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

Re: RZ 2010-PR-014-A and RZ 2010-PR-014-B
Georgelas Group LLC (the "Applicant")
Tax Map 29-3 ((1)) 48D (the "Part A Property") and
Tax Map 29-3 ((1)) 60C (the "Part B Property") (collectively the "Application
Properties")

Dear Ms. Berlin:

This letter serves as a statement of justification for Parts A and B of the rezoning of the Spring Hill Station Demonstration Project. The Applicant, Georgelas Group LLC, previously submitted the Application Properties along with additional properties for review as the Tysons Demonstration Project and worked diligently with County Staff, the Tysons Committee and the Planning Commission prior to the new Comprehensive Plan adoption to develop a proposal for a mixed-use, transit oriented community that will create a new urban form in Tysons and truly celebrate Metrorail.

Subsequent to the adoption of the new Comprehensive Plan, the Applicant filed an application on a consolidated area of 31.62 acres for rezoning to the Planned Tysons Corner Urban ("PTC") District identified as RZ 2010-PR-014 ("Spring Hill Station"). RZ 2010-PR-014 includes three related components identified as Parts A, B and C. This statement of justification relates to Parts A and B. Part C, which will follow the approval of parts A and B, includes properties identified as 2011 Tax Map 29-1 ((1)) 18C and 29-3 ((1)) 53, 53A, 54A, 57, 57A, 57B, 57G, 57H, 57J, 63C and to-be-vacated/abandoned street right-of-way area. Spring Hill Station is divided into three Neighborhoods referred to as 1, 2 and 3 and seven areas identified as Areas A through G. The Part A Property is in Neighborhood 2 and is referred to as Area F. The Part B Property is in Neighborhood 3 and is referred to as Area G.

The Applicant seeks a rezoning of the Part A Property from the I-5 and HC Districts to the PTC and HC Districts and approval of a Conceptual Development Plan (“CDP”) and Final Development Plan (“FDP”) in order to develop a first class residential tower in close proximity to the Tysons/Spring Hill Metro Station. Rezoning of the Part B Property from the I-5 District to the PTC District and approval of a CDP is requested to develop a neighborhood of four residential buildings with supporting retail/service uses as well as a public fire and rescue station.

I. Program of Development

Spring Hill Station is an area with considerable redevelopment potential, largely because for the most part it is developed with relatively low intensity buildings. However, the major stimulus for redevelopment is the opportunity for high intensity development based on proximity to the Tysons Spring Hill Metro Station. Overall, Spring Hill Station proposes a maximum of 7,444,958 gross square feet (“GSF”) over the three neighborhoods for a floor area ratio (“FAR”) of 5.34. The general program for each neighborhood is described below.

Neighborhood 1 is the hub of the transit station area. The Tysons Spring Hill Metro station entrance will be located in Neighborhood 1 near the corner of Leesburg Pike and Spring Hill Road. Adjacent to the station entrance, a large public plaza/civic park is proposed extending through Neighborhood 1 connecting Leesburg Pike with Tyco Road to the north. The plaza/civic park will be the focal feature of Neighborhood 1. Ten new buildings, including office, residential and hotel towers, will be constructed oriented to existing and new streets, the metro station entrance and the adjacent public plaza. A new street, referenced as Condominium Avenue, will be constructed from Spring Hill Road to Tyco Road and Retail Circle and Merchant Street will be two new streets connecting Condominium Avenue with Tyco Road. It is envisioned that Retail Circle will be a lively pedestrian friendly street with retail storefronts, café’s and restaurants.

Throughout Neighborhood 1, parking is provided primarily in structures with on-street parking along Retail Circle, Condominium Avenue, and Merchant Street. 2 Where visible from adjacent streets, retail and service use storefronts are incorporated in to the garage design. The top level of each of these parking structures has been designed as functional open space and park land. Two public sky parks will be accessible to the general public and will be signed and programmed to encourage public use. Private sky parks are proposed to serve the residential and hotel uses north of Retail Circle and will include such amenities as swimming pools, seating for passive use, and specialty landscaping.

Neighborhood 2 is located east of Spring Hill Road and includes two existing office buildings known as Greensboro Corporate Center. Greensboro Corporate Center will remain as the rest of the neighborhood is redeveloped with three new buildings. A new street, a continuation of Condominium Avenue, will be constructed generally through the southern portion of Neighborhood 2. An existing driveway providing access to the existing buildings from Greensboro Drive will be extended to form a new local street (Logan Street) that will

ultimately connect with Condominium Avenue. A new office building and two new residential buildings are proposed for future development.

The Part A Property located south of Condominium Avenue is proposed to be developed with Building F1. The 1.58 acre site will be developed with a 436,000 square foot multi-family residential building. It will include 26 stories, up to 478 dwelling units and a maximum height of 300 feet. Building F1 will be oriented to Condominium Avenue with access to the entrance lobby and also access to individual units that will have separate front doors along the street. Parking will be provided in a structure both underground and above grade. Above grade parking will have be treated architecturally to blend the parking levels with the rest of the buildings façade. On the top of the parking podium an outdoor courtyard will provide outdoor recreational space for residents. This will be complemented by a swimming pool, lounge area, and outdoor fire pit on the roof level.

