



County of Fairfax, Virginia

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

March 5, 2012

Brian J. Winterhalter
Cooley LLP
One Freedom Square, Reston Town Center
11951 Freedom Drive
Reston, Virginia 20190-5656

Re: Interpretation for PCA/DPA 82-C-060-2 and PRC 82-C-060, ParcReston, Tax Map Parcel 17-2 ((1)) 24: Site Modifications (Vehicular Circulation, Parking, Garage Entrance, Rain Garden, Loading and Courtyard)

Dear Mr. Winterhalter:

This is in response to your letter of September 28, 2011, and subsequent submissions received on December 22, 2011, and February 6, 2012, requesting an interpretation of the proffers and the Development Plan Amendment (DPA) accepted by the Board of Supervisors in conjunction with the approval of PCA/DPA 82-C-060-2, and of the Planned Residential Community (PRC) Plan approved by the Board of Supervisors with PRC 82-C-060. As I understand it, the question is whether the proposed modifications to on-site vehicular circulation, parking, garage entrance, rain garden, loading spaces and the central courtyard would be in substantial conformance with the proffers, DPA and PRC Plan. This determination is based on your letters and an exhibit entitled "Parc Reston Renaissance Centro, LLC," prepared by ParkerRodriguez, Inc, Landscape Architecture. Copies of your letters and relevant exhibits are attached.

The subject property is located within ParcReston, a 22.99-acre residential development in the PRC District that was rezoned from the R-E District to the PRC District on January 31, 1983, to permit a single-family attached and/or multi-family development with up to 460 residential units at a maximum density of 19.9 dwelling units per acre (du/ac). Subsequently, the Board of Supervisors approved PCA 82-C-060 on April 29, 2002, to amend the proffers and Development Plan for RZ 82-C-060 to permit redevelopment of the southwestern portion of the property, replacing the 82 existing garden-style apartments with 360 dwelling units in a mid-rise multi-family building with structured parking; increasing the overall unit count to 696 units and increasing the overall density to 30.28 du/ac. On March 26, 2007, the Board of Supervisors approved PCA/DPA 82-C-060-02, subject to proffers dated March 21, 2007, and Development Conditions dated March 26, 2007, to permit a single residential structure with two high-rise towers (instead of one mid-rise building). The overall number of dwelling units, 696 units, and the site's density, 30.28 du/ac, remained the same. The site is currently governed by the proffers accepted with PCA 82-C-060-02 and the PRC Plan, PRC 82-C-060, which was approved by the Board of Supervisors on June 2, 2008.

Department of Planning and Zoning

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/



The area under discussion in your letter is a 5.68-acre portion of the site that is developed with 82 garden-style apartments and an ancillary recreation center, which will be replaced with the single multi-family residential structure with two high-rise towers containing 696 dwelling units. The vehicular entrance to the high-rise 5.68-acre complex will be located exclusively from Jonathan Way, a private internal access road that connects to Temporary Road and North Shore Drive. A courtyard plaza area is situated between the two high-rise towers at the rear of the building and would be accessed from the site's Jonathan Way entrance. The approved new structure has not yet been built.

As I understand it, you are proposing to revise the design of the internal driveway by eliminating the dead-end emergency vehicle stubs to each residential tower that are shown on the PRC Plan. You contend that removal of these angled access points would provide a more direct access to the building's interior corners and improve fire and emergency vehicle access. The driveway remains circular in nature and frames the central plaza as previously approved.

