

ZONING ORDINANCE MODERNIZATION (ZMOD)

The County's new Zoning Ordinance was adopted by the Board of Supervisors on March 23, 2021, with an effective date of July 1, 2021. This application was accepted for review prior to July 1, 2021, but has been reviewed under the new Zoning Ordinance and this staff report uses the new Zoning Ordinance citations.

DESCRIPTION OF THE APPLICATION

The applicant, TMG-JACO Boro, L.L.C., is requesting final development plan approval to implement Buildings I, K North, and K South of the overall Boro Blocks I-L development. The proposed buildings are planned for multi-family residential units with ground floor retail. Building I is proposed to be 85 feet in height (5 to 7 stories) and will contain up to 200,000 square feet of gross floor area and 130 dwelling units. Buildings K North and K South are proposed to be 90 feet in height (6 to 7 stories) and would cumulatively contain up to 475,000 square feet of gross floor area and 430 dwelling units.

A copy of the Final Development Plan (FDP) is provided at the front of this staff report. Staff's proposed development conditions, the applicant's affidavit, and the applicant's statement of justification are provided as Appendices 1-3, respectively.

LOCATION AND CHARACTER

The 5.06-acre site is part of the overall 9.37-acre Boro Blocks I-L development. The subject property is zoned PTC and is located in the Highway Corridor (HC) and Sign Control (SC) Overlay Districts. The property is situated at the southwest quadrant of the intersection of Greensboro Drive and Westpark Drive and is located generally between the Spring Hill and Greensboro Metro Stations, between 1/4 and 1/2 of a mile from each.



Figure 1: Aerial Imagery of Existing Conditions Source: Eagleview with Staff Annotations.

The site used to consist of surface parking lots and a ten story office building, known as the NADA building, as shown in *Figure 1* above. The NADA building was recently demolished. Existing slopes range from a high elevation of 498 feet at Greensboro Drive and Westpark Drive to a low of 464 feet at Westpark Drive and future Broad Street. Topography generally slopes east-to-west and falls sharply on adjacent properties to the northwest.

The Rotonda residential condominium community neighbors the subject property, across Greensboro Drive to the north. The Greensboro Square office condominium development directly abuts the property, across future Clover Street. The original Boro development (which the Boro Blocks I-L development functionally extended) is located across Westpark Drive. Westpark Corporate Center, which was rezoned concurrently with the Boro Blocks I-L development, is located across future Broad Street.

A summary of the surrounding land use, zoning, and Comprehensive Plan recommendations is provided in Table 1 below.

Table 1: Surrounding Area Description			
Direction	Use	Zoning	Plan Map
North	Office (Greensboro Square); Spring Hill Station Mixed-Use Project (Georgelas E4)	I-5; PTC	Residential Mixed-Use; Transit Station Mixed-Use
East	Residential (The Rotonda)	R-30	Residential
South	The Boro (Original) Mixed-Use Project	PTC	Residential Mixed-Use; Transit Station Mixed-Use
West	Vehicle Sales and Service (Maserati); Office (Westpark Corporate Center)	C-7; C-4	Residential Mixed-Use

BACKGROUND

The Boro Blocks I-L: On November 9, 2021, the Board of Supervisors approved Rezoning RZ 2020-PR-009, subject to proffers, to rezone 9.37-acres from the C-4 District to the PTC District. The development, known as the Boro Blocks I-L (also referred to as the Boro extension), was approved for up to 1,105,000 square feet of mixed-use development with a maximum Floor Area Ratio (FAR) of 2.71. The development included a total of five new blocks (Blocks I, J, K North, K South, and L). The mix of uses included multi-family residential units (on Blocks I, K North, and K South), a continuing care facility (on Block J), supporting retail (on Blocks I, K, and J), and an option for either a health club or townhome/triplex residential units on Block L. Approval of the Boro Blocks I-L superseded all previous zoning approvals on the property. *Figure 2* below depicts the approved Conceptual Development Plan (CDP) and the arrangement of the five development blocks. The area subject to this FDP is outlined in yellow.

