July 10, 2019

STAFF REPORT

RZ/FDP 2018-BR-025 concurrent with PCA C-058

BRADDOCK DISTRICT

APPLICANT: One University Development Partners, LLC

EXISTING ZONING: RZ/FDP: PDH-5, R-1, WS
PCA: PDH-5, WS

PROPOSED ZONING: PRM, WS

PARCEL(S): RZ/FDP: 57-3 ((1)) 11A & 11B; 57-4 ((1)) 2B
PCA: 57-3 ((1)) 11A & 11B

ACREAGE: RZ/FDP: 10.84 acres
PCA: 8.44 acres

FAR: RZ/FDP: 1.56 (including bonus density associated with ADUs)

OPEN SPACE: RZ/FDP: 58.30%

PLAN MAP: Residential, 3-4 du/acre

15.2-2303.4 STATUS: The applicant opted into the July 1, 2019 version of 15.2-2303.4

PCA PROPOSAL: The applicant proposes to delete 8.44 acres of land from RZ C-058 to permit it to be rezoned to the PRM District under RZ 2018-BR-025.
RZ/FDP PROPOSAL: The applicant proposes to rezone 10.84 acres of land from PDH-5 and R-1 to PRM to permit residential development consisting of a maximum of 580 multi-family dwelling units at an overall FAR of 1.56 (including bonus density for ADUs).

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 79-C-037-08.

Staff recommends approval of RZ 2018-BR-025 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2018-BR-025, subject to the development conditions contained in Appendix 2.

Staff recommends approval of a modification of Sect. 11-203 of the Zoning Ordinance requiring loading spaces to permit four loading spaces in lieu of the 10 required spaces.

Staff also recommends approval of a waiver of Sect. 11-302 of the Zoning Ordinance to allow private streets to be in excess of 600 feet.

It should be noted that it is not the intent of staff to recommend that the Board of Supervisors, 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.

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.
Proffered Condition Amendment

PCA -C-058

Applicant: ONE UNIVERSITY DEVELOPMENT PARTNERS, LLC

Accepted: 11/16/2018
Proposed: AMEND RZ -C-058 TO DELETE LAND AREA
Area: 8.44 AC; DISTRICT - BRADDOCK
Zoning Dist Sect:
Located: NORTH SIDE OF UNIVERSITY DRIVE AND WEST SIDE OF OX ROAD
Zoning: PDH-5
Overlay Dist: WS NEX
Map Ref Num: 057-3-01/0011A-01/0011B

NON-EXEMPT
<table>
<thead>
<tr>
<th><strong>Rezoning Application</strong></th>
<th><strong>Final Development Plan</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant: ONE UNIVERSITY DEVELOPMENT PARTNERS, LLC</td>
<td>Applicant: ONE UNIVERSITY DEVELOPMENT PARTNERS, LLC</td>
</tr>
<tr>
<td>Accepted: 11/16/2018</td>
<td>Accepted: 11/16/2018</td>
</tr>
<tr>
<td>Proposed: RESIDENTIAL</td>
<td>Proposed: RESIDENTIAL</td>
</tr>
<tr>
<td>Area: 10.84 AC; DISTRICT - BRADDOCK</td>
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</tr>
<tr>
<td>Zoning Dist Sect: NORTH SIDE OF UNIVERSITY DRIVE AND WEST SIDE OF OX ROAD</td>
<td>Zoning Dist Sect: NORTH SIDE OF UNIVERSITY DRIVE AND WEST SIDE OF OX ROAD</td>
</tr>
<tr>
<td>Located: FROM PDH- 5 TO PRM, FROM R- 1 TO PRM</td>
<td>Located: PRM</td>
</tr>
<tr>
<td>Zoning: NEX WS</td>
<td>Zoning: NEX WS</td>
</tr>
<tr>
<td>Overlay Dist:</td>
<td>Overlay Dist:</td>
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<tr>
<td>Map Ref Num: 057-3- /01/ /0011A /01/ /0011B</td>
<td>Map Ref Num: 057-3- /01/ /0011A /01/ /0011B</td>
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<tr>
<td>Map Ref Num: 057-4- /01/ /0002B</td>
<td>Map Ref Num: 057-4- /01/ /0002B</td>
</tr>
</tbody>
</table>
PROPOSED OPEN SPACE = 58.30%
275,318 S.F. OR 6.32AC*

PROPOSED RECREATIONAL OPEN SPACE = 15.04%
70,933 S.F. OR 1.63 AC

* PROPOSED OPEN SPACE IS INCLUSIVE OF THE RECREATIONAL OPEN SPACE
### PLAN DATE

- **Primary outflow = Inflow, Time Span= 0.00-48.00 hrs, dt= 0.03 hrs**

- **Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.03 hrs**

#### Flow (cfs)

- 37.50
- 25.50
- 19.50
- 16.50
- 1.50

#### Time

- 31.50
- 39.00
- 40.50
- 3.00
- N/A

#### Storage

- 21,300 cf

#### Impervious Inflow Area =

- 472,974 sf

#### Inflow Area =

- 135

#### Elevation

- 0.00

#### Length

- 15

#### Atten= 90%, Volume=

- 0.00

#### STATION PEAK FLOW SUMMARIES

### POST-DEVELOPMENT HYDROCAD NODES

- **Storage= 11,605 cf**

### STUDY POINT "A" PEAK FLOW SUMMARIES

### CHAMBER # PEAK FLOW SUMMARIES AND ROUTINGS

### SWM COMPUTATIONS

**ONE UNIVERSITY CDP/FDP/PARTIAL PCA BRADDOCK PROJECT FAIRFAX COUNTY, VIRGINIA**
BMP POST-DEVELOPMENT CONDITIONS
ONE UNIVERSITY
CDP/FDP/PARTIAL PCA
BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA

FILE No. 07/02/2019
38V-20154
4200 D TECHNOLOGY CT.
CHANTILLY, VA. 20151
TEL. 703.642.2306
FAX 703.378.7888

LEGEND

Drainage Area (inverted)
Mesic Coniferous Forest
Managed Prairies and Woodlands
Herbaceous Perennial and Annual
Impermeable Surfaces
Open Space (non-landscape)
Street and Off-Site
Dirt Road
Sediment Control Areas
Surface Water Drainage
Surface Water Dry Area
Pond and Silt Fence
Impervious (includes mulch)
Shrub (includes hardwoods)
Forested (includes hardwoods)
Open Space (landscape)
Dirt Road (landscape)
Street (landscape)
BMP COMPUTATIONS

ONE UNIVERSITY CDP/PARTIAL PCA

URBAN, LTD.
www.urban-ltd.com

2100 D TECHNOLOGY CT.
CHANTILLY, VA. 20151
TEL. 703.642.2306
FAX 703.378.7888

Post-Development Treatment Volume (L.A.B. D-1) 16,490

Post-Development Requirement for Site Area

TP Local Reduction Required for BMP Treatment (L.A.B. D-1) 2.38

Nitrogen Loads (Informational Purposes Only)

TP Load Reduction Required for Non-BMP Measures (L.A.B. D-1) 2.25
ADEQUATE OUTFALL ANALYSIS
ONE UNIVERSITY CDP/FDP/PARTIAL PCA
BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA
AS NOTED
2', OCT., 2018
99
243
RZ-12964
07/02/2019
4200 D TECHNOLOGY CT.
CHANTILLY, VA. 20151
TEL. 703.642.2306
FAX 703.378.7888
Inflow Area = 7,942,730 sf, 44.00% Impervious, Inflow Depth = 2.02" for 2-year event
Inflow = 313.42 cfs @ 12.21 hrs, Volume = 1,335,213 cf, Primary = 313.42 cfs @ 12.21 hrs, Volume = 1,335,213 cf, Atten = 0%, Lag = 0.0 min, Primary outflow = Inflow, Time Span = 0.00-48.00 hrs, dt = 0.03 hrs

Inflow Area = 7,942,730 sf, 44.00% Impervious, Inflow Depth = 3.87" for 10-year event
Inflow = 604.08 cfs @ 12.20 hrs, Volume = 2,564,820 cf, Primary = 604.08 cfs @ 12.20 hrs, Volume = 2,564,820 cf, Atten = 0%, Lag = 0.0 min, Primary outflow = Inflow, Time Span = 0.00-48.00 hrs, dt = 0.03 hrs

Summary for Subcatchment 39S: DOWNSTREAM OFFSITE (90%+)
Area (ac) | CN | Description
--- | --- | ---
8.760 | 93 | 72% imp, HSG D
16.580 | 87 | 1/4 acre lots, 38% imp, HSG D
21.180 | 82 | Woods/grass comb., Fair, HSG D
12.810 | 79 | Woods, Fair, HSG D
2.220 | 98 | Paved roads w/curbs & sewers, HSG D
8.770 | 92 | 1/8 acre lots, 65% imp, HSG D
15.550 | 80 | >75% Grass cover, Good, HSG D

*5.730 | 93 | 72% imp, HSG D
91.600 | 85 | Weighted Average
66.946 | 73.09% Pervious Area
24.654 | 26.91% Impervious Area

Summary for Subcatchment 38S: OUTFALL OFFSITE
Area (ac) | CN | Description
--- | --- | ---
25.500 | 93 | 72% imp, HSG D
9.600 | 82 | Woods/grass comb., Fair, HSG D
30.030 | 92 | 1/8 acre lots, 65% imp, HSG D
*14.770 | 93 | 72% imp, HSG D
79.900 | 91 | Weighted Average
31.386 | 39.28% Pervious Area
48.514 | 60.72% Impervious Area

Summary for Subcatchment 38S: SUMMARY OF RESULTS

Tc | Length | Slope | Velocity | Capacity | Description
--- | --- | --- | --- | --- | ---
16.8 | 100 | 0.0055 | 0.10 | Sheet Flow, Grass: Short   n= 0.150   P2= 3.05"
6.0 | 528 | 0.0440 | 1.47 | Shallow Concentrated Flow, Short Grass Pasture   Kv= 7.0 fps
3.0 | 2,083 | 0.0240 | 11.57 | Channel Flow, Area= 39.8 sf  Perim= 21.5'  r= 1.85'  n= 0.030  Stream, clean & straight
25.8 | 2,711 | Total
TREE PRESERVATION AREA 'B'

25' TSY

90' BUFFER OF EXISTING & SUPPLEMENTAL TREES

50' BUFFER OF EXISTING & SUPPLEMENTAL TREES

NOTE: ADEQUATE SOIL VOLUME SHALL BE DEMONSTRATED FOR TREES PROPOSED OVER STRUCTURE AT TIME OF SITE PLAN. MEASURES TO CONTAIN SOIL MAY INCLUDE RAISED PLANTING BEDS.

PROPOSED CATEGORY IV DECIDUOUS TREE OFFSITE (PLANT MATERIAL SHOWN IN R.O.W. IS SUBJECT TO APPROVAL BY VDOT. NO CANOPY CREDIT TAKEN.)

PROPOSED CATEGORY IV DECIDUOUS TREE FOR INTERIOR PARKING LOT LANDSCAPING

PROPOSED CATEGORY II DECIDUOUS TREE

PROPOSED CATEGORY III EVERGREEN TREE

PROPOSED SHRUBS

PROPOSED CATEGORY III DECIDUOUS TREE

TREE PRESERVATION AREA (1.25 CREDIT)

PROPOSED CATEGORY IV DECIDUOUS TREE (1.00 CREDIT)

PROPOSED CATEGORY II EVERGREEN TREE

PROPOSED RPA REFORESTATION

LEGEND

A

TRANSITIONAL SCREEN YARDS KEY TAGS

PROPOSED CATEGORY IV DECIDUOUS TREE FOR EXISTING & SUPPLEMENTAL TREES OFFSITE IN ANY MANNER (MUST BE SUBMITTED TO APPROVAL BY VDOT, SUBDIVISION OFFICE, HCM ETC.)

PROPOSED CATEGORY III DECIDUOUS TREE

PROPOSED SHRUBS

PROPOSED CREESE

PROPOSED RPA REFORESTATION

TREE PRESERVATION AREA (1.25 CREDIT)

TREE PRESERVATION AREA (1.25 CREDIT)
NOTE: Adequate soil volume shall be demonstrated for trees proposed over structures. At a rate of 850 sq. ft., soil must be contained. Soil may include raised planting beds.

NOTE: Seedling and grasses to be planted in the open spaces inside the RPA at densities and quantities that satisfy CBPO Section 118-3-3(F).

AMENITY BLDG

TREE PRESERVATION AREA 'A'

50' BUFFER OF EXISTING & SUPPLEMENTAL TREES

NOTE: Adequate soil volume shall be demonstrated for trees proposed over structure. At a rate of 850 sq. ft., soil must be contained. Soil may include raised planting beds.

NOTE: Seedling and grasses to be planted in the open spaces inside the RPA at densities and quantities that satisfy CBPO Section 118-3-3(F).
1. THIS PLAN IS SCHEMATIC AND REFLECTS THE GENERAL CHARACTERISTIC AND INTENT OF THE PROPOSED DEVELOPMENT BASED ON PRELIMINARY ENGINEERING, ARCHITECTURE AND LANDSCAPE ARCHITECTURE DESIGN. MODIFICATIONS AND VARIATIONS MAY OCCUR WITH FINAL BUILDING DESIGN AN SITE PLAN. DRAWINGS ARE NOT FOR CONSTRUCTION.

2. TO SATISFY THE MINIMUM 10-YEAR CANOPY COVERAGE, TREE CATEGORY DESIGNATION, TREE LOCATION, TREE QUANTITY AND TREE PRESERVATION AREAS ARE SUBJECT TO CHANGE BASED ON MODIFICATIONS AND VARIATIONS THAT WILL OCCUR WITH FINAL SITE PLAN.

3. ADDITIONAL CREDIT MULTIPLIERS AT THIS TIME. APPLICANT RESERVES THE RIGHT TO INCLUDE TREES THAT QUALIFY FOR ADDITIONAL TREE CANOPY CREDIT MULTIPLIERS. THIS INFORMATION WILL BE PROVIDED AT TIME OF SITE PLAN.

4. INTERIOR PARKING LOT TREES ARE SCHEMATIC. FINAL QUANTITY AND LOCATION MAY BE MODIFIED AT TIME OF SITE PLAN. TOTAL CANOPY PROVIDED WILL EXCEED THE MINIMUM 5% REQUIRED COVERAGE.

SOIL REMEDIATION
SOIL REMEDIATION WILL BE NEEDED FOR VEGETATION PROPOSED ON SOILS PREVIOUSLY DEVELOPED AND THE SUBSOIL LAYERS HAVE BEEN COMPACTED. FOR THESE AREAS, SOIL REMEDIATION MEASURES SHALL FOLLOW THE LATEST VERSION OF THE "SOIL PROFILE REBUILDING SPECIFICATION FOR RESTORATION OF GRADED AND COMPACTED SOILS THAT WILL BE VEGETATED", PUBLISHED BY VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY. THE SPECIFIC LIMITS OF SOIL REMEDIATION SHALL BE OUTLINED ON THE SITE PLAN WHEN FINAL ENGINEERING OCCURS.
SITE AMENITIES NOTE

1. AMENITIES LISTED FOR EACH AREA ARE CONCEPTUAL AND INTENDED TO CONVEY GENERAL DESIGN INTENT.
2. INTENTION OF AMENITY LIST IS TO PROVIDE PROGRAMMABLE SPACE FLEXIBILITY. AMENITIES LISTED FOR EACH AREA MAY NOT PROVIDE EVERY AMENITY LISTED AT TIME OF SITE PLAN.
3. ONLY ONE POOL WILL BE PROVIDED AT TIME OF SITE PLAN.
Family Building Elevations - Amenities
One University - Fairfax, VA

Family Building Elevations
One University - Fairfax, VA

NILES BOLTON ASSOCIATES

FOR ILLUSTRATIVE PURPOSES ONLY
PROFFER LAW

During the 2016 General Assembly session, the General Assembly revised the Code of Virginia as it applies to conditional rezoning for new residential development. Virginia Code § 15.2-2303.4 restricts the County’s authority to suggest, request or accept proffers, especially offsite proffers, in areas that are not exempt from the statute. The application property does not qualify for an exemption. The law changed July 1, 2019 to rescind some of the restrictions and allow for more open dialogue with staff. The applicant has chosen to abide by the new law but has not provided signed proffers at this time. Since the proffers in Appendix 1 are not signed, an onsite or offsite proffer must address an impact that is specifically attributable to the proposed new residential development. An analysis of the proffers is included later in this report.

DESCRIPTION OF THE APPLICATION

The applicant, One University Development Partners, LLC, filed three concurrent applications (PCA C-058, RZ 2018-BR-025 and FDP 2018-BR-025) to rezone 10.84 acres from the PDH-5, R-1, and WS Districts to the PRM and WS Districts. PCA C-058 would delete 8.44 acres from RZ C-058 to permit the rezoning. The RZ and FDP applications would permit residential development consisting of a maximum of 580 multifamily residential units, including 240 affordable units. The units would be spread out in three separate buildings, Buildings A, B and C. Building A would contain 120 affordable units and Building B would contain 120 affordable age-restricted senior housing units. Building C is proposed to be developed with 340 multifamily units which the applicant intends to serve the local student population of George Mason University (located across the street). Buildings A and B would be made available for households earning 60% Area Median Income (AMI) or less. An overall maximum of 737,000 gross square feet at a density of 52.3 du/ac and intensity of 1.56 FAR is proposed.

If approved, the existing affordable townhome community and 14,000 square foot office building onsite would be removed and replaced by the proposed development. (Figure 1, below, shows the aerial imagery of the subject property.)

A reduced copy of the CDP/FDP is included at the front of this report. The draft proffers, development conditions, affidavit, and Statement of Justification are contained in Appendices 1 through 4, respectively.

Waivers and Modifications:

• Modification of Sect. 11-103 of the Zoning Ordinance requiring loading spaces to permit 4 loading spaces in lieu of the 10 required spaces.

• Waiver of Sect. 11-302 of the Zoning Ordinance to allow private streets to be in excess of 600 feet.
LOCATION AND CHARACTER

The subject property consists of three parcels that are located in the northwest quadrant of the intersection of University Drive and Route 123. Parcels 11A and 11B are developed with 46 affordable townhomes and a 14,208 square foot office space utilized by the Fairfax County Redevelopment and Housing Authority (FCRHA). Access to these parcels is from University Drive, via four access points, along the southern boundary. Parcel 2B lies directly north of Parcel 11B and is a former single-family home site that accesses directly off of Route 123. This parcel is now vacant and contains some mature vegetation.

The subject property slopes significantly from its eastern edge along Route 123 towards the western edge, which lies 60 feet lower in elevation. The western boundary of the site is also the location of a tributary stream to Pope’s Head Creek, and an associated environmentally sensitive area consisting of Resource Protection Area (RPA) and Environmental Quality Corridor (EQC). Portions of the environmentally sensitive area have been cleared of trees and are occupied by a FCRHA maintenance yard and structures. A continuous portion of tree cover exists along the northern and north eastern boundaries of the site.

Figure 1: Aerial Image of the Subject Property
A summary of the surrounding land use, zoning, and Comprehensive Plan recommendations is provided in the following table:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Use</th>
<th>Zoning</th>
<th>Plan Map</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Residential – Royal Legacy (City of Fairfax) Greater Pentecostal Church (City of Fairfax)</td>
<td>PD-R, RM</td>
<td>Residential (Low-Med) Institutional</td>
</tr>
<tr>
<td>East</td>
<td>Residential - Fairfax Gateway</td>
<td>PDH-12</td>
<td>Residential (5-8 du/ac)</td>
</tr>
<tr>
<td>South</td>
<td>George Mason University Field House</td>
<td>R-1</td>
<td>Public Facilities</td>
</tr>
<tr>
<td>West</td>
<td>Residential – Chancery Park (City of Fairfax)</td>
<td>PD-R</td>
<td>Residential (Low-Med)</td>
</tr>
</tbody>
</table>

**BACKGROUND**

<table>
<thead>
<tr>
<th>File Number</th>
<th>Approval Date</th>
<th>Area</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>RZ C-058</td>
<td>6/5/1978</td>
<td>9.60 ac.</td>
<td>BOS approved a rezoning from R-1 to PDH-5 to permit the construction of 46 dwelling units and a 10,000-sf office building.</td>
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<tr>
<td>FDP C-058-1</td>
<td>9/26/1979</td>
<td>2.15 ac.</td>
<td>PC approved an FDP to permit the construction of a 14,208-sf office building.</td>
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<tr>
<td>FDP C-058-02</td>
<td>5/15/1980</td>
<td>7.45 ac.</td>
<td>PC approved an FDP to permit the construction of 46 affordable townhomes.</td>
</tr>
<tr>
<td>RZ 82-W-051</td>
<td>7/26/1982</td>
<td>63,118 ac.</td>
<td>BOS established the WSPOD, which covers the subject property.</td>
</tr>
</tbody>
</table>

In July of 2017, Fairfax County, on behalf of the FCRHA, received and accepted an unsolicited proposal under the provisions of the Public-Private Education and Infrastructure Act of 2002 (PPEA) to develop affordable housing and student housing on the site. It should be noted that the County received a second proposal for the site. The County selected one proposal for the potential redevelopment of the site, subject to an interim agreement authorizing the developers to pursue a Comprehensive Plan amendment and the zoning applications necessary to permit the development.

On July 31, 2018, the Board of Supervisors authorized the consideration of Plan Amendment (PA) 2018-II-F2 for the subject property. The Board authorized staff to consider a Comprehensive Plan amendment for the site that would support up to 240 affordable housing units and 360 student housing units.

On June 4, 2019, the Board of Supervisors adopted PA 2019-II-F2 to include a redevelopment option onsite for multifamily residential development with a maximum of 580 units and several development conditions.

**COMPREHENSIVE PLAN PROVISIONS**

Plan Area: Area II
Planning District: Fairfax Planning District
Excerpts of the relevant Comprehensive Plan text are available in Appendix 6 or in the Fairfax County Comprehensive Plan, Area II Volume, 2017 Edition, Fairfax Planning District, as amended through 6-4-2019, F7-George Mason Community Planning Sector, Recommendations, Land Use, page 68:

*The area north of University Drive and west of Route 123 (Tax Map 57-3((1)) 11A, 11B and 57-4((1)) 2B), about 10.8 acres in size, is planned for public facility, governmental or institutional uses and residential development at a density of 3-4 dwelling units per acre. With full consolidation, a redevelopment option may be appropriate for higher-density residential development of these parcels as a transitional use between George Mason University (GMU) campus and the lower-density residential uses to the north. The option may include up to 240 multifamily housing units, affordable to households earning 60 percent or less of the Area Median Income (AMI), and up to 340 multifamily units envisioned to serve the GMU student population, to the extent practical and in conformance with all applicable local, State and Federal Laws, particularly Fair Housing regulations. No additional bonus density for the provision of affordable units is appropriate. A limited amount of public meeting space also would be appropriate to accommodate continued utilization of the site by the Fairfax County Redevelopment and Housing Authority.*

ANALYSIS

The applicant submitted a concurrent CDP/FDP on 10.84 acres. (Copies are at the front of the staff report)

**Title of CDP/FDP:** One University  
**Prepared by:** Urban Ltd.  
**Original and Revision Dates:** November 15, 2018, as revised through July 2, 2019.

**DESCRIPTION OF CONCEPTUAL/ FINAL DEVELOPMENT PLAN (CDP/FDP)**

*Proposed Site Layout*

The existing affordable townhome community and office building are proposed to be removed with the construction of this development. The applicant is proposing the construction of 580 multifamily residential units in three separate buildings, as depicted in the CDP/FDP. A maximum of 120 units would be located in Buildings A and B, while Building C would contain 340 units. The units within Buildings A and B are intended as affordable multifamily units, available to households earning 60% AMI or less. Building A would function as a traditional multifamily building with a variety of tenants and families. Building B is proposed as age-restricted housing for senior citizens, aged 62 and older. Building B would also contain a small community/meeting space for FCRHA.
Building C is intended to accommodate student housing, which would serve as off-campus housing for the George Mason student population.

The three buildings are arranged linearly along University Drive, as shown in figure 2 below. Building C would front on Route 123 and University Drive, Building B and A would be located to the west and front on University Drive. Three access points from University Drive are proposed, each to serve the buildings. Structured parking below Building A and C and additional surface parking between the buildings will serve the development. A small, one-story amenity building is proposed between Building A and B.

The applicant proposes to reserve a minimum of 58% of the site as open space. The applicant has also proposed a minimum of 15% of the site for a variety of passive and/or active recreational open space. Along the northwestern property boundary, specifically the northern boundary of Parcel 11A (adjacent to Buildings A and B), there is a 50-foot buffer of mature vegetation. The proposed vegetated buffer is enlarged to a minimum of 90 feet along the northern boundary of Parcel 2B (adjacent to Building C). A 25-foot vegetated buffer is shown along the northern property line adjacent to the existing church property to the northeast. Along Route 123 the applicant proposes a 40-foot setback from the property boundary that would include a 25-foot transitional screening yard directly adjacent to the building. The proposed development would include a variety of amenities including a splash pad, three pet parks, a community garden and two pools which are located throughout the development, mainly within the private courtyards that serve each building.

The applicant has included an alternative layout option for the amenity building in between Buildings A and B. The alternative layout, shown in Figure 3 below, shows a
shaded structure which would have green space and landscaping on the front and both sides.

![Figure 3: Proposed Alternative Layout Option](image)

**Architecture**

Sheets 37 and 38 of the CDP/ FDP, show the proposed architectural elevations for each building type. The applicant has proffered to construct all the buildings utilizing a combination of brick masonry veneer, fiber cement siding and panels, architectural metal panels, architectural composition shingles, aluminum fixed and single-hung windows, and aluminum window wall with insulated glazing. The proposed front elevations (along University Drive) for each building type are shown in Figure 4.
Figure 4: Proposed Elevations
The applicant has also included proffer language that states that the windows on the northern façade of Building C will be inoperable and will have blinds to help reduce any glare. Additionally, there will be no common space on the northern façade of Building C. No balconies are proposed along the northern façade of any of the proposed buildings.

The maximum height of the buildings varies by building type. Building A will be a maximum of 60 feet (5 stories) tall and Building B will be a maximum of 50 feet (4 stories) tall. The height of Building C will vary from 75 feet to 65 feet tall, with the height lowering as the building approaches the eastern property boundary adjacent to Route 123.

**Roads and Vehicular Access**

As previously mentioned, vehicular access to the site is provided through three access points on University Drive. The westernmost access point would provide access to the parking garage underneath Buildings A and B. The second access point is provided in the middle of the site and would serve as the main entrance for Buildings A and B connecting to the surface parking lot in between the two buildings. The eastern access point would provide access to Building C. The third easternmost access point provides access to the internal drive aisle which leads to two garage entrances underneath Building C. There are no internal drive-aisle connections between Buildings A and B and Building C. Both internal drive-aisles are proposed with one-way circulation to reduce conflicts with on-street parking. A fire lane with a turnaround for trucks is shown north of the student building, adjacent to the proposed 90-foot buffer.

**Parking Tabulations:**

The Zoning Ordinance requires 928 spaces for the proposed uses on-site. The applicant proposes to exceed this requirement by providing 1,011 spaces for the development. Buildings A and B will both have 197 spaces, which includes ten surface parking spaces. The small community space/FCHRA meeting space which will be contained in Building B is proposed with up to 33 parking spaces. Up to 584 parking spaces are provided for the residents in Building C, which also includes eight surface parking spaces. Parking for all three buildings will primarily be provided in underground parking garages. The applicant has included some surface parking which will be locate in between Building A and B and to the west of Building C.

**Pedestrian Circulation**

The streetscape along University Drive would include a 10-foot trail lined with street trees. Internal to the site, the applicant proposes a 5-foot wide sidewalk system along the drive aisles. These trails would connect to the existing sidewalk along Route 123 and the crosswalks leading to GMU. Figure 5 shows the proposed pedestrian circulation.
Tree Preservation, Landscaping and Open Space:

A minimum of 58% open space is proposed to be provided onsite, primarily in tree preservation areas and active and passive recreation areas. Over 14 percent of the subject property is shown as tree preservation, located primarily along the northern property boundary. Additionally, the applicant has proposed utilizing a combination of evergreen and deciduous trees and shrubs as supplemental landscaping to provide year-round, continuous screening along the northeastern property boundary. The applicant has also proposed to restore the RPA on-site. Currently, the RPA and EQC contain structures including townhomes and a stormwater management facility. The applicant has proposed a restoration plan which includes the provision of over and understory trees and shrubs and the removal of invasive species. Sheets 28 through 31 of the CDP/FDP depict the proposed landscape plan for the site which includes deciduous and evergreen trees and shrubs.

Approximately 15 percent of the site is provided as recreational open space. The applicant has provided a list of amenities that will be included in each building. The proposed amenities for Building A include a pet park, two tot lots, two grill areas, passive seating and a shade structure. These amenities are proposed to be provided along the western edge of the building, adjacent to the RPA area, and within the interior courtyard. An interior courtyard is proposed for Building B which would contain a community garden, grill area, small pet park and a shaded plaza. The bulk of the proposed amenities for Building C are contained within the two interior courtyards. The amenities for Building C include two pools, lounge seating areas, a small pet park, grill areas, passive and lounge seating and an active yard that could be utilized for lawn games. Sheet 32 of the CDP/FDP depicts the proposed amenities.
Stormwater Management:

The subject property is located within the Popes Head Creek watershed. The stormwater narrative on Sheet 13 of the CDP/FDP indicates that water quantity requirements will be met with two proposed underground stormwater detention facilities. The proposed underground vaults will reduce the 1, 2 and 10-year storm peak run-off rates. The BMP narrative on Sheet 20 indicates that the water quality requirements will be met through a variety of Best Management Practices and Low-Impact Design (LID) including, but not limited to, jellyfish filters and isolator row filters.

Residential Development Criteria (Appendix 5)

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. To that end, the Board of Supervisors adopted the Residential Development Criteria contained in the Policy Plan, to be used in evaluating zoning requests for new residential development and summarized below. Below is a summary of these criteria and guidelines, which are detailed further in Appendix 6.

Conformance with Site Specific Comprehensive Plan Recommendations (See Appendix 6 for Land Use Staff Analysis.)

The subject area is located in the F7-George Mason Community Planning Sector of the Fairfax Planning District, Area II volume of the Comprehensive Plan. The baseline recommendation for Parcels 11A and 11B is public facility, governmental or institutional use, to reflect the current FHRHA ownership and use of the site, while Parcel 2B is planned for residential use at a density of 3-4 du/acre. As an option, the Plan allows for higher-density redevelopment of the subject property with a combination of up to 240 affordable multifamily residential units, up to 340 multifamily units envisioned for GMU students, and public meeting space for the use of the Fairfax County Redevelopment and Housing Authority may be appropriate, subject to several conditions.

The following section discusses the extent to which the proposed development satisfies the guidance of the site-specific development option, including the conditions meant to ensure that Policy Plan objectives are addressed at the time of rezoning.

Use and Intensity

The applicant’s proposed combination of 340 multifamily units intended for GMU students, 240 affordable multifamily units, and 3,000 square feet of meeting space for the use of FCRHA, is consistent with the density recommendations of the Comprehensive Plan option for the consolidated subject properties. The Plan recommends that all affordable units be available to households earning 60% or less of
the Area Median Income (AMI), which is not specified on the CDP/FDP or in the submitted proffers.

**Site Specific Conditions**

A continuous landscaped buffer area should be provided along the northern boundary of the site. A 90-foot-wide buffer along the northern boundary of Parcel 2B, adjacent to Royal Legacy Estates, and a minimum 50-foot-wide buffer along the remaining northern boundary of Parcel 11A is desirable.

Maintaining a continuous landscaped buffer along the northern boundary of the site is essential to achieving a compatible transition to the adjacent lower-density residential uses. The recommended buffers are included in the proposal, as indicated on Sheets 28-30 of the CDP/FDP, providing the recommended 90-foot-wide continuous buffer in the area of the more intensive student-oriented building (Building C), and the recommended 50-foot-wide buffer adjacent to the affordable buildings (Buildings A & B); thus satisfying this condition. Staff continues to work with the applicant to add supplemental understory plantings along the northern property boundary to the maximum extent possible to help provide more year-round buffering.

A minimum of a 25-foot-wide landscaped buffer should be maintained along the Route 123 frontage, consistent with the character established by the Fairfax Gateway development located across Route 123 from the site. The buffer should be measured from the edge of the existing powerline easement that extends approximately 15 feet into the site and should continue around the building, tapering along University Drive.