With the reconfiguration of the driveway, you are also proposing to add 29 surface parking spaces; increasing the number of surface spaces from approximately 25 spaces as shown on Sheet 7 of the approved PRC Plan, to a maximum of 54 surface parking spaces. You state that in consultation with neighboring condominium properties, a need was identified to provide additional non-structured parking spaces in order to better accommodate visitor parking and avoid potential burdens on the neighboring surface-parked condominiums. You maintain that the number of parking spaces within the structured garage, while not explicitly identified on the PRC Plan, has not been decreased and is proposed at 522 spaces. The additional surface parking area is offset by those areas that would be eliminated with the proposed driveway reconfiguration and will not result in an increase impervious area or a decrease in open space. The proposed impervious area will remain equal to or less than 52% and a minimum of 40% open space will be retained as approved on the PRC Plan. The minimum required parking spaces for 696 dwelling units is 1,114 spaces. With the additional surface parking spaces, a total of 1,127 parking spaces (522 garage spaces, 54 surface spaces on the tower parcel and 551 surface parking spaces on the remainder of the site) will be provided. In addition, Proffer 8 of the proffers accepted by the Board of Supervisors with the approval of PCA/DPA 82-C-060 states, in part that, "*...The Applicant reserves the right, however, to provide more parking spaces than otherwise are required under Article 11 of the Zoning Ordinance for the Proposed Development, provided that the Building Heights set forth in Proffer 4 herein are not exceeded and the Proposed Development otherwise is in substantial conformance with the Development Plan and these Proffers.*"

As such, it is my determination that the proposed modifications to the internal driveway and vehicular circulation and the construction of additional surface parking spaces, as discussed above and depicted in your exhibit, would be in substantial conformance with the proffers,

the DPA and the PRC Plan, subject to the approval of the Department of Public Works and Environmental Services (DPWES).

According to your letter, you are also proposing an adjustment in the location and orientation of the parking garage entrance and exit. Instead of vehicles entering and exiting the structured parking garage on opposite ends of the residential building and across the circular driveway, you propose that vehicles enter and exit the garage at a single location on the northwest corner of the property, farther away from the central plaza. You opine that the proposed relocation also improves emergency vehicle access and will reduce potential pedestrian/vehicular conflicts in the area surrounding the central plaza.

You indicate that the proposed adjustment in the location and orientation of the parking garage entrance/exit also necessitates a change in the shape, but not the size and functionality of the proposed rain garden adjacent to Jonathan Way. The rain garden will continue to serve the same purpose and provide the same benefit as the design shown on the PRC Plan. The proposed rain garden will be kidney-shaped and not pear-shaped as originally shown.

Additionally, you propose to consolidate two separate loading spaces into a single loading area that accommodates both spaces. The loading area is proposed to be located at the northeast end of the eastern residential tower. The loading area will be accessed from Jonathan Way.

It is my determination that the proposed relocation and reorientation of the parking garage's entrance/exit, loading area and the modification to the shape of the rain garden, as discussed above and as depicted in your exhibit, would be in substantial conformance with the proffers, DPA and PRC Plan, subject to DPWES approval.

Pursuant to several discussions with staff and in accordance with the most recent exhibit submission, the property owner has expanded the size of the central plaza area to create an oval shaped plaza which opens to the residential structure on one side and to Jonathan Way on the other. Pedestrians will have an uninterrupted path from Jonathan Way into the property, through the central plaza area and to the residential building entrance. The central plaza area connects to the trail adjacent to Jonathan Way via a painted striped pedestrian crosswalk and an ADA accessible pathway. Landscaping elements incorporated within the proposed plaza area include perennials, ground covers, shrubs, and trees, seating and a central water feature. Decorative pavers are proposed at both of the plaza entryways as well as the driveway area between the plaza and the residential building as shown on the interpretation exhibit.

As such, it is my determination that the proposed modifications to the internal central plaza, as discussed above and depicted in your exhibits, would be in substantial conformance with the proffers, DPA and PRC Plan, provided that planted areas will be maintained and irrigated, subject to Urban Forest Management (UFM) approval.

Brian J. Winterhalter

Page 4

This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator and only addresses the issues discussed herein. If you have any questions regarding this interpretation, please feel free to contact Shelby Johnson at (703) 324-1290.

