County of Fairfax, Virginia
Planning Commission Meeting
September 10, 2025
Planning Commission Action

RZ/FDP 2024-DR-00006 (CONCURRENT WITH SSPA 2023-II-1M) GACM 2019-FL1 REO (7600 LEESBURG), LLC
(Dranesville District)

PLANNING COMMISSION RECOMMENDATIONS:
On September 10, 2025, the Planning Commission voted 12-0 to recommend to the Board of Supervisors approval of the following actions:

- RZ-2024-DR-00006 and associated CDP, subject to the execution of proffers consistent with those dated August 29, 2025;

- Waiver of 200-square foot privacy yard requirement for the rear-loading single family attached units;

- Waiver of 600-foot maximum length for private streets;

- Modification of the barrier requirements along the western property line to that shown on the CDP/FDP;

- Waiver of the barrier requirements along the northern property line;

- Modification of the transitional screening requirements along the western property line to that shown on the CDP/FDP; and

- Parking Reduction Request #PKS-2024-00015 for the site pursuant to Section 6100.6.C.(1) of the Zoning Ordinance, based on the proximity to transit, and subject to the conditions dated July 15, 2025, contained in Appendix 16 of the staff report.

In a related action, the Planning Commission voted 12-0 to approve FDP-2024-DR-00006.

ATTACHED DOCUMENTS:
Proffers dated August 29, 2025
Appendix 16 from the Staff Report

MJ

County of Fairfax, Virginia

MEMORANDUM

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

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

Initial WDH

SUBJECT: Parking Adjustment for GACM 2019-FL1 REO (7600 Leesburg), LLC
RZ/FDP 2024-DR-00006
2024 Tax Map 40-1 ((1)) 39

REFERENCE: Request for Board of Supervisors (Board) approval of Parking Adjustment #PKS-2024-00015 as a separate motion after Board action on the subject rezoning application

Land Development Services (LDS) has reviewed the referenced parking adjustment request (Attachment II) dated July 23, 2024, revised through July 14, 2025, seeking Board approval for a reduction of the minimum required parking for a proposed residential development located at 7600 Leesburg Pike.

RECOMMENDATION:
We recommend that the Board approve the proposed parking adjustment in conformance with the Fairfax County Zoning Ordinance, based on the proximity of the development to transit, as defined in Section 6100.6.C.(1) of the Zoning Ordinance (Ordinance), subject to the conditions in Attachment I.

BACKGROUND:
The applicant is requesting a six percent reduction in the minimum parking requirement for a proposed residential development that includes 99 single-family attached dwellings and 38 stacked townhouses.

The proposed adjustment is justified based on the availability of transit within 1,000 feet of the site. Bus service is provided at eastbound and westbound transit stops at the Leesburg Pike/George C. Marshall Drive intersection. This transit stop is located within 1,000 feet walking distance of the site. The bus line operates seven days a week with weekday peak hour headways of approximately 12 minutes. The transit line serves numerous Metrorail stations with the two most proximate being West Falls Church and Tysons. Additionally, a bus rapid transit line from Falls Church to Tysons is being studied for the Leesburg Pike corridor at the site location.

Land Development Services
12055 Government Center Parkway, Suite 659
Fairfax, Virginia 22035-5503
Phone 703-324-1780 • TTY 711 • FAX 703-653-6678
www.fairfaxcounty.gov

Table - Comparison of Required and Proposed Parking

Land Use	Proposed Number	Rate Required by Ordinance	Minimum Required Spaces	Proposed Minimum Number of Spaces	Proposed Reduction
Single-Family Attached	99 units	2.7 spaces per unit of which 0.2 space per unit is available for shared use	267 spaces (20 visitor spaces)	337 spaces (31 visitor spaces)	
Stacked Townhouse	38 units	2.3 spaces per unit of which 0.3 space per unit is available for shared use	87 spaces (11 visitor spaces)		
Total			354 spaces	337 spaces	6%

If you have any questions, or need further assistance, please contact Michael Davis at 703-324-3065 or Michael.Davis@fairfaxcounty.gov.

