closing and round the result to the nearest whole number, to establish maximum sales price for the unit. The actual sales price may be less than the calculated maximum at the discretion of the Applicant.

The Applicant or any subsequent seller shall provide a copy the sale price calculation to FCRHA prior to closing on the sale of any Work-Force Sale Unit. The initial MHI to determine such initial maximum sale price shall be based upon the date of the issuance of the first RUP for any Work-Force Sale Unit. At a minimum, the MHI and the maximum sale price, as calculated above, shall be adjusted once a year, starting on January 1 of the next calendar year, and annually thereafter. The Applicant reserves the right to make more frequent adjustments. A copy of such annual calculation or any permitted adjustments shall be provided to FCRHA. The MHI shall be the most recent published MHI as contained in the American Community Survey of the U.S. Census, or other applicable publication as determined by FCRHA in consultation with the Applicant.

43. Work-Force Rental Units - Rental Rates. The maximum monthly rental each Work-Force Unit may be offered at shall be determined as follows:

Work-Force Rental Units		
	83% of MHI times the following adjustment factors	
Two Bedroom	=	90%
One Bedroom	=	80%
Efficiency	=	70%

Divide the result by twelve (12), then multiply by 25% and round to the nearest whole number to establish the maximum monthly rent for the unit.

The initial MHI to determine such initial maximum monthly rent shall be determined from the date of the issuance of the first RUP for any Work-Force Unit. The MHI and the maximum monthly rent, as calculated above, shall be adjusted once a year, starting on January 1 of the next calendar year, and annually thereafter. The Applicant reserves the right to make more frequent adjustments. A copy of such annual calculation shall be provided to FCRHA. The MHI shall be the most recent published MHI as contained in the American Community Survey of the U.S. Census, or other applicable publication as determined by FCRHA in consultation with the Applicant.

44. Compliance with Federal, State, and Other Local Laws/Severability. If it is found by a court of competent jurisdiction, that any portion of these Proffers related to providing Work-Force Units violate any Federal, State or other local law, then the offending portion of the proffer shall be deemed null and void and no longer in effect. All remaining conditions of these Proffered Conditions shall remain in full force and effect.

45. Condominium Conversion. If a residential building was initially built as a rental project, then is subsequently converted to a condominium project, any existing Work-Force Units shall be maintained as Work-Force Units and shall be administered as Work-Force Sale

Units. The restrictions on the Work-Force Sale Units shall be disclosed in condominium declaration.

46. Disclosure. The requirements for administration and price of all for sale Work-Force Units shall be disclosed to all prospective purchasers and be recorded among the land records as a restrictive covenant. The form of such covenant shall be approved by the County Attorney.

VI. STORMWATER MANAGEMENT

47. Stormwater Management Facilities. The Applicant will fulfill such requirements through the use of the existing regional facility located to the west of the Property in general accordance with the stormwater management narrative on the CDP/FDP, if approved by DPWES. If the Applicant is unable to fulfill such requirement through the use of the regional pond, the Applicant shall file a proffered condition amendment (PCA) to permit an alternative stormwater management facility.
48. Grasscrete Pavers. Concurrent with the construction of each respective phase of development, the Applicant shall install grasscrete pavers in the locations shown on the CDP/FDP to reduce the potential stormwater run-off from the Property. The Applicant shall maintain such areas.

VII. LANDSCAPING

49. Landscaping and Landscaped Open Space. Site plans submitted for the respective phases of development shall include a landscape plan for that phase of development as generally shown on the CDP/FDP. The Applicant shall maintain such landscaping. Prior to issuance of the first RUP for Building 2.1, the Applicant shall construct the Amenity Open Space identified on the CDP/FDP. All new deciduous trees provided as a part of

the Government Center Parkway Extended streetscape and along Ridge Top Road and the two major internal private streets, as shown on such landscape plan, shall be a minimum of 3.0 to 3.5 inches in caliper at the time of planting. All new evergreen trees used in peripheral screening and landscaping areas and public spaces shall be a minimum of six (6') feet in height at the time of planting. Such landscape plan shall be provided in substantial conformance with the landscaping concepts shown on the CDP/FDP. Such landscaping shall include landscaping on off-site properties as shown on the CDP/FDP, provided the Applicant obtains permission at no cost from any applicable owner and/or governmental agency to install such landscaping, except for typical administrative fees and costs associated with the preparation, approval and recordation of deeds, plan and plats. The Applicant shall diligently pursue such permission, and, if unable to obtain such permission, shall demonstrate the failed attempts to DPWES. Further, the Applicant shall disclose the future expansion of the Amenity Open Space shown on the CDP/FDP to Parcel 37A and the potential for additional maintenance obligations associated with such expansion in the common association documents. Such future expansion of the Amenity Open Space shall also be noted on the record plat.

50. Location of Utilities. Along all existing and proposed public rights-of-way, utility lines shall be generally located so as to not interfere with the landscaping concepts shown on the CDP/FDP. The Applicant reserves the right to make minor modifications to such landscaping to reasonably accommodate utility lines provided such relocated landscaping shall retain a generally equivalent number of plantings and continues to reflect the concepts illustrated on the CDP/FDP. For all other areas of the Property, in the event that during the process of site plan review any landscaping shown on the CDP/FDP cannot be

installed in order to locate utility lines, as determined by DPWES, then an area of additional landscaping consisting of equivalent flora generally consistent with that displaced shall be substituted at an alternate location on the Property, subject to approval by Urban Forest Management.

51. Parking Deck Landscaping. The Applicant shall provide planting areas and landscaping on the top level of any open parking garages shown on the CDP/FDP in accordance with requirements of the Public Facilities Manual (PFM). Such landscaping shall be of a similar type and quality to the flora depicted on sheet 5 of the CDP/FDP, but at minimum shall include medium shade trees in adequately sized planters, as determined by Urban Forest Management.

52. Native Trees. Native trees that are conducive to air quality enhancement shall be used within the landscaping, streetscape and landscaped open space areas as determined appropriate by Urban Forest Management.

VIII. PEDESTRIAN IMPROVEMENTS

53. Pedestrian Easements. Concurrent with site plan approval for each respective building the Applicant shall place all sidewalks and trails shown on the CDP/FDP on such a site plan in public access easements, in a form acceptable to the County Attorney. The Applicant shall maintain such sidewalks and/or trails located outside the public right-of-way. Additionally, the Applicant shall maintain such sidewalks and/or trails within the public right-of-way that are constructed with specialty paving as identified on the CDP/FDP or any sidewalks and/or trails within the public right-of-way that VDOT will not agree to maintain. The maintenance responsibilities for such sidewalks shall be disclosed in the common association documents.

54. Waples Mill Trail. Concurrent with construction of improvement shown on the site plan for Building 4, the Applicant shall construct a ten (10')-foot wide trail along the Waples Mill Road frontage as shown on the CDP/FDP. The final location of the trail shall be subject to review and approval by DPWES. To the extent the final trail location requires approval from any off-site owner and/or governmental agency, the Applicant shall diligently pursue such permission, from any applicable owner and/or governmental agency, at no cost to the Applicant except for typical administrative fees and costs associated with the preparation, approval and recordation of deeds, plan and plats. If the Applicant is unable to obtain the necessary permission, the Applicant shall escrow the cost for such unconstructed improvements.

55. Lee Highway Trail. Concurrent with construction of the improvement shown on the site plan for Building 3, the Applicant shall construct a ten (10')-foot wide trail within the proposed Lee Highway right-of-way dedication, as shown on the CDP/FDP and the Countywide Trail Plan. The final location and design of said trail shall be subject to VDOT and DPWES approval. To the extent the final trail location requires approval from any off-site owner and/or governmental agency, the Applicant shall diligently pursue such permission from any applicable owner and/or governmental agency, at no cost to the Applicant except for typical administrative fees and costs associated with the preparation, approval and recordation of deeds, plan and plats. If the Applicant is unable to obtain the necessary permission, the Applicant shall escrow the cost for such unconstructed improvements.

IX. RECREATIONAL FACILITIES

56. On-Site Recreational Contributions. Pursuant to Section 6-409 of the Zoning Ordinance, the Applicant shall contribute \$955.00 per each residential unit, exclusive of ADUs,

approved on the Property to the Fairfax County Park Authority to provide recreational facilities to serve the Property. The Applicant shall receive credit against such contribution for the cost of recreational facilities, as approved by DPWES, which may include, but not be limited to the cost of improvements for swimming pools (indoor and outdoor), outdoor seating areas, pedestrian trails (except those shown on the Comprehensive Plan), plazas, indoor recreational facilities, such as weight training equipment, fitness, billiard rooms, card and game rooms, and indoor multi-purpose courts. The Applicant agrees that only those developed recreational facilities to which the residents of such building shown on the particular site plan under review have access to, will be eligible for credit against the contribution for that site plan. Prior to the approval of the site plan for any Residential Building, the Applicant shall contribute such per unit contributions for each dwelling unit approved on the final site plan for that respective building.