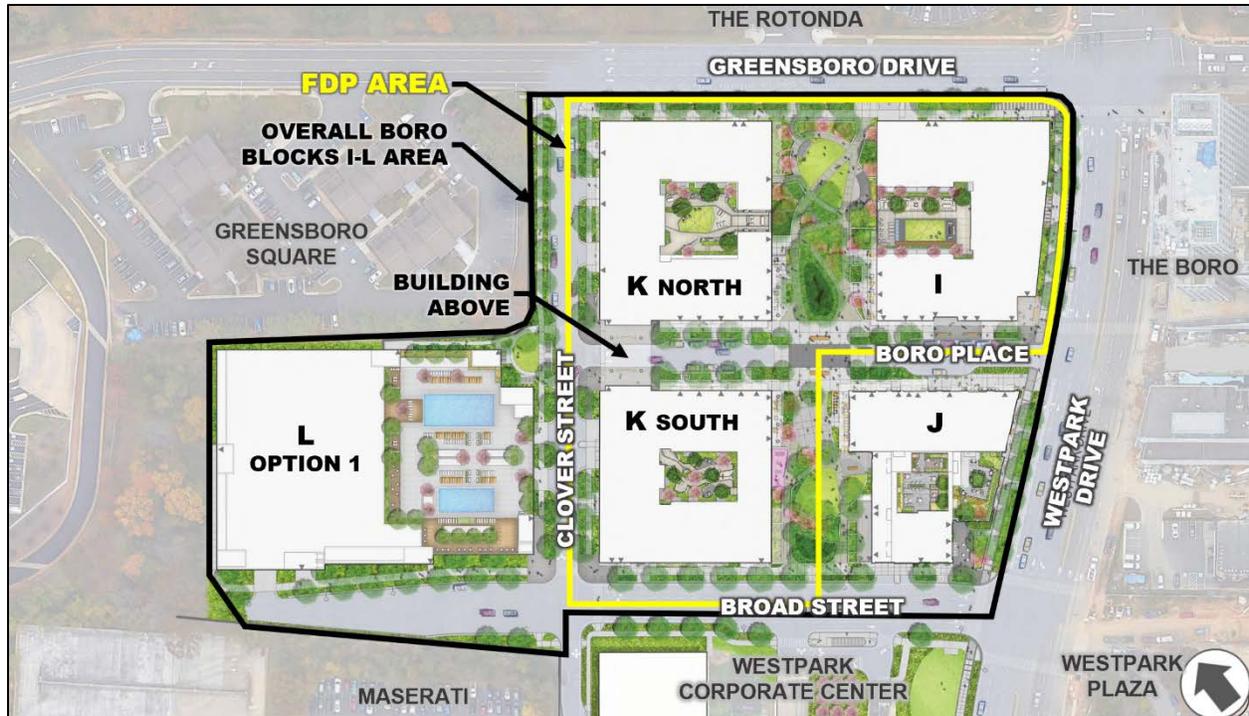


Figure 2: Illustrative of The Boro Blocks I-L, Option 1 (Health Club on Block L)

Source: TMG 8400 Westpark Drive, L.P. and RZ 2020-PR-009 (Sheet L-3.1a) with Staff Annotations

Block J: Concurrent with the Boro Blocks I-L rezoning, on October 13, 2021, the Planning Commission approved Final Development Plan FDP 2020-PR-009 to implement a new continuing care facility (CCF) on Block J. Building J was approved to be up to 201 feet in height with up to 275,000 square feet of gross floor area. The CCF was anticipated to contain up to 210 beds in 198 rooms of: independent living (118 rooms), assisted living (56 rooms), and memory care (24 rooms).

Westpark Corporate Center: Also on November 9, 2021, and concurrent with the Boro Blocks I-L rezoning, the Board of Supervisors approved RZ 2020-PR-008, subject to proffers, to rezone 4.41-acres of existing office development from the C-4 District to the PDC District. The development, known as Westpark Corporate Center, had been developed under a unified site plan with the Boro Blocks I-L property for density purposes. Westpark Corporate Center was rezoned to the PDC District to comply with the FAR limitations of the Zoning Ordinance following removal of land area for the redevelopment of the Boro Blocks I-L site. The existing office development remained relatively unchanged; however, the Boro Blocks I-L development included proffered improvements to Westpark Corporate Center to better facilitate the proposed Boro extension development.

As of the date of this staff report, a site plan has been filed on Block J and a public improvement plan has been filed for construction of proffered improvements to adjacent and proposed streets. A site plan on Blocks I, K North, and K South (the area subject of this application), is filed and under review, but cannot be approved unless the Planning Commission approves this FDP request.

COMPREHENSIVE PLAN PROVISIONS

<u>Plan Area:</u>	Area II
<u>Planning District:</u>	Tysons Corner Urban Center
<u>Tysons Corner Urban Center District:</u>	Tysons West (North Subdistrict) and Tysons Central 7 (North Subdistrict)

The Comprehensive Plan slightly splits the subject property between the North Subdistricts of the Tysons West (portions of Clover Street) and Tysons Central 7 (Blocks I and K) Districts. The Land Use Maps for both Districts designate the subject property as Residential Mixed-Use, as shown in *Figures 3 and 4* below.

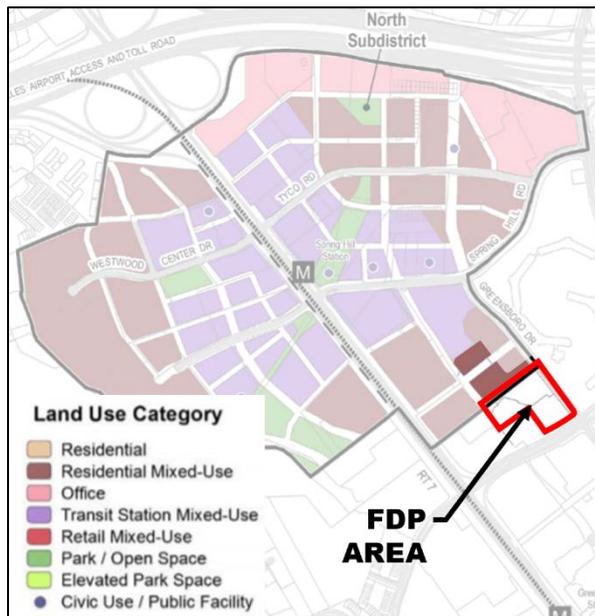


Figure 3: Tysons West District. Source: Comprehensive Plan with Staff Annotations

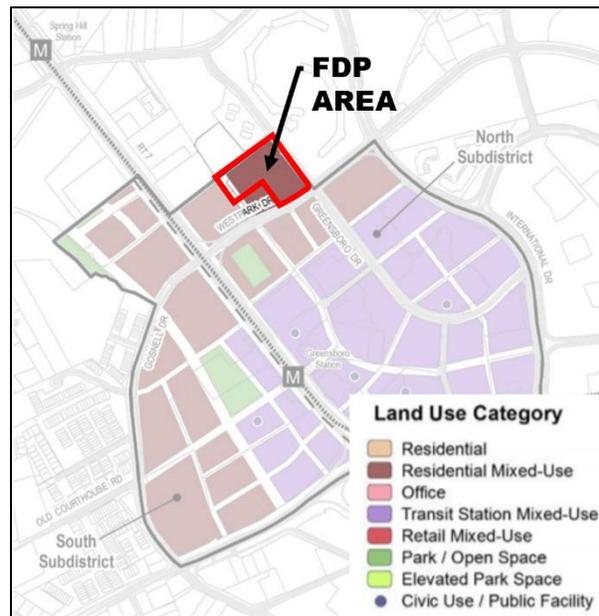


Figure 4: Tysons Central 7 District. Source: Comprehensive Plan with Staff Annotations

