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August 24, 2011

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

Re: Application to Rezone Land in the Tysons Corner Urban Center
Q-R Spring Hill, LLC (Perseus Realty) (the "Applicant")
Tax Map 29-3 ((1)) 2F (the "Property")

Dear Ms. Berlin:

This letter serves as a statement of justification to rezone approximately 3.52 acres of land in the Tysons West area of Fairfax County. This rezoning and Conceptual Development Plan (CDP) application (the "Application") proposes to rezone the Property from the Regional Retail (C-7), Highway Corridor Overlay (HC) and Sign Control Overlay (SC) Districts to the Planned Tysons Corner (PTC), HC and SC Districts. The Applicant, Q-R Spring Hill, LLC, is the owner of the Property. The Property is currently developed with a six-story office building constructed in 1983. The Applicant seeks to create an exciting, mixed-use destination just steps away from the Tysons West Metro Station with a landmark office and hotel building with ground floor retail and a residential building fronting on Spring Hill Road.

I. Application Area

The Property is triangular in shape and is located on the south side of Spring Hill Road immediately adjacent to the Tysons West Metro Station (the "Metro Station"). Along the east side of the Property is a narrow linear parcel (Tax Map 29-3 ((1)) 5) owned by the Board of Supervisors that includes a Dominion Virginia transmission line serving Tysons Corner and adjacent areas. The Property abuts Tax Map 29-3 ((1)) 2G, owned by 1587 Spring Hill Holdings, Inc. (Sunburst Hospitality Corporation), to the southwest. The Property is bordered by the Dominion Square parcels owned by CARS to the northwest across Spring Hill Road and to the southeast across the Dominion Virginia transmission line.

The Property consists of a single tax parcel and has a total land area of 3.52 acres, which includes density credit as indicated on the CDP. Although this land area is less than the 10 acre minimum required to rezone to the PTC District and the 20 acre minimum recommended in the Comprehensive Plan, a waiver is justified because the development proposal is in conformance with the Comprehensive Plan and the Application is being coordinated with pending applications on the adjacent properties, as discussed below. The Property is currently improved with a six-story office building constructed in 1983 and multiple surface parking lots. The Property is

zoned to the C-7, HC, and SC Districts. The majority of the Property (89%) is located within the $\frac{1}{8}$ mile radius of the Metro Station's southern entrance. The remaining 11% is located within the $\frac{1}{4}$ mile radius.

To better coordinate redevelopment of the area and achieve a more complete street grid, the Applicant has joined with the owners of the property to the southwest, Tax Map 29-1 ((1)) 2G, owned by Sunburst. Together the Applicant, Sunburst, and CARS have prepared a shared Traffic Impact Analysis (TIA) and coordinated developments plans with regard to street grid, parks and pedestrian connections. CARS has already filed rezoning applications to the PTC District and Sunburst is filing its own rezoning application concurrently with this Application. The Applicant looks forward to continuing to work with Sunburst and CARS in coordinating the redevelopment of their respective properties. The properties have a combined land area of approximately 28 acres.

II. Overall Vision

The planning vision for the Property seeks to transform the existing office building into a vibrant community with an exciting array of uses, including office, retail, hotel, multi-family residential and public/open space areas, all with easy access to the Metro Station. Immediate adjacency to the Metro Station entrance offers an excellent opportunity to promote transit, cycling and walking as viable alternatives to the car.

The Applicant's proposal will replace the existing office building and surface parking lots with high-rise buildings and structured parking that will make better use of the Property's location and help transform Tysons Corner to an urban, transit-oriented development. The urban plan for the Property seeks to capitalize on proximity to transit by constructing a landmark, mixed-use building closest to the Metro Station that will feature retail uses at ground level, a hotel, and high-rise office space. Still within an easy walk of the Metro Station will be a multi-family residential building. A public park/plaza is planned between the mixed-use building and Leesburg Pike. This plaza is conceived as a public space that will capture all the life and vitality of the surrounding mixed use development. Energized by the adjoining two levels of retail planned for the mixed-use building, it will be a welcoming space for people arriving from the Metro Station and the surrounding area. A larger park is planned between the residential building and the Dominion transmission line.