The 25-foot-wide landscaped buffer recommended along Route 123 is intended to maintain a consistent streetscape character along that portion of the roadway. A 25-foot buffer is included on the CDP/FDP, which is exclusive of the adjacent powerline easement, as recommended; however, a pedestrian paved patio area depicted at the southeast corner of building C3 encroaches into the 25-foot buffer area and interferes with the ability of buffer vegetation to continue around the southeast corner of the building, as is also recommended by the Plan condition. While staff is supportive of providing pedestrian oriented spaces within streetscapes, staff recommends that this area of the proposal be further refined with additional landscaping (flowerpots, suspended flowers, etc.) to better satisfy the intent of this condition to provide consistent screening of the building from Route 123.

Existing healthy mature trees located within all buffer areas should be preserved, to the maximum extent feasible, in consultation with the Fairfax County Urban Forest Management Division. Buffer areas, and adjacent open areas, should be supplemented with appropriate evergreen, deciduous, and understory vegetation, to improve the general health of the buffer vegetation, to ensure that the full extents of the buffer areas contain healthy native species, and to provide some year-round visual screening to adjacent residences throughout each phase of development.
Essential to the effectiveness of the above-noted buffer areas is the preservation of existing mature trees in the buffer – which can provide valuable screening to similar heights as the proposed structures. Supplementing the existing trees with additional evergreen and understory vegetation is also important to create an effective year-round buffer at lower heights. Tree preservation areas and supplemental plantings are indicated on the CDP/FDP throughout the buffer areas, as are recommended by the Plan; however, there are areas of buffer disturbance depicted on the CDP/FDP that may require additional attention. In addition to the previously described outdoor patio area along Route 123, proposed stormwater inlets and underground pipes are depicted within the 50-foot buffer area north of proposed Building B (age-restricted affordable building), which would require additional grading within that buffer area and may restrict full re-planting in that location. Such details should be refined to minimize impacts to buffer areas, to the extent practical, and further coordination with the Fairfax County Urban Forest Management Division should take place during subsequent site plan review and construction to ensure that the full intent of this Plan condition is realized.

High-quality architecture should be provided that is residential in character and includes architectural treatment of all building facades in a manner that is compatible with and complements other uses in the area. Facade treatments should extend onto any exposed parking levels along University Drive and internal roadways, to the extent practical. Vegetated screening and/or berms also may be utilized to ensure a pedestrian-friendly streetscape.

Architectural compatibility is an important element of neighborhood character. The proposed development was encouraged to utilize appropriate design and materials to complement other uses in the area, and to mitigate potential visual impacts of exposed parking structures. Sheets 37-38 of the CDP/FDP contain architectural elevations of the proposed structures, which appear to feature materials and treatments that are consistent on all facades, as recommended. The affordable housing buildings (Buildings A & B) appear more residential in appearance than the student-oriented building (Building C), which has a more modern, institutional appearance. While the affordable buildings better reflect the intent of the Plan condition to maintain a residential appearance, the student-oriented building is consistent with the type of design located nearby on the GMU campus, including similarly-scaled dorm buildings.

Staff continues to work with the applicant to provide features on the building facades (such as additional awnings, bay windows, door canopies, etc.) to help break up the mass and provide more visually pleasing facades. In addition, staff requests better perspective drawings to better show variations in rooflines and material makeup from Route 123, University Drive and along the property boundary to the north. Staff is also concerned about the extent to which the parking structures may be exposed on the CDP/FDP, and what types of treatments, landscaping, or berming may be proposed in those areas. Staff continues to work with the applicant to commit to specific treatments on the garage.
Safe, attractive, and secure pedestrian and bicycle facilities should be provided to improve access to GMU, bus stops, and other local services, and to reduce automobile trips generated by the development. Safe and secure pedestrian crossings to the university should be a high priority, and streetscape areas along Route 123 and University Drive should be designed to create a high-quality pedestrian environment, to include features such as street trees, landscaped areas, wide sidewalks, pedestrian-scaled lighting and other amenities.

The site’s proximity to GMU, and its walkability to campus and other services, was an important element in justifying higher-density residential use on the site. This condition encourages redevelopment to maximize the potential for residents to walk, bike and use public transportation, by creating an inviting and functional multi-modal environment. An especially high priority is the safety of pedestrian crossings to the GMU campus.

The proposal includes a 10-foot-wide multi-use trail along the site’s University Drive frontage, with connecting sidewalks to each building. These will provide for enhanced pedestrian/bicycle movement along that frontage and to the corner of University Drive/Route 123. Only minor sidewalk improvements are proposed along the site’s Route 123 frontage, which would largely retain existing 5-foot sidewalk meeting minimum sidewalk standards.

Pedestrian safety at the University Drive/Route 123 intersection would be addressed by providing expanded pedestrian landings at each corner of the intersection to increase pedestrian capacity, and by reconfiguration/retiming of vehicular turn lanes and signals to reduce potential pedestrian and vehicular conflicts, subject to approval by the Virginia Department of Transportation.

The Resource Protection Area and Environmental Quality Corridor along the western boundary of the site should be identified and protected, consistent with Objective 9 of the Environment section of the Policy Plan. Previously developed portions of those areas should be restored and revegetated, including removal of existing structures and the FCRHA maintenance facility, and there should be no new development within those areas. Utilities should also be located to minimize disturbance and encumbrance of such areas.”

The Resource Protection Area on the site has been identified on the CDP/FDP and is planned to be restored and revegetated in conformance with this Plan condition.

In addition to the policies addressed by the site-specific Plan conditions, other policy considerations were addressed by the applicant during the review process, such as:

- Reconfiguring the placement of the affordable units to locating the age-restricted (senior) units closer to Route 123, in order to increase walkability for those residents (per the Policy Plan’s Guidelines for Multifamily Residential Development for the Elderly).
• Providing a substantial amount of affordable housing units.

• Increasing the amount of age-restricted affordable housing to 120 units, which supports Policy objectives to increase the supply of housing to that population.

• Inclusion of proffer commitments to address potential light and/or noise impacts along north-facing building facades.

Residential Development Criteria 1 and 2: Site Design and Neighborhood Context

The Site Design Development Criterion #1 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. In addition, the proposed development should provide useable, accessible and well-integrated open space, appropriate landscaping and other amenities. The Neighborhood Context Development Criterion requires the development proposal to fit into the fabric of the community.

The subject property consists of a consolidation of approximately 10.84 acres in three contiguous parcels located at the northwest quadrant of the intersection of University Drive and Route 123, which is consistent with the Comprehensive Plan recommendation for full consolidation. This consolidation limits access along University Drive, which is consistent with the Comprehensive Plan recommendation to ensure that the existing, landscaped character of Route 123 is maintained.

Site Design Criterion 1 indicates that the proposed development should provide useable, accessible and well-integrated open space, appropriate landscaping and other amenities. In addition, the area specific Comprehensive Plan text recommends a redevelopment that is sensitive to existing environmental features, particularly mature trees located along the northern property boundary and the RPA and EQC along the western boundary of the site.

This proposal proposes to provide 58.3 percent open space onsite, which exceeds the minimum 20 percent open space that is required in a PRM District. The development would include a minimum of 15 percent recreational open space which provides for a variety of amenities including pet parks, tot lots, and pools. A tree preservation and landscaped buffering strip, 50 to 90 feet wide, is proposed along the northern property boundary which would be supplemented with deciduous, evergreen and understory vegetation to help screen the development from the adjacent residential development. Along the eastern property boundary, the applicant proposes to plant approximately 25 feet of new landscaped buffer to continue the existing character along Route 123. The applicant has also proposed a restoration plan for the RPA on-site which includes the provision of over and understory trees and shrubs and the removal of invasive species. Additionally, the streetscape along University Drive is proposed to include a 10-foot trail lined with street trees and ornamental shrubs. The streetscape would connect to the existing sidewalk along Route 123 and the crosswalks leading to GMU.
Staff finds that the proposed open space and tree preservation areas are generally consistent with the plan recommendations.

Development should also provide for a logical design with appropriate relationships within the neighborhood, including appropriately oriented units and useable yards. Access should be provided to transit facilities where available, and utilities should be identified to the extent possible.

The buildable portion of the site is constrained due to the proposed tree preservation along the northern property line and the presence of RPA and EQC along the western property boundary. The proposed buildings have been sited in consideration of the tree preservation and the RPA and EQC. As mentioned, the applicant proposes restoration of the RPA, all existing structures within the RPA will be removed. Given the separation from the nearest residential uses of 50 to 100 feet and the existing character along Route 123 with GMU to the east, the proposed maximum building heights of 60 feet, 50 feet and 75 feet for Buildings A, B and C, respectively, in concert with the proposed buffer areas along the northern and eastern property boundaries are compatible with the surrounding uses and consistent with the Comprehensive Plan recommendations. Orientation of the buildings fronting University Drive create a logical design while maintaining significant setbacks to the adjacent residential development to the north.

The proposed development is served by very well local and regional bus service, including regular Metrobus service, Fairfax Connector service and CUE bus service. Additionally, the proximity of the site to GMU provides convenient pedestrian access to its facilities and services. In staff’s opinion, the applicant has provided a reasonable layout that meets this criteria.

Open space should be usable, accessible, and integrated with the development. Appropriate landscaping should be provided.

As previously mentioned, the proposed development provides 58 percent of the site as open space where 20 percent is required. The open space is included in the tree preservation areas along the northern boundary as well as the RPA restoration along the western property boundary and the proposed landscaping along Route 123. The open space provides for the preservation of mature tree stands along the northern boundary and the restoration of a degraded EQC and RPA back to a natural state.

The applicant has also provided several amenities onsite which include tot lots, pet parks, pools, passive seating areas, grill areas and a community garden. Each building is programmed to contain several amenities.

Development should fit into the fabric of the community as evidenced in the architectural elevations and materials.

The applicant has indicated on Sheets 3, 34 and 35 of the CDP/FDP that the maximum building heights for Buildings A, B and C are 60 feet, 50 feet and 75 feet, respectively. It
should be noted that the building height for Building C ranges from 55 to 75 feet with the height tapering down towards the University Drive, Route 123 intersection. The applicant has provided elevations of each building; however, the plan only shows elevations of all four sides of the building for Building C. Staff continues to request elevations from Route 123 and along the northern property line. The elevations for Buildings A and B are only shown from University Drive. Proffer #4 indicates that the buildings will be constructed utilizing two or more of the following materials: brick masonry veneer in muted colors, fiber cement siding and panels, architectural metal panels, architectural composition shingles, aluminum fixed and single hung windows, and aluminum window wall with insulated glazing. As mentioned previously, the proffer also indicates that the residential windows on the northern façade of Building C will not be operable and will have blinds to help reduce any glare to the surrounding communities. Additionally, there will be no communal space on the northern façade of Building C and balconies will not be permitted along the northern façade of any proposed building, which will help reduce any adverse impacts to the existing adjacent residential communities such as noise.

The Comprehensive Plan does not require that the proposed development be the same density of the adjacent developments, but it does encourage compatibility with the neighboring residential uses. The subject site is proposed at a density of 52.3 dwelling units per acre compared with the adjacent 5-8 dwelling units per acre for the adjacent Fairfax Gateway development and the 3-8 dwelling units per acre density for the adjacent Chancery Park and Royal Legacy developments in the City of Fairfax. Staff acknowledges the density differences, which leads to a bulk that has a different character than the existing adjacent residential community to the north and west. However, the site is also adjacent to GMU which has a number of buildings with similar bulk and mass. The applicant proposes the preservation of mature vegetation along the northern property boundary along with supplemental landscaping to provide year-round screening and the restoration of RPA and EQC along the western property boundary. Additionally, the minimum buffers ranging from 50 feet to 90 feet along the northern property line will help to screen the additional bulk and height proposed with this development. The proposed screening will also delineate the boundary between the lower density residential uses and the transitional to high-density and institutional uses.

Staff is working with the applicant to commit to more pedestrian oriented features on the front of each building and to provide better perspectives. The applicant should demonstrate better architectural articulation to bring Building C down to a pedestrian scale through the use of awnings, canopies and other features and illustrate that the view of the new development will not adversely impact the existing residential communities by providing elevations showing the perspectives of the development from the view of the existing residential communities. The applicant has provided additional perspectives to address staff’s concerns; however, staff continues to work with the applicant to refine those perspectives and provide more elevations from Route 123 and the northern property line. In staff’s opinion, refining the architecture would improve the pedestrian scale of the development and would meet the neighborhood context criteria.
of the Comprehensive Plan in transitioning from lower density residential uses to higher density institutional uses within the GMU campus.

With additional perspectives and proffers, staff finds that the proposal would further implement the Comprehensive Plan recommendations and complement the existing surrounding developments.

Overall, staff feels that the applicant has provided a quality site layout and has met Residential Development Criteria 1 and 2.

Residential Development Criterion 3: Environment (See Appendix 7 for Environmental Staff Analysis.)

This Criterion requires that developments respect the natural environment by conserving natural environmental resources, account for soil and topographic conditions and protect current and future residents from the impacts of noise and light. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts.

1) Green Building Practices:

The proposed development seeks to redevelop the property with a combination of age-restricted housing, multifamily residential and multifamily residential designated for student housing. In keeping with the Comprehensive Plan Green Building Policy for new residential development, staff encouraged the applicant to seek green building certification for the proposed new residential buildings. As a result, the applicant is proposing that the buildings be certified through either the EarthCraft or National Green Building Standard (NGBS) programs. The guidance of the Comprehensive Plan has been addressed for the proposed development.

2) Stormwater Management:

The site is currently developed with a number of existing structures with some surrounding open space and tree cover. The applicant is proposing underground detention measures as well as a number of water quality improvement measures. Any final determination regarding the adequacy of the proposed facilities will be made by the Land Development Services (LDS), as discussed further in the LDS section of the report and in Appendix 11.

3) Resource Protection Area:

As shown on the plans, there are existing, mapped Resource Protection Area (RPA) and Environmental Quality Corridors (EQC) which cover portions of the western and southern sides of the subject property. Portions of this area are already significantly disturbed and include surface parking areas, portions of an existing building and a stormwater management pond. The applicant proposes to restore this area to a more
natural state as part of the proposed development, in a manner consistent with the Chesapeake Bay Preservation Ordinance and as noted in the proffers, which list some measures of restoration, replanting, removing impervious surfaces and invasive species. Any final details regarding the restoration of this area will be made by Land Development Services as part of the site plan review process.

4) **Noise**

The subject property is located at the northwest corner of the intersection of University Drive and Chain Bridge Road (Route 123). Staff raised concerns about potential noise impacts to the proposed buildings, as residential uses. At the request of staff, the applicant submitted a noise study which indicated modest impacts above 65 dBA DNL for Building C along Route 123. The study concluded that only the façade facing this roadway would be impacted by noise levels above 65 dBA DNL. The applicant has provided a proffer to mitigate interior noise for impacted units to no more than 45 dBA DNL. No outdoor activity areas are impacted by noise levels above 65 dBA DNL. This concern has been fully addressed.

**Residential Development Criterion 4: Tree Preservation and Tree Cover Requirements** *(See Appendix 8 for Urban Forest Management Division Staff Analysis.)*

This Criterion states that all developments should be designed to take advantage of existing tree cover and development appropriately to disturb as little existing tree cover as possible, including the extension of utility improvements to the site.

The primary tree preservation areas are located on the northern and western property boundaries. The landscape details on the CDP/FDP indicate a total proposed tree canopy of 102,250 square feet, or 2.34 acres. Approximately 68 percent of this tree canopy would be provided via preservation, with the remainder provided by new plantings. The applicant has also depicted new landscaping along the interior streets where possible.

While UFMD supports the relocation of underground utilities to improve rooting space and lessening the likelihood of future impacts to proposed trees, potential future conflicts between plantings and structures with Buildings A and B (along with a small part of Building C) are still present. The proposed plantings are located next to a structure and immediately adjacent to an area where pedestrians and bicyclists will be present, as such, it is not clear that the proposed plantings are appropriate. Staff recommends the applicant continue to work with UFMD to address this concern and relocate and refine the planting areas. Additionally, the information provided about soil remediation appears to only propose amending planting holes, which is not an activity supported by UFMD. The Public Facilities Manual (PFM) citation provided as a model for work to occur specifically states not to amend planting holes. This issue will be addressed during site plan review. Overall, staff believes the applicant has generally met the standards of this criterion; however, staff recommends that the applicant work with UFMD to address these outstanding comments.
Residential Development Criterion 5: Transportation *(See Appendix 9 for FCDOT and VDOT Staff Analysis)*

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.

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. Primary access to the site is provided via University Drive. The internal streets within the development provide a clear vehicular circulation pattern.

The latest plan submission includes modifications to the internal site circulation and drive aisle alignments to facilitate one-way circulation of the drive aisles. The applicant indicates that signage will be provided onsite to prohibit illegal movements as well as pavement markings to enable one-way circulation along the drive-aisles. The location and description of signage and pavement markings should be provided at the site of site plan submission.

In addition, the CDP/FDP includes a possible garage access connection within the center median situated between Buildings A and B. Staff is concerned with possible conflicts with vehicles ingress/egress into the garage with vehicles accessing the site given the planned one-way internal design and circulation. Staff continues to work with the applicant to ensure the potential access is designed to limit conflicts with the one-way circulation pattern.

It should be noted that the applicant will remove 400 feet of on-street parking from the south side of University Drive to facilitate the addition of a dedicated right-turn lane to eliminate stacking and pedestrian conflicts on University Drive. At the same time, additional on street parking is located on the north side of University Drive. As a result of the consolidation of existing access points from five access point to the proposed three, there will be a loss of only one parking space along University Drive.

VDOT reviewed the application and indicated a concern regarding pedestrian circulation from the site to GMU. VDOT staff notes that any modifications to the intersection crossing will require further modifications. No modifications will be permitted which do not accommodate the vehicles utilizing the movements in order to protect pedestrians from errant vehicles crossing the curb to make turns. In addition, any offset entrances
not meeting the required spacing will require an AM/E to be processed to determine the impacts of the offsets.

The applicant has included a proffer to install pedestrian improvements to curb extensions and/or tightened curb radii, restripe crosswalks, and install ADA ramps in the northwest, southwest and northeast quadrants and pedestrian signals at the intersection of Ox Road and University Drive, subject to VDOT approval.

Overall, staff believes the applicant has generally met the standards of this criterion.

**Public Facilities Analyses (See Appendices 10-14 for specific Staff Analyses,)**

Criterion 6 states that residential developments should offset their impacts upon the public facility systems (i.e. schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities.) Impacts may be offset by the dedication of land, construction of public facilities, contribution of in-kind goods, services, cash or earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects.

**Fairfax County Water Authority (Appendix 10)**

The subject property is located within the Fairfax Water service area. Adequate domestic water service is available onsite from an existing 12-inch water main in University Drive and an 8-inch water main in Route 123. Staff notes than an 8-inch water main extension to Delegate Court and/or Royal Commons Court is required. The applicant has noted that they will work with Fairfax Water to coordinate the new water service. Additionally, depending on the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns, which would be determined during site plan review.

**Site Development and Inspections Division, Stormwater Management, LDS (See Appendix 11 for Stormwater Analysis)**

The subject property is located within the Popes Head Creek watershed. The stormwater narrative on Sheet 13 of the CDP/FDP indicates that water quantity requirements will be met with two proposed underground stormwater detention facilities. The proposed underground vaults will reduce the 1, 2 and 10-year storm peak run-off rates and meet the 24-hour storm event for rainfall. The BMP narrative on Sheet 20 indicates that the water quality requirements will be met through a variety of Best Management Practices and Low-Impact Design (LID) including, but not limited to, jellyfish filters and isolator row filters.

There is RPA located on the subject property. The approval of a separate site-specific RPA delineation study will be required during the final design/site plan stage. However, the RPA boundary shown on the plan is an unapproved "Field Verified RPA
Delineation”. Only the County-mapped boundary or an updated site-specific boundary approved via a separate RPA Delineation Study can be considered legitimate boundaries for this site; and no updated site-specific boundary has been approved. The applicant has filed an RPA Delineation Study, which shows that it is currently under review. If the RPA boundary shown by the applicant differs from that ultimately approved or if any additional elements are identified, the applicant will need to address it or file a PCA.

**Sanitary Sewer Analysis** *(Appendix 12)*

Sanitary sewer service for the proposed development is provided by the City of Fairfax. For the sewer line capacity within the City of Fairfax, the applicant needs to contact the City of Fairfax. The applicant has coordinated with the City of Fairfax to evaluate the capacity of the existing pumps in the downstream sanitary sewer pump chamber. Staff notes that when the sewage flow from the City of Fairfax enters Fairfax County, an existing 10-inch sewer line in the University Drive is adequate for the proposed use at this time.

The application property is located in Upper Popes Head Creek watershed. It will be sewered into the Noman M. Cole Pollution Control Plan (NMCPCP). Based upon current and committed flow, there is excess capacity in the NMCPCP.

**Fairfax County Public Schools** *(Appendix 13)*

The application was reviewed by the Department of Facilities and Transportation Services of the Fairfax County Public Schools (FCPS). The proposed development would be served by Fairfax Villa Elementary School, Frost Middle School and Woodson High School. If development occurs within the next five years, Fairfax Villa Elementary School is projected to have a capacity surplus and Frost Middle School is projected to have sufficient capacity. However, Woodson High School is operating at a capacity deficit. Assuming that 580 dwelling units are developed, 56 new students would be anticipated (31 Elementary, 9 Middle, and 16 High School.) However, staff would note that the calculations that are used to project the number of new students are based on the number of housing units proposed and the current countywide student yield ratios. The calculation does not consider the proposed housing types of this specific development, which include student housing and age-restricted housing (62 and older). This may reduce the anticipated number of new students.

The Capital Improvement Program FY 2020-24 includes potential solutions to alleviate current and projected school capacity deficits. For consideration purposes, several options have been identified for each school which may be contingent on other potential solutions. Any options chosen for implementation will be discussed and decided through a transparent process with the appropriate stakeholders, in accordance with School Board Policies and Regulations.
The Fairfax County Park Authority (FCPA) reviewed the application and found that the proposal development is estimated to increase the local population by 1,150 residents.

Recreational Impact of Residential Development

The Fairfax Planning District, where the subject property is located, is deficient in parkland and recreational facilities. Existing nearby parks (Country Club View, Fairfax Villa, Rabbit Branch, University, and Providence (City of Fairfax) Parks) meet only a portion of the current demand for parkland generated by existing residential development in the Fairfax Planning District. Most of the nearby parkland is resource based and only Country Club View Park provides recreational facilities. In addition to these current deficiencies, the addition of 1,150 new residents to the Fairfax Planning District is expected to increase the need for public parks and recreational facilities in excess of existing capacity.

The potential impacts to parks and recreation were evaluated by applying the population-based parks and recreation service level standards as detailed in the Policy Plan (Parks and Recreation element, Appendix 2). In addition to the population-generated need, it is expected that employees, visitors, and guests of the proposed commercial establishments will have a need for quality recreational opportunities in the area.

Onsite Facilities

Sheet 32 of the CDP/FDP show multiple amenities throughout the site. These amenities include recreation elements such as tot lots, pet parks, pools, grill areas, and a community garden. Other elements include passive and active seating areas. The applicant proposes to provide 15 percent or 1.62 acres of recreational open space onsite.

Offsite Facilities

The applicant has proffered to provide $364,305 to FCPA for use at recreational facilities intended to serve future residents of the Braddock District, as determined by FCPA.

Affordable Housing (See Residential Development Criterion 7 in Appendix 5)

This criterion states that a goal of Fairfax County is to ensure an adequate supply of housing for low and moderate-income families, those with special accessibility requirements, and those with other special needs. This Criterion may be satisfied by the construction of units, dedication of land, or by a contribution to the Housing Trust Fund.

The applicant is subject to the Affordable Dwelling Program in accordance with Part 8 of Article 2 of the Zoning Ordinance. 240 affordable dwelling units (ADUS) will be provided
within the development. Buildings A and B are both proffered as affordable multifamily buildings, available to households earning 60% AMI or less. Building A would function as a traditional multifamily building with a variety of tenants and families. Building B is proposed as age-restricted housing for senior citizens, aged 62 and older. Therefore, staff finds that this criterion has exceeded the Policy. The current policy for new development would stipulate that at least 12% of all units, which equals roughly 70 units would be provided at 80% and 100% AMI. The applicant is proposing approximately 40 percent of the units at 60% AMI which provides a significantly greater benefit than the current Policy stipulates.

Heritage Resources (Residential Development Criterion 8)

*This criterion requires that developments address potential impacts on historical and/or archaeological resources through research, protection, preservation or recordation.*

The subject property was subject to archival review, which indicated a potential to contain significant resources on the undisturbed portion of the site where the applicant proposes land disturbance on parcel 2B. The applicant completed that a Phase I archaeological survey and found that the site appears to have little potential to yield important archaeological information. However, the survey did recommend further study of One University Plaza due to its unique, award-winning design to determine whether it is eligible for listing in the National Register of Historic Places (NRHP) under Criterion A in the area of architecture. The Park Authority concurs with the report and concurs with the recommendation that the architectural site undergo additional architectural assessment to the Virginia Department of Historic Resources (VDHR) standards as recommended in the report. If significant resources are found, Phase II testing would be needed for staff to evaluate the proposed application’s impact.

PROFFER ANALYSIS

During the 2016 General Assembly session, the General Assembly adopted § 15.2-2303.4 the Code of Virginia to restrict conditional rezoning for new residential development. In areas of the County subject to that statute, the County may not suggest, request, require, or accept a proffer for such development that does not meet certain statutory requirements. The General Assembly amended the statute in 2019, effective July 1, 2019, which clarifies the intent of the 2016 proffer law. The applicant has opted into the 2019 amendment but has not provided signed proffers at this time.

Since the proffers in Appendix 1 are not signed, an onsite or offsite proffer must address an impact that is specifically attributable to the proposed new residential development. An offsite proffer must also address a need or an identifiable portion of a need, created by the new residential development, for a public facility improvement in excess of the existing public facility capacity at the time of the rezoning. Such improvements may be to public transportation facilities, public safety facilities, public schools, or public parks. The improvements must expand the capacity of the public facility, and the new
residential development must receive a direct and material benefit from the proffer made with respect to any public facility improvement.

The applicant was not requested to provide proffers, and staff did not suggest any proffers. The applicant was informed that, if they decided to submit proffers, they would need to provide an analysis of those proffers (including, if proposed, the proffered development plan that depicts the lot layout, open space and amenities) to ensure the proffers comply with Va. Code § 15.2--2303.4.

The applicant was requested to explain:

- The impact of the new residential development the proffer is addressing and how the impact is specifically attributable to the new residential development so the proffer can be accepted under Va. Code § 15.2-2303.4(C)(i); and

- How the proffer meets the definition of either an “onsite” proffer or an “offsite” proffer under Va. Code § 15.2-2303.4(A).

In addition, for each “offsite” proffer, the applicant was requested to:

- Identify the offsite public facility that is impacted by the new residential development;

- Confirm that the proffer is for an improvement to expand the capacity of the identified public facility; and

- Explain:
  - how the proffer addresses the identified impact to the identified offsite public facility under Va. Code § 15.2-2303.4(C)(ii);
  - how the new residential development creates a need or an identifiable portion of a need for the proffered public facility improvement under Va. Code § 15.2-2303.4(C)(ii)(a);
  - how existing public facility capacity does not address the need of the new residential development so that the proffer can be accepted under Va. Code § 15.2--2303.4(C)(ii)(a);
  - the time period or specific date used to determine the time of the rezoning when measuring the existing public facility capacity and why it is a correct date to use under Va. Code § 15.2--2303.4(C); and
  - the direct and material benefit that the new residential development receives from the proffer and how it is received or realized so that the proffer can be accepted under Va. Code § 15.2--2303.4(C)(ii)(b).

Below is a discussion and analysis of proffers proposed by the applicant. Staff did not suggest or request any of these proffers. See Appendix 1b for the applicant’s analysis of the impact(s) the proffer is addressing, how the impact is specifically attributable to the proposed residential development, and why the proffer is onsite. Staff has provided a
summary of the applicant’s analysis below for the ease of the reader; however, nothing in the summary should be construed to modify the applicant’s analysis.

The applicant characterizes all but four of its proffers (Proffers 8, 10, 12, 28 and 29 which are discussed below) as onsite proffers that address impacts specifically attributable to its proposed development. Staff generally concurs with the applicant’s conclusions in that regard.

Proffer 8 (Road Improvements), Proffer 10 (Pedestrian Improvements), Proffer 12 (Transportation Demand Management), Proffer 28 (Public Schools) and Proffer 29 (Recreation Contribution) are offsite proffers. The applicant states these proffers are reasonable under Virginia Code § 15.2--2303.4.

Proffer 8 (Offsite Road Improvements) commits to provide offsite road improvements including: (1) installing no parking signs on the south side of University Drive, (2) restriping the eastbound lane of University Drive to create a dedicated right turn lane and a combined through/left turn lane, (3) extending the left turn on northbound Ox Road, and (4) modifying the existing traffic signal at the intersection of Ox Road and University Drive to implement an eastbound right turn overlap phase.

The applicant states in Appendix 1b that this proffer is offsite because the intersection that is proposed to be improved is not on the subject property. The applicant also states that the proffer is addressing an impact which is specifically attributable to the vehicular trip generation anticipated from the proposed development. According to the applicant, based on an Operational Analysis conducted by a third-party expert, the intersection of Route 123 and University Drive will degrade below capacity because of the trips associated with the proposed development. The applicant states that the residents of the new development will benefit directly from the intersection improvements because of the improved functionality of the intersection and decreased delay times.

Proffer 10 (Pedestrian Improvements) provides for pedestrian improvements which include curb extensions and/or tightened curb radii, restriping of crosswalks with high visibility markings, the provision of ADA ramps and pedestrian signals in the northwest, southwest and northeast quadrants of the Route 123 and University Drive intersection.

In Appendix 1b the applicant states that this proffer is offsite because the intersection is not included in the subject property. The applicant states that the proffer is addressing the impact of the projected pedestrian generation anticipated from the proposed development, specifically the student residents. According to the applicant, the impact is specifically attributable to the proposed development because Building C is proposed to include students who will most likely attend GMU. Since the GMU campus is directly across University Drive from the property, it is anticipated that a large number of students will walk to campus from Building C utilizing the intersection of Route 123 and University Drive.
The applicant states that this proffer addressed the identified impact because the proposed improvements improve safety for pedestrians utilizing the intersection. The applicant has projected that 20 percent of the student population from Building C will cross the intersection during the AM and PM peak hour, which is approximately 160 more pedestrians during that time frame. According to the applicant, the residents of the proposed development will benefit from the intersection improvements because of the improved safety at the intersection.

Proffer 12 (Transportation Demand Management) commits the applicant to TDM strategies which include the usage of alternative transit options for future residents. In Appendix 1b, the applicant states that this is an offsite proffer because it addresses the impact of trip generation on the adjacent road network. The applicant states that the proffer addresses the impact of the projected trip generation by ensuring methods to reduce trip generation. According to the applicant, the impact is specifically attributable to the development because the trips are generated by the proposal. The applicant states that this proffer encourages future residents (through the use of a Transportation Management Coordinator) to reduce their trip generation. The applicant states that the residents of this new development will benefit from the information disseminated about mass transit and the opportunity for free ridership via that SMARTRIP cards.

Proffer 28 (Public Schools) contributes $220,716 for Building A and $12,262 for each school-aged child for Building B to Fairfax County Public Schools (FCPS). In Appendix 1b, the applicant states that this is an offsite proffer because the contribution will be used for offsite schools. The applicant states that the proffer addresses the impact to FCPS because the contributions will be made for the designated capital improvements at the public schools serving the development. The applicant states that the residential development creates a need for the offsite contribution because of the school-aged children generated by this development. The applicant states that the new development will realize the capital improvements that are planned for the schools which will benefit future students from the new residential development.

Proffer 29 (Recreation Contribution) contributes $364,305 to FPCA for use at offsite recreational facilities intended to serve the future residents of Braddock District. In Appendix 1b, the applicant states that this is an offsite proffer which addresses the potential impact on the surrounding parkland and recreational facilities that would result from the increase in the number of residents resulting from the proposed development. The applicant states that the proffer is offsite because it is a contribution that will be used for offsite parks. According to the applicant, the proffer addresses the impact to offsite parks because it contributes a sum of money needed to continue operation of the impacted facilities. The applicant states that the residents of the proposed development will benefit from the improvement and continued operation of area park facilities.