Excerpts of relevant Comprehensive Plan text are available in Appendix 4 and on pages 136-139 and 145-147 of the Fairfax County Comprehensive Plan, 2017 Edition, Area II, Tysons Urban Center, as amended through February 23, 2021. The full text can be found here: <https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/compplan/area2/tysons.pdf>

DESCRIPTION OF THE FINAL DEVELOPMENT PLAN

Final Development Plan (FDP) (Copy at front of Staff Report)

Title of FDP: The Boro Buildings I and K

Prepared By: VIKA Virginia, LLC

Original and Revision Dates: December 18, 2020, revised through March 16, 2022

Site Layout

Blocks I and K constitute three of the five blocks planned with the approved Boro Blocks I-L development. The proposed blocks are centrally located. Blocks I and K North are located on the western side of Greensboro Drive and are bordered by Westpark Drive, Boro Place, and Clover Street. Block K South is across from K North, opposite of Boro Place. K South is bordered by Boro Place, Clover Street, and Broad Street. Future Blocks L and J are on either side of K South.

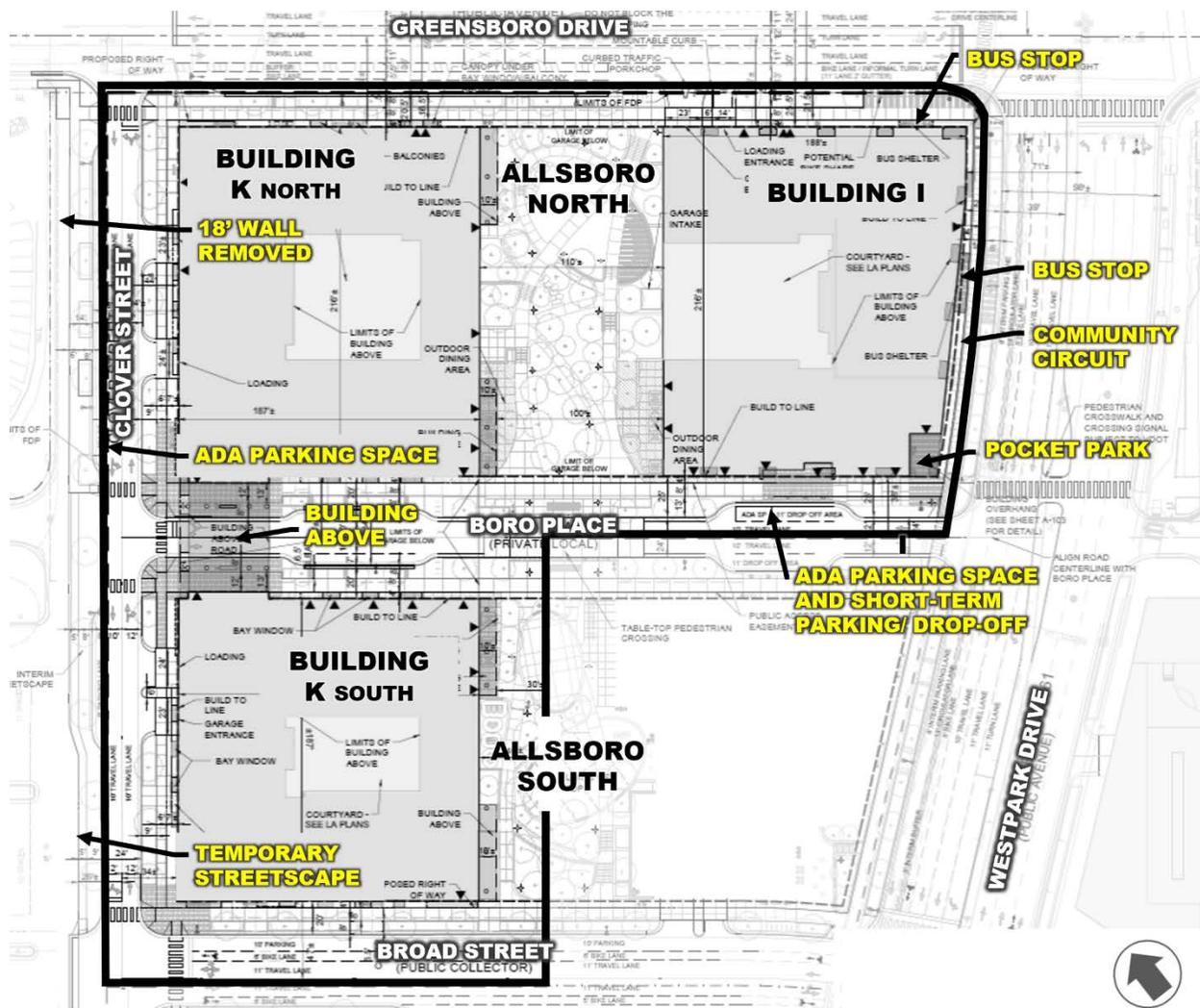


Figure 5: Proposed Development. Source: FDP (Sheet C-07) with Staff Annotations.

Boro Place is envisioned to be the main activity corridor of the site, lined with ground floor retail and restaurant uses. Boro Place would intersect new publicly accessible parks referred to herein as Allsboro North and Allsboro South (collectively Allsboro Parks). Allsboro North is located between Blocks I and K North, and Allsboro South is located between Blocks K South and Block J. Allsboro Parks would be the heart of the development and would be extensively landscaped and programmed with outdoor dining, performances, and amenities. A Tysons-wide recreational trail, known as the Community Circuit, is planned along the Westpark Drive frontage of Block I. *Figure 5* above depicts the proposed development scheme.

Block I

Building I (shown in *Figure 6* below) is proposed as a maximum 90 foot tall (7 story) residential building that would include up to 130 units within 200,000 square feet of gross floor area; up to 25,000 square feet may be retail uses. The residential lobby is oriented towards Boro Place. Parking would be provided in an underground parking garage that would be shared with Buildings K North and K South. The parking garage and loading entrance would be right-in, right-out only and would be located on Greensboro Drive. The FDP includes a new ADA on-street parking space and ADA compliant short-term parking/drop-off zone in front of Building I on Boro Place. Bioretention and planting areas have been located away from the ADA parking space and drop-off area, and replaced with a flush sidewalk with enhanced paving materials.

