

County of Fairfax, Virginia
Planning Commission Meeting
July 26, 2018
Verbatim Excerpt

RZ/FDP 2017-HM-006 – RP 11111 SUNSET HILLS, LLC – Appls. to rezone from I-4 to PDC to permit mixed use development with an overall Floor Area Ratio (FAR) of 1.50 and approval of the conceptual and final development plan. Located on the S. side of Sunset Hills Dr., approx. 980 ft. E. of its intersection with Michael Faraday Dr., on approx. 9.72 ac. of land. Comp. Plan Rec: Office. Tax Map 18-3 ((6)) 8. (Hunter Mill District)

After Close of Public Hearing

Commissioner Carter: Okay, I'm going to go over some of the things we didn't see. I guess we don't have a graphic that shows...

Commissioner Hart: Is your mic on?

Commissioner Carter: ...shows all of these projects together. Do we have that? Well, there are four projects along here. Two of them have been approved and you're going to see the last one in September 13th. So this – they're all together and I've been impressed with my fellow Commissioners, if I can say that as part of the verbatim here. The amount of work to improve these projects is – is really good and one project kind of builds off another so – so even though the ones that went earlier, they're not compromised in any way. So – and they're – well, I'll just go on. Let's see. So contributions, I'll do that again – full commitment to the road fund, full commitment to the housing fund, despite the reduction in the tiers – full commitment to the park fund. The closest park is – if you remember the Crescent, there is a purchase of property down there at Hunter Mill and Sunset Hills. That probably is one possible place to spend the money. Full commitment to the school payment. The open spaces – while this applicant is showing a certain space, but those spaces are shared and there are other ones. They're shared across all four of these, so they're not duplicated necessarily. Again, my famous – favorite thing, active sidewalk along Reston Station Boulevard. You have the large park on the south side, which is good for similar access, and then the pathway that it – that extends from Reston Station Boulevard to the large park. Reston Station Boulevard will be a public street, two moving lanes and two parking lanes for its full length, except where it meets Wiehle Avenue. It'll be three lanes there from Wiehle Avenue to Sunset Hills. So the question about the bike and the bikeways – it will be continuous along there. Once you get, at least, to Sunset Hills, you'll be able to move down and across to the W&OD Trail. There then is a parallel private street along the whole length, parallel to Reston Station Boulevard and close to the W&OD Trail there. Traffic signal pre-emption devices for emergency vehicles are – what's becoming a standard condition – the two short-term parking spaces in the garage, the space in front of the building as well as the normal loading docks. Transportation management plan – although at 30 percent, this time. Again, the streetscaping and placemaking comments. We asked for a bump-out in front of the parking garage that the – this – there's only about 9 or 10 feet there so far. And that's in the proffer, so they will extend that out for a short distance and some on-street parking will go. And then you'll be able to get the trees and the lights. That parking garage there is 180-feet long. I'm sure we all realize this, but these projects are not like moving living room furniture around. These are big, big projects, so the spaces are quite large. Let's see – WDU parking, I think we've gone over that. Environment and energy, there's bioretention areas and underground facilities. The tree canopy is provided. LEED standard for the residential buildings – and the green wall plants, particularity on the southern side of the parking garage. Solar access – again, that open

space is on the south side – charging stations. And then my last comment, Proffer 27 and 34 requires coordination with adjacent properties for construction on Reston Station Boulevard – Boulevard from Wiehle Avenue to Sunset Hills. And also, there's a sound wall – a pretty extensive sound wall along this whole length. Again, we want the width of the street to be consistent – on-street parking, bike lanes, sidewalk areas, and the design of the streetscape elements. So that concludes my thoughts and I'm ready to make a motion. I request the applicant confirm, for the record, their agreement to proceed to what the proposed FDP conditions.

Scott Adams, Applicant's Agent, McGuireWoods, LLP: We agree to the conditions. I'm assuming you're referencing the ones dated July 26th, 2018 [sic].

Commissioner Carter: Okay, number one, I MOVE THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2017-HM-006 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JULY 26, 2018.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of the motion?

Commissioner Migliaccio: Mr. Chairman?

Chairman Murphy: Yes, Mr. Migliaccio.

Commissioner Migliaccio: Just, very briefly, because we don't get this very often, I want it on verbatim – just to commend the applicant for the 25 percent of the WDUs for 2 to 3 bedroom because if we don't point this out, we may not get it in the future. So I just want to make certain that if you did it on this one, you can do it again. Thank you.

Commissioner Migliaccio: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Niedzielski-Eichner: Since we're making comments, I also wanted to commend the applicant and all the applicants in this set of developments. The – for the – for working together to optimize the quality of the development along Sunset Hills here. I would love to have you convince our Tysons developers to engage in the same type of activity, so that, you know, they would all benefit, as I think you benefit, from having this coordination of – trying to provide a quality of a development that we really want to have in Tysons. I commend you for what you've accomplished here.

Chairman Murphy: And I want to compliment the applicant for not having a 40-minute slide presentation.

Commissioner Migliaccio: That's on the verbatim.

Chairman Murphy: On the verbatim. All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2017-HM-006, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: Okay, next I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2017-HM-006, SUBJECT TO THE PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS CONTAINED IN APPENDIX 2 AND DATED JULY 10TH, 2018, WITH A CORRECTION TO CONDITION NUMBER 1 TO REFLECT 41 SHEETS INSTEAD OF 28 SHEETS IN THE CDP/FDP.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion? All those in favor of the motion to approve FDP 2017-HM-006, subject to the Board's approval of the rezoning and the conceptual development plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: INCLUDED IN THOSE MOTIONS WAS THE TYPO CHANGE THAT COMMISSIONER HART TALKED ABOUT.

Chairman Murphy: Right.

Commissioner Carter: And finally – well, not finally. We have, still, two more. I MOVE THE PLANNING COMMISSION RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS – APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DATED JULY 25TH, 2018.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: Okay, then – separate from taking action on the RZ/FDP – I MOVE THAT THE PLANNING COMMISSION CONCUR WITH STAFF AND RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A PARKING REDUCTION REQUEST FOR 11111 SUNSET HILLS ROAD NUMBER 9867-PKS-001-1, PURSUANT TO PARAGRAPH 5A, SECTION 11-102 OF THE ZONING ORDINANCE, BASED ON THE PROXIMITY OF A MASS TRANSIT STATION, SUBJECT TO THE CONDITIONS RECOMMENDED BY STAFF, AS OUTLINED IN THE MEMORANDUM FROM STAFF OF DEVELOPMENT SERVICES DATED MAY 25TH, 2018 AND REVISED MAY 29TH, 2018 AND CONTAINED IN APPENDIX 17 OF THE STAFF REPORT FOR RZ 2017-HM-006.

Commissioner Niedzielski-Eichner: Second.

Commissioner Carter: Is that enough?

Chairman Murphy: What? Seconded by Mr. Niedzielski-Eichner, whether he likes it or not. Forgive me if I don't repeat the motion. All those in favor of all that, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Each motion carried by a vote of 12-0.

JLC

Waivers and Modifications
RZ 2017-HM-006 RP 11111
July 25, 2018

- Modification of Par. 1 of Sect. 2-414 of the Zoning Ordinance to reduce the residential building setback requirement from the Dulles Toll Road from 200 feet to 100 feet.
- Modification of Par. 5 of Sect. 6-206 of the Zoning Ordinance to permit residential uses as a secondary use up to 257,000 square feet, including workforce dwelling units and independent living units and permit other secondary non-residential uses up to 226,678 square feet, subject to not exceeding the use limits listed in the proffers.
- Waiver of Sect. 6-207 of the Zoning Ordinance requiring minimum 200 square-foot privacy yards on single-family attached dwelling units.
- Modification of Sect. 11-203 of the Zoning Ordinance for the loading space requirements for the multi-family from three to two spaces.
- Waiver of Sect. 13-202 of the Zoning Ordinance and Sect. 12-0514 of the Public Facilities Manual for required interior parking landscaping on the structured parking.
- Modification of Sect. 13-303 of the Zoning Ordinance for the transitional screening and barrier requirements as shown on the CDP/FDP and waiver of Sect. 13-304 for the barrier requirement.
- Modification of Sect. 12-0510.4e (5) of the Public Facilities Manual to allow a minimum planting width of six feet in favor of the proposed planting areas and methods as detailed in the proffers and CDP/FDP.
- Modification of Sect. 7-0100 PFM Plate TS-5A of the Public Facilities Manual to reduce the minimum pavement width from 24 feet to 20 feet for the private street shown on the CDP/FDP.



County of Fairfax, Virginia

MEMORANDUM

REVISED: MAY 29 2018
DATE: May 25, 2018

TO: Tracy Strunk, Director
 Zoning Evaluation Division
 Department of Planning and Zoning

FROM: William D. Hicks, P.E., Director *WDH*
 Land Development Services

SUBJECT: 11111 Sunset Hills Road; RZ 2017-HM-006; Tax Map #18-3-06-0008; Hunter Mill District

REFERENCE: Request for Board of Supervisors (Board) approval of a Parking Reduction Study #9867-PKS-001-1, as a separate motion after Board action on the subject application

RECEIVED
 Department of Planning & Zoning

MAY 30 2018

Zoning Evaluation Division

Land Development Services (LDS) reviewed the referenced parking reduction study dated March 29, 2017, and revised on April 10, 2018 (Attachment A), seeking Board approval of a reduction of the minimum required parking for the residential components of the proposed mixed-use development located at 11111 Sunset Hills Road; RZ 2017-HM-006; Tax Map #18-3-06-0008 (the "subject site" or "parcel"). Staff's recommendation is based on the information and layout shown on the Conceptual/Final Development Plan prepared by Urban Ltd. and dated May 21, 2018 submitted as a part of the subject rezoning application.

RECOMMENDATION:

Staff recommends that the Board approve a reduction of up to 9.1 percent (up to 22 fewer spaces) for the multi-family component and up to 27.8 percent (up to 10 fewer spaces) for the single-family attached component of the subject development, pursuant to Par. 5A of Sect. 11-102 of the Zoning Ordinance of the *Code of the County of Fairfax, Virginia* (Code) based on the site's proximity to the Wiehle-Reston East Metro station, and subject to the following conditions:

1. Off-street parking accessory to the uses designated below must be provided on the development site as follows:
 - a) Residential Multi-Family: A minimum of 1.25 spaces per dwelling unit (DU) for up to 175 DU.



- b) Residential Single-Family Attached: A minimum of 2.0 spaces per DU for up to 13 DU.
2. Parking at rates required by the Fairfax County Zoning Ordinance must be provided for any additional uses not listed in Condition #1.
 3. A minimum of one parking space must be reserved for each multi-family residential unit. Parking spaces for multi-family residential units must be secured by controlled access within the parking garage. The site plan must clearly identify how these spaces will be secured for residential use only.
 4. The conditions of approval of this parking reduction must be attached and incorporated into any site plan submitted to the Director of Land Development Services (Director) for approval.
 5. The current owners, their successors or assigns of the parcel identified as Tax Map #18-3-06-0008, must submit a parking space utilization study for review and approval by the Director at any time in the future that the Zoning Administrator or the Director so requests. Following review of that study, or if a study is not submitted within 90 days after its request, the Director may require alternative measures to satisfy the parcel's parking needs, which may include, but are not limited to, compliance with the full parking requirements specified in Article 11 of the Zoning Ordinance.
 6. All parking utilization studies prepared in response to a request under paragraph #5 must be based on applicable requirements of the Zoning Ordinance in effect at the time of its submission.
 7. If the parcel is subdivided to separate the existing office from the proposed residential uses of the rezoning associated with this parking reduction, the current office owners and their successors, assigns, and/or other applicants must allow the residents from the residential uses, and their guests, to park in a minimum of 20 spaces on the newly-formed parcel upon which the office is located. The parking must be available during off-peak, weekday and weekend times, which is defined as before and after normal business hours of office use. These spaces may be designated with signage to specify the hours of parking availability. If another use replaces the existing office in the future, these 20 off-peak spaces must be provided unless a revised parking reduction study is approved demonstrating that the need for such spaces no longer exists.
 8. At least 10 percent of the total parking provided for the residential uses must be clearly designated or accounted for as parking for guests of the residential uses, on-site staff, car-share vendors or residential vanpool's. Access to these spaces need not be controlled.

9. All parking provided must comply with the applicable requirements of Article 11 of the Zoning Ordinance and the Fairfax County Public Facilities Manual, including the provisions referencing the Americans with Disabilities Act and the Virginia Uniform Statewide Building Code.
10. These conditions of approval will be binding on the current owners, successors, assigns, and/or other applicants and will be recorded in the Fairfax County Land Records in a form acceptable to the County Attorney. If these conditions have not been recorded and an extension has not been approved by the Director, approval of this parking reduction request will expire without notice six months from its approval date.

BACKGROUND:

The subject site is located at 11111 Sunset Hills Road. The Applicant proposes up to 175 multi-family dwelling units (DU) and 13 single-family townhomes. If this application is approved, the subject site's current zoning of I-4 (Medium Intensity Industrial District) will become a PDC District (Planned Development Commercial District) with a proposed mixed-use that will include office and residential. The existing 222,444 gross floor area (GFA) office building on the site will remain and the existing parking garage will be expanded to provide parking for the multi-family residential units. The townhomes will be 19-foot wide 2-car garage units. The site is within the Wiehle-Reston East Transit Station Area (TSA) and within $\frac{3}{4}$ mile walking distance of the Wiehle-Reston East Metro station as the road and sidewalk networks are currently configured. Once the planned construction of Reston Station Boulevard is completed, in part by the developer of this site, that walking distance will drop to $\frac{1}{2}$ mile. The site is served by one bus route along Sunset Hills Road, with several other bus routes that provide service from the Wiehle-Reston East bus stop.

Pursuant to Par. 5A of Sect. 11-102 of the Zoning Ordinance, the Board may reduce the number of parking spaces otherwise required by the strict application of the Ordinance when the development is within a reasonable walking distance to a mass transit station. Under a strict application of the Zoning Ordinance without a reduction, at full build-out (i.e., maximum proposed density) of the development, a minimum of 277 parking spaces would be required to serve the new residential uses and a minimum of 512 spaces would be required to serve the existing office.

Due to the site's proximity to mass transit and bus service, the applicant is requesting a parking reduction of up to 9.1 percent for the multi-family residential use and up to 27.8 percent for the single-family attached use, or 32 fewer spaces in the total required residential parking for the site. A comparison of the code-required and proposed parking is provided below.