Staff notes that some of the onsite proffers largely re-state requirements of the PFM or the Zoning Ordinance; however, there are aspects of the proffers that exceed PFM and Ordinance requirements.
ZONING ANALYSIS

ZONING ORDINANCE PROVISIONS

P-District Standards

The proposed development must comply with the Zoning Ordinance provisions found in Article 6, Planned Development District Regulations, and Article 16, Development Plans, among others.

Article 6

Purpose and Intent (Sect. 6-401)

This section states that the PRM District is established to provide for high-density, multiple family residential development, generally with a minimum density of 40 dwelling units per acre. PRM Districts should be located in those limited areas where such high density residential or residential mixed use development is in accordance with the adopted comprehensive plan such as within areas delineated as Transit Station Areas, and Urban and Suburban Centers. The PRM District regulations are designed to promote high standards in design and layout, to encourage compatibility among uses within the development and integration with adjacent developments.

The applicant has proposed 580 multifamily units at an overall density of 52.3 dwelling units per acre (1.56 FAR) with 58 percent open space. The Comprehensive Plan specifically includes an option for high density residential uses, provided the Plan conditions are met. As referenced in the development criteria discussion above, staff concludes that the proposed open space, amenities, trail, seating areas, tree preservation areas, and RPA reforestation areas provide an adequate justification for a “P” District and that the proposed development meets the purpose and intent of the PRM District.

Lot Size Requirements (Sect. 6-407)

This section states that a minimum of two acres is required for the approval of a PRM District. The area of the subject property is 10.84 acres. This standard is satisfied.

Bulk Regulations (Sect. 6-408)

This section states that the maximum FAR for the PRM District is 3.0. The applicant proposes an FAR of 1.56. The subject application meets this requirement.
Open Space (Sect. 6-409)

Par. 1 of this section requires a minimum of 20% of the gross area as open space in the PRM District. Par. 2 of this section requires that recreational amenities be provided in the amount of $1,900 per unit.

According to the CDP/FDP, the applicant is providing a total of 58 percent open space. 15 percent of the site is provided as recreational open space. Additionally, the applicant has proffered to expend a minimum of $1,900 per market rate residential unit on site. Staff finds that the application has met both elements of the PRM open space requirements.

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 applicant proposes to develop the property with 580 multifamily dwelling units at an overall density of 52.3 dwelling units per acre. The Plan does not recommend a specific maximum density but does limit the development potential to a maximum of 580 dwelling units, which the application would not exceed. As analyzed above, the applicant has addressed the residential development criteria for site design and neighborhood context. Staff continues to work with the applicant to enhance the buffers with additional understory vegetation, improve building facades with pedestrian oriented features such as door/window canopies, awnings and other streetscape design elements, and maximize the landscaping shown along the University Drive frontage.

General Standard 2 states that the planned development shall be of such design that it will result in a development district more than would development under a conventional zoning district.

As previously mentioned, the proposal includes 58 percent open space, which includes onsite amenities, tot lots, pet parks, tree preservation and reforestation and the restoration of the RPA. The site design, particularly the 50 foot and 90 foot buffers along the northern property boundary reduce the visual impacts of the proposed development and allow for an effective transition between the University and the lower-density residential neighborhoods to the north. The Plan also maintains the existing character of Route 123 with similarly designed buildings and setbacks as the GMU campus to the east. This standard has been met.
General 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.

As previously mentioned, the applicant is proposing a total tree canopy of 102,250 square feet, or 2.34 acres. Approximately 68 percent of this tree canopy would be provided via preservation, with the remainder provided by new plantings. Additionally, the applicant has included proffer language to remove exiting structures from the RPA and restore it per the Chesapeake Bay preservation Ordinance. Included in the restoration is a proposed 25 feet of tree preservation along the western boundary and supplemental landscaping. The applicant also commits to the removal of invasive species on site and within the RPA and the restoration of those areas impacted. The applicant’s proposal reflects the existing grade change, the site slopes significantly from its eastern edge along Route 123 towards the western edge which lies 60 feet lower in elevation, and proposes to work with it in the building design, particularly the proposed underground garages which have been nestled into the grade to lessen the impact of the proposed building heights. Staff continues to work with the applicant to provide better perspectives to show how the buildings are terraced into the grade and incorporate pedestrian scale features such as awnings, door canopies, etc. This standard is satisfied.

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 surrounded undeveloped properties in accordance with the adopted Comprehensive Plan.

As previously stated, the applicant has provided for a quality site design and neighborhood context. Staff acknowledges that the proposed density and bulk represent a different character than the existing adjacent residential communities. Although the proposed building heights are significantly taller than the surrounding neighborhood, the minimum 50 foot and 90 foot buffers along the northern property boundary reduce the visual impacts of the proposed development and allow for an effective transition between GMU and the lower-density residential neighborhoods to the north. Additionally, the applicants have worked with the topography onsite to reduce the impact of the proposed development by nestling the proposed underground garages within the grade. Staff is working with the applicant to ensure that any exposed garage is treated. In staff’s opinion, with the proposed buffering, the development would not be a detriment to the adjacent properties.

General Standard 5 states that the planned development shall be 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.
As previously stated, the site has adequate transportation, police, fire protection, sewerage and utilities. This standard has been satisfied.

**General Standard 6** states that the planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

The applicant proposes to provide three access point along University Drive leading into the development. The westernmost access point will only provide access to the underground garage beneath Buildings A and B. The other two access point lead to internal drive-aisles which are proposed with one-way circulation to reduce conflicts with the proposed on-street parking. The applicant proposes a 10 foot sidewalk along University Drive and 5 foot sidewalks along the internal drive aisles. A 6 foot sidewalk is proposed along Route 123 adjacent to the crosswalk at the northwest quadrant of the intersection of University Drive and Route 123. The 6 foot sidewalk would taper down to 5 feet to meet the existing sidewalk facilities along Route 123.

**Design Standards (Sect. 16-102)**

*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.*

**Design Standard 1** states that to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, and PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the development under consideration.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required R-30</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum District Size</td>
<td>3 acres</td>
<td>10.84 acres</td>
</tr>
<tr>
<td>Minimum Lot Area</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>150 feet</td>
<td>60 feet (Building A)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>50 feet (Building B)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>75 feet (Building C)</td>
</tr>
<tr>
<td>Minimum Front Yard</td>
<td>Controlled by a 25˚ angle of bulk plane, but not less than 20 feet</td>
<td>5˚ angle of bulk plane, not less than 5 feet</td>
</tr>
<tr>
<td>Minimum Side Yard</td>
<td>Controlled by a 25˚ angle of bulk plane, but not less than 10 feet</td>
<td>25˚ angle of bulk plane, not less than 10 feet</td>
</tr>
<tr>
<td>Minimum Rear Yard</td>
<td>Controlled by a 25˚ angle of bulk plane, but not less than 25 feet</td>
<td>25˚ angle of bulk plane, not less than 25 feet</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>30 dwelling units per acre</td>
<td>52.3 dwelling units per acre</td>
</tr>
<tr>
<td>Minimum Open Space</td>
<td>40%</td>
<td>58.30% min.</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>928 spaces</td>
<td>1,008 spaces</td>
</tr>
</tbody>
</table>
The most similar conventional district to the proposed development is the R-30 District, with bulk requirements as shown in the table above. The application meets the R-30 requirements with the exception of the front yard. The development proposes a 5-foot minimum front yard. Staff stressed the need for a streetscape more conducive to allowing people safe access to nearby amenities and transportation and wanted the buildings closer to University Drive. In staff’s opinion, the proposal complements development on adjacent properties with building articulation, tree preservation and screening, supplemental landscaping, open space, and RPA and EQC restoration and reforestation. With these commitments, staff feels that the proposal meets the Comprehensive Plan recommendations and complements the existing surrounding development.

*Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a 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.*

The proposed development will have 58 percent open space, which is comprised of tree preservation areas, restoration and reforestation areas, the RPA and EQC, common open space and amenities. The applicant has requested a modification of the loading space requirement to reduce the number of loading spaces from ten spaces to four, which will be discussed in the Waivers and Modifications section below. The proposed amount of parking exceeds to Zoning Ordinance requirements. The applicant is subject to the Zoning Ordinance related to permitted signage.

*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 CDP/FDP shows the use of private streets with two, one-way drive aisles. Sidewalks approximately 5 feet in width are proposed within the development along the drive aisles. A 10-foot wide sidewalk is proposed along University Drive. As mentioned, the proposed development has been designed to encourage walking to surrounding services including GMU, mass transit facilities including bus stops, and other amenities.

In staff’s opinion, the applicant has met the general and design standards for a planned district with the proposed development that protects environmentally sensitive areas.
Waivers and Modifications

The applicant is requesting the following waivers and modifications:

Modification of minimum loading space requirement set forth in Sect. 11-203 of the Zoning Ordinance to reduce the loading space requirement on site.

The applicant is requesting a modification of minimum loading space requirements. The applicant proposes 580 multifamily units which would require ten loading spaces. However, the applicant proposes to provide four loading spaces. Two loading spaces would be provided along the fire lane towards the northwestern corner of Building C and the other two spaces would be provided along the northern portion of the drive aisle in between Buildings A and B. Staff does not object to the modification request.

Waiver of Sect. 11-302 of the Zoning Ordinance to allow private streets to be in excess of 600 feet.

The applicant requests a waiver of the private street limitation of the 600-foot maximum for a private street. The drive aisle providing access to Building C exceeds 600 feet in length. The applicant has created a drive aisle that allows for two points of access into the underground garage and for fire access to the rear of the building. Rear fire access would not be achievable if the roads were limited to 600 feet in length or less. Since the applicant will construct the streets in conformance with the Public Facilities Manual (PFM) and utilize materials and depth of pavement consistent with the PFM, staff supports the waiver request.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant seeks the approval of a PCA and an RZ/FDP to create residential development consisting of a maximum of 580 units, 240 of which would be affordable at 60 percent AMI or less, spread out in three separate buildings. The proposal would be developed at a 1.56 FAR. In staff’s opinion, the proposed development provides for a logical preservation of the existing mature landscaping and includes the restoration of the RPA and EQC. The proposed development takes advantage of the existing stand of trees and the topography to help visually reduce the bulk. Additionally, the provision of 240 affordable dwelling units significantly exceeds the County’s affordable housing goals as stated in the Comprehensive Plan and provides a variety of affordable housing types to the County.

Overall, staff believes this application is in conformance with the Comprehensive Plan and applicable provisions of the Zoning Ordinance subject to the execution of the proffers contained in Appendix 1A and the imposition of the proposed development conditions contained in Appendix 2.
Recommendations

Staff recommends approval of PCA C-058.

Staff recommends approval of RZ 2018-BR-025 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of FDP 2018-BR-025, subject to the development conditions in Appendix 2.

Staff recommends approval of the following waivers and modifications:

- Modification of Sect. 11-103 of the Zoning Ordinance requiring loading spaces to permit 4 loading spaces in lieu of the 10 required spaces.

- Waiver of Sect. 11-302 of the Zoning Ordinance to allow private streets to be in excess of 600 feet.

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 special exception 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 positions of the Board of Supervisors.
APPENDICES

1a. Draft Proffers
1b. Proffer Analysis
2. Final Development Plan Condition
3. Affidavit
4. Statement of Justification
5. Residential Development Criteria
6. Comprehensive Plan Land Use Analysis
7. Environmental Analysis
8. Urban Forest Management Division Analysis
9. FCDOT and VDOT Transportation Analysis
10. Water Service Analysis
11. Stormwater Management Analysis
12. Sanitary Sewer Analysis
13. FCPS Schools Analysis
14. FCPA Park Authority Analysis
15. § 15.2--2303.4 of the Code of Virginia
16. Planned Development General and Design Standards
17. Glossary of Terms
Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned Owner and the Applicant (hereinafter collectively referred to as the “Applicant”) in this rezoning, proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Map as Tax Map References 57-3(1)11A, 11B and 57-4(1)2B (the “Property”) will be in accordance with the following conditions (the “Proffered Conditions”), if and only if, said rezoning request for the PRM Zoning District is granted. In the event said rezoning request is denied, these Proffered Conditions will be null and void. The Applicant, for themselves, their successors and assigns hereby agree that these Proffered Conditions will be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, (the “Board”) in accordance with applicable County and State statutory procedures. The Proffered Conditions are:

I. GENERAL

1. **Substantial Conformance.** Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (the “Zoning Ordinance”), development of the Property will be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP), prepared by Urban Ltd., dated October, 2018, revised through July 2, 2019.

2. **Density/ Uses.** The Applicant will be permitted to develop the Property up to a 1.56 FAR inclusive of any density bonus. The principal uses on the Property will be multifamily residential dwellings and public use, as identified on the CDP/FDP and as further specified below.

   - Building A will contain no more than 120 multifamily affordable dwelling units administered in accordance with comprehensive agreements and ground leases with FCRHA. Building A will also contain approximately 3,000 square feet of public use space designed as meeting space exclusively for FCRHA.
   - Building B will contain no more than 120 affordable dwelling units designed for seniors age 62 and over administered in accordance with comprehensive agreements and ground leases with FCRHA.
   - Building C will contain no more than 340 units, primarily in 2 and 4 bedroom configurations. Due to the location, building design and lease agreement structure, the Applicant anticipates college students will comprise the primary market for these units. Marketing materials for the building will be reflective of this anticipation resident population.
• A 3,000 square foot community amenity building which could include accessory uses to the residential buildings such as the leasing office for Building A, a fitness center, an internet café/business center, laundry space and a club room

3. Elements of the CDP/Elements of the FDP. Notwithstanding the fact that the CDP and FDP are presented on the same plan, the elements that are components of the CDP are limited to the points of perimeter access, the internal circulation, the maximum number and type of dwelling units, the maximum square footage, the maximum building heights, the minimum percentage and general location of open space, the location of the limits of clearing and grading, the setbacks from peripheral lot lines and the general location of buildings and only a future amendment to such elements will require a Conceptual Development Plan amendment (CDPA) or a Proffered Condition Amendment (PCA). The Applicant reserves the right to request a Final Development Plan Amendment for elements other than CDP elements listed above from the Planning Commission for all or a portion of the FDP in accordance with Section 16-402 of the Ordinance if such amendment is in accordance with these Proffers as determined by the Fairfax County Zoning Administrator. Additionally, any portion of the Property may be the subject of a CDPA, PCA, Rezoning, Special Exception (“SE”), Special Exception Amendment (“SEA”), Comprehensive Sign Plan, Special Permit (“SP”), Variance or other zoning action without the joinder and/or consent of the owner(s) of the other land area(s), provided that such application complies with Paragraph 6 of Section 18-204 of the Zoning Ordinance and Section 15.2-2302 of the Code of Virginia, as applicable. Previously approved proffered conditions or development conditions applicable to a particular portion of the Property that is not the subject of such future application will remain in full force and effect.

4. Architectural Design. The architectural design of the buildings will be in general conformance with the bulk, mass and type and quality of materials and elevations shown on the CDP/FDP. Architectural materials for each building will include two or more of the following: brick masonry veneer in multiple muted colors, fiber cement siding and panels, architectural metal panels, architectural composition shingles, aluminum fixed and single hung windows, aluminum window wall with insulated glazing. The residential windows on the northern façade of Building C will not be operable and will have blinds. There will be no common communal space on the northern façade of Building C and no balconies along the northern façades of any of the buildings. The Applicant reserves the right to adjust the architectural design details of the buildings, including but not limited to, the building materials, articulation, and fenestration to include items such as awnings and door/window canopies, as part of the final architectural design and engineering without requiring approvals of the PCA or FDPA provided (a) the maximum building height is not increased, (b) the minimum open space is not decreased, and (c) the quality of the architectural design and the quality of the building materials remain in general conformance with that shown on the CDP/FDP, as determined by the Zoning Administrator.
5. **Zoning Administrator Consideration.** Notwithstanding the timing specified in these proffers, upon demonstration by the Applicant that, despite diligent efforts or due to factors beyond the Applicant’s control, the required improvements proffered have been delayed (due to, but not limited to, an inability to secure necessary permission from Virginia Department of Transportation (VDOT) or other agencies to facilitate the improvements, etc.) beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of these improvements.

6. **Construction.** Outdoor construction activity must be limited to between the hours of 7:00 am and 7:00 pm, Monday through Friday and 8:00 am to 5:00 pm on Saturday unless modified by the Director Department of Public Works and Environmental Services (DPWES). No outdoor construction activities will be permitted on Sundays or federal holidays. The Applicant will direct the site superintendent to notify all employees and subcontractors of these hours of operation and must ensure that the hours of operation are respected. Construction hours must be posted on site in multiple languages including English and Spanish. This proffer applies to the original construction only and not to future additions. All construction vehicles must be parked on the Property. Prior to commencement of construction, the telephone number of the on-site site superintendent must be provided to the Magisterial District Supervisors’ Offices.

II. **TRANSPORTATION**

7. **Road Improvements.** Prior to the issuance of the first residential use permit on the Property, the Applicant will, subject to VDOT approval: (1) install no parking signs on the south side of University Drive within the right of way from the eastbound stop bar at the intersection of University Drive and Ox Road to a point 400 feet west on University Drive, (2) restripe the eastbound lanes of University Drive to create a dedicated right turn lane and a combined through/left turn lane, (3) extend the left turn on northbound Ox Road as shown on the CDP/FDP, and (4) modify the existing traffic signal at the intersection of Ox Road and University Drive to implement an eastbound right turn overlap phase.

8. **Parking.** Parking will be provided in accordance with the parking requirements of Article 11 of the Zoning Ordinance, as determined by the Department of Land Services (LDS), for the uses shown on the CDP/FDP. The Applicant reserves the right to pursue a parking reduction for the development, as may be permitted by Article 11 of the Zoning Ordinance. Entry to the garage parking for all three buildings will be controlled by entry card or fob or other similar security system.

9. **Pedestrian Improvements.** Prior to the issuance of the first residential use permit for Building C-1, C-2 or C-3, the Applicant will install the pedestrian improvements to include curb extensions and/or tightened curb radii, restriping of crosswalks, ADA ramps in northwest, southwest and northeast quadrants, and pedestrian signals at the intersection of Ox Road and University Drive as shown on the CDP/FDP subject to VDOT approval.
10. **Bicycle Racks.** The Applicant will provide bicycle racks in outdoor common areas and/or garage areas of the student and family buildings (Buildings A and C on the CDP/FDP), the number and location of which will be determined at the time of site plan, consistent with the “Fairfax County Policy and Guidelines for Bicycle Parking” and approval of the Fairfax County Department of Transportation (FCDOT). Bicycle racks will be inverted U-style or other design as approved by FCDOT.

11. **Transportation Demand Management (TDM).** TDM strategies will include designating a Transportation Management Coordinator who would inform the residents of alternative transit options such as Metrorail, Fairfax Connector, ridesharing, and biking/walking etc. and offering SmarTrip cards to the initial residents at the time of initial lease.

### III. ENVIRONMENTAL

12. **Green Building Practices.** The Applicant will select one of the following programs to be implemented for Buildings A and B and will inform the Environment and Development Review Branch (EDRB) of the Department of Planning and Zoning which program has been chosen as part of the first site plan submission:
   - **Earthcraft.** Certification of the residential buildings in accordance with the EarthCraft House Multifamily Program as demonstrated through documentation provided to EDRB prior to the issuance of the RUP for each dwelling unit.
   - **National Green Building Standard (NGBS).** Certification in accordance with NGBS using the ENERGY STAR® Qualified Homes path for energy performance as demonstrated through documentation submitted to EDRB from a Verifier certified through the Home Innovation Research Labs, that demonstrates that the building has attained such certification prior to the issuance of the residential use permit (RUP) for the building. To use an energy path other than ENERGY STAR, the Applicant must provide both the above reference certification documentation and additional documentation demonstrating equivalent or greater energy performance to the ENERGY STAR standard prior to the issuance of the RUP.

For Building C, the Applicant will submit a scorecard to the Environment and Development Review Branch (EDRB) of the Department of Planning and Zoning prior to the issuance of a residential use permit for the building that shows that enough credits have been attained to certify the building under one of the two programs above or another equivalent program.

13. **Tree Preservation:** The applicant will submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative will be prepared by a Certified Arborist or a Registered Consulting Arborist, and will be subject to the review and approval of Urban Forest Management Division (“UFMD”).

The tree preservation plan will include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees located within the tree save area living or dead with trunks 12 inches
in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) and 25 feet outside of the proposed limits of clearing, in the undisturbed area and within 10 feet of the proposed limits of clearing in the area to be disturbed. All trees inventoried will be tagged in the field so they can be easily identified. If permission is not allowed from the offsite property owner to tag trees, it will be noted on the tree preservation plan by providing written documentation between the applicant and the offsite property owner. The tree preservation plan will provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of disturbance shown on the CDP/FDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative will include all items specified in PFM 12-0307 and 12-0309. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, soil testing and recommended fertilization, Cambistat, airspading within the critical root zone to incorporate the application of compost and bio-char will be included in the plan.

14. Project Arborist/Pre-construction Meeting: Prior to the pre-construction meeting the Applicant will have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant will retain the services of a Certified Arborist or Registered Consulting Arborist (Project Arborist) to attend the pre-construction meeting to review the limits of clearing and grading with an UFMD representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading. Such adjustments will be recorded by the Project Arborist and tree protection fencing will be implemented under the Project Arborist’s supervision based on these adjustments.

15. Limits of Clearing and Grading: The Applicant will conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of the Department of Public Works and Environmental Services (“DPWES”), as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they will be located in the least disruptive manner necessary as determined by the UFMD. A replanting plan will be developed and implemented, subject to approval by the UFMD, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

16. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan must be protected by tree protection fencing in accordance with the Public Facilities Manual (PFM), and as approved by UFMD.

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

17. **Root Pruning**: The Applicant will root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments will be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments will be reviewed and approved by the UFMD, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning will be done with a trencher or vibratory plow to a depth of 18 - 24 inches where indicated on the approved plans. After root pruning with vibratory plow or trencher, the project arborist will insure that any roots over one inch (1”) in diameter that are jagged or broken by machinery will be hand pruned with loppers or hand pruning saw.
- Root pruning will take place prior to any clearing and grading, or demolition of structures.
- Root pruning will be monitored by the Project Arborist.
- UFMD, DPWES will be informed when all root pruning and tree protection fence installation is complete.

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

19. **Landscape Pre-Inspection Meeting**: Prior to installation of plants to meet requirements of the approved landscape plan, the Contractor/Developer will coordinate a pre-installation meeting on site with the landscape contractor and a representative of UFMD. Any proposed changes to the location of planting, size of trees/shrubs, and any proposed plant substitutions for species specified on the approved plan will be reviewed at this time and must be approved prior to planting. The installation of plants not specified on the approved plan, and not previously approved by UFMD, may require submission of a revision to the landscape plan or removal and replacement with approved material.

Field location of planting material, when required by the approved plan, will be reviewed at the pre-installation meeting. The Landscape Contractor will stake proposed individual planting locations in consultation with the Contractor/Developer prior to the pre-installation meeting, for review by UFMD staff. Stakes will be adjusted, as needed,
during the course of the meeting as determined by UFMD staff based on discussion with the Contractor/Developer and the Landscape Contractor.

20. **Landscaping.** A landscape plan that shows, at a minimum, landscaping in conformance with the landscape design shown on the CDP/FDP, Sheets 28–31, will be submitted concurrently with the first submission, and all subsequent submissions of the site plan for review and approval by Urban Forest Management Division (UFMD), Department of Public Works and Environmental Services (DPWES).

Landscaping will be generally consistent with the quality, quantity and the locations shown on the CDP/FDP and will be non-invasive, predominantly native species and improved cultivars. At the time of planting, the minimum caliper for deciduous trees that are not being used to meet Chesapeake Bay Preservation Ordinance (CBPO) requirements will be two (2) inches to two and one-half (2.5) inches and the minimum height for evergreen trees will be six (6) feet. Actual types and species of vegetation will be determined pursuant to more detailed landscape plans approved by Urban Forestry Management Division (UFMD) at the time of site plan approval. The Applicant or Owner reserves the right to make minor modifications to such landscaping to reasonably accommodate utilities and other design considerations, as approved by UFMD, provided such relocated landscaping will retain a generally equivalent number of plantings as shown on the approved CDP/FDP.

21. **Stormwater Management Facilities and Best Management Practices** Stormwater management (SWM) will be provided as generally depicted on the CDP/FDP and will be reviewed for adequacy and approved by Land Development Services (LDS). No offsite nutrient credits will be requested. The requirements for maintaining non-County maintained SWM improvements will be in a standard maintenance agreement between the County and the Applicant, its successor and assigns. This agreement will be recorded in the County land records and run with the land. Should future County policy permit all or part of the SWM facilities on the Property to be eligible for County Maintenance, then the Applicant may request County maintenance for eligible facilities.

22. **Resource Protection Area (RPA).** The following actions will be taken in the RPA:

- Areas of proposed disturbance, including removal of existing buildings, asphalt and the existing stormwater management facility, will be restored per CBPO Sect. 118-3-3(f).
- Provision of a 25 ft. wide transitional screening yard consisting of healthy tree preservation and supplemental landscaping.
- Removal of invasives and implementation of reforestation per Proffer 22.

An RPA restoration plan outlining the above actions will be part of the site plan submission for Building A and the work will be completed prior to the issuance of the first RUP for Building A.
23. **Invasive Species Management Plan:** An invasive species management plan will be submitted as part of the first and all subsequent site plan submissions detailing how the invasive and undesirable vegetation will be removed and managed. The detailed invasive species management plan will include the following information:

- Identify targeted undesirable and invasive plant species to be suppressed and managed.
- Identify targeted area of undesirable and invasive plant management plan, which shall be clearly identified on the landscape or tree preservation plan.
- Recommended government and industry method(s) of management, i.e. hand removal, mechanical equipment, chemical control, other. Identify potential impacts of recommended method(s) on surrounding trees and vegetation not targeted for suppression/management and identify how these trees and vegetation will be protected (for example, if mechanical equipment is proposed in safe area, what will be the impacts to trees identified for preservation and how will these impacts be reduced).
- Identify how targeted species will be disposed.
- If chemical control is recommended, treatments will be performed by or under direct supervision of a Virginia Certified Pesticide Applicator or Registered Technician and under the general supervision of Project Arborist).
- Provide information regarding timing of treatments, (hand removal, mechanical equipment or chemical treatments) when will treatments begin and end during a season and proposed frequency of treatments per season.
- Identify potential areas of reforestation and provide recommendation
- Monthly monitoring reports provided to the Urban Forest Management Division (UFMD) and the Site Development and Inspections Division (SDID) staff.
- Duration of management program; until Bond release or release of Conservation Deposit or prior to release if targeted plant(s) appear to be eliminated based on documentation provided by Project Arborist and an inspection by UFMD staff.

24. **Noise Attenuation.** The Applicant will utilize attenuation measures on the eastern façade of Building C-3 to ensure that no new residential use shall be exposed to transportation generated noise levels in excess of 45 decibels for interior areas.

25. **Electric Vehicle Charging Stations.** The Applicant will install two Level 2 electric vehicle (“EV”) charging stations, each serving two parking spaces for the student building (Building C on the CDP/FDP). The Applicant will install one Level 2 EV charging station serving two parking spaces for the senior building and one Level 2 EV charging station serving two parking spaces for the family building (Buildings A and B on the CDP/FDP). The Applicant will include within all site plan and building plan submissions, as applicable, the identification of the spaces that will be served by the EV charging station(s).

26. **Buffer Supplementation.** The Applicant will work with UFMD staff to supplement the buffer areas shown along the northern lot line to the maximum extent feasible with evergreen, deciduous and understory vegetation with the goal of improving the general
health of the existing vegetation and of providing year-round visual screening to adjacent residences throughout each phase of development.

IV. CONTRIBUTIONS

27. On-Site Recreation Facilities. Pursuant to Section 16-404 of the Zoning Ordinance regarding developed recreational facilities, the Applicant will provide recreational facilities to serve the property as shown on the CDP/FDP. At the time of the issuance of the first Residential Use Permit (“RUP”), the Applicant will demonstrate that the value of any proposed recreational amenities is equivalent to a minimum of $1,900 per dwelling unit for the 340 unit market rate building. If it is determined that the proposed facilities do not have sufficient value, the Applicant will contribute funds in the amount needed to achieve the overall required amount of $1,900 per unit for the 340 unit building for recreational facilities intended to serve the future residents elsewhere in the Braddock District, as determined by FCPA in consultation with the Supervisor for the Braddock District.

28. Public Schools.

- Building A (Affordable Family Building) - A contribution of $220,716 will be made to the Board of Supervisors for transfer to Fairfax County Public Schools (FCPS) and designated for capital improvements at the public schools serving the development. The contribution will be made at the time of, or prior to, site plan approval of the affordable buildings. Following approval of this Application and prior to the Applicant’s payment of the amount set forth in this Proffer, if Fairfax County should increase the ratio of students per unit or the amount of the contribution per student, the Applicant will increase the amount of the contribution for that phase of development to reflect the then-current contribution. In addition, notification will be given to FCPS when construction is anticipated to commence to assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

- Building C – (Student housing building) - Within 30 days of the one year anniversary of Building C being more than 75% leased (the “one year anniversary”), the Applicant shall submit an accurate accounting of any elementary through high school age children residing in the building to the Zoning Administrator, or her designee. The County shall have the opportunity to verify the Applicant’s accounting and/or adjust the same based on actual enrollment data from the public schools. Within 30 days of the County’s approval of the accounting of the number of students actually generated, the Applicant shall submit payment to Fairfax County in the amount of $12,262 for each confirmed school aged child (the “per student contribution”). The Applicant shall undertake a similar accounting every five years following the one year anniversary. If such subsequent analysis and accounting shows additional elementary through high school age students generated beyond that confirmed following the one year anniversary, the Applicant shall make an additional per
student contribution for each additional student confirmed in subsequent years based on the process outlined herein.

29. **Recreation Contribution.** Prior to the first residential use permit, the Applicant will contribute $364,305 to the Fairfax County Park Authority (FCPA) for use at recreational facilities intended to serve the future residents of the Braddock District, as determined by the Fairfax County Park Authority in consultation with the Braddock District Supervisor.

**Successors and Assigns**

These proffers will bind and inure to the benefit of the Applicant or Owner and his/her successors and assigns.

**Counterparts**

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

TITLE OWNER AND APPLICANT SIGNATURES TO FOLLOW ON THE NEXT PAGE:
Fairfax County Redevelopment and Housing Authority
Title Owner of 57-3((1))11A, 11B; 57-4((1))2B

BY:______________________________

Printed Name: ____________________________

Title: ________________________________
One University Development Partners, LLC
Lessee of 57-3((1))11A, 11B; 57-4((1))2B

BY: SCG Development Partners, LLC, its managing member

BY: ________________________________

Printed Name: ________________________________

Title: ________________________________
One University Development Partners, LLC  
RZ 2018-BR-025  
Proffer Justification for Proffers  
Dated July 8, 2019

The proposed rezoning application for One University Development Partners, LLC is for a new residential development and, as such, is subject to the requirements of Section 15.2-2303.4, of the Code of Virginia (1950 as amended) (the “Proffer Law”). Justification that each proffer is in conformance with the Proffer Law is provided for each proffer and assurance that it meets the intent of Section 15.2-2303.4 is provided below. Specifically the following has been included for each proffer:

a) The impact of the new residential development that the proffer is addressing  
b) An explanation of how the impact is specifically attributable to the new residential development  
c) A determination that the proffer is onsite or offsite and the basis for the conclusion

Additionally, if the proffer is an offsite proffer, the following information has been provided:

d) The offsite publicly facility that is impact by the new residential development or use, along with supporting evidence (such as third-party analysis by an expert);  
e) Confirmation that the proffer is for an improvement to the identified public facility; and  
f) Explanation, with supporting evidence (such as third-party analysis by an expert) the following:
   * How the proffer addresses the identified impact to the identified offsite public facility;  
   * How the new residential development or use creates a need or an identifiable portion of a need for the proffered public facility improvement;  
   * How the need created by the new residential development or use exceeds existing public facility capacity;  
   * The time period or specific date used to determine the time of the rezoning when measuring the existing public facility capacity and why the time period or date was chosen;  
   * The direct and material benefit that the new residential development or use will receive from the proffer and how it is received or realized.

I. GENERAL

1. Substantial Conformance. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (the “Zoning Ordinance”), development of the Property will be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP), prepared by Urban Ltd., dated October, 2018, revised through July 2, 2019.