Neighborhood 3 has been designed around the proposed extension of Greensboro Drive through Neighborhood 3 providing an important connection between Spring Hill Road and Tyco Road. The existing industrial building will be removed and four new residential buildings constructed identified as G1, G2, G3 and G4. All four buildings will be located to the north side of Greensboro. With a potential for up to estimated 1,912 dwelling units, this former industrial area will be transformed in to a new residential neighborhood. First floor retail/service opportunities will create a lively streetscape along Greensboro. Sky parks and roof top levels will provide space for private outdoor recreational opportunities for the residents.

In addition to providing an extension of Greensboro Drive, two new local streets are proposed within Neighborhood 3. Merchant Street is planned between Buildings G2 and G3 breaking the area into urban scaled blocks. Merchant Street will ultimately be extended both to the north and south creating an additional grid connection between Spring Hill Road and Tyco Road. Retail Circle will connect from the south and ultimately provide convenient pedestrian and vehicular connection to Neighborhood 1 and the metro station. A public park will occupy the portion of Neighborhood 3 south of Greensboro between Spring Hill Road and Retail Circle. It will offer an open lawn panel, a half basketball court, a children's play area, a pergola or similar garden structure as well as walkways, benches, and landscaping.

Fire Station 29, an older Fairfax County fire and rescue facility currently occupying land in Neighborhood 1, will be relocated to Neighborhood 3. The CDP shows two alternate plans for the fire and rescue station. The preferred alternative is identified as Option 1 on the CDP and integrates the new station in to the first and second levels of Building G4. Option 2 includes a fire and rescue station in a separate free standing building identified as Building G5 to be constructed on approximately 26,000 square feet of land in the northern portion of Neighborhood 3. Under either Options 1 or 2, access to the new station is provided from Tyco Road and Merchant Street.

The proposed gross floor area of development in Neighborhood 3 under Option 1 is up to 1,738,100 square feet, including approximately 18,100 square feet of Retail/Service uses, and

25,000 square feet of fire station use. Under Option 2, the maximum gross floor area is 1,619,600 square feet, with approximately 18,100 square feet of Retail/Service uses, and 25,000 square feet of fire station use. The fire station area has been excluded from the floor area ratio ("FAR") footage calculations for the Part B Property.

II. Phasing of Development

The Application Property with 31.45 acres and more than 7,000,000 GFA will, even in the best of economic times, take years perhaps decades to complete. Phasing of development with key infrastructure components is an intricate process; flexibility is needed. While it is not possible at this time to definitively determine which building will be built first or second, it is possible to identify what infrastructure, parking, public facilities and parks will be built with each building. This has been graphically portrayed in the CDP. One possible scenario is described below.

It is anticipated that there will be numerous future phases. Both Neighborhoods II and III include substantial existing buildings. For Neighborhood II, new buildings will be built on the periphery and Condominium Avenue will be constructed with either the construction of Buildings E-3 or F-1. The development of Neighborhood 3 will require the removal of a large, productive building. It is anticipated that the redevelopment will include the construction of Greensboro Drive along the interim alignment with construction of either Buildings G-2 or G-3.

III. Comprehensive Plan Guidance

The Application Properties are located in the Tysons West District of Tysons Corner Urban Center and recommendations for its use and development are guided by the newly adopted Comprehensive Plan Amendment for *Transforming Tysons* (the "Plan"). Guidance is provided in both the areawide recommendations and in the more site specific Tysons West - North Subdistrict recommendations. The Plan recommends that the Part A Property in Neighborhood 2 be developed in keeping with Transit Mixed-Use land use category. This category is described as a balanced mix of retail, office, arts/civic, hotel, and residential uses, with office comprising approximately 65% and residential comprising 20% or more of the total development throughout all Transit Mixed-Use areas. The Part B Property (Neighborhood 3) is planned for Residential Mixed-Use which is described as primarily residential (on the order of 75%) with a mix of other uses such as office, hotel, arts/civic, and supporting retail and services.

Planned intensity recommendations are based on a tiered approach. Most of Application Properties are located within ¼ mile of a proposed Metro Station entrance. All of the Part A Property and 71 % of the Part B Property are located in Tier 2. Sites within Tier 2 are not subject to a maximum FAR, however, office use in Tiers 1 and 2 in excess of 2.5 FAR requires approval of a special exception or granting of bonus intensity. Approximately 29% of the Part B Property is located in Tier 3, specifically between ¼ and ½ mile of the station entrance. The Plan recommends Tier 3 for a 2.0 FAR, and for all residential projects within ¼ and ½ mile the potential for up to 3.0 FAR, including bonuses, however the Plan also allows the flexibility to

include areas immediately adjacent to the ¼ mile ring as areas not subject to a maximum FAR. The Applicant seeks such flexibility with the Part B application. Below is a table outlining the land areas and development proposed under Option 1 within the ¼ mile and outside the ¼ mile radius.