Table 1 - Comparison Table of the Code Required and Proposed Parking

Land Use	Size	Rate Required by Code	Minimum No. of Spaces Required by Code	Proposed Percent (%) Reduction	Proposed Minimum Number of Spaces	Proposed Minimum Rate
Multi-Family	Up to 175 DU	1.3 sp/ 1 BR 1.5 sp/2 BR 1.6 sp/3+ BR	241* (If 175 DU constructed)	Up to 9.1%	219 (If 175 DU constructed)	1.25 spaces per DU
Single-Family Attached	Up to 13 DU	2.7 spaces per DU	36 (If 13 DU constructed)	Up to 27.8%	26 (If 13 DU constructed)	2.0 spaces per DU
Existing Office	222,444 SF of GFA	2.3 sp/1000 SF of GFA	512	0%	579	2.6 sp/1000 SF of GFA
			Total=789		Total=824	

* Based on the unit mix provided to the county by the applicant of 67% 0-1 bedrooms, 27% 2 bedrooms, and 6% 3+ bedrooms

The parking analysis indicates that the transit station is expected to reduce the demand for parking spaces, and no adverse impact to either the site or the adjacent area is expected. This recommendation reflects a coordinated review by the Fairfax County Department of Transportation (FDOT), Department of Planning and Zoning, Office of the County Attorney (OCA) and Land Development Services.

If you have any questions or need further assistance, please contact Don Lacquement at: (703) 324-5175 or Don.Lacquement@fairfaxcounty.gov.

ATTACHED DOCUMENT:

Attachment A – Parking Reduction Study #9867-PKS-001-1, dated March 29, 2017, revised April 10, 2018.

cc: Marc E. Gori, Assistant County Attorney, OCA
 Thomas P. Biesiadny, Director, FDOT
 Eleanor Ku Codding, Director, Code Development and Compliance Division, LDS

RECEIVED

4/10/18

Parking Reduction Study

11111 Sunset Hills Road

Reston, Virginia



RECEIVED
Department of Planning & Zoning

MAY 25 2018

Zoning Evaluation Division

March 29, 2017

Revised: January 19, 2018

Revised: April 10, 2018

Prepared for:

Rooney Properties, LLC
4075 Wilson Blvd, Suite 650
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GOROVE / SLADE

Transportation Planners and Engineers

9867-PKS-001-02-1

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INTRODUCTION

The proposed 11111 Sunset Hills Road development is requesting a parking reduction. This study provides justification for a reduction in parking for the proposed development based on the site's **proximity to mass transit** and Fairfax County Zoning Ordinance Section 11-102.5. The site is located in Fairfax County, Virginia south of Sunset Hills Road, east of Michael Faraday Drive, within the Upper Potomac Planning District as part of the Reston Wiehle-Reston East Transit Station Area, Transit Oriented Development Area, North Subdistrict. The site is located approximately 0.43 miles from the Wiehle-Reston East Metro Station as shown on Figure 1.

The proposed development calls for the existing 222,444 SF office building to remain and development of up to an additional 175 residential dwelling units, and 13 townhomes. Existing access to the site is via Sunset Hills Road. Future site access is proposed via the future extension of Reston Station Boulevard and via the future extension of Southern Road as shown on the CDP on Figure 2.



Figure 1: Site Location Map

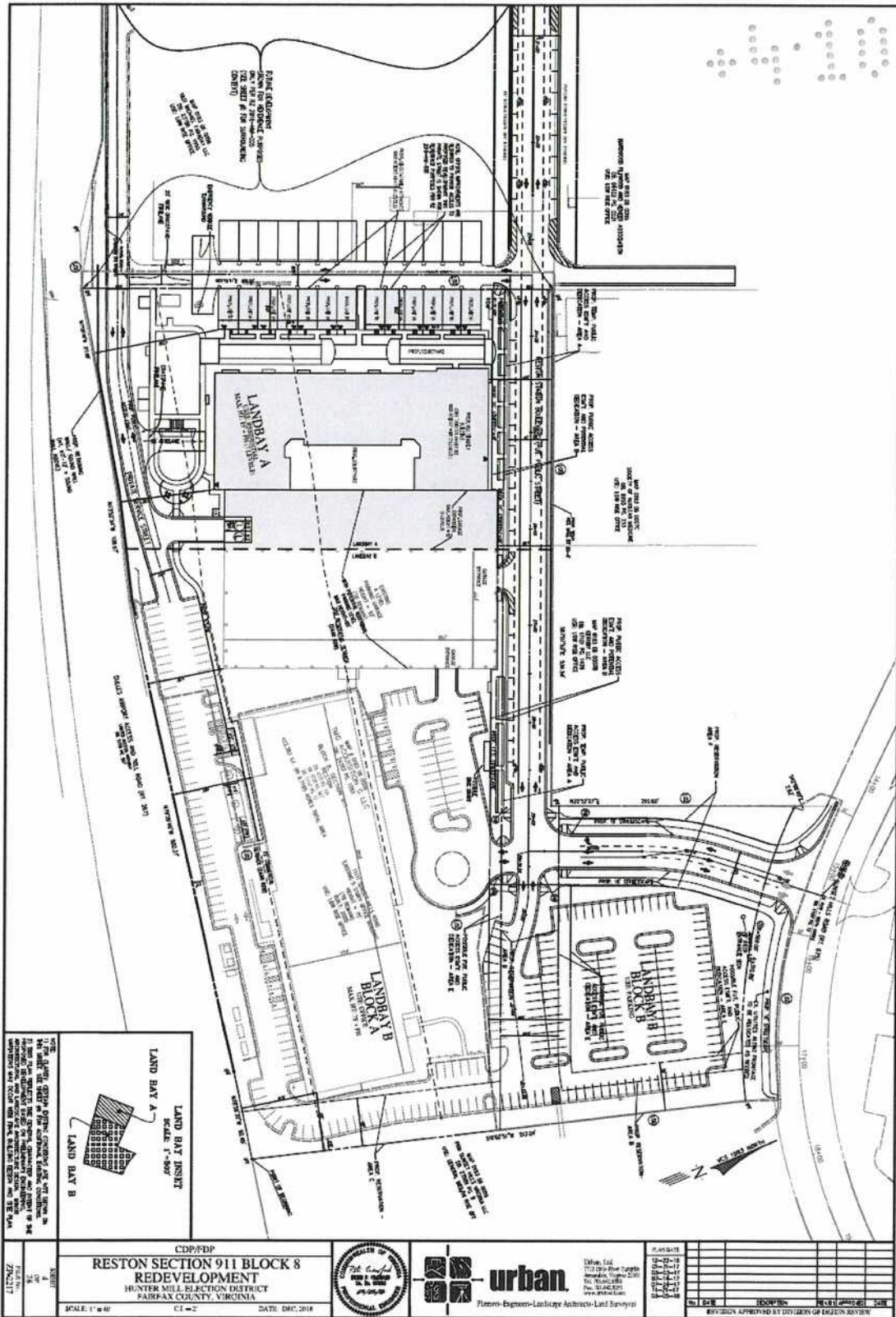


Figure 2: Conceptual Development Plan

PROXIMITY TO MASS TRANSIT

The 11111 Sunset Hills Road redevelopment requests a parking reduction based on the site's proximity to mass transit and Section 11-102.5 of the Fairfax County Zoning Ordinance. A mode shift from single-occupancy vehicle (SOV) travel to transit can be expected for developments that are close to mass transit. Section 11-102.5 of the Zoning Ordinance states the following:

"5. Subject to conditions it deems appropriate, the Board may reduce the number of off-street parking spaces otherwise required by the strict application of the provisions of this Part when a proposed development is within reasonable walking distance to:

- A. A mass transit station and/or within an area designated in the adopted comprehensive plan as a Transit Station Area wherein the station either exists or is programmed for completion within the same time frame as the completion of the subject development; or*
- B. An existing transportation facility consisting of a streetcar, bus rapid transit, or express bus service or wherein such facility is programmed for completion within the same timeframe as the completion of the subject development and will provide high-frequency service; or*
- C. A bus stop when service to this stop consists of more than three routes and at least one route serves a mass transit station or transportation facility and provides high-frequency service."*

The site is located approximately 0.43 miles from the existing Wiehle-Reston East Metrorail Station on the Silver Line. In its existing conditions, this station is the end of the Silver Line; however, the line will be extended. The site is also served by 25 bus routes, and is within a quarter mile of 4 bus stops; hence, the existing transit services serving the site satisfy the conditions required for a parking reduction, as per the Section 11-102.5 of the Fairfax County Zoning Ordinance.

Fewer parking spaces than would be required in the Fairfax County Zoning Ordinance will be necessary to accommodate future on-site parking demand because of the site's proximity to the Wiehle-Reston East Station. A parking reduction would not adversely affect the surrounding areas.

The following sections describe the existing transit facilities available for the site.

Existing Transit Accessibility

The 11111 Sunset Hills Road site is located approximately 0.43 miles from the Wiehle-Reston East Metro Station (Silver Line), a mass transit facility with regularly scheduled service as noted in the Zoning Ordinance language above. The site is served by one (1) bus route along Sunset Hills Road, with several other bus routes that serve from Wiehle-Reston East Bus Stop. A WMATA metro bus vault is located at the Wiehle-Reston East Metro. The existing transit facilities in the vicinity of the site are shown in Figure 3.

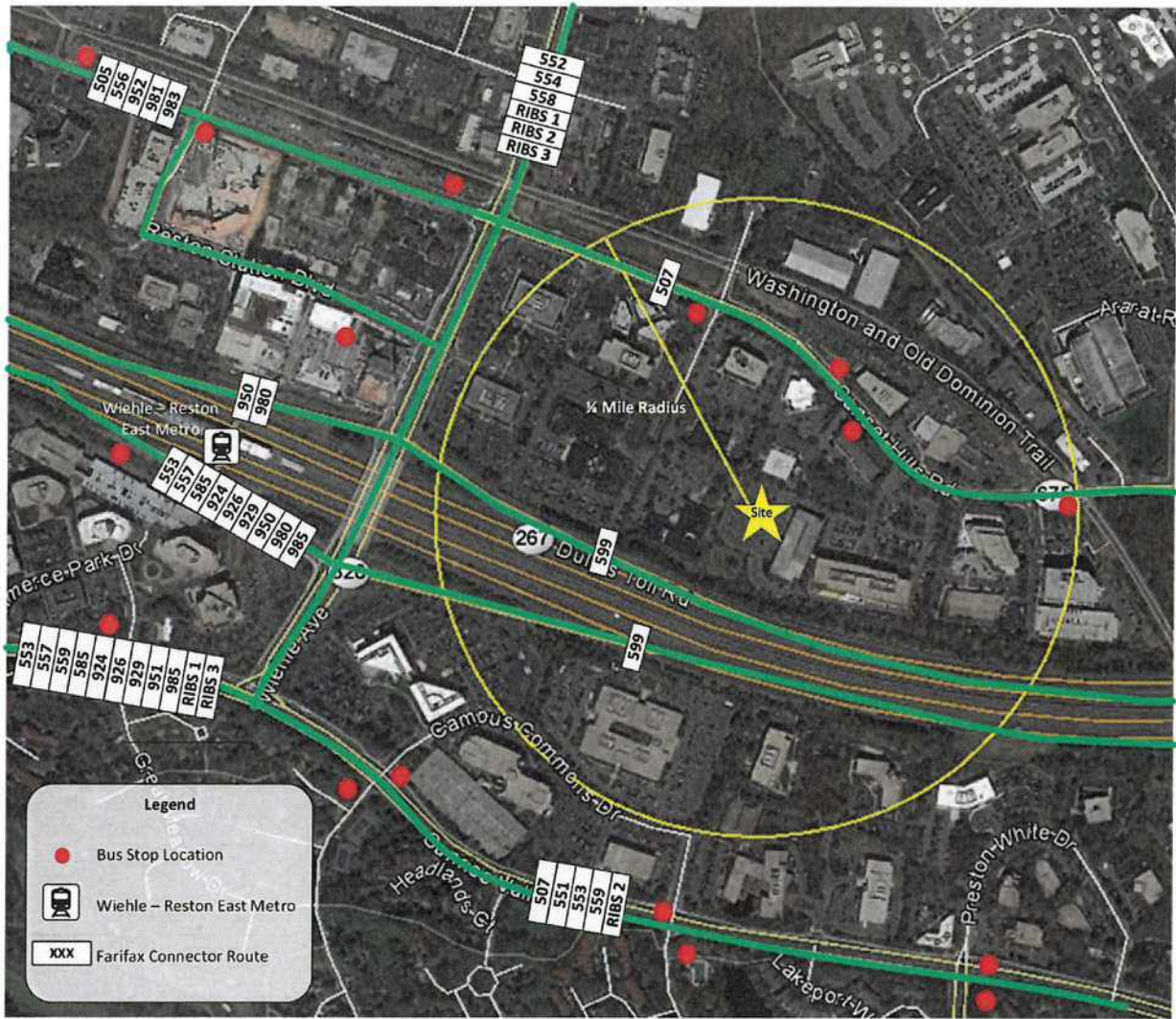


Figure 3: Existing Transit Facilities

Transportation Demand Management Measures

This parking reduction request is **not** based on Transportation Demand Management (TDM) measures; however, a TDM program will be included with the proffers for this site and further justifies the request for a parking reduction. The strategies included in the TDM plan will work together to provide transportation options to residents, employees, and patrons of the development, and the proposed development will benefit from the elements of a TDM plan as outlined below.

Recommended TDM Goals

The Comprehensive Plan for the Wiehle-Reston Transit Station Area (TSA) recommends a goal of reducing single occupant vehicle trips by 30 to 40 percent for office and residential uses within half a mile of a metro station. The guidelines note that the baseline percentages are based on inherent reductions from ITE trip rates observed in Fairfax County without any formal TDM program elements in place. The TDM goals “should be considered for developments in areas of high existing or planned urban accessibility, located close to and with easy and convenient pedestrian access to transit stations ($\frac{1}{4}$ to $\frac{1}{2}$ mile), and in a walkable, mixed-use environment. Mixed-use development supports higher levels of vehicle trip reduction due to internal trip capture and as well as to walk and bicycle trips within the development or to adjacent developments. A project with TDM that is part of a larger mixed-use development may, therefore, support greater vehicle trip reductions than a smaller, single-use, stand-alone project that implements the same site-level TDM measures.” (*Dulles Corridor Study, Table 5: Trip Reduction Goals, 2nd Footnote*)

Walkability

Developments located in areas with significant, high-quality pedestrian and bicycle infrastructure are likely to have a higher rate of non-motorized travel than developments in areas lacking this infrastructure.