Impact the proffer is addressing: The proffer is addressing the impact of the proposed development by demonstrating that the property will be developed in accordance with a Conceptual Development Plan/Final Development Plan, which
is required to meet the submission requirements of a rezoning application per Section 18-202 of the Fairfax County Zoning Ordinance (the “ZO”).

Explanation of how the impact is specifically attributable to the new residential development: The impact is specifically attributable to the new residential development because the CDP/FDP is being prepared to show the proposed residential development. The proffer requiring substantial conformance with the CDP/FDP is therefore specifically attributable the new residential development.

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is an onsite proffer because it refers specifically to the development on the application property.

2. Density/ Uses. The Applicant will be permitted to develop the Property up to a 1.56 FAR inclusive of any density bonus. The principal uses on the Property will be multifamily residential dwellings and public use, as identified on the CDP/FDP and as further specified below.

- Building A will contain no more than 120 multifamily affordable dwelling units administered in accordance with comprehensive agreements and ground leases with FCRHA. Building A will also contain approximately 3,000 square feet of public use space designed as meeting space exclusively for FCRHA.
- Building B will contain no more than 120 affordable dwelling units designed for seniors age 62 and over administered in accordance with comprehensive agreements and ground leases with FCRHA.
- Building C will contain no more than 340 units, primarily in 2 and 4 bedroom configurations. Due to the location, building design and lease agreement structure, the Applicant anticipates college student will comprise the primary market for these units. Marketing materials for the building will be reflective of this anticipation resident population
- A 3,000 square foot community amenity building which could include accessory uses to the residential buildings such as the leasing office for Building A, a fitness center, an internet café/business center, laundry space and a club room

Impact the proffer is addressing: The proffer is addressing the impact of the development by providing the maximum allowable unit count for each proposed building.

Explanation of how the impact is specifically attributable to the new residential development: The proffer is specifically attributable to the new residential development because the new development is generating the maximum unit count.
Determination that the Proffer is Onsite or Offsite and basis for the determination:
The maximum unit count is an onsite proffer because all new units will be on site.

3. Elements of the CDP/Elements of the FDP. Notwithstanding the fact that the
CDP and FDP are presented on the same plan, the elements that are components of
the CDP are limited to the points of perimeter access, the internal circulation, the
maximum number and type of dwelling units, the maximum square footage, the
maximum building heights, the minimum percentage and general location of open
space, the location of the limits of clearing and grading, the setbacks from
peripheral lot lines and the general location of buildings and only a future
amendment to such elements will require a Conceptual Development Plan
amendment (CDPA) or a Proffered Condition Amendment (PCA). The Applicant
reserves the right to request a Final Development Plan Amendment for elements
other than CDP elements listed above from the Planning Commission for all or a
portion of the FDP in accordance with Section 16-402 of the Ordinance if such
amendment is in accordance with these Proffers as determined by the Fairfax
County Zoning Administrator. Additionally, any portion of the Property may be
the subject of a CDPA, PCA, Rezoning, Special Exception (“SE”), Special
Exception Amendment (“SEA”), Comprehensive Sign Plan, Special Permit (“SP”),
Variance or other zoning action without the joinder and/or consent of the owner(s)
of the other land area(s), provided that such application complies with Paragraph 6
of Section 18-204 of the Zoning Ordinance and Section 15.2-2302 of the Code of
Virginia, as applicable. Previously approved proffered conditions or development
conditions applicable to a particular portion of the Property that is not the subject
of such future application will remain in full force and effect.

Impact the proffer is addressing: The proffer is defining what is considered a
concept development plan element versus a final development plan element in
order to differentiate how future amendments or other applications on the
Property would be structured. Therefore, the proffer is addressing the impact of
amendments to the development on the Property.

Explanation of how the impact is specifically attributable to the new residential
development: The impact is specifically attributable to the new residential
development because any amendment or new application would be on the subject
Property.

Determination that the Proffer is Onsite or Offsite and basis for the determination:
This proffer is onsite because the development would be on the Property.

4. Architectural Design. The architectural design of the buildings will be in general
conformance with the bulk, mass and type and quality of materials and elevations
shown on the CDP/FDP. Architectural materials for each building will include
two or more of the following: brick masonry veneer in multiple muted colors,
fiber cement siding and panels, architectural metal panels, architectural
composition shingles, aluminum fixed and single hung windows, aluminum
window wall with insulated glazing. The residential windows on the northern façade of Building C will not be operable and will have blinds. There will be no common communal space on the northern façade of Building C and no balconies along the northern façades of any of the buildings. The Applicant reserves the right to adjust the architectural design details of the buildings, including but not limited to, the building materials, articulation, and fenestration to include items such as awnings and door/window canopies, as part of the final architectural design and engineering without requiring approvals of the PCA or FDPA provided (a) the maximum building height is not increased, (b) the minimum open space is not decreased, and (c) the quality of the architectural design and the quality of the building materials remain in general conformance with that shown on the CDP/FDP, as determined by the Zoning Administrator.

**Impact the proffer is addressing:** The proffer is addressing the visual impact of the new residential buildings.

**Explanation of how the impact is specifically attributable to the new residential development:** The impact is specifically attributable to the residential development because the proposed residential buildings are the subject of the application.

**Determination that the Proffer is Onsite or Offsite and basis for the determination:**
The proffer is onsite because it refers to the design and appearance of the buildings within the onsite development.

5. **Zoning Administrator Consideration.** Notwithstanding the timing specified in these proffers, upon demonstration by the Applicant that, despite diligent efforts or due to factors beyond the Applicant’s control, the required improvements proffered have been delayed (due to, but not limited to, an inability to secure necessary permission from Virginia Department of Transportation (VDOT) or other agencies to facilitate the improvements, etc.) beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of these improvements.

**Impact the proffer is addressing:** The proffer is addressing the impact of potentially changing the timing of certain commitments.

**Explanation of how the impact is specifically attributable to the new residential development:** The impact of the timing of certain commitments is attributable to the new residential development because the commitments in these proffers are specifically tied to development on the Property.

**Determination that the Proffer is Onsite or Offsite and basis for the determination:**
The reference to a change in the timing of fulfillment of certain proffers could be either onsite or offsite depending upon the proffer.

6. **Construction.** Outdoor construction activity must be limited to between the hours of 7:00 am and 7:00 pm, Monday through Friday and 8:00 am to 5:00 pm on
Saturday unless modified by the Director Department of Public Works and Environmental Services (DPWES). No outdoor construction activities will be permitted on Sundays or federal holidays. The Applicant will direct the site superintendent to notify all employees and subcontractors of these hours of operation and must ensure that the hours of operation are respected. Construction hours must be posted on site in multiple languages including English and Spanish. This proffer applies to the original construction only and not to future additions. All construction vehicles must be parked on the Property. Prior to commencement of construction, the telephone number of the on-site site superintendent must be provided to the Magisterial District Supervisors’ Offices.

**Impact the proffer is addressing:** The proffer is addressing the impact of construction noise and construction vehicle parking which may arise from construction activity on the site.

**Explanation of how the impact is specifically attributable to the new residential development:** The impact is specifically attributable to the development because it is generated by construction of the proposed development.

**Determination that the Proffer is Onsite or Offsite and basis for the determination:** The proffer is onsite since any construction noise will be generated onsite.

### II. TRANSPORTATION

7. **Road Improvements.** Prior to the issuance of the first residential use permit on the Property, the Applicant will, subject to VDOT approval: (1) install no parking signs on the south side of University Drive within the right of way from the eastbound stop bar at the intersection of University Drive and Ox Road to a point 400 feet west on University Drive, (2) restripe the eastbound lanes of University Drive to create a dedicated right turn lane and a combined through/left turn lane, (3) extend the left turn on northbound Ox Road as shown on the CDP/FDP, and (4) modify the existing traffic signal at the intersection of Ox Road and University Drive to implement an eastbound right turn overlap phase.

**Impact the proffer is addressing:** The proffer is addressing the impact of the vehicular trip generation anticipated from the residential development as calculated using the industry standard of ITE rates on the intersection of Ox Road and University Drive.

**Explanation of how the impact is specifically attributable to the new residential development:** The impact is specifically attributable to the new residential development because the Operational Analysis conducted by Wells & Associates, Inc., utilizing well established industry standards for trip generation and for trip distribution, attributed enough additional vehicular trips at the intersection of University Drive and Ox Road to the new residential development to cause specific approaches of the intersection to degrade in functionality to a level deemed unacceptable by VDOT standards.
Determination that the Proffer is Onsite or Offsite and basis for the determination: This proffer is offsite as the intersection is not on the Property.

Identify the offsite public facility that is impacted by the new residential development: The offsite public facility that is impacted is the intersection of Ox Road and University Drive.

Confirmation that the proffer is for an improvement to the identified public facility: The proffer is for an improvement to the intersection of Ox Road and University Drive which is a public facility. Both roads are public roads.

Explanation, with supporting evidence (such as third-party analysis by an expert) the following:

- How the proffer addresses the identified impact to the identified offsite public facility: The Proffer addresses the identified impact because, as shown in the Operational Analysis conducted by Wells & Associates, the proposed improvements increase the level of service at the intersection to acceptable levels.

- How the new residential development or use creates a need or an identifiable portion of a need for the proffered public facility improvement: The trip generation anticipated from the new residential development, using well-established industry standards and as shown in the Operational Analysis conducted by Wells & Associates, Inc., causes specific approaches of the intersection to degrade in functionality to a level deemed unacceptable by VDOT standards.

- How the need created by the new residential development or use exceeds existing public facility capacity: The intersection of Ox Road and University Drive is caused to degrade below capacity because of the trips anticipated from the new residential development.

- The time period or specific date used to determine the time of the rezoning when measuring the existing public facility capacity and why the time period or date was chosen: The Operational Analysis conducted by Wells & Associates identified the time period for which the impacts were assessed based on industry standards for such a review.

- The direct and material benefit that the new residential development or use will receive from the proffer and how it is received or realized: The residents of the new residential development will benefit from the intersection improvements because of the improved functionality of the intersection and decreased delay times.

8. Parking. Parking will be provided in accordance with the parking requirements of Article 11 of the Zoning Ordinance, as determined by the Department of Land Services (LDS), for the uses shown on the CDP/FDP. The Applicant reserves the right to pursue a parking reduction for the development, as may be permitted by Article 11 of the Zoning Ordinance. Entry to the parking for all three buildings will be controlled by entry card or fob or other security system.

Impact the proffer is addressing: The proffer is addressing the impact of the
provision of onsite parking.

**Explanation of how the impact is specifically attributable to the new residential development:** The Zoning Ordinance contains specific parking ratios for the residential uses proposed on the Property.

**Determination that the Proffer is Onsite or Offsite and basis for the determination:** This proffer is onsite because both the uses and the associated parking for the uses are on the Property.

9. Pedestrian Improvements. Prior to the issuance of the first residential use permit for Building C-1, C-2 or C-3, the Applicant will install the pedestrian improvements to include curb extensions and/or tightened curb radii, restriping of crosswalks, ADA ramps in northwest, southwest and northeast quadrants, and pedestrian signals at the intersection of Ox Road and University Drive as shown on the CDP/FDP subject to VDOT approval.

**Impact the proffer is addressing:** The proffer is addressing the impact of the projected pedestrian generation anticipated from the proposed residential development (proposed student building).

**Explanation of how the impact is specifically attributable to the new residential development:** The impact is specifically attributable to the new residential development because Building C, as shown on the CDP/FDP, is proposed to be housing college-aged students (as committed to in Proffer 2) who will most likely attend George Mason University (GMU). Since the GMU campus is directly across Rt. 123 from the Property, it is anticipated that a large number of students will walk to the campus from Building C utilizing the intersection of Rt. 123 and University Drive.

**Determination that the Proffer is Onsite or Offsite and basis for the determination:** This proffer is offsite as the intersection is not on the Property.

**Identify the offsite public facility that is impacted by the new residential development:** The offsite public facility that is impacted is the intersection of Ox Road and University Drive.

**Confirmation that the proffer is for an improvement to the identified public facility:** The proffer is for an improvement to the intersection of Ox Road and University Drive which is a public facility. Both roads are public roads and the proposed improvements are within public right-of-way.

**Explanation, with supporting evidence (such as third-party analysis by an expert) the following:**
- How the proffer addresses the identified impact to the identified offsite public facility: The Proffer addresses the identified impact because the proposed improvements increase the curb area at each of the four corners
of the intersection and shortens the crosswalk length, thus improving the safety for pedestrians using the intersection.

- **How the new residential development or use creates a need or an identifiable portion of a need for the proffered public facility improvement:** The Applicant has projected that approximately 20% of the student population of the student building will cross the intersection in the AM and PM peak which is approximately 160 more pedestrians during that time frame. The anticipated number of student pedestrians from the student building causes safety concerns at the intersection given the also high traffic volumes as noted in the Operational Analysis.

- **How the need created by the new residential development or use exceeds existing public facility capacity:** There will be safety concerns at intersection of Ox Road and University Drive because of potential conflicts between vehicles and the high number of pedestrians without the improvements proposed.

- **The time period or specific date used to determine the time of the rezoning when measuring the existing public facility capacity and why the time period or date was chosen:** Pedestrian counts were taken in order to analyze the operation of the intersection. They are part of the Operational Analysis. The projected number of students discussed above would impact the intersection after the student building is constructed.

- **The direct and material benefit that the new residential development or use will receive from the proffer and how it is received or realized:** The residents of the new residential development will benefit from the intersection improvements because of the improved safety of the intersection.

10. **Bicycle Racks.** The Applicant will provide bicycle racks in outdoor common areas and/or garage areas of the student and family buildings (Buildings A and C on the CDP/FDP), the number and location of which will be determined at the time of site plan, consistent with the “Fairfax County Policy and Guidelines for Bicycle Parking” and approval of the Fairfax County Department of Transportation (FCDOT). Bicycle racks will be inverted U-style or other design as approved by FCDOT.

**Impact the proffer is addressing:** The proffer is addressing the impact of additional vehicles on the area road system by providing storage for an alternative transportation mode (bikes).

**Explanation of how the impact is specifically attributable to the new residential development:** The impact is specifically attributable to the development because vehicles will be generated by the proposed development.

**Determination that the Proffer is Onsite or Offsite and basis for the determination:** This proffer is onsite because both the bike storage is located on the Property.

11. **Transportation Demand Management (TDM).** TDM strategies will include designating a Transportation Management Coordinator who would inform the residents of alternative transit options such as Metrorail, Fairfax Connector,
ridesharing, and biking/walking etc. and offering SmarTrip cards to the initial residents at the time of initial lease.

*Impact the proffer is addressing:* The proffer is addressing the impact of the projected trip generation by ensuring methods to reduce trip generation.

*Explanation of how the impact is specifically attributable to the new residential development:* The impact is specifically attributable to the new residential development because the trips would be generated by the development.

*Determination that the Proffer is Onsite or Offsite and basis for the determination:* This proffer addressing an offsite impact – trip generation on the adjacent road network.

*Identify the offsite public facility that is impacted by the new residential development:* The offsite public facility that is impacted is the surrounding public road network.

*Confirmation that the proffer is for an improvement to the identified public facility:* The proffer is specifically to address a method of reducing trip generation from the Property which would affect the surrounding road network.

*Explanation, with supporting evidence (such as third-party analysis by an expert) the following:*
- **How the proffer addresses the identified impact to the identified offsite public facility:** The Proffer encourages the future residents to use mass transit instead of single occupancy vehicles which add to the traffic congestion in the area.
- **How the new residential development or use creates a need or an identifiable portion of a need for the proffered public facility improvement:** While not a proffered facility improvement, the new residents will be contributing to the traffic generated from the site and this proffer encourages them to use mass transit to reduce that trip generation.
- **How the need created by the new residential development or use exceeds existing public facility capacity:** The trips generated from the proposed development will be reduced and thus the strain on public road system reduced by this proffer.
- **The time period or specific date used to determine the time of the rezoning when measuring the existing public facility capacity and why the time period or date was chosen:** The use of TDMs for trip reduction is an industry standard. No specific time period for assessment the efficiency of TDMs was developed.
- **The direct and material benefit that the new residential development or use will receive from the proffer and how it is received or realized:** The residents of the new residential development will benefit from the information disseminated about mass transit and the opportunity for some free ridership via the SMARTRIP cards.
III. ENVIRONMENTAL

12. Green Building Practices. The Applicant will select one of the following programs to be implemented for Buildings A and B and will inform the Environment and Development Review Branch (EDRB) of the Department of Planning and Zoning which program has been chosen as part of the first site plan submission:

- **Earthcraft.** Certification of the residential buildings in accordance with the EarthCraft House Multifamily Program as demonstrated through documentation provided to EDRB prior to the issuance of the RUP for each dwelling unit.

- **National Green Building Standard (NGBS).** Certification in accordance with NGBS using the ENERGY STAR® Qualified Homes path for energy performance as demonstrated through documentation submitted to EDRB from a Verifier certified through the Home Innovation Research Labs, that demonstrates that the building has attained such certification prior to the issuance of the residential use permit (RUP) for the building. To use an energy path other than ENERGY STAR, the Applicant must provide both the above reference certification documentation and additional documentation demonstrating equivalent or greater energy performance to the ENERGY STAR standard prior to the issuance of the RUP.

For Building C, the Applicant will submit a scorecard to the Environment and Development Review Branch (EDRB) of the Department of Planning and Zoning prior to the issuance of a residential use permit for the building that shows that enough credits have been attained to certify the building under one of the two programs above or another equivalent program.

*Impact the proffer is addressing:* The proffer is addressing the environmental impact of each unit on the property.

*Explanation of how the impact is specifically attributable to the new residential development:* The energy usage of the residences is specifically attributable to the new residential development because there is a direct correlation between the individual unit and the energy used within it. The proffer is addressing the increased environmental impact to the property associated with the increased number of units proposed within the new development.

*Determination that the Proffer is Onsite or Offsite and basis for the determination:* The proffer is onsite because it is addressing energy usage impacts within the boundary of the property.

13. **Tree Preservation:** The applicant will submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative will be prepared by a Certified Arborist or a Registered Consulting Arborist, and will be subject to the review and approval of Urban Forest Management Division (“UFMD”).

The tree preservation plan will include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage.
rating for all individual trees located within the tree save area living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) and 25 feet outside of the proposed limits of clearing, in the undisturbed area and within 10 feet of the proposed limits of clearing in the area to be disturbed. All trees inventoried will be tagged in the field so they can be easily identified. If permission is not allowed from the offsite property owner to tag trees, it will be noted on the tree preservation plan by providing written documentation between the applicant and the offsite property owner. The tree preservation plan will provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of disturbance shown on the CDP/FDP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative will include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, soil testing and recommended fertilization, Cambistat, airspading within the critical root zone to incorporate the application of compost and bio-char will be included in the plan.

*Impact the proffer is addressing:* The proffer is addressing the impact of the proposed new residential development on the preservation of trees.

*Explanation of how the impact is specifically attributable to the new residential development:* The impact is specifically attributable to the new residential development because it deals with preservation of onsite tree cover as a direct result of the proposed development.

*Determination that the Proffer is Onsite or Offsite and basis for the determination:* The proffer is onsite because all trees being preserved are within the boundaries of the property.

14. **Project Arborist/Pre-construction Meeting:** Prior to the pre-construction meeting the Applicant will have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant will retain the services of a Certified Arborist or Registered Consulting Arborist (Project Arborist) to attend the pre-construction meeting to review the limits of clearing and grading with an UFMD representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading. Such adjustments will be recorded by the Project Arborist and tree protection fencing will be implemented under the Project Arborist’s supervision based on these adjustments.

*Impact the proffer is addressing:* The proffer is addressing the impact of the proposed new residential development.

*Explanation of how the impact is specifically attributable to the new residential development:* The impact is specifically attributable to the new residential development because it relates to the preservation of trees that are onsite.
Determination that the Proffer is Onsite or Offsite and basis for the determination:
The proffer is onsite because all trees being preserved are within the boundaries of the property and this proffer ensures the previous protection commitment will be followed.

15. Limits of Clearing and Grading: The Applicant will conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of the Department of Public Works and Environmental Services (“DPWES”), as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they will be located in the least disruptive manner necessary as determined by the UFMD. A replanting plan will be developed and implemented, subject to approval by the UFMD, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

Impact the proffer is addressing: The proffer is addressing the impact of the construction activities associated with the new residential development.

Explanation of how the impact is specifically attributable to the new residential development: The impact is specifically attributable to the new residential development because it is a direct result of constructing the new residential development. This is one of the regulatory submission requirements for a subdivision plan per Section 2-0502.2A of the Public Facilities Manual (“PFM”).

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is onsite because the area of disturbance is within the property limits.

16. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan must be protected by tree protection fencing in accordance with the Public Facilities Manual (PFM), and as approved by UFMD.

All tree protection fencing must be installed after the tree preservation walkthrough meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing is to be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, is to be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities may occur until the fencing is installed correctly, as determined by the UFMD.
Impact the proffer is addressing: The proffer is addressing the impact of the proposed new residential development on existing vegetation.

Explanation of how the impact is specifically attributable to the new residential development: The impact is specifically attributable to the new residential development because it deals with protection and preservation of onsite trees and vegetation.

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is onsite because all trees being preserved are within the boundaries of the property and this proffer ensures the previous protection commitment will be followed.

17. Root Pruning: The Applicant will root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments will be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments will be reviewed and approved by the UFMD, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning will be done with a trencher or vibratory plow to a depth of 18 - 24 inches where indicated on the approved plans. After root pruning with vibratory plow or trencher, the project arborist will insure that any roots over one inch (1”) in diameter that are jagged or broken by machinery will be hand pruned with loppers or hand pruning saw.
- Root pruning will take place prior to any clearing and grading, or demolition of structures.
- Root pruning will be monitored by the Project Arborist.
- UFMD, DPWES will be informed when all root pruning and tree protection fence installation is complete.

Impact the proffer is addressing: The proffer is addressing the impact of the proposed residential development on existing vegetation.

Explanation of how the impact is specifically attributable to the new residential development: The impact is specifically attributable to the new residential development because it deals with preservation of onsite trees and vegetation.

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is onsite because all trees being preserved are within the boundaries of the property and this proffer ensures the previous preservation commitment will be followed.

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

**Impact the proffer is addressing:** The proffer is addressing the impact of the proposed new residential development on existing vegetation.

**Explanation of how the impact is specifically attributable to the new residential development:** The impact is specifically attributable to the new residential development because it deals with preservation of onsite tree cover.

**Determination that the Proffer is Onsite or Offsite and basis for the determination:** The proffer is onsite because all trees being preserved are within the boundaries of the property.

19. **Landscape Pre-Inspection Meeting:** Prior to installation of plants to meet requirements of the approved landscape plan, the Contractor/Developer will coordinate a pre-installation meeting on site with the landscape contractor and a representative of UFMD. Any proposed changes to the location of planting, size of trees/shrubs, and any proposed plant substitutions for species specified on the approved plan will be reviewed at this time and must be approved prior to planting. The installation of plants not specified on the approved plan, and not previously approved by UFMD, may require submission of a revision to the landscape plan or removal and replacement with approved material.

Field location of planting material, when required by the approved plan, will be reviewed at the pre-installation meeting. The Landscape Contractor will stake proposed individual planting locations in consultation with the Contractor/Developer prior to the pre-installation meeting, for review by UFMD staff. Stakes will be adjusted, as needed, during the course of the meeting as determined by UFMD staff based on discussion with the Contractor/Developer and the Landscape Contractor.

**Impact the proffer is addressing:** The proffer is addressing implementation of the regulatory requirement for landscaping.

**Explanation of how the impact is specifically attributable to the new residential development:** The impact is specifically attributable to the new residential development because landscaping would not be required but for the proposed development.

**Determination that the Proffer is Onsite or Offsite and basis for the determination:** The proffer is onsite because the landscaping is within the boundaries of the property.

20. **Landscaping.** A landscape plan that shows, at a minimum, landscaping in conformance with the landscape design shown on the CDP/FDP, Sheets 28–31, will be submitted concurrently with the first submission, and all subsequent submissions of the site plan for review and approval by Urban Forest Management Division (UFMD), Department of Public Works and Environmental Services (DPWES).
Landscaping will be generally consistent with the quality, quantity and the locations shown on the CDP/FDP and will be non-invasive, predominantly native species and improved cultivars. At the time of planting, the minimum caliper for deciduous trees that are not being used to meet Chesapeake Bay Preservation Ordinance (CBPO) requirements will be two (2) inches to two and one-half (2.5) inches and the minimum height for evergreen trees will be six (6) feet. Actual types and species of vegetation will be determined pursuant to more detailed landscape plans approved by Urban Forestry Management Division (UFMD) at the time of site plan approval. The Applicant or Owner reserves the right to make minor modifications to such landscaping to reasonably accommodate utilities and other design considerations, as approved by UFMD, provided such relocated landscaping will retain a generally equivalent number of plantings as shown on the approved CDP/FDP.

**Impact the proffer is addressing:** The proffer is reaffirming a regulatory requirement for landscaping to be provided with new residential development.

**Explanation of how the impact is specifically attributable to the new residential development:** The impact is specifically attributable to the new residential development because landscaping would not be required but for the proposed development.

**Determination that the Proffer is Onsite or Offsite and basis for the determination:** The proffer is onsite because the landscaping is within the boundaries of the property.

21. **Stormwater Management Facilities and Best Management Practices**

Stormwater management (SWM) will be provided as generally depicted on the CDP/FDP and will be reviewed for adequacy and approved by Land Development Services (LDS). No offsite nutrient credits will be requested. The requirements for maintaining non-County maintained SWM improvements will be in a standard maintenance agreement between the County and the Applicant, its successor and assigns. This agreement will be recorded in the County land records and run with the land. Should future County policy permit all or part of the SWM facilities on the Property to be eligible for County Maintenance, then the Applicant may request County maintenance for eligible facilities.

**Impact the proffer is addressing:** The proffer is addressing the impact of additional Stormwater runoff generated from the proposed residential development.

**Explanation of how the impact is specifically attributable to the new residential development:** The impact is specifically attributable to the new residential development because the additional impervious area created by the proposed residential buildings will cause an increased in runoff from the site. PFM Section 6-0401.1 states: “In compliance with the Virginia Stormwater Management Act, Article 1.1 (§ 10.1-603.1, et seq.) of Chapter 6 of Title 10.1 of the Code of Virginia and the Virginia Stormwater Management Program (VSMP) Regulations (4VAC50-60 et seq.), the Board has adopted Chapter 124 (Stormwater Management Ordinance) of the County Code. The Stormwater Management Ordinance establishes requirements for managing stormwater and procedures whereby those requirements shall be administered and enforced. These requirements are intended
to protect property, state waters, stream channels, and other natural resources from the potential harm of unmanaged stormwater. Requirements for water quality controls are included in the Stormwater Management Ordinance.” The proposed Stormwater Management Facilities are therefore required as part of the regulatory process for a subdivision and are directly attributable to the Proposed Development.

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is onsite because the additional runoff generated is from onsite activities and the Stormwater Management facility and Best Management Practices will be located onsite.

22. Resource Protection Area (RPA): The following actions will be taken in the RPA:

- Areas of proposed disturbance, including removal of existing buildings, asphalt and the existing stormwater management facility, will be restored per CBPO Sect. 118-3-3(f).
- Provision of a 25 ft. wide transitional screening yard consisting of healthy tree preservation and supplemental landscaping.
- Removal of invasives and implementation of reforestation per Proffer 22.

An RPA restoration plan outlining the above actions will be part of the site plan submission for Building A and the work will be completed prior to the issuance of the first RUP for Building A.

Impact the proffer is addressing: The proffer is addressing the impact of the development on environmental features of the Property.

Explanation of how the impact is specifically attributable to the new residential development: The impact is specifically attributable to the new residential development because structures are going to be removed from the RPA to further develop the Property.

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is onsite because the RPA is on the Property.

23. Invasive Species Management Plan: An invasive species management plan will be submitted as part of the first and all subsequent site plan submissions detailing how the invasive and undesirable vegetation will be removed and managed. The detailed invasive species management plan will include the following information:

- Identify targeted undesirable and invasive plant species to be suppressed and managed.
- Identify targeted area of undesirable and invasive plant management plan, which shall be clearly identified on the landscape or tree preservation plan.
- Recommended government and industry method(s) of management, i.e. hand removal, mechanical equipment, chemical control, other. Identify potential impacts of recommended method(s) on surrounding trees and vegetation not targeted for suppression/management and identify how these trees and vegetation will be protected (for example, if mechanical equipment is proposed in save area, what will be the impacts to trees identified for preservation and how will these impacts be reduced).
Identify how targeted species will be disposed.

If chemical control is recommended, treatments will be performed by or under direct supervision of a Virginia Certified Pesticide Applicator or Registered Technician and under the general supervision of Project Arborist).

Provide information regarding timing of treatments, (hand removal, mechanical equipment or chemical treatments) when will treatments begin and end during a season and proposed frequency of treatments per season.

Identify potential areas of reforestation and provide recommendation

Monthly monitoring reports provided to the Urban Forest Management Division (UFMD) and the Site Development and Inspections Division (SDID) staff.

Duration of management program; until Bond release or release of Conservation Deposit or prior to release if targeted plant(s) appear to be eliminated based on documentation provided by Project Arborist and an inspection by UFMD staff.

Impact the proffer is addressing: The proffer is addressing the impact of the proposed new residential development which will take place in or near areas of the site that include invasive species which may affect the preservation of trees on the property.

Explanation of how the impact is specifically attributable to the new residential development: The impact is specifically attributable to the new residential development because it relates to the removal of invasive species which would not be necessary were the site not being developed.

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is onsite because the invasive species are on site.

24. Noise Attenuation. The Applicant will utilize attenuation measures on the eastern façade of Building C-3 to ensure that no new residential use shall be exposed to transportation generated noise levels in excess of 45 decibels for interior areas.

Impact the proffer is addressing: The proffer is addressing the impact of traffic noise on the proposed development.

Explanation of how the impact is specifically attributable to the new residential development: The impact is specifically attributable to the new residential development because the new development will be impacted by traffic noise from Rt. 123.

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is onsite because the impacted building will be constructed on the property.

25. Electric Vehicle Charging Stations. The Applicant will install two Level 2 electric vehicle (“EV”) charging stations, each serving two parking spaces for the student building (Building C on the CDP/FDP). The Applicant will install one Level 2 EV
charging station serving two parking spaces for the senior building and one Level 2 EV charging station serving two parking spaces for the family building (Buildings A and B on the CDP/FDP). The Applicant will include within all site plan and building plan submissions, as applicable, the identification of the spaces that will be served by the EV charging station(s).

*Impact the proffer is addressing:* The proffer is addressing the impact of vehicular emissions from the proposed development by encouraging the use of electric vehicles.

*Explanation of how the impact is specifically attributable to the new residential development:* The impact is specifically attributable to the new residential development because the new development will generate vehicle trips.

*Determination that the Proffer is Onsite or Offsite and basis for the determination:* The proffer is onsite because the charging stations will be located on the property.

26. **Buffer Supplementation.** The Applicant will work with UFMD staff to supplement the buffer areas shown along the northern lot line to the maximum extent feasible with evergreen, deciduous and understory vegetation with the goal of improving the general health of the existing vegetation and of providing year-round visual screening to adjacent residences throughout each phase of development.

*Impact the proffer is addressing:* The proffer is addressing the impact of the proposed new residential development on the preservation of trees and the need to buffer the new residential development visually from adjacent properties.

*Explanation of how the impact is specifically attributable to the new residential development:* The impact is specifically attributable to the new residential development because it deals with supplementation of vegetation associated with the new residential development.

*Determination that the Proffer is Onsite or Offsite and basis for the determination:* The proffer is onsite because the supplementation will occur within the boundaries of the property.

### IV. CONTRIBUTIONS

27. **On-Site Recreation Facilities.** Pursuant to Section 16-404 of the Zoning Ordinance regarding developed recreational facilities, the Applicant will provide recreational facilities to serve the property as shown on the CDP/FDP. At the time of the issuance of the first Residential Use Permit (“RUP”), the Applicant will demonstrate that the value of any proposed recreational amenities is equivalent to a minimum of $1,900 per dwelling unit for the 340 unit market rate building. If it is determined that the proposed facilities do not have sufficient value, the Applicant will contribute funds in the amount needed to achieve the overall required amount of $1,900 per unit for the 340 unit building for recreational facilities intended to serve the future residents elsewhere in the Braddock District, as determined by FCPA in consultation with the Supervisor for the Braddock District.
Impact the proffer is addressing: The proffer is reaffirming a regulatory requirement for recreational facilities to be provided with new residential development. This regulatory requirement is set forth in the County’s Zoning Ordinance.