| Application | Total Land Area | Total GFA | Land Area within ¼ Mile | GFA within ¼ Mile | Land Area outside ¼ Mile | GFA outside ¼ Mile |
|--------------------|------------------------|------------------|--------------------------------|--------------------------|---------------------------------|---------------------------|
| A | 1.58 ac. | 436,000 | 1.58 ac. | 436,000 | -- | -- |
| B | 5.51 ac. | 1,763,100 | 4.03 ac. | 967,710 | 1.48 ac. | 805,290 |

The proposed rezonings are in keeping with the recommendations of the Plan. The Plan encourages the development of residential uses in order to improve the balance between the number of people working in Tysons and the number of people living in Tysons. Office and commercial uses are encouraged in the areas closest to the metro stations, with residential uses located just beyond. Spring Hill Station Part C includes a vibrant mix of office, hotel, residential and retail uses adjacent to the metro station. Parts A and B offer a substantial residential component to provide residential opportunities immediately. With a FAR of 6.40 for Building F1 and 7.34 for Neighborhood 3, the proposals offer significant buildings in a neighborhood setting that will begin to change the face of Tysons.

The Plan also provides guidance on consolidation, street grid, urban design, urban park standards and a host of other topics. Below is a description of how the proposed rezoning of the Application Properties meets the major elements of the Plan and the specific subdistrict recommendations. Where the description of compliance with the major elements also satisfies the subdistrict recommendations, it is so noted and not repeated.

A. Major Elements of the Plan

1. Mix and arrangement of uses

The proposed mix of uses is in keeping with overall guidance in the Land Use section and the North Subdistrict description. A strong component of residential uses is provided in Parts A and B, with more commercial elements provided in future Part C. Residential uses are provided slightly further from the station and in more protected areas to create a quality living environment. Retail and service uses are provided along most Greensboro Drive in Neighborhood 3 to create a lively pedestrian environment. Other retail opportunities will be provided with Part C. Parking is provided primarily in structures and sited and treated to be an attractive element.

2. Affordable and workforce housing

The proposed development provides the full complement of workforce housing as recommended in the Plan. Twenty percent of all units will be provided as workforce dwelling units ("WDUs"). This could result in as many as 478 WDUs across the Application Properties.

3. Green building expectations

All residential structures will be designed and constructed to meet a minimum of LEED certification or higher.

4. Stormwater management

The goal of stormwater management measures for the Application Property is to protect the downstream receiving waters in the Tysons Corner area from further degradation while providing sufficient controls to proportionally improve the condition of said receiving waters. Through the use of aggressive and innovative stormwater management planning and techniques, the subject rezoning area will provide both water quantity and water quality controls to achieve the above-stated goal.

It is the intent of these applications to commit to a stormwater management plan which not only attempts to mimic the predeveloped peak release rates, but also the pre-developed runoff volumes. In order to both control the post-developed peak flow rates and reduce the post-developed runoff volumes, it is the intent of the stormwater management plan to make use of certain low impact development (LID) techniques that will aid in water runoff reduction and reuse, such as:

- *Green roofs will allow for a portion of the runoff volume to be decreased through the uptake by plantings on the green roof.*
- *Tree box filters will also allow for a degree of plant uptake, and can also be designed to infiltrate portions of the runoff volume, depending on the characteristics of the insitu soils.*
- *Previous hardscapes/streetscapes will allow for infiltration of portions of the runoff volume through the previous surface into storage below where it will be held for infiltration into the ground, depending on the characteristics of the insitu soils.*
- *Stormwater reuse will allow for runoff volume to be recycled into the water supply of the new buildings for allowable purposes such as grey water, landscape irrigation, and air conditioning unit cooling. So, instead of merely holding runoff to reduce its peak flow rate, detention vaults on a site which as stormwater reuse can hold runoff until it is reused in the buildings. This reuse*

has the added benefit of reducing the demand on the domestic water supply, while infiltration techniques will have the added benefit of recharging the surrounding water table.

5. Consolidation performance objectives

The subdistrict guidance suggests a consolidation goal of 20 acres with properties located in both Tiers 1 and 2. Spring Hill Station overall includes 13 parcels with more than 31 acres. This large area includes property in Tiers 1, 2 and 3. The size and situation of the Spring Hill Station allows attainment of the performance objectives of developing an efficiently functioning community, creating a grid of streets and public open space system, integrating with and facilitating the redevelopment of adjacent land in keeping with the Plan, and permitting redevelopment in several phases. Parts A and B provide critical street connections and public facility advances within the whole of Spring Hill Station and act as the likely first two phases of the project.

6. Transportation

◦ Grid of streets on and off-site

The Applicant has worked with many of the property owners in the Tysons West area from Spring Hill Road to the Dulles Toll Road to develop a grid of streets to provide accessibility and connectivity for the area. In doing so, it has attempted to create a grid that is both effective and achievable. We have also worked with Fairfax County Department of Transportation (FCDOT) to refine the grid and have included the grid in the CDP. It includes an important extension of Greensboro Drive, but also includes construction of portions of several other new streets, including Condominium Avenue, Retail Circle, and Merchant Street. These along with the other more local streets and private alleys proposed with this project make major advances in creating a grid of streets in the near future.