The overall pedestrian network surrounding the project site is planned to be well established, with sidewalks on nearly all roadway segments and crosswalks at signalized intersections and minor street approaches. The future pedestrian network in the vicinity of the site is being planned in concert with other property owners in the area.

Future buildout of the 11111 Sunset Hills Road development and the surrounding streets as per the Fairfax County Comprehensive Plan will increase the pedestrian connectivity in the area and increase pedestrian accessibility to and from the Wiehle-Reston East Metrorail Station as shown on Figure 4. Figure 5 shows the existing and future pedestrian paths. All future intersections along the future path will provide crosswalks.



Figure 4: Pedestrian Connectivity



Figure 5: Pedestrian Paths

Future Bicycle Improvements

The Fairfax County *Comprehensive Plan* and the *Countywide Bicycle Master Plan* show that Wiehle Avenue is planned to have an on-road bike lane and a shared-use path in the future. The section of Sunset Hills Road west of Wiehle Avenue is also planned to have an on-road bike lane. In addition, the site is less than a quarter mile away from the existing W&OD Trail. Fairfax County’s *Comprehensive Plan* bicycle facilities map for the Wiehle-Reston East Transit Station Area is shown on Figure 6.

The *Countywide Bicycle Master Plan*, approved in October 2014, provides additional detail for the bicycle facilities planned for the area and makes recommendations similar to those in the *Comprehensive Plan*. The recommendations for the Wiehle-East Reston TSA from the *Countywide Bicycle Master Plan* are shown on Figure 7.

The proposed redevelopment will accommodate secure, long-term bike parking within the future garage for residents of the multi-family building as well as short-term bicycle parking throughout the site for visitors. Additionally, the proposed redevelopment will accommodate the recommended plans for on-road bicycle lanes on Reston Station Boulevard (consistent with the approved Lofts at Reston Station development). These improvements connect to the greater, planned bicycle network and to the bike lanes proposed by the approved Lofts at Reston Station development.

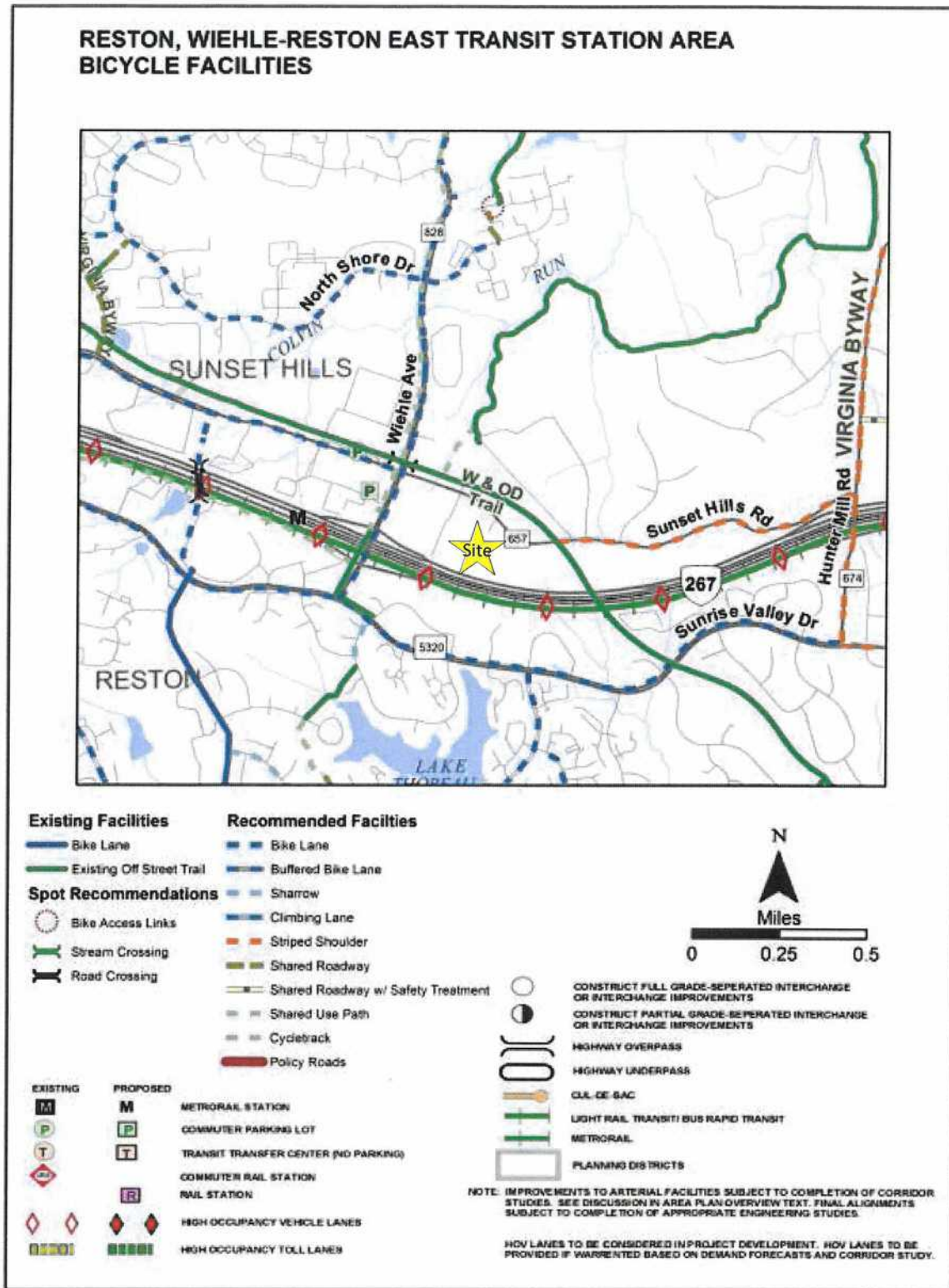


Figure 6: Wiehle-Reston East Transit Station Area Bicycle Facilities Map (Source: Fairfax County Comprehensive Plan)

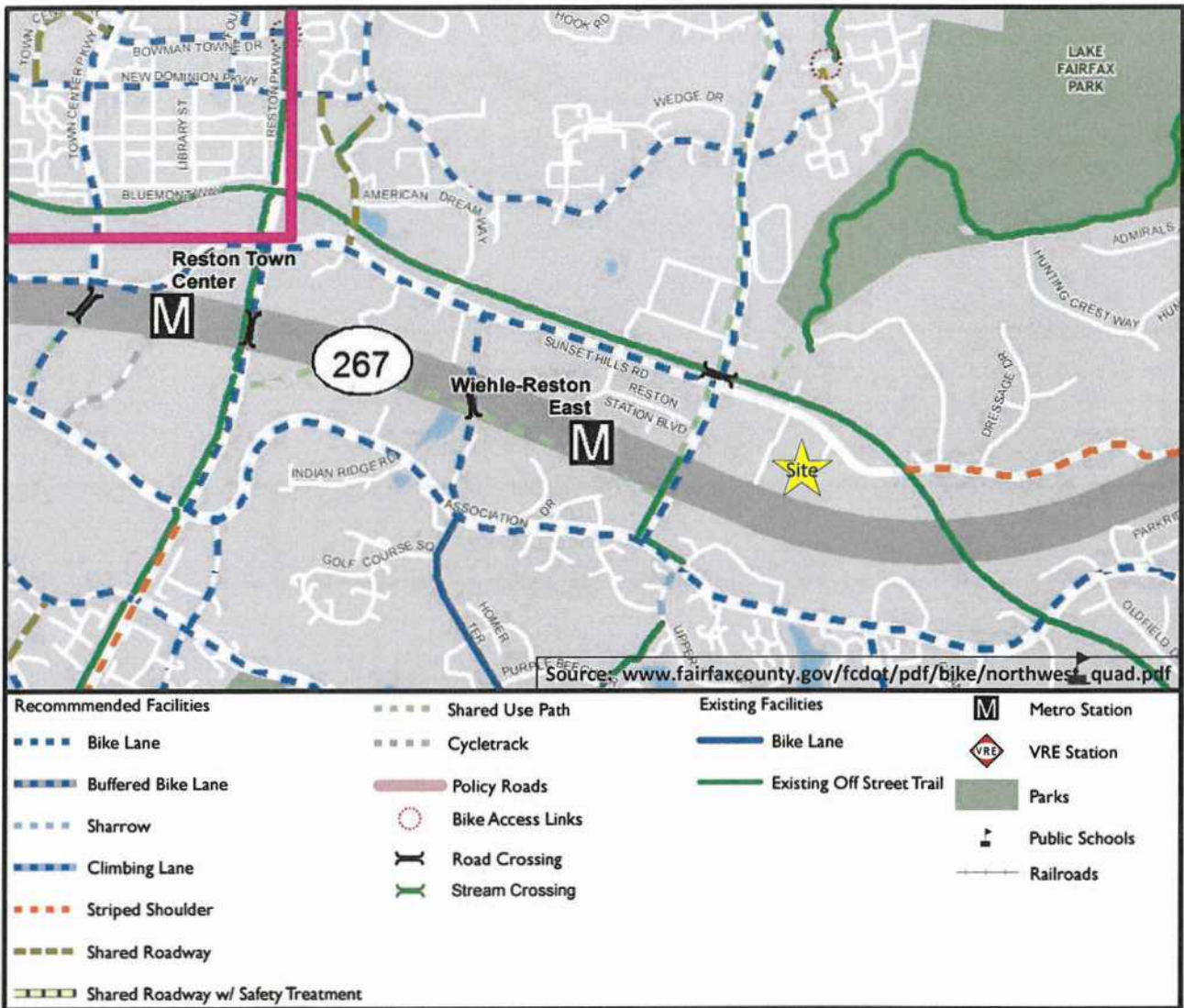


Figure 7: Countywide Bicycle Master Plan (Source: Fairfax County)

Carsharing

Carshare services allow members access to vehicles without the need to purchase and maintain their own. As part of the proposed development, up to three (3) parking spaces may be made available to a carshare service, contingent upon an agreement with a carsharing service such as Zipcar or other similar service. According to *Parking Management Best Practices*, one carshare vehicle has the potential to reduce on-site parking demand by five (5) to 10 percent if the carsharing service is located within one-quarter mile of the site or reduce 4 – 8 parking spaces for each carshare vehicle located in a building. When applied to the 11111 Sunset Hills Road development, three (3) carshare spaces could conservatively reduce the on-site parking demand by 12 spaces.

An example of local jurisdictions using carsharing to reduce the need for multiple vehicle ownership, or in some cases the need for vehicle ownership at all, the City of Alexandria’s Braddock Road Metro Neighborhood Plan recommends that a parking reduction of five (5) spaces for each on-site car-sharing space should be allowed within the Braddock Area, not to exceed 20 percent of the total required spaces.

TOD Car Ownership

According to *Effects of TOD on Housing, Parking, and Travel* (Transit Cooperative Research Program (TCRP), 2008), TOD households typically own fewer cars because they have smaller households, and because they may forgo extra cars due to transit’s proximity. TOD households are almost twice as likely to not own any car, and own almost half the number of cars of other households.

According to 2015 Census data, more than five (5) percent of Reston households are without a vehicle and 39 percent of households own only one (1) car. The lack of car ownership in TOD households supports the reduction of residential parking as the newly proposed development would realize vehicle ownership reductions.

Reston Census Designated Place (CDP) Commute to Work Data

According to 2015 US Census data, approximately 26 percent of workers in the Reston CDP either work from home or use a mode of transportation other than a single occupant car, truck or van to commute to work. Approximately 7.4 percent of workers in the Reston area use public transportation to commute to work. The 2015 US Census commute data is presented in Table 1.

Table 1: 2015 US Census Reston CDP Commuting to Work Data

	Percent
Car, truck, can -- drive alone	74.0
Car, truck, can -- carpooled	6.2
Public transportation (excluding taxicab)	7.4
Walked	2.1
Other means	1.8
Worked at home	8.6

EXISTING PARKING SUPPLY

The existing 11111 Sunset Hills Road site is occupied by 222,444 sf of office space. The office is currently parked in the existing 4-level garage and surface parking.

FUTURE PARKING SUPPLY

The redevelopment is anticipated to be complete by 2020. The future parking supply and parking ratios described in the subsequent sections are discussed in terms of the proposed number of parking spaces based on the CDP/FDP for the development. The future parking spaces for residents of the multifamily building will be located in a structured parking garage and within 500 feet walking distance of a building entrance.

No reductions will be made to the required number of handicap spaces as shown in Table 2.

The proposed redevelopment of the 11111 Sunset Hills Road site contains 222,444 SF of existing office, up to 175 multifamily residential units, and 13 townhomes.

The proposed future supply ratio for the multifamily units is 1.25 spaces per unit; therefore, up to 219 parking spaces will be provided for the future multifamily units. At least 1 space per unit will be reserved for residents and 0.1 space per unit will be reserved for residential guests.

The proposed future supply ratio for the townhomes is 2.0 spaces per unit (2 garage spaces per unit); therefore, 26 parking spaces will be provided for the future townhomes.

The proposed future supply ratio for the existing office is 2.6 spaces per 1,000 sf; therefore, 579 parking spaces will be provided for the existing office.

The final space count will fluctuate based on final unit count not to exceed the maximum units described herein, but the parking ratio will be constant. The parking supply is shown on Table 2 and the parking layout is shown on Figure 8.