ATTACHED DOCUMENTS:
Attachment I – Parking reduction conditions dated July 15, 2025
Attachment II – Revised parking reduction request #PKS-2024-00015 dated July 14, 2025

cc: Hayden Codding, Assistant County Attorney, Office of the County Attorney
Andrew Hushour, Deputy Zoning Administrator, Department of Planning and Development
Kirsten Munz, P.E., Director, Site Development and Inspections Division (SDID), LDS
Jeff Vish, P.E., Central Branch Chief, SDID, LDS
Michael Davis, Parking Program Manager, SDID, LDS

ATTACHMENT I

PARKING REDUCTION CONDITIONS
July 15, 2025

1. These conditions apply to the current owners and their successors and assigns (hereinafter "owner") of the parcel identified on 2024 Tax Map 40-1 ((1)) 39.

2. A maximum 6% reduction in required parking is allowed for residential uses within the development area. A minimum of 31 shared parking spaces must be provided. If available, public street parking cannot be used to meet the minimum required shared parking.

3. Parking for any uses not listed in Condition #2 must be provided at no less than the minimum rates required by the Zoning Ordinance (Ordinance).

4. If the site is developed in substantial conformance with the approved development plan and associated rezoning application, this parking adjustment will remain in effect.

5. The conditions of approval of this parking adjustment must be incorporated into any site plan or site plan revision submitted to the Director for approval.

6. The owner must submit a parking space utilization study for review and approval by the Director promptly upon request by the Zoning Administrator or the Director at any time in the future. 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 on-site parking needs of the property. Such measures may include, but are not limited to, compliance with the full parking requirements specified in the Ordinance.

7. All parking utilization studies prepared in response to a request by the Zoning Administrator or the Director must be based on applicable requirements of *The Code of the County of Fairfax, Virginia,* and the Ordinance in effect at the time of the study's submission.

8. All parking provided must comply with the applicable requirements of the Ordinance and the Fairfax County Public Facilities Manual, including the provisions referencing the Americans with Disabilities Act and the Virginia Uniform Statewide Building Code.

9. These conditions of approval are binding on the owner and must be recorded in the Fairfax County Land Records in a form acceptable to the County Attorney.

ATTACHMENT II

MEMORANDUM

8180 Greensboro Drive,
Suite 200,
Tysons, VA 22102
703-442-7800
WWW.VIKA.COM

TO: Michael Davis
Site Code Research and Development (SCRD)

FROM: Michael R. Pinkoske, PTP
Edmund J. Ignacio, P.E.

SUBJECT: Parking Reduction Request

RE: 7600 Leesburg Pike
RZ 2024-DR-00006
Tax Map 40-1 ((1)) 39

DATE: July 14, 2025

COMMONWEALTH OF VIRGINIA
EDMUND J. IGNACIO
Lic. No. 033579
7/14/2025
PROFESSIONAL ENGINEER

Purpose: This memorandum is submitted to Fairfax County's Parking Program Manager to formally request a parking reduction to reduce the minimum parking ratio for a proposed residential use to be zoned PDH-16 (Planned Development Housing) District. While not located within a special planning District the site is strategically located east of the Tysons Urban Center and west of the West Falls Church Transit Station Area (TSA).
See Figures 1 and 2

Pre-Submission Coordination: The Applicant team has requested a preliminary meeting on July 17, 2024, regarding the proposed parking ratio prior to formal submittal of this request.

Site Location: The site is generally located on the north side of Leesburg Pike (Route 7), to the northeast of its intersection with George C. Marshall Drive within the Dranesville Magisterial District of Fairfax County. The site is centrally located within 1.1 to 1.6 miles of four Metrorail stations (West Falls Church, Greensboro, Tysons, and McLean).
See Figure 3

Tax Map #: Tax Map 40-1 ((1)) 39

Parcel Size: 10.16 Acres

Applicant: GACM 2019-FL1 REO (7600 Leesburg), LLC

To Be Filed Concurrently w/Application #: RZ 2024-DR-00006

MEMORANDUM

Application Schedule: An initial acceptance submission of CDP/FDP was made on May 9, 2024. The application was accepted on July 24, 2024.

Proposed Zoning District: The referenced property is currently zoned C-2 (Limited Office) District and is proposed to be rezoned to PDH-16 (Planned Development Housing) District to allow for the proposed residential community.

Proposed Concept Plan: **See Figure 4**

Development Program: ±137 Residential dwelling units

- ±99 single-family attached townhouses
- ±38 stacked townhouses

Parking Reduction Request: Reduce the minimum number of parking spaces required from 354 spaces to 337 spaces which equates to a **6%** proposed reduction.

