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

Re: Request for Partial Proffered Condition Amendment/Conceptual Development Plan  
Amendment/Final Development Plan for RZ 2010-PR-014E  
GCC 28 Owner, LLC (the “Applicant”)  
Tax Map Parcels 29-3 ((1)) 63C Pt. (the “Subject Property”)

Dear Ms. Strunk:

This letter serves as a statement of justification for applications seeking a partial Proffered Condition Amendment (“PCA”), Conceptual Development Plan Amendment (“CDPA”) and Final Development Plan (“FDP”) related to RZ 2010-PR-014E. The Applicant, GCC 28 Owner, LLC is the property owner. The Subject Property is comprised of a single parcel, zoned to the Planned Tysons Corner Urban (“PTC”) District and Highway Corridor (“HC”) Overlay District. Parcel 63C is currently developed with two office buildings and associated parking. The CDP provides for the retention of the two office buildings referred to as Buildings E1 and E2, and the addition of a new office Building E3, a new hotel or residential building identified as E4, a retail or residential building identified as E5, as well as site improvements. To date no new development has occurred since the rezoning. The Applicant proposes a change in use and design of Building E3 from office to multi-family residential use. A 270 foot tall, high-rise multi-family building with a maximum of 410 units is proposed. A slight modification to the footprint of Building E5 is proposed to accommodate the revised footprint of Building E3. The enhancement and conversion of private amenity space to public park space is also proposed.

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### **Property Description and Background**

The Subject Property is located in the southeast quadrant of the intersection of Spring Hill Road and Broad Street, within one quarter-mile of the Spring Hill Metro Station. Across Greensboro Drive to the east, the Subject Property is bounded by multi-family residential (The Rotonda Condominiums) zoned R-30. Office condominiums (Greensboro Square) and vacant land recently approved for mixed-use development (The Boro I-L) zoned I-5 and PTC respectively are to the south. To the west across Broad Street, is a multi-family residential building (The Ascent) zoned PTC, and existing retail and a gas station zoned to the C-7 and C-8 Districts that are part of a pending application RZ 2019-PR-004 (Piazza at Tysons), which proposes to rezone the property to the PTC District to permit mixed-use development. Across Spring Hill Road to the north is a mix of commercial development zoned I-5.

The Subject Property was part of a larger rezoning effort referred to as the Spring Hill Station Demonstration Project (the “Demonstration Project”). The original Demonstration Project application included five related components identified as Parts A, B, C, D, and E on a consolidated area of 31.62 acres. Parcel 63C was identified in the original rezoning as Part E (“Part E”). The rezoning of Parts A and B was approved by the Fairfax County Board of Supervisors (the “Board”) on September 27, 2011. Part C was withdrawn on March 16, 2017. On February 12, 2013, the Board of Supervisors approved Parts D and E. Approved application RZ 2010-PR-014E governing the Subject Property is subject to proffers dated February 7, 2013.

The gross floor area permitted on Part E is limited to 1,083,170 square feet (“SF”) with an overall floor area ratio (“FAR”) of 3.29. The approved CDP for Part E includes existing office buildings to remain (identified as Buildings E1 and E2) and three approved, yet unbuilt, buildings identified as Buildings E3, E4 and E5, and described in detail below:

- Building E3 is located in the southwest corner of Parcel 63C at the intersection of Spring Hill Road and Broad Street. It is approved as a 22-story office tower with between 200,000 to 420,000 SF of office gross floor area (GFA) and 7,000 SF of retail/service GFA. Maximum height is 260 feet.
- Building E4 is located along the eastern perimeter of Parcel 63C and is approved for two optional uses, either as a 14-story hotel with 135,000 SF of GFA (Option 1) or as a 19-story residential building with 200,000 SF of GFA (Option 2). Maximum height is 175 feet under Option 1 and 225 feet under Option 2.
- Building E5 is planned as an addition to the Spring Hill Road façade of the existing structured garage serving existing Buildings E1 and E2. It may be developed as either 16,000 SF of retail/service uses or as 25,000 SF of residential use (10-12 dwelling units). Maximum height is 40 feet.