Connectivity, for both pedestrians and vehicles, is a key element of this proposal. The existing street network is very limited, with only Spring Hill Road serving the Property. Furthermore, Spring Hill Road is currently a dead-end street. There are no other streets running parallel to Leesburg Pike. Consequently, all traffic accessing the Property must utilize or cross Leesburg Pike. The Application seeks to expand the network to create an interconnected series of streets that are pedestrian-scaled and pedestrian-friendly. Three new streets will be created to improve circulation throughout the Property and convert the existing block into three smaller, more urban blocks. Roseline Street and Dominion Street will extend northwest from the

Dominion Power transmission lines right of way parallel to Leesburg Pike to Spring Hill Road. A private street will be constructed adjacent to the residential building to connect Dominion and Roseline Streets to improve circulation in the area and relieve traffic pressure on Spring Hill Road.

III. Program of Development

The Applicant's CDP proposes a complete redevelopment of the Property to include a mixed-use building (A) consisting of retail, hotel, and office uses and a residential building (B). The mixed-use building will be adjacent to the triangular-shaped plaza of approximately 12,200 square feet planned for the portion of the property abutting Leesburg Pike. The plaza will act as the front door for the Metro Station and will draw visitors and residents alike with a modern, clean and sophisticated character complete with well-appointed furnishings, plants, and materials. It will be scaled to accommodate large public gatherings such as a lunch time concert series, and will perhaps include a water feature to further activate the area for the pedestrian. Potential outdoor restaurant seating at the ground-level of Building A could add even more life and vitality to the area beyond the workday. A larger park of approximately 31,200 square feet is planned to the southwest adjacent to the residential building. These park areas, which will total approximately 43,400 square feet, will provide a nice extension of the trail improvements proposed within the Dominion right of way ("Dominion Mews") by the Dominion Square application. As discussed above, three walkable urban blocks have been created by three new streets through the Property. These new streets will provide easy and convenient vehicle, bicycle, and pedestrian access to and from the Metro Station and through and around the Property.

The following chart identifies the mix of land uses, GFA and FAR for the Property:

Land Use Mix, GFA and FAR

Use	GSF	Percentage of Total	FAR
<u>Building A</u>	509,200	60%	3.32
--Office	353,000		
--Retail	25,200		
--Hotel	131,000		
<u>Building B</u>	346,300	40%	2.26
--Residential	341,000		
--Retail	5,300		
<u>Total</u>	855,500		5.58
--Office	353,000	41%	2.30
--Residential	341,000	40%	2.23
--Retail	30,500	4%	.20
--Hotel	131,000	15%	.86

Specific details are provided on the CDP, but the general program for each building is described below.

Building A is located in the northernmost portion of the Property closest to the southern entrance of the Metro Station. The building will be bounded to the northwest by Spring Hill Road, to the southeast by Dominion Mews, and to the southwest by Dominion Street. Building A will be a maximum of 330 feet in height (28 stories) and will include approximately 353,000 square feet of office use, 25,200 square feet of retail use, and 131,000 square feet of hotel use for a total of 509,200 square feet. The pedestrian entrance for the office component will be located on Spring Hill Road. The hotel entrance will be located on Dominion Street, where access to loading and parking will also be provided. Parking spaces will be provided in three underground levels. A ground-level park/plaza area of approximately 12,200 square feet located between the building and the Metro Station entrance will welcome employees, hotel guests, residents, and visitors to the area and allow ample room for pedestrians to circulate.

Building B is located to the southwest of Building A on Spring Hill Road between Dominion Street and Roseline Street. Building B is proposed as a 20-story residential tower with 341,000 square feet of residential use and 5,300 square feet of retail use for a total of 346,300 square feet. The building will have a maximum height of 210 feet. The residential entrance will be located on Spring Hill Road at the corner of Spring Hill and Roseline Street. Parking spaces, which will be accessed along with loading from the new private street connecting Dominion and Roseline Streets, will be provided in two underground and three podium levels. The lobby will be located on the first floor at the corner of Spring Hill Road and Roseline Street. The retail will also be located on the first floor along Spring Hill Road. A private amenity space for residents will be located above-grade over the parking levels along Roseline Street. An approximately 31,200 square foot public park between the private street and Dominion Mews could provide for a variety of recreational activities such as a volleyball or basketball court, play areas, dog park, or passive recreational area.