Proposed Parking Supply: The site's overall parking supply will be equal to or greater than the proposed minimum of 337 spaces. Parking will be provided within the individual dwelling unit garages (231 spaces) or driveways (70 spaces) and along the private internal streets (36 spaces). Additionally, approximately 17 new public on street parking spaces will be provided along a new Comprehensive Plan envisioned street that would bisect the development. The new street will provide a direct connection from Route 7 to the existing single-family neighborhood north of the site. The total parking supply inclusive of the new public on street spaces is 354 parking spaces.

Parking Reduction Request Basis: Article 6100.6.C.1 of the County's Zoning Ordinance states:

(1) "…. a 10 percent adjustment of the minimum parking requirements in Table 6100.2 or 6100.3 may be approved when the use is located within 1,000 feet walking distance of a transit stop…"

As shown on **Figure 1** the WMATA 28A has eastbound and westbound transit stops at the Leesburg Pike / George C Marshall intersection. This transit stop is located within 1,000 feet walking distance of the site. The bus

line operates seven days a week with weekday peak hour headways of approximately 12 minutes. The transit line serves numerous Metrorail stations with the two most proximate being West Falls Church and Tysons.

Adjacent Transit Station Area Parking Requirements:

The minimum parking requirement for both adjacent Transit Station Areas is 1.3 parking spaces per unit. The minimum parking requirement for the proposal parked at 1.3 spaces per unit would equate to 178 parking spaces. The proposal would exceed the minimum parking requirement, if within the immediately adjacent TSAs, by 159 parking spaces.

Detailed Development Proposal:

The Applicant proposes to rezone the site from C-2 to PDH-16 to permit the development of 99 traditional townhomes and 38 stacked 2-over-2 townhomes. Developments zoned to the PDH District are expected to provide high-quality site design and open space to create well-designed residential communities. The proposed site design is consistent with the PDH standards and preserves existing vegetation along the peripheral edges of the site between the proposed single-family attached dwelling units and the adjacent communities. The proposal includes a total of 38.0 percent open space, which includes 2.68 acres of open space and a 0.58 acres publicly accessible urban park space. The open space is in conformance with the 31 percent open space requirement in the PDH-16 District as described in subsection 2105.2.B(4)(a) of the Zoning Ordinance.

The Applicant proposes a series of urban parks that include active and passive recreational open space. The proposal will meet the Countywide Comprehensive Policy Plan guidance for Parks and Recreation with a contribution to off-site recreation facilities proximate to the site. The proposed recreational trails within the development will connect to the greater perimeter public sidewalk network.

Vehicular access to the development will be provided by a new Comprehensive Plan public road that will connect Leesburg Pike to the adjoining neighborhood to the north. Right-of-way dedication will be provided along Leesburg Pike to accommodate the future planned BRT project. As part of this public right-of-way dedication, the developer proposes to provide a 10’ shared use path on Leesburg Pike (Route 7).

The Applicant’s proposal complies with the Residential Development Criteria listed in Appendix 9 of the Policy Plan as it relates to site design, neighborhood context, environment, tree preservation and cover, transportation, public facilities, affordable house and heritage resources.

For reference, the Statement of Justification is included as **Attachment 1** and draft proffers dated July 11, 2025 are included as **Attachment 2**.

Other Factors: The following is a list of other supporting factors that support the proposed reduction.

1. **Fairfax Connector Route 703.** In addition to WMATA bus route 28A noted previously, this route runs through the adjacent Pimmit Hills neighborhood with the closest stops along Lisle Avenue. The bus line provides direct service to the West Falls Church and McLean Metrorail stations the line operates seven days a week with weekday peak hour service on 30-minute headways.

2. **Envision Route 7.** Envision Route 7, currently in the planning process, is a future Bus Rapid Transit (BRT) system designed to connect the Mark Center in Alexandria to Tysons via Bailey's Crossroads, Seven Corners and Falls Church along the Route 7 corridor. The future system will run along the frontage of the site and will be a future benefit to local residents providing faster and more reliable trips.

3. **Comprehensive Plan Guidance.** The Comprehensive Plan encourages Applicants to right size parking and seek parking reductions and other strategies to reduce parking, when appropriate, to facilitate the achievement of a reduction reliance on single occupancy vehicle trips and encourage the use of transit and other non-auto modes of transportation.

