

Proposed Development Conditions
FDP C-448-10, FDP C-448-11, CDPA 84-L-020-2, FDP 84-L-020-2
(As revised by the Planning Commission 4/21/88)

If it is the intent of the Board of Supervisors and Planning Commission to approve the Conceptual/Final Development Plans for the Kingstowne Towne Center, FDP C-448-10, FDP C-448-11, CDPA 84-L-020-2 and FDP 84-L-020-2 the Staff recommends that the approval be conditioned on the following conditions which supplement but do not supersede the adopted proffers which apply to this property.

1. The Landscape Plan submitted as part of the Site Plan, shall provide a landscape island every 12 to 18 parking spaces within the rows of parking to break up the long rows of parked cars. The size and location of each island and the type of planting provided within each island shall be subject to the approval of the County Arborist. Shade trees shall be provided within each island required by this condition unless the County Arborist approves a different design.
2. The facades of the parking garages within the Towne Centre shall be treated architecturally with the materials similar buildings adjacent thereto. Landscaping shall be provided on the exposed top decks in accordance with the Landscape Plan referenced herein.
3. Signalization shall be provided at all intersections within the Final Development Plans and Generalized Development Plans referenced herein when warranted by the then current standards of VDOT. Developers final obligations with respect to the provision of signalization shall be determined by a final VDOT warrant analysis conducted at such time as Non-residential Use Permits for all the non-residential uses are approved in the Towne Centre.
4. A sidewalk shall be constructed adjacent to the parking garage located nearest to Building O, this sidewalk shall then continue adjacent to Building O and Building P and further to the plaza associated with Building Z. This sidewalk shall be connected to the exercise trail located in the Virginia Power easement in the vicinity of Buildings O and P.
5. The sidewalk located on Kingstowne Village Parkway shall be 5 feet in width, as depicted on the Conceptual Development Plan.

6. A crosswalk shall be provided from the plaza area associated with Building L to the trail located around the lake if said crosswalk is permitted by VDOT.
7. The Environmental Health Division of the Fairfax County Health Department shall be notified before any pool waters are discharged during draining or clearing operations so that pool waters can be adequately treated. The recommended method of treatment should involve adding sufficient amounts of lime or soda ash to the acid cleaning solution to achieve a pH approximately equal to that of the receiving stream. The standard for dissolved oxygen shall be attained prior to the release of pool waters. The Virginia Water Control Board standards for the class II and III waters found in Fairfax County range in pH from 6.0 to 9.0. A minimum concentration of 4.0 milligrams per liter is required.
8. Any water discharged from the pool which is discolored or contains a high level of suspended solids shall be allowed to stand so that most of the solids settle prior to being discharged.

May 12, 1988

PROFFER OF DEVELOPMENT CONDITIONS

PCA-84-L-020-2
PCA-C-448-2
CDPA-C-448-6
FDP-84-L-020-2
CDPA-84-L-020-2
FDP-C-448-10
FDP-C-448-11

The following Development Conditions shall apply to the subject property provided all of the following events occur: (1) approval of Proffered Condition Amendments PCA-84-L-020-2 and PCA-C-448-2; (2) Conceptual Development Plan Amendment approval as requested in CDPA-C-448-6 and CDPA-84-L-020-2; and (3) Final Development Plan approval as requested in FDP-84-L-020-2, FDP-C-448-10 and FDP-C-448-11.

1. Except as modified herein, the subject property is governed by the Proffer of Development Conditions of June 17, 1985 in DPA-C-448-2 and RZ-84-L-020..
- 14a. In order to protect water quality within Dogue Creek and Huntley Meadows Park from the detrimental effects of stormwater runoff from the Towne Centre containing oil, grease, trace metals, suspended solids, de-icing salts, nutrients and other contaminants, there shall be no direct discharge of stormwater into Dogue Creek, its tributaries or watershed without water quality treatment. As such, supplemental stormwater quality measures specific to the subject property (i.e., the Towne Centre) shall be implemented. Such stormwater quality measures shall be implemented in addition to

any BMP credits claimed for the 14-acre lake in Kingstowne under Proffer #14 of the Proffer of Development Conditions, dated June 17, 1985. These supplemental stormwater quality measures shall be compatible with the overall stormwater management plan for Kingstowne. They shall be approved as part of the approval of any Site Plan for the property subject to these conditions and shall be incorporated, where applicable, into each Site Plan pertaining to the subject property. The stormwater quality measures may include, but shall not be limited, to the following: oil/grit separators, infiltration trenches, stormwater diversion into the 14-acre lake and parking lot sweeping, provided such facilities are contained within the subject property and do not reduce the development shown on the Final Development Plans and Generalized Development Plan referenced in these conditions. Maintenance and inspection schedules shall be an integral element of the program and shall be incorporated into approved Site Plans for the subject property, where applicable.