IV. Phasing of Development

The Applicant intends to redevelop the Property in phases in a manner that provides flexibility to respond to changing market conditions. It is not possible at this time to proffer the timing of construction of the two buildings. It is possible to identify the parking, public facilities, parks, and sections of the street grid that will be built with each building and describe any interim conditions. This has been graphically portrayed in the CDP and is summarized below. The phases are identified by building letter.

Phase A—Existing office building and surface parking lot will be demolished. Building A and the park along Spring Hill Road (Public Park 1) will be constructed, along with a half section of Spring Hill Road and a full section of Dominion Street between Spring Hill Road and Dominion Mews. Street frontage improvements will also be made along Spring Hill Road, Dominion Street, and Leesburg Pike, as indicated on the Phasing Diagram.

Phase B—Existing office building and surface parking lots will be demolished. Building B and the park adjacent to Dominion Mews (Public Park 2) will be constructed, along with a half section of Spring Hill Road from Leesburg Pike to Roseline Street and a full section of Roseline Street between Dominion Mews and Spring Hill Road. Street frontage improvements will also be made to Spring Hill Road, Roseline Street, and the private street between the Building B and Public Park 2.

V. Comprehensive Plan Guidance

The Property is located in the Tysons West District of Tysons Corner Urban Center and recommendations for its use and development are guided by the newly approved Plan Amendment for *Transforming Tysons* (the “Plan”). Guidance is provided in both the Areawide Recommendations and in the more site specific Tysons West - South Subdistrict recommendations. The Property is recommended for two land use categories. The Plan recommends that the majority of the Property be redeveloped in keeping with the Transit Station Mixed Use land use category, which contemplates an office use component of no more than 65% and a residential component on the order of 20% or more. The northeastern portion of the Property is planned for Park/Open Space. The site specific recommendations, as well as the Conceptual Land Use Pattern Map, show the adjacent Dominion right of way as a park/open space area (Dominion Mews).

All of the Property is located within ¼ mile of the Metro Station entrance, and the vast majority of it (89%) is within ⅛ mile. Sites within ¼ mile of the station are not subject to a maximum FAR. Below is a table outlining the land areas and development proposed within each intensity tier.

Intensity Tiers and FARS

Intensity Tiers	Land Area and Density Credits	GFA	FAR
< ⅛ mile	136,589 SF 89%	855,500 ¹	6.26
⅛ - ¼ mile	16,636 SF 11%	0	0
TOTAL	153,192 SF	855,500	5.58

¹ Includes Buildings A and B.

The proposed rezoning and associated CDP is in keeping with the intensity and land use recommendations of the Plan. The Property’s maximum overall FAR is 5.58. The mix as described above and set forth in the tabulations on the CDP is approximately 41% office, 40% residential, 15% hotel, and 4% retail.

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 and CDP for the Property 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.

Plan Guidance	Applicant’s Proposal
Major Elements of the Plan	
<ul style="list-style-type: none"> ● Mix and arrangement of uses 	<p>The proposed mix of uses is in keeping with overall guidance in the Land Use section and the Tysons West – South Subdistrict description. The Plan calls for development of the Property consistent with the Transit Station Mixed Use category, which envisions an office use component of no more than 65% and a residential component on the order of 20% or more. The mix is approximately 41% office, 40% residential, 15% hotel, and 4% retail. In keeping with the Plan and Subdistrict recommendations, office uses will be the predominate use close to the station, with residential uses located further away.</p>
<ul style="list-style-type: none"> ● Affordable and workforce housing 	<p>Twenty percent of the residential units will be provided as workforce housing in keeping with the guidance in the Plan.</p>
<ul style="list-style-type: none"> ● Green building expectations 	<p>The commercial structure will be designed and constructed to meet a minimum of LEED Silver certification. The residential structure will be designed and constructed to meet a minimum of LEED certification or certification under the LEED for Homes pilot program.</p>
<ul style="list-style-type: none"> ● Stormwater Management 	<p>The goal of stormwater management measures for the 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</p>