Impact to the Adjacent Area: Article 6 of the County's Zoning Ordinance states, "*The Board may, subject to appropriate conditions, reduce the total number of parking spaces required when the applicant has demonstrated to the Board's satisfaction that the reduction will not adversely affect the site or the adjacent area.*"

Given the site is adjacent to two Transit Station Areas and four Metrorail stations, along with the addition of 17 new public on street parking spaces, the proposed parking reduction aligns with the Comprehensive Plan and the County's emphasis on minimizing parking spaces. It is determined based on the supporting information contained herein supports County Plan goals and will not adversely impact the adjacent area. Please see the contact information below if you have any questions or might require any additional materials.

MEMORANDUM

Contact Information:

Michael R Pinkoske, Jr PTP
VIKA Virginia, LLC
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703-761-2790

Lynne Strobel (Agent for the Applicant)
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PROFFERS

GACM 2019-FL1 REO (7600 LEESBURG), LLC

RZ 2024-DR-00006

August 29, 2025

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and subsection 8100.2.D of the Zoning Ordinance of Fairfax County 2021, as amended and effective as of May 10, 2023 (hereinafter referred to as the "Zoning Ordinance"), GACM 2019-FL1 REO (7600 LEESBURG), LLC, as the owner, for itself, and its successors and/or assigns (hereinafter collectively referred to as the "Applicant"), in RZ 2024-DR-00006 filed on property identified as Fairfax County 2025 Tax Map 40-1 ((1)) 39 (hereinafter referred to as the "Application Property") hereby proffers the following, provided that the Fairfax County Board of Supervisors (the "Board") approves a rezoning of the Application Property to the PDH-16 District. Upon approval of the rezoning, these proffers will replace and supersede all previous proffers approved on the Application Property. In the event this rezoning is denied by the Board, these proffers and conditions will immediately be null and void.

DEVELOPMENT PLAN

1. Conceptual/Final Development Plan. Subject to the provisions of subsection 8100.2.E.(1) and (2) of the Zoning Ordinance, the Application Property must be developed in substantial conformance with the Conceptual/Final Development Plan, prepared by Vika Virginia, LLC dated May 9, 2024 as revised through August 8, 2025 (the "CDP/FDP"), and as further modified by these proffers. The Conceptual Development Plan (CDP) represents the points of access and accompanying pedestrian and vehicular circulation routes through the Application Property; the grid of streets; the maximum number and type of dwelling units; the minimum amount, character, and general location of urban parks; the general quality and character of streetscape; the general location and arrangement of buildings; maximum building heights; and the build-to lines. The remaining elements are Final Development Plan (FDP) elements.

2. Minor Modifications. Minor modifications to the CDP/FDP may be permitted as determined by the Zoning Administrator in accordance with subsection 8100.5.A.(1) of the Zoning Ordinance.

3. Minor Variations. Minor variations to these proffered conditions and the CDP/FDP may be approved in accordance with the provisions of subsection 8100.5.A.(2) of the Zoning Ordinance.

PROPOSED DEVELOPMENT

4. Uses. The Application Property will be developed with up to 38 stacked townhouse dwelling units and up to 99 single-family attached dwelling units (the "Proposed Development") as shown on the CDP/FDP.

5. Density Credit. All density attributable to land area dedicated from the Application Property as designated on the CDP/FDP and/or conveyed at no cost to the Board or any other public entity pursuant to these proffers, or as may be required at site plan, will be subject to the provisions of subsection 5100.2.E.(5)(c) of the Zoning Ordinance and is hereby reserved to the Application Property.

6. Fire Marshal Evaluation. Changes to the CDP/FDP may be permitted in response to the review of site plans by the Fire Marshal as necessary to allow for required emergency vehicle access, without requiring approval of a Proffer Condition Amendment (PCA) or an amendment to the CDP/FDP provided such modifications are approved by the Zoning Administrator in consultation with other applicable agencies as determined by the Zoning Administrator and are in substantial conformance with the CDP/FDP and these proffers.

7. VDOT Evaluation. Changes to the CDP/FDP may be permitted in response to the review of site plans by the Virginia Department of Transportation (VDOT) as necessary without requiring approval of a PCA or an amendment to the CDP/FDP provided such modifications are approved by the Zoning Administrator in consultation with other applicable agencies as determined by the Zoning Administrator and are in substantial conformance with the CDP/FDP and these proffers.