In addition to the buildings, the CDP shows two new streets. A new collector identified as Condominium Avenue (now named Broad Street) runs along the eastern periphery of Part E. Broad Street was partially constructed with the construction of The Ascent. A new private local street, identified as Logan Street, is designed to connect Broad Street and Greensboro Drive and will be

constructed with Building E4. Identified as Urban Park 6, a 19,300 square foot area located at the corner of Logan Street and Broad Street is proffered as a publically accessible park. This park/plaza is to be provided with the construction of Building E4 and includes hardscaping, landscaping, an open lawn panel, focal element and outdoor seating. Another 41,000 SF of existing open space areas on Part E are designated as private amenity spaces.

### **Description of Development Proposal (PCA/CDPA/FDP)**

#### **Buildings E3 and E5**

The Applicant seeks a partial PCA and CDPA on 2.67 acres of Parcel 63C for a change in use and design of Buildings E3 and E5. The Applicant also requests FDP approval on a 2.38 acre portion of the site for the development of Building E3 and associated public park space.

Building E3 is located directly at the intersection of Springhill Road and Broad Street and is essentially the front door of the project from the Spring Hill Metro Station. The site is currently CDP approved for an office building with 420,000 SF of office and 7,000 SF of retail/service uses. Maximum building height is 260 feet including a 60 foot podium. The Applicant proposes to revise the design to accommodate a 410,000 SF high-rise residential building between 200 and 270 feet in height, with between 350 and 410 multi-family rental units. The primary pedestrian entrance to Building E3 will be at the corner of Spring Hill Road and Broad Street. Parking will be provided within the existing parking structure currently serving Buildings E1 and E2. The residential units are being designed to accommodate “working from home” as that has become a growing trend in today’s economy. Amenities are provided on the rooftop as well as elsewhere in the building. Workforce Dwelling Units (“WDUs”) will be provided as specified in the newly adopted WDU policy for Tysons.

A minor revision to the Building E5 footprint is proposed to accommodate the new Building E3 footprint extending along Spring Hill Road. No change is requested to the use, height, or GFA of Building E5.

The Applicant has recently undertaken a major renovation of the private amenity spaces in the area north and west of Building E1 and E2. As a part of this proposal, the Applicant proposes to convert these private amenity spaces to publically accessible park space, and has carefully designed Building E3 to embrace this public space. This new space will connect with a previously approved park (identified as Urban Park 6) located at the corner of Logan Street and Broad Street, and will create an interconnected park from Greensboro Drive to Broad Street, with a variety of park amenities. This converted park space will include walking paths, a bocce or lawn bowling court, hardscape areas with a variety of casual seating, tables and chairs, landscaping, and an artful focal point. In addition, a pocket park/plaza is now proposed along Broad Street east of Building E3. It will include landscape planters adjacent to the garage to create screening and a sense of an outdoor room, along with shade trees, hardscape, seating walls and movable tables and chairs.

The CDPA provides ADA access to the new park space between Buildings E1 and E2. Additional stair access is provided along Broad Street. At the time Building E5 is constructed, there will also

be stair access from the corner of Spring Hill Road and Greensboro Drive. A bridge connector from Building E3 to the park space will also be provided for ease of access to new residents.

### **Transportation Impacts**

As a result of the change in use of Building E3 from an office use with ground floor retail to a residential use, the subject PCA/CDPA will result in overall fewer weekday AM peak hour vehicle trips, fewer weekday PM peak hour vehicle trips, and fewer daily vehicle trips.

To improve the pedestrian environment and the overall aesthetics along Broad Street, the western entrance to the parking garage has been reduced in width from 36 feet to 24 feet. The western entrance has also been aligned with West Street in order to eliminate the offset configuration that introduces unwanted vehicular conflicts. In addition to the improvements to the western entrance of the existing parking garage, the width of the curb-cut providing access to the existing eastern loading/garage entrance has been reduced from 85 feet to 40feet.

The Applicant proposes to construct the ultimate section of Broad between Spring Hill Road and East Street, as required by Proffer 26A. The Applicant will coordinate the design of Broad Street's ultimate section with the Ascent and Piazza, which are the adjacent properties on the western side of Broad Street. The combination of relocating/reducing the garage entrances and adding a park with landscape screening results creates a much improved streetscape along Broad Street.