Retail would be located on the ground floor of the building along Boro Place, Westpark Drive, and a portion of Greensboro Drive. Due to sloping topography, the retail space would be lower in elevation than the Greensboro Drive sidewalk and a portion of the Westpark Drive sidewalk. While windows have been provided along these portions of frontage, retail would be accessed from Boro Place. Two bus stops would be incorporated into the building façades on Greensboro Drive and Westpark Drive. A bicycle room and pet spa would be on the ground floor of the building, adjacent to the loading entrance on Greensboro Drive, and would both be accessible from the street. A corner park is proposed at the intersection of Westpark Drive and Boro Place. An elevated private courtyard is proposed on the northern side of the building and would overlook Allsboro North.



Figure 6: Renderings of Building I. Source: FDP (Sheet A-121)

Block K

Buildings K North and K South (shown in *Figures 7, 8 and 9* below) are proposed as two residential buildings conjoined together via a bridge above Boro Place. Both buildings would be a maximum of 90 feet tall (7 stories) and would include up to 430 units within 475,000 square feet of combined gross floor area; up to 20,000 square feet may be retail uses.

The bridge (shown in *Figure 7* below) would have 5 stories of occupied residential units. The eastern side of the bridge, facing towards the original Boro development, is planned to have an illuminated hallway with graphic art and controlled lighting to provide a signature vista to the terminus of the Boro Place.



Figure 7: Overhead Bridge. Views from Clover Street (left) and Boro Place (right).
Source: FDP (Sheets A-120 and A-126) with Staff Annotations

Parking would be provided in a garage that would be shared between Buildings I, K North and K South. Parking and loading entrances for each building would be located on Clover Street. Both buildings would have ground floor retail oriented towards Boro Place that would wrap the building corners with Allsboro North and Allsboro South. The main lobbies for each building would be located on Boro Place, underneath the overhead bridge, and would each wrap the building corners onto Clover Street and extend to each loading entrance. Both buildings would have similar architectural materials and design.

The FDP includes a new ADA on-street parking space at the intersection of Clover Street and Boro Place. The bioretention planter in the streetscape has been relocated to provide an extended sidewalk area adjacent to the ADA parking space.

K North

Juliet balconies and windows to residential units would line Building K North's Greensboro Drive frontage. A bicycle room and pet spa, both with exterior street access onto Greensboro Drive, are proposed at the building corner next to Allsboro North. Windows and Juliet balconies would also line Clover Street, but due to topography the units on this façade would be elevated a half story above the streetscape. An elevated

private courtyard is proposed in the center of the building and would overlook Allsboro North.



Figure 8: Renderings of Building K North. Source: FDP (Sheet A-125)

K South

One story of the parking garage would be exposed along Building K South's Clover Street and Broad Street facades. The parking garage would be designed to resemble residential units through the use of similar window and Juliet balcony treatments. Two secondary lobbies are proposed at either end of K South on Broad Street. An elevated private courtyard is proposed in the center of the building.



Figure 9: Renderings of Building K South. Source: FDP (Sheet A-127)

Clover Street Retaining Wall

The approved CDP depicted an eighteen-foot-tall retaining wall between the adjacent Greensboro Square office condominium property and Clover Street. As was anticipated at the time of zoning, the retaining wall has been removed with the subject application due to private offsite grading easement agreements between the applicant and adjacent Greensboro Square property owners.

Parks and Open Space

The FDP area includes 0.85 acres of public urban park spaces identified as Allsboro North, Allsboro South, and the Community Circuit. *Figure 5* above shows the site layout in context with the proposed park spaces. A description of each park space follows.

Park A (Allsboro North)

Allsboro North would be a 26,848 square foot park located between Blocks I and K North (*Figure 10, right*). The park is planned to be a destination community space with an open lawn and trellis, and would be programmed for: outdoor movie showings and musical performances; outdoor picnicking; temporary outdoor games; and gatherings. The park would be heavily landscaped with native species, interpretative gardens and integrated bioretention areas. The landscaping would incorporate informal play and educational areas such as nature play and climbing elements. Sculptures and artwork would be located throughout the park space. Outdoor dining would frame the park at Buildings I and K North and Boro Place.

Allsboro North would be activated by outdoor dining, residential units with windows overlooking the park, an elevated courtyard, and a bike room along Building K North. Building I would have an area of outdoor dining and an elevated courtyard. A segment of Building I would consist of the above-grade parking and loading garage. The exposed garage has been architecturally treated and would be visually softened with raised planter beds and landscaping.



Figure 10: Allsboro North. Source: FDP (Sheet L-3.2b) with Staff Annotations.

Park B (Allsboro South)



Figure 11: Allsboro South. Source: FDP (Sheet L-3.2c) with Staff Annotations

The overall Boro Blocks I-L development depicted Allsboro South as a 21,269 square foot park located between Blocks J and K South (*Figure 11 left*). The park was planned to be a destination neighborhood park with a paved plaza and open lawn programmed for: an informal stage area for music and small performances; removable pickleball; pop-up game installations; and an exercise equipment zone. Like Allsboro North, this park was planned to include an abundance of landscaping, sculptures and artwork, and outdoor dining adjacent to Buildings J and K South.

The approved Block J FDP proposed construction of nearly the entire park space, except for the features left of the westernmost sidewalk/ramp along Building K South. The subject FDP for Blocks I and K proposes to construct the remaining 4,455 square foot portion of Allsboro South, including the accessible ramp, outdoor dining at K South's building corner, the fitness equipment zone, and planter beds.

A secondary lobby, the fitness equipment zone, and outdoor dining would activate the park space along Building K South. Additional park activation would be provided with programmed park amenities, outdoor dining, and communal building space on Block J.