◦ Vehicle trip reduction objectives

The Traffic Impact Statement ("TIA"), prepared by Wells + Associates, Inc. and approved by the Virginia Department of Transportation ("VDOT") includes a Transportation Demand Management ("TDM") vehicle trip reduction goal of 35% for residential uses and a 30% reduction for office and hotels uses in Neighborhood 1. For Neighborhood 2 and 3, a 30% TDM reduction was taken for residential uses. These reduction objectives were determined with FCDOT and VDOT per the scoping agreement. However, the proffers have advanced the Spring Hill Station beyond those taken in the TIA. The proffered goals match those recommended in the Plan by year; for example the vehicle trip reduction goal for the year 2040 is 50%. A

comprehensive TDM Program is planned to achieve the established goals and the proffer includes remedies and penalties for failure to meet the expected reductions.

- Parking management

Parking management is very important to the success of a TDM Program. The Applicant may develop parking in phases with the early phases providing parking in excess of that set forth in the Plan and the PTC District regulations, but will, with the later phases, provide less parking so that by build-out of the Application Properties total parking provided is at or below the maximum permitted. The location, access and cost of parking will all be important aspects to include in the Applicant's TDM Program.

- Phasing to transportation improvements and programs

The CDP provides several sheets outlining the potential phasing of development in Neighborhood 3 to planned transportation improvements, particularly the extension of Greensboro Drive. The proffers expand upon these commitments.

- Traffic impact analysis evaluating three time periods: first phase, interim phase, and Plan build-out

The TIA referenced above provides the evaluation over three phases.

7. Urban design

- Achievement of the building, site design, and public realm design guidelines to achieve the urban aesthetic vision for Tysons

Great care has been taken to create a new urban form for this proposal distinctly different from the existing suburban style. WDG Architecture PLLC has included numerous sheets in the CDP with perspective views and sections, in addition to plan views, to accurately portray the key design concepts. Working with Parker/Rodriquez, Inc., landscape architects, WDG has provided details of building forms and relationships, streetscapes and the pedestrian realm, open plazas and park areas, all in keeping with the guidance of the Urban Design section of the Plan.

- A variety of buildings heights with the tallest buildings in the ranges specified by the building height map

Twenty buildings are proposed within Spring Hill Station. They range in height from a low of 60 feet for the parking podium elements to 400 feet for

the iconic office building in Neighborhood 1 at the entrance to the Tysons West station. For the five buildings subject to the Part A and B applications, heights range from a low of 60 feet for the parking podium elements to 300 feet for Building F1. The podium structures are generally wrapped with first floor uses and topped with sky parks and help provide separation between the taller towers and a nice variation in the skyline

The Plan recommends maximum heights of 175 to 225 feet for the majority of Neighborhood 2; however, the southwestern corner of Neighborhood 2 is recommended for a maximum building height of 225 to 400 feet. Flexibility is requested for the height of Building F1.

--Building F1 is located in the area recommended for up to 225 feet. A maximum height of 300 feet is proposed for his residential tower. The increase in building height for F1 is needed to accommodate the required and desired workforce housing units. The Comprehensive Plan allows flexibility in building height to facilitate the provision of workforce housing. The Plan text states: "Height flexibility will be provided to facilitate the provision of affordable/workforce housing, as well as public and quasi-public uses such as conference center or arts center." Of the maximum 478 units in Building F1, it is anticipated that as many as 96 WDUs could be provided. The area available for development does not allow for an increase in the building footprint, but rather requires that height be increased to accommodate the WDUs. However, this site also sits immediately adjacent to property planned at up to 400 feet, so the proposed increase should not present any compatibility issues with adjacent properties.

All of Neighborhood 3 is recommended for a building height of 175 to 225 feet. Buildings G1, G2, G3 and G4 are all proposed at 290 feet. Flexibility is requested for the four buildings in Neighborhood 3.

-- There are numerous reasons why the heights of these buildings should be increased. The building area in Neighborhood 3 is limited due to the construction of Greensboro Drive, a major avenue, along the entire length of the Part B Property. To align with existing Greensboro Drive at Spring Hill Road, the portion of the Part B Property south of Greensboro becomes unbuildable and the building pads for Buildings G1 and G2 are reduced. The building pads for Buildings G3 and G4 are also significantly constrained due to the provision of a public fire station on the same block. However, the Plan provides for height flexibility to facilitate public and quasi-public uses. Furthermore, it is estimated that as many as 384 WDUs will need

to be accommodated. The additional height will help facilitate the fire station, the WDUs and the extension of Greensboro Drive.

- ° Shadow and wind studies demonstrating that the design creates an inviting environment and does not cause a canyon effect

Buildings have been sited to avoid any canyon effects. Shadow studies have been provided in the CDP and wind studies are proffered to be undertaken during the FDP reviews for Neighborhood 3.