	<p>both water quantity and water quality controls to achieve the above-stated goal.</p> <p>It is the intent of this application to commit to a stormwater management plan which not only attempts to mimic the pre-developed peak release rates for the 1-, 2- and 10-year storms, but also the pre-developed runoff volumes for the 1- and 2-year storms. In order to control both the post-developed peak flow rates and reduce the post-developed runoff volumes (similar to LEED), 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, below is a list of possible alternatives to provide water quality and quantity:</p> <ul style="list-style-type: none"> •Tree box filters will 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 <i>in situ</i> soils. •Pervious hardscapes/streetscapes will allow for infiltration of portions of the runoff volume through the pervious surface into storage below where it will be held for infiltration into the ground, depending on the characteristics of the <i>in situ</i> soils. •Stormwater reuse will allow for runoff volume to be recycled into the water supply of the new buildings for allowable purposes such as gray 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.
<ul style="list-style-type: none"> •Consolidation performance objectives 	<p>The South Subdistrict guidance suggests a consolidation goal of 20 acres. The Property has a land area of approximately 3.52 acres. The Applicant is coordinating closely with Sunburst and CARS on their respective rezoning applications.</p>

	<p>The total land area for all of these applications is approximately 28 acres. This large area includes property in Tiers 1, 2, and 3. The size, shape and location of the Property and the neighboring properties owned by Sunburst and CARS will foster achievement of the performance objectives of developing an efficiently functioning community, creating a grid of streets, providing a comprehensive public open space system, as well as integrating with and facilitating the redevelopment of adjacent land in keeping with the Plan, and permitting the phasing of redevelopment.</p>
<p>•Transportation</p>	
<p>°Grid of streets on and off-site</p>	<p>The Applicant has worked with the other Tysons West District property owners to prepare a network of streets to provide accessibility and connectivity. The Applicant has also coordinated the design of the streets shown on the CDP with Sunburst and CARS. The intent was to propose a grid in keeping with the Tysons vision that is both effective and practical. The grid includes construction of a new section of Boone Boulevard which will ultimately connect Gosnell Road with Westwood Corporate Center Drive and potentially to the Dulles Toll Road. Running parallel between Leesburg Pike and Boone Boulevard are two new streets called Dominion and Roseline. A new private street will also be constructed on the Property to connect Dominion and Roseline Streets. This vastly expanded grid of streets will provide major improvements in connectivity and set the framework for a new urban form.</p>
<p>°Vehicle trip reduction objectives</p>	<p>The Traffic Impact Statement (“TIA”), prepared by Wells + Associates, Inc. and submitted with the application includes a Transportation Demand Management (“TDM”) vehicle trip reduction goal of 40% for residential uses within 1/8 mile of the Metro Station and a 30% reduction for residential uses outside the 1/8 mile radius. These reduction goals were agreed upon with FCDOT and VDOT during the scoping of the TIA. Future proffers will further detail the objectives and comprehensive TDM program.</p>

°Parking management	Parking management will be a principal component of the Applicant's TDM program. The amount of parking proposed for the Property is consistent with the parking recommendations in the Plan and the PTC District regulations. The CDP provides details as to the location, access and number of spaces. These details and the cost of parking will be described in the Applicant's TDM program.
°Phasing to transportation improvements and programs	The CDP provides phasing diagrams setting forth the potential phasing of development to planned transportation improvements, particularly the grid of streets. The Applicant's proffers will elaborate on the phasing commitments once the TIA is reviewed by VDOT and discussed with FCDOT.
°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.
●Urban Design	
°Achievement of the building, site design, and public realm design guidelines to achieve the urban aesthetic vision for Tysons.	WDG Architecture has analyzed the Property's locational characteristics, physical attributes and challenges. It is familiar with the aesthetic vision for Tysons and the specific urban design guidance as established in the Plan. The proposed CDP's aim is to create an exciting and sustainable urban form from the existing suburban landscape. Working with LandDesign landscape architects, WDG has provided details of building forms, massing, streetscapes and the pedestrian realm, open park areas, and private amenity spaces with particular attention to the guidance in 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.	Two new buildings are proposed for the Property that will be 330 and 210 feet, respectively. The taller building is located closest to the Metro Station. The proposed heights are in keeping with the building height map.
°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 canyon effects. Shadow studies have been provided in the CDP.
●Urban park standards	Development of a usable and varied park and open space system is a principal objective of the Tysons Plan. A preliminary analysis of the urban park