57. Off-Site Recreational Contributions. In addition, the Applicant shall contribute \$662.00 per dwelling unit to the Fairfax County Park Authority for facilities at Patriot Park. Concurrent with the approval of the site plan for any Residential Building, the Applicant shall contribute such per unit contribution for each dwelling unit approved on the final site plan for that respective building.

X. NOISE ATTENUATION

58. Noise Study. The Applicant shall submit a noise study for Building 2.2 and/or Building 2.1, prior to the building permit application for Building 2.2 and/or Building 2.1, using a methodology acceptable to DPZ for review and approval by DPZ based on final site grading and topography. A "noise mitigation" sheet will be provided within any applicable site plan submission. This sheet will identify all building facades for which

interior noise mitigation measures will be provided; and a synopsis of the recommendations of the noise study(ies) and how mitigation will be accomplished.

59. Noise Attenuation Measures. Exterior wall construction techniques shall be provided to ensure that a maximum interior noise level of approximately DNL 45 dBA shall be achieved for any dwelling unit in Building 2.2 and/or Building 2.1 that fronts onto Government Center Parkway Extended and that a noise study shows will be exposed to noise levels in excess of DNL 60 dBA:

XI. CONSTRUCTION AND GRADING

60. Projection from Building Facades. Bay windows, balconies, awnings, store fronts and other architectural details, as applicable, may be provided for any of the buildings so long as they do not extend more than eight (8') feet beyond the building footprints as depicted on the CDP/FDP and so long as the streetscape features and dimensions as shown on the CDP/FDP are maintained. The respective common association documents shall specify these restrictions on allowable projections.

61. Asbestos Containing Soils. If based on the soils analysis submitted as part of the site plan approval process, DPWS determines that a potential health risk exists due to the presence and associated disturbance of asbestos-containing rock on the Property, the Applicant shall:

- (A) Take appropriate measures as determined by the Fairfax County Health Department to alert all construction personnel as to the potential health risks; and
- (B) Commit appropriate construction techniques as determined by DPWES in coordination with the Fairfax County Health Department to minimize this

risk. Such techniques may include, but shall not be limited to, dust suppression during all blasting and drilling activities and covered transportation of removed materials presenting this risk, and appropriate disposal.

62. Blasting. If blasting is required on-site, the Applicant shall ensure that blasting is done pursuant to Fairfax County Fire Marshal requirements and all safety recommendations of the same, including without limitation, the use of blasting mats. In addition, the Applicant shall:

- (A) Retain a professional consultant to perform a pre-blast inspection of each house or residential building, to the extent that any of these structures are located on the properties listed in Paragraph I of this proffer;
- (B) Prior to any blasting being done, the Applicant shall provide written confirmation to DPWES that the pre-blast survey has been completed and provide a copy of the survey to Fairfax County upon request;
- (C) Require the blasting consultant to request access to any houses, wells, buildings, or swimming pools, by notification to owners in accordance with Paragraph I of this Proffer, to, if permitted by owner, determine the pre-blast conditions of these structures. The Applicant's consultant will be required to give a minimum of fourteen (14) days notice of the scheduling of the pre-blast survey. The Applicant shall provide the residents entitled to pre-blast inspections, the name, address and phone number of the blasting contractor's insurance carrier;

- (D) Require his consultant to place seismographic instruments prior to blasting to monitor shock waves. The Applicant shall provide seismographic monitoring records to County agencies upon their request;
- (E) Notify owners in accordance with Paragraph I of this Proffer, ten (10) days prior to blasting; no blasting shall occur until such notice has been given;
- (F) Upon receipt of a claim of actual damage resulting from said blasting, the Applicant shall cause his consultant to respond within five (5) days of meeting at the site of the alleged damage to confer with the property owner;
- (G) The Applicant will require blasting subcontractors to maintain necessary liability insurance to cover the costs of repairing any damages to structures, which are directly attributable to the blasting activity and shall take necessary action to resolve any valid claims in an expeditious matter; and
- (H) The consultant shall be required to provide an analysis of the potential for gas migration from the site to the Fire Marshal for review and approval prior to blasting. Appropriate gas migration mitigation and/or notification pursuant to County regulations shall be implemented.
- (I) For purposes of this Proffer, the following tax map parcels shall be notified by certified mail at the address indicated in the tax assessment records of Fairfax County:

Tax Map Parcels 56-2-((1))- 33G1, 33G2, 33H, 36, 37A, 39, 40, 54, 55, 57, 58, 61A; 56-2-((4))-1, 2, 4, 6; 56-2-((15))-((4))-102, 103, 201, 202, 203, 204, 301, 302, 303, 304; 56-2-((15))-((6))-102, 103, 201, 202, 203, 204, 301, 302, 303, 304; 56-2-((15))-((7))-102, 103, 201, 202, 203, 204, 301, 302, 303, 304; 56-2-((15))-((8))-102, 103, 201, 202, 203, 204, 301, 302, 303, 304; 56-2-((12))-A1, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 111, 112A; 56-2-((19))-A1, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 94, 95, 96, 97, 98, 99, 100, 101, 102; 56-2-((17))-A, E, N, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51; 56-2-((24))-((1))-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17; 56-2-((24))-((2))-35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51

63. Archaeological Survey. Prior to any land disturbing activities on the Property, the Applicant shall conduct Phase I and/or Phase II, if determined appropriate by Cultural Resource Management and Protection Section of the Fairfax County Park Authority (CRMPS) archaeological investigation of the site to identify and evaluate archaeological resources that are known and predicted to be present on the property. Prior to initiation of such study, the Applicant's consultant shall meet with CRMPS to determine the methodology to be used in the study. Such methodology as approved by CRMPS, shall be utilized by the consultant. A minimum of one month prior to commencement of the field work portion of the study, CRMPS shall be notified, and CRMPS staff shall be permitted to make field visits to observe the work in progress. Upon completion of field

work, a field meeting shall be held with CRMPS on-site to review the findings and for CRMPS to make recommendation for future study if necessary.

If significant archaeological resources are discovered, as determined by CRMPS, CRMPS shall notify Applicant, in writing within thirty (30) days of the on-site meeting to undertake a Phase III data recovery. A research design for the Phase III prepared in consultation with CRMPS, including appropriate methodology, shall be utilized. Upon completion of the study, an archaeological technical report shall be prepared per the Virginia State and Federal guidelines. Any artifacts, photographs, field notes, or other documentation shall be contributed to CRMPS for curation, with the intent that such artifacts will be available for exhibit in the Fairfax Center area.

64. Historical Marker. The Applicant shall construct a historical marker commemorating the World War II German P.O.W. Camp that existed on the Property, in the Amenity Open Space, as shown on the CDP/FDP, memorializing the historical significance of the Property. The final form of the historical marker shall be subject to the approval of the CRMPS. The marker shall be constructed at the same time the Amenity Open Space is completed.

65. Energy Conservation. All dwelling units constructed on the Property shall meet the thermal standards of the CABO model energy program for energy efficient units or its equivalent, as determined by DPWES for either electric or gas energy units as applicable.

XII. MISCELLANEOUS

66. School Contribution. Prior to the issuance of the building permit for either Residential Building, the Applicant shall contribute \$780.00 per dwelling unit for each dwelling unit

approved on the final site plan for that respective building to the Board for capital improvements to schools serving the Property.

67. Temporary Signage. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs, which are prohibited, by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's representative. The Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the Property to adhere to this proffer.
68. Common Association. Prior to issuance of the first RUP or Non-RUP for the Property, the Applicant shall establish a common association in accordance with Virginia law. Such common association may consist of one or more umbrella owners associations for the entire Property, as well as individual condominium owners' associations ("COAs") formed for specific buildings. At a minimum, each COA and the owners of each office and/or hotel building shall be members of the common association. The common association shall be responsible for the obligations specifically identified in these proffers, including all maintenance, TDM, and notification obligations.
69. Rooftop Equipment. Telecommunications and other related equipment may be placed on the proposed Buildings' rooftops. Any such facilities must comply with the applicable requirements of the Zoning Ordinance. Other screening measures may be used such as including the facilities as part of the architecture of the buildings, utilizing compatible colors, or employing telecommunication screening material and flush mounted antennas.
70. Successors and Assigns. These proffers shall bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in these proffers

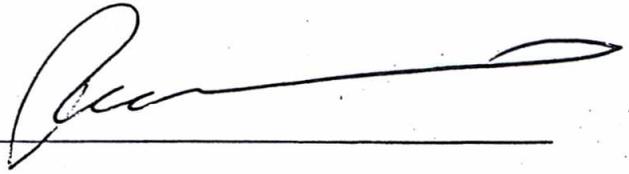
shall include and be binding upon Applicant's successor(s) in interest and/or developer(s) of any portion of the Property.