Explanation of how the impact is specifically attributable to the new residential development: The impact is specifically attributable to the new residential development because the facilities would not be required but for the proposed development.

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is onsite because the facilities are within the boundaries of the property.

28. Public Schools.

- Building A (Affordable Family Building) - A contribution of $220,716 will be made to the Board of Supervisors for transfer to Fairfax County Public Schools (FCPS) and designated for capital improvements at the public schools serving the development. The contribution will be made at the time of, or prior to, site plan approval of the affordable buildings. Following approval of this Application and prior to the Applicant’s payment of the amount set forth in this Proffer, if Fairfax County should increase the ratio of students per unit or the amount of the contribution per student, the Applicant will increase the amount of the contribution for that phase of development to reflect the then-current contribution. In addition, notification will be given to FCPS when construction is anticipated to commence to assist FCPS by allowing for the timely projection of future students as a part of the Capital Improvement Program.

- Building C – (Student housing building) - Within 30 days of the one year anniversary of Building C being more than 75% leased (the “one year anniversary”), the Applicant shall submit an accurate accounting of any elementary through high school age children residing in the building to the Zoning Administrator, or her designee. The County shall have the opportunity to verify the Applicant’s accounting and/or adjust the same based on actual enrollment data from the public schools. Within 30 days of the County’s approval of the accounting of the number of students actually generated, the Applicant shall submit payment to Fairfax County in the amount of $12,262 for each confirmed school aged child (the “per student contribution”). The Applicant shall undertake a similar accounting every five years following the one year anniversary. If such subsequent analysis and accounting shows additional elementary through high school age students generated beyond that confirmed following the one year anniversary, the Applicant shall make an additional per student contribution for each additional student confirmed in subsequent years based on the process outlined herein.

Offsite Public Facilities Impact: Fairfax County Public Schools (FCPS) prepared a memorandum dated April 29, 2019 that identified current and future capacity at schools within the pyramid serving the property. The proposed proffer is intended to address the additional students that will be generated at the schools in the event the rezoning application is approved. Va. Code Section 15.2-2303.4 permits the County to accept reasonable off-site proffers for school facilities.
Explanation of how the impact is specifically attributable to the new residential development: The Proposed Development would permit the addition of 140 multifamily affordable dwellings and 340 units for college students but not proffered as such. Typical FCPS assumptions in exempt cases assume that each residential unit creates, on average, .329 students per low-rise multifamily unit and, on average, .462 students per single family attached unit. The Proposed Development could therefore add 18 new students above the existing development, and this should be addressed by a reasonable proffer for those schools that are specifically impacted in accordance with Va. Code Section 15.2-2303.4. The proffer also includes provisions for accounting of the 340 units for college students to determine the exact population of elementary, middle and high school age students who may reside in the building at the prescribed times.

Determination that the Proffer is Onsite or Offsite and basis for the determination: The proffer is an offsite proffer because it is a contribution that will be used for offsite schools. The offsite proffer is intended to address a specific impact from the Proposed Development and the proffer contains language specifically limiting the use of the proffer to the uses described in Va. Code Section 15.2-2303.4.

The offsite publicly facility that is impact by the new residential development or use are the schools within the school pyramid serving the development.

Confirmation that the proffer is for an improvement to the identified public facility. The aforementioned memorandum identifies the schools mentioned as those that serve the Property.

Explanation, with supporting evidence (such as third-party analysis by an expert) the following:

- **How the proffer addresses the identified impact to the identified offsite public facility.** The proffer specifies that the contribution will be made for the designated for capital improvements at the public schools serving the development.

- **How the new residential development or use creates a need or an identifiable portion of a need for the proffered public facility improvement.** According to well-established policies for calculating projected students, it is anticipated that the students associated with the new residential development will impact the three schools serving the Property.

- **How the need created by the new residential development or use exceeds existing public facility capacity.** The aforementioned memorandum states the existing capacity of the schools and the project capacity with the Proposed Development.

- **The time period or specific date used to determine the time of the rezoning when measuring the existing public facility capacity and why the time period or date was chosen.** According to the memorandum from FCPS dated April 19, 2019, the five-year student projections are updated annually. The most recent update was utilized.

- **The direct and material benefit that the new residential development or use will receive from the proffer and how it is received or realized.** The new development will realize the capital improvements that are planned for the schools which will benefit future students from the new residential development.
29. **Recreation Contribution.** Prior to the first residential use permit, the Applicant will contribute $364,305 to the Fairfax County Park Authority (FCPA) for use at recreational facilities intended to serve the future residents of the Braddock District, as determined by the Fairfax County Park Authority in consultation with the Braddock District Supervisor.

*Impact the proffer is addressing:* The proffer is addressing the potential impact on the surrounding parkland and recreational facilities that would result from the increase in the number of residents resulting from the proposed development. 15.2-2303.4 permits the County to accept such off-site proffers for park facilities.

*Explanation of how the impact is specifically attributable to the new residential development:* The proposed development would permit the addition of more residential density that would otherwise be permitted by right. Although FCPA has not proposed specific park improvements, it has identified a general need for increased park space in the vicinity of the site, and as such the Applicant agrees that the Proposed Development creates an impact on the park system that is “specifically attributable to a proposed new residential development or other new residential use applied for.” Thus, based on an estimated occupancy in the Building C of 815 college-age students, the Applicant is offering the above proffer to permit the County to utilize the funds for impacts to an offsite public facility or public facilities that create a need or an identifiable portion of a need for one or more public facility improvements in excess of currently existing public facility capacity.

*Determination that the Proffer is Onsite or Offsite and basis for the determination:* The proffer is an offsite proffer because it is a contribution that will be used for offsite parks. The offsite proffer is intended to address a specific impact from the Proposed Development and the proffer contains language specifically limiting the use of the proffer to the uses described in Va. Code Section 15.2-2303.4.

*Identify the offsite public facility that is impacted by the new residential development:* The offsite public facilities that would be impacted by the new residential development are the existing and future Fairfax County Parks and Recreation facilities.

*Confirmation that the proffer is for an improvement to the identified public facility:* The proffer is a contribution specifically for improvements to area parks and facilities as determined by the Park Authority.

*Explanation, with supporting evidence (such as third-party analysis by an expert) the following:*
permitted by right. Although FCPA has not proposed specific park improvements, it has identified a general need for increased park space in the vicinity of the site, and as such the Applicant agrees that the Proposed Development creates an impact on the park system that is “specifically attributable to a proposed new residential development or other new residential use applied for.” As such, the Applicant is offering the above proffer to permit the County to utilize the funds for impacts to an offsite public facility or public facilities that create a need or an identifiable portion of a need for one or more public facility improvements in excess of currently existing public facility capacity.

- **How the need created by the new residential development or use exceeds existing public facility capacity:** Additional residents, beyond the anticipated number allowed by right, will create usage impacts on the area park system.
- **The time period or specific date used to determine the time of the rezoning when measuring the existing public facility capacity and why the time period or date was chosen:** The calculation as to the anticipated number of residents, and thus, the impact to the area park system, utilized a residents per household ratio published by Fairfax County.
- **The direct and material benefit that the new residential development or use will receive from the proffer and how it is received or realized:** The residents of the new residential development will benefit from the improvement and continued operation of area park facilities.

**Successors and Assigns**

These proffers will bind and inure to the benefit of the Applicant or Owner and his/her successors and assigns.

**Counterparts**

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

**TITLE OWNER AND APPLICANT SIGNATURES TO FOLLOW ON THE NEXT PAGE:**
Fairfax County Redevelopment and Housing Authority
Title Owner of 57-3((1))11A, 11B; 57-4((1))2B

BY: ______________________________

Printed Name: ______________________________

Title: ______________________________
One University Development Partners, LLC
Lessee of 57-3((1))11A, 11B; 57-4((1))2B

BY: SCG Development Partners, LLC, its managing member

BY: ______________________________

Printed Name: ______________________________

Title: ______________________________
PROPOSED DEVELOPMENT CONDITIONS

FDP 2018-BR-025

July 10, 2019

If it is the intent of the Planning Commission to approve FDP 2018-BR-025 to allow 580 residential units located at Tax Map(s) 57-3 ((1)) 11A & 11B; 57-4 ((1)) 2B staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

1. Development of the property will be in substantial conformance with the Final Development Plan Amendment entitled “One University”, consisting of 42 sheets dated November 15, 2018 as revised through May 20, 2019, and these conditions.

2. The maximum building height shall be 60 feet for Building A, 50 feet for Building B, and 75 feet for Building C.

The above proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.

This approval, contingent on the above noted conditions, shall not relieve the applicants from compliance with the provisions of any applicable ordinances, regulations or adopted standards.
REZONING AFFIDAVIT
JUN - 5 2019

DATE: (enter date affidavit is notarized)

I, Lori R. Greenlief, do hereby state that I am an applicant’s authorized agent listed in Par. 1(a) below

(check one) [ ] applicant
[✓] applicant’s authorized agent listed in Par. 1(a) below

in Application No.(s): RZ/FDP 2018-BR-025

(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:

I(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.)

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>RELATIONSHIP(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8245 Boone Boulevard, Suite 640 Vienna, VA 22182</td>
<td>8245 Boone Boulevard, Suite 640 Vienna, VA 22182</td>
<td>8245 Boone Boulevard, Suite 640 Vienna, VA 22182</td>
</tr>
<tr>
<td>Fairfax County Redevelopment and Housing Authority, body corporate and politic Agent: Thomas E. Fleetwood, Assistant Secretary of Fairfax County Redevelopment and Housing Authority (FCRHA)</td>
<td>Fairfax County Redevelopment and Housing Authority, body corporate and politic Agent: Thomas E. Fleetwood, Assistant Secretary of Fairfax County Redevelopment and Housing Authority (FCRHA)</td>
<td>Fairfax County Redevelopment and Housing Authority, body corporate and politic Agent: Thomas E. Fleetwood, Assistant Secretary of Fairfax County Redevelopment and Housing Authority (FCRHA)</td>
</tr>
<tr>
<td>3700 Pender Drive, Suite 300 Fairfax, VA 22030</td>
<td>3700 Pender Drive, Suite 300 Fairfax, VA 22030</td>
<td>3700 Pender Drive, Suite 300 Fairfax, VA 22030</td>
</tr>
</tbody>
</table>

(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:** JUN - 5 2019

for Application No. (s): RZ/FDP 2018-BR-025

(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)

### NAME

Director, of Housing and Community Development (HCD)

Hossein Malayeri, Assistant Secretary of Fairfax County Redevelopment and Housing Authority (FCRHA)

Deputy Director of Real Estate, Finance & Development of Housing and Community Development (HCD)

Urban Engineering & Associates, Inc.
t/a Urban, Ltd
Agent: Clayton C. Tock
John (mni) Lightle

Niles Bolton Associates, Inc.
Agent: Christopher R. Fortner
Dale W. McClain
Edwin R. Kimsey
Stephen W. Gresham
Walter J. Ploskon

McGuireWoods LLP
Agents: Scott E. Adams
Steven M. Mikulic
Jonathan P. Rak
Gregory A. Riegle
Sheri L. Akin
Lori R. Greenlief
Michael D. Van Atta

M.J. Wells & Associates, Inc.
Agent: John A. Schick
Michael R. Pinkoske
Michael J. Workosky
William F. Johnson
Kevin R. Fellin

### ADDRESS

7712 Little River Turnpike
Annandale, VA 22003

3060 Peachtree Road, NW
Suite 600
Atlanta, GA 30305

1750 Tysons Boulevard, Suite 1800
Tysons, VA 22102

1420 Spring Hill Road, Suite 610
Tysons, VA 22102

### RELATIONSHIP(S)

Engineer/Agent

Planner/Landscape Architect/Agent

Architect/Agent

Architect/Agent

Architect/Agent

Traffic Consultant/Agent

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: JUN - 5 2019
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2018-BR-025
(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)
One University Development Partners, LLC
8245 Boone Boulevard, Suite 640
Vienna, VA 22182

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)
SCG Development Partners, LLC, managing member (1)
RISE Properties, LLC (5)

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

(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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: ___JUN - 5 2019___

for Application No. (s): RZ/FDP 2018-BR-025

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SCG Development Partners, LLC (1)
8245 Boone Boulevard, Suite 640
Vienna, VA 22182

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)
SCG Development Manager, LLC, managing member *(8)
SCG Development Fund Investors, LLC*
ERI/SCG I LLC (2)
*Does not own 10% or more of the Applicant, One University Development Partners, LLC

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Stephen P. Wilson, President
Stephanie M. Marcus, Vice President
Jason B. Duguay, Vice President

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
ERI/SCG I LLC (2)
1280 Massachusetts Avenue, 4th Floor
Cambridge, MA 02138

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)
Equity Resource Fund 2013 Holdings LLC, sole member (3)

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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: JUN - 5 2019
(enter date affidavit is notarized)
for Application No. (s): RZ/FDP 2018-BR-025
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Equity Resource Fund 2013 Holdings LLC (3)
1280 Massachusetts Avenue, 4th Floor
Cambridge, MA 02138

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)
ERF Fund 2013 GP LLC (4)

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
ERF Fund 2013 GP LLC (4)
1280 Massachusetts Avenue, 4th Floor
Cambridge, MA 02138

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:
Eggert Dagbjartsson
Victor J. Paci

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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: JUN-5 2019

for Application No. (s): RZ/FDP 2018-BR-025

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Urban Engineering and Associates, Inc.
t/a Urban, Ltd.
7712 Little River Turnpike
Annandale, VA 22003

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Niles Bolton Associates, Inc.
3060 Peachtree Road, NW, Suite 600
Atlanta, GA 30305

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)
G. Niles Bolton
Edwin R. Kimsey

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Rezoning Attachment to Par. 1(b)

DATE: JUN - 5 2019

for Application No. (s): RZ/FDP 2018-BR-025

NAME & ADDRESS OF CORPORATION: M. J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 610
Tysons, 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: M.J. Wells & Associates, Inc. is an Employee Stock Ownership Plan (ESOP). All employees are eligible Plan participants; however, no one employee owns more than 10% of any class of stock.

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

NAME & ADDRESS OF CORPORATION: RISE Properties, LLC (5)
129 N. Patterson Street
Valdosta, GA 31601

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: RISE RE, LLC (6)
AHH Investments, LLC (7)
Gregory R. Blais
R. Gregory Hunter

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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

JUN - 5 2019

DATE: JUN - 5 2019
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2018-BR-025
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
RISE RE, LLC (6)
129 N. Patterson Street
Valdosta, GA 31601

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)
AHH Investments, LLC (7)
Gregory R. Blais
R. Gregory Hunter

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
AHH Investments, LLC (7)
129 N. Patterson Street
Valdosta, GA 31601

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)
Amanda H. Holmes

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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: JUN - 5 2019
(enter date affidavit is notarized)
for Application No. (s): RZ/FDP 2018-BR-025
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SCG Development Manager, LLC (8)
100 Corporate Place, Suite 404
Peabody, MA 01960

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)
SCG Capital Corp., sole member (9)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
John M. Nelson
Benjamin D. Mottola
Stephen P. Wilson
Kyle F. Wolff

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SCG Capital Corp. (9)
100 Corporate Place, Suite 404
Peabody, MA 01960

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)
John M. Nelson
Benjamin D. Mottola
Stephen P. Wilson
Kyle F. Wolff

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
John M. Nelson, Chairman
Benjamin D. Mottola, President
Stephen P. Wilson, President (Virginia Office)
Kyle F. Wolff, Executive Vice President

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

FORM RZA-1 Updated (7/1/06)
for Application No. (s): RZ/FDP 2018-BR-025
(enter County-assigned application number(s))

I(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, 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

<table>
<thead>
<tr>
<th>Adams, John D.</th>
<th>Barrett, John M.</th>
<th>Brenner, Irving M.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen, Joel S.</td>
<td>Becker, Scott L.</td>
<td>Brooks, Edwin E.</td>
</tr>
<tr>
<td>Anderson, Arthur E., II</td>
<td>Beldner, Sabrina A.</td>
<td>Brose, R. C.</td>
</tr>
<tr>
<td>Anderson, James M., III</td>
<td>Bell, Craig D.</td>
<td>Browning, Jeffrey K.</td>
</tr>
<tr>
<td>Anderson, Mark E.</td>
<td>Billik, R. E.</td>
<td>Burk, Eric L.</td>
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<tr>
<td>Atty, Lisa A.</td>
<td>Bittman, Robert J.</td>
<td>Busch, Stephen D.</td>
</tr>
<tr>
<td>Austin, Bradley S.</td>
<td>Blank, Jonathan T.</td>
<td>Callahan, Timothy P.</td>
</tr>
<tr>
<td>Bagley, Terrence M.</td>
<td>Boardman, J. K.</td>
<td>Carter, Jean G.</td>
</tr>
<tr>
<td>Bancroft, Josiah A.</td>
<td>Brackett, Alexander J.</td>
<td>Cason, Alan C.</td>
</tr>
<tr>
<td>Barger, Brian D.</td>
<td>Brantley, Bryan C.</td>
<td>Chaffin, Rebecca S.</td>
</tr>
</tbody>
</table>

(check if applicable) [✓] There is more partnership information and Par. I(c) is continued on a “Rezoning Attachment to Par. I(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.
DATE: JUN - 5 2019

for Application No. (s): RZ/FDP 2018-BR-025

PARTNERSHIP NAME & ADDRESS: McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, VA 22102

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

NAMES AND TITLES OF THE PARTNERS: Chapman, Jeffrey J.
Checkovich, Tennille J.
Clark, Jeffrey C.
Cockrell, Geoffrey C.
Collins, Darren W.
Cook, Jason W.
Covington, Peter J.
Cramer, Robert W.
Cromwell, Richard J.
Croteau, Anne E.
Culbertson, Craig R.
Daglio, Michael R.
Davey, Joshua D.
De Ridder, Patrick A.
deVyver, Kristopher I.
DiMattia, Michael J.
Dossa, Mehboob R.
Downing, Scott P.
Ensing, Donald A.
Evans, Gregory L.
Evans, Jason D.
Ey, Douglas W., Jr.
Farrell, Thomas M.
Feller, Howard (nmi)
Finger, Jon W.
Finkelson, David E.
Flannery, Diane P.
Foley, Douglas M.
Fox, Charles D., IV
Franchina, David A.
Frank, Hannah T.
Fratkin, Bryan A.
Freedlander, Mark E.
French, Taylor W.
Fuhr, Joy C.
Gambill, Michael A.
Glassman, Margaret M.
Gold, Stephen (nmi)
Goydan, William E.
Grant, Richard S.
Greene, Adam J.
Greene, Christopher K.
Greenspan, David L.
Greis, Jason S.
Grieb, John T.
Griset, Jill C.
Haas, Cheryl L.
Hackett, Mary J.
Hampton, Charles B.
Hardey, Kate W.
Harmon, Jonathan P.
Harmon, T. C.
Hartsell, David L.
Hatch, Benjamin L.
Hatcher, J. K.
Hayden, Patrick L.
Hayes, Dion W.
Hedrick, James T., Jr.
Hilton, Robert C.
Horne, Patrick T.
Hornyak, David J.
Hosmer, Patricia F.
Howard, Justin D.
Hughes, John L., Jr.
Jackson, J. B.
Jewett, Bryce D., III
Justus, J. B.
Kahn, Brian A.
Kane, Matthew C.
Kannensohn, Kimberly J.
Katsantonis, Joanne (nmi)
Keeler, Steven J.
Keene, D. B.
Kelly, Brian J.
Kilpatrick, Gregory R.

(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)

JUN - 5 2019

DATE: ________________
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2018-BR-025
(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, 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)

Kinghorn, Mark W.
Kobayashi, Naho (nmi)
Konia, Charles A.
Kromkowski, Mark A.
Krueger, Kurt J.
Kutrow, Bradley R.
La Fratta, Mark J.
Lamb, Douglas E.
Lapp, David R.
Lias-Booker, Ava E.
Link, Vishwa B.
Little, Nancy R.
Lukitsch, Bethany G.
Maddock, John H., III
Madriz, Yasser A.
Mandel, Michael D.
Manning, Amy B.
Marshall, Harrison L., Jr.
Marsico, Leonard J.
Martin, Cecil E., III
Martin, George K.
Martinez, Peter W.
Mathews, Eugene E., III
Mayberry, William C.
McColough, Aaron G.
McCormick, Durham C., Jr.

McDonald, John G.
McFarland, Robert W.
McGinnis, Kevin A.
McIntyre, Charles W.
McKinnon, Michele A.
McLean, David P.
McNab, S. K.
McRill, Emery B.
Michalik, Christopher M.
Miles, Perry W., IV
Milianti, Peter A.
Moldovan, Victor L.
Muckensfuss, Robert A.
Mullins, Patrick T.
Nahal, Hardeep S.
Namazie, Hamid R.
Natarajan, Rajsekh (nmi)
Neale, James F.
Nesbit, Christopher S.
Newberg, Brad R.
O'Grady, John B.
Older, Stephen E.
Oostdyk, Scott C.
Padgett, John D.
Perzek, Philip J.
Peyton, Daniel L.

Phillips, Michael R.
Powell, David C.
Pumphrey, Brian E.
Purpura, Ryan T.
Pusateri, David P.
Rak, Jonathan P.
Reid, Joseph K., III
Reidy, David S.
Richardson, David L.
Riegley, Gregory A.
Riley, James B., Jr.
Roipelle, Brian C.
Robach, Derek A.
Roberts, Manley W.
Rogers, Marvin L.
Rohman, Thomas P.
Rowan, J.P.
Rusher, Mary Nash K.
Russo, Angelo M.
Rust, Dana L.
Sanderson, William I.
Satterwhite, Rodney A.
Scheurer, Philip C.
Sellers, Jane W.
Sethi, Akash D.
Simmons, L. D., II

(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: JUN - 5 2019

for Application No. (s): RZ/FDP 2018-BR-025

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, 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)

- Spitz, Joel H.
- Spitzer, Mark A.
- Stallings, Thomas J.
- Stearman, Jennifer J.
- Steen, Bruce M.
- Steggerda, Todd R.
- Stone, Jacquelyn E.
- Swan, David I.
- Swett, Brian I.
- Symons, Noel H.
- Szurley, Peter S.
- Tarry, Samuel L., Jr.
- Taylor, R. T.
- Thanner, Christopher J.
- Thomas, Gerald V., II
- Thornhill, James A.
- Tysse, G. W.
- Vance, Robin C.
- Vaughn, Scott P.
- Viola, Richard W.
- Visconsi Law Corporation, John R.*
- Walker, Barton C.
- Walker, John T., IV
- Walker, W. K., Jr.
- Walsh, Amber M.
- Westwood, Scott E.
- Whelpley, David B., Jr.
- White, Harry R., III
- Wilburn, John D.
- Williams, Steven R.
- Woodard, Michael B.
- Wren, Elizabeth G.
- Zahn, Thomas E.

*Does not own 10% or more of McGuireWoods LLP

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

FORM RZA-1 Updated (7/1/06)
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.
DATE: JUN - 5 2019
(enter date affidavit is notarized)

for Application No. (s): RZ/FDP 2018-BR-025
(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:

[ ] Applicant [ ] Applicant’s Authorized Agent

Lori R. Greenlief, Senior Land Use Planner
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 5th day of June 2019, in the State/Comm. of Virginia, County/City of Fairfax.

Grace E. Chae
Notary Public

My commission expires: May 31, 2020

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: JUN - 5 2019

Lori R. Greenlief, do hereby state that I am an applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): PCA-C-058

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.)

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>RELATIONSHIP(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>One University Development Partners, LLC</td>
<td>8245 Boone Boulevard, Suite 640 Vienna, VA 22182</td>
<td>Applicant/Lessee of TM 57-3 ((1)) 11A, 11B</td>
</tr>
<tr>
<td>Agent: Stephanie M. Marcus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Matthew Marshall</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stephen P. Wilson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gregory R. Blais</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robert H. Tharpe III</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R. Gregory Hunter</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fairfax County Redevelopment and Housing Authority, body corporate and politic</td>
<td>3700 Pender Drive, Suite 300 Fairfax, VA 22030</td>
<td>Title Owner/Lessor of TM 57-3 ((1)) 11A, 11B</td>
</tr>
<tr>
<td>Agent: Thomas E. Fleetwood, Assistant Secretary of Fairfax County Redevelopment and Housing Authority (FCRHA)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(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).

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(a)

DATE: JUN - 5 2019

for Application No. (s): PCA-C-058

(enter County-assigned application number (s))

(enter date affidavit is notarized)

(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.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>RELATIONSHIP(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director of Housing and Community Development (HCD)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hossein Malayeri, Assistant Secretary of Fairfax County Redevelopment and Housing Authority (FCRHA)</td>
<td>Deputy Director of Real Estate, Finance &amp; Development of Housing and Community Development (HCD)</td>
<td>Engineer/Agent</td>
</tr>
<tr>
<td>Urban Engineering &amp; Associates, Inc. t/a Urban, Ltd</td>
<td>7712 Little River Turnpike, Annandale, VA 22003</td>
<td>Planner/Landscape Architect/Agent</td>
</tr>
<tr>
<td>Agent: Clayton C. Tock</td>
<td>John (nmi) Lightle</td>
<td>Architect/Agent</td>
</tr>
<tr>
<td>Niles Bolton Associates, Inc.</td>
<td>3060 Peachtree Road, NW, Suite 600, Atlanta, GA 30305</td>
<td>Architect/Agent</td>
</tr>
<tr>
<td>Agent: Christopher R. Fortner</td>
<td>Dale W. McClain</td>
<td>Architect/Agent</td>
</tr>
<tr>
<td></td>
<td>Edwin R. Kimsey</td>
<td>Architect/Agent</td>
</tr>
<tr>
<td></td>
<td>Stephen W. Gresham</td>
<td>Architect/Agent</td>
</tr>
<tr>
<td></td>
<td>Walter J. Ploskon</td>
<td>Architect/Agent</td>
</tr>
<tr>
<td>McGuire Woods LLP</td>
<td>1750 Tysons Boulevard, Suite 1800, Tysons, VA 22102</td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td>Agents: Scott E. Adams</td>
<td>Steven M. Mikulic</td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td></td>
<td>Jonathan P. Rak</td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td></td>
<td>Gregory A. Riegel</td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td></td>
<td>Sheri L. Akin</td>
<td>Attorney/Agent</td>
</tr>
<tr>
<td></td>
<td>Lori R. Greenlief</td>
<td>Planner/Agent</td>
</tr>
<tr>
<td></td>
<td>Michael D. Van Atta</td>
<td>Planner/Agent</td>
</tr>
<tr>
<td>M.J. Wells &amp; Associates, Inc.</td>
<td>1420 Spring Hill Road, Suite 610, Tysons, VA 22102</td>
<td>Traffic Consultant/Agent</td>
</tr>
<tr>
<td>Agent: John A. Schick</td>
<td>Michael R. Pinkoske</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Michael J. Workosky</td>
<td></td>
</tr>
<tr>
<td></td>
<td>William F. Johnson</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kevin R. Fellin</td>
<td></td>
</tr>
</tbody>
</table>

(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.

FORM RZA-1 Updated (7/1/06)
for Application No. (s): PCA-C-058

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)
One University Development Partners, LLC
8245 Boone Boulevard, Suite 640
Vienna, VA 22182

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)
SCG Development Partners, LLC, managing member (1)
RISE Properties, LLC (5)

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

(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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: JUN - 5 2019

for Application No. (s): PCA-C-058

NAME & ADDRESS OF CORPORATION: SCG Development Partners, LLC
8245 Boone Boulevard, Suite 640
Vienna, VA 22182

DESCRIPTION OF CORPORATION: There are 10 or less shareholders, and all of the shareholders are listed below.

NAMES OF THE SHAREHOLDER:
SCG Development Manager, LLC, managing member
SCG Development Fund Investors, LLC
ERI/SCG I LLC

NAMES OF OFFICERS & DIRECTORS:
Stephen P. Wilson, President
Stephanie M. Marcus, Vice President
Jason B. Duguay, Vice President

NAME & ADDRESS OF CORPORATION: ERI/SCG I LLC
1280 Massachusetts Avenue, 4th Floor
Cambridge, MA 02138

DESCRIPTION OF CORPORATION: There are 10 or less shareholders, and all of the shareholders are listed below.

NAMES OF THE SHAREHOLDER:
Equity Resource Fund 2013 Holdings LLC

NAME & ADDRESS OF CORPORATION: Equity Resource Fund 2013 Holdings LLC, sole member

NAMES OF OFFICERS & DIRECTORS:

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

DATE: JUN - 5 2019
(enter date affidavit is notarized)

for Application No. (s): PCA-C-058
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Equity Resource Fund 2013 Holdings LLC (3)
1280 Massachusetts Avenue, 4th Floor
Cambridge, MA 02138

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)

ERF Fund 2013 GP LLC (4)

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
ERF Fund 2013 GP LLC (4)
1280 Massachusetts Avenue, 4th Floor
Cambridge, MA 02138

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:

Eggert Dagbjartsson
Victor J. Paci

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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: JUN - 5 2019

for Application No. (s): PCA-C-058

t/a Urban, Ltd.
7712 Little River Turnpike
Annandale, VA 22003

DESCRIPTION OF CORPORATION: [ ] 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:
J. Edgar Sears, Jr.
Brian A. Sears

NAME & ADDRESS OF CORPORATION: Niles Bolton Associates, Inc.
3060 Peachtree Road, NW, Suite 600
Atlanta, GA 30305

DESCRIPTION OF CORPORATION: [ ] 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:
G. Niles Bolton
Edwin R. Kimsey

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: JUN - 5 2019
(enter date affidavit is notarized)

for Application No. (s): PCA-C-058
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M. J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 610
Tysons, 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:
M.J. Wells & Associates, Inc. is an Employee Stock Ownership Plan (ESOP). All employees are eligible Plan participants; however, no one employee owns more than 10% of any class of stock.

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
RISE Properties, LLC (5)
129 N. Patterson Street
Valdosta, GA 31601

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:
RISE RE, LLC (6)
AHH Investments, LLC (7)
Gregory R. Blais
R. Gregory Hunter

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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: JUN - 5 2019

for Application No. (s): PCA-C-058

NAME & ADDRESS OF CORPORATION: RISE RE, LLC (6)
129 N. Patterson Street
Valdosta, GA 31601

DESCRIPTION OF CORPORATION: There are 10 or less shareholders, and all of the shareholders are listed below.

NAMES OF THE SHAREHOLDERS:
AHH Investments, LLC (7)
Gregory R. Blais
R. Gregory Hunter

NAMES OF OFFICERS & DIRECTORS:
AHH Investments, LLC (7)
129 N. Patterson Street
Valdosta, GA 31601

NAME & ADDRESS OF CORPORATION: AHH Investments, LLC (7)
129 N. Patterson Street
Valdosta, GA 31601

DESCRIPTION OF CORPORATION: There are 10 or less shareholders, and all of the shareholders are listed below.

NAMES OF THE SHAREHOLDERS:
Amanda H. Holmes

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

FORM RZA-1 Updated (7/1/06)
NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SCG Development Manager, LLC (8)
100 Corporate Place, Suite 404
Peabody, MA 01960

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)
SCG Capital Corp., sole member (9)

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SCG Capital Corp. (9)
100 Corporate Place, Suite 404
Peabody, MA 01960

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)
John M. Nelson
Benjamin D. Mottola
Stephen P. Wilson
Kyle F. Wolff

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
John M. Nelson, Chairman
Benjamin D. Mottola, President
Stephen P. Wilson, President (Virginia Office)
Kyle F. Wolff, Executive Vice President

(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: JUN - 5 2019

for Application No. (s): PCA-C-058

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

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

PARTNERSHIP INFORMATION

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

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

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

Equity Partners of McGuireWoods LLP

Adams, John D. Barrett, John M. Brenner, Irving M.
Allen, Joel S. Becker, Scott L. Brooks, Edwin E.
Anderson, Arthur E., II Beldner, Sabrina A. Brose, R. C.
Anderson, James M., III Bell, Craig D. Browning, Jeffrey K.
Anderson, Mark E. Billik, R. E. Burk, Eric L.
Atty, Lisa A. Bittman, Robert J. Busch, Stephen D.
Austin, Bradley S. Blank, Jonathan T. Callahan, Timothy P.
Bagley, Terrence M. Boardman, J. K. Carter, Jean G.
Bancroft, Josiah A. Brackett, Alexander J. Cason, Alan C.
Barger, Brian D. Brantley, Bryan C. Chaffin, Rebecca S.