### **Proffered Commitments**

The original Proffers and the CDP for Part E of the Spring Hill Station Demonstration Project include detailed requirements for development of each Building, including the bulk, scale, and layout of proposed buildings. Additional elements include minimum and maximum gross floor area; architectural design; build-to-lines and streetscape activation; minimum and maximum building height; landscaping; parks and open space; transportation improvements; affordable housing; stormwater management; and parking. The Applicant proposes to retain the proffered commitments to construct the ultimate section of Broad Street, implement transportation demand management (TDM) programs, provide enhanced stormwater management measures, and incorporate green building elements.

The Applicant proposes a pocket park/plaza is along Broad Street east of Building E3, and to convert private amenity spaces to publically accessible park space as depicted on the landscape plan. The proposed parks will provide a variety of passive and active recreation amenities designed with guidance from the Tysons Urban Design Guidelines. The urban park standard recommended for Tysons Urban Center is 1.5 acres for each 1,000 residents. The approximate 350 - 410 dwelling units is estimated to result in a recommended park requirement of 0.9188 – 1.076 acres, as shown on Sheet L-03. The CDPA provides approximately 0.92 acres of urban park space that is comprised of urban plazas, pocket parks, and recreational focused linear parks spread throughout the Subject Property, as well a credit for the athletic field contribution.

## **Comprehensive Plan Recommendations**

The Subject Property is located in the Tysons West District of the Tysons Urban Center in the Area II Comprehensive Plan (the “Plan”). Guidance is provided in both the Areawide Recommendations and in the more site specific Tysons West - North Subdistrict recommendations. In general, the Plan recommends that the Tysons West District redevelop into a new arts and entertainment area for Tysons. The Plan provides two levels of recommendations; a Base Plan and a Redevelopment Option. Under the Redevelopment Option, Plan recommends that the Subject Property be redeveloped in keeping with the Transit Station Mixed Use (“TSMU”) land use category. The land use Areawide recommendations on Pages 22-24 of the Plan states:

***Transit Station Mixed Use:** These areas are generally located near the Metro stations. They are planned for a balanced mix of retail, office, arts/civic, hotel, and residential uses. The overall percentage of office uses throughout all of the Transit Station Mixed Use areas should be approximately 65%. This will help Tysons maintain a balance between land use and the necessary transportation infrastructure. Individual developments may have flexibility to build more than 65% office if other developments in the category are built or rezoned with a use mix that contains proportionately less office. The residential component should be on the order of 20% or more of the total development. It is anticipated that the land use mix will vary by TOD District or subdistrict. Some districts or subdistricts will have a concentration of offices and other areas will have a more residential character.*

The Subject Property is within one quarter mile of the Spring Hill Metro Station entrance, and as such is not subject to a maximum FAR, except office uses which are limited to a 2.5 FAR. A twenty percent bonus on residential uses is provided for the provision of affordable housing. The Plan encourages the development of residential uses in order to improve the balance between the number of people working in Tysons and the number of people living in Tysons.

The proposed revisions in this application result in a change of use for Building E3 from office to residential use. The gross floor area (“GFA”) is reduced from a maximum of 1,083,170 SF to 1,066,170 SF, with a resultant decrease in FAR from 3.29 to 3.24. The mix of uses under Option 1 is 43 percent office, 2 percent retail, and 41 percent residential, and 14 percent hotel. Under Option 2, the mix is 40 percent office and 60 percent residential. With the conversion of Building E3 from office to residential, the office mix in the Tysons West TSMU area will be a range of 44 percent to 47 percent. As approved, the Spring Hill Station Part E application had the highest percent of office at 97 percent. Other approvals in the Tysons West TSMU range from 0 percent office to 65 percent office. As indicated in the Plan text, each TOD and non-TOD District will have a different character. The conversion of Building E3 from office to residential use is in line with the mix of uses approved through the Tysons West TSMU, and is in conformance with Plan guidance that allows flexibility.