Table 2: Parking Supply

Land Use	Development Size	Zoning Ordinance		ADA Requirement Based on Zoning	Proposed Parking				Difference from ZO
		Required Minimum Ratio	Required Spaces	Required Accessible Spaces	Proposed Minimum Ratio	Proposed Spaces	Proposed Standard Spaces	Proposed Accessible Spaces	
Multifamily Units	175 DU	1.37 /DU	240	-	1.25 /DU	219	-	-	-9%
Townhomes	13 DU	2.7 /DU	36	-	2.0 /DU	26	-	-	-28%
Existing Office	222,444 SF	2.3 /ksf	512	-	2.6 /ksf	579	-	-	13%
Surplus Spaces	-	-	-	-	-	75	-	-	-
Total			788	16		899	883	16	14%

* Assumed a split of 67% 0-1 bedrooms, 27% 2 bedrooms, and 6% 3+ bedrooms

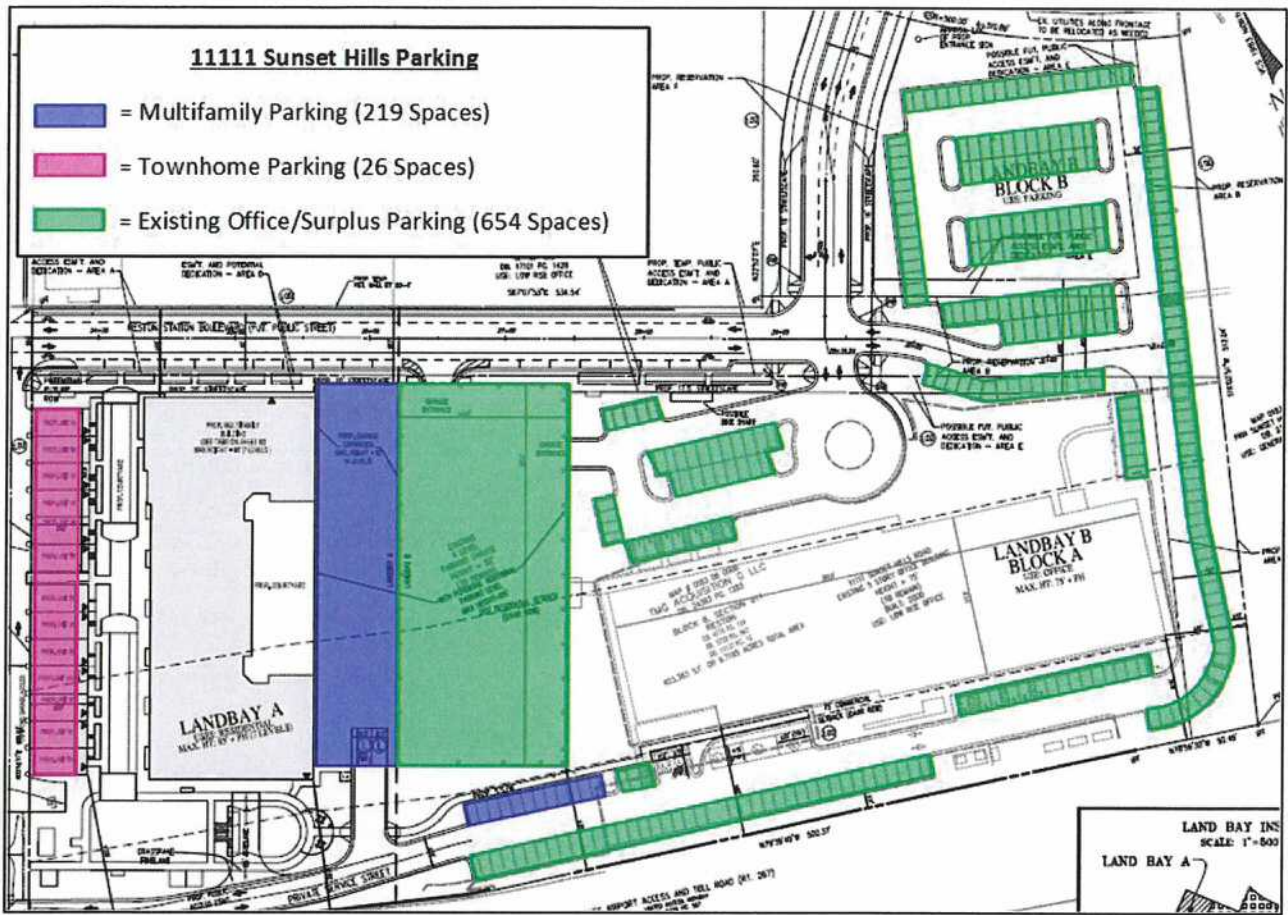


Figure 8: Parking Layout

PARKING REDUCTION

Zoning Ordinance Comparison

Residential (Multifamily)

Fairfax County's Zoning Ordinance requires a minimum rate of 1.3 spaces per 0-1 bedroom residential unit, 1.5 spaces per 2 bedroom residential unit, and 1.6 spaces per 3 or more bedroom residential unit.

A 9 percent reduction to a ratio of 1.25 spaces per multifamily dwelling unit is requested for the required residential parking based on the site's proximity to mass transit (Zoning Ordinance Section 11-102.5).

Residential (Townhomes)

Fairfax County's Zoning Ordinance requires a minimum rate of 2.7 spaces per single family attached unit (townhome).

A 28 percent reduction to a 2.0 spaces per townhome is requested for the required residential parking based on the site's proximity to mass transit (Zoning Ordinance Section 11-102.5).

Office

Fairfax County's Zoning Ordinance requires a minimum rate of 2.3 spaces per 1,000 SF for offices located a distance greater than ¼ mile from a metro station entrance.

No reduction is requested for the office parking.

CONCLUSIONS

This study provides the justification of the reduction in parking for the 11111 Sunset Hills Road development based on the site's proximity to mass transit (Wiehle-Reston East Metro Station) and Zoning Ordinance Section 11-102.5.

- The Zoning Ordinance allows parking reductions for sites that are proximate to mass transit. The 11111 Sunset Hills Road site is located approximately 0.43 miles from the Wiehle-Reston East Metro Station and is served by 1 bus route along Sunset Hills Road.
- Future buildout of the 11111 Sunset Hills Road development and the surrounding streets as per the Comprehensive Plan will increase the pedestrian and bicycle connectivity in the area.
- 2015 US Census data shows the following for the Reston Census Designated Place (CDP):
 - Approximately 26 percent of Reston CDP workers either work from home or use a mode of transportation other than a single occupant car, truck or van to commute to work.
 - More than five (5) percent of Reston households are without a vehicle and 39 percent of households own only one (1) car.
- No reduction will be applied to the required number of accessible spaces.
- The following parking supply rates are proposed based on the site's proximity to the Wiehle-Reston East Metro Station
 - Multifamily: **1.25 spaces per unit** (9 percent reduction)
 - At least one space per unit will be reserved for residents.
 - At least 0.1 spaces per unit will be reserved for guests
 - Townhomes: **2.0 spaces per unit** (28 percent reduction)
 - Existing Office: **2.6 spaces per 1,000 SF** (No reduction)
- The requested parking reduction will not adversely impact the surrounding areas.

Proffered Conditions
11111 Sunset Hills Rd
RZ/FDP 2017-HM-006

~~May 21, July 26, 2018~~

PREAMBLE

Pursuant to Section 15.2-2303(A) of the Code of Virginia (1950, as amended) and Section 18-204 of the Zoning Ordinance of Fairfax County (1978, as amended), the property owners and the Applicant, for themselves and their successors and/or assigns (hereinafter referred to as the "Applicant"), hereby proffer that the development of the parcel under consideration and shown on the Fairfax County tax map as Tax Map 18-3-((06))-0008 (the "Property") will be in accordance with the following conditions if, and only if, Rezoning application RZ 2017-HM-006 (this "Rezoning") is granted to rezone the Property to the PDC District.

GENERAL

1. Conceptual/Final Development Plan. Any development of the Property will be in substantial conformance with the Conceptual Development Plan ("CDP ") and Final Development Plan ("FDP ") entitled "CONCEPTUAL DEVELOPMENT PLAN (CDP) AND FINAL DEVELOPMENT PLAN (FDP) FOR RESTON SECTION 911 BLOCK 8" dated December 22, 2016, and revised through ~~April 11, May 21, 2018~~, prepared by Urban, Ltd., consisting ~~2841~~ sheets.
2. Elements of CDP. Notwithstanding the fact that the CDP and FDP are presented on the same plan, the elements of the CDP are limited to the location of the building, maximum number of dwelling units, the maximum building height, maximum gross floor area and minimum setbacks from the peripheral lot lines and a modification to such elements will require a subsequent Conceptual Development Plan Amendment (CDPA) or Proffered Condition Amendment (PCA). The Applicant reserves the right to request a Final Development Plan Amendment (FDPA) for elements other than CDP elements from the Planning Commission for all or a portion of the FDP in accordance with Section 16-402 of the Zoning Ordinance if such an amendment is in accordance with these Proffers as determined by the Zoning Administrator.
3. FDPA. Future FDPAs for the Property will be in substantial conformance with the CDP and these Proffers. Final Development Plan application FDP 2017-HM-007 has been filed concurrently with this Rezoning application on the Property. FDP elements, which are defined as those elements that are not CDP elements pursuant to Proffer 2, associated with this FDP, are only applicable to those areas within the identified FDP boundary on the CDP/FDP. For all other future FDPA applications covering any portion of the Property that are not filed concurrently with this Rezoning application, the following tabulations and information will be provided:

- a. A tabulation indicating the status of development on the entire Property. The tabulation will include a listing of all existing and proposed buildings, along with the gross floor area (“GFA”) and uses approved on the CDP, all approved FDPs and any approved site plans. The tabulation will identify the reassignment of any GFA within and between land bays and buildings (as compared with what was originally shown on the CDP) as permitted by these Proffers, and will be updated with each subsequent FDP, FDPA and site plan approved for the Property.
- b. A tabulation indicating the tree canopy calculations of the entire Property, which will be updated with each subsequent FDP, FDPA and site plan approved for the Property.
- c. A copy of any previous Transportation Demand Management ("TDM") Annual Report to determine progress toward attaining TDM goals and any planned modifications to the TDM program.
- d. List of proposed uses and demonstration of how such uses meet the applicable "Use Limitations" of the PDC District.
- e. Architectural elevations and maximum building heights.
- f. Graphic depiction and refinements of, and any adjustments to streetscape element. Detailed streetscape improvements consistent with the quantity and quality shown on the CDP/FDP.
- g. Proposed parking garage façade treatments for above-ground parking structures.
- h. Landscape plans.
- i. Provision of a preliminary utility plan overlaid over the landscape plan and the location of existing and proposed utilities to serve the area subject to such FDP, FDPA or site plan.
- j. Identification of specific proposed phased improvements.
- k. Depiction of any special amenity features.
- l. Bicycle parking and storage. Future FDPs will include general locations for bike racks, which may be placed in an alternative location(s) determined in consultation with Land Development Services (“LDS”) and Fairfax County Department of Transportation (“FCDOT”).
- m. Refinement of the number of proposed parking structures and spaces.
- n. Identification of specific stormwater management facilities.

- o. Vehicular sight distance lines at all intersections adjacent to the area subject to such FDP, FDPA or site plan based on existing posted/design speeds as well as future design speeds.
 - p. Depiction of a building zone measuring between 4 and 12 feet.
4. Minor Modifications. Minor modifications to the CDP/FDP may be permitted when necessitated by sound engineering or that may become necessary as part of final site design or engineering, pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance. Minor modifications of building footprints may be permitted and the number of units may be reduced, with corresponding adjustments in required parking, may be made without requirement to amend this application, so long as (a) the provided open space is not reduced; (b) the building height is not increased; (c) the setbacks to the peripheral lot lines are not diminished; and (d) the development otherwise is in substantial conformance with the CDP/FDP as determined by the Zoning Administrator.
 5. Declarations/Owners Associations. The Applicant will cause the recordation of one or more declarations creating an owners' association ("OA") and as necessary, home owners' associations ("HOA") or declarations of covenants and agreements dealing with the governance of maintenance and operation of the Property or other governance documents which will legally bind the Property, (collectively referred to as the "Governance Documents"). Such Governance Documents will be prepared, be legally effective, and recorded prior to the issuance of the first Residential Use Permit ("RUP") for new construction shown on the CDP/FDP. The respective Governance Documents (including budgets provided in any offering or sale materials) will specify the various proffer and maintenance obligations set forth in these Proffers, including the maintenance of certain streets, associated sidewalks and streetscapes, and site amenities such as, but not limited to, the publicly accessible park areas as well as funding, implementation and monitoring of the TDM program, as related to the Property. Initial purchasers of the townhouses will be advised in writing of these obligations, and other restrictions, prior to entering into a contract of sale and will be provided copies of the Governance Documents.

DENSITY AND USE

6. Proposed Development. Development on the Property will include a maximum gross floor area of 649,122 square feet, consisting of the following:
 - a. Land Bay A: Up to 200,000 square feet of gross floor area of multi-family residential, with a maximum of 175 multi-family dwelling units and up to 13 single family attached dwellings. The Applicant may construct less floor area and fewer dwelling units in its sole discretion without the need for a proffer condition amendment ("PCA"), CDPA, FDPA, or proffer interpretation.
 - b. Land Bay B: Up to 449,122 square feet of gross floor area, limited to the following uses:

- i. Block A, up to 222,444 square feet of gross floor area limited to:
 1. Principal uses limited to:
 - a. Office
 2. Ground floor uses limited to:
 - a. Accessory uses, accessory service uses and home occupations as permitted by Article 10 of the Zoning Ordinance
 - b. Commercial and industrial uses of special impact (Category 5), limited to:
 - i. Restaurants without drive-throughs
 - ii. Financial institutions without drive-throughs,
 - iii. Pharmacies without drive-throughs,
 - iv. Fast food restaurants without drive-throughs,
 - v. Quick-service food stores,
 - c. Commercial recreation uses (Group 5), limited to:
 - i. Health clubs,
 - d. Craft beverage production establishments, limited by the provisions of Section 6-206 of the Zoning Ordinance.
 - e. Institutional uses (Group 3), limited to:
 - i. Church or similar religious uses,
 - f. Kennels, limited by the provisions of Section 6-206 of the Zoning Ordinance.
 - g. Quasi-public uses (Category 3), limited to:
 - i. Child care centers and nursery schools
 - ii. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
 - iii. Colleges, universities

- iv. Private schools of special education
- h. Veterinary hospitals
- ii. Block B, up to 226,678 square feet of gross floor area limited to:
 - 1. Principal uses limited to:
 - a. Office,
 - b. Hotel,
 - c. Senior Housing, which for purposes of these Proffers means assisted living facilities or independent living facilities co-located with assisted living facilities.
 - 2. Secondary uses limited to up to 40,000 square feet of gross floor area of the following uses on the first or second floor:
 - a. Accessory uses, accessory service uses and home occupations as permitted by Article 10 of the Zoning Ordinance
 - b. Commercial and industrial uses of special impact (Category 5), limited to:
 - i. Restaurants without drive-throughs
 - ii. Financial institutions without drive-throughs,
 - iii. Pharmacies without drive-throughs,
 - iv. Fast food restaurants without drive-throughs,
 - v. Quick-service food stores,
 - c. Commercial recreation uses (Group 5), limited to:
 - i. Billiard and pool halls,
 - ii. Bowling alleys,
 - iii. Commercial swimming pools, tennis courts and similar courts,
 - iv. Health clubs,
 - v. Any other similar commercial recreation use,

- d. Craft beverage production establishments, limited by the provisions of Section 6-206 of the Zoning Ordinance.
 - e. Institutional uses (Group 3), limited to:
 - i. Church or similar religious uses,
 - f. Kennels, limited by the provisions of Section 6-206 of the Zoning Ordinance.
 - g. Quasi-public uses (Category 3), limited to:
 - i. Child care centers and nursery schools
 - ii. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
 - iii. Colleges, universities
 - iv. Medical care facilities
 - v. Private schools of special education
 - h. Veterinary hospitals
3. Any Senior Housing use proposed requires Fairfax County Health Care Advisory Board review during the FDPA process.
 4. Any Senior Housing use must comply with the Fairfax County Zoning Ordinance requirements governing provision of affordable dwelling units, as articulated in Zoning Ordinance Section 9-306(6).
 5. 4% of any assisted living units constructed upon Land Bay B Block B shall be reserved for residents participating in Virginia's Auxiliary Grant Program.
 6. The combined uses in Landbay B Block B may not create a trip generation figure greater than the figure calculated as part of the Operational Analysis for the Applicant prepared by Gorove/Slade dated January 08, 2018 and produced pursuant to the Virginia Department of Transportation's Traffic Impact Analysis Regulations (24 VAC 30-155 et seq.).
 - 7. The Applicant reserves the right to pursue a senior housing use with a majority independent living component within Land**

Bay B, Block B subject to the Fairfax County Board of Supervisors approval of a single issue PCA to obtain a waiver of the secondary use restriction in Zoning Ordinance Section 6-205(5).