8. Urban park standards

Development of a usable and varied park and open space system is a fundamental tenet of the Tysons Plan. The urban environment is enriched by its open spaces both grand and intimate. A preliminary analysis of the urban park standards and the needs of the future residents, employees and visitors of our three neighborhoods has been prepared. The transit oriented location within ¼ mile of the station makes the provision of large parks and/or athletic fields impractical. However, a comprehensive plan has been developed for the provision of appropriately scaled urban parks, which are vital to developing a vibrant urban center. The Applicant envisions a significant public plaza at the corner of Spring Hill Road and Route 7 extending into and through Neighborhood I as the main focal point of the station area. But there are also numerous other public open space areas proposed throughout the three neighborhoods with varying functions and character. Parker/Rodriquez Inc. has developed a typology of parks and open spaces including small neighborhood parks, public and private sky parks, and urban pocket parks, the details of which are included in the CDP. On the Part B Property, Public Park 7 is planned at the corner of Spring Hill Road and Greensboro Drive. It will offer an open lawn panel, a half basketball court, a children's play area, a pergola or similar garden structure as well as walkways, benches, and landscaping.

In addition to the on-site parks, the Applicant has proffered to fund the acquisition of 2.58 acres of and for dedication as a public park. A site has been identified adjacent to land already owned by the Fairfax County Park Authority near Raglan Road. This will be a significant contribution to the County's stock of park land in and near Tysons.

9. Active recreation facilities

In addition to the facilities in Public Park 7, the Applicant will include active recreational facilities within its buildings and the private sky parks. These will include such items as swimming pools, children's play areas, lawn games, fitness centers, etc.

10. Public facilities

The Applicant has committed to provide the following public facilities as a part of the development of the Application Properties and Spring Hill Station as a whole.

Greensboro Drive Extension -- Of major importance is the provision of an interconnected grid of streets and important connections with the existing road network. The Applicant proposes to extend Greensboro Avenue to connect Spring Hill Road with Tyco Road and set the alignment for the ultimate extension of Greensboro to a new ramp to westbound Dulles Airport Access and Toll Road. This will create new relief for motorists exiting Tysons.

Fire Station 29 – The Applicant has proffered to construct a new urban-style fire and rescue station within Building G4 on the Part B Property. This will allow the current station site which is located within 1/8 mile of the metro station to be developed in a transit oriented manner, but also will result in a new modern station able to provide fire and rescue services to a new urban Tysons Corner. Construction of the new station requires close coordination with the County.

Parkland Acquisition – As described previously, The Applicant has committed to purchase 2.58 acres of land for dedication to the County as parkland.

These contributions to public facilities and parks are exceedingly generous given the amount of development proposed with the Part A and B applications. These commitments are being made not only to address the public facility requirements for Parts A and B, but those anticipated with the Part C application as well.

11. Demonstrating how other properties in the subdistrict and in the general vicinity of the proposal can develop in conformance with the Plan

The CDP includes a sheet showing how the proposed grid of streets for the subdistrict can be provided and that the grid results in appropriately sized, walkable blocks. Plans also show how these new blocks that are not a part of the Application Properties can develop with a variety of buildings, heights and uses in conformance with the Plan.

B. Tysons West North Subdistrict - Redevelopment Option Guidance

Development proposals should provide for the following.

1. The vision for this subdistrict is to redevelop with office buildings with significantly higher intensity near the Metro station as well as to become more diverse in land uses, including hotels, residential dwellings, arts and entertainment uses, as well as retail and support services. Sites within 1/8 mile of the Metro station should be redeveloped predominantly with office use. Beyond 1/8 mile it

is envisioned that the area will transition to urban residential neighborhoods. The intensities and land use mix should be consistent with the Areawide Land Use Recommendations.

Previously described in Major Elements of the Plan, paragraph 1.

2. Logical and substantial parcel consolidation should be provided that results in well-designed projects that function efficiently on their own, include a grid of streets and public open space system, and integrate with and facilitate the redevelopment of other parcels in conformance with the Plan. In most cases, consolidation should be sufficient in size to permit redevelopment in several phases that are linked to the provision of public facilities and infrastructure and demonstrate attainment of critical Plan objectives such as TDM mode splits, green buildings and affordable/workforce housing. If consolidation cannot be achieved, as an alternative, coordinated proffered development plans may be provided as indicated in the Areawide Land Use Recommendations.

Previously described in Major Elements of the Plan.

- Throughout this subdistrict, the goal for assembling parcels for consolidation or coordinated proffered development plans is at least 20 acres. A consolidation of less than 20 acres should be considered if the performance objectives for consolidation in the Land Use section of the Areawide Recommendations are met.

Previously described in Major Elements of the Plan.

- When a consolidation includes land located in the first intensity tier (within $\frac{1}{8}$ mile of a Metro station), it should also include land in the second intensity tier (between $\frac{1}{8}$ and $\frac{1}{4}$ mile of a station), in order to ensure connectivity to the Metro station.

Previously described in Major Elements of the Plan.