71. 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.

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MIDLAND ROAD LLC
(Contract Purchaser of
Tax Map No. 56-2-((1))-37)

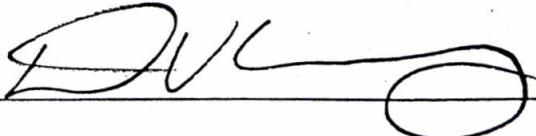
By: _____

A handwritten signature in black ink, appearing to read 'Richard W. Hausler', written over a horizontal line.

Name: Richard W. Hausler

Title: Manager

RIDGETOP ROAD LLC
(Title Owner of
Tax Map No. 56-2-((1))-37)

By:  _____

Name: _____

Title: Nina V. Weissberg
Vice President



County of Fairfax, Virginia

MEMORANDUM

DATE: December 6, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: **Land Use Analysis & Environmental Assessment:**
FDP/RZ 2011-BR-014 concurrent w/ PCA-2005-SP-019

The memorandum, prepared by Scott Brown, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plan dated May 16, 2011 and revised through December 2, 2011. 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, Midland Road LLC and Ridgewood Commercial Owners Property Association, is requesting a proffered condition amendment, rezoning, and final development plan for a 3.82-acre portion of an 18.01-acre site that was previously rezoned in its entirety to PRM (planned residential mixed use), approved in RZ 2005-SP-019.

The applicant is seeking to rezone 2 parcels totaling 3.01 acres to PDH-12 in order to develop 39 townhome units on the larger of the two parcels (2.62 acres), and a community park space on the smaller parcel (0.53 acre). On the remaining parcel in the application (0.62 acre) the applicant is seeking PDC zoning to construct a 35,000 square foot office building at 1.17 floor area ratio (FAR).

LOCATION AND CHARACTER OF THE AREA

The subject property straddles Government Center Parkway on the east side of Ridge Top Road in the Fairfax Center Area and the Braddock Supervisor District. Of the three parcels included in the proposal, the largest of the three (37D) is located on the north side of Government Center (at the corner of Ridge Top Road), while the other two parcels (37B and 37G) are located across Government Center Pkwy on the south side between Ridge Top Rd. and Waples Mill Road.

Of the three parcels, the largest is 37D, a 2.62-acre triangular parcel located at the northeast corner of Government Center Parkway and Ridge Top Road, fronting on both roadways. This parcel is currently undeveloped with sparse vegetation and a scattering of mature trees. To the immediate north is an above-ground parking garage servicing an office building on the garage's north side. Across Ridge Top Road to the west and southwest are townhome communities developed at approximately 12 units per acre.

To the immediate south on the opposite corner of Government Center Parkway is a future multifamily building with ground level retail that is currently under construction. Adjacent to this structure along Government Center Parkway are the other two parcels that make up the subject property: parcel 37G (0.68 acre), which borders Government Center Parkway and 37B (0.53 acre) adjacent to the south. On the east side of these two parcels is the recently completed Spring Hill Suites hotel, located at the corner along the Parkway and Waples Mill. Both of these parcels 37G and 37B are undeveloped. While parcel 37G is mostly barren with dirt and sparse grass cover, parcel 37B is thickly covered with trees and other vegetation. The area is roped off with wires and signs reading "Tree Preservation Area."

There are no streams, wetlands, Resource Protection Areas (RPAs) or Environmental Quality Corridors (EQCs) located onsite. All but a small portion of the site consists of soils that are characterized as containing naturally-occurring asbestos.

COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, 2011 Edition, Fairfax Center Area, as amended through April 26, 2011, Land Unit Recommendations, Land Unit Q, Sub-unit Q9, p. 101-103.

Land Use

Sub-unit Q9

Sub-unit Q9 consists of the area between Ridge Top Road and Waples Mill Road, north of Route 29. It is planned for office use at an intensity of up to 0.70 FAR at the overlay level. As an option, residential/mixed-use at an intensity up to 1.2 FAR was approved under RZ 2005-SP-019 in 2006 with consolidation of approximately 18 acres. The approved 750,000 square feet of residential, office, hotel, and ground-level retail uses are to be provided under the following conditions:

- The character of the development should be primarily mid- or high-rise buildings with retail use integrated within the ground floor of residential and office buildings. Restaurants and ground-floor retail should help create an activity center for residents, visitors and office workers. A defined and dynamic streetscape should be created along Ridge Top Road, Government Center Parkway, and all internal streets. Pad sites are not allowed.
- Buildings at the corner of Government Center Parkway and Ridge Top Road should be designed to incorporate ground floor retail. It is anticipated that at least 20,000 square feet of a variety of retail, restaurant, and community serving uses should be located in the vicinity of this intersection.
- A minimum of a 50-foot vegetated buffer should extend from the planned right-of-way line to minimize noise and visual impacts of development along Route 29.
- The office component should total at least 200,000 gross square feet. However, up to 50,000 square feet of office use may be replaced by hotel.
- The planned extension of Government Center Parkway to Waples Mill Road is to be constructed as a four-lane divided roadway within the first phase of development. Dedication of land, construction or contribution to the Fairfax Center Area Road fund should be made for the planned transportation improvements, which includes the Route 29 and Waples Mill Road interchange.
- Land uses along the periphery of the development should complement the design and orientation of the neighboring land uses. In general building heights should taper towards the south and east, or landscaping should offset and soften the transition of the building heights if this tapering is not feasible. Development also should provide substantial buffering and interparcel access to any unconsolidated parcels.
- A high quality pedestrian-oriented living environment with recreation spaces, such as the open lawn areas, urban parks, plazas and courtyards, should be provided to help meet the recreation needs of residents. Appropriate landscape features and pedestrian amenities, such as shading, seating, lighting, public art, bus shelters, trash cans, and other street amenities should be provided. A contribution should be made to offset the impact of this development on the active recreation facilities;
- Sidewalks and trails should safely connect the land uses within the development and to the surrounding area. These pedestrian pathways should be part of the overall circulation plan that should include continuous sidewalks, attractive pavement treatments, safe crossings, and bicycle facilities;
- An effective transportation demand management (TDM) program should be provided with each phase of development. It should encourage the use of alternative forms of transportation to reduce the number of vehicular trips. It should be based on the number and type of residential units and non-residential square footage, as deemed appropriate by the Department of Transportation. Any development should establish and implement strategies for the centralized management of the program. The TDM program could include staffing, resources, and dedicated areas for these services. Resources for telecommuting, transit subsidies, and 'live where you work' incentives could be provided. Other programs could include, but would not be limited to rideshare, vanpool, and carpool matching services or guaranteed ride home programs;

- The majority of the required parking should be structured or underground. Attractive façade treatments that are consistent with the overall architectural design should be used for any portion of a parking structure that is visible from the street;
- A geotechnical study should be completed to identify the depth of asbestos soils and provide appropriate abatement and public safety measures during construction;
- Prior to any development, a survey should be conducted to determine the presence of significant historic archeological resources, using the scope of services approved by the County. The sub-unit has a high potential for these resources as Parcel 37 is known to have contained World War II Prisoner of War camp. Should any significant resources be found, then those resources should be conserved or the adverse impacts of any development mitigated. If resources are present, the applicant should work with the History Commission to write and fund the creation and installation of a historic marker on site;
- Affordable housing should be provided through compliance with the Affordable Dwelling Unit Ordinance, an appropriate proffer of land or units for affordable housing, or a financial contribution to the Fairfax County Housing Trust Fund. In addition, the provision of workforce housing to accommodate the needs of individuals or families making from 70 to 120 percent of the County's median income is encouraged; and,
- Any development should mitigate the impact of the residential component on public schools;

A portion of the approved office use within RZ 2005-SP-019 may be replaced with single-family attached units. The remaining office component should be designed as professional office to serve the community with at least 35,000 square feet of development. The conditions achieved under the approved development should be maintained and enhanced, particularly those related to design and open space, as follows:

- The front façades of the single-family attached units are oriented toward Ridge Top Road and the Government Center Parkway or internal courtyards and pedestrian pathways. The façades should contribute to a defined and pedestrian-friendly streetscape. Internal courtyards and pedestrian pathways should be well-lit and useable with pedestrian-friendly elements such as benches and shade trees. Garages and driveways should be oriented to the rear of the units, and sufficient visitor parking should be provided. The units should be sufficiently buffered and screened year-round from the office uses and structure parking facility to the north;
- The approved pedestrian plaza at the corner of Ridge Top Road and Government Center Parkway should be maintained near the single-family attached units. The plaza should complement the park on the south side of the Parkway and function as coordinated gateway features to the development. The plazas should be useable, well-landscaped, provide seating and include distinctive elements, such as a fountain or public art; and,
- A community park is envisioned near the office use. The park should be well-lit and well-landscaped with shade trees and include elements that encourage public usage, such as a gazebo, plaza and playground. This park may be an appropriate location for an historic marker regarding World War II Prisoner of War camp. Other recreational

amenities and open spaces designed to serve residents and guests are encouraged, including roof-top areas.