Community Circuit (Linear Park C)

The Comprehensive Plan depicts a recreational trail loop, known as the Community Circuit, along the property's Westpark Drive frontage. The Community Circuit is planned as a Tysons-wide ten-foot-wide multi-use trail that would loop around the core of the Tysons Urban Center.

A 5,708 square-foot portion of the overall Tysons Community Circuit is proposed as a linear park within the Westpark Drive right-of-way along Block I. *Figure 12* below shows the Community Circuit, which has been designed to accommodate leisure bikers and walkers. When compared to the approved overall development, the subject FDP has refined the linear park to now include additional seating areas in the planted building zone. Other FDP design details include: distinctive paving patterns; sidewalk medallions; furnishings; street lights; and potential wayfinding and branding signage (although no signage is proposed as part of this FDP and because of its location within the right-of-way, future signage would be part of larger public project).



Figure 12: Community Circuit Design. Source: FDP (Sheet L-3.2d).

Stormwater Management

Stormwater is proposed to be treated through bioretention areas and detention vaults. The site would retain and reuse the first inch of rainfall.

Phasing

Buildings I, K North, and K South would be constructed in the same development phase because of the shared underground parking structure. The underground garage limits would be located underneath Building I, Allsboro North, Building K North, Boro Place between Buildings K North and K South, and Building K South.

Sheets L-6.1 and L-6.2 of the FDP demonstrate how Blocks I and K would be phased before Block L is constructed, and with or without construction of Block J. Blocks I and K would construct proffered improvements to Greensboro Drive, Westpark Drive, and the offsite Westpark Corporate Center property. Boro Place, Clover Street, and Broad Street would be constructed. Allsboro North would be constructed in its entirety. The Community Circuit and an associated pocket park would be constructed on Block I. The sliver of Allsboro South along Building K South would be constructed (including the fitness area, outdoor dining areas and ADA ramp). Temporary streetscapes and sidewalks would be provided along Blocks L and J until construction of those blocks.

ANALYSIS

A substantial analysis of the Boro's Blocks I-L development scheme was completed with the review of the CDP approved by the Board of Supervisors on November 9, 2021. The analysis in this report focuses on conformance with the proffered plan and the proposed refinements to and modifications of Blocks I, K North, and K South.

Land Use and Urban Design Analysis (Appendix 4)

Land Use

The gross floor area (GFA) and uses align with the ranges for each building on the approved CDP. Slight modifications are proposed to the development tabulations, as described below.

- Block I: No changes proposed when compared to the approved CDP.
- Block K: The range of residential units provided with Block K would change from 270-430 to 350-430, which increases the committed minimum number of units by eighty units.

Block K was previously approved for between 375,000 to 480,000 square feet of overall gross floor area. Building K North was approved for between 2,500 to 15,000 square feet of retail and Building K South was approved for between 2,500 to 10,000 square feet of retail. The FDP would reduce the maximum amount of ground floor retail in Building K North by 5,000 square feet (from 15,000 to 10,000 square feet). The maximum overall GFA of Block K would accordingly decrease from 480,000 square feet to 475,000 square feet. With the proposed reduction of retail, the overall site would still be within the retail ranges approved for the overall Boro Block I-L development (14,000-55,000 square feet proposed versus 14,000-60,000 square feet approved), and would still be within range of the approved land use mix. Staff finds that the proposed FDP development tabulations are in conformance with the approved CDP.

There are no outstanding land use issues with this application.

Affordable Housing

The proffers commit to providing Workforce Housing Units (WDUs) in conformance with the Board of Supervisors' Workforce Dwelling Unit Administrative Policy Guidelines adopted February 23, 2021, which would remain unchanged with this application. The applicant estimates 61 WDUs would be provided with Blocks I and K.

Building Height

The CDP was approved with building height ranges of 75 to 90 feet for Buildings I and K. With the subject FDP, Building I would be 85 feet tall and Buildings K North and K South would be 90 feet tall. The building heights shown on the proposed FDP are within the height ranges from the approved CDP. The subject FDP includes additional architectural details for Buildings K to include vertical architectural features on either side of the bridge, facing Clover Street. The vertical architectural features would be up to 95 feet in height on Building K South and are permitted to be excluded from the maximum building height per the Zoning Ordinance.

The Comprehensive Plan envisions maximum building heights between 130 to 175 feet on the subject property. During the CDP review, staff recommended vertical modulation of the buildings to visually increase their height and provide more onsite height variation. In the staff report for the approved CDP, staff also identified concerns with the architectural design of the bridge connecting Buildings K North and K South. Staff recommended incorporating vertical articulation and modulation into the bridge design to prevent the development from having a long continuous façade along Clover Street.



Figure 13: Height of Proposed Bridge Elements Facing Clover Street.

Source: FDP (Sheet A-107) with Staff Annotations.

The FDP includes additional details of the two vertical architectural tower features, which would frame either side of the bridge facing Clover Street. As shown in *Figure 13* above, the architectural features are at the same roofline level across both buildings, but measure 90 feet on Building K North and 95 feet on Building K South, due to the site's sloping topography. The applicant stated that these features are not occupiable spaces and are less than three-percent of the overall roof area of Building K South.

These architectural features are excluded from the calculation of maximum height as defined in the Zoning Ordinance because they do not comprise more than twenty-five

percent of the roof area and are accessory to the principal use of the building. Additionally, notes on the approved CDP state that maximum building heights exclude architectural features on Blocks I, K, and L, which is typical in Tysons. The accepted proffers permit minor modifications to the approved CDP with subsequent FDPs and commit to refinement of architectural design with FDPs. The proffers also commit to refining design of the bridge to improve its visual character. Staff finds that the architectural features: would be unoccupied; would be a nominal height increase on a small section of the overall roof area; and would be in conformance with the approved CDP and proffers.

Staff has no outstanding building height concerns with this application.

Architecture

The building articulation on Block I is a thoughtful reinterpretation of Block A of the original Boro development, located across Westpark Drive, within a shorter building form. On Buildings K North and K South, staff appreciates the applicant's extensive effort to minimize the visual impact of the structured parking by continuing the architectural detailing down to the ground plane to create the appearance of residential uses, which is in conformance with the approved CDP and proffers.