- For property along Spring Hill Road, redevelopment proposals should address the redevelopment and relocation of the existing fire station and/or post office.

The relocation and construction of the fire station is proffered with the Part B application as previously described. The rezoning of the Fire Station property and subsequent redevelopment will be addressed in the Part C application.

3. Redevelopment should occur in a manner that fosters vehicular and pedestrian access and circulation. Development proposals should show how the proposed development will be integrated within the subdistrict as well as the abutting districts/subdistricts through the provision of the grid of streets. The major

vehicular circulation and access improvements in this subdistrict are the extension of Greensboro Drive and the planned new ramps from the Dulles Airport Access Road and Toll Road connecting to Greensboro Drive.

Previously described in Major Elements of the Plan.

4. Redevelopment along planned street alignments should provide right-of-way, construct portions of the street integral to the development, and further the implementation of streets serving the development. Other streets should create urban blocks and pedestrian and bike circulation improvements should be provided. The ability to realize planned intensities will depend on the degree to which access and circulation improvements are implemented consistent with guidance in the Areawide Urban Design and Transportation recommendations.

The Applicant proposes to construct key sections of a grid of streets on the Application Properties. Greensboro Drive, Tyco Road, Spring Hill Road, Condominium Avenue, Retail Circle and Merchants Avenue are planned as public streets. They are being designed in accordance with new public street standards being developed by VDOT and FCDOT and will include bicycle lanes on avenues and collectors. It is the intention of the Applicant to dedicate the right-of-way for these streets following their construction and acceptance.

5. Urban design amenities, such as streetscapes, plazas, courtyards, landscaping, public art, lighting and seating should be provided consistent with the Areawide Urban Design Recommendations.

Previously described in Major Elements of the Plan and detailed on the CDP for Part B Property and CDP/FDP for the Part A Property.

6. As discussed above under the South Subdistrict, a second electrical power substation will need to be constructed near the Dominion Power easement which contains a high voltage line. This improvement will need to be located either in the Tysons West District or in the abutting Tysons Central 7 District. From the second substation to the existing substation on Tyco Road, the high voltage line should be placed underground, in order to ensure a pedestrian friendly environment. However, if undergrounding proves infeasible, redevelopment should relocate the line or accommodate it in place.

This element will be addressed with the Part C application.

7. The green network planned for this subdistrict illustrates how the existing Dominion Power easement could be used as a pedestrian and open space amenity that links the Tysons West Metro station to the rest of the subdistrict. Along the power line easement, a series of urban parks are envisioned which link to other

urban parks by the street grid. Alternatives that provide open spaces linking this subdistrict to the area's Metro station in a similar manner should be considered.

The Applicant will address its plans to relocate the existing high voltage power lines with the Part C application. However, a series of urban parks is viewed as a central element to the proposed design. A significant plaza/civic park is planned through Neighborhood I from Leesburg Pike to Tyco Road with the Part C application.

8. Additional urban parks are to be located throughout the subdistrict. All urban parks in this subdistrict should be large enough for open-air activities such as farmers' markets and musical performances by small groups for residents and workers in the area. The sizes of these parks should be between 1/2 to over one acre. At least one two acre recreation-focused park should be provided in the subdistrict to serve the recreation and leisure needs of future residents and workers. Facilities could include sport courts, playground features, skate parks, splash pads, or other small-footprint facilities. Publicly accessible open space and recreational facilities should be provided in this subdistrict consistent with the Areawide Environmental Stewardship Recommendations.

Previously described in Major Elements of the Plan.

9. When redevelopment includes a residential component, it should include recreational facilities and other amenities for the residents, as well as affordable/workforce housing as indicated under the Areawide Land Use Recommendations.

Residential structures will be designed with a full complement of on-site indoor and outdoor recreational amenities. These are likely to include swimming pools, fitness gyms, sport courts, clubrooms and exercise areas, and will be detailed on future Final Development Plans. In addition, 20% of all residential units will be provided as affordable and/or workforce units.

10. Public facility, transportation and infrastructure analyses should be performed in conjunction with any development application. The results of these analyses should identify needed improvements, the phasing of these improvements with new development, and appropriate measures to mitigate other impacts. Also, commitments should be provided for needed improvements and for the mitigation of impacts identified in the public facility, transportation and infrastructure analyses, as well as improvements and mitigation measures identified in the Areawide Recommendations. It is anticipated that existing Fire Station 29 and the U.S. Post Office on Spring Hill Road will be relocated as redevelopment occurs.

The Applicant has committed in its proffers to phase development to the provision of public facilities. For example, the Applicant has committed that it will only

construct two buildings on the Part B Property until Greensboro Drive is constructed from Spring Hill Road and Tyco Road. Furthermore, it has proffered that it will complete construction of the new fire station prior to occupying any of the buildings on the Part B Property. The Applicant has also agreed to participate in a Special Transportation Assessment District to fund needed transportation improvements throughout Tysons.