- c. Telecommunication facilities, provided such facilities are flush mounted and otherwise designed to be visually unobtrusive as determined by the Zoning Administrator.
 - d. These proffers do not exempt the Applicant from the requirement to obtain a special permit or special exception for any such use where required to do so by the Fairfax County Zoning Ordinance.
7. Development Phasing.
- a. The Property may be developed in phases. One phase will be the development of Land Bay A pursuant to Sheet 4 of the CDP/FDP. The second phase will be the development of Land Bay B Block A and/or the development of Land Bay B Block B pursuant to Sheet 4a of the CDP/FDP. These phases may be developed in any order, subject to the discretion of the Applicant.
 - b. Development of Land Bay B, Block B will require approval of a FDPA including the information and tabulations listed under Proffer 3.

PARKING

8. Vehicle Parking. Vehicle parking must be provided in accordance with the CDP/FDP, except that parking for Landbay B, Block B will be determined at the time of future FDPA approval. If fewer units or development than is shown on the CDP/FDP occurs, the number of parking spaces provided may be reduced in accordance with the parking ratio included in the CDP/FDP. Nothing will preclude the Applicant from providing additional parking if in substantial conformance with parking locations shown on the CDP/FDP. The Applicant reserves the right to pursue future parking reductions and shared parking arrangements for the Property as may be permitted by the Fairfax County Zoning Ordinance without the need for an amendment to these Proffers or the CDP/FDP. The sale or lease rates of parking spaces shall be “unbundled” from the purchase price or lease rate of the individual dwelling units in the multifamily building on Land Bay A; meaning a multifamily dwelling unit’s purchase price or lease rate shall be exclusive of parking costs. This requirement shall not apply to any townhomes developed. Residents of the WDU units shall have the same opportunity to lease parking spaces as the residents of the market-rate units in the multifamily building. **The Applicant will make parking spaces available for each WDU on the same terms as market rate units, but at a price that is discounted at a rate commensurate with the percentage of reduction in rent or sale price for that WDU based on the income tier within which such WDU will be provided.**

The Applicant, in its sole discretion, may construct an additional level on the existing parking garage, including the proposed expansion, as shown on the CDP/FDP.

Prior to site plan approval for Land Bay A, the Applicant shall request designation by VDOT of one (1) on-street parking spaces on Reston Station Boulevard as short term or loading parking. Additionally, the Applicant shall designate at least two (2) parking spaces within the residential portion of the parking garage as short term parking.

9. Bicycle Parking. The Applicant must install bicycle racks in the locations generally shown in Land Bay A on the CDP/FDP, or in an alternative location determined in consultation with Fairfax County Department of Public Works and Environmental Services (“DPWES”) and FCDOT during the site review process. The final number of bike racks will be determined at site plan and will be based upon a rate of 1 space for every 25 multi-family dwelling units and 1 space for every 20,000 square feet of commercial gross floor area. The Applicant must also provide bike parking/storage facilities within the multifamily building or parking structure in Land Bay A and within or near any use constructed upon Land Bay B Block B. The final bike storage facility capacity will be determined at site plan and, for Land Bay A, will be based upon a rate of 1 space for every 3 multi-family dwelling units. The final location and type of bicycle parking/storage spaces and racks will be determined in consultation with the Fairfax County Department of Transportation Bicycle Coordinator or his/her designee prior to site plan approval. The bicycle parking and storage room on Land Bay A must be installed prior to the issuance of the first RUP for the proposed development.

TRANSPORTATION

10. FCDOT/VDOT Approval. All public street improvements, lane use designations, signal installations, crosswalks and/or other pavement markings proposed herein and reflected on the CDP/FDP are subject to Virginia Department of Transportation (“VDOT”) and FCDOT review and approval at the time of site plan. Any changes to the same identified at the time of site plan submission, will be coordinated with FCDOT and DPZ without the need for a PCA/CDPA or FDPA.

11. Roadway Improvements

- a. Temporary Public Access Easement. As part of the first site plan approval for the Proposed Development, the Applicant will grant to the Board of Supervisors temporary public access easements in the locations shown as "Prop. Temp. Public Access Esm't. and Dedication - Area A", "Prop. Public Access Esm't. and Potential Dedication - Area D", and “Prop. Reservation – Area F” on Sheet 4 of the CDP/FDP. The Applicant will not be required to grant a temporary public access easement over any area if that area has already been dedicated to the County in accordance with Proffer 11(b), below. The Applicant will not be required to grant a temporary access easement over “Prop. Reservation – Area F” if Applicant has decided to construct “Prop. Reservation Area B” and “Possible Fut. Public Access Esm’t and Dedication - Area E” during the first phase of

development and dedicate them to the Board of Supervisors in fee simple in accordance with Proffer 11(d), below. The temporary access easement over “Prop. Reservation – Area F” shall automatically terminate upon the construction and dedication of “Prop. Reservation Area B” and “Possible Fut. Public Access Esm’t and Dedication - Area E” to the Board of Supervisors.

- b. Right-of-Way Dedication. Upon the written request of the County, and subject to the conditions below, the Applicant will dedicate the rights-of-way shown as “Prop. Temp. Public Access Esm’t. and Dedication - Area A,” “Prop. Public Access Esm’t. and Potential Dedication - Area D,” “Prop. Reservation – Area B,” “Prop. Reservation – Area C,” and “Possible Fut. Public Access Esm’t and Dedication – Area E” on Sheet 4 of the CDP/FDP in fee simple to the Board of Supervisors for public street purposes. The Applicant will maintain such dedicated right-of-way area up to and until the time such portion of Reston Station Boulevard is accepted by VDOT as a public street. The dedication of right-of-way contemplated by this proffer is subject to the following conditions:
 - i. The Applicant will work diligently with VDOT and FCDOT during the site plan approval process to ensure that the proposed area designated as landscape amenity panels (“LAP”)/sidewalks can be accepted for public maintenance as part of VDOT’s Secondary Street Acceptance Requirements (SSAR). Subject to the below conditions, the Applicant will locate all electrical vaults, stormwater vaults, and any other utilities that would prevent VDOT and/or the County from accepting the LAP/sidewalk areas outside of the area labeled as "Prop. Public Access Esm't. and Potential Dedication - Area D".
 - 1. If at the time of site plan approval, it is determined that stormwater management facilities or other similar facilities are proposed to be located beneath the LAP/sidewalk and such facility locations would prevent VDOT and/or the County from accepting the LAP/sidewalk within the ROW, the Applicant will grant a public sidewalk and utility easement in a form acceptable to the Office of the County Attorney (“CAO”) over the area labeled "Prop. Public Access Esm't. and Potential Dedication - Area D". At a minimum, this easement will allow for the installation of signage necessary for safety and operations of the street, as well as parking regulation equipment by VDOT and/or the County.
 - 2. If at the time of site plan approval, it is unclear whether stormwater management facilities, electric vaults or other similar facilities proposed to be located beneath the LAP/sidewalk would be acceptable to VDOT and/or the County, then the Applicant will reserve for potential future dedication the area labeled "Prop. Public Access Esm't. and Potential Dedication - Area D". A temporary public access easement in a form acceptable to the CAO

will be recorded over the area labeled "Prop. Public Access Esm't. and Potential Dedication - Area D" until such time as those areas are dedicated. Conveyance of the LAP/sidewalk areas to the BOS will then occur following construction of the street and ultimate streetscape improvements and final street acceptance by VDOT or the County.

3. Should it be determined following final street acceptance inspection that the LAP/sidewalk areas are not acceptable to VDOT to be included in the ROW as evidence by VDOT's written certification, then the reservation of the potential future dedication of the area labeled "Prop. Public Access Esm't. and Potential Dedication - Area D" will be released and the Applicant will grant a permanent public access easement and maintenance agreement in a form acceptable to the CAO over such areas. At a minimum, these easements must allow for the installation of signage necessary for the safety and operation of the street, as well as parking regulation equipment by VDOT and/or the County. In such an event, a PCA, CDPA and/or FDPA will not be required.
- ii. The Applicant will not be required to dedicate "Prop. Reservation – Area B," and "Possible Fut. Public Access Esm't and Dedication – Area E" to the Board of Supervisors for any purpose until (1) approval of a FDPA and site plan for development of Land Bay B, Block B, or (2) in the Applicant's sole discretion, construction of "Prop. Reservation – Area B" and "Possible Fut. Public Access Esm't and Dedication - Area E" as part of the first phase of development.
 - iii. If "Prop. Reservation Area B" and "Possible Fut. Public Access Esm't and Dedication - Area E" are not constructed and dedicated as part of the FDP for Landbay B Block B, then Applicant shall dedicate "Prop. Reservation – Area F" to the County for public street purposes upon the same terms and conditions as the dedication of "Prop. Temp. Public Access Esm't. and Dedication - Area A" and "Prop. Public Access Esm't. and Potential Dedication - Area D" as set forth in proffer 11(b), above. The future dedication of "Prop. Reservation – Area F" is expressly conditioned upon the areas identified on the CDP/FDP as "Prop. Temp. Public Access Esm't. and Dedication - Area A" and "Prop. Public Access Esm't. and Potential Dedication - Area D" being ready for dedication to the County.
 - iv. The Applicant shall not be required to dedicate "Prop. Reservation – Area C" to the Board of Supervisors for any purpose until the Board of Supervisors has approved the final alignment of the South Lakes Overpass within the reserved area and formally allocated all funds necessary to

construct the South Lakes Overpass, in accordance with the proffer entitled “Reservation of Land for Proposed South Lakes Overpass,” below.

- c. Construction of Reston Station Boulevard. The Applicant will construct the section of Reston Station Boulevard identified on the CDP/FDP as "Prop. Temp. Public Access Esm't. and Dedication - Area A" and "Prop. Public Access Esm't. and Potential Dedication - Area D" and the associated streetscape elements as shown on Sheet 4 of the CDP/FDP prior to the issuance of the first Residential Use Permit ("RUP") for the Property. Such section will consist of the pavement and striping for one on-street parking lane (8 feet), two bike lanes (5 feet each), two travel lanes (11 feet each), for a total of 40 feet from curb to curb as shown on Sheet 4 of the CDP/FDP. Such streetscape elements may vary in widths, but adjustments to the new residential building will consist of a step out zone (2 feet), landscape amenity panel (6 feet), a concrete sidewalk (8 feet), and a building zone (4 feet) for a total of 20 feet from the edge of pavement to the face of the adjacent residential building along the south side of Reston Station Boulevard as shown on Sheet 18A of the CDP/FDP. The landscape amenity panel, sidewalk, and building zone along the north side of Reston Station Boulevard will be provided by others.
- d. Connector between Reston Station Boulevard and Sunset Hills Road.
 - i. As part of the development of phase 1 (which may be the development of Landbay A or the development of Landbay B, Block B, whichever occurs first in accordance with the proffer entitled “Development Phasing”) the Applicant will construct to public street standards the interim roadway connecting Reston Station Boulevard and Sunset Hills Road, shown on the CDP/FDP as “Prop. Reservation – Area F” (“Interim Roadway”). The Applicant reserves the right to pursue installation of a traffic signal at the intersection of the Interim Roadway and Sunset Hills Road.
 - ii. Alternatively, during the development of phase 1, the Applicant may forego construction of the Interim Roadway and instead construct and dedicate the road section identified on the CDP/FDP as “Prop. Reservation Area B” and “Possible Fut. Public Access Esm’t and Dedication – Area E.” The Applicant reserves the right to pursue installation of a traffic signal at the intersection of “Prop. Reservation Area B” and Sunset Hills Road. Construction of the road segment identified as “Prop. Reservation Area B” and “Possible Fut. Public Access Esm’t and Dedication – Area E” is conditioned upon the following:
 1. An operational analysis and traffic signal warrant will be submitted by Applicant and approved by VDOT prior to site plan approval for phase 1. If the traffic signal warrant is approved, then the Applicant may construct either the two lane road segment identified on the CDP/FDP or the two land road segment plus the optional third lane identified on the CDP/FDP. If the signal

warrant is not approved, then the Applicant may construct the “Prop. Reservation Area B” and “Possible Fut. Public Access Esm’t and Dedication – Area E” road segment with the optional third lane identified on the CDP/FDP.