Any remaining, unconsolidated parcels may develop at an intensity up to 1.0 FAR office/mixed-use, if all relevant conditions above are achieved and appropriate inter-parcel access is provided to the adjacent development.”

Environment

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

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, pages 8-9.

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

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: The concentration of growth in mixed-use, transit-oriented centers in a manner that will optimize the use of transit and non-motorized trips and minimize vehicular trips and traffic congestion.

- Minimize the amount of impervious surface created. Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation. where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land.
- 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 open ditch road sections and minimize subdivision street lengths, widths, use of curb and gutter sections, and overall impervious cover within cul-de-sacs, consistent with County and State requirements.
- 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.
- Encourage shared parking between adjacent land uses where permitted.
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 18.

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

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 18.

“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.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, pages 19-21.

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

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

- Environmentally-sensitive siting and construction of development.
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the Policy Plan).
- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources.
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.
- Reuse of existing building materials for redevelopment projects.
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
- Use of recycled and rapidly renewable building materials.
- Use of building materials and products that originate from nearby sources.
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification).

Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . . .

- Policy b. Ensure that zoning proposals for nonresidential development and zoning proposals for multifamily residential development of four or more stories within the Tysons Corner Urban Center, Suburban Centers, Community Business Centers and Transit Station Areas as identified on the Concept Map for Future Development incorporate green building practices sufficient to attain certification through the LEED program or its equivalent, where applicable, where these zoning proposals seek at least one of the following:
- Development in accordance with Comprehensive Plan Options;
 - Development involving a change in use from what would be allowed as a permitted use under existing zoning;
 - Development at the Overlay Level; or
 - Development at the high end of planned density/intensity ranges. For nonresidential development, consider the upper 40% of the range between by-right development potential and the maximum Plan intensity to constitute the high end of the range.
- Policy c. Ensure that zoning proposals for residential development will qualify for the ENERGY STAR Qualified Homes designation, where such zoning proposals seek development at the high end of the Plan density range and where broader commitments to green building practices are not being applied.
- Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system.
- Policy e. Encourage energy conservation through the provision of measures which support nonmotorized transportation, such as the provision of showers and lockers for employees and the provision of bicycle parking facilities for employment, retail and multifamily residential uses.”

COMPREHENSIVE PLAN MAP: Fairfax Center Area, planned for Office at the Baseline & Overlay Levels

LAND USE ANALYSIS

Background

The subject property is located in Land Unit Q9 of the Fairfax Center Area, which is planned for office use at an intensity of 0.70 FAR (floor-area ratio), with a residential/mixed use development option at 1.2 FAR, as approved in RZ 2005-SP-019, which rezoned a total of 18 acres to Planned Residential Mixed (PRM) – inclusive of the subject property. This development option is allowed at the Overlay Level for Land Unit Q9 (footnote #5 in the Land Unit Summary Chart for Land Unit Q9, pages 105-106).

An additional development option within the above stated development option is provided by an approved Area Plan Review item (APR-09-III-2FC) specifically for the subject site. The option allows a portion of the approved office use to be replaced by single-family attached residential units. The remaining office component should be developed for professional, community serving offices with at least 35,000 square feet of space.

Use & Intensity

The residential component of the development plan proposes 39 townhomes on a 2.62-acre parcel, which is a density of 14.89 units per acre. Parcel 37B (0.53 acres) is contributed as open space for the residential PDH-12 portion of the development, giving the residential component a total area of 3.15 acres, which makes the overall residential density 12.38 du/ac. With the proposed right-of-way dedication of 0.44 acre for Government Center Parkway included in the density calculations for the PDH-12 portion of the site, the total residential area is 3.59 acres (2.62+ 0.53+0.44) resulting in a density of 10.86 dwelling units per acre.

The land use and intensity of the proposed development is in conformance with the development option provided in the Q9 Land Unit Recommendations at the Overlay Level; however, the number of residential units proposed on this triangular site creates several site design issues that limit the ability to provide a quality residential development. The arrangement and orientation of residential units; the lack of transitional buffering and screening between the residences and the adjacent office parking lot and parking structure; and the lack of adequate open space and residential amenities, are all problematic. These issues are detailed below, but all arise from site design issues that should be resolved through a reduction in number of units and a reconfiguration that provides and better, more efficient use of the proposed residential property.

Transitional Screening & Buffering

While the overall intensity and land use conforms to the development option provided in the land unit recommendations, the development option includes a condition for the residential units to be sufficiently buffered and screened year-round from the adjacent office uses and structured parking facility to the north. The original development plan proposed minimal buffer areas between the northernmost residential units of each townhome row and the office property: 20 feet for unit #1, 12 feet for unit #9, 10 feet for unit #22, and 10 feet for unit #39. Without a barrier provided and a light mix of evergreen and deciduous trees proposed for the boundaries, buffering and screening was inadequate. This was a particular concern for the diagonal row of residential units that would face towards the parking deck and parking lot, where the spaces are oriented towards the subject property and come up almost to the property line.

Resolution: The applicant has provided three subsequent revisions to the development plan since the original application. Initial revisions provided additional evergreen trees along the buffer, and made incremental increases to the buffer width through slight adjustments to the location of units. All but one of the northernmost units still had buffers of 20 feet or less and as little as 15 feet (unit #13, formerly #9), with no barrier provided to screen the residential units from the parking structure and parking lot on the adjacent property. Through the first two

revisions, staff did not feel that the adjustments were significant enough to reduce concern and to satisfy the development option condition.

The most recent design does not increase the buffer width; however, the applicant would now provide privacy fencing along the northern property line, as well as a retaining wall keeping the grade of the subject property several feet higher than the adjacent property. This will help block noise, views of the parking areas from the residences, and block direct light from vehicle headlights in the adjacent parking lot and garage. While planning staff would prefer a wider buffer area provided, the applicant has maximized the potential buffer area possible without reducing the number of residential development proposed. The retaining wall and privacy fencing proposed will help address the screening concerns and provide a more effective buffer between the two properties.

Orientation of Residential Units

The development option provided for single-family attached is conditional on providing front façades that are oriented towards the major streets (Ridge Top Road, Government Center Pkwy) as well as internal courtyards and pathways. In the original plans, this was achieved along Ridge Top Road and partly along Government Center Parkway, but the orientation of some of the townhome rows was problematic. The three-unit row at the northeast corner was not oriented towards Government Center Parkway, but this was adequately addressed in subsequent revisions.

More concerning was the orientation of the two interior rows of townhomes that front on the internal courtyard. The row on the east side was given a diagonal orientation, partially facing the opposite row of units and partially facing the parking lot on the adjacent property to the north. The southernmost unit on the diagonal row would be too close to the facing row of units, and the end unit on the north side of the building row would be too close to the property line and the parking lot on the adjacent property. This configuration orientation essentially divided the central courtyard into two small triangular areas, rather than a larger, consolidated open space that would be adequate for a quality common space between the two buildings. Planning staff recommended an improved site design to address these issues.

Resolution: The first two resubmissions improved the orientation of residential units along Government Center parking, but did not address the interior diagonally-oriented building; however, the latest resubmission provides a new configuration of the internal residences. The applicant has reduced the size of the five townhomes in this building and rotated the row to be parallel to the opposite row of townhomes, eliminating the awkward orientation in the previous design. The new layout of this area of the site eliminates the concern of the building fronts facing towards the adjacent property's parking areas and also helps open up the common space between the two buildings so that a consolidated, quality open space can be provided. The quality of site design is improved through this reorientation, and the applicant has adequately addressed this issue.

Open Space & Residential Amenities

Although the overall density is 10.86 units per acre, this includes right-of-way dedication and the proposed park located across the street. The actual density within the 2.86-acre townhome parcel is nearly 15 units per acre without the offsite density credits. Because the majority of the residential open space is provided across the street in a park that will be located on the PDC property rather than within the residential parcel, planning staff felt the onsite open space would not be adequate to provide future residents with quality open space. Additionally, the applicant is requesting a waiver of the privacy yard requirements so that there are no individual yards proposed. There are no recreational amenities provided onsite in lieu of open space, such as a swimming pool, tennis courts or an indoor fitness center. Suggestions were made to both improve access to the non-contiguous park space being provided across Government Center Parkway; and to provide more onsite amenity space within the townhome area through improved site planning.

Resolution:

The most recent resubmission includes improvements to the open spaces provided on the residential property. The amount of open space has only increased slightly, but the reallocation of the open areas into fewer, larger open spaces has created greater usability of those spaces. The applicant has reoriented what was formerly a diagonal row of residential units to be parallel with a facing row of units. This opens up the space in between the two rows to allow a unified and more usable common open space. The applicant has also shifted the arrangement of the visitor parking spaces and removed smaller, less usable open spaces in order to reallocate and consolidate more area for this central space and the open space at the corner of the development. The corner of Ridge Top Road and Government Center Parkway provides a larger open space than previous versions of the development plan.

