

DEVELOPMENT CONDITIONS

PRC 86-C-121-03

November 16, 2010

The Board of Supervisors approved PRC 86-C-121-03, located at Tax Map 17-4 ((1)) 7B, requiring conformance with the following development conditions:

1. Any plan submitted pursuant to this PRC Plan shall be in substantial conformance with the approved PRC Plan entitled "Oracle – Phase IV, Reston Section 95 Blocks 2," prepared by Urban Ltd., consisting of 29 sheets, and dated February 2008 as revised through November 1, 2010. Minor modifications to the approved PRC Plan may be permitted pursuant to Sect. 16-203 of the Zoning Ordinance.
2. The limits of clearing and grading shall be in substantial conformance with the limits of clearing and grading shown on the PRC Plan, subject to modification for the installation of utilities and/or trails as determined necessary by the Director of DPWES.
3. The height of retaining walls shall not exceed four feet in height unless otherwise shown on the PRC Plan. If greater wall height is required, the retaining walls shall be terraced with landscaping provided between the retaining walls.
4. All signage of the subject property shall be harmonious with the existing and planned signage for the overall Oracle Campus and in conformance with Article 12 of the Zoning Ordinance.
5. Prior to site plan approval, an acoustical analysis performed in accordance with the Department of Planning and Zoning's approved noise study submission guidelines, shall be submitted to the Environmental and Development Review Branch of the Department of Planning and Zoning (DPZ) identifying and committing to the recommended mitigation measures to ensure that interior noise levels shall not exceed 45 dBA Ldn and that exterior noise levels in outdoor recreational areas shall not exceed 65 dBA Ldn.
6. Ten (10) short-term bicycle parking spaces shall be provided in each residential building lobby areas and forty-four (44) long-term bicycle parking spaces shall be provided in a secured area within the parking garage. Inverted U-style bike racks or another bicycle rack design as approved by the Fairfax County Department of Transportation (FCDOT) shall be installed in the bicycle parking areas. The bicycle parking shall be installed prior to the issuance of the first Residential Use Permit (RUP) for the building served by such facilities.
7. A "Right-Out Only" sign shall be installed at the loading/emergency entrance/garage exit only depicted at the east end of the West Tower.

8. Pedestrian countdown system shall be installed on each leg/segment of the existing traffic/pedestrian signal located at the intersection of Oracle Way, Sunset Hills Road, and Old Reston Avenue. The countdown system shall be installed prior to the issuance of the first RUP for Phase IV of the Oracle Campus.
9. A pedestrian countdown system shall be installed on each leg/segment of the existing traffic/pedestrian signal located at the intersection of Reston Parkway and Sunset Hills Road. The countdown system shall be installed prior to the issuance of the first RUP for Phase IV of the Oracle Campus.
10. Surface parking spaces on site shall be limited to a maximum of ten (10), as shown on the PRC Plan.
11. Prior to issuance of the first RUP for Phase IV of the Oracle Campus, the applicant or representative designated by the applicant shall meet with representatives of LINK and FCDOT to implement mutually agreed upon Transportation Demand Management (TDM) strategies and measures for the residential uses to include but not limited to, the following:
 - i. Promote the use of mass transit, ride-sharing and other transportation strategies to reduce vehicle trips during peak hours by distributing flyers and announcements on community bulletin boards.
 - ii. Advise tentative/purchasers with the residential development of the existence of LINK and disseminate information available from LINK in residential lease and purchase packages;
 - iii. Provide infrastructure permitting internet connections (such as broadband cable or DSL) in a dwelling to facilitate working at home;
 - iv. Provide a business center, meeting room and/or similar facilities selected by the applicant for use by residents as a means to encourage telecommuting; and
 - v. Provide one (1) Metro SmartCard to each residential unit constructed in Phase IV with an initial balance of at least \$25.
12. A landscape plan shall be submitted as part of the first and all subsequent site plan submissions that is in substantial conformance with the landscaping shown on Sheet 8 of the PRC Plan for the review and approval of the Urban Forest Management Division (UFMD), DPWES.
13. Landscaping, screening measures, and tree cover shall be provided in accordance with Chapter 12 of the Public Facilities Manual and Article 13 of the Zoning Ordinance, as determined by UFMD, DPWES.