2. An interparcel access being provided to the property located at 11107 Sunset Hills Road (Tax Map # 018-3-((06))-0009) (“11107 Sunset Hills”) and removal of the existing Sunset Hills Road entrance serving 11107 Sunset Hills.
3. In the event Applicant constructs a building on Landbay B Block B and either of the “Prop. Reservation Area B”, “Possible Fut. Public Access Esm’t and Dedication – Area E” or the optional third lane, as applicable, encroaches onto 11107 Sunset Hills Road, Applicant will obtain the permission and rights from the owner of 11107 Sunset Hills Road necessary to install the contemplated improvements.

e. Notwithstanding the configuration shown on the CDP/FDP and subject to approval by FCDOT and VDOT, the Applicant will remove the on-street parking on Reston Station Boulevard adjacent to the existing and proposed parking garage and relocate the curb line into the former on-street parking location. Behind the relocated curb line, the Applicant will provide streetscape improvements consistent with the project’s remaining Reston Station Boulevard frontage.

12. Reservation of Land for Proposed South Lakes Overpass. As part of the initial site plan approval for the Property, the Applicant will reserve the right of way identified on the CDP/FDP as “Prop. Reservation – Area C” for future dedication to Fairfax County, subject to the below conditions, to facilitate construction by others of the South Lakes Overpass. The dedication will be in fee simple and without encumbrances. The future dedication of the reserved area is expressly conditioned upon the County’s approval of a final alignment of the South Lakes Overpass within the reserved area and the County formally allocating all funds necessary to construct the South Lakes Overpass. If a final alignment of the South Lakes Overpass is approved in a location other than within the reserved area or if the South Lakes Overpass is removed from the Comprehensive Plan or moved from the Property, then the reservation will automatically and without further action become null and void. In the event the reservation becomes null and void in accordance with the preceding sentence, the Applicant may unilaterally record a release of the reservation in the land records of Fairfax County, Virginia and/or to request a release signed by Fairfax County.
13. Reservation of Land for Reston Station Boulevard Extension. As part of the initial site plan approval for the Property, the Applicant will reserve the right of way identified on the CDP/FDP as “Prop. Reservation – Area B” and “Possible Fut. Public Access Esm’t and Dedication - Area E” for future dedication to Fairfax County, subject to the below conditions, to facilitate future construction of Reston Station Boulevard to its intersection

with the future South Lakes Overpass. The future dedication of the reserved area is expressly conditioned upon the following: (1) approval of a FDPA and site plan for development of Land Bay B, Block B and (2) vacation by the County of "Prop. Reservation Area F," if "Prop. Reservation Area F" has been dedicated. In the alternative, Applicant must dedicate "Prop. Reservation – Area B" and "Possible Fut. Public Access Esm't and Dedication - Area E" if Applicant constructs "Prop. Reservation – Area B" and "Possible Fut. Public Access Esm't and Dedication - Area E" as part of the first phase of development. Applicant shall have sole discretion as to whether "Prop. Reservation – Area B" and "Possible Fut. Public Access Esm't and Dedication - Area E" are constructed as part of the first phase of development. In the event "Prop. Reservation – Area B" and "Possible Fut. Public Access Esm't and Dedication - Area E" are constructed as part of the first phase of development, then Applicant's reservation of "Prop. Reservation – Area F" shall automatically terminate and Applicant shall have no obligation to construct "Prop. Reservation – Area F."

14. Private Streets. Prior to issuance of the first RUP, all private streets shown on the CDP/FDP will be constructed in conformance with the Public Facilities Manual ("PFM") and of materials and depth of pavement consistent with the PFM, subject to any design modifications as to pavement and easement width and use of curb, that are approved by the Director of DPWES. The OA will be responsible for the maintenance of the onsite private streets and sidewalks.
15. Reston Transportation Fund. The Applicant will make a contribution to the County's Reston Road Fund for each ~~market rate~~ residential unit and each square foot of new non-residential space constructed on the Property in keeping with the rates and applicable rate adjustments set forth in the Reston Road Fund Plan endorsed by the Board of Supervisors on February 28, 2017. The contribution associated with each building will be paid on or before the issuance of each initial RUP or Non-RUP for the subject building based on the actual GFA of non-residential space and/or the actual number of residential units in the building. This contribution will not apply to any public-use facilities. The Applicant will receive and deduct credits against the contributions as approved by the County in keeping with the Reston Road Fund Guidelines.
16. Transportation Demand Management. This Proffer sets forth the programmatic elements of a transportation demand management ("TDM") program that will be implemented by the Applicant, and subsequently, as appropriate, the property owner or Condominium Owners Association (COA), to encourage the use of transit (Metrorail and bus), other high-occupant vehicle commuting modes, walking, biking and teleworking, all in order to reduce automobile trips generated by the new residential and office uses constructed on the Property. All references to office uses regarding transportation demand management will be deemed to apply to newly constructed office uses and will not apply to the existing 222,444 square feet of office use in Land Bay B Block A. Any Senior Housing or Hotel uses developed on Land Bay B Block B will not be included in the transportation demand management program or subject to any requirement in this proffer.
 - a. Definitions. For purposes of this Proffer, "Stabilization" will be deemed to occur one (1) year following issuance of the last initial RUP or Non-RUP for the final

new residential and new office buildings to be constructed upon the Property. "Pre-stabilization" will be deemed to occur any time prior to Stabilization.

- b. Transportation Demand Management Plan. The proffered elements of the TDM Program as set forth below will be more fully described in a TDM Plan submitted by the Applicant concurrent with site plan submission, (the "TDM Plan"). It is the intent of this Proffer that the TDM Plan will adapt over time to respond to the changing transportation related circumstances of the Property, the surrounding community and the region, as well as to technological and/or other improvements, all with the objective of meeting the trip reduction goals as set forth in these Proffers. Accordingly, modifications, revisions, and supplements to the TDM Plan as coordinated with FCDOT can be made without the need for a PCA provided that the TDM Plan continues to reflect the proffered elements of the TDM Program as set forth below. Any subsequent FDPA granted for the Property will be subject to the TDM Program and its new development incorporated into the TDM baseline.
- c. Transportation Management Association. The Applicant will participate in or otherwise become associated with DATA (Dulles Area Transportation Association) or a Transportation Management Association established for this area. The Applicant will be relieved of this obligation if DATA ceases to function as a transportation management association for this area and if no other transportation management associations exist for this area.
- d. Trip Reduction Goals. The objective of the TDM Plan will be to reduce the number of weekday peak hour vehicle trips generated by the new residential and new office uses located within the Property through the use of mass transit, ridesharing and other strategies including but not limited to those outlined in the TDM Plan. In addition, the implementation of enhanced pedestrian and bicycle connections/facilities will provide safe and convenient access to nearby Metrorail and bus facilities thereby encouraging commuting options other than the automobile to residents, employees and visitors to the Property.
 - i. Baseline. The baseline number of weekday peak hour residential and office vehicle trips for the proposed units within the Property against which the TDM Goals (as defined in subparagraph d.ii) will be measured will be derived upon the number of residential units and new office gross floor area site plan approved, constructed and occupied on the Property at the time traffic counts are conducted in accordance with subparagraph e.vi. ("Build Out") or as qualified below and using the trip generation rates/equations applicable to such residential and office uses as set forth in the Institute of Transportation Engineers, Trip Generation, 9th Edition for Land Use Code = 220 for multifamily, 230 for single family attached, and 710 for general office or 254 for assisted living or 310 for hotel, as applicable. If, at Build Out, the Applicant has constructed fewer units or gross floor area than proposed in the FDP or FDPA, as applicable, then the Baseline Trip generation numbers applicable upon Build Out will be

calculated as if the total number of units and gross floor area proposed had actually been constructed as reflected in the Operational Analysis for the Applicant prepared by Gorove/Slade dated January 08, 2018.

- ii. TDM Goal. The TDM strategies will be utilized to reduce the P.M. peak hour vehicular trips by a minimum of thirty percent (30%) for the new residential and new office uses.
- e. Process of Implementation. The TDM Program will be implemented as follows, provided that modifications, revisions, and supplements to the implementation process as set forth herein, and as coordinated with FCDOT, can be made without requiring a PCA.
 - i. TDM Program Manager. The applicant will appoint and continuously employ, or cause to be employed, a TDM Program Manager (TPM) for the Property. If not previously appointed, the TPM will be appointed by no later than sixty (60) days after the issuance of the first building permit for the first new building to be constructed on the Property. The TPM duties may be part of other duties associated with the appointee. The TPM will notify FCDOT in writing within 10 days of the appointment of the TPM. Thereafter, the TPM will do the same within ten (10) days of any change in such appointment.
 - ii. Annual Report and Budget. The TPM will prepare and submit to FCDOT an initial TDM Work Plan ("TDMWP") and Annual Budget no later than 180 days after issuance of the first building permit for the new multifamily building on the Property. Every calendar year after the first issuance of a RUP or Non-RUP, and no later than May 15, the TPM will submit an Annual Report, based on a report template provided by FCDOT, which may revise the Annual Budget in order to incorporate any new construction on the Property.

The Annual Report and Budget will be reviewed by FCDOT. If FCDOT has not responded with any comments within sixty (60) days after submission, then the Annual Report and Budget will be deemed approved and the program elements will be implemented. If FCDOT responds with comments on the Annual Report and Budget, then the TPM will meet with FCDOT staff within fifteen (15) days of receipt of the County's comments. Thereafter, but in any event, no later than thirty (30) days after the meeting, the TPM will submit such revisions to the program and/or budget as discussed and agreed to with FCDOT and begin implementation of the approved program and fund the approved TDM Budget.

- iii. TDM Account. The TPM will establish a separate interest bearing account with a bank or other financial institution qualified to do business in Virginia (the "TDM Account") within 30 days after approval of the TDMWP and TDM Budget. All interest earned on the principal will

remain in the TDM Account and will be used by the TPM for TDM purposes.

Funding of the TDM Account will be in accordance with the budget for the TDM Program elements to be implemented in a year's TDMWP. In no event will the TDM Budget exceed \$15,000 (this amount will be adjusted annually from the date of rezoning approval for the Property (the "Base Year")) and will be adjusted on each anniversary thereafter of the Base Year in accordance with the Proffer entitled "Escalation." The TPM will provide written documentation to FCDOT demonstrating the establishment of the TDM Account within ten (10) days of its establishment. The TDM Account will be replenished annually thereafter following the establishment of each year's TDM Budget. The TDM Account will be managed by the TPM.

- iv. TDM Remedy Fund. At the same time the TPM creates and funds the TDM Account, the TPM will establish a separate interest bearing account (referred to as the "TDM Remedy Fund") with a bank or other financial institution qualified to do business in Virginia. Funding of the TDM Remedy Fund will be made one time on a building by building basis at the rate of \$0.10 per gross square foot of new residential and office uses on the Property. Funding will be provided by the building owners prior to the issuance of the first initial RUP or Non-RUP for each new building. This amount will be adjusted annually from the date of rezoning approval of the Property (the "Base Year") and will be adjusted on each anniversary thereafter of the Base Year as permitted by VA. Code Ann. Section 15.2-2303.3. Funds from the TDM Remedy Fund will be drawn upon only for purposes of immediate need for TDM funding and may be drawn on prior to any TDM Budget adjustments as may be required.
- v. TDM Incentive Fund. The "TDM Incentive Fund" is an account into which the building owners, through the TPM, will deposit contributions to fund a multimodal incentive program for initial purchasers/lessees. Such contributions will be made one time on a building by building basis at the rate of \$0.02 per gross square foot of new residential and office uses to be constructed on the Property and provided prior to the issuance of the first RUP or Non-RUP for each individual building. In addition to providing transit incentives, such contributions may also be used for enhancing/providing multimodal facilities within and proximate to the Property.
- vi. Monitoring. The TPM must verify that the proffered trip reduction goals are being met through the completion of Person Surveys, Vehicular Traffic Counts of residential or office uses and/or other such methods as may be reviewed and approved by FCDOT. The results of such Person Surveys and Vehicular Traffic Counts will be provided to FCDOT as part of the Annual Reporting process. Person Surveys and Vehicular Traffic Counts

will be conducted for the Property beginning one year following issuance of the final initial RUP for the multifamily building to be constructed on the Property. Person Surveys will be conducted every three (3) years and Vehicular Traffic Counts will be collected annually until the results of three consecutive annual traffic counts conducted upon Build Out show that the applicable trip reduction goals for the Property have been met. Any time during which Person Survey response rates do not reach 20%, FCDOT may request additional surveys be conducted the following year. At such time and notwithstanding other portions of this Proffer below, Person Surveys and Vehicular Traffic Counts will thereafter be provided every five (5) years. Notwithstanding the aforementioned, at any time prior to or after Stabilization, FCDOT may suspend such Vehicle Traffic Counts if conditions warrant such.

f. Remedies.

- i. If the Maximum Trips After Reduction for the Property is exceeded as evidenced by the Vehicular Traffic Counts outlined above, then the TPM will meet and coordinate with FCDOT to address, develop and implement such remedial measures as may be identified in the TDM Plan and annual TDMWP.
- ii. Such remedial measures will be funded by the Remedy Fund, as may be necessary, and based on the expenditure program that follows:

Maximum Trips Exceeded	Remedy Expenditure
Up to 1%	No Remedy needed
1.1% to 3%	3% of Remedy fund
3.1% to 6%	6% of Remedy Fund
6.1% to 10%	10% of Remedy Fund
Over 10%	15% of Remedy Fund

- iii. There is no requirement to replenish the TDM Remedy Fund at any time. Upon expiration of the Applicant Control Period, the Applicant will transfer any funds remaining in the Remedy Fund to the COA or successor developer/management company for TDM purposes.

- g. Additional Trip Counts. If an Annual Report indicates that a change has occurred that is significant enough to reasonably call into question whether the applicable vehicle trip reduction goals are continuing to be met, then FCDOT may require

the TPM to conduct additional Vehicular Traffic Counts (pursuant to the methodology set forth in the TDM Plan) within 90 days to determine whether in fact such objectives are being met. If any such Vehicular Traffic Counts demonstrate that the applicable vehicle trip reduction goals are not being met, then the TPM will meet with FCDOT to review the TDM strategies in place and to develop modifications to the TDM Plan to address the surplus of trips.