Two areas of interest with the architectural design of Buildings K North and K South remain. These were raised at the time of the rezoning and addressed through proffer commitments for refinement at the time of FDP.

Bridge Design

A five-story glass façade is proposed for the bridge component of Buildings K North and K South to connect the buildings across Boro Place. The bridge would have residential units oriented towards Clover Street. Internal hallways would face Boro Place and would have large glass windows, controlled lighting, and an internal graphic art feature that would be visible through the windows. At the time of rezoning, staff raised concerns about the bulk and massing of this bridge element creating a visual barrier. Staff recommended a reduction in number of floors for the bridge, among other modifications. To address this, the applicant included a proffer to refine the visual character of the bridge design at the time of FDP.

Additional architectural details of the bridge have been included with the subject FDP. The bridge façade facing Clover Street would be framed by two vertical tower features on either side. Recessed balconies and bay windows would create architectural interest and depth to lessen the façade's flat, linear appearance.

New renderings (included in *Figure 14* below) show the character of the graphic art features and lighting facing Boro Place. Absent a reduction in the massing of the bridge structure, and to ensure that the visual character and interest as illustrated in the FDP is provided, staff recommends a development condition specifying that the Boro Place

bridge façade include public art in final building design. Staff notes that the applicant also has an accepted proffer commitment to provide bird friendly building design, and recommends the applicant commit to a creative design approach by integrating public art with bird friendly features. Having these two design elements work in tandem on the façade will enhance the design outcome for the bridge structure. Staff has proposed a development condition to this effect.



Figure 14: Rendering of Proposed Bridge Facing Boro Place. Source: FDP (Sheet A-123)

Additionally, the applicant has indicated intent to use controlled lighting on the bridge facing Boro Place. Staff does not anticipate issues with the proposed lighting, but staff has proposed a development condition to minimize the potential for glare that the bridge lighting may have on future residential units.

Building Projections

The proposed architecture includes bay and balcony projections along Greensboro Drive, Clover Street, Boro Place, and Broad Street. The extent of such projections was raised as an issue at the time of the rezoning, and addressed through a proffered commitment that states, “*particular attention will be provided in reviewing the extent of bay and balcony projections in the building zone to enhance the verticality of the building.*” The build-to line, as defined in the Tysons Urban Design Guidelines (TUDG), is “*a line along which the primary mass of a building facade should be set. It is typically located at the back of the Building Zone. The line should be consistent within a block, unless it is intentionally varied to achieve facade articulation, streetscape uses such as outdoor dining, or other public open spaces.*” The TUDG, Section 4.1A, shows a graphic depiction of the build-to-line and describes how projections over it are intended to permit architectural features, awnings, and canopies to provide pedestrian interest, help define building entries, and enhance the public realm.

The applicant has stated that “*the projections add architectural interest along the façade, breaking down the scale of the building, and are integral to Building K’s design.*”

Furthermore projections are located considerably above ground (typically 15 to 20 feet) and do not have a negative impact on the streetscape.” The building zones throughout the proposed development are planned to be landscaped and would incorporate benches and planters. The applicant has demonstrated that the building projections would not conflict with the canopy of street trees.

While balconies and bay windows can certainly be used to provide articulation on a building façade, staff remains concerned that the proposed design visually extends the entire façade of the building beyond the build-to-line with a continuous line of bay windows and inset balconies. Therefore, staff continues to encourage the applicant to reduce the vertical and horizontal extent of the projections to better align with the recommendations in the TUDG, which expect the build-to-line to establish the limits of the building envelope. While staff recommends that the applicant reduce the extent of the projections, the projections into the building zone are not anticipated to be detrimental to the pedestrian experience or to the provision of the expected streetscape, but add additional architectural interest and are in conformance with the approved CDP. The projections could not be enlarged with the site plan and must remain in substantial conformance with the approved CDP and subject FDP (if approved).

Streetscapes

Boro Place, Building I

As later described in the “*Transportation Analysis*” portion of this report, the applicant has proposed modifications to the Boro Place streetscape in front of Building I to accommodate an ADA on-street parking space and ADA compliant short-term parking/drop-off zone. Staff recommended design improvements in this area, which the applicant has adequately addressed, such as: enlarging the modified landscape amenity panel; providing additional paving material details; and providing a replacement tree onsite. As later described in this report, staff supports the requested streetscape modifications.

Boro Place, Buildings K

During review of the CDP, staff approved a streetscape waiver that removed the building zone in front of the Buildings K North and K South lobbies, located underneath the bridge. The waiver was approved because additional space was needed to structurally support the bridge. Staff approved the waiver on condition that the applicant refine the streetscape elements to prevent potential conflicts between swinging lobby doors and the sidewalk. The applicant has addressed this concern by enlarging the sidewalk width from eight-feet to twelve-feet and by reducing the landscape amenity panel width from thirteen-feet to seven-feet. No changes have been made to the overall streetscape width or the streetscape’s quality. Staff supports the modifications.

Clover Street

The applicant proposes to increase the width of the Landscape Amenity Panel (from eight feet to nine feet) and reduce the building zone width (from eight feet to seven feet) along the Clover Street frontages of Buildings K North and K South. This change was made to accommodate a curb around the bioretention tree pits in lieu of fencing, as preferred by staff. The addition of new curbs requires a larger landscape amenity panel area. Proffer 24 permits streetscape modifications with FDP approval, provided that the streetscape quality is consistent with the approved rezoning. As the overall streetscape width and quality is not reduced from that of the CDP, staff is supportive of this change.

Other

The applicant has addressed other staff concerns, such as: incorporating material recommendations to the Community Circuit to ensure consistency along the route; ensuring bioretention areas will not conflict with ADA parking spaces; relocating interim street trees between the street and interim sidewalk along future Block L; adding additional labels to the bus shelters on the hardscape plan; clarifying retail ceiling heights and glazing; and providing clarification on streetscape details.

