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January 28, 2021

Tracy D. Strunk, Director
Zoning Evaluation Division
Department of Planning and Development
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

Re: Single Issue Proffer Condition Amendment for Metro West, RZ 2003-PR-022

Dear Tracy:

Please accept this letter as a request for a single-issue Proffer Condition Amendment (PCA) of RZ 2003-PR-022 (the project known as “Metro West”) to permit a minor modification to the phasing sequence to a limited portion of the proffered Conceptual Development Plan/Final Development Plan (“CDP/FDP”). V Metro W LLC, V Metro LLC, and Metro W LLC (affiliates of CRC Companies) own the approximately 9.8-acre property within the Core Area of Metro West, which is comprised of Buildings 6, 7, 8/9, and 10 as shown on the approved CDP/FDP. This amendment would be consistent with the phasing adjustments approved on January 25, 2022 in the PCA application filed by the owners of the adjacent property, known as Buildings 14-18.

Upon approval of its rezoning in 2006, Metro West established the benchmark in Fairfax County for well-designed, transit-oriented development with a significant emphasis on the pedestrian experience. Residential, commercial, and retail uses of various densities complement open space amenities and contribute to a vibrant urban ecosystem. Particularly within the Core Area of the CDP/FDP, the defining characteristics of thoughtful urban planning are reflected in critical elements such as (i) the well-defined and articulated routes to and from the Vienna/Fairfax-GMU Metro Station to facilitate and encourage use of public transportation; (ii) on-site retail to serve the dining and shopping needs of Metro West residents, local employees, and the surrounding neighborhood; and (iii) substantial, programmed open spaces to provide recreational amenities and to establish a sense of place for the project.

As shown by the Site Plan submission for Buildings 6 and 10 and shared with the community in a public meeting hosted by the County in September 2021, the Applicant is proceeding with development plans to deliver on the mixed-use vision of the Core Area. The mixed-use residential buildings with ground floor retail are consistent with the plan originally envisioned. The Applicant views Metro West as an opportunity to not only fulfill and further the objectives fundamental to the governing approvals but adapt to the market and respond to the priorities of the community. Delivering neighborhood-serving retail, building out open space amenities and removing obstacles from progress are goals that we have heard from all stakeholders. This single issue PCA addresses those goals by accelerating the delivery of the Metro West vision.

Proposed Proffer Modifications

The Applicant proposes a minor change to the 15-year old proffers similar to that supported by the Planning Commission and approved by the Board of Supervisors for a PCA on the adjacent property.

The Applicant proposes the following revision:

1. Adjust the timing of delivery of Buildings 6-10 to meet market demand: The existing proffers phase construction of Buildings 6 through 10 and 14 through 18, requiring, in effect, the construction of office Buildings 8 and 9 before Fairfax County will issue more than 1,101 residential occupancy permits. While there are enough outstanding RUPs to accommodate 600 RUPs in Buildings 6-10, there are not enough outstanding RUPs to accommodate all residential units in Buildings 6 through 10 and 14 through 18. The Applicant cannot obtain financing for its buildings if there is a risk that RUPs cannot be issued. Without financing, the Applicant cannot construct the third mixed use residential building in the Core Area (likely Building 7) until Buildings 8 and 9 begin construction.

The proffer language change is proposed as follows.

Proffer 5 (Uses) is amended as to the PCA Property as follows:

b. Timing of Buildings 6, 7 and 10.

- (ii) RUPs issued for Buildings 6, 7 and 10 will be excluded from the cumulative RUP maximums outlined in Proffer 5b of the existing Proffers of RZ-2003-PR-022.

The effect of the existing proffer is to delay the progress towards completing the Core Area portion of Metro West until Buildings 8/9 are completed. The Applicant proposes to remove the construction trigger for Buildings 6, 7 and 10. Each building in the town center contains retail uses which were intended to provide a mixed-use community, activate the streetscape and provide shopping options for the residents of Metro West, visitors to the community and commuters at the Metro station. The additional residential and retail density could improve the demand for office in MetroWest. The revised proffers would allow the Applicant to deliver needed market-rate housing for the community. More importantly, enabling the full buildout of the 900 RUPs and required retail in Buildings 6, 7 and 10 will accelerate the completion of the permanent open space connecting the community to the Metro.

Section 8100.2(D)(2)(b) of the Zoning Ordinance notes that a partial amendment to an approved development plan may not adversely impact the remainder of the property with respect to four criteria. The Applicant submits that this proposed change will not adversely impact the remainder of the Metro West property and will only enhance the community. More particularly, the proposed change to development triggers does not impact:

- a. The approved use. This modification does not change the approved use.
- b. Fulfillment of conditions. The proffered “triggers” were originally intended to time delivery of non-residential and residential development, ensuring delivery of a mix of uses. The current market has served to undermine this premise, as discussed above; by virtue of the existing triggers, a mix of uses has limited build out until completion of the office building(s). Moreover, the County’s needs and priorities have changed. Housing in general is under significant stress. The proposed

modification will allow the Applicant to deliver 300 residential units, as well as a mix of retail and service uses that will benefit the community.

- c. Vehicular and pedestrian circulation, connectivity, landscaping and streetscape. The proposed modification does not change circulation, connectivity, landscaping or the streetscape.
- d. The approved density or intensity. The proposed modification does not change density or intensity.

The proposed modification simply allows CRC to complete the Core Area consistent with the phasing modifications approved by the County, supported by the Planning Commission and communicated to the community for Buildings 14-18.

Thank you in advance for your consideration. If there are any questions, please let us know.

Sincerely,

G/A/R

Gregory A. Riegle
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