	<p>standards and the needs of the future employees, residents and visitors of the Property has been prepared. The urban park standard recommended for Tysons Urban Center is 1.5 acres for each 1,000 residents and 1.0 acre for each 10,000 employees. The approximate 341 dwelling units proposed are estimated to generate around 580 residents. The proposed commercial development is estimated to result in 1,278 employees. Based on these estimates, the Plan recommended park requirement associated with the Property is approximately 43,446 square feet or one acre.</p> <p>A 12,275 square foot public park is planned adjacent to Building A near the Metro Station that will greet visitors to the Property. A larger park of approximately 31,171 square feet is planned adjacent to Building B that will provide additional opportunities for recreation.</p>
<ul style="list-style-type: none"> •Active recreation facilities 	<p>The Applicant will include active recreational facilities within its buildings, private open space areas and the public parks described above.</p>
<ul style="list-style-type: none"> •Public Facilities 	<p>The Applicant is providing two public parks as its public facility contribution that will be designed in conjunction with CARS' plan to improve existing public land (the Dominion Virginia Power right-of-way) with a linear park providing needed pedestrian and cycling connectivity from communities west of Tysons to access the Metro Station. The first of these parks will function as a plaza area near the Metro Station that will provide pedestrian amenities for users of the station. This will improve the usability of this important public transit facility.</p>
<ul style="list-style-type: none"> •Demonstrating how other properties in the subdistrict and in the general vicinity of the proposal can develop in conformance with the Plan. 	<p>The Applicant has worked with many of its neighbors to develop a proposed grid of streets for the South Subdistrict resulting in appropriately-sized, walk-able blocks. The Applicant is coordinating planning efforts with Sunburst and CARS to ensure that the grid of streets is coordinated and connected and that the development is harmonious and complementary.</p>

Tyson's West South Subdistrict - Redevelopment Option Guidance Development proposals should provide for the following:

•The vision for this subdistrict is to redevelop with significantly higher intensity near the Metro station as well as to become more diverse in land uses and incorporate an arts and entertainment focus. The intensities and land use mix should be consistent with the Areawide Land Use Recommendations.

All of the Property is located within ¼ mile of the Metro Station. The higher intensity mixed-use building is located closest to the Metro Station with the smaller residential building still located within an easy walk of the station. The total FAR for the Property 5.58.

The land use mix is approximately 41% office, 40% residential, 15% hotel, and 4% retail uses. Therefore, both the proposed intensities and mix of uses are consistent with the Areawide Land Use Recommendations.

•Logical and substantial parcel consolidation should be provided that results in well-designed projects that function efficiently on their own, should 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.

Along with the Sunburst and CARS properties, the Property will provide for a grid of streets, with the development of three new connected streets to complement the existing framework and extensions of Boone Boulevard. The Property will provide two new parks to not only meet the needs of employees, residents, hotel guests, and visitors to the area, but also to draw pedestrians to the Metro Station along pleasant and varied walking routes. Green building practices and workforce housing are being provided in conformance with Plan guidance. A detailed phasing plan has been included illustrating how the streets, open spaces, parking, streetscapes and amenities can be developed systematically over time.

o In 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.

Together with the Sunburst and CARS properties, the Property forms part of an approximately 28-acre parcel. Therefore, the proposed development substantially conforms to the 20 acre consolidation goal.