Transportation Analysis (Appendix 5)

The proffers accepted with the Boro Blocks I-L development included contributions to the transportation funds, transportation demand management (TDM), and road improvements, all of which will continue to apply.

ADA Parking and Short-Term Drop-Off

The Boro Blocks I-L CDP depicted Boro Place with a seven-foot-wide on-street parking lane and a standard local street streetscape along its Building I frontage. The proposed FDP requested a modification of the approved streetscape in front of Building I to accommodate an eleven-foot-wide ADA-compliant parking space with dedicated short-term parking.

The previously approved streetscape consisted of an eight-foot-wide landscape amenity panel and an eight-foot-wide sidewalk. The modified streetscape would consist of a 12.5-foot-wide sidewalk (with a flush curb) to meet ADA standards. The new drop-off lane and new underground utilities necessitated removal of one street tree at the corner of Westpark Drive and Boro Place. A new tree has been added to Allsboro North to compensate.

The urban street design standards in the Tysons Corner Urban Center were adopted by the Board of Supervisors on September 13, 2011. The Board's adopted policy gives the Fairfax County Department of Transportation (FCDOT) authority to administratively approve waivers to the urban street design standards. Streetscape waivers should be approved with CDPs at the rezoning stage of development; however, the policy states

that “*additional waivers may be identified at final development plan.*” In this case, as expressed by the applicant, the modification was made in response to accessibility concerns raised during the public hearings for the rezoning, and further explored by staff and various applicants since that time. Staff reviewed the request in context with the FDP and did not have any concerns; FCDOT approved the streetscape waiver under separate cover.

The Virginia Department of Transportation (VDOT) did not identify concerns with the subject application. There are no outstanding transportation issues.

Parks and Open Space Analysis (Appendix 6)

Urban Park Space

The overall Boro Blocks I-L development proposed 1.49 acres of public urban park land with Option 1 (the health club on Block L) and 1.59 acres with Option 2 (the townhomes/triplexes on Block L). Sheet L-1.1 of the subject FDP demonstrates that a total of 0.85 acres of public urban park land would be provided with Blocks I and K. An additional 0.53 acres of urban park land was provided with the previously approved Block J FDP. Sheet L-1.1 tracks a total of 1.38 acres of urban park land provided between Blocks I, K, and J. Up to 0.20 acres of additional park space is planned on Block L, which has not yet been subject to an FDP. Urban park needs for the overall development are on-track and consistent with the approved rezoning.

Accessibility

During review of the approved CDP, staff requested incorporation of children’s play equipment into Allsboro North based on the residential character of the site. The applicant addressed this concern by revising the CDP to include natural climbing and play equipment that are integrated into the park’s topography with purposeful design intent of blending into the environment. Because the play equipment is integrated into the topography, the change in elevations means that it is also located next to stairs. During review of the subject FDP, staff recommended relocation of the play equipment closer to accessible paths so that play areas could be more accessible. The applicant stated that “*there are accessible routes leading to and from the play equipment. While the nature play elements are integrated into the landscape and grade changes, accessible routes and adjacencies are provided to the beginning/ending of each of the elements throughout the north park.*”

The subject FDP does not depict substantive changes to the onsite park spaces when compared to the approved CDP. The amount of urban park space, its design, and previously proffered commitments to parks and recreation have not substantially changed and remain appropriate and sufficient. There are no outstanding concerns.

Bike Racks

The proffers commit to show locations of proposed bicycle racks on FDPs. The applicant was previously showing bicycle racks in the modified landscape amenity panel in front of Building I. Staff recommended additional plantings within the landscape amenity panel as part of the streetscape waiver request for the ADA parking space/drop-off area. Additional plantings were provided, as requested, but necessitated removal of the previously proposed bike racks. Staff appreciates the applicant's diligence in providing the additional plantings, but staff recommends bicycle racks in the vicinity of the pocket park in front of Building I due to its proximity to retail and the Community Circuit. Staff has a proposed a development condition to this effect to address the proffer commitment to provide bicycle rack locations on FDPs.

Urban Forest Management Analysis (Appendix 7)

During review of the subject FDP, staff recommended revisions to bring the plans into conformance with the applicable Public Facilities Manual requirements. Additional review and analysis will be completed at site plan.

Stormwater Analysis (Appendix 8)

No Resource Protection Areas or floodplains exist onsite. There have been no applicable downstream drainage complaints on file. The site has two outfalls which ultimately discharge into Old Courthouse Spring Branch and Rocky Run. Adequate outfall requirements will be met and reviewed at site plan.

The applicant is meeting the expectations of the Stormwater Ordinance and the Comprehensive Plan with bioretention areas (urban bioretention tree pits, stormwater planters, and rain gardens) and stormwater detention vaults. Preliminary computations state that 97 percent of the total FDP area is captured by best management practices. The site would retain and reuse the first inch of rainfall through the use of bioretention areas. The retention depth could exceed one inch if offsite sites (such as adjacent public streets) are included in the treatment area. The proposed FDP computations are consistent with the approved Boro Blocks I-L development. Additionally, LEED V4-NC rainwater management credit would be obtained, with the runoff volume associated with the 85th percentile storm (0.96 inches) managed entirely onsite through bioretention areas.

Staff identified several items that will need to be reviewed at site plan, such as additional design details and requirements. The proposed stormwater measures are sufficient for the FDP stage, and final review will occur at site plan.

Environmental Analysis (Appendix 9)

Environmental concerns related to stormwater quality and quantity controls, noise attenuation, electric vehicle charging, green building practices, and bird-friendly design

were previously addressed with the overall Boro Blocks I-L development and accepted proffers. Staff did not identify new environmental issues during review of the subject application.

Public Facilities (Appendices 10 through 13)

The Fairfax County Fire and Rescue Department, Fairfax County Public Schools (Appendix 10), and the Fairfax County Health Department (Appendix 11) did not identify concerns with the subject application. The Fairfax Water Authority (Appendix 12) has indicated that there are adequate facilities to serve the proposed development. With the approved rezoning application, monetary contributions for emergency vehicle preemption devices, public schools, and public facility funds were proffered to offset impacts from the overall 9.37 acre development.