Sincerely,



Barbara C. Berlin, AICP, Director
Zoning Evaluation Division, DPZ

Attachments: A/S

cc: Catherine M. Hudgins, Supervisor, Hunter Mill District
Frank A. de la Fe, Planning Commissioner, Hunter Mill District
Diane Johnson Quinn, Deputy Zoning Administrator, ZAD, DPZ
Kenneth Williams, Technical Processing, Plan Control, LDS, DPWES
Angela Rodeheaver, Chief, Site Analysis Section, DOT
Kevin J. Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
Michael P. Knapp, Director, Urban Forest Management, DPWES
Audrey Clark, Director, Building Plan Review Division, DPWES
File: PCA/DPA 82-C-060, PRC 82-C-060, PI 1101 105, Imaging, Reading File

O:\SMCKN\INTERPRETATIONS\Parc Reston_Site Mods (PRC 82-C-060)\Parc Reston_Site Modifications Ltr.doc

Brian J. Winterhalter
T: +1 703 456 8168
bwinterhalter@cooley.com

September 28, 2011

Ms. Barbara Berlin
Director, Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

RECEIVED
Department of Planning & Zoning
OCT 05 2011
Zoning Evaluation Division

**RE: Substantial Conformance Interpretation For Parc Reston
Tax Map 17-2 ((1)) Parcel 24, PRC 82-C-060**

Dear Ms. Berlin:

I write on behalf of Athena Renaissance Venture, LLC ("Renaissance"), the owner of the above-referenced property (the "Property"), to request your office's confirmation that Renaissance's minor modifications to the site design and layout of the Parc Reston multi-family residential development are in substantial conformance with PRC 82-C-060 (the "PRC Plan"). A Tax Map with the Property outlined is attached as Exhibit A.

I. Background of the PRC Plan

On June 2, 2008, the Fairfax County Board of Supervisors approved the PRC Plan for the development of 360 multi-family residential units on the Property. A copy of the approved PRC Plan is attached as Exhibit B. Renaissance secured approval of the PRC Plan in 2008 despite the fact that it had not fully designed and engineered the proposed development, but did so, instead, in order to fulfill a commitment to Fairfax County that Renaissance convey certain affordable housing units in accordance with the approved proffers. In recognition of this fact, the PRC Plan incorporated flexibility to accommodate changes to the residential building resulting from final design and engineering and further consultation with the Reston Association Design Review Board ("DRB") prior to site plan approval. See Sheet 7A of PRC 82-C-060 and Proffers #2 and #12 of DPA/PCA 82-C-060.

Specifically, the PRC Plan established a building envelope within which Renaissance could make design modifications to the residential building, provided the modifications do not cause the building to exceed the designated buildable area. The PRC Plan shows three possible configurations of the residential building, but does not limit the potential design options to those three configurations.

II. Enhancements to the Project's Site Design

Since the time of the PRC Plan approval, Renaissance has continued to refine the design of the residential building in consultation with the DRB and in preparation for site plan submission. As part of the evolution of the residential building's design, Renaissance also has made a number

Ms. Barbara Berlin
September 28, 2011
Page Two

of modifications to enhance the overall site design and layout of the Property. These site design modifications are the result of final architectural design and engineering for the residential building, and will improve vehicular circulation and emergency vehicle access, provide additional visitor parking, consolidate and better align parking structure ramps and loading docks, and improve pedestrian safety. The proposed site design modifications are shown on the site layout attached as Exhibit C, and are as follows:

Improved Emergency Vehicle Access: In consultation with the Fairfax County Fire Marshal, Renaissance has revised the design of the internal driveway serving the residential building in order to eliminate building angles that made fire and emergency vehicle access more challenging. Specifically, Renaissance flattened/elongated the driveway in front of the building to provide emergency vehicles closer access to the building. The organizing feature around which the driveway is framed remains circular in nature, but emergency vehicles now have more direct access to the building's interior corners. In turn, this improvement to the site's vehicular circulation eliminates the awkward, dead-end emergency vehicle access points to each residential tower that are shown on the PRC Plan while maintaining the same size central plaza.