BUILDING DESIGN

8. Architecture. The final architectural design and building materials will be determined upon submission of a building permit. Prior to the issuance of a building permit, the Applicant will demonstrate to Land Development Services (LDS) that the architectural design of the dwelling units is in substantial conformance with the bulk, mass, proportions and type of units, as well as the quality of materials, as shown in the elevations on Sheets A-01 and A-02 of the CDP/FDP. The elevations are intended to demonstrate the character and quality of materials, and not to represent final building design or commitments to specific dimensions or building elements such as roof lines and placement of windows and doors. The primary building materials, exclusive of trim, will include high-quality materials such as, but not limited to, brick, stone, cementitious paneling, and horizontal siding. The location and number of building exterior entrances/stoops are illustrative and will be finalized at the time of final site plan approval.

9. Universal Design. At the time of initial purchase, for dwelling units not yet under construction, the Applicant will offer the following Universal Design options in all of the dwelling units on the Application Property at no additional cost:

   A. Blocking for reinforcement of fall grab bars;

B. Front entrance doors that are a minimum of 36 inches wide;

C. Electrical outlets that are a minimum of 18 inches high on the wall;

D. Light switches and thermostats that are located a maximum of 48 inches high on the wall; and

E. Lever door handles instead of door knobs.

10. Retaining Walls. The Applicant reserves the right to install additional retaining walls with a maximum height of three feet and to modify the existing retaining walls on the Application Property, subject to the approval of LDS without the need for a PCA or CDPA/FDPA if determined necessary at the time of site plan, so long as proposed retaining walls as shown on the CDP/FDP do not increase in height. The proposed retaining walls will be in general conformance with the detail depicted on Sheet C-07 of the CDP/FDP.

11. Building Height. The building height will not exceed a maximum of 55 feet for the stacked townhouse dwelling units and a maximum of 50 feet for the single-family attached dwelling units as measured in accordance with the Zoning Ordinance.

12. Sustainable Design. The Applicant will select one of the following programs, within its sole discretion, at the time of first site plan submission and will concurrently notify the Environmental Branch (EB) of the Department of Planning and Development (DPD) of the program selection.

A. EarthCraft. Certification in accordance with the EarthCraft House Program as demonstrated through documentation provided to LDS and DPD prior to the issuance of a residential use permit (RUP) for each dwelling unit. If certification is still in process at time of RUP issuance, the Applicant must provide documentation from the EarthCraft project manager demonstrating that the project has been registered, completed final inspection, and has met the requirements to attain EarthCraft certification prior to RUP issuance for each dwelling unit. The Applicant must provide documentation to LDS and DPD demonstrating that certification for the dwelling unit has been attained prior to final bond release; or

B. NGBS. Certification in accordance with the most current version of National Green Building Standard (NGBS), using the ENERGY STAR® Qualified Homes path for energy performance, as demonstrated through documentation submitted to LDS and DPD from a home energy rater certified through the Home Innovation Research Labs that demonstrates that the dwelling unit has attained the certification prior to the issuance of the RUP for each dwelling; or

C. Alternative Program. The Applicant may utilize an equivalent alternative program selected in consultation with and approved by the EB of DPD prior to site plan approval.

13. EV Charging. The Applicant will offer initial purchasers of each dwelling unit the option, at the purchasers' cost, to install the required electrical panels for electric vehicle ready charging, which means the provision of space, conduit banks, conduits, and access points allowing for the installation of an electric vehicle charging station in the future, and does not include the installation of transformers, switches, wiring, or charging equipment.

ENVIRONMENTAL

14. Noise Attenuation. The Applicant must incorporate mitigation measures consistent with the sound attenuation recommendations in Phoenix Noise & Vibration Report No. 241121 to ensure that interior noise in dwelling units will not be in excess of DNL 45 dBA and outdoor recreation areas identified as Urban Parks on Sheet L-06 of the CDP/FDP will not exceed DNL 65 dBA. If mitigation measures are required, then the Applicant will depict the noise contours and the recommended mitigation measures on the associated site and building plan for each building and/or unit that requires noise mitigation.