<p>o When a consolidation includes land located in the first intensity tier (within 1/8 mile of a Metro station), it should also include land in the second intensity tier (between 1/8 and 1/4 mile of a station), in order to ensure connectivity to the Metro station.</p>	<p>The Property includes land in the first (89%) and second (11%) intensity tier, in keeping with Plan guidance. The Applicant is also coordinating with Sunburst and CARS, whose applications include substantial land area within the first, second, and third intensity tiers.</p>
<p>• 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 Boone Boulevard and planned new ramps from the Dulles Airport Access Road connecting to Boone Boulevard.</p>	<p>The Applicant proposes to construct key sections of a grid of streets on the Property: Dominion Street, Roseline Street, and a private street through the Property. Wide pleasant sidewalks along the streets and through the community will invite pedestrians to walk to Metro, as well as to the uses on the properties adjacent to the Property. The Applicant has worked with its neighbors to coordinate a grid that is practical and achievable.</p>
<p>• 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, including multi-use trails along the adjacent stream valley park land. 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.</p>	<p>As discussed above, the CDP proposes the creation/construction of three new streets that will result in three walkable urban blocks. Pedestrian sidewalks are included along all streets.</p>
<p>• Urban design amenities, such as streetscapes, plazas, courtyards, landscaping, public art, lighting and seating should be provided consistent with the Areawide Urban Design Recommendations.</p>	<p>See response to “Urban Park Standards” above.</p>
<p>• The green network planned for this subdistrict illustrates how the existing</p>	<p>The CDP shows two parks adjacent to the Dominion Power easement that link the Old Courthouse Spring</p>

<p>Dominion Power easement could be used as a pedestrian and open space amenity that links the Old Courthouse Spring Branch Stream Valley Park to the Tysons West Metro station, as well as to several urban parks; alternatives that provide open spaces linking this subdistrict to the area's Metro station in a similar manner should be considered.</p>	<p>Branch area with the Tysons West Metro station. These will complement the linear park proposed by CARS within the Dominion Power easement (Dominion Mews) that will include a bicycle/walking trail, interpretive exhibits and other pedestrian oriented amenities.</p>
<ul style="list-style-type: none"> • This area should also include one planned civic plaza (urban park), at least one acre in size and located within 1/4 mile of the Metro station. This plaza should be large enough for open-air activities such as farmers' markets and musical performances by small groups for residents and workers in this area. A common green urban park of at least one acre should also be located in the subdistrict to provide active and passive recreation and leisure opportunities for residents and workers. 	<p>Consistent with the Conceptual Land Use Map, the CDP shows an urban park/plaza adjacent to Leesburg Pike, immediately east of Spring Hill Road. The Applicant proposes a second, larger park to the southwest that will abut Dominion Mews.</p>
<ul style="list-style-type: none"> • For active recreation, about four to six acres of new park land to support two athletic fields should be established in the area between existing park land and the Boone Boulevard extension. The land for these athletic fields may also be located in part in the abutting Tysons Central 7 District. Publicly accessible open space and recreational facilities should be provided consistent with the guidance in the Areawide Environmental Stewardship Recommendations. 	<p>See response to "Urban Park Standards" above.</p>
<ul style="list-style-type: none"> • 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 	<p>The residential building will be designed with a full complement of on-site indoor and outdoor recreational amenities. These are likely to include a swimming pool, fitness gym, and clubroom, and will be detailed on a future Final Development Plan. In addition, 20% of residential units will be provided as affordable and/or workforce units.</p>
<ul style="list-style-type: none"> • Public facility, transportation and infrastructure analyses should be performed in conjunction with any development 	<p>The Traffic Impact Statement ("TIA") prepared by Wells + Associates, Inc. details the impacts of the proposed development on the transportation</p>