Consolidation of Parking Structure Ramps and Adjustment to Rain Garden: Final design and engineering of the parking structure and the proposed adjustment in the circular vehicular driveway also resulted in a change to the direction and location of the garage entrance. No longer do vehicles enter and exit the garage on opposite ends of the residential building and across the circular driveway. Instead, Renaissance proposes that vehicles enter and leave the garage at a single location on the northwest corner of the Property farther away from the central plaza. This design change is integral to the improved emergency vehicle access noted above (by separating through movements from local movements) and will reduce potential pedestrian/vehicular conflicts in the area surrounding the central plaza.

The adjustment in the location and orientation of the parking garage entrance/exit also necessitated a change in the shape – but not the size and functionality – of the proposed rain garden located along Jonathan's Way. The rain garden will continue to serve the same purpose and provide the same benefit as the non-engineered design shown on the PRC Plan, but now will be more kidney-shaped than pear-shaped, as it was originally conceived.

Additional Visitor Parking: Renaissance's revised site design includes additional surface parking spaces to better accommodate visitor parking and avoid potential burdens on the neighboring surface-parked condominiums. These additional surface parking spaces are the result of Renaissance's consultation with neighboring condominiums, direct experience with similar projects it built elsewhere in Reston (e.g., Carlton House), and general industry awareness regarding the need to provide non-structured parking spaces during the mid-day period or for short periods of time. Similarly, Renaissance now recognizes that some visitors to the building may be reluctant to enter a structured parking facility for relatively short visits and, instead, will be tempted to seek surface parking in the adjacent condominium, thereby creating an undesirable burden on the surrounding community. Having the benefit of these experiences, Renaissance proposes to construct additional surface spaces to accommodate these challenges, but has located them in such a way that, coupled with a smaller building footprint, the amount of open space shown on the PRC Plan remains the same.

Ms. Barbara Berlin
September 28, 2011
Page Three

Consolidation of Loading Docks: Although not shown on the PRC Plan, Renaissance proposes to consolidate two separate loading dock areas into a single loading area. This design change improves the efficiency of the building design while reducing the potential for conflicts among delivery/moving trucks and autos.

III. The Site Design Enhancements Are in Substantial Conformance with the PRC Plan

Renaissance's proposed site design modifications are in substantial conformance with the approved PRC Plan because Renaissance has maintained the same site elements as shown on the PRC Plan with minor changes that greatly improve their functionality. The reduction in the residential building's overall footprint allows Renaissance to make the minor site design modifications noted above while preserving the same amount of open space and maintaining, or increasing, the setbacks from the perimeter boundaries. The organizing feature of the vehicular entrance will remain a circular central plaza of the same size as that shown on the PRC Plan. The proposed site design modifications also will improve pedestrian safety and, as a result, will enhance the use and enjoyment of the central plaza.

Overall, the site design modifications provide substantially better emergency vehicle access, consolidate parking structure access points, improve pedestrian safety, and provide additional on-site visitor parking to reduce the likelihood of guests parking in other residential communities. Collectively, these modifications significantly improve the layout and vehicular circulation for the Property in a manner that is in substantial conformance with the PRC Plan. Indeed, these are the exact types of adjustments Renaissance envisioned when it proffered to work with the Reston Association's DRB on final architectural designs and engineering. See Proffer #12 of DPA/PCA 82-C-060.

IV. Conclusion

Therefore, we respectfully request your office's confirmation that Renaissance's proposed site design modifications, as shown on Exhibit C, are in substantial conformance with the approved PRC Plan. We appreciate your time and attention to this matter and would be happy to provide you with any additional information that may be helpful to respond to this request.