- h. Review of Trip Reduction Goals. At any time and concurrent with remedial actions and/or the payment of penalties as outlined in this Proffer, the Applicant may request that FCDOT review the vehicle trip reduction goals established for the Property and set a revised lower goal for the Property consistent with the results of such surveys and vehicular traffic counts provided for by this Proffer. In the event a revised lower goal is established for the Property, the Maximum Trips After Reduction will be revised accordingly for the subsequent review period without the need for a PCA.
 - i. Continuing Implementation. The TPM will bear sole responsibility for continuing implementation of the TDM Program and compliance with this Proffer. The TPM will continue to administer the TDM Program in the ordinary course in accordance with this Proffer including submission of Annual Reports.
 - j. Notice to Owners. All owners of the Property will be advised of the TDM Program set forth in this Proffer. The then current owner will advise all successor owners and/or developers of their funding obligations pursuant to the requirements of this Proffer prior to purchase and the requirements of the TDM Program, including the annual contribution to the TDM Program (as provided herein), must be included in all initial and subsequent purchase documents.
 - k. Enforcement. If the TPM fails to timely submit a report to FCDOT as required by this Proffer, the TPM will have sixty (60) days within which to cure such violation. If after such sixty (60) day period the TPM has not submitted the delinquent report, then the applicant will be subject to a penalty of \$75 per day not to exceed \$27,375 for any one incident. Such penalty will be payable to Fairfax County.
17. Pavement Markings. The Applicant will provide continuous pedestrian pavement crossing parking garage and loading entrances and access drives, such that the area crossing such entrances is made of the same material as the adjoining sidewalk, subject to VDOT approval.
18. Garages. Individual townhouse garages will only be used for a purpose that will not interfere with parking vehicles. This restriction must be disclosed in the HOA documents. Prospective purchasers will be advised of this use restriction, in writing, prior to entering into a contract of sale. Additionally, information regarding the exact dimensions of the garages with a graphic depicting the area available for the parking of two cars will also be disclosed per the parameters in this proffer. The initial deeds of conveyance and HOA governing documents will expressly contain these disclosures.

DESIGN AND AMENITIES

19. Amenities and Facilities for Tenants. Pursuant to Paragraph 2 of Section 6- 409 of the Zoning Ordinance, the Applicant will provide on-site recreational facilities for the future tenants in Land Bay A of the Property. In the event it is demonstrated that the creditable facilities, pursuant to Article 6 of the Zoning Ordinance, do not have sufficient value, at the time of the issuance of the first RUP, the Applicant will contribute funds in the amount needed to achieve the overall proffered amount of \$1,800.00 per residential unit to the Fairfax County Park Authority for off-site recreational facilities intended to serve the future tenants, as determined by the Supervisor for the Hunter Mill District. On the ground floor of the multifamily building in Land Bay A, no less than 25% of the linear frontage along Reston Station Boulevard will be used as residential amenity space.
20. Athletic Field/Recreation Contribution. At the time of the issuance of the first RUP or non-RUP for each phase, the Applicant will contribute to the Fairfax County Park Authority the sum of \$1.72 per square foot of new residential and new commercial development that is part of the same development phase as the area for which the RUP or non-RUP is granted. The funds collected under this proffer will be used for the construction of athletic fields in locations that logically serve the approved development and the collective transit station area. The specific allocation of funds will occur in consultation with the Hunter Mill District Supervisor.
21. Public Open Space. Public on-site open space areas will be provided as shown on the CDP/FDP, to provide social, cultural and recreational opportunities for future tenants and the larger Wiehle Metro Station Transit Station Area. The publicly accessible open space is identified on the CDP/FDP. Final design of the open space area will be completed at site plan, however, it is anticipated that the open space area may include, but not be limited to, special landscape treatments, pavement treatments, lighting, outdoor seating, pathways, an active recreation feature, and other elements in the general locations shown on the CDP/FDP. In the future, the design of this open space may be modified by the Applicant, and in consultation with DPZ, provided, at a minimum, an equivalent quality and quantity of design is provided. Applicant shall provide the dog park in substantial conformance with the CDP/FDP; however, Applicant reserves the right to modify the location of the dog park in order to accommodate the requirements or comments of the Fire & Rescue Department. The public open space shown on the CDP/FDP, while retained in private ownership, will be subject to a public access easement which will reserve to the Applicant the right to reasonably restrict access for violation of rules and regulations, special events, security, maintenance and repairs and/or safety purposes. The Applicant may establish reasonable rules and regulations for the public area provided, however, that such areas generally are open on a daily basis from dawn until dusk (10:00 pm if lighted). The Applicant reserves the right to transfer the public open space areas or enter into a maintenance agreement for such areas with the Reston Association, subject to the provisions of this proffer.
22. Public Open Space Signage. Prior to issuance of the first RUP or Non-RUP, the Applicant must install wayfinding signage at the Reston Station Boulevard entrance to the public open space in the general area shown on Sheet 16 of the CDP/FDP.

23. Architectural Design.

- a. The architectural design and building materials in Land Bay A, including the screening on the south façade of the existing and new portions of the parking garage and the parking garage façade facing the courtyard internal to the multifamily building, will be in general conformance with the illustrative elevations shown on the CDP/FDP, but may be modified by the Applicant as part of final engineering and building design, provided that such modifications provide a similar quality of design. The Applicant reserves the right to include balconies that project into the building zone. As part of final building design, the Applicant will enhance the façade above (and, possibly around) the main multi-family building entrance. This may include continuing the first and second floor brick pattern and color vertically or another form of appropriate visual articulation.
- b. The façade of the townhouse unit with frontage on Reston Station Boulevard must be constructed of materials that are of a proportional quality and quantity to those used on the front façade, including similar decorative elements and window treatments.
- c. Conceptual elevations and a list of building materials for Land Bay B Block B will be provided as part of any FDPA for that land bay. The Applicant reserves the right to utilize any design for Land Bay B Block B that is in substantial conformance with the CDP elements identified in Proffer 2.
- d. The loading area doors must be treated in an architectural manner that is in keeping with the architectural design of the building.

24. Universal Design.

- a. Townhouses. At the time of initial purchase, the following Universal Design options will be offered to each purchaser at no additional cost: step-less entry from the garage to house or into the front door, main doors on 1st floor level 36" wide, lever door and faucet handles instead of knobs, light switches 44"-48" high, thermostats a maximum of 48" high, and/or electrical outlets a minimum of 18" high.

At the time of initial purchase, additional Universal Design options will be offered to each purchaser at the purchaser's sole cost. These additional options may include, but not be limited to, first floor bedroom and 1st floor bathroom, clear space under the kitchen counters, curb-less shower (or shower with a curb of less than 4.5" high), five foot turning radius near 1st floor bathroom commode, grab bars in 1st floor bathroom that are ADA compliant, and 1st floor bathroom console sink in lieu of cabinet style-vanity.

- b. Multi-Family Building. A minimum of five percent (5%) of the total multifamily dwelling units will be designed and constructed with the ability to be modified, if

necessary, for a particular tenant, to add: front entrance doors that are a minimum of 36" wide; light switches, electrical outlets, thermostats, and other environmental controls in accessible locations; reinforcements in bathroom walls to allow for the installation of grab bars; elevated (comfort height) toilets and lever door handles on all hinged doors.

25. Public Art. The Applicant will provide the below public art prior to the issuance of the first RUP on the Property.

a. Proposed Sound Wall

i. The Applicant will provide public art on the project facing side of the proposed sound wall adjacent to the publically accessible open space.

b. Proposed Garage Screening and Art

i. The Applicant will partner with artists, with a preference for local artists, to produce and install garage screening panels on the northern façade of the parking garage. Design for garage screening panels will be selected in consultation with Fairfax County Office of Community Revitalization at time of site plan. Following consultation, the Applicant will make the final determination regarding the design of the garage screening.

ii. The Applicant will partner with artists, with a preference for local artists to produce artwork to be painted or installed on the exposed, western side of the parking garage wall that is adjacent to Reston Station Boulevard and not part of the internal courtyard to the multifamily building. The artwork will be selected using the same procedures as for the garage screening panels.

c. The final design of the public art will be selected in consultation with Public Art Reston. Following such consultation, the applicant will make the final determination regarding the design of all public art, including on the proposed garage screening and sound wall.

ENVIRONMENTAL

26. Landscape Plan. The CDP/FDP includes a conceptual landscape plan for the Property and detail sheets illustrating the plantings and other features to be provided. As part of each site plan submission, the Applicant will submit to the Urban Forest Management Division (UFMD) of DPWES for review and comment a detailed landscape plan (the "Landscape Plan"), which will be consistent with the quality and quantity of plantings and materials shown on the CDP/FDP. Adjustments to the type and location of vegetation and the design of landscaped areas and streetscape improvements/plantings will be permitted in consultation with DPWES.

27. Streetscape.

- a. CDP/FDP - Streetscape improvements and plantings, including sidewalks, will be provided as generally shown on the CDP/FDP. Notwithstanding the foregoing, the Applicant reserves the right, in consultation with DPWES, to shift the location of street trees along the proposed streetscapes to accommodate final architectural design, utilities and layout considerations, and sight distance requirements so long as such modifications are in substantial conformance with the quantity and quality of street trees shown on the CDP/FDP. Access points to SWM facilities and/or electric utility vaults will be located outside the sidewalk area of the streetscape to the extent feasible. Such access points will be shown on the site plan. If access points must be located in the sidewalk area, the Applicant will install lift out panels, or coverings deemed acceptable to DPZ. If lift out panels are provided, they will be designed with the same paving materials as the sidewalk (subject to ADA requirements), be flush with the walkway, and meet ADA accessibility requirements if they are within the ADA accessible path. The requirement to provide lift out panels is subject to approval by the utility providers utilizing the facilities and/or vaults. The Applicant will enter into a maintenance agreement with VDOT for the maintenance or replacement, in-kind, by the Applicant of streetscape elements installed by the Applicant that are located in the public right-of-way. For purposes of maintenance and replacement, streetscape elements will be limited to trees, shrubs, sidewalks, benches and other street furniture, and trashcans. All street trees provided on Reston Station Boulevard, regardless of whether located in ROW or easements, will be credited toward the required tree canopy coverage requirement. **As shown on the CDP/FDP, street trees shall be planted 30-feet on center where possible.**
- b. Future FDPAs. Future FDPAs on the Property will include detailed streetscape improvements consistent with the quantity and quality shown on the CDP/FDP.
- c. Streetscape improvements and plantings along Sunset Hills Road, as generally shown on the CDP/FDP, will be provided prior to final bond release. If a FDPA has been filed for the property shown on the CDP/FDP as “Land Bay B Block B” prior to final bond release, then the streetscape improvements and plantings along Sunset Hills Road will be provided prior to final bond release in Block B. If streetscape improvements are provided in conjunction with development of Block B, then the absence of streetscape improvements and plantings along Sunset Hills Road will not prevent final bond release for the residential development in Land Bay A.
- d. The Applicant shall work cooperatively with other owners and developers in the southeast quadrant of Wiehle Avenue and Sunset Hills Road to achieve consistent streetscape elements, including but not limited to street trees, street lights, benches and other street furniture, and trashcans.**

28. Alternative Planting Width Details: Where minimum planting widths of 8-feet cannot be provided, the Applicant will use structural cell technology, or other measures acceptable to UFMD, to satisfy the following specifications for all planting sites:

- a. A minimum of 6 feet open surface width and 48 square feet open surface area for Category III and Category IV trees, with the tree located in the center of the open area;
- b. A minimum rooting area of 8-feet wide (may be achieved with techniques to provide un-compacted soil below pavement), with no barrier to root growth within 4-feet of the base of the tree;
- c. Soil volume for Category III and Category IV trees will be a minimum of 700 cubic feet for a single tree. For two trees planted in a contiguous planting area, a total soil volume of at least 1200 cubic feet will be provided. For three or more trees planted in a contiguous area, the soil volume will equal at least 500 cubic feet per tree. A contiguous area is any area that provides root access and soil conditions favorable for root growth throughout the entire area;
- d. Soil specifications in planting sites will be provided in the planting notes to be included in all subsequent site plan submissions to be reviewed and approved by Urban Forest Management;

Planting spaces will provide at least 48 inches of soil depth unless a different depth is approved by UFMD

29. Native Species Landscaping. All landscaping provided must be native to Fairfax County to the extent feasible and non-invasive as determined by UFMD. In addition, the quality and quantity of landscaping provided will be in substantial conformance with the CDP/FDP.
30. Soil Remediation. Soil in planting areas that contain construction debris and rubble, are compacted or are unsuitable for the establishment and long-term survival of landscape plants, will be the subject of remedial action to restore planting areas to satisfy cultural requirements of trees, shrubs and groundcovers specified in the landscape planting plan. The applicant will provide notes and details specifying how the soil will be restored for the establishment and long-term survival of landscape plants for review and approval by UFMD.
31. Landscape Planting Pre-installation Meeting. Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer will coordinate a pre-installation meeting on the site with the landscape contractor, UFMD staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan will be reviewed and must be approved by UFMD staff prior to planting. The installation of plants not approved by UFMD may require the submission of a revision to the landscape plan or removal and replacement with approved trees/shrubs prior to bond release.
32. Stormwater Management Facilities and Best Management Practices. The Applicant will implement stormwater management techniques to control the quantity and quality of

stormwater runoff from the Property in accordance with the Fairfax County Public Facilities Manual as reviewed and approved by Land Development Services. Stormwater management facilities/Best Management Practices (“BMPs”) will be provided as generally depicted on the CDP/FDP. The proposed underground vault will be sized to compensate for the loss of storage associated with the removal of the existing on-site dry pond designed and constructed under site plan # 9867-SP-001. The Applicant reserves the right to pursue additional or alternative stormwater management measures provided the same are in substantial conformance with the CDP/FDP.

33. Green Building

a. Townhouses. For each new townhouse dwelling unit constructed, certification will be provided in accordance with the National Green Building Standard (NGBS) program from a home energy rater certified through the Home Innovation Research Labs, or in accordance with the "EarthCraft House Program" as demonstrated through documentation submitted to the Environment and Development Review Branch of the DPZ. Such documentation will demonstrate that each dwelling unit has attained the certification prior to the issuance of the Residential Use Permit ("RUP") for that dwelling. The Applicant reserves the right to utilize an equivalent program approved by the Environmental and Development Review Branch of the DPZ.

b. Multi-Family Building and New Office, Hotel, or Senior Housing Building(s).

i. The Applicant will include, as part of the building plan submission for the new multi-family residential building and any new office, hotel, or senior housing buildings to be constructed on the Property, a list of specific credits within the project’s registered version of the U.S. Green Building Council’s Leadership in Energy and Environmental Design New Construction (“LEED®-NC”) rating system, or other LEED rating system determined to be applicable by the U.S. Green Building Council (“USGBC”), or its equivalent (as determined by the Applicant and Fairfax County), that the Applicant anticipates attaining. All references herein to LEED-NC include both LEED-NC or its equivalent as determined by the Applicant and the County and all references to USGBC include the applicable equivalent agency.