15. Refined Acoustical Analysis. A refined acoustical analysis, to include a Building Shell and Barrier analysis, will be submitted concurrent with each building permit submission to LDS for review and approval, and distributed to the Public Facilities and Development Review Branch (PFDRB) of DPD for review and approval. Mitigation measures appropriate to reduce indoor noise for residential units to no more than DNL 45 dBA and outdoor recreation areas identified as Urban Parks on Sheet L-06 of the CDP/FDP to DNL 65 dBA, consistent with the sound attenuation recommendations in the refined analysis, must be incorporated into the Proposed Development. All residential units will be outside of the DNL 75 dBA. The noise contours of DNL 65 dBA and greater affecting residential units must be shown on the site plan and will be identified on the building permits.

16. Notification of Exterior Noise Levels. The Applicant will notify the potential purchasers in their sales contract of exterior noise levels for residential units with balconies or rooftop decks with exterior noise levels that may exceed 65 dBA Ldn. This notification will also be included in the property owner association documents. Rooftop decks will not be constructed in areas where the noise level is projected to exceed 65 dBA Ldn unless notification is provided to prospective and future residents as described herein.

17. Lighting. All on-site outdoor lighting must comply with the lighting standards set forth in Section 5109 of the Zoning Ordinance. Outdoor lighting will be limited to a Correlated Color Temperature (CCT) of 3000 Kelvin or less. All parking and building mounted security lighting on the Application Property must utilize full cut-off fixtures and LED lighting must be used for all streetlights.

TREE PRESERVATION

18. Tree Inventory and Condition Analysis. The Applicant must submit a Tree Inventory and Condition Analysis as part of the first and all subsequent site plan submissions. The Tree Inventory and Condition Analysis must be prepared by a Certified Arborist or Registered Consulting Arborist ("Project Arborist") and must include elements of PFM 12-0307 deemed appropriate to the Application Property as determined by the Forest Conservation

Branch (FCON) in consultation with the Fairfax County Park Authority-Natural Resources Branch (FCPA-NRB). The tree inventory will also include trees six inches in caliper and greater located on Fairfax County Park Authority (FCPA) property, known as Tysons Pimmit Park, within 25 feet of the approved limit of disturbance (LOD).

19. Tree Preservation Plan and Narrative. The Applicant must submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The Tree Preservation Plan and Narrative must be prepared by the Project Arborist and must include elements of PFM 12-0309 deemed appropriate to the Application Property as determined by FCON.

20. Project Arborist/Pre-construction Meeting. Prior to the pre-construction meeting, the Applicant must have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant must retain the services of a Project Arborist to attend the pre-construction meeting to review the limits of clearing and grading with a FCON representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading. Such adjustments must be recorded by the Project Arborist and tree protection fencing must be implemented under the Project Arborist's supervision based on these adjustments.

21. Tree Protection Fencing. The Applicant must provide appropriate tree protection devices, based on site conditions and proposed construction activities as reviewed and approved by FCON. Tree protection fences must consist of four-foot-high welded wire attached to six-foot steel posts driven 18 inches into the ground and spaced no further than 10 feet apart; or the installation of super silt fences.

22. Tree Preservation Measures. Tree preservation measures must be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets and Tree Preservation Plan and Narrative, including measures that may need to occur on the FCPA property, subject to receipt of permission at no cost to the Applicant, to mitigate for impacts to off-site trees. Tree preservation measures may include, but are not limited to, the following: root pruning, crown pruning, mulching, watering, etc. Specifications must be provided on the plan detailing how preservation measures will be implemented. Tree preservation activities must be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

23. Demolition. The demolition of all existing structures and site features within or adjacent to tree preservation areas must be accomplished in the least disruptive manner practical as reviewed and approved by FCON. All tree protection fencing must be in place and verified by a Fairfax County representative prior to commencement of demolition activities.

24. Site Monitoring. The Applicant's Project Arborist must be present on-site during implementation of the Phase 1 Erosion and Sediment Control Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities may include, but will not be limited to, clearing, root pruning, tree

protection fence installation, vegetation/tree removal, and demolition activities. During implementation of Phase 2 Erosion and Sediment Control Plan, the Project Arborist must visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and Narrative and approved by FCON. Written reports must be submitted to FCON and the Site Development & Inspections Division (SDID) site inspector detailing site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan and Narrative.