*** 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.

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(c)

DATE: JUN 5 2019

for Application No. (s): PCA-C-058

(Please enter date affidavit is notarized)

(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, 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)

Chapman, Jeffrey J.
Checkovich, Tennille J.
Clark, Jeffrey C.
Cockrell, Geoffrey C.
Collins, Darren W.
Cook, Jason W.
Covington, Peter J.
Cramer, Robert W.
Cromwell, Richard J.
Croteau, Anne E.
Culbertson, Craig R.
Daglio, Michael R.
Davey, Joshua D.
De Ridder, Patrick A.
deVyver, Kristopher I.
DiMattia, Michael J.
Dossa, Mehboob R.
Downing, Scott P.
Ensing, Donald A.
Evans, Gregory L.
Evans, Jason D.
Ey, Douglas W., Jr.
Farrell, Thomas M.
Feller, Howard (nmi)
Finger, Jon W.

Finkelson, David E.
Flannery, Diane P.
Foley, Douglas M.
Fox, Charles D., IV
Franchina, David A.
Frank, Hannah T.
Fratkin, Bryan A.
French, Taylor W.
Fuhr, Joy C.
Gambill, Michael A.
Glassman, Margaret M.
Gold, Stephen (nmi)
Goydan, William E.
Grant, Richard S.
Greene, Adam J.
Greene, Christopher K.
Greenspan, David L.
Greis, Jason S.
Grieb, John T.
Griset, Jill C.
Haas, Cheryl L.
Hackett, Mary J.
Hampton, Charles B.
Hardey, Kate W.
Harmon, Jonathan P.
Harmon, T. C.
Hartsell, David L.
Hatch, Benjamin L.
Hatcher, J. K.
Hayden, Patrick L.
Hayes, Dion W.
Hedrick, James T., Jr.
Hilton, Robert C.
Horne, Patrick T.
Hornyk, David J.
Hosmer, Patricia F.
Howard, Justin D.
Hughes, John L., Jr.
Jackson, J. B.
Jewett, Bryce D., III
Justus, J. B.
Kahn, Brian A.
Kane, Matthew C.
Kannensohn, Kimberly J.
Katsantonis, Joanne (nmi)
Keeler, Steven J.
Keene, D. B.
Kelly, Brian J.
Kilpatrick, Gregory R.

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

FORM RZA-I Updated (7/1/06)
Rezoning Attachment to Par. 1(c)

DATE: JUN - 5 2019

for Application No. (s): PCA-C-058

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, 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)

Kinghorn, Mark W.  McDonald, John G.  Phillips, Michael R.
Kobayashi, Naho (nmi)  McFarland, Robert W.  Powell, David C.
Konia, Charles A.  McGinnis, Kevin A.  Pumphrey, Brian E.
Kromkowski, Mark A.  McIntyre, Charles W.  Purpura, Ryan T.
Krueger, Kurt J.  McKinnon, Michele A.  Pusateri, David P.
Kutrow, Bradley R.  McLean, David P.  Rak, Jonathan P.
La Fratta, Mark J.  McNab, S. K.  Reid, Joseph K., III
Lamb, Douglas E.  McRill, Emery B.  Reidy, David S.
Lapp, David R.  Michalik, Christopher M.  Richardson, David L.
Lias-Booker, Ava E.  Miles, Perry W., IV  Riegel, Gregory A.
Link, Vishwa B.  Milianti, Peter A.  Riley, James B., Jr.
Little, Nancy R.  Moldovan, Victor L.  Riopelle, Brian C.
Lukitsch, Bethany G.  Muckenfuss, Robert A.  Roach, Derek A.
Maddock, John H., III  Mullins, Patrick T.  Roberts, Manley W.
Madriz, Yasser A.  Nahal, Hardeep S.  Rogers, Marvin L.
Mandel, Michael D.  Namazie, Hamid R.  Rohman, Thomas P.
Manning, Amy B.  Natarajan, Rajsekar (nmi)  Rowan, J.P.
Marshall, Harrison L., Jr.  Neale, James F.  Rusher, Mary Nash K.
Marsico, Leonard J.  Nesbit, Christopher S.  Russo, Angelo M.
Martin, Cecil E., III  Newberg, Brad R.  Rust, Dana L.
Martin, George K.  O'Grady, John B.  Sanderson, William I.
Martinez, Peter W.  Older, Stephen E.  Satterwhite, Rodney A.
Mathews, Eugene E., III  Oostdyk, Scott C.  Scheurer, Philip C.
Mayberry, William C.  Padgett, John D.  Sellers, Jane W.
McCollough, Aaron G.  Perzek, Philip J.  Sethi, Akash D.
McCormick, Durham C., Jr.  Peyton, Daniel L.  Simmons, L. D., II

(check if applicable) [✓] There is more partnership information and Par. 1(c) is continued further on a “Rezoning Attachment to Par. 1(c)” form.

FORM RZA-1 Updated (7/1/06)
DATE: JUN - 5 2019
(enter date affidavit is notarized)

for Application No. (s): PCA-C-058
(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, 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)

Spitz, Joel H. Vance, Robin C.
Spitzer, Mark A. Vaughn, Scott P.
Stallings, Thomas J. Viola, Richard W.
Stearman, Jennifer J. Visconi Law Corporation, John R.*
Steen, Bruce M. Walker, Barton C.
Steggerda, Todd R. Walker, John T., IV
Stone, Jacquelyn E. Walker, W. K., Jr.
Swan, David I. Walsh, Amber M.
Swett, Brian I. Westwood, Scott E.
Symons, Noel H. Whelpley, David B., Jr.
Szurley, Peter S. White, Harry R., III
Tarry, Samuel L., Jr. Wilburn, John D.
Taylor, R. T. Williams, Steven R.
Thanner, Christopher J. Woodard, Michael B.
Thomas, Gerald V., II Wren, Elizabeth G.
Thornhill, James A. Zahn, Thomas E.
Tysse, G. W.

*Does not own 10% or more of McGuireWoods LLP

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

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: JUN - 5 2019
(enter date affidavit is notarized)

for Application No. (s): PCA-C-058
(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: JUN - 5 2019

(enter date affidavit is notarized)

for Application No. (s): PCA-C-058

(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:

Lori R. Greenlief, Senior Land Use Planner
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 5th day of June 2019, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: May 31, 2020

FORM RZA-1 Updated (7/1/06)
NARRATIVE STATEMENT
Rezoning and Proffer Condition Amendment

ONE UNIVERSITY DEVELOPMENT PARTNERS, LLC
November 2, 2018
February 19, 2019
May 20, 2019
June 21, 2019
July 2, 2019

Introduction

Pursuant to Sect. 18-201 of the Fairfax County Zoning Ordinance, dated August 14, 1978, as amended (the “Zoning Ordinance”), One University Development Partners, LLC, (the “Applicant”) respectfully requests approval of a rezoning application from the Planned Development Housing (PDH)-5, Residential (R)-1 and Water Supply Protection Overlay (WS) Zoning Districts to the Planned Residential Mixed Use (PRM) and WS Zoning Districts together with a proffer condition amendment (PCA) application to sever the lots from Rezoning C-58. The subject property is Tax Maps 57-3((1))11A, 11B and 57-4((1))2B (the “Property”). These applications propose redevelopment of the Property with “purpose-built” multifamily dwelling units, the overall goal being to:

- increase the supply of affordable housing through the redevelopment and expansion of the existing affordable housing on the Property;
- contribute positively to the well documented need for off-campus student housing, and;
- provide a meaningful number of affordable dwelling units designed expressly for the burgeoning senior population in the County.

As explained further in this statement, a Comprehensive Plan amendment process for the Property will proceed concurrently with this rezoning request.

Existing Conditions

The 10.84 acre parcel is located on the west side of Ox Road in the Braddock Magisterial District. Lots 11A and 11B are zoned PDH-5 pursuant to Rezoning C-58 which was approved by the Board of Supervisors in 1978. This approval allowed the development of 46 townhouse units and 10,000 square feet office use on land that is now Lots 11A and 12A. The residential units, known as Robinson Square, are part of the Fairfax County Redevelopment and Housing Authority (FCRHA) rental assistance program. The office building serves as the offices of FCRHA. Rezoning C-58 included land area which is owned by George Mason University and is now Lot 12 to the south of University Drive. This land is not part of the currently filed rezoning and therefore, a partial PCA application has been filed to remove what is now Lots 11A and 12A from
the original rezoning. Lot 2B is zoned R-1 and is vacant. The residences and the office use are both accessed via five driveways off of University Drive.

It is noted that the applicant has committed to working with FCRHA to relocate the existing residents in Robinson Square and then, depending on current qualifications, relocate them back to the Property after the project is constructed.

**Surrounding Uses and Context**

The land which borders the Property to the north and west is developed with single family detached and attached units located within the City of Fairfax. The property to the south, across University Drive, is developed with a gymnasium, sports fields/track and parking lots associated with George Mason University. The property to the east, across OX Road on the north side of University Drive is zoned PDH-12 and developed with the Fairfax Gateway Townhouses. The property to the east, across Ox Road on the south side of University Drive is developed with student housing associated with George Mason University (GMU). There is also a sliver of land located between the Property and the curb line of University Drive which is owned by George Mason University.

**Overview of the Proposal**

This application proposes a mix of “purpose-built” multifamily dwelling units in three buildings on the Property. Each type of dwelling will meet a critical housing need in Fairfax County within state-of-the-art designed buildings with age-appropriate amenities.

**Student Housing**

The eastern-most building proposed on the Property will be approximately 460,000 square feet in size and will contain up to 340 units designed specifically as student housing. The building will have both indoor and outdoor amenity space suited to its resident population. The building height will range from 55 to 75 feet. Garage parking will be provided under the building.

**Affordable Housing - Family**

The western-most portion of the Property will be developed with a 4-story building with up to 120 units designed as affordable to families earning not more than 60% of the average median income (AMI). The building will be approximately 148,000 square feet in size and will contain 120 units. An area within the family building will be provided or FCRHA meetings which will be considered “public space” per the Zoning Ordinance. Parking for the affordable family building will be under the building in a partially buried parking garage. The building will include indoor and outdoor amenities appropriate for families.
Affordable Housing – Seniors (62+)

The middle building will be designed as senior living dwelling units for residents aged 62 and above. It will contain approximately 129,000 square feet and up to 120 units. Garage parking will be provided under the building. The building will have both indoor and outdoor amenity space suited to its resident population.

The units within the affordable housing building(s) and the student housing building will be rental units and each building will be managed by companies specializing in those respective housing types.

Plan Specifics

Access to the Property will continue to be from University Drive, consolidating the existing five access points into two access points. The proposed floor area ratio (FAR) for the Property will be 1.56. Open space in the form of courtyards, outdoor amenity areas and buffer areas will equal approximately 58.3% percent of the Property. Attachment 1 contains perspectives from various vantage points along the northern lot line which are included to show the views from the residences to the north. From each vantage point, an existing view is included as well as a view showing the trees proposed to be removed on site as removed and the supplemental vegetation added. Note that the Applicant has proffered to work with the Urban Forester on the appropriate level of supplementation. Tree canopy and tree preservation minimum requirements will be far exceeded. Parking lot landscaping requirements will also be exceeded. Stormwater management requirements will be met through the use of an underground vault. Best Management Practices will be employed throughout the site and may include measures such as jellyfish filters, urban bio-retentions area and vegetated swales. An area of County-mapped Resource Protection Area (RPA) exists in the westernmost portion of the Property. Currently, approximately 4,401 square feet of impervious surface (buildings) is located in the RPA. The proposed development will not encroach into the RPA and the existing disturbance will be removed and the area restored.

Conformance with Comprehensive Plan (the “Plan”)

The Property is located within the George Mason Community Planning Sector in the Fairfax Planning District in Area II. On June 4, 2019, the Board of Supervisors approved the adoption of a Comprehensive Plan amendment which added an option for redevelopment of the Property. The option allows up to 240 affordable multifamily housing units and up to 340 multifamily units envisioned to serve college students on the Property with the satisfaction of certain conditions.

- A continuous landscaped buffer area should be provided along the northern boundary of the site. A 90-foot-wide buffer along the northern boundary of Parcel 2B, adjacent to Royal Legacy Estates, and a minimum 50-foot-wide buffer along the remaining northern boundary of Parcel 11A is desirable.
The CDP/FDP shows the recommended buffers along the northern lot line. It is noted that the student building is set back an additional approximately 60 feet for the majority of this buffer length.

- **A minimum of a 25-foot-wide landscaped buffer should be maintained along the Route 123 frontage, consistent with the character established by the Fairfax Gateway development located across Route 123 from the site. The buffer should be measured from the edge of the existing powerline easement that extends approximately 15 feet into the site and should continue around the building, tapering along University Drive.**

The recommended buffer is provided along the Route 123 frontage and it is measured as suggested.

- **Existing healthy mature trees located within all buffer areas should be preserved, to the maximum extent feasible, in consultation with the Fairfax County Urban Forest Management Division. Buffer areas, and adjacent open areas, should be supplemented with appropriate evergreen, deciduous, and understory vegetation, to improve the general health of the buffer vegetation, to ensure that the full extents of the buffer areas contain healthy native species, and to provide some year-round visual screening to adjacent residences throughout each phase of development.**

A proffer has been offered which commits to the supplementation of understory vegetation to the maximum extent possible to be determined in consultation with UFMD. In addition, the CDP/FDP commits to the development and implementation of an invasive species management plan for the tree preservation areas to increase the health of the buffer areas.

- **High-quality architecture should be provided that is residential in character and includes architectural treatment of all building facades in a manner that is compatible with and complements other uses in the area. Facade treatments should extend onto any exposed parking levels along University Drive and internal roadways, to the extent practical. Vegetated screening and/or berms also may be utilized to ensure a pedestrian-friendly streetscape.**

Architectural sketches which are illustrative of the proposed architecture have been submitted. The intent of the architectural treatment is to provide varying architectural elements to break up the massing of the building length and height. Building C is broken up vertically into 5 to 6 smaller components which are differentiated by color and material. Likewise, the facades of Buildings A and B have also been sectioned by both color and material vertically as well as horizontally. All buildings also contain insets, articulation and varying rooflines. What areas of parking garage that do show above ground are treated with brick facing and windows.
Safe, attractive, and secure pedestrian and bicycle facilities should be provided to improve access to GMU, bus stops, and other local services, and to reduce automobile trips generated by the development. Safe and secure pedestrian crossings to the university should be a high priority, and streetscape areas along Route 123 and University Drive should be designed to create a high-quality pedestrian environment, to include features such as street trees, landscaped areas, wide sidewalks, pedestrian-scaled lighting and other amenities.

A 10 foot wide multipurpose trail is proposed along University Drive. Attractive, appropriate streetscape is provided between the trail and the proposed buildings. Additionally, pedestrian and vehicular improvements proposed at the intersection of Rt. 123 and University Drive will improve the safety and pedestrian experience between the Property and the campus.

The Resource Protection Area and Environmental Quality Corridor along the western boundary of the site should be identified and protected, consistent with Objective 9 of the Environment section of the Policy Plan. Previously developed portions of those areas should be restored and revegetated, including removal of existing structures and the FCRHA maintenance facility, and there should be no new development within those areas. Utilities should also be located to minimize disturbance and encumbrance of such areas.

The existing disturbances in the RPA will be removed, including the existing stormwater management pond, and the area will be restored in accordance with Chesapeake Bay Ordinance standards.

Compliance with the Residential Development Criteria, Policy Plan

For the reasons stated below, the subject rezoning fully complies with the applicable Residential Development Criteria contained in Appendix 9 of the Fairfax County Comprehensive Plan, Land Use – 2011 Edition.

SITE DESIGN

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.

The application consolidates the land references in the Comprehensive Plan for redevelopment.
**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.

Building placement was purposely designed to create a street edge along University Drive. The buildings are appropriately cited to allow for light, air and green space in and around them. Sidewalks are located throughout the development and appropriate offsite connections are made to encourage walking and the use of mass transit. There are six bus stops within ¼ mile of the Property.

**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.

Private open space areas in the form of enclosed courtyards and more open squares for the use of residents have been strategically placed throughout the development. The specific programming of these spaces will be determined by the management companies. Uses within these areas are shown for illustrative purposes. The open space percentage on the Property of 58.3% will exceed the Ordinance requirement of 20%.

**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.

Significant landscaping is proposed in the buffer areas, along the streetscape and in the amenity areas.

**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.
Age appropriate amenity elements will be provided for each building which are respective of the projected population. The CDP/FDP contains a sheet which gives examples of the types of amenities intended as well as precedent images.

**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.

Careful attention has been paid to the “edges” of the project with the incorporation of landscaped buffering to the townhouses and single family homes to the west and north. The buffers recommended in the Comprehensive Plan have been provided including the recommended supplementation.

**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.

*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. As noted above on the CDP/FDP the tree preservation target for the Property is far exceeded with this Application. Additionally, there will be no further encroachment into the RPA and the disturbance that currently exists will be restored with plantings per the Public Facilities Manual.

*Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration. Slopes and soils are not a critical issue on the Property.

*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. The proposed development will be served by a stormwater management vault and a combination of LIDs and BMPs that will meet the County’s stringent stormwater management control standards.

*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. Stormwater management facilities are
proposed to address the volume and velocity of stormwater runoff from the site. Adequate outfall exists for this site and is further described on the CDP/FDP.

Noise: Developments should protect future and current residents and others from the adverse impacts of transportation generated noise. There are no noise impacts anticipated from the proposed development. Noise attenuation measures will be included for any units impacted by highway noise from Rt. 123.

Lighting: Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky. Any proposed lighting will meet the performance criteria in Article 14 of the Zoning Ordinance.

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. The Applicant will commit to green building measures. Pedestrian connections, internal and external, are an important element of the site design.

TREES 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.

As noted above on the on the CDP/FDP the tree preservation target for the Property is far exceeded with this Application.

TRANSPORTATION. All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network.

Wells & Associates completed a traffic study which concluded that the proposed development will have limited impact on the surrounding roadways. Specifically, based on the proximity to George Mason University, it is anticipated that approximately 75% of the students living in the student housing will walk to school and not use their vehicles during peak hours. The proposed student housing will take 800+ students off the roads who would be commuting from nearby neighborhoods and areas. Additionally, trip generation rates anticipated for the senior living component in peak hour, or even daily, is extremely low. Other positive factors include the fact that there are six separate bus routes with ¼ mile of the Property. Also, GMU operates numerous shuttle buses that provide students with
alternative transit options. The Applicant has committed to both vehicular and pedestrian improvements at the intersection of Ox Road and University Drive.

PUBLIC FACILITIES. 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. The Applicant plans to offset the project’s public facility impacts.

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. The project is providing 240 affordable housing units including 120 senior affordable units.

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. There are no known heritage resources on this developed site.

Locational Guidelines for Multifamily Residential Development for the Elderly, Policy Plan

1. Public transportation and community services should be located within a reasonable walking distance and should be accessible via paved walkways that are lighted, secure, and well maintained. Crosswalks should be delineated, and adequate provisions should be made for crossing heavy traffic (e.g., pedestrian crossing signals). If neither public transportation nor community services are located within a short walking distance (i.e., a 5-7 minute walk), the elderly housing development should provide shuttle bus service which can offer residents comparable access to community services.

As previously mentioned, there are 6 separate bus routes located within ¼ mile of the Property. See map below. Sidewalks are proposed to link to the extensive existing pedestrian network in the area (shown in yellow below). Crosswalks exist throughout the area including at the intersection of University Drive and Ox Road (shown in blue below). Pedestrian signals are located at the intersection of University Drive and Ox Road (4 corners), the intersection of University Drive and George Mason Blvd. (4 corners) and the intersection of School Street and Ox Road (2 corners).
2. *The topography of the site, and that between the site and nearby destinations, should be taken into consideration when siting residential development for the elderly. Pedestrian facilities should not be located on slopes greater than 5-8%, and such maximum slopes should not be continuous for more than 75 feet.* Pedestrian facilities will meet the appropriate slope limitations.

3. *Safety and security are of particular concern to the elderly. To the extent possible, the architecture and site design for multifamily residential development for the elderly should incorporate features which reduce the potential for crime and enhance the security of residents.*

   The senior living building will be a secure, well-lit building with a fob entry system and a central entry core where a security camera can see the entry door. The central entry area will also be covered for comfortable drop-offs and pick-ups. The private courtyard will also be secured.

**Compliance with Zoning Ordinance Regulations**

**Article 6: Planned Development District Regulations, Sect. 6-400**

The proposed use of multifamily dwelling units and public use is a permitted principal use in a PRM District. The support retail is an allowed secondary use. The development conforms to the standards set forth in Part 1 of Article 16 as discussed below and the use will comply with the performance standards set forth in Article 14. The minimum district size, bulk regulations, density and open space meet or exceed the requirements of the PRM District.

**Article 16: Sect. 16-101, General Standards for All Planned Developments**

1. General Standard 1 requires conformance with the Comprehensive Plan. As discussed above, the proposed project will align with the newly adopted Comprehensive Plan language for the Property.

2. The Application meets General Standard 2 which requires a finding that the proposed planned development achieves the stated purpose and intent of the planned development more
effectively than a conventional district. The essential planned district qualities will allow the mix of uses proposed on the Property.

3. The application meets General Standard 3 which requires that the development protect and preserve to the extent possible all scenic assets and natural features. As previously discussed, the RPA is being preserved and restored and the Application exceeds the expected tree preservation target.

4. General Standard 4 requires that the development will not degrade the use or value of surrounding properties and will not hinder the development of surrounding undeveloped properties. The full required transitional screening buffer is provided along the northern lot line. There are no undeveloped properties surrounded the subject Property.

5. The proposal meets General Standard 5 as adequate public facilities are available to serve the property. Adequate public facilities exist in the area to serve the Property.

6. General Standard 6 requires that the planned development provide linkages among internal facilities and services as well as connections to major external facilities and services. As previously mentioned, there is a network of sidewalks proposed internal to the development as well as connections to offsite sidewalks and trails.

**Waivers**

As shown on the CDP/FDP, the Applicant requests a modification of the loading space requirement for each building as the number of spaces shown on the CDP/FDP is adequate to serve the future populations of the buildings. It is noted that both the affordable senior building and the affordable family building will have scheduled move-ins as well as surface parking spaces devoted to short term deliveries. Regarding the waiver of loading spaces for the student building, the move in process is very different than from a typical university dorm. It is a scheduled, organized event and is generally completed for the whole building in one to two days. Rise Management is highly experienced in this process. Students and their parents are contacted well in advance. The on-site office will be fully staffed with property management including student employees to help with move in. One consideration which helps the process immensely is that the student housing developments are fully furnished. Students only need to bring their clothing, linens and basic supplies. All leases and paper work will be completed prior to move in day, which also decreases timing. Because there will be little to no furniture moved and to reduce automobile queuing, students and parents will be instructed to utilize the parking garage for drop off and not take up needed spaces in front of our leasing office or the loading space. There will also be a few people from the corporate office to assist property management. One University’s first move in day will be the busiest as successive years won’t require 100% of the students to move in as many will reside there from the previous year.

A waiver of the 600 foot required private street length is also requested for the drive that serves the student building in order to ensure adequate ladder truck access.
Conclusion

This application proposes a rezoning to facilitate the redevelopment of the Property into a community of purpose-built dwelling units to meet significant unmet housing needs in the County. George Mason University has estimated the need for approximately 2,000 student housing beds to support the university’s population. Currently, these students are either renting homes within nearby neighborhoods or commuting and thus contributing to traffic congestion in the area. Likewise, the shortage of affordable housing units, especially at the 60% AMI and below level, and especially for seniors, is well documented in the County. The project succeeds in taking the County closer to meeting these needs.

For all of the aforementioned reasons, the applicant respectfully requests the Staff and Planning Commission support, and the Board of Supervisors approve this rezoning request.
View C1 - September - Existing View
One University - Fairfax, VA
View C - April - Proposed Design
One University - Fairfax, VA
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) **Lanscaping:** 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.
COUNTY OF FAIRFAX, VIRGINIA  

MEMORANDUM

DATE: June 10, 2019

TO: Tracy D. Strunk, AICP, Director  
Zoning Evaluation Division, DPZ

FROM: Denise M. James, Chief  
Environment and Development Review Branch, DPZ

SUBJECT: Comprehensive Plan Land Use Analysis:  
RZ/FDP 2018-BR-025  
One University

The memorandum, prepared by Michael Lynskey, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plans dated October 2018 and revised through May 20, 2019; and draft proffers revised through May 20, 2019. The extent to which the proposed use, intensity, and development plans are consistent with the land use and policy guidance contained in the Comprehensive Plan is noted.

DESCRIPTION OF THE APPLICATION

The applicant, One University Development Partners, LLC, proposes a Rezoning (RZ), Conceptual Development Plan (CDP), and Final Development Plan (FDP) for a 10.8-acre site consisting of three parcels. Parcels 11A & 11B are developed with Robinson Square, which consists of 46 affordable townhomes and 14,208 square feet (sf) of Fairfax County Redevelopment and Housing Authority (FCRHA) office space developed in the 1980s at PDH-5 zoning. Parcel 2B is a former single-family home site, zoned R-1, that is now vacant and forested with mature tree cover.

The Applicant proposes rezoning from the PDH-5 and R-1 districts to the Planned Residential Mixed Use (PRM) district to permit the development of the following:

1) 340 units of multifamily housing intended to serve George Mason University (GMU) students, contained in a 460,000 gross-square-foot (gsf) building comprised of five floors of residential use over two levels of structured parking.

2) 240 units of affordable multifamily housing, consisting of:

   a. 120 age-restricted units for residents aged 62 and older, located in a 129,000 gsf building with four stories of residential use over one level of structured parking.

   b. 120 non-age-restricted units, located in a separate 145,000 gsf building with four stories of residential use over one level of structured parking.
c. 3,000-sf of community meeting space for the use of the FCRHA, located within the age-restricted affordable building.

LOCATION AND CHARACTER

The subject property is in the northwest quadrant of the intersection of University Drive and Route 123, adjacent to the City of Fairfax to the north, and the GMU campus to the south. Access to the site is from University Drive, which forms the site’s southern boundary. Residential neighborhoods within the City of Fairfax, consisting of both single-family detached and single-family attached homes in the 3 to 8 du/ac range, adjoin the site to the north, as well as a residentially zoned parcel occupied by a house of worship. Townhomes developed at 8 du/ac are located directly across Route 123 to the east. The western edge of the subject property consists of Resource Protection Area (RPA) associated with an offsite tributary stream that runs along that boundary. Directly across the stream is a conservation area associated with the adjacent Chancery Park neighborhood, and a sewage pump station operated by the City of Fairfax. Across University Drive, to the south, are athletic facilities and the athletic field house located on GMU’s West Campus.

COMPREHENSIVE PLAN

The subject area is located in the F7-George Mason Community Planning Sector of the Fairfax Planning District, Area II volume of the Comprehensive Plan. The baseline recommendation for Parcels 11A and 11B is public facility, governmental or institutional use, to reflect the FCRHA ownership and use of the site, while Parcel 2B is planned for residential use at a density of 3-4 du/ac. As an option, higher-density redevelopment of the subject property with a combination of up to 240 affordable multifamily residential units, up to 340 multifamily units envisioned for GMU students, and public meeting space for the use of the FCRHA may be appropriate, subject to several conditions. The full site-specific Comprehensive Plan Recommendations are found at the end of this report.

COMPREHENSIVE PLAN MAP:

Public Facilities, Governmental and Institutional use (Parcels 11A and 11B) and Residential use at 3-4 du/ac (Parcel 2B).

POLICY PLAN CITATIONS

The following are selected citations from the Policy Plan element of the Comprehensive Plan that are particularly applicable to the review of this application. Additional Policy Guidelines for Multifamily Residential Development and Multifamily Residential Development for the Elderly are included at the end of this report.

Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Land Use, amended through 12-04-2018; pages 5-10:
Objective 8: Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.

Policy a. Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur.

(…)

Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses.

(…)

Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.

Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening.

(…)

Policy f. Utilize urban design principles to increase compatibility among adjoining uses.

Policy h. Utilize landscaping and open space along rights-of-way to minimize the impacts of incompatible land uses separated by roadways.

Policy i. Minimize the potential adverse impacts of the development of frontage parcels on major arterials through the control of land use, circulation and access.

(…)

COMPREHENSIVE PLAN ANALYSIS

Plan Amendment (PA) 2018-II-F2 was adopted by the Board of Supervisors on June 4, 2019, which added a development option to support the proposed higher-intensity residential redevelopment of the site, subject to conditions meant to ensure that policy objectives such as compatibility with neighboring uses, pedestrian safety, and environmental protection are addressed. The staff report for PA 2018-II-F2 provides further context for the Plan conditions.

Site-Specific Guidance

The following section discusses the extent to which the proposed development satisfies the guidance of the site-specific development option, including the conditions meant to ensure that Policy Plan objectives are addressed at the time of rezoning.
1) Use and Intensity:

- The applicant's proposed combination of 340 multifamily units intended for GMU students, 240 affordable multifamily units, and 3000 sf of meeting space for the use of FCRHA, is consistent with the maximum density recommendations of the Comprehensive Plan option for the consolidated subject properties. As per the Plan guidance, no additional affordable dwelling unit bonus density is being requested. The recently adopted Plan guidance does recommend that all affordable units be available to households earning 60% or less of the Area Median Income (AMI). This specific Plan element is not noted on the CDP/FDP or included in the submitted proffers, which remains an outstanding issue.

2) Site-Specific Conditions:

- A continuous landscaped buffer area should be provided along the northern boundary of the site. A 90-foot-wide buffer along the northern boundary of Parcel 2B, adjacent to Royal Legacy Estates, and a minimum 50-foot-wide buffer along the remaining northern boundary of Parcel 11A is desirable.

  Maintaining a continuous landscaped area along the northern boundary of the site is essential to achieving adequate buffering to the adjacent lower-density residential uses. The recommended buffers are included in the proposal, as indicated on Sheets 28-30 of the CDP/FDP, providing the recommended 90-foot-wide continuous buffer in the area of the more intensive student-oriented building (Building C), and the recommended 50-foot-wide buffer adjacent to the affordable buildings (Buildings A & B); thus satisfying this condition.

- A minimum of a 25-foot-wide landscaped buffer should be maintained along the Route 123 frontage, consistent with the character established by the Fairfax Gateway development located across Route 123 from the site. The buffer should be measured from the edge of the existing powerline easement that extends approximately 15 feet into the site and should continue around the building, tapering along University Drive.

  A 25-foot-wide landscaped buffer was also recommended along the site's Route 123 frontage, in order to replicate the buffer provided across Route 123 from the subject property. A 25-foot buffer is included on the CDP/FDP, and is exclusive of the adjacent powerline easement, as recommended; however, a paved patio area depicted at the southeast corner of building C3 encroaches on the 25-foot buffer area and interferes with the ability of buffer vegetation to continue around the southeast corner of the building, as is also recommended by the Plan condition. Staff recommends that this area of the proposal be reconfigured to satisfy the intent of this condition to provide consistent screening of the building from Route 123.
• Existing healthy mature trees located within all buffer areas should be preserved, to the maximum extent feasible, in consultation with the Fairfax County Urban Forest Management Division. Buffer areas, and adjacent open areas, should be supplemented with appropriate evergreen, deciduous, and understory vegetation, to improve the general health of the buffer vegetation, to ensure that the full extents of the buffer areas contain healthy native species, and to provide some year-round visual screening to adjacent residences throughout each phase of development.

Essential to the effectiveness of the above-noted buffer areas is the preservation of existing mature trees within those areas — which can provide valuable screening that reaches similar heights as the proposed structures. Equally important is the supplementation of additional trees in areas where no trees currently exist, and to ensure a healthy diversity of tree ages and species. Additional evergreen and understory vegetation will also be important to provide an effective buffer at lower heights and at all times of the year.

Tree preservation areas and supplemental plantings are indicated on the CDP/FDP throughout the buffer areas, as are recommended by this condition; however, there are areas of buffer disturbance depicted on the CDP/FDP that may require additional attention. In addition to the previously described outdoor patio area along Route 123, proposed stormwater inlets and underground pipes are depicted within the 50-foot buffer area north of proposed Building B (age-restricted affordable building), which would require additional grading within that buffer area and may restrict full re-planting in that location. Such details should be redesigned to minimize impacts to buffer areas, to the extent practical, and further coordination with the Fairfax County Urban Forest Management Division should take place during subsequent site plan review and construction to ensure that the full intent of this Plan condition is realized.