As an alternative, a LEED or equivalent-accredited professional (the “LEED-AP”) who is also a professional engineer or architect will provide certification statements at the time of building plan review for each building confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED-NC certification of that building.

ii. The Applicant will designate the Chief of Environment and Development Review Branch (“EDRB”) of DPZ as a team member in the USGBC’s LEED Online system for each building. This team member will have

privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

- iii. Prior to building plan approval for each building to be constructed, the Applicant will post a “green building escrow” for that building in the form of cash or a letter(s) of credit from a financial institution acceptable to DPWES as defined in the Fairfax County Public Facilities Manual (“PFM”), in the amount of \$2.00/square foot of GFA, as shown on the approved site plan. This green building escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of LEED-NC certification, by the USGBC, under the project’s registered version of the LEED-NC rating system or other LEED rating system determined, by the USGBC, to be applicable to each building. The provision to EDRB of documentation from the USGBC that each building has attained LEED-NC certification will be sufficient to satisfy this commitment.
- iv. At the time LEED-NC certification for each building is demonstrated to EDRB, the escrowed funds and/or letter(s) of credit for that building will be released to the Applicant.

If prior to bond extension, reduction or final bond release for the applicable building site, whichever occurs first, the Applicant provides to EDRB documentation demonstrating that LEED-NC certification for the building has not been attained but that the building has been determined by the USGBC to fall within three (3) points of attainment of LEED-NC certification, 50% of the green building escrow will be released to the Applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of county environmental initiatives. If the certification is still in progress at the time of application for bond extension or reduction, which given the construction timelines associated with the Proposed Development there is the potential for multiple bond extensions or reductions prior to the Proposed Development’s completion, the time frame for the provision of the documentation described above will be automatically extended to the time of the next bond extension or reduction. However, the documentation must be provided prior to the final bond release for the applicable building site.

If prior to bond extension, reduction or final bond release for the applicable building site, whichever occurs first, the Applicant fails to provide documentation to EDRB demonstrating attainment of LEED-NC certification or the Applicant provides documentation demonstrating that the building has fallen short of LEED-NC certification by three (3) points or more, the entirety of the escrow for that building will be released to

Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives. If the certification is still in progress at the time of application for bond extension or reduction, which given the construction timelines associated with the Proposed Development there is the potential for multiple bond extensions or reductions prior to the Proposed Development's completion, the time frame for the provision of the documentation described above will be automatically extended to the time of the next bond extension or reduction. However, the documentation must be provided prior to the final bond release for the applicable building site.

- v. As an alternative to the actions outlined in the Paragraphs 32Bi, ii, iii, and iv above, if applicable and if the project meets the eligibility criteria for the rating system, the Applicant may select, subject to EDRB approval, an alternate residential rating system such as Earth Craft, or the 2015 National Green Building Standard (NGBS) that may be implemented without an escrow. If one of the alternate residential rating systems listed herein is selected as an alternative to the previous paragraphs, the Applicant will note the selected system and provide a completed checklist of the anticipated options to be pursued for the specified rating system at the time of site plan and building plan review. The Applicant will demonstrate attainment of the selected certification from a rater recognized through the selected process prior to final bond release.

34. Noise.

- a. Prior to site plan submission, the Applicant will submit a noise study to determine what, if any, attenuation measures may be needed for dwelling units and open space impacted by noise associated with the Dulles Airport Access Road. Such study will be submitted to EDRB for review.
- b. Based upon the findings of that report, the Applicant will identify units on the site plan that are anticipated to be impacted by noise greater than 65 dB Ldn and will provide noise attenuation measures designed to reduce interior noise of those identified units to a level of 45 dB Ldn.
- c. Based upon the findings of the report, the Applicant will construct a sound wall in the general area shown on the CDP/FDP. Applicant shall show the sound wall at site plan. The sound wall will be constructed of a low-maintenance material, excluding wood, fiber glass, cinderblock and faux-brick plastic panels, in accordance with the materials and height shown in the CDP/FDP. Notwithstanding the design shown in the CDP/FDP, the sound wall will be designed to reduce noise in publically accessible park spaces identified by the noise study to a level of 65 dB Ldn, and the sound wall's height may be increased or decreased without the need for a proffered condition amendment in order to meet those specifications. The Applicant will use good faith efforts to coordinate the sound wall with adjacent properties. The location, height and materials of the

sound wall will be clearly depicted on the site plan. To the extent not fixed by these Proffers, the sound wall shall be designed in consultation with Fairfax County Office of Community Revitalization at time of site plan. Following consultation, the Applicant will make the final determination regarding design of the sound wall.

- d. If, at the time of FDPA for Landbay B Block B, there is reason to believe noise levels on Landbay B Block B shall exceed 45 dB Ldn for senior housing uses, or 65 dB Ldn for outdoor recreation areas, then Applicant shall conduct a noise study under the same conditions as set forth in subsections (a)-(c) of this Proffer.

35. Electric Vehicle Charging Infrastructure. A minimum of one (1) electric vehicle recharging station to serve two (2) parking spaces shall be provided in the parking garage. Conduit and the necessary electrical power to facilitate additional future recharging stations in the garage shall also be provided.

36. Bike Share Station. The Applicant will reserve space within the Property for the future construction by others of a bike share station with up to 12 bicycle docks (the "Bike Share Station"). At the time of site plan approval, the Applicant will reserve an area for future dedication of a construction easement, public access easement, or both, as applicable, to facilitate the future construction and use of the Bike Share Station. The Applicant will grant these easements upon demand by Fairfax County. The Applicant shall use commercially reasonable efforts to engage Motivate International Inc., doing business as Capital Bikeshare ("Capital Bikeshare"), to install the Bike Share Station at the spot reserved by Applicant. Prior to the issuance of the first RUP for Land Bay A, Applicant shall contribute the hard costs of installing the Bike Share Station to FCDOT. Applicant's contribution may be up to, but shall not exceed \$50,000 dollars. Applicant shall have no obligation to pay for the maintenance or operation of the Bike Share Station and shall have no obligations whatsoever in regard to the Bike Share Station beside the initial contribution for installation of the Bike Share Station. In the event Capital Bikeshare declines to install the Bike Share Station or requires greater than \$50,000 dollars to install the Bike Share Station, then Applicant's obligations shall cease and Applicant shall have no obligation to reserve land for or contribute sums to the installation of the Bike Share Station.

WORKFORCE HOUSING

37. Workforce Dwelling Units.

- a. The Applicant will provide Workforce Dwelling Units ("WDUs") on Land Bay A of the Property in the manner set forth below. The WDUs will be administered as set forth in the Board of Supervisors' Workforce Dwelling Unit Administrative Policy Guidelines, adopted October 15, 2007, in effect as of the approval date of this Rezoning. The Applicant will provide 12% of the total residential dwelling units constructed on the Property as WDUs. The WDUs will be leased and/or sold to future residents who have a household income that is no more than 100%

of the Area Median Income ("AMI") for the currently defined Washington, D.C. Metropolitan Statistical Area as determined by the U.S. Department of Housing and Urban Development. The WDUs will be equally distributed among two income tiers, with 1/2 for future residents who have a household income that is no more than 80% of the AMI and 1/2 for future residents who have a household income that is no more than 100% of the AMI. If the number of required WDUs does not result in a number evenly divisible by 2, then those additional WDUs will be distributed first to the 100% of AMI tier and then to the 80% of AMI tier (for example, if 7 WDUs are provided, 4 will be at the 100% of AMI tier, and 3 will be provided at the 80% AMI tier). Notwithstanding the allocation of units among 80% and 100% of AMI tiers, 2 of the units that would have been allocated for residents with a household income of no more than 80% of AMI shall be allocated for residents with a household income of no more than 70% of AMI (for example, if 7 WDUs are provided, 4 will be at the 100% of AMI tier, 1 will be provided at the 80% of AMI tier and 2 will be provided at the 70% of AMI tier). All WDUs will be provided in the multi-family building. At least 25% of all WDUs provided under this proffer will be 2 or 3 bedroom units.

- b. The Applicant shall select, within their sole discretion, one of the following two options for making a monetary contribution toward the provision of affordable and/or workforce housing. This contribution shall be made to the Board of Supervisors to be deposited in a specific fund to be used solely for this purpose and shall be payable at the time of issuance of the Non-RUP for Land Bay B Block B. The options shall consist of either (i) a one-time contribution of \$3.00 for each square foot of GFA of constructed office or hotel use on Land Bay B Block B, excluding any ground level retail/services uses and public uses, or (ii) an annual contribution of \$0.25 for each square foot of GFA of proposed office or hotel use on Land Bay B Block B, excluding any ground level retail/services uses and public uses, continuing for a total of sixteen (16) years.

SCHOOLS

38. Public School Contribution. Prior to issuance of the first building permit for new construction on the Property, the Applicant will contribute \$12,262 per expected new student to the Board of Supervisors for transfer to FCPS for capital improvements at those schools within the "pyramid" serving the Property. The number of students generated will be determined at site plan using the following students per dwelling unit ratios:

	Elementary School	Middle School	High School
Multi-Family	.062	.019	.031
Single Family Attached	.258	.067	.137

Such contributions will be adjusted on a pro rata basis if the number of units actually built is less than the maximum allowed under this rezoning. The Applicant will notify FCPS when a site plan is filed for the project.

PUBLIC SAFETY

39. Emergency Vehicle Preemption Equipment. Prior to issuance of the first RUP or non-RUP for the Property, the Applicant will contribute \$10,000 to the Capital Project titled Traffic Light Signals – FRD Proffers in Fund 300-C30070, Public Safety Construction for use in the installation of emergency vehicle preemption equipment on traffic signals within the Hunter Mill District as determined by the Fire and Rescue Department. The applicant will have no responsibility for installation or maintenance of the preemptive signal devices.

MISCELLANEOUS

40. Escalation. All monetary contributions required by these proffers will escalate on a yearly basis from the base year of 2018, and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the “CPI”), as permitted by Virginia State Code Section 15.2-2303.3. 3.
41. Metrorail Tax District Buyout for Certain Residential Uses. At least sixty days prior to registration with the Common Interest Community Board of any residential condominium documents that would change the use of all or any portion of the Property that either i) is zoned to permit multi-family residential use but is not yet used for that purpose or ii) from use as a multi-family residential real property that is primarily leased or rented to residential tenants or other occupants by an owner who is engaged in such a business, in either case therefore taxable for purposes of the now existing Phase I Dulles Rail Transportation Improvement District (the “Phase I District”) to a use that is not subject to the Phase I District tax, the Applicant will provide a written notice to the Director of the Real Estate Division of the Fairfax County Department of Tax Administration advising that the Applicant intends to register such condominium documents for that portion of the Property. Prior to registering the condominium documents, the Applicant will pay to Fairfax County a sum equal to the then-present value of Phase I District taxes estimated by the County to be lost as a result of that change in use.
42. Advance Density Credit. Advanced density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT.
43. Phasing. Development of the Property may proceed in phases, with either Land Bay A or Land Bay B proceeding first. The construction of Reston Station Boulevard as provided

in the Proffer entitled “Reston Station Boulevard” will occur during the first phase of development.

44. Zoning Administrator Consideration. Notwithstanding the foregoing, upon demonstration that despite diligent efforts or due to factors beyond the Applicant's control proffered improvements such as, but not limited to, transportation, publicly accessible park areas, bike lanes and offsite easements, have been delayed (due to, but not limited to, an inability to secure necessary permission for utility relocations, VDOT approval for traffic signals, necessary easements and/or site plan approval, etc.) beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of these proffered improvement(s).
45. Successors and Assigns. These Proffers will bind and inure to the benefit of the Applicant and their successors and assigns. Each reference to "Applicant" in this proffer statement will include within its meaning and will be binding upon Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.
46. Counterparts. These Proffers may be executed in one or more counterparts, each of which when so executed and delivered will be deemed an original, and all of which taken together will constitute but one and the same instrument.

[SIGNATURE APPEARS ON THE FOLLOWING PAGE]

RP 11111 Sunset Hills LLC

Applicant and Contract Purchaser of Tax Map No.
18-3-((06))-0008

By: _____

Name: Kathleen D. Rooney

Title: President

TMG Acquisition G, LLC
Title Owner of Tax Map No. 18-3-((06))-0008

By: TMG Acquisition G Holdings, L.L.C.,
a Delaware limited liability company, as its manager

By: TMG Acquisition G REIT, L.L.C.,
a Delaware limited liability company, as its manager

By: Meridian Realty Partners II, L.P.,
A Delaware limited partnership, as its manager

By: Meridian Realty Partners II GP, L.L.C.,
A Delaware limited liability company, as its general
partner

By: _____
Name: Gary E. Block
Title: Managing Director

Document comparison by Workshare 9.5 on Thursday, July 26, 2018 12:09:36 PM

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Legend:	
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Deletion	
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Format change	
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Deleted cell	
Moved cell	
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PROPOSED FINAL DEVELOPMENT PLAN CONDITION

FDP 2017-HM-006

July 10, 2018

If it is the intent of the Planning Commission to approve FDP 2017-HM-006, located at 11111 Sunset Hills Road, on Tax Map 18-3 ((6)) 8, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development condition:

1. Development of the property shall be in substantial conformance with the Final Development Plan (FDP), entitled "Conceptual Development Plan (CDP) and Final Development Plan (FDP) for Reston Section 911 Block 8," prepared by Urban, Ltd., consisting of 28 sheets dated December 22, 2016, as revised through May 21, 2018. Minor modifications may be permitted in accordance with Par. 4 of Sect. 16-403 of the Fairfax County Zoning Ordinance.
2. The applicant must provide at least two additional Category IV canopy trees at the southeast corner between the existing garage and the existing office building with the locations dependent on the final engineering of the utilities in the area.
3. Prior to the submission of a site plan, the applicant must provide to the Department of Public Works and Environmental Services, Wastewater Planning and Monitoring Division a sanitary sewer capacity study of the existing sewer lines that the Proposed Development will contribute flow through.
4. Any revisions to the dog park as may be required for fire access must be reviewed by the Zoning Administrator to determine the revisions are in substantial conformance with the Final Development Plan and the site continues to provide appropriate park amenities.

The above proposed condition is a staff recommendation and does not reflect the position of the Planning Commission unless and until adopted by the Planning Commission.

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