The Wastewater Planning and Monitoring Division, DPWES, (Appendix 13) stipulated the type of analysis that will be required at site plan submission to confirm sewer capacity. The approved rezoning committed to sanitary sewer improvements, which will be reviewed with the site plans.

On May 18, 2021, the Board of Supervisors approved a Memorandum of Understanding (MOU) between Fairfax County and Dominion Energy Virginia, endorsed by VDOT. VDOT will not typically accept, or publicly maintain, new streetscape areas that include easements. The MOU facilitates installation of electronic distribution ductbanks within the right-of-way without requiring easements in the Tysons Corner Urban Center. The MOU prioritizes placement of electric distribution ductbanks under parking lanes and under sidewalks. Staff encouraged the applicant to locate ductbanks under parking lanes to reduce impacts (such as utility manholes and grading) to the pedestrian realm. The applicant worked with staff to locate ductbanks in conformance with the MOU. Relocation of the proposed ductbanks resulted in the loss of one street tree at the corner of Greensboro Drive and Clover Street. The previously accepted proffers (Proffer 24C) permit deletion of street trees at site plan if trees conflict with utilities and no alternative location can be found. Staff encourages the applicant to work with the Urban Forest Management Division at site plan to find an alternative location for the removed street tree. Additional review will occur during site plan review. There are no outstanding concerns.

ZONING ORDINANCE PROVISIONS

The purpose and intent of the Planned Tysons Corner (PTC) District is to implement the mix of uses, densities, and intensities under the redevelopment option set forth in the adopted Comprehensive Plan for the Tysons Corner Urban Center. These provisions require the applicant to demonstrate that the development furthers the vision of the Tysons Corner Urban Center as outlined in eight objectives that reflect the standards of the Areawide Recommendations contained in the Comprehensive Plan. The Board of Supervisors, and staff, previously determined that the overall development met these eight objectives during the review and approval of the overall Boro Blocks I-L

development. The subject application seeks to implement Blocks I and K and will continue to meet these objectives.

Subsection 2105.1.C of the Zoning Ordinance contains six general standards which must be met by a planned development. Subsection 2105.1.D contains three design standards to which all Conceptual and Final Development Plans are subject. The general and design standards are included in Appendix 14 and were generally addressed in the “*Analysis*” portion of this report.

The FDP for Blocks I and K consists of 5.06-acres of the 9.37-acre approved Boro Blocks I-L development. The proposed mix of uses and intensity is consistent with what is shown on the approved CDP, accepted proffers and the Comprehensive Plan. The proposed development continues to achieve the purpose and intent of the PTC District to transform the Tysons Urban Center area into an urban, mixed-use community. The development continues to protect the ecosystem with improved stormwater management and accepted proffer commitments for green building and electric vehicle charging. The proposed FDP contributes to an efficient use of land that does not preclude development of adjacent property. The applicant has worked with the adjacent Greensboro Square community to remove the previously approved eighteen-foot-tall retaining wall along Clover Street. The development, in conjunction with the proffers, would ensure that adequate public facilities and utilities are available to serve the site. The open space, parking, and loading requirements would be met. Connectivity is provided to access recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities. In staff’s opinion, the general and design standards for planned developments continues to be met with the subject FDP on Blocks I and K of the overall Boro Blocks I-L development.

Sign Control Overlay District (Subsection 3103.3)

The Sign Control Overlay District restricts freestanding signs in the intensely developed commercial and industrial areas of the County where there is an increased need to reduce visual clutter, sight distance obstructions and interference with traffic control signals and mechanisms. No signage is proposed as part of this application. Signage on this site would either meet Zoning Ordinance requirements or a future Comprehensive Sign Plan. As such, this application meets the requirements of the Sign Control Overlay District.

Highway Corridor Overlay District (Subsection 3103.4)

The Highway Corridor Overlay District provides for additional controls on specific auto-oriented uses along major transportation corridors to limit congestion and improve safety. While some of these uses may be permitted as ground floor uses in the proposed development, they would be included in larger mixed-use buildings. Vehicular impacts associated with free-standing auto-oriented uses is not expected, and all traffic

impacts were evaluated as part of the overall Boro Blocks I-L development. As such, this application meets the requirements of the Highway Corridor Overlay District.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The proposed FDP seeks to implement Blocks I and K, which were planned for multi-family residential units and are part of the overall Boro Blocks I-L development. The proposed building, streetscapes, and park space designs are of high quality. Streetscapes on Clover Street and Boro Place have been modified to better accommodate ADA parking spaces. A new ADA compliant drop-off zone has been integrated into the streetscape in front of Building I. A previously planned eighteen-foot-tall retaining wall has been removed between Block K North and the abutting Greensboro Square development. Staff concerns previously identified in the Boro Blocks I-L staff report have been adequately addressed through streetscape refinement and additional architectural details.

Staff finds that the subject application is in substantial conformance with the overall Boro Blocks I-L development plan and does not change or abrogate accepted proffer commitments. Staff finds that the proposed application is in harmony with the Comprehensive Plan and is in conformance with the applicable Zoning Ordinance provisions with the implementation of the proposed development conditions.

Recommendations

Staff recommends approval of FDP 2020-PR-009-02, subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Planning Commission, in adopting any conditions proposed, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

The approval of this application does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Planning Commission.

APPENDICES

1. Proposed Final Development Plan Conditions
2. Affidavit
3. Statement of Justification

4. Land Use and Urban Design Analysis
5. Transportation Analysis
6. Parks and Open Space Analysis
7. Urban Forest Management Analysis
8. Stormwater Analysis
9. Environmental Analysis
10. Public Schools Analysis
11. Health Department Analysis
12. Water Service Analysis
13. Sanitary Sewer Analysis
14. Zoning Ordinance Provisions
15. Glossary of Terms