The lack of amenities such as a pool or fitness center is of some concern, because the provision of those amenities would limit the need to seek these amenities away from the community. The location of the main parkspace amenity across Government Center Parkway (intended for the residents of the townhomes) is also not ideal. However, the applicant has effectively maximized the potential for open space within the residential property of this development without reducing the number of residences, and has reasonably incorporated staff's suggestions to improve the open space conditions in this area.

Quality of Design

The proposed development is within the Fairfax Center Area, which seeks to achieve a higher level of architectural and design quality in developments using comprehensive development options. In the prestaffing phase, staff requested the applicant provide elevations, perspective drawings, and other architectural design details so that the level of building design and compatibility with surrounding uses can be adequately assessed.

Resolution: The applicant includes architectural renderings in the most recent plans, and has proposed a proffer to incorporate a minimum of 50% brick or stone within the front and side facades of the residential buildings. Although a commitment to 50% brick or stone is also

recommended for the rear of the residential buildings, the quality of architectural design and materials is equivalent or better than existing townhomes in the vicinity.

The architectural renderings provided for the office building give this structure a residential appearance with a flat entrance that does not stand out from the rest of the building. It is recommended that the front entrance be designed to stand out from the rest of the façade and indicate that this is a non-residential structure. Lighting, signage and a covered entryway should be included in the designs to provide an entrance that is more befitting of a commercial building.

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.

Asbestos Soils

The majority of the site includes asbestos-containing soils; therefore there is a need to ensure that appropriate measures are taken to protect workers from harmful contaminants during grading and construction of the site.

Resolution: The applicants provided a proffer to take the appropriate precautions and incorporate applicable construction techniques to eliminate potential health risks associated with asbestos-containing rock on the property, as determined by the Department of Public Works and Environmental Services (DPWES) and the Fairfax County Health Department. As it appears that the agency review for asbestos-containing soils is no longer done at the county level, the proffer should be revised to reflect the appropriate state and federal agencies.

Stormwater

The subject property falls within the Difficult Run Watershed. The stormwater management narrative for this application indicates that the applicant intends to provide stormwater management and best management practices through an offsite dry pond entitled Fairfax Center Regional Stormwater Management Pond #D-77. The outfall narrative indicates the site drains east to west to existing closed conduit pipes that cross Ridge Top Road, which then conveys runoff under Ridge Top to closed conduit pipes along Government Center Parkway and ultimately to the above-mentioned existing stormwater facility.

The Fairfax Center Area area-wide recommendations encourage Low Impact Design features that allow for onsite stormwater management. While it is recognized that stormwater from this site will be primarily managed offsite in a regional pond, planning staff encouraged the applicant to create additional open space within the residential component, and to include LID features within those areas to provide for onsite stormwater management where possible.

Tree Preservation

The southernmost parcel of this subject site (37B) is currently a thickly vegetated area with several mature trees that is roped off and marked as a 'Tree Preservation Area'. The applicant intends to clear the entire parcel during construction to create a new parkspace with enhanced landscaping and newly planted trees along its periphery. Additionally, there are a scattering of mature trees located on the parcel that will be developed with townhomes. There are no plans to save any of the existing mature trees on either parcel, and the applicant proposes to comply with the required tree cover fully through newly planted trees.

Resolution: Planning staff suggests that efforts are made to preserve existing mature trees where feasible, based on the Environmental Policy Plan objective 10a. It is less likely that this is feasible within the townhome development, but there are certainly opportunities to preserve and incorporate trees within the park planned for parcels 37B. It is recommended that the applicant provide a plan for selective preservation of as many mature, healthy trees within the park area as possible, subject to Urban Forestry Management (UFM) approval and recommendations.

Green Buildings

The proposed development is within the Fairfax Center Area and includes a non-residential development provided under a development option, as well as a residential component that is seeking rezoning at the overlay level. Conformance to the Environmental Policy Plan recommends Leadership in Energy and Environmental Design (LEED) certification or equivalent for the non-residential construction, as well as EnergyStar Qualified Homes or similar designation for all residential units. Planning staff also recommended that the office building support alternative modes of transportation in order to reduce energy consumption and contribution to greenhouse gases. Staff suggested the inclusion of bicycle amenities, shower facilities, covered bus shelters or other onsite amenities that will reduce the need for single-occupancy vehicle trips.

Resolution:

The applicant has proposed proffers to address the County's green building policies. The applicant is proffering LEED certification through the Core and Shell rating system for the office building, and has provided proffers to design and construct all dwelling units as Energy Star qualified homes. The applicant has complied with the request to support alternative modes of transportation by proposing a proffer to provide bicycle racks, bicycle storage for a minimum 10 bicycles, and shower facilities within the office building.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan Map indicates a minor paved trail along Government Center Parkway between Ridge Top Road and Waples Mill Road but the side of the road is unspecified. A minor paved trail is a concrete or asphalt trail with a width between 4' and 7'11". The development plans indicate a 4.5' wide sidewalk along both sides of Government Center Parkway.

PGN/STB

FAIRFAX CENTER CHECKLIST

Case Number: RZ 2011-BR-014
 Plan Date: 1/25/2011

Not Applicable Applicable Essential Satisfied Comments

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

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

III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS

FAIRFAX CENTER CHECKLIST

Transportation Systems

Case Number:

RZ 2011-BR-014

Plan Date:

1/25/2011

Not

	Applicable	Applicable	Essential	Satisfied	Comments
A. Roadways					
1. Contribution towards major (future) roadway improvements		X	X	X	FCAR contribution
2. Construct and/or contribute to major roadway improvements		X	X	X	FCAR contribution
3. Traffic signals as required by VDOT		X	X	X	warrant study and signal
B. Transit					
1. Bus or rail transit station parking lots	X				
C. Transportation Strategies					
1. Local shuttle service	X				
2. Parking fees	X				
D. Non-motorized Circulation					
1. Grade separated road crossings	X				

FAIRFAX CENTER CHECKLIST

Environmental Systems

Case Number: RZ 2011-BR-014
 Plan Date: 1/25/2011

Not Applicable Applicable Essential Satisfied Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS

A. Environmental Quality Corridors (EQC)							
1. Preservation of EQCs as public or private open space	X						no EQC on site
B. Stormwater Management (BMP)							
1. Stormwater detention/retention		X			X		regional pond
2. Grassy swales/vegetative filter areas	X						
C. Preservation of Natural Features							
1. Preservation of quality vegetation	X						
2. Preservation of natural landforms	X						
3. Minimize site disturbance as a result of clearing or grading limits	X						
D. Other Environmental Quality Improvements							
1. Mitigation of highway-related noise impacts		X			X		noise attenuation proffer needed
2. Siting roads and buildings for increased energy conservation (Including solar access)	X						

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS

A. Increased Open Space							
1. Non-stream valley habitat EQCs	X						
2. Increased on-site open space		X			X		
B. Protection of Ground Water Resources							
1. Protection of aquifer recharge areas	X						
C. Stormwater Management (BMP)							
1. Control of off-site flows		X			X		regional pond
2. Storage capacity in excess of design storm requirements	X						
D. Energy Conservation							
1. Provision of energy conscious site plan		X			X		LEED and Energy Star proffers

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS

FAIRFAX CENTER CHECKLIST

Case Number:

RZ 2011-BR-014

Plan Date:

1/25/2011

Not

A. Innovative Techniques	Applicable		Essential	Satisfied	Comments
	Applicable	Not Applicable			
1. Innovative techniques in stormwater management		X			
2. Innovative techniques in air or noise pollution control and reduction		X		X	noise attenuation proffer
3. Innovative techniques for the restoration of degraded environments	X				

FAIRFAX CENTER CHECKLIST

Provision of Public Facilities

Case Number: RZ 2011-BR-014
 Plan Date: 1/25/2011

Not
 Applicable Applicable Essential Satisfied Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Park Dedications					
1. Dedication of stream valley parks in accordance with Fairfax County Park Authority policy	X				
B. Public Facility Site Dedications					
1. Schools	X				
2. Police/fire facilities	X				

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Park Dedications					
1. Dedication of parkland suitable for a neighborhood park		X	X	X	plaza/amenity open space
B. Public Facility Site Dedication					
1. Libraries	X				
2. Community Centers	X				
3. Government offices/facilities	X				

III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					
	Not Applicable	Applicable	Essential	Satisfied	Comments
A. Park Dedications					
1. Community Parks	X				
2. County Parks	X				
3. Historic and archeological parks		X		X	Signage for WW II POW camp
B. Public Indoor or Outdoor Activity Spaces					
1. Health clubs	X				
2. Auditoriums/theaters	X				
3. Athletic fields/major active recreation facilities		X	X	X	proffer contribution