- 67a. Development of that portion of the subject property zoned PDC shall be in accordance with the Conceptual Development Plan entitled "Conceptual Development Plan Amendment, Kingstowne Towne Centre," prepared by The BC Consultants, revised as of April 18, 1988 (Sheets 1, 2,

and 3). This Conceptual Development Plan supercedes the Conceptual Development Plan proffered in paragraph 67 of the Proffer of Development Conditions of June 17, 1985 in DPA-C-448-2 and RZ-84-L-020.

- 70a. Owners of commercial property within the PDC District shall be members of the Kingstowne Commercial Owners Corporation and subject to a Commercial Architectural Review Committee. Owners of residential property within the PDC District shall be members of the Kingstowne Residential Owners Corporation and subject to a Residential Architectural Review Committee. Owners of commercial and residential property shall also be members of the Kingstowne Community Association.
- 72a. Paragraph 72 of the Proffer of Development Conditions in DPA-C-448-2 and RZ-84-L-020, dated June 17, 1985, provides that at the time of Final Development Plan approval, commercial buildings, to the extent possible, will be clustered around central open space areas, including plazas and other landscaped areas. The provisions of paragraph 72 are met by the Final Development Plan filed herein.
- 82a. Pursuant to Section 18-204 of the Fairfax County Zoning Ordinance, landscaping for Section 34 of Kingstowne shall be in substantial conformance with the Conceptual

Landscape Plan Sheets 1 through 5, prepared by The BC Consultants, revised as of April 18, 1988.

- 91a. Subject to the provisions of Section 16-403 of the Fairfax County Zoning Ordinance, development of that portion of the subject property zoned PDC shall be in conformance with the Final Development Plan for the Kingstowne Towne Centre, Sheets 1 through 3, prepared by The BC Consultants, revised as of April 18, 1988. The previously approved Final Development Plan for Section 32 is hereby deleted and superceded.
- 92a. Pursuant to Section 18-204 of the Fairfax County Zoning Ordinance, development of that portion of the subject property zoned I-4 shall be in substantial conformance with the Generalized Development Plan entitled "I-4 Zone/Generalized Development Plan Amendment/Proffered Condition Amendment, Kingstowne Towne Centre," prepared by The BC Consultants, revised as of April 18, 1988. This Generalized Development Plan supercedes the Generalized Development Plan proffered in paragraph 92 of the Proffer of Development Conditions of June 17, 1985 in DPA-C-448-2 and RZ-84-L-020.
- 93a. Paragraph 93 of the Proffer of Development Conditions in DPA-C-448-2 and RZ-84-L-020, dated June 17, 1985, provides that prior to the construction of any building on the subject property, a more detailed Generalized Development Plan for said building and the accompanying

area necessary for said development, shall be submitted for Proffered Condition Amendment approval. Paragraph 93 also provides that densities and building configurations may vary from the Generalized Development Plan, provided the overall density set forth thereon is not exceeded. The provisions of paragraph 93 are met by the Generalized Development Plan filed herein.

95a. Owners of property within this I-4 District shall be members of the Kingstowne Commercial Owners Corporation and subject to a Commercial Architectural Review Committee. Owners of property within this I-4 District shall also be members of the Kingstowne Community Association.

99a. Pursuant to Section 18-204 of the Fairfax County Zoning Ordinance, landscaping for Section 35 of Kingstowne shall be in substantial conformance with the Conceptual Landscaping Plan for the Kingstowne Towne Centre, Sheet 2 and Sheet 5 of 5, prepared by The BC Consultants, revised as of April 18, 1988.

107a. In the event that a non-residential use permit is sought for the establishment of a use which generates, utilizes, stores, treats, and/or disposes of hazardous or toxic materials or waste, as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30, et seq., the applicant for said non-residential use permit

shall submit the following information to the Director of the Department of Environmental Management simultaneously with any application for said non-residential use permit, unless deemed unnecessary by the Director:

- (1) A listing of all toxic and hazardous materials and wastes that will be generated, utilized, stored, treated, and/or disposed of on-site;
- (2) A description of all spill prevention, containment, and leakage control measures proposed by the applicant, for all toxic and hazardous materials and wastes generated, utilized, stored, treated, and/or disposed of on the site.
- (3) The applicant shall implement the measures referred to in paragraph (2) above.

KINGSTOWNE COMMERCIAL L.P.

By: HALLE ENTERPRISES, INC.,
General Partner

Date: 5/13/88

By: Warren E. Halle
Warren E. Halle
President

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