14. Residents of the residential buildings shall be permitted to access the site areas surrounding the SWM/BMP dry pond and SWM/BMP wet pond areas as shown on the PRC Plan for passive recreation purposes such as for dog-walking, picnics, or similar activities.
15. Subject to the execution of all necessary offsite easements and associated agreements with adjacent property owners to the east [Tax Map 17-4 ((27)) 2, 3, and 4], interparcel vehicular access shall be provided from the residential buildings to the Plaza America office and retail development located immediately east of the subject property in a location to be determined in coordination with FCDOT and DPWES. Copies of all correspondence and related materials concerning the efforts to secure the interparcel vehicular access to the adjacent properties shall be provided to DPWES
16. Lighting shall be installed on the existing and proposed trail connection between the subject property and the adjacent Plaza America development located in the southeastern corner of the subject property. Lighting fixtures shall be fully-shielded, cut-off fixtures directed inward and downward in order to reduce glare on adjacent properties. The lighting shall be installed prior to the issuance of the first RUP for Phase IV of the Oracle Campus.
17. Prior to the issuance of a building permit for the residential buildings, the final architectural and landscape plans for the residential buildings shall be submitted to the Reston Town Center Design Review Board for review and approval. No later than thirty (30) days after the submission of a building permit application for the first residential building in Phase IV, the final architectural plans shall be submitted to the Planning Commission for review and comment, with such review to occur prior to the issuance of the requested building permit.
18. The maximum height of the residential buildings shall not exceed 180 feet in height (15 stories).
19. Concurrent with the submission of the first site plan for the residential buildings stormwater quality and stormwater quantity calculations shall be submitted to DPWES for review and approval, demonstrating that the existing SWM/BMP facilities are sufficient to provide for provide adequate disposition of stormwater on the subject property. This submission shall also confirm details of the existing BMP wet pond and BMP dry pond.
20. With the development of the residential buildings, recreational amenities shall be provided within the interior of the building(s), on building rooftop space or at another location(s) in the Phase IV development. Such amenities shall include, at a minimum, the following:
 - i. Swimming pool, including required changing facilities;

- ii. A fitness and aerobic center that shall include weights, exercise equipment and may include a sauna/steam room; and
 - iii. Passive recreation area(s) to be utilized for recreational activities such as seating areas, formal gardens/patios and other facilities as selected by the applicant.
21. Nine percent (9%) of the total number of dwelling units constructed on the Property shall be sold or rented as workforce dwelling units ("WDUs") to future residents who have a household income of up to one hundred twenty percent (120%) of the Washington, D.C. metropolitan statistical area median income ("AMI"), as determined by the Department of Housing and Urban Development (HUD). Provision of the WDUs shall be generally administered pursuant to the "Board of Supervisors' Workforce Dwelling Unit Administrative Policy Guidelines" adopted October 15, 2007, except the workforce dwelling units will be made available as follows:
- 1/3 up to 80% AMI
 - 1/3 up to 100% AMI
 - 1/3 up to 120% AMI

Where this Condition conflicts with the Policy Guidelines, this Condition shall control.

The WDUs shall be provided as efficiency, one-bedroom and/or two-bedroom units, as determined by the Applicant, provided that at least one third of the required WDUs shall be constructed as at least one-bedroom units, and such one-bedroom units shall be equally distributed among the three income tiers. All site plans for any residential portion of this development approved for the Property shall identify the total number of WDUs provided and (if rental units) their initial locations among the building(s) constructed on the Property. A minimum of five (5) WDUs required under this condition shall be designed and constructed with Universal Design features, as determined by the Applicant.

Notwithstanding the foregoing paragraphs of this condition, the Applicant reserves the right to enter into a separate, binding written agreement with the appropriate Fairfax County agency as to the terms and conditions of the administration of the WDUs. Such an agreement shall be on terms mutually acceptable to both the Applicant and Fairfax County. Neither the Board of Supervisors nor Fairfax County shall be obligated to execute such an agreement. If such an agreement is executed by all applicable parties, then the WDUs shall be administered solely in accordance with such an agreement, and the provisions of this Condition shall become null and void. Such an agreement and any modifications thereto shall be recorded in the land records of Fairfax County.

In addition, \$1,000 per dwelling unit shall be contributed to the Fairfax County Housing Trust Fund at the time of issuance of each Residential Use Permit for each residential unit constructed as part of the Phase IV (residential) development, Such

monies shall be used in the support of access to affordable housing opportunities in the Reston community.

22. In addition to the use of Energy Star appliances as set forth in Note 41, the Applicant shall use commercially reasonable efforts to incorporate sustainable design elements into the proposed residential building consistent with the LEED Certification standards for high-rise residential buildings under the USGBC's reporting system. In furtherance of this condition, concurrent with its submission of both the initial site plan and the initial building permit applications for each residential building, the Applicant shall submit to the Department of Planning and Zoning a listing of the sustainable features and facilities incorporated into the building's design.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.