FAIRFAX CENTER CHECKLIST

Land Use - Site Planning

Case Number:
Plan Date:

RZ 2011-BR-014
1/25/2011

Not

Applicable Applicable Essential Satisfied Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Considerations	Applicable	Applicable	Essential	Satisfied	Comments
1. Coordinated pedestrian and vehicular circulation systems		X	X	X	
2. Transportation and sewer infrastructure construction phased to development construction		X		X	all major transportation construction completed
3. Appropriate transitional land uses to minimize the potential impact on adjacent sites		X	X	X	buffering to the north
4. Preservation of significant historic resources		X		X	Historical Marker Provided
B. Landscaping					
1. Landscaping within street rights-of-way	X				
2. Additional landscaping of the development site where appropriate		X	X	X	
3. Provision of additional screening and buffering		X		X	as shown on CDP/FDP

II. AREA-WIDE MINOR DEVELOPMENT ELEMENTS					
A. Land Use/Site Planning	Applicable	Applicable	Essential	Satisfied	Comments
1. Parcel consolidation		X			
2. Low/Mod income housing		X		X	Housing Trust Fund proffer
B. Mixed Use Plan					
1. Commitment to construction of all phases in mixed-use plans		X		X	
2. 24-hour use activity cycle encouraged through proper land use mix		X			
3. Provision of developed recreation area or facilities		X			proffer to join association

FAIRFAX CENTER CHECKLIST

Land Use - Site Planning

Case Number:

RZ 2011-BR-014

Plan Date:

1/25/2011

Not

	Applicable	Applicable	Essential	Satisfied	Comments
III. AREA-WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Extraordinary Innovation					
1. Site design		X		X	high quality open space layout
2. Energy conservation		X		X	proffer to LEED and Energy Star

FAIRFAX CENTER CHECKLIST

Detailed Design

Case Number:
Plan Date:

RZ 2011-BR-014
1/25/2011

Not

Applicable Applicable Essential Satisfied Comments

I. AREA-WIDE BASIC DEVELOPMENT ELEMENTS					
A. Site Entry Zone					
1. Signs		X	X	X	Sign proffer
2. Planting		X	X	X	Landscaping for Minor Plaza
3. Lighting		X		X	
4. Screened surface parking		X		X	parking behind office building
B. Street Furnishings					
1. Properly designed elements such as lighting, signs, trash receptacles, etc.		X	X	X	included in CDP/FDP and proffers

II. AREA WIDE MINOR DEVELOPMENT ELEMENTS					
A. Building Entry Zone					
1. Signs	X				
2. Special planting		X		X	
3. Lighting		X		X	see CDP/FDP
B. Structures					
1. Architectural design that complements the site and adjacent developments		X	X	X	Detailed architectural renderings provided
2. Use of energy conservation techniques		X		X	LEED and Energy Star proffers
C. Parking					
1. Planting - above ordinance requirements	X				
2. Lighting	X				
D. Other Considerations					
1. Street furnishing such as seating, drinking fountains		X		X	seat walls, benches
2. Provision of minor plazas		X	X	X	corner of Government Ctr Pkwy and Ridge Top Rd

FAIRFAX CENTER CHECKLIST

Detailed Design

Case Number:

RZ 2011-BR-014

Plan Date:

1/25/2011

Not

	Applicable	Applicable	Essential	Satisfied	Comments
III. AREA WIDE MAJOR DEVELOPMENT ELEMENTS					
A. Detailed Site Design					
1. Structured parking with appropriate landscaping	X				
2. Major plazas	X				
3. Street furnishings to include structures (special planters, trellises, kiosks, covered pedestrian areas (arcades, shelters, etc.), Water features/pools, ornamental fountains, and special surface treatment		X	X	X	
4. Landscaping of major public spaces		X	X	X	

FAIRFAX CENTER CHECKLIST

Summary

Case Number:

RZ 2011-BR-014

Plan Date:

1/25/2011

I. BASIC DEVELOPMENT ELEMENTS

1. Applicable Elements	16
2. Elements Satisfied	16
3. Ratio	1.00

II. MINOR DEVELOPMENT ELEMENTS

1. Applicable Elements	20
2. Elements Satisfied	16
3. Ratio	0.80

III. MAJOR DEVELOPMENT ELEMENTS

1. Applicable Elements	11
2. Elements Satisfied	10
3. Ratio	0.91

IV. ESSENTIAL DEVELOPMENT ELEMENTS

1. Applicable Elements	25
2. Elements Satisfied	25
3. Ratio	1.00

V. MAJOR TRANSPORTATION DEVELOPMENT ELEMENTS

1. Applicable Elements	3
2. Elements Satisfied	3
3. Ratio	1.00

VI. LOW/MODERATE INCOME HOUSING ELEMENT

yes no



County of Fairfax, Virginia

MEMORANDUM

October 19, 2011

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

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

SUBJECT: Ridgewood/Midland Road, LLC, RZ/FDP 2011-SP-014 & PCA 2005-SP-019

I have reviewed the above referenced RZ/FDP and PCA application; including a response to pre-staffing with draft proffers dated September 30, 2011, and proposed plan stamped as received by the Zoning Evaluation Division (ZED) on October 3, 2011.

1. **Comment:** The proposed plant list adjusts the tree canopy credit for individual species using a 1.5 multiplier for native species credit. This credit requires a letter prior to planting certifying that all plant material used to gain the additional credits has been propagated from seed or non-genetically modified germoplasm collected in the mid-Atlantic region. This letter may be difficult to produce because most commercial nurseries acquire stock from outside the mid-Atlantic region. PFM 12-0510.4B outlines opportunities for additional 10-year tree canopy credits available for trees that provide benefits for air quality, water quality, energy conservation, wildlife; as well as improved cultivars and varieties bred for disease and insect resistance, drought tolerance, and improved structural characteristics reducing the potential for damage resulting from severe weather.

Recommendation: Request that the landscape plan and plant list indicate planting locations and species for which additional credit can be taken, other than for native trees.

2. **Comment:** The proposed plant list includes sycamore (*Platanus occidentalis*). This species is susceptible to anthracnose, a fungal disease that renders the foliage unsightly and may deplete energy reserves over time resulting in decline.

Recommendation: Request that London planetree (*Platanus acerifolia*, 'Bloodgood') is used as an alternative to sycamore. Additional credit for use of improved varieties and cultivars may be taken for this variety of London planetree.

3. **Comment:** The proposed plant list specifies ornamental trees 8-10 feet in height and a minimum of 1.5 inches in caliper. All deciduous trees shall be specified in caliper inches and



the trees species proposed must be at least 3.0 inches in caliper to receive the canopy credit indicated.

Recommendation: Require that the correct canopy credit is indicated for the species and sizes of trees proposed in accordance with PFM Table 12.17

4. **Comment:** Given the comments above, additional trees may be required on the site. Additional planting areas could be provided by modifying the design.

Recommendation: Suggest redesigning the project to create additional potential for planting:

- Impervious surfaces could be reduced on the site to provide more opportunities for tree planting.
- More naturalized open space with reduced areas of concrete, pavers and turfgrass at plaza and open space areas locations would increase available planting area.
- PFM 12-0510.4E(6) provides for planting selected species closer together when replicating a natural wooded environment.

If there are any questions, please contact me at (703)324-1770.

HCW/
UFMID #: 161620

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: December 8, 2011

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

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

FILE: 3- 4 (RZ 2011-BR-014)

SUBJECT: Transportation Impact Addendum

REFERENCE: RZ 2011-BR-014; FDP 2011-BR-014; Midland Road, LLC and
Ridgewood Commercial Owners Association
Traffic Zone: 1600
Land Identification Map: 56-2 ((01)) 37B, 37D, 37G

The application proposes 39 townhomes and a multi-story community oriented office building.

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plan dated September 29, 2011.

- The applicant should carry forward all previous transportation proffers related to this application.
- The proposal should provide contiguous sidewalk along the internal streets to limit the pedestrians from walking in the street.

AKR/AK

c:\W\RZ2011BR014MidlandRoad

cc: Michele Brickner, Director, Office of Site Review, DPW & ES

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
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Fax: (703) 877 5697
www.fairfaxcounty.gov/fcdot





FAIRFAX COUNTY
PUBLIC SCHOOLS

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

June 30, 2011

TO: Barbara Berlin, Director
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division

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

SUBJECT: RZ/FDP 2011-SP-014, Ridgewood

ACREAGE: 3.83 acres

TAX MAP: 56-2 ((1)) 37B, 37D, 37G

PROPOSAL: Rezone property from the PRM District to the PDH-12 District to permit 39 townhomes.

COMMENTS: The proposed rezoning area is within the Willow Springs Elementary School, Lanier Middle School, and Fairfax High School boundaries. The chart below shows the existing school capacity, enrollment, and projected enrollment.