11. Building heights will vary depending upon location, as conceptually shown on the Building Height Map in the Areawide Urban Design Recommendations. The tallest buildings should be closest to the Metro station where building height is planned up to 400 feet. Building heights (generally between one-eighth and one quarter mile from the Metro station) should be between 175 and 225 feet. Beyond one-quarter mile, buildings should have lower heights, as conceptually shown on the Building Height Map in the Areawide Urban Design Recommendations. Building heights should be consistent with the above guidance as well as the guidelines in the Areawide Urban Design Recommendations.

Previously described in Major Elements of the Plan.

12. Exposed parking structures adjacent to the Dulles Toll Road should not be visible to the residential neighborhoods north of the Toll Road.

The Application Property does not include any parking structures adjacent to the Dulles Toll Road.

13. A potential circulator alignment extends through this subdistrict as described in the Areawide Transportation Recommendations. In addition to the above guidance for this area, redevelopment proposals along the circulator route should provide right-of-way or otherwise accommodate the circulator and should make appropriate contributions toward its construction cost. See the Intensity section of the Areawide Land Use Recommendations.

The Part B application provides for a future circulator route along Spring Hill Road and Tyco Road. The Applicant has proffered to dedicate right-of-way for the right-of-way and to construct the additional pavement needed if the circulator is established as the Part B Property develops. This potential circulator route also extends adjacent to Neighborhood 1 and will be addressed in the Part C application.

IV. Requested Waivers and Modifications

To the best of our knowledge, there are no known hazardous or toxic materials on the Application Property or are there any planned with the proposed use. Furthermore, to the best of our knowledge and belief, the proposed use will be in conformance with all applicable ordinances, regulations and adopted standards with the following exceptions requested below:

A. Zoning Ordinance Modifications

1. Modification of the Tyson's Corner Urban Center streetscape design in favor of that shown on the CDP.

The landscape architect has established design programs for each of the streets in, and adjacent to, the Part A and Part B properties. These designs follow to a large degree the streetscape sections set forth in the Comprehensive Plan, but specific circumstances exist that require modification as depicted on the CDP and described below.

Part A Property:

- The streetscape section along the south side of Condominium Avenue between Spring Hill Road and West Street is modified to include an amenity/landscape panel that varies from 6 to 8 feet in width and a sidewalk of 5 feet. Due to the fact that there is limited space between the curb and the adjacent property identified as Tax Map 29-3 (91) 50 ("Parcel 50"), there is not adequate space to accommodate the full 20 foot street section recommended in the Plan. When the adjacent property to the south redevelops in conformance with the Plan, it is envisioned the full section of the streetscape will be provided.
- The streetscape along the south side of Condominium Avenue between West Street and East Street, complies with the streetscape standard with one exception. This exception occurs just west of East Street near the building entrance. In this area, the streetscape includes a landscape amenity panel of 8 feet and a 7 foot 10 inch sidewalk, but no building zones. This slight reduction in the streetscape dimension is created by the existing condition of the garage on the north side of Condominium Avenue associated with Greensboro Corporate Center; to accommodate the width of Condominium Avenue it is necessary to slightly reduce the streetscape.
- On the north side of Condominium Avenue, the streetscape is constrained by existing buildings and the width of Condominium. When the adjacent property to the north (remainder of Neighborhood 2) redevelops in conformance with the Plan, it is envisioned the full section of the streetscape will be provided.
- The streetscape on east side of West Street measures approximately 12 feet, including a 6 foot sidewalk and an approximate 6 foot wide amenity panel. The Applicant has proffered to escrow the cost of expanding the streetscape to the full 16 feet recommended in the Plan when the adjacent Parcel 50 redevelops and shifts alignment of West Street.

- East Street, which is a service alley providing access to the garage does not include a sidewalk. This area is narrow and too constrained to provide a sidewalk.

Part B Property

- Along the south side of Greensboro Drive, the streetscape varies with the specific condition. In some area the street is too close to the adjacent property which is not proposed for redevelopment at this time and there is inadequate space for the full streetscape. When the adjacent properties to the west redevelop in conformance with the Plan, it is envisioned the full section of the streetscape will be provided.
 - The proposed alley adjacent to Buildings G3 and G4 does not include a sidewalk. This area is narrow and too constrained to provide a sidewalk.
2. Waiver and/or modification of all trails and bike trails in favor of the streetscape and on-road bike trail system shown on the CDP. On-road bike lanes have been proposed based on the street type and activity level anticipated and the extent of safe connectivity to adjacent sites.
 - On-street bike lanes are proposed on all avenue and collector streets. This is in keeping with the recommendations for the Tysons Urban Center and represents a new urban means for facilitating bicycle traffic.
 3. Waiver of Section 17-201 Paragraph 13B of the Zoning Ordinance to provide additional inter-parcel connection to adjoining parcels other than those specifically identified on the CDP.
 - The applications provide for an interconnected grid of streets that over time will be expanded onto adjacent properties. This new grid of streets, as recommended in the Comprehensive Plan, negates the need for inter-parcel connections more typical of a suburban design. The proposed grid of streets will provide the appropriate connections to adjacent parcels.
 4. The Applicant requests a determination of Zoning Ordinance Section 17-201 Paragraph 4 requiring any further dedication and construction of widening for existing roads beyond that which is indicated on the CDP.
 - The location and size of the proposed grid of streets has been extensively vetted through the rezoning process. Care has been taken to provide the needed vehicular connections while preserving pedestrian safety and convenience and ensuring a lively urban streetscape. Dedication and improvements shown on the CDP shall be deemed to meet all Comprehensive Plan Policy Plan requirements.