• High-quality architecture should be provided that is residential in character and includes architectural treatment of all building facades in a manner that is compatible with and complements other uses in the area. Facade treatments should extend onto any exposed parking levels along University Drive and internal roadways, to the extent practical. Vegetated screening and/or berms also may be utilized to ensure a pedestrian-friendly streetscape.

The proposed development was encouraged to utilize appropriate architectural design and building materials to complement other uses in the area, and to mitigate potential visual impacts of exposed parking structures. Sheets 37-38 of the CDP/FDP contain architectural elevations of the proposed structures, which appear to feature materials and treatments that are consistent on all facades, as recommended. A proposed proffer commitment reinforces the architectural commitments.

Building Character:

The proposed affordable buildings (Buildings A & B) appear more residential in appearance than the student-oriented building (Building C), which has a more
modern, institutional appearance. The affordable buildings better reflect the intent of the Plan condition to maintain a residential appearance, while the student-oriented building appears more institutional in character and may not be considered fully compatible with the character of residential development to the north. The building is not inconsistent, though, with the type of design located nearby on the GMU campus, which includes similarly scaled dorm buildings. In order to further respect the neighborhood character north of the subject property, and to embrace the concept of the use being transitional in nature, staff would encourage the applicant to explore other architectural or design alternatives for the public-facing facades of the student-oriented building that may strike a better balance between the residential and institutional character that surrounds the site.

Building Compatibility:

Maintaining compatibility between the proposed higher-density development and adjoining neighborhoods is addressed in part by the recommended vegetated buffers and supplemental plantings, which would provide visual screening and ensure significant separation between uses. Such buffers would provide valuable screening, especially in the summer months; however, the overall height and mass of the proposed structures would still be apparent through the screening vegetation. If the proposed buildings are not treated sensitively, there is the potential for them to appear out of scale with neighboring single-family homes and affect the character of those neighborhoods.

The student-oriented building has the greatest potential to negatively impact neighboring properties, due to its greater height, bulk, and more institutional character. It is difficult to determine from the building elevations provided on the CDP/FDP the full extent of building articulation, material variation, or other design considerations that have been incorporated to minimize the potential for that building to appear incompatible. Staff encourages the applicant to further define such details and to explore additional measures to mitigate the perceived height and bulk of the building. Reductions or “step-backs” in building height in key locations, “breaking up” larger masses through additional vertical and horizontal articulation, utilizing materials on rear facades to blend with the natural environment and adjacent neighborhood, or other potential solutions could be appropriate means to mitigate impacts.

It is also difficult to determine from the CDP/FDP the extent to which the parking structures may be exposed, and what types of treatments, landscaping, or berming may be proposed in those areas. Additional information about, and commitment to, screening the exposed parking areas should also be provided to fully address the Plan guidance.

- Safe, attractive, and secure pedestrian and bicycle facilities should be provided to improve access to GMU, bus stops, and other local services, and to reduce automobile trips generated by the development. Safe and secure pedestrian crossings
to the university should be a high priority, and streetscape areas along Route 123 and University Drive should be designed to create a high-quality pedestrian environment, to include features such as street trees, landscaped areas, wide sidewalks, pedestrian-scaled lighting and other amenities.

The site’s proximity to GMU, and its walkability to campus and other services, was an important element in justifying higher-density residential use on the site. This condition encourages redevelopment to maximize the potential for residents to walk, bike and use public transportation, by creating an inviting and functional multi-modal environment. An especially high priority is the safety of pedestrian crossings to the GMU campus.

The proposal includes a 12-foot-wide multi-use trail along the site’s University Drive frontage, with connecting sidewalks to each building. Such improvements should provide for enhanced pedestrian/bicycle movement along that frontage and to the corner of University Drive/Route 123. Only minor sidewalk improvements are proposed along the site’s Route 123 frontage, which would largely retain existing 5-foot sidewalk - meeting minimum sidewalk standards but not constituting a pedestrian or bicycle improvement.

Pedestrian safety at the University Drive/Route 123 intersection would be addressed by providing expanded pedestrian landings at each corner of the intersection to increase pedestrian capacity, and by reconfiguration/retiming of vehicular turn lanes and signals to reduce potential pedestrian and vehicular conflicts. Those proposed improvements will be evaluated by the Fairfax County Department of Transportation to assess their potential impacts on functionality and pedestrian safety. Satisfactory design and implementation of such pedestrian safety improvements are critical to staff support of this proposal.

- The Resource Protection Area and Environmental Quality Corridor along the western boundary of the site should be identified and protected, consistent with Objective 9 of the Environment section of the Policy Plan. Previously developed portions of those areas should be restored and revegetated, including removal of existing structures and the FCRHA maintenance facility, and there should be no new development within those areas. Utilities should also be located to minimize disturbance and encumbrance of such areas.

The Resource Protection Area on the site has been identified on the CDP/FDP and appropriate commitments to restore and revegetate this area have been provided to address this Plan condition.

In addition to the policies addressed by the site-specific Plan conditions, other policy considerations were addressed by the applicant during the review process, such as:

- Reconfiguring the placement of the affordable units to locating the age-restricted (senior) units closer to Route 123, in order to increase walkability for those residents (per the Policy Plan’s Guidelines for Multifamily Residential Development for the
Elderly).

- Increasing the percentage of age-restricted affordable housing, which supports Policy objectives to increase the supply of housing to that population.

- Inclusion of proffer commitments to address potential light and/or noise impacts along north-facing building facades.

Summary

Staff finds the application, as submitted, is generally consistent with the use and maximum density recommendations of the Plan option for higher-density redevelopment of the site; however, several other Comprehensive Plan concerns have been identified, as noted above, that remain outstanding. Staff anticipates continued work with the applicant to better address the following:

- The Plan option recommends that affordable units be available to households earning 60% or less of the median AMI, which is not specified in the application.

- Staff remains concerned about potential encroachment of development into proposed vegetative buffer areas, as outlined in this memo, and recommends that further attention be paid to ensuring such areas are protected and/or revegetated as necessary to ensure the integrity and effectiveness of the recommended buffer areas.

- Staff does not consider the architectural design and treatment of the student-oriented building to be entirely compatible with the character of the surrounding area, much of which is residential in nature. Additional design alternatives should be considered to better acknowledge the neighboring residential context and achieve greater compatibility with the residential neighborhoods to the north.

- Even with the recommended vegetative buffers in place, the size and scale of the student-oriented building may result in visual impacts to neighboring properties if not further mitigated. The applicant should explore additional measures to reduce the perceived height and bulk of the proposed structure and provide appropriate details on the CDP/FDP.

- Staff notes that proposed improvements related to pedestrian safety must be satisfactory, and other impacts on the local transportation infrastructure must be adequately mitigated, as determined by the Fairfax County Department of Transportation.
COMPREHENSIVE PLAN CITATIONS

Fairfax County Comprehensive Plan, 2017 Edition, Area II, Fairfax Planning District, F7 – George Mason Community Planning Sector, Amended through 11-20-2018, page 35; the Comprehensive Plan, as applied to the application area, states the following:

"The area north of University Drive and west of Route 123 (Tax Map 57-3((1))11A, 11B and 57-4((1)) 2B), about 10.8 acres in size, is planned for public facility, governmental or institutional uses and residential development at a density of 3-4 dwelling units per acre. With full consolidation, a redevelopment option may be appropriate for higher-density residential development of these parcels as a transitional use between the George Mason University (GMU) campus and the lower-density residential uses to the north. The option may include up to 240 multifamily housing units, affordable to households earning 60 percent or less of the Area Median Income (AMI), and up to 340 multifamily units envisioned to serve the GMU student population, to the extent practical and in conformance with all applicable local, State and Federal laws, particularly Fair Housing regulations. No additional bonus density for the provision of affordable units is appropriate. A limited amount of public meeting space also would be appropriate to accommodate continued utilization of the site by the Fairfax County Redevelopment and Housing Authority.

Redevelopment under the option should demonstrate compatibility with neighboring residential uses and the character of the Route 123 corridor through the satisfaction of the following conditions:

- A continuous landscaped buffer area should be provided along the northern boundary of the site. A 90-foot-wide buffer along the northern boundary of Parcel 2B, adjacent to Royal Legacy Estates, and a minimum 50-foot-wide buffer along the remaining northern boundary of Parcel 11A is desirable.

- A minimum of a 25-foot-wide landscaped buffer should be maintained along the Route 123 frontage, consistent with the character established by the Fairfax Gateway development located across Route 123 from the site. The buffer should be measured from the edge of the existing powerline easement that extends approximately 15 feet into the site and should continue around the building, tapering along University Drive.

- Existing healthy mature trees located within all buffer areas should be preserved, to the maximum extent feasible, in consultation with the Fairfax County Urban Forest Management Division. Buffer areas, and adjacent open areas, should be supplemented with appropriate evergreen, deciduous, and understory vegetation, to improve the general health of the buffer vegetation, to ensure that the full extents of the buffer areas contain healthy native species, and to provide some year-round visual screening to adjacent residences throughout each phase of development.

- High-quality architecture should be provided that is residential in character and includes architectural treatment of all building facades in a manner that is compatible
with and complements other uses in the area. Facade treatments should extend onto any exposed parking levels along University Drive and internal roadways, to the extent practical. Vegetated screening and/or berms also may be utilized to ensure a pedestrian-friendly streetscape.

- Safe, attractive, and secure pedestrian and bicycle facilities should be provided to improve access to GMU, bus stops, and other local services, and to reduce automobile trips generated by the development. Safe and secure pedestrian crossings to the university should be a high priority, and streetscape areas along Route 123 and University Drive should be designed to create a high-quality pedestrian environment, to include features such as street trees, landscaped areas, wide sidewalks, pedestrian-scaled lighting and other amenities.

- The Resource Protection Area and Environmental Quality Corridor along the western boundary of the site should be identified and protected, consistent with Objective 9 of the Environment section of the Policy Plan. Previously developed portions of those areas should be restored and revegetated, including removal of existing structures and the FCRHA maintenance facility, and there should be no new development within those areas. Utilities should also be located to minimize disturbance and encumbrance of such areas.”

Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Land Use – Appendix 1, amended through 12-04-2018; beginning on page 13:

**“GUIDELINES FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT**

The following guidelines are desirable characteristics for sites to be considered for multifamily development. Although the guidelines outline desired characteristics, certain circumstances might warrant multifamily development on a site even when these guidelines are not entirely met.

**Guidelines for Suburban Neighborhoods:**

1. Multifamily sites in designated Suburban Neighborhood areas should be in close proximity to community-serving retail. In addition, multifamily sites should be centrally located with respect to community services such as libraries, houses of worship, park/recreational facilities, and schools.

2. To accommodate traffic flow, the site should have adequate access to an arterial or to a collector street. An appropriate transportation analysis should be performed in conjunction with proposed multifamily development, with approval made contingent on the satisfactory resolution of identified transportation issues.

3. Sites for multifamily residential development should be located where it is county policy to provide public water and sewer service.

4. The required site size for multifamily development in Suburban Neighborhoods is dependent upon density, setback requirements, open space, parking, social and
recreational amenities to be provided, and building height. These factors will tend to
determine minimum site size. Generally, in areas of the county which have a reasonable
supply of vacant or underutilized land, sites should be above the size necessary to meet
Zoning Ordinance requirements (a minimum of 200 units). This enhances the ability to
support a package of private amenities such as swimming pools, tennis courts, a
clubhouse, etc. If proposed multifamily projects contain more than 600 units, diversity in
architectural style, layout and transition should be encouraged.

5. Environmental concerns should be considered in site selection. Multifamily
development is not appropriate in areas designated as Low Density Residential Areas.
Environmental Quality Corridors and areas subject to airport noise greater than DNL 60
dBA generally should be avoided.

Guidelines for Multifamily Residential Development for the Elderly:

Locational guidelines for housing for the elderly should recognize the needs of the elderly
as well as site characteristics. With regard to residents for whom health and mobility have
become a concern, guidelines for the location of multifamily residential development should
be modified as described below. With regard to residential facilities such as congregate
housing and nursing homes, which are designed to serve the elderly population in need of
continuous medical/nursing care, these developments are less location sensitive than other
elderly residential developments.

1. Public transportation and community services should be located within a reasonable
walking distance and should be accessible via paved walkways that are lighted, secure,
and well maintained. Crosswalks should be delineated, and adequate provisions should be
made for crossing heavy traffic (e.g., pedestrian crossing signals). If neither public
transportation nor community services are located within a short walking distance (i.e., a
5-7 minute walk), the elderly housing development should provide shuttle bus service
which can offer residents comparable access to community services.

2. The topography of the site, and that between the site and nearby destinations, should be
taken into consideration when siting residential development for the elderly. Pedestrian
facilities should not be located on slopes greater than 5-8%, and such maximum slopes
should not be continuous for more than 75 feet.

3. Safety and security are of particular concern to the elderly. To the extent possible, the
architecture and site design for multifamily residential development for the elderly should
incorporate features which reduce the potential for crime and enhance the security of
residents.”

DMJ/MHL
DATE: May 30, 2019

TO: Tracy D. Strunk, AICP, Director
    Zoning Evaluation Division, DPZ

FROM: Denise M. James, Chief
    Environment and Development Review Branch, DPZ

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ/FDP 2018-BR-025
         PCA C-058
         One University

This memorandum, prepared by John R. Bell, includes citations from Comprehensive Plan that provide guidance for the evaluation of the subject Rezoning (RZ) development plan dated, May 20, 2019. 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 in conformance with Plan policies.

Note: The applicable Comprehensive Plan citations may be found at the end of this report.

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Particular emphasis is given to opportunities provided by this application to conserve the County’s remaining natural amenities. Analysis for this application addresses the overall general development plan and proffered commitments for the subject property.

Green Building Practices

The proposed development seeks to redevelop the property with a combination of elderly housing, multi-family residential and multi-family residential designated for student housing. In keeping with the Comprehensive Plan Green Building Policy for new residential development, staff encouraged the applicant to seek green building certification for the proposed new residential buildings. As a result, the applicant is proposing that the building be certified through either the EarthCraft or National Green Building Standard (NGBS) programs. This guidance of the Comprehensive Plan has been addressed for the proposed development.
Stormwater Management

The site is currently developed with a number of existing structures with some surrounding open space and tree cover. The applicant is proposing underground detention measures as well as a number of water quality improvement measures. Any final determination regarding the adequacy of the proposed facilities will be made by the Land Development Services (LDS).

Resource Protection Area

As shown on plans, there is existing, mapped Resource Protection Area (RPA) and Environmental Quality Corridors (EQC) which covers portions of the western and southern sides of the subject property. Portions of this area are already disturbed and include some surface parking areas, portions of an existing building and a stormwater management pond. Portions of this area will be restored to a more natural state as part of the proposed development in a manner consistent with the provisions for restoration noted in the Chesapeake Bay Preservation Ordinance, Sect. 118-3-3(f), as noted in the proffers. Any final determination regarding the restoration of this area will be made by Land Development Services as part of the site plan review process.

Noise

The subject property is located at the northwest corner of the intersection of University Drive and Chain Bridge Road (Route 123). Staff raised concerns about potential noise impacts to the proposed buildings, which are all residential. At the request of staff, the applicant submitted a noise study which indicated modest impacts above 65 dBA DNL for Building C. Building C is designated for student housing and is located closest to Route 123. The study concluded that only the façade facing this roadway would be impacted by noise levels above 65 dBA DNL. The applicant has provided a proffer to mitigate interior noise for impacted units to no more than 45 dBA DNL. No outdoor activity areas are impacted by noise levels above 65 dBA DNL. This concern has been fully addressed.

COMPREHENSIVE PLAN CITATIONS:

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.

Environment

In the Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, as amended through March 14, 2017, on pages 7-9, the Plan states:
“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations.”

In the Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, as amended through March 14, 2017, on page 19 -21, the Plan states:

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

Policy a. In consideration of 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 may include, but are not limited to:

- 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 best practices for water conservation, such as water efficient landscaping and innovative wastewater technologies, that can serve to reduce the use of potable water and/or reduce stormwater runoff volumes;
- 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;
- Reuse, preservation and conservation of existing buildings, including historic structures;
- Retrofitting of other green building practices within existing structures to be preserved, conserved and reused;
- Energy and water usage data collection and performance monitoring;
- Solid waste and recycling management practices; and
- Natural lighting for occupants.

Encourage commitments to implementation of green building practices through certification under established green building rating systems for individual buildings (e.g., the U.S. Green Building Council’s Leadership in Energy and Environmental Design for New Construction [LEED-NC®] or the U.S. Green Building Council’s Leadership in Energy and Environmental Design for Core and Shell [LEED-CS®] program or other equivalent programs with third party certification). An equivalent program is one that is independent, third-party verified, and has regional or national recognition or one that otherwise includes multiple green building concepts and overall levels of green building performance that are at least similar in scope to the applicable LEED rating system. Encourage commitments to the attainment of the ENERGY STAR® rating where available. Encourage certification of new homes through an established residential green building rating system that incorporates multiple green building concepts and has a level of energy performance that is comparable to or exceeds 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 identify building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. …
Policy c. Ensure that zoning proposals for residential development that are not otherwise addressed in Policy b above will incorporate green building practices sufficient to attain certification under an established residential green building rating system that incorporates multiple green building concepts and that includes an ENERGY STAR Qualified Homes designation or a comparable level of energy performance. Where such zoning proposals seek development at or above the mid-point of the Plan density range, ensure that county expectations regarding the incorporation of green building practices are exceeded in two or more of the following measurable categories: energy efficiency; water conservation; reusable and recycled building materials; pedestrian orientation and alternative transportation strategies; healthier indoor air quality; open space and habitat conservation and restoration; and greenhouse gas emission reduction. As intensity or density increases, the expectations for achievement in the area of green building practices would commensurately increase.…..

In the Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, as amended through March 14, 2017, on page 10, the Plan states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the county's Chesapeake Bay Preservation Ordinance, as applied to Chesapeake Bay Preservation Areas adopted by the Board of Supervisors as generally depicted in Figure 5 of the Chesapeake Bay Supplement to the Comprehensive Plan, as may be amended by the Board of Supervisors.

In the Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, as amended through March 14, 2017, on pages 14-16, the Plan states:

“Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.

Policy a: Identify, protect and restore an Environmental Quality Corridor system (EQC). (See Figure 4.) Lands may be included within the EQC system if they can achieve any of the following purposes:

- Habitat Quality: The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest. This may include: habitat for species that have been identified by state or federal agencies as being rare, threatened or endangered; rare vegetative communities; unfragmented vegetated areas that are large enough to support interior forest dwelling species; and aquatic and wetland breeding habitats (i.e., seeps, vernal pools) that are connected to and in close proximity to other EQC areas.

- Connectivity: This segment of open space could become a part of a corridor to facilitate the movement of wildlife and/or conserve biodiversity. This may include natural corridors that are wide enough
to facilitate wildlife movement and/or the transfer of genetic material between core habitat areas.

- Hydrology/Stream Buffering/Stream Protection: The land provides, or could provide, protection to one or more streams through: the provision of shade; vegetative stabilization of stream banks; moderation of sheet flow stormwater runoff velocities and volumes; trapping of pollutants from stormwater runoff and/or flood waters; flood control through temporary storage of flood waters and dissipation of stream energy; separation of potential pollution sources from streams; accommodation of stream channel evolution/migration; and protection of steeply sloping areas near streams from denudation.

- Pollution Reduction Capabilities: Preservation of this land would result in significant pollutant reductions. Water pollution, for example, may be reduced through: trapping of nutrients, sediment and/or other pollutants from runoff from adjacent areas; trapping of nutrients, sediment and/or other pollutants from flood waters; protection of highly erodible soils and/or steeply sloping areas from denudation; and/or separation of potential pollution sources from streams.

The core of the EQC system will be the county's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements (See Figure 4):

- All 100 year flood plains as defined by the Zoning Ordinance;
All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;

- All wetlands connected to the stream valleys; and

- All the land within a corridor defined by a boundary line which is 50 feet plus 4 additional feet for each % slope measured perpendicular to the stream bank. The % slope used in the calculation will be the average slope measured within 110 feet of a stream channel or, if a flood plain is present, between the flood plain boundary and a point fifty feet up slope from the flood plain. This measurement should be taken at fifty foot intervals beginning at the downstream boundary of any stream valley on or adjacent to a property under evaluation.

Modifications to the boundaries so delineated may be appropriate if the area designated does not benefit any of the EQC purposes as described above. In addition, some disturbances that serve a public purpose such as unavoidable public infrastructure easements and rights of way may be appropriate. Disturbances for access roads should not be supported unless there are no viable alternatives to providing access to a buildable portion of a site or adjacent parcel. The above disturbances should be minimized and occur perpendicular to the corridor's alignment, if practical, and disturbed areas should be restored to the greatest extent possible."

In the Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, as amended through March 14, 2017, on page 11-12, the Plan states:

**Objective 4: Minimize human exposure to unhealthful levels of transportation generated noise.**

Policy a: Regulate new development to ensure that people are protected from unhealthful levels of transportation noise.

Policy b: Reduce noise impacts in areas of existing development.

New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA.

DMJ: JRB
DATE: May 31, 2019

TO: Sharon Williams, Staff Coordinator
    Zoning Evaluation Division, DPZ

FROM: Rachel Habig-Myers, Urban Forester II
      Forest Conservation Branch, DPWES

SUBJECT: One University.RZ/FDP 2018-BR-025conc. w/PCA C-058

The following comments are based on a review of the third submission of a Rezoning/Final Development Plan Application with Partial Proffer Condition Amendment stamped "Received, Department of Planning and Zoning, April 5, 2019." A site visit was conducted on December 5, 2018.

General Comments:

1. Comment: While UFMD supports the relocation of underground utilities to improve rooting space and lessening the likelihood of future impacts to proposed trees, the future conflicts between plantings and structures with Buildings A and B (along with a small part of Building C) are still present. Due to the proposed plantings location next to a structure and immediately adjacent to an area where pedestrians and bicyclists will be present, it is not clear that category 2 or 3 plantings are appropriate.

Specific Comments:

Sheet 31 of 38:

2. Comment: As written, the information provided about soil remediation appears to onlypropose amending planting holes, which is an activity not supported by UFMD. Additionally, the Public Facilities Manual citation provided as a model for work to occur specifically states not to amend planting holes. As written, the soil remediation methodology proposed is not acceptable.

Proffers:

3. Comment: It appears that Proffer 23 references another proffer incorrectly.

rh/
UFMDID #: 268443
TO: Tracy Strunk, Director
   Zoning Evaluation Division, DPZ

FROM: William Capers III (WC)
   Transportation Planner III
   Site Analysis Section
   Department of Transportation

SUBJECT: RZ 2018-BR-025
   One University
   Land Identification Maps: 57-3((1))-11A,11B and 57-4((1)) 2B

Fairfax County Department of Transportation (FCDOT) has reviewed the subject Rezoning (RZ) application with supplemental Conceptual Development Plan (CDP)/Final Development Plan (FDP) (last update) dated May 20, 2019. The RZ application is to permit the development of up to 737,000 Square Foot (S.F.) of residential apartment buildings. The residential use will consist of three (3) separate apartment buildings which will be comprised of 1) a multi-family affordable housing building; 2) a multi-family senior living apartment building; and 3) a multi-family student housing building.

**Site Circulation**

The latest plan submission includes modifications to the internal site circulation and drive aisle alignments to facilitate one-way circulation on the drive aisles. The applicant indicates that signage will be provided onsite to prohibit illegal movements as well as pavement markings to enable one-way circulation along the drive aisle. The location and description of signage and pavement markings should be provided at the time of site plan submission.

In addition, the CDP/FDP includes a “possible” garage access connection within the center median situated between Buildings A and B. Staff is concerned with possible conflicts with vehicles ingress/egress into the garage with vehicles accessing the site given the planned internal design and circulation.

**Proffers**

*Proffer 12. Transportation Demand Management (TDM)*- The TDM proffer should be consistent with the Fairfax County TDM policy.

Cc: Sharon Williams, DPZ-ZED
    Gregory Fuller, Transportation Planner IV, FCDOT-SAS
    Jeffrey Hermann, AICP, Chief, FCDOT-SAS
To: Ms. Tracy Strunk  
Director, Zoning Evaluation Division

From: Kevin Nelson  
Virginia Department of Transportation – Land Development Section

Subject: RZ/FDP 2018-BR-025 & PCA-C-058 One University Development Partners, LLC  
Tax Map # 57-3((01))0011A, 0011B & 57-4((01))0002B  
Fairfax County

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on May 21, 2019, and received on May 22, 2019. The following comments are offered:

3. The proposed curb adjustment at the Rt. 123 intersection should be removed and replaced with striping to define the beginning of the parking lane. Any modifications to the intersection crossings will require further evaluation. No modifications will be permitted which do not accommodate the vehicles utilizing the movements in order to protect pedestrians from errant vehicles crossing the curb to make the turns.

5. Any offset entrances not meeting the required spacing will require an AM-E be processed to determine the impacts of the offsets.

9. Proffer #10 should note there are proposed improvements to all of the quadrants of the University Drive/Rt. 123 intersection.

cc: Ms. Amy Muir  
fairexrezoning2018-BR-025c3OneUnivDevPtrsLLC6-4-19TS
Ms. Tracy D. Strunk, AICP  
Director, Zoning Evaluation Division  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: RZ FDP 2018-BR-025  
Concurrent w/ PCA-C-058  
One University Development Partners, LLC  
Tax Map: 57-3 and 57-4

Dear Ms. Strunk:

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 existing 12-inch water main in University Drive and an 8-inch water main in Ox Road.

3. An 8-inch water main extension to Delegate Court and/or Royal Commons Court will be required.

4. Depending upon the configuration of any proposed on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and water quality concerns.

If you have any questions regarding this information please contact Ross Stilling, P.E., Chief, Site Plan Review at (703) 289-6385.

Sincerely,

Gregory J. Prelewicz, P.E.  
Manager, Planning Department

Enclosure
DATE:       June 5, 2019

TO:         Sharon Williams, Staff Coordinator
            Zoning Evaluation Division
            Department of Planning and Zoning

FROM:       William J. Veon, Jr., P.E., Senior Engineer III (Stormwater)
            Central Branch, Site Development and Inspections Division (SDID)
            Department of Land Development Services

SUBJECT:    Zoning Application No.: RZ/FDP 2018-BR-025 concurrent with PCA C-058;
            One University Development Partners, LLC (aka, One University);
            Conceptual/Final Development Plan dated February 19, 2019; LDS Project
            No.: 002737-ZONA-002-4; Tax Map No.: 057-3-01-0011A & B and 057-4-01-0002B; Braddock District

The subject application has been reviewed, and the following stormwater management comments
are offered at this time:

Note: The Fairfax County Public Facilities Manual (PFM) revisions became effective 12/5/2018
resulting in changes in numbering, modification, deletion, or relocation of certain sections. The
updated PFM is available at https://www.fairfaxcounty.gov/landdevelopment/public-facilities-
manual. This letter references current PFM section numbers.

**Chesapeake Bay Preservation Ordinance (CBPO)**
There is Resource Protection Area (RPA) located on the project property. The approval of a
separate site-specific RPA delineation study will be required during the final design/site plan
stage (PFM 6-1701.3). The proposed construction within the RPA may be approved as an
allowed use (under “redevelopment”) during the final design/site plan stage, if no net increase in
impervious surface and no further encroachment in the RPA can be demonstrated (Chesapeake
Bay Preservation Ordinance [CBPO], County Code Chapter 118 at 118-2-1(b)). A Water Quality
Impact Assessment, required to ensure impacts are appropriately mitigated, will need to be
separately submitted for approval at the time of final design/site plan (CBPO 118-3-3(a) &
Article 4).

Response: Comment acknowledged.
Floodplains
There is regulated floodplain located on the project property. A separate Flood Study will need to be approved, at the time of final design/site plan, in order to establish the water surface elevations and required easement boundary for the currently unmapped minor floodplain (PFM 6-1401.1).

The requirements of the County’s Floodplain Regulations (Zoning Ordinance [ZO], Article 2, Part 9) apply to this project, and any proposed floodplain encroachments need to be permitted uses (ZO 2-903) approvable via the submittal of a separate Floodplain Use Determination request at the time of final design/site plan. Otherwise, a Special Exception approval (ZO 2-904) will be required to allow the proposed construction within the floodplain.

Response: The Applicant will prepare a Floodplain Study during the Site Plan for the proposed development.

Follow-up Comment: ok, a separate Flood Study will be submitted for approval at the time of the final design/site plan.
**Downstream Drainage Complaints**  
There are no significant, contemporary downstream drainage complaints on file.

  Response: None.

  **Follow-up Comment**: ok.

**Water Quality**

Water quality controls are required for this project (Stormwater Management Ordinance [SWMO], County Code Chapter 124 at 124-1-6, 124-4-1 & 124-4-2). The Best Management Practice (BMP) Narrative indicates the proposed project’s required phosphorous reduction will be achieved via the installation of Manufactured Treatment Device (MTD) filters in series (such as an Isolator Row in series with a Jellyfish Filter, with respective 40% and 50% phosphorous removal efficiencies), as well as a stand-alone MTD filter (such as an Isolator Row). A preliminary Virginia Runoff Reduction Method (VRRM) analysis has been provided to identify the initial phosphorus reduction requirement for the project, and to demonstrate and support the design engineer’s expectation of project compliance via the proposed BMP practices. However, the project site is completely located within the Water Supply Protection Overlay District (WSPOD) for the Occoquan River, and the projected (or Final Post-Development) phosphorous load must be reduced by at least 50% (PFM 6-0401.2). The current VRRM analysis does not demonstrate compliance with this requirement.

Compliance with the WSPOD phosphorous reduction requirement must be demonstrated when calculation and design details are reviewed at the final design/site plan stage.

  Response: The BMP system has been redesigned to provide a 50% reduction in phosphorous loading.

  **Follow-up Comment**: ok, calculation and design details will be reviewed at the final design/site plan stage.

**Water Quantity - Detention**

Water quantity controls for stormwater detention are required for this project (SWMO 124-1-6, 124-4-1 & 124-4-4.D). The Stormwater Management (SWM) Narrative indicates the proposed project’s detention requirements will be achieved via the installation of two (2) underground chamber systems. Preliminary design information has been provided to illustrate the design engineer’s expectation of the detention requirements being achieved via the provision of stormwater storage volumes of approximately 17,042 cu. ft. for Detention Chambers-1 and 31,995 cu. ft. for Detention Chambers-2. However, the detention required for the site’s original development (for the site’s current “existing condition”), which is provided in existing dry pond DP0416 (located at the western end of the site, and having a drainage area of 22.07 ac) and existing underground storage facility UG0039 (located under the office building parking lot, and
having a drainage area of 1 ac), must also be accounted for in the design of the proposed stormwater management system.

Calculation and design details will be reviewed at the final design/site plan stage, at which time the “existing conditions” detention issues must be appropriately addressed in accordance with Virginia Department of Environmental Quality Guidance Memo 14-2014 at the “New Construction Activities” section.

Note: A separate PFM modification request and approval (PFM 6-0303.6B) will be required at the final design/site plan stage, for any proposed underground storage facility containing structures that do not meet the standard sizes and materials requirements.

Response: The SWM system has been redesigned to evaluate the existing conditions as undeveloped so the treatment provided by the dry pond (DP0416) is maintained in the new system.

Follow-up Comment: The SWM system proposed in the CDP/FDP does not address the original comment, since the forested pre-condition associated with the site’s original development has not yet been considered. However, calculation and design details will be reviewed at the final design/site plan stage, at which time the “existing conditions” detention issues must be appropriately addressed in accordance with Virginia Department of Environmental Quality Guidance Memo 14-2014 at the “New Construction Activities” section.

Response: The Applicant understands the final SWM/BMP calculations will be reviewed during the Site Plan. That being said, the enclosed plan has been updated to reflect the existing conditions as forested.

Follow-up Comment (5/7/2019): ok, calculation and design details will be reviewed at the final design/site plan stage, at which time the “existing conditions” detention issues must be appropriately addressed in accordance with Virginia Department of Environmental Quality Guidance Memo 14-2014 at the “New Construction Activities” section.