School	Capacity	Enrollment (9/30/10)	2011-2012 Projected Enrollment	Capacity Balance 2011-2012	2016-17 Projected Enrollment	Capacity Balance 2016-17
Willow Springs ES	908	696	810	98	817	91
Lanier MS	1,200	1,236	1,219	-19	1,483	-283
Fairfax HS	2,389	2,375	2,597	-208	3,052	-663

Capacity and enrollment are based on the FCPS FY 2012-16 CIP and spring update.

The school capacity chart above shows a snapshot in time for student enrollments and school capacity balances. Student enrollment projections are done on a six year timeframe, currently through school year 2016-17, and are updated annually. Currently, Lanier Middle and Fairfax High schools are over capacity. A significant capacity deficit is projected to remain for both schools in the next six years. Anticipated new students from this proposal will contribute to the overcrowding at the school. Willow Springs Elementary is projected to have sufficient capacity. Beyond the six year projection horizon, enrollment projections are not available.

It is noted that starting with the 2010-2011 school year, the Ridgewood apartments were administratively reassigned from Eagle View Elementary to Willow Springs Elementary. This reassignment was due to the existing and projected overcrowding at Eagle View Elementary. The Southwestern Boundary Study, adopted this winter, aimed at reducing the overcrowding at Eagle View.

The rezoning application proposes to rezone property from the PRM District to the PDH-12 District to permit 39 townhomes.

Based on the number of residential units proposed, the chart below shows the number of anticipated students by school level based on the current countywide student yield ratio.

Based on the number of residential units proposed, the chart below shows the number of anticipated students by school level based on the current countywide student yield ratio.

School level	Single family attached ratio	Proposed # of units	Student yield
Elementary	.204	39	8
Middle	.057	39	2
High	.118	39	5
			15 total

Suggested Proffer Contribution

The rezoning application is anticipated to yield a total of 15 new students. Based on the approved proffer formula guidelines, the students generated would justify a proffer contribution of \$140,670 (15 students x \$9,378) in order to address capital improvements for the receiving schools. It is recommended that all proffer contributions be directed to the Fairfax HS pyramid and/or to Cluster VII schools that encompass this area at the time of site plan approval or building permit approval. It is also recommended that notification be given to FCPS when construction is anticipated to commence. This will assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

In addition, an "escalation" proffer is recommended. The suggested per student proffer contribution is updated on an annual basis to reflect current market conditions. The amount has decreased over the last couple of years because of the down turn in the economy and lower construction costs for FCPS. As a result, an escalation proffer would allow for payment of the school proffer based on either the current suggested per student proffer contribution at the time of zoning approval or the per student proffer contribution in effect at the time of development, whichever is greater. This would better offset the impact that new student yields will have on surrounding schools at the time of development. For your reference, below is an example of an escalation proffer that was included as part of an approved proffer contribution to FCPS.

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

DMJ/mat

Attachment: Locator Map

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



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 *SS*

DATE: August 25, 2011

SUBJECT: RZ/FDP 2011-BR-014 concurrent with PCA 2005-SP-019, Ridgewood, Revised Tax Map Number(s): 56-2 ((1)) 37B, 37D, 37G

BACKGROUND

The Park Authority staff has reviewed the revised Development Plan dated August 5, 2011 for the above referenced application. The Development Plan shows 39 new single-family attached dwelling units and up to 35,000 square feet of commercial space in one building. Proposed residential units would replace a commercial building and parking garage approved in an earlier rezoning (RZ 2005-SP-019) and the proposed office building would replace a previously approved residential building of 16 multifamily units.

The entire site consists of three parcels and a total of 3.83 acres. The application proposes rezoning the site from PRM to PDH-12. Based on an average single-family attached household size of 2.62 in the Fairfax Planning District, the proposed development could add 102 new residents (39 x 2.62 = 102.18) to the Braddock Supervisory District.

COMPREHENSIVE PLAN GUIDANCE

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). The Policy Plan also cites differing needs for more urban development and presents Urban Park Development guidance (Parks and Recreation, Park Classification System, p.10-11). The Park Authority's Urban Parks Framework provides an urban parkland standard and more detailed guidance. Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

The Fairfax Center Area recommendations in the Area III Plan describe the importance of neighborhood parks and trails. Area-wide recommendations describe the need for on-site local-

serving park facilities as part of all planned residential development and further emphasize serving two central constituencies – youth and families, and the adult workforce (Area III, Fairfax Center Area, Area-Wide Recommendations, Parks and Recreation, pp. 40-41).

The site is within Sub-unit Q9 and this application's predecessor (RZ 2005-SP-019) forms the center of this sub-unit's recommendations. For this sub-unit, Comprehensive Plan language states,

“A high quality, pedestrian-oriented living environment with recreation spaces, such as open lawn areas, urban parks, plazas and courtyards, should be provided to help meet the recreation needs of residents. Appropriate landscape features and pedestrian amenities, such as shading, seating, lighting, public art, bus shelters, trash cans, and other street amenities should be provided. A contribution should be made to offset the impact of this development on the active recreation facilities.” (Area III, Fairfax Center Area, Land Use Recommendations, Sub-unit Q9, page 101)

Finally, text from the Fairfax District chapter of the Great Parks, Great Communities Park Comprehensive Plan echoes recommendations in the Countywide Comprehensive Plan. Specific District chapter recommendations include adding playgrounds at local parks in the district, increasing pedestrian connectivity, and seeking opportunities to acquire land for new local parks that will support recreation facilities in the Fair Oaks/Fairfax Center Area.

ANALYSIS AND RECOMMENDATIONS

Park Needs:

Using adopted service level standards, a need for all types of parkland and recreational facilities remains in this area. Existing nearby parks (Carney, Random Hills, Dixie Hill, Fairfax Villa, Waples Mill Meadow) meet only a portion of the demand for parkland generated by residential development in Fairfax Center. In addition to parkland, the recreational facilities in greatest need in this area include trails, athletic fields, sport courts, and playgrounds.

Recreational Impact of Residential Development:

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.

With 39 non-ADUs proposed, the Ordinance-required amount to be spent onsite is \$62,400. 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 allows the Park Authority to build additional facilities needed as the population increases. To offset the additional impact caused by the proposed development, the applicant should contribute \$91,247 to the Park Authority for recreational facility development at one or more park sites located within the service area of the subject property.

This site is also the subject of an earlier approved, proffered rezoning (RZ 2005-SP-19). Ordinance-required and fair share contribution guidelines have changed since that rezoning was approved. Amounts cited within the paragraphs above reflect the current guidelines.

Recreational Impact of Commercial Development:

In addition to the residential development impact on recreational services and facilities, there will also be impacts from the proposed commercial development. Employees have a need to access recreational amenities at lunchtime or after work. Retail customers benefit from combining shopping trips with recreational activities. The Comprehensive Plan for the Fairfax Area Suburban Center area calls for a combination of private and public funding to contribute toward new facilities to serve both residents and workers. Recent monetary contributions to offset the impacts of commercial development in Suburban Centers have averaged \$0.27 per square foot. Applying this rate to the proposed 35,000 square feet of new non-residential uses proposed, the Park Authority requests a contribution of \$9,450 for recreational facility development at one or more park sites located within the service area of the subject property.

Onsite Facilities:

The Fairfax Center Area Design Guidelines and the Park and Recreation element of the Policy Plan support the concept of integrating urban-scale public open spaces into proposed mixed-use developments. Features such as plazas, gathering places, amphitheater/performance spaces, special landscaping, fountains, sculpture and street furniture are appropriate to be integrated into this site. Recreation uses such as tennis courts, multi-use courts, volleyball courts, bocce courts, tot lots, water play features and skateboarding facilities may be incorporated into a mixed-use setting to provide residents and employees on-site recreation opportunities.

Comprehensive Plan language describes public open spaces that would be appropriate for the subject site. It includes a discussion of the pedestrian plaza area at the corner of Ridge Top Road and Government Center Parkway and a description of the local-serving park envisioned near the proposed office use. The Plan states that the “park should be well-lit and well-landscaped with shade trees and include elements that encourage public usage, such as a gazebo, plaza, and playground. This park may be an appropriate location for an historic marker regarding the World War II Prisoner of War camp.” (Area III, Fairfax Center Area, Land Use Recommendations, Sub Unit Q9, page 103)

The previously approved rezoning for this site (RZ 2005-SP-19) shows such a public open space, adjacent to then proposed multi-family residential units and also accessible from larger multi-family buildings to the west and south. Within sight of all of the development’s residents, the amenity’s benches and grassy open areas had a high likelihood of being well-used and helping to meet future residents’ onsite park and recreation needs. The relocation of uses proposed in the

current application removes much of that utility. The amenity area, as shown in the current application, is behind a commercial building, on the far side of a surface parking lot. It is out of sight and across an increasingly busy roadway from the proposed, relocated residential area.