5. Waiver of Section 6-506 Paragraph 1 of the Zoning Ordinance requiring a minimum district size of 10 acres.
 - The Part A Property is 1.56 acres in size and while the Part B Property is 5.50 acres in size. While individually less than 10 acres, these two properties together with the remainder of the properties subject to RZ 2010-PR-014 will exceed 33 acres.
6. Waiver of Section 11-102 Paragraph 8 of the Zoning Ordinance requiring a minimum one foot setback from the property line for underground parking garages.
 - With the new urban form envisioned for Tysons Corner, parking garages underground will typically be located along the property line. This is common practice in urban areas such as Washington DC and Arlington County and provides the needed flexibility to accommodate planned development.

B. Modifications to the Public Facilities Manual (PFM)

1. In keeping with the urban concept of this development, a modification of PFM standard 12-0702 1B (2) is requested to permit the reduction of the minimum planting area for trees planted to satisfy the tree cover requirement to reduce the width from eight (8) feet to a minimum of five (5) feet as shown on the CDP and as provided in the proffers.
 - Structural soils will be implemented to enhance survivability of the trees subject to this modification request. Refer to the typical street sections for the graphic planting plan.
2. A modification of Section 7-0802.2 of the PFM and Section 11.102.12 of the Zoning Ordinance to allow for the projection, by no more than 4%, of the stall area of structural columns into parking stalls in parking structures.
 - While each garage will be designed to meet the geometric requirements of the Zoning Ordinance, experience has shown that it is likely through construction errors that there may be projections of columns into parking stalls. These minor and unintentional intrusions should be accepted and such parking spaces shall count toward the number of parking spaces required by the Zoning Ordinance.
3. A modification of PFM Section 7-0800 and Zoning Ordinance Section 11-102 Paragraph 12 to allow tandem spaces with valet services for non-residential uses. Such stacked parking spaces, in accordance with Section 11-101 Paragraph 1, shall count toward required parking specified in the Zoning Ordinance.

- The PTC District regulations permit the use of tandem spaces with valet service for non-residential uses. However, amendments to the PFM have not yet been adopted to allow such tandem/valet spaces.
4. A waiver to allow stormwater management (SWM) and Best Management Practices (BMPs) to be satisfied by underground systems for the proposed residential development, as referenced in Section 6-0303.8 of the PFM.
 - The urban densities recommended in the Comprehensive Plan anticipate that SWM and BMP facilities will need to be placed underground. This is standard in most urban settings whether the use is residential or non-residential.
 5. A waiver of the 10-year Tree Canopy requirements as set out in PFM Section 12-0509 due to the overall urban nature and intensities in this area.
 - The Applicant has demonstrated that the 10% tree coverage goal for a redevelopment as set forth in the Comprehensive Plan will be achieved by the Part A and B properties when combined with the additional Neighborhood 2 and 3 properties. This will be achieved by the planting of street trees and trees in other open spaces and by the commitment to provide UFMD-requested uncompacted soil volumes, and to maintain, irrigate, and replace trees damaged by utility repair.
 6. A modification from the Tree Preservation Target.
 - This modification is permitted based on two (2) allowable deviations in the Fairfax County Public Facilities Manual. The first is Section 12-0508.3A(1), which states, “Meeting the Tree Preservation Target would preclude the development of uses or densities otherwise allowed by the Zoning Ordinance.” The second is Section 12-0508.3A(3), which states, “where construction activities could be reasonably expected to impact existing trees or forested areas used to meet the tree preservation target to the extent they would not likely survive in a healthy and structurally sound manner for a minimum of 10-years in accordance with the post-development standards for trees and forested areas provided in Sections 12-0403 and 12-0404.” This deviation is warranted based on the fact the proposed development will include major redesign of the utility infrastructure, provision of an extensive street grid, as well as a variety of urban components such as building types.

The proposed rezoning implements the vision of the new Comprehensive Plan for Tysons Corner to create a vibrant community that is transit-oriented and pedestrian friendly. It will result in a new urban form for Tysons, with a connected grid of streets, walkable blocks, new residential opportunities, lively streets as well as attractive parks and plazas. A high level of detail to site design, transit integration, architectural style, and streetscaping will ensure that

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Spring Hill Station becomes a signature transit-oriented development and a stimulus for further redevelopment of the Tysons West District.

Thank you for your attention to this matter.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.

A handwritten signature in cursive script that reads "Elizabeth D. Baker". The signature is written in black ink and is positioned above the printed name and title.

Elizabeth D. Baker
Senior Land Use Planner