Building E3’s proposed building height is 10 feet greater than the approved E3 office building at 270 feet versus 260 feet. In actuality, the new residential building will likely will be shorter than the approved office building. The approved height of 260 feet for the office building does not include the penthouse height, which is permitted to be 30 feet in height. The proposed 270 foot tall residential building includes all penthouses and rooftop amenities. The Plan recommendations for

the Subject Property is a maximum height of 225 feet. However, the Plan permits a 20 percent height bonus (which results in a height of 270 feet) for residential buildings that include WDUs. Therefore, the proposed building is in conformance with Plan guidance.

The Plan also provides guidance on street grid, urban design, urban park standards and a host of other topics. With the original rezoning of the site approved in 2013, all Plan recommendations were met.

### **Waivers and Modifications**

To the best of our knowledge, there are no known hazardous or toxic materials on the Subject Property or any planned with the proposed use. The proposed development complies with all current applicable land development ordinances, regulations, and adopted standards, except as follows and as noted on the CDPA:

- 1) The Applicant requests a reaffirmation of the Zoning Ordinance and Public Facilities Manual (“PFM”) waivers and modifications previously approved with RZ 2010-PR-014E , which are listed below:
  - A. Waiver/modification of subsection 8100.7.E of the Zoning Ordinance of all trails and bike trails as shown on the Comprehensive Trails Plan in favor of the streetscape and on-road bike lane system shown on the CDPA, and as proffered.
  - B. Waiver of subsection 8100.7.E of the Zoning Ordinance requiring additional inter-parcel access to adjoining parcels, other than those shown on the CDPA, and as proffered.
  - C. Waiver of subsection 8100.7.E(4) of the Zoning Ordinance requiring any further dedication and construction of widening for existing roads beyond that which is indicated on the CDPA, and as proffered.
  - D. Waiver of subsection 2105.6.B(1) of the Zoning Ordinance requiring a minimum district size of 10 acres in the PTC District.
  - E. Waiver of subsection 8100.2.E(3) of the Zoning Ordinance requiring a final development plan as a prerequisite to a site plan in the PTC District for the following features as shown on the CDP: public improvement plans application associated with public streets, interim park space previously proffered with Rezoning Application RZ 2010-PR-014A and located on Rezoning Application RZ 2010-PR-014E, and minor modifications to the existing buildings on RZ 2010-PR-014E.
  - F. Waiver of subsection 5107.3.A(3) of the Zoning Ordinance to allow a private street to exceed 600 feet in length, as shown on the CDPA.
  - G. Modified Section 7-0802.2 of the PFM to allow for the projection of structural columns into parking stall (no more than 4 percent of the stall area).

- H. Approved the use of underground stormwater management and best management practices in a residential development, subject to Waiver Number 8158-WPFM-002-1.
- I. Modified the 10-year tree canopy requirements in favor of that shown on the Plans, and as proffered.
- J. Modified the tree preservation target in favor of that shown on the Plans, and as proffered.
- K. Modification of PFM Section 12-0702.1B(2) to permit the reduction of the minimum planter opening area for trees used to satisfy the tree cover requirement, in favor of that shown on the Plans, and as proffered.
- L. Waiver of subsection 5100.2.C(5) to allow for a parapet wall, cornice or similar projection to extend more than three feet above the roof, when shown on an approved FDP.
- M. Wavier of maximum fence height allowed by subsections 4102.4 and 4102.5 of the Zoning Ordinance to permit an increase from 7 feet to 14 feet for sports courts and other features when shown on an approved FDP.
- N. Modification of subsection 6101.2.C of the Zoning Ordinance requiring a minimum distance of 40 feet of a loading space from a drive aisle when shown on an approved FDP.
- O. Modification of PFM Section 7-0800 to allow the use of tandem/valet parking spaces with valet service to be counted as required parking (as permitted by the PTC District regulations), as described in the proffers

**Summary**

Approval and construction of the proposed development will continue the implementation of the Tysons vision, by creating a dynamic, mixed-use neighborhood. The high level of detail to site design, architectural style, and streetscaping will enhance the neighborhood proximate to the Spring Hill Metro Station and the Tysons West District.

Very truly yours,

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