**Water Quantity - Outfalls**

Water quantity controls for outfall channel and flood protection are required for this project (SWMO 124-1-6, 124-4-1, 124-4-4.B & 124-4-4.C). The Outfall Analysis Narrative states the site has one (1) outfall at its western end, presumably at the location of the existing detention pond discharge point. The pond discharges into a natural channel at this location, and the 1-yr post-development discharge from the site is proposed to be appropriately reduced in accordance with SWMO 124-4-4.3.B. The 2-yr and 10-yr post-development discharges are proposed to be reduced to predevelopment levels. The design engineer provides an opinion that an adequate
outfall exists for the site, since the 10-yr event will be confined to the channel within the assumed limits of outfall analysis, and the 2-yr velocities will be non-erosive within these limits. However, the assumed limit of outfall analysis for flood protection is incorrect, and SWMO 124-4.4.C.5 actually applies, unless the 2-yr and 10-yr post-development discharges are reduced in accordance with SWMO 124-4.4.C.4.

The outfall analysis calculations and details will be reviewed at the final design/site plan stage, at which time adequate outfall compliance must be appropriately demonstrated.

Response: The Applicant acknowledges the extent of the outfall analysis will be finalized during the site plan.

Follow-up Comment: ok, calculation and design details will be reviewed at the final design/site plan stage.

**Stormwater Planning Comments**

This site is located within the Popes Head Creek Watershed and the East Fork Water Management Area. A future stream restoration project (PH9270) and culvert retrofit project (PH9470) are located about 0.9 mile downstream from the site. However, the applicant’s proposed project should have little to no impact on this future County project.

Response: None.

Follow-up Comment: ok.

**Dam Breach**

The property is not located within a dam breach inundation zone.

Response: None.

Follow-up Comment: ok.

**Miscellaneous**

The stormwater management plan to be prepared at final design must address all of the items listed in SWMO 124-2-7.B.

The latest BMP specifications provided on the Virginia Stormwater BMP Clearinghouse website, in addition to the PFM, must be used for final design. The design engineer is also referred to LTI 14-13 with regard to the selection of appropriate BMPs.

Response: None.
Follow-up Comment: ok.

Please contact me at 703-324-1720 or William.Veon@fairfaxcounty.gov, if you have any questions or require additional information.

WJV/

cc:  Dipmani Kumar, Chief, Watershed Planning and Evaluation Branch, Stormwater Planning Division (SWPD), Department of Public Works and Environmental Services (DPWES)
     Shannon Curtis, Chief, Watershed Assessment Branch, SWPD, DPWES
     Jeffrey E. Vish, Acting-Chief, Central Branch, SDID, Land Development Services (LDS)
     Daun Klarevas, Engineer IV, SDID, LDS
     Zoning Application File
DATE: December 28, 2018

TO: Sharon Williams
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sharad Regmi, P.E.
Engineering Analysis and Planning Branch

SUBJECT: Sanitary Sewer Analysis Report

REF: Application No. RZ/FDP 2018-BR-025 Con. W/PCA-C-058
Tax Map No. 057-4-((1)-0002-B; 057-3-((01))-0011A; 0011-B

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

- Sanitary sewer service for the proposed re-development area is provided by the City of Fairfax. For the sewer lines capacity within City of Fairfax, applicant needs to contact City of Fairfax.

- When the sewage flow from the City of Fairfax enters Fairfax County, an existing 10-inch sewer line in the University drive is adequate for the proposed use at this time.

- The application property is located in Upper Popes Head Creek (R-2) watershed. It would be sewered into the Noman M. Cole Pollution Control Plant (NMPCPC).

- Based upon current and committed flow, there is excess capacity in the NMPCPC. 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.
May 31, 2019
Non-Exempt - Resubmission

TO: Sharon Williams, Staff Coordinator
Fairfax County Department of Planning & Zoning

FROM: Pranita Ranbhise, Planner
Office of Facilities Planning Services

SUBJECT: RZ/FDP 2018-BR-025 Conc. with PCA C-058 and PA 2018-II-F2, One University

ACREAGE: 10.77

TAX MAP: 57-3 ((1)) 11A, 11B; 57-4 ((1)) 2B

PROPOSAL:
The application requests to rezone the site from Planned Development Housing (PDH – 5), Residential (R-1) and Water Supply Protection Overlay (WS) zoning districts to the Planned Residential Mixed Use (PRM) and WS Zoning Districts together with a proffer condition amendment (PCA) application to sever the lots from Rezoning C-58. Lots 11A and 11B are zoned PDH-5, and currently have 46 townhomes and 10,000 square feet of office which serves Fairfax County Redevelopment and Housing Authority (FCRHA). Lot 2B zoned R-1 and is vacant. This application proposes a rezoning to facilitate the redevelopment of the property into a community of “purpose-built” housing units to meet significant needs in the County. The proposal includes a combination of:

1) Student Housing
   The application proposes student housing on Lot 2B. The student housing will range from 5-7 stories and contain up to 340 units designated specifically as student housing.

2) Affordable Housing
   The application proposes affordable housing on Lots 11A and 11B. The affordable housing will be developed with two 4-story buildings, both of which will be affordable to residents earning not more than 60% of the average median income (AMI). One of the buildings will be age restricted and will be designed as senior living, which will contain 120 units. The second building will contain 120 multi-family units.

ANALYSIS:
The schools serving this area are Woodson High School (HS), Frost Middle School (MS), and Fairfax Villa School (ES). The following projections were published earlier this year by Fairfax County Public Schools (FCPS) and do not reflect the increase in the number of students resulting from the proposed rezoning.

<table>
<thead>
<tr>
<th>School</th>
<th>Capacity SY 2018-19 / SY 2023-24</th>
<th>Membership (9/30/18)</th>
<th>Program Capacity Utilization SY 2018-19</th>
<th>Projected Membership SY 2023-24</th>
<th>Program Capacity Utilization SY 2023-24</th>
</tr>
</thead>
<tbody>
<tr>
<td>Woodson HS</td>
<td>2,327</td>
<td>2,384</td>
<td>102%</td>
<td>2,536</td>
<td>109%</td>
</tr>
<tr>
<td>Frost MS</td>
<td>1,182 / 1,400</td>
<td>1,237</td>
<td>105%</td>
<td>1,310</td>
<td>94%</td>
</tr>
<tr>
<td>Fairfax Villa ES</td>
<td>692</td>
<td>621</td>
<td>90%</td>
<td>543</td>
<td>78%</td>
</tr>
</tbody>
</table>

Note: Numbers in italics are future design capacity and projected capacity utilization percentages after a renovation or capacity enhancement.

The school capacity table above shows a snapshot in time (as of January 2019) for student membership and school capacity balances. The five-year student membership projections and individual school capacity evaluations are updated annually by FCPS. Recommended boundary adjustment options,
program changes and potential school expansions and new schools are included in the CIP for future consideration based on the most recent five-year projections and SY 2018-19 capacity evaluations. Any options chosen for potential implementation will be discussed and decided through a transparent process that engages the community, in accordance with School Board Policy and Regulations. This includes adjustments needed for Advanced Academic Program centers at existing facilities and newly identified locations for such programs. At this time, Woodson HS is considered to have a slight capacity deficit, Frost MS is considered to have a moderate capacity deficit, and Fairfax Villa ES is considered to have sufficient capacity for current programs and future growth. If by-right development occurs under the existing plan or zoning, Woodson HS would be considered to have a moderate capacity deficit, Frost MS would be considered to have sufficient capacity for current programs and future growth, and Fairfax Villa ES would be considered to have a capacity surplus by SY 2023-24. Beyond the five-year projection horizon, membership projections are not available.

**Impact**
The proposed senior living units will not have a student yield, whereas the multi-family housing units will have a student yield. Based on the housing units proposed in the application, the tables below show the net of potential students by school level, calculated using the current countywide student yield ratio. The net is based on the difference between the potential students from the proposed and from the planned development.

**Proposed**

Low-Rise Multi-Family

<table>
<thead>
<tr>
<th>School Level</th>
<th>Proposed Number of Housing Units</th>
<th>Net Potential Student Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>120</td>
<td>5</td>
</tr>
<tr>
<td>Middle</td>
<td>120</td>
<td>3</td>
</tr>
<tr>
<td>Elementary</td>
<td>120</td>
<td>11</td>
</tr>
<tr>
<td><strong>Total Student Count</strong></td>
<td><strong>19</strong></td>
<td></td>
</tr>
</tbody>
</table>


Mid/High-Rise Multi-Family

<table>
<thead>
<tr>
<th>School Level</th>
<th>Proposed Number of Housing Units</th>
<th>Net Potential Student Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>340</td>
<td>11</td>
</tr>
<tr>
<td>Middle</td>
<td>340</td>
<td>6</td>
</tr>
<tr>
<td>Elementary</td>
<td>340</td>
<td>20</td>
</tr>
<tr>
<td><strong>Total Student Count</strong></td>
<td><strong>37</strong></td>
<td></td>
</tr>
</tbody>
</table>


Total Proposed

<table>
<thead>
<tr>
<th>School Level</th>
<th>Proposed Number of Housing Units</th>
<th>Net Potential Student Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>460</td>
<td>16</td>
</tr>
<tr>
<td>Middle</td>
<td>460</td>
<td>9</td>
</tr>
<tr>
<td>Elementary</td>
<td>460</td>
<td>31</td>
</tr>
<tr>
<td><strong>Total Student Count</strong></td>
<td><strong>56</strong></td>
<td></td>
</tr>
</tbody>
</table>


**SUMMARY:**
The high school is considered to have a slight capacity deficit, the middle school is considered to have a moderate capacity deficit, and the elementary school is considered to have sufficient capacity for current programs and future growth. For projected membership, assuming no change to programs and boundaries, the high school would be considered to have a moderate capacity deficit, the middle school
would be considered to have sufficient capacity for current programs and future growth, and the elementary would be considered to have a capacity surplus prior to consideration of any plan amendment or rezoning. This analysis is a snapshot in time (as of January 2019) for student membership and school capacity balances. With a rezoning application that increases residential density, such as that proposed in this application, the membership at these schools will necessarily increase, which may negatively impact the instructional program to the detriment of the students involved. Any future rezoning or plan amendments would need to be analyzed along with this rezoning to determine the future impact to capacity.

**Capital Improvement Program Recommendations**

The Capital Improvement Program FY 2020-24 includes potential solutions to consider to alleviate current and projected school capacity deficits. For consideration purposes, as many options as possible have been identified for each school, in no significant order, and may be contingent on other potential solutions listed. Any options chosen for implementation will be discussed and decided through a transparent process with the appropriate stakeholders, in accordance with School Board Policies and Regulations.

**Woodson HS:** Increase efficiency by reassigning instructional spaces within a school to accommodate increase in membership; possible program changes; minor interior facility modifications to create additional instructional space and help to accommodate capacity deficit; add temporary classrooms to accommodate short-term capacity deficit; repurpose existing inventory of school facilities not currently being used as schools; potential boundary adjustment with schools having a capacity surplus.

**Frost MS:** Increase efficiency by reassigning instructional spaces within a school to accommodate increase in membership; possible program changes; add temporary classrooms to accommodate short-term capacity deficit; capacity enhancement through either a modular or building addition; potential boundary adjustment with schools having a capacity surplus.

**Fairfax Villa ES:** Monitor student membership.

Attachment: Locator map

cc: Karen Corbett Sanders, Chairman, School Board Member, Mount Vernon District
Megan McLaughlin, School Board Member, Braddock District
Jeffrey Platenberg, Assistant Superintendent, Facilities and Transportation Services
Jessica Gillis, Director, Office of Facilities Planning Services
Jill Kaneff, Coordinator, Office of Facilities Planning Services
**Locator Map**

<table>
<thead>
<tr>
<th><strong>Rezoning Application</strong></th>
<th><strong>Final Development Plan</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant:</strong></td>
<td>ONE UNIVERSITY DEVELOPMENT PARTNERS, LLC</td>
</tr>
<tr>
<td>Accepted:</td>
<td>11/16/2018</td>
</tr>
<tr>
<td>Proposed:</td>
<td>RESIDENTIAL</td>
</tr>
<tr>
<td>Area:</td>
<td>10.77 AC, DISTRICT - BRADDOCK</td>
</tr>
<tr>
<td>Zoning Dist Sect:</td>
<td>NORTH SIDE OF UNIVERSITY DRIVE AND WEST SIDE OF OX ROAD</td>
</tr>
<tr>
<td>Located:</td>
<td>FROM PDH-5 TO PRM, FROM R-1 TO PRM</td>
</tr>
<tr>
<td>Overlay Dist:</td>
<td>NEX W5</td>
</tr>
<tr>
<td>Map Ref Num:</td>
<td>057-3 /01 /0011A /01 /0011B 057-4 /01 /0002B</td>
</tr>
</tbody>
</table>

| **Applicant:** | ONE UNIVERSITY DEVELOPMENT PARTNERS, LLC |
| Accepted: | 11/16/2018 |
| Proposed: | RESIDENTIAL |
| Area: | 10.77 AC, DISTRICT - BRADDOCK |
| Zoning Dist Sect: | NORTH SIDE OF UNIVERSITY DRIVE AND WEST SIDE OF OX ROAD |
| Located: | PRM |
| Overlay Dist: | NEX W5 |
| Map Ref Num: | 057-3 /01 /0011A /01 /0011B 057-4 /01 /0002B |

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Map showing the locations of University Dr. and Ox Rd.
FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM

TO: Tracy Strunk, AICP, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Andrea L. Dorlester, AICP, Manager
Park Planning Branch, PDD

DATE: June 3, 2019

SUBJECT: RZ-FDP 2018-BR-025 w/ PCA-C-058, One University - REVISED
Tax Map Numbers: 57-3((1)) 11A, 11B; 57-4((1)) 2B

BACKGROUND
This memo replaces the Park Authority’s previous comments dated January 17, 2019 on the above referenced application. Staff has reviewed the applicant’s Comment Response Letter, and Draft Proffers dated May 20, 2019, Phase I Cultural Resources Investigation Report dated April 2019, and revised Development Plan dated April 5, 2019 for this application. The Development Plan shows 340 dwelling units designed primarily for students and 240 new multi-family affordable dwelling units (ADUs) in three buildings, on a 10.77-acre parcel located partially within the City of Fairfax to be rezoned from PDH-5 and R-1 to PRM with proffers. Based on an average multi-family household size of 2.20 in the Fairfax Planning District, the development could add 1,150 new residents [(340 new multi-family unites + 240 new multi-family ADUs = 580) x 2.20 = 1276] -- (46 existing townhouses x 2.73 = 126) = 1,150] to the Braddock Supervisory District and Fairfax City. The subject property is located in an area of Fairfax County that is not exempt from Virginia Code 15.2-2303.4 pertaining to certain conditional rezoning proffers.

PARK & RECREATION IMPACT ANALYSIS
Potential Impacts to Park and Recreation Facilities:
Based on the information provided in the application, the proposed development is estimated to increase the local population by 1,150 residents, all of whom may require capacity for parkland, recreational facilities, and trails.

The Fairfax Planning District, where the subject property is located, is already deficient in parkland and recreational facilities. Existing nearby parks (Country Club View, Fairfax Villa, Rabbit Branch, University, and Providence (City of Fairfax) Parks) meet only a portion of the current demand for parkland generated by existing residential development in the Fairfax Planning District. Most of the nearby parkland is resource based and only Country Club View...
Park provides recreational facilities. In addition to these current deficiencies, the addition of 1,150 new residents to the Fairfax Planning District is expected to increase the need for public parks and recreational facilities in excess of existing capacity.

The potential impacts to parks and recreation were evaluated by applying the population-based parks and recreation service level standards as detailed in the Policy Plan (Parks and Recreation element, Appendix 2). In addition to population-generated need, it is expected that employees, visitors and guests of the proposed commercial establishments will have a need for quality recreational opportunities in the area.

<table>
<thead>
<tr>
<th>Facility</th>
<th>Service Level Standard</th>
<th>Impact from 1,150 Additional Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rectangle Fields</td>
<td>1 field / 2,700 people</td>
<td>0.43</td>
</tr>
<tr>
<td>Adult Baseball Fields</td>
<td>1 field / 24,000 people</td>
<td>0.05</td>
</tr>
<tr>
<td>Adult Softball Fields</td>
<td>1 field / 22,000 people</td>
<td>0.05</td>
</tr>
<tr>
<td>Youth Baseball Fields</td>
<td>1 field / 7,200 people</td>
<td>0.16</td>
</tr>
<tr>
<td>Youth Softball Fields</td>
<td>1 field / 8,800 people</td>
<td>0.13</td>
</tr>
<tr>
<td>Multiuse Courts</td>
<td>1 court / 2,100 people</td>
<td>0.55</td>
</tr>
<tr>
<td>Playgrounds</td>
<td>1 playground / 2,800 people</td>
<td>0.41</td>
</tr>
<tr>
<td>Neighborhood Dog Parks</td>
<td>1 dog park / 86,000 people</td>
<td>0.01</td>
</tr>
<tr>
<td>Neighborhood Skate Parks</td>
<td>1 skate park / 106,000 people</td>
<td>0.01</td>
</tr>
<tr>
<td>Reservable Picnic Areas</td>
<td>1 area / 12,000 people</td>
<td>0.10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parkland/Open Space Type</th>
<th>Service Level Standard</th>
<th>Impact (acres) from 1,150 Additional Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Suburban</td>
<td>5 acres / 1,000 people</td>
<td>5.75</td>
</tr>
<tr>
<td>District/Countywide</td>
<td>13 acres / 1,000 people</td>
<td>14.95</td>
</tr>
</tbody>
</table>

The identification of current facility deficiencies is for informational purposes and is not intended to suggest that any particular development address such deficiencies in any particular way, if at all.

**Cultural Resources Impact:**
The site was subjected to a Phase I archaeological survey, which indicates that additional architectural assessment to Virginia Department of Historic Resources (VDHR) standards is needed for architectural site 029-6257 at this time. If significant resources are found, Phase II testing would be needed for staff to evaluate the proposed application's impacts before any decision can be made on the application.

FCPA Reviewer: Andy Galusha
DPZ Coordinator: Sharon Williams
Copy: Barbara Nugent, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
Sharon Williams, DPZ Coordinator
An Act to amend the Code of Virginia by adding a section numbered 15.2-2303.4, relating to conditional zoning.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2303.4 as follows:

§ 15.2-2303.4. Provisions applicable to certain conditional rezoning proffers.

A. For purposes of this section, unless the context requires a different meaning:

"New residential development" means any construction or building expansion on residentially zoned property, including a residential component of a mixed-use development, that results in either one or more additional residential dwelling units, beyond what may be permitted by right under the then-existing zoning of the property, when such new residential development requires a rezoning or proffer condition amendment.

"New residential use" means any use of residentially zoned property that requires a rezoning or that requires a proffer condition amendment to allow for new residential development.

"Offsite proffer" means a proffer addressing an impact outside the boundaries of the property to be developed and shall include all cash proffers.

"Onsite proffer" means a proffer addressing an impact within the boundaries of the property to be developed and shall not include any cash proffers.

"Proffer condition amendment" means an amendment to an existing proffer statement applicable to a property or properties.

"Public facilities" means public transportation facilities, public safety facilities, public school facilities, or public parks.

"Public facility improvement" means an offsite public transportation facility improvement, a public safety facility improvement, a public school facility improvement, or an improvement to or construction of a public park. No public facility improvement shall include any operating expense of an existing public facility, such as ordinary maintenance or repair, or any capital improvement to an existing public facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility.

For purposes of this section, the term "public park" shall include playgrounds and other recreational facilities.

"Public safety facility improvement" means construction of new law-enforcement, fire, emergency medical, and rescue facilities or expansion of existing public safety facilities, to include all buildings, structures, parking, and other costs directly related thereto.

"Public school facility improvement" means construction of new primary and secondary public schools or expansion of existing primary and secondary public schools, to include all buildings, structures, parking, and other costs directly related thereto.

"Public transportation facility improvement" means (i) construction of new roads; (ii) improvement or expansion of existing roads and related appurtenances as required by applicable standards of the Virginia Department of Transportation, or the applicable standards of a locality; and (iii) construction, improvement, or expansion of buildings, structures, parking, and other facilities directly related to transit.

"Residentially zoned property" means property zoned or proposed to be zoned for either single-family or multifamily housing.

"Small area comprehensive plan" means that portion of a comprehensive plan adopted pursuant to § 15.2-2223 that is specifically applicable to a delineated area within a locality rather than the locality as a whole.

B. Notwithstanding any other provision of law, general or special, no locality shall (i) request or accept any unreasonable proffer, as described in subsection C, in connection with a rezoning or a proffer condition amendment as a condition of approval of a new residential development or new residential use or (ii) deny any rezoning application or proffer condition amendment for a new residential development or new residential use where such denial is based in whole or in part on an applicant's failure or refusal to submit an unreasonable proffer or proffer condition amendment.

C. Notwithstanding any other provision of law, general or special, (i) as used in this chapter, a proffer, or proffer condition amendment, whether onsite or offsite, offered voluntarily pursuant to § 15.2-2297, 15.2-2298, 15.2-2303, or 15.2-2303.1, shall be deemed unreasonable unless it addresses an
impact that is specifically attributable to a proposed new residential development or other new residential use applied for and (ii) an offsite proffer shall be deemed unreasonable pursuant to subdivision (i) unless it addresses an impact to an offsite public facility, such that (a) the new residential development or new residential use creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment and (b) each such new residential development or new residential use applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. For the purposes of this section, a locality may base its assessment of public facility capacity on the projected impacts specifically attributable to the new residential development or new residential use.

D. Notwithstanding any other provision of law, general or special:

1. Actions brought to contest the action of a locality in violation of this section shall be brought only by the aggrieved applicant or the owner of the property subject to a rezoning or proffer condition amendment pursuant to subsection F of § 15.2-2285.

2. In any action in which a locality has denied a rezoning or an amendment to an existing proffer and the aggrieved applicant proves by a preponderance of the evidence that it refused or failed to submit an unreasonable proffer or proffer condition amendment that it has proven was suggested, requested, or required by the locality, the court shall presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial.

3. In any successful action brought pursuant to this section contesting an action of a locality in violation of this section, the applicant may be entitled to an award of reasonable attorney fees and costs and to an order remanding the matter to the governing body with a direction to approve the rezoning or proffer condition amendment without the inclusion of any unreasonable proffer. If the locality fails or refuses to approve the rezoning or proffer condition amendment within a reasonable time not to exceed 90 days from the date of the court’s order to do so, the court shall enjoin the locality from interfering with the use of the property as applied for without the unreasonable proffer. Upon remand to the local governing body pursuant to this subsection, the requirements of § 15.2-2204 shall not apply.

E. The provisions of this section shall not apply to any new residential development or new residential use occurring within any of the following areas: (i) an approved small area comprehensive plan in which the delineated area is designated as a revitalization area, encompasses mass transit as defined in § 33.2-100, includes mixed use development, and allows a density of at least 3.0 floor area ratio in a portion thereof; (ii) an approved small area comprehensive plan that encompasses an existing or planned Metrorail station, or is adjacent to a Metrorail station located in a neighboring locality, and allows additional density within the vicinity of such existing or planned station; or (iii) an approved service district created pursuant to § 15.2-2400 that encompasses an existing or planned Metrorail station.

2. That this act shall be construed as supplementary to any existing provisions limiting or curtailing proffers or proffer condition amendments for new residential development or new residential use that are consistent with its terms and shall be construed to supersede any existing statutory provision with respect to proffers or proffer condition amendments for new residential development or new residential use that are inconsistent with its terms.

3. That this act is prospective only and shall not be construed to apply to any application for rezoning filed prior to July 1, 2016, or to any application for a proffer condition amendment amending a rezoning for which the application was filed prior to that date.
§ 15.2-2303.4. Provisions applicable to certain conditional rezoning proffers

A. For purposes of this section, unless the context requires a different meaning:

"New residential development" means any construction or building expansion on residentially zoned property, including a residential component of a mixed-use development, that results in either one or more additional residential dwelling units or, otherwise, fewer residential dwelling units, beyond what may be permitted by right under the then-existing zoning of the property, when such new residential development requires a rezoning or proffer condition amendment.

"New residential use" means any use of residentially zoned property that requires a rezoning or that requires a proffer condition amendment to allow for new residential development.

"Offsite proffer" means a proffer addressing an impact outside the boundaries of the property to be developed and shall include all cash proffers.

"Onsite proffer" means a proffer addressing an impact within the boundaries of the property to be developed and shall not include any cash proffers.

"Proffer condition amendment" means an amendment to an existing proffer statement applicable to a property or properties.

"Public facilities" means public transportation facilities, public safety facilities, public school facilities, or public parks.

"Public facility improvement" means an offsite public transportation facility improvement, a public safety facility improvement, a public school facility improvement, or an improvement to or construction of a public park. No public facility improvement shall include any operating expense of an existing public facility, such as ordinary maintenance or repair, or any capital improvement to an existing public facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility. For purposes of this section, the term "public park" shall include playgrounds and other recreational facilities.

"Public safety facility improvement" means construction of new law-enforcement, fire, emergency medical, and rescue facilities or expansion of existing public safety facilities, to include all buildings, structures, parking, and other costs directly related thereto.

"Public school facility improvement" means construction of new primary and secondary public schools or expansion of existing primary and secondary public schools, to include all buildings, structures, parking, and other costs directly related thereto.

"Public transportation facility improvement" means (i) construction of new roads; (ii) improvement or expansion of existing roads and related appurtenances as required by applicable standards of the Virginia Department of Transportation, or the applicable standards of a locality; and (iii) construction, improvement, or expansion of buildings, structures, parking, and other facilities directly related to transit.
“Residentially zoned property” means property zoned or proposed to be zoned for either single-family or multifamily housing.

“Small area comprehensive plan” means that portion of a comprehensive plan adopted pursuant to § 15.2-2223 that is specifically applicable to a delineated area within a locality rather than the locality as a whole.

B. Notwithstanding any other provision of law, general or special, no local governing body shall (i) require any unreasonable proffer, as described in subsection C, in connection with a rezoning or a proffer condition amendment as a condition of approval of a new residential development or new residential use or (ii) deny any rezoning application or proffer condition amendment for a new residential development or new residential use where such denial is based in whole or in part on an applicant’s failure or refusal to submit an unreasonable proffer or proffer condition amendment.

C. Notwithstanding any other provision of law, general or special, as used in this chapter, a proffer, or proffer condition amendment, whether onsite or offsite, offered voluntarily pursuant to § 15.2-2297, 15.2-2298, 15.2-2303, or 15.2-2303.1, shall be deemed unreasonable unless:

1. It addresses an impact that is specifically attributable to a proposed new residential development or other new residential use applied for; and

2. If an offsite proffer, it addresses an impact to an offsite public facility, such that (i) the new residential development or new residential use creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment and (ii) each such new residential development or new residential use applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. A locality may base its assessment of public facility capacity on the projected impacts specifically attributable to the new residential development or new residential use.

D. Notwithstanding the provisions of subsection C:

1. An applicant or owner may, at the time of filing an application pursuant to this section or during the development review process, submit any onsite or offsite proffer that the owner and applicant deem reasonable and appropriate, as conclusively evidenced by the signed proffers.

2. Failure to submit proffers as set forth in subdivision 1 shall not be a basis for the denial of any rezoning or proffer condition amendment application.

E. Notwithstanding any other provision of law, general or special:

1. Actions brought to contest the action of a local governing body in violation of this section shall be brought only by the aggrieved applicant or the owner of the property subject to a rezoning or proffer condition amendment pursuant to subsection F of § 15.2-2285, provided that the applicant objected in writing to the governing body regarding a proposed condition prior to the governing body’s grant or denial of the rezoning application.

2. In any action in which a local governing body has denied a rezoning or an amendment to an existing proffer and the aggrieved applicant proves by a preponderance of the evidence that it refused or failed to submit an unreasonable proffer or proffer condition amendment that was requested in writing by the local governing body in violation of this section, the court shall
presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial.

3. In any successful action brought pursuant to this section contesting an action of a local governing body in violation of this section, the applicant may be entitled to an award of reasonable attorney fees and costs and to an order remanding the matter to the governing body with a direction to approve the rezoning or proffer condition amendment without the inclusion of any unreasonable proffer or to amend the proffer to bring it into compliance with this section. If the local governing body fails or refuses to approve the rezoning or proffer condition amendment, or fails or refuses to amend the proffer to bring it into compliance with this section, within a reasonable time not to exceed 90 days from the date of the court’s order to do so, the court shall enjoin the local governing body from interfering with the use of the property as applied for without the unreasonable proffer. Upon remand to the local governing body pursuant to this subsection, the requirements of § 15.2-2204 shall not apply.

F. The provisions of this section shall not apply to any new residential development or new residential use occurring within any of the following areas: (i) an approved small area comprehensive plan in which the delineated area is designated as a revitalization area, encompasses mass transit as defined in § 33.2-100, includes mixed use development, and allows a density of at least 3.0 floor area ratio in a portion thereof; (ii) an approved small area comprehensive plan that encompasses an existing or planned Metrorail station, or is adjacent to a Metrorail station located in a neighboring locality, and allows additional density within the vicinity of such existing or planned station; or (iii) an approved service district created pursuant to § 15.2-2400 that encompasses an existing or planned Metrorail station.

G. This section shall be construed as supplementary to any existing provisions limiting or curtailing proffers or proffer condition amendments for new residential development or new residential use that are consistent with its terms and shall be construed to supersede any existing statutory provision with respect to proffers or proffer condition amendments for new residential development or new residential use that are inconsistent with its terms.

H. Notwithstanding any provision in this section to the contrary, nothing contained herein shall be deemed or interpreted to prohibit or to require communications between an applicant or owner and the locality. The applicant, owner, and locality may engage in pre-filing and post-filing discussions regarding the potential impacts of a proposed new residential development or new residential use on public facilities as defined in subsection A and on other public facilities of the locality, and potential voluntary onsite or offsite proffers, permitted under subsections C and D, that might address those impacts. Such verbal discussions shall not be used as the basis that an unreasonable proffer or proffer condition amendment was required by the locality. Furthermore, notwithstanding any provision in this section to the contrary, nothing contained herein shall be deemed or interpreted to prohibit or to require presentation, analysis, or discussion of the potential impacts of new residential development or new residential use on the locality’s public facilities.

2016, c. 322;2019, cc. 129, 245.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.
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, and PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. In a rezoning application to the PDC or PRM District that is located in a Commercial Revitalization District or in an area that is designated as a Community Business Center, Commercial Revitalization Area or Transit Station Area in the adopted comprehensive plan, this provision shall have general applicability and only apply at the periphery of the Commercial Revitalization District, Community Business Center, Commercial Revitalization Area, or Transit Station Area, as necessary to achieve the objectives of the comprehensive plan. 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.
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, 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 be 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 15.1-451) 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
ADU  Affordable Dwelling Unit
ARB  Architectural Review Board
BMP  Best Management Practices
BOS  Board of Supervisors
BZA  Board of Zoning Appeals
COG  Council of Governments
CBC  Community Business Center
CDP  Conceptual Development Plan
CRD  Commercial Revitalization District
DOT  Department of Transportation
DP  Development Plan
DPWES  Department of Public Works and Environmental Services
DPZ  Department of Planning and Zoning
DU/AC  Dwelling Units Per Acre
EQC  Environmental Quality Corridor
FAR  Floor Area Ratio
FDP  Final Development Plan
GDP  Generalized Development Plan
GFA  Gross Floor Area
HC  Highway Corridor Overlay District
HCD  Housing and Community Development
LOS  Level of Service
Non-RUP  Non-Residential Use Permit
OSDS  Office of Site Development Services, DPWES
PCA  Proffered Condition Amendment
PD  Planning Division
PDC  Planned Development Commercial
PDH  Planned Development Housing
PFM  Public Facilities Manual
PRC  Planned Residential Community
RC  Residential-Conservation
RE  Residential Estate
RMA  Resource Management Area
RPA  Resource Protection Area
RUP  Residential Use Permit
RZ  Rezoning
SE  Special Exception
SEA  Special Exception Amendment
SP  Special Permit
TDM  Transportation Demand Management
TMA  Transportation Management Association
TSA  Transit Station Area
TSM  Transportation System Management
UP & DD  Utilities Planning and Design Division, DPWES
VC  Variance
VDOT  Virginia Dept. of Transportation
VPD  Vehicles Per Day
VPH  Vehicles per Hour
WMATA  Washington Metropolitan Area Transit Authority
WS  Water Supply Protection Overlay District
ZAD  Zoning Administration Division, DPZ
ZED  Zoning Evaluation Division, DPZ
ZPRB  Zoning Permit Review Branch