Best regards,



Brian J. Winterhalter

cc: Kevin Guinaw, Fairfax County Department of Planning & Zoning
Justin Sparrow, Athena Renaissance Venture, LLC
Matthew Koirtyohann, Urban, Ltd.
Mark C. Looney, Cooley LLP

491350 v4/RE



Brian J. Winterhalter
T: +1 703 456 8168
bwinterhalter@cooley.com

BY HAND DELIVERY

February 6, 2012

Ms. Shelby Johnson
Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

RECEIVED
Department of Planning & Zoning

FEB 06 2012

Zoning Evaluation Division

**RE: Parc Reston Substantial Conformance Determination
Tax Map 17-2 ((1)) Parcel 24, PRC 82-C-060**

Dear Shelby:

I write on behalf of Athena Renaissance Venture, LLC ("Renaissance"), the owner of the above-referenced property (the "Property"), in response to your comments on the Parc Reston substantial conformance determination exhibit we submitted on December 22, 2011. Per your request, enclosed please find three (3) full-size copies and one (1) reduction copy of a revised exhibit based on your comments. Specifically, we have revised the exhibit as follows:

Removal of Surface Parking Spaces: As you requested, Renaissance has removed the head-in and parallel surface parking spaces surrounding the central plaza area. With the removal of these eight (8) parking spaces, there is no longer any surface parking surrounding or directly adjacent to the central plaza. Renaissance also has removed eight (8) parallel surface parking spaces on the Property that were previously proposed at the entrances from Jonathan Way and on each side of the residential building's entrance in order to eliminate potential pedestrian and vehicular conflicts.

Due to the removal of sixteen (16) parking spaces, Renaissance has reconfigured a portion of the surface parking to provide five (5) head-in spaces along the driveway area near the northern entrance to the Property from Jonathan Way. There are also three (3) additional head-in parking spaces located on the Property that were converted from parallel parking spaces. The layout of these spaces minimizes the potential for pedestrian and vehicular conflicts. Overall, the revised exhibit depicts eight (8) fewer parking spaces than Renaissance previously proposed for the Property.

Pervious Pavement for Parking Spaces: Your request that Renaissance provide pervious pavement for much of the surface parking is problematic due to the extent of the below-grade parking structure and will have no water quality benefit for the Property. Stormwater passing through the pervious pavement cannot filter into the ground because of the parking structure. As a result, Renaissance would need to provide a drainage system beneath the pervious pavement to collect the water and transfer it to the bio-retention facility/rain garden to be filtered for water quality purposes. This means that this run-off will receive the same water quality filtering via the rain garden regardless of whether it first passes through pervious pavement or

Ms. Shelby Johnson
February 6, 2012
Page Two

across standard pavement. Further, the rain garden provides a higher efficiency phosphorus removal than pervious pavement and, therefore, is a better water quality solution for the Property. There is no additional water quality benefit to be achieved by using pervious pavement for surface parking spaces on the Property.

Central Plaza Area: With the removal of the surface parking spaces noted above, Renaissance has expanded the size of the central plaza area to create an oval shape with a large opening to Jonathan Way. Per your request, Renaissance has incorporated additional landscaping on each side of the central plaza area. This revised layout for the central plaza will enhance its appeal as a gathering place for residents and improve vehicular circulation for the Property.

Pedestrian Walkway: As you requested, Renaissance has incorporated a striped pedestrian crosswalk connecting the trail along Jonathan Way to the central plaza area. With the addition of this crosswalk, pedestrians will have an uninterrupted path from Jonathan Way into the Property, through the central plaza area, and to the residential building's entrance.

Ground-Floor Terrace Setback: As shown on the revised exhibit, the ground-floor terrace is set back at least fifty (50) feet from Reston Parkway and does not encroach into the setback shown on the approved PRC Plan.

Thank you again for your time and consideration of our request. Please let me know if you have any questions or need any additional information.

Best regards,



Brian J. Winterhalter

Enclosures

507102 v2/RE