Park Authority staff recommends that an open space amenity be incorporated into the proposed residential portion of the site. It may be possible to expand the proposed plaza at the northeast corner of Government Center Parkway and Ridge Top Road, or instead, create an area toward the center of the proposed residential area (parcel 37D). A playground, tot lot, and/or dog exercise area would be appropriate in the amenity area. To meet the recreational needs of residents, staff further recommends that residents of the proposed attached units have access to and use of the pools located within the Phase I residential development.

Finally, pedestrian connectivity in the form of trails and walkways are critical to providing access to the recreational facilities, open spaces, and other destinations within the mixed use development. With the proposed change in placement of uses, residential north of Government Center Parkway and office to the south, it becomes critical that future residents be able to safely cross the parkway and easily access any open spaces that are not immediately within their portion of the development. Should the open space amenity behind the proposed office building remain, Park Authority staff recommends the applicant provide wayfinding and signage to ensure residents are aware of the amenities available to them. It would be appropriate to amend any existing proffer language regarding signage for the site to include provisions for meeting this need.

Natural Resources:

The development plan shows that stormwater will be conveyed to the existing regional stormwater management pond at Carney Park, which is owned and operated by the Park Authority. Recommendations from the earlier approved rezoning (RZ 2005-SP-19) included a suggestion to minimize stormwater runoff onto Park Authority property through the use of low impact development technologies, such as a green roof or on-site infiltration.

The proposed development, as shown in the current plan set, does not incorporate any low impact development technologies and relies solely on the existing stormwater management pond, which will be maintained by Fairfax County. Staff again recommends the use of low impact development technologies on this site.

Cultural Resources:

The earlier and approved rezoning for this site shows a historical marker (included in approved proffer #64) in the amenity open space. That marker is not shown in the current application's plan set, but should remain a commitment. The Park Authority recommends that when proffers are amended, language regarding the historical marker be retained in order to document the commitment.

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:

Proposed Uses	P-District Onsite Expenditure	Requested Park Proffer Amount*	Total
Single-family attached units	\$62,400	\$91,247	\$153,647
Commercial use	N/A	\$9,450	\$9,450
Total	\$62,400	\$100,697	\$163,097

In addition, the analysis identified the following major issues:

- Incorporate an open space amenity into the proposed residential portion of the site (parcel 37D)
- Provide a playground, tot lot, and/or dog exercise area
- Provide residents of the proposed attached units with access to the pools located within the Phase I residential development
- Provide wayfinding and signage to assist residents in locating proposed amenity areas
- Incorporate the use of low impact development technologies to minimize stormwater runoff onto Park Authority property
- Retain proffer language regarding the historical marker in accordance with Comprehensive Plan language and the previously approved/proffered rezoning

Please note the Park Authority would like to review and comment on proffers related to park and recreation issues. We request that draft and final proffers be submitted to the assigned reviewer noted below for review and comment prior to completion of the staff report and prior to final Board of Supervisors approval.

FCPA Reviewer: Anna Bentley
DPZ Coordinator: Suzianne Zottl

Copy: Cindy Walsh, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
Andrea L. Dorlester, Planner IV, Park Planning Branch
Chron Binder
File Copy

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County of Fairfax, Virginia

MEMORANDUM

DATE: June 6, 2011

TO: Barbara C. Berlin, 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 Rezoning/Final
Development Plan Application RZ-FDP 2011-SP-014 concurrent with Proffered
Condition Amendment Application PCA 2005-SP-019

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #440, **Fairfax Center**
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.





County of Fairfax, Virginia

MEMORANDUM

DATE: June 20, 2011

TO: Barbara Berlin, Director
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. RZ/FDP2011-SP-014
Tax Map No. 056-2-/01/0037B, 0037D, 0037G

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

- The application property is located in the Accotink Creek (M-9) watershed. It would be sewered into the Noman M. Cole Pollution Control Plant (NMCCPCP).
- Based upon current and committed flow, there is excess capacity in the NMCCPCP. 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.
- An existing 8" inch line located in the street is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

- Other pertinent information or comments:

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





FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

June 16, 2011

PLANNING & ENGINEERING
DIVISION

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

Ms. Barbara Berlin, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 2011-SP-014
PCA 2005-SP-19
FDP 2011-SP-014
Ridgewood
Tax Map: 56-2

Dear Ms. Berlin:

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

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 12-inch water main located at the property. See the enclosed water system map.
3. Depending upon the final configuration of the site, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg".

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosures



County of Fairfax, Virginia

MEMORANDUM

DATE: June 22, 2011

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

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

SUBJECT: Rezoning Application #RZ/FDP 2011-SP-014 concurrent with Proffer Condition Amendment #PCA 2005-SP-019; Ridgewood; Final Development Plan dated May 13, 2011; Difficult Run Watershed; LDS Project #004436-ZONA-001-1; Tax Map #056-2-01-00-0037-B, 0037-D, and 0037-G; Springfield District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on the site.

Floodplain

There is no regulated floodplain on the property.

Downstream Drainage Complaints

There are no unresolved downstream drainage complaints on file for this application.

Stormwater Detention and Water Quality Control

Applicant is claiming that Regional Pond D-77 will provide stormwater detention and water quality control for this project. Applicant need to label the site on the drainage area map on sheet #8 and demonstrate that the site was included in the drainage area and design computations for the regional pond with an equal or high curve number than proposed with this application.

An onsite detention waiver will be required as part of the construction plans review process. Since the offsite pond is a regional pond that is publically maintained, no maintenance agreement will be required. However, the stormwater conveyance system between the offsite pond and the subject property must be adequate.

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



Suzie Zottl, Staff Coordinator
Rezoning Application #RZ/FDP 2011-SP-014 concurrent with Proffer Condition Amendment
#PCA 2005-SP-019; Ridgewood
Page 2 of 2

Downstream Drainage System

Applicant is showing on sheets #1 and #9, adequate outfall narrative and description to an extent of 1.7 square miles satisfying Zoning Ordinance outfall requirements. Satisfying the PFM provisions for an extent of review and analysis of the downstream drainage system will be required during review of the construction plans.

Please contact me at 703-324-1720 if you require additional information.

ES/dah

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

ARTICLE 16

DEVELOPMENT PLANS

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

16-101 General Standards

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

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

16-102 Design Standards

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

1. In order to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional

FAIRFAX COUNTY ZONING ORDINANCE

zoning district which most closely characterizes the particular type of development under consideration. In the PTC District, such provisions shall only have general applicability and only at the periphery of the Tysons Corner Urban Center, as designated in the adopted comprehensive plan.

2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

APPENDIX 9

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.

- b) *Layout*: The layout should:
- provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
 - provide dwelling units that are oriented appropriately to adjacent streets and homes;
 - include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
 - provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
 - provide convenient access to transit facilities;
 - Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.
- c) *Open Space*: Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.
- d) *Landscaping*: Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.
- e) *Amenities*: Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

2. Neighborhood Context:

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;
- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

3. Environment:

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and better site design and low impact development (LID) techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.
- f) *Lighting:* Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy:* Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling. Energy efficiency measures should be incorporated into building design and construction.

4. Tree Preservation and Tree Cover Requirements:

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and

sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas. Air quality-sensitive tree preservation and planting efforts (see Objective 1, Policy c in the Environment section of this document) are also encouraged.

5. Transportation:

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:
 - Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;
 - Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
 - Provision of bus shelters;
 - Implementation and/or participation in a shuttle bus service;
 - Participation in programs designed to reduce vehicular trips;
 - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
 - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
 - Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
 - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
 - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
 - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;

- The number and length of long, single-ended roadways should be minimized;
 - Sufficient access for public safety vehicles should be ensured.
- d) *Streets*: Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities*: Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
 - Connections between adjoining neighborhoods;
 - Connections to existing non-motorized facilities;
 - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
 - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
 - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
 - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
 - Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs*: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. Public Facilities:

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County.

Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;
- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

ROLE OF DENSITY RANGES IN AREA PLANS

Density ranges for property planned for residential development, expressed generally in terms of dwelling units per acre, are recommended in the Area Plans and are shown on the Comprehensive Plan Map. Where the Plan text and map differ, the text governs. In defining the density range:

- the "base level" of the range is defined as the lowest density recommended in the Plan range, i.e., 5 dwelling units per acre in the 5-8 dwelling unit per acre range;
- the "high end" of the range is defined as the base level plus 60% of the density range in a particular Plan category, which in the residential density range of 5-8 dwelling units per acre would be considered as 6.8 dwelling units per acre and above; and,
- the upper limit is defined as the maximum density called for in any Plan range, which, in the 5-8 dwelling unit per acre range would be 8 dwelling units per acre.
- In instances where a range is not specified in the Plan, for example where the Plan calls for residential density up to 30 dwelling units per acre, the density cited in the Plan shall be construed to equate to the upper limit of the Plan range, and the base level shall be the upper limit of the next lower Plan range, in this instance, 20 dwelling units per acre.

APPENDIX 17

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		