<p>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.</p>	<p>infrastructure and identifies appropriate mitigation measures. The Applicant will also be working with County Staff to help fashion a public facilities “plan” for the Tysons West South Subdistrict. Phasing of the proposed development will generally be as identified in this statement and will be refined in the proffer commitments.</p>
<ul style="list-style-type: none"> • In addition, 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. 	<p>CARS has identified an approximate two acre site on its property that could be appropriate for a major public facility such as an electric substation.</p>
<ul style="list-style-type: none"> • Under this option, building heights may range from 105 feet to 400 feet, 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 1/8 and 1/4 mile from the Metro station) should be between 150 and 225 feet. Beyond one-quarter mile, buildings should have lower heights, with areas along Route 7 to the south at 175 feet and areas at the western edge of the subdistrict having heights up to 105 feet. The exception is the Tysons Sheraton Hotel, which is a gateway 	<p>The two new buildings proposed for the Property are 330 (Building A) and 210 feet (Building B). Building A will be located closest to the Metro Station in the area recommended for building heights of up to 400 feet. Building B will be located further to the southwest and its lower height will be consistent with the Building Height Map.</p>

<p>landmark at 215 feet in height; Property abutting to the east and south should not have buildings exceeding 150 feet in order to maintain this building as an existing gateway to Tysons Corner. Building heights should be consistent with the guidelines in the Areawide Urban Design Recommendations.</p>	
<ul style="list-style-type: none"> • Exposed parking structures adjacent to the Dulles Toll Road should not be visible to the residential neighborhoods north of the Toll Road. 	<p>The Property is not situated adjacent to the Toll Road.</p>

IV. Requested Waivers and Modifications

To the best of our knowledge, there are no known hazardous or toxic materials on the Property, nor 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 Waivers and Modifications

1. Modification of the Tyson’s Corner Urban Center streetscape design in favor of that shown with the CDP application.
2. Waiver and/or modification of all trails and bike trails in favor of the streetscape and on-road bike trail system shown with the CDP application.
3. A waiver of Section 17-201 Paragraph (3) of the Zoning Ordinance to provide additional inter-parcel connection to adjoining parcels other than those specifically identified on the CDP.
4. The applicant requests a modification of Zoning Ordinance Section 17-201 Paragraph (4) to not require any further dedication, construction or widening of existing roads beyond that which is indicated on the CDP. Dedication and improvements shown on the CDP shall be deemed to meet all Comprehensive Plan Policy Plan requirements.
5. The applicant requests a modification of the Zoning Ordinance, Section 2-506. 1(A) and (C) to allow structures located on the building roof to occupy an area greater than 25% of the total roof and to exclude air conditioning units and cooling towers, located outside the penthouse or screened area, from being included in the

maximum building height if, said structure, air conditioner or cooling tower is for the purpose of providing building infrastructure to meet LEED certification.

6. A waiver of the service drive requirement along Leesburg Pike, Route 7.
7. A waiver of Section 6-506, Paragraph 1 of the Zoning Ordinance requiring a minimum district size of ten (10) acres.

B. Public Facilities Manual (PFM) Modifications

1. The applicant requests 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. Such parking spaces shall count toward the number of parking spaces required by the Zoning Ordinance.
2. A modification of Public Facilities Manual (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.
3. A waiver to allow Storm Water 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.
4. The applicant requests 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 waiver is requested in favor of the Tysons Corner Urban Center Area wide and District Recommendations pertaining to urban design guidelines as it relates to streetscape design. These guidelines layout the intent of trees, landscaping and streetscapes in Tysons Corner and are specified with the CDP application.
5. The applicant requests 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 § 12-0507.3A(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 § 12-0507.3A(3), which states, "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 § 12-0403.” Specific trees to be preserved are identified with the CDP application.

The proposed rezoning of the Property will help to implement the vision of the new Comprehensive Plan for the Tysons West District. Its unique location adjacent to the Metro station makes it an important element of Tysons’ transformation from a suburban, car-dependent place to an exciting, pedestrian-friendly realm where more people will use the Metro and the sidewalks to meet their daily travel needs. With a connected street network, pleasant walkable blocks, major additions to Tysons’ parks and open space system, innovative stormwater management, sustainable buildings, and workforce housing opportunities, the Property will be a vibrant new mixed use neighborhood in Tysons and will make the most of the major public investment in the new Metro Silver Line.

Thank you for your attention to this matter. Should you require any additional information, please call me.

Very truly yours,

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

A handwritten signature in black ink, appearing to read "G. Pritchard", written in a cursive style.

G. Evan Pritchard