25. Invasive Plant Species Management. All portions of the Application Property containing plant species that are listed as invasive on the Virginia Department of Conservation and Recreation's Invasive Plant Species List will be subject to an invasive plant species management plan. At the time of site plan submission, the Applicant will provide a management narrative for review and approval by FCON and FCPA-NRB specifying the common and scientific name of invasive species proposed for management; the target area for and within any tree preservation areas located inside of the clearing limits for management efforts; methods of control and disposal of invasive plants; timing of treatments and monitoring; duration of the management program; and potential replanting along the limits of clearing as may be needed. The Applicant must monitor the managed areas for a period of five years from substantial completion of the Proposed Development.

LANDSCAPING

26. Native Landscaping. Landscaping must be generally consistent with the quality, quantity and the locations shown on the development plans, and must be non-invasive, predominately native species, and include a plant selection that includes species that will reduce the need for supplemental watering and the use of chemical fertilizers, herbicides and pesticides. All landscaping provided must be native to the mid-Atlantic region to the extent available and feasible, and must be non-invasive (meaning the Applicant must not use any plant species identified in the 2014, or latest version, of the Virginia Invasive Plant Species List published by the Virginia Department of Conservation and Recreation). The Applicant reserves the right, in consultation with and approval by FCON, to modify the exact species to be used, such as when plant materials are not available or have been deemed by FCON to no longer be appropriate. All temporary and permanent stabilization for erosion and sediment control will exclude any non-native invasive species. All seed mixes provided with the site plan, including seed mixes uses for temporary and permanent stabilization will be native to Northern Virginia to the maximum extent possible.

27. Certified Arborist. A certified arborist must participate in the design of the landscape plan, and in the pre-installation meeting to ensure conformance with the proffered commitments.

28. Landscape Planting Pre-installation Meeting. Prior to the installation of any plants or landscaping in accordance with the approved landscape plan, the Applicant or the landscape contractor must schedule an on-site pre-installation meeting with the landscape contractor, FCON, FCPA-NRB, and any additional appropriate parties. Any proposed changes to the approved landscape plan regarding planting locations, tree/shrub planting

sizes and/or species substitutions will be reviewed and approved by FCON and FCPA-NRB prior to planting. While the location of proposed trees may be modified, the quantity of trees will remain as shown on the CDP/FDP. The installation of plants not approved by FCON and FCPA-NRB may require the submission of a revised landscape plan or removal and replacement with approved trees or shrubs prior to bond release.

29. Off-Site Tree Replacement. All non-invasive trees six inches in caliper and greater located on FCPA property within 25 feet of the LOD should be identified in a tree inventory and condition analysis. Any trees six inches in caliper and greater on FCPA property that are removed or will have their critical root zones impacted by the LOD in a way that affects their long-term survivability, as determined by FCPA-NRB, must be replaced on a 2:1 basis (two trees planted for every one tree removed or impacted). Any additional trees on FCPA property identified for removal during the pre-construction meeting with FCPA-NRB and FCON will also be replaced on a 2:1 basis subject to FCPA-NRB approval.

30. Soil Remediation. Soil in all planting areas and under adjacent walkways must be the subject of remedial action to restore planting areas to satisfy the cultural requirements of trees, shrubs and groundcovers specified in the landscape planting plan, with attention to deep soil aeration, the addition of organic matter throughout the soil profile to at least 12 inches or an appropriate depth as required for certain plant types, and the addition of organic matter on top of the soil. Planting areas not used for walking or outdoor activities should be planted with native perennials to increase their habitat values and to avoid foot traffic and its attendant re-compaction of the amended soils. 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 by FCON.

31. Tree Planting. Plantings credited toward the tree canopy requirement that are proposed in the streetscape and other areas restricted by barriers to root growth should provide a planter open surface area at least six feet by six feet. Where minimum planting areas cannot be met and planting spaces at least eight feet wide cannot be provided, rooting zone width a minimum of eight feet should be provided beneath paved surfaces that provide uncompacted soil within the planting space, with planting sites meeting the following specifications: a minimum of six feet open surface width and 36 square feet open surface area; rooting area beneath paved surfaces at a minimum of eight feet wide, taking into consideration sloped sides as may be needed to support adjacent compacted soils for roadways and pedestrian walkways. Planting space depth should be four feet within four feet of the tree on all sides. Soil depth in areas beyond four feet may be shallower or narrower as long as specified minimum soil volumes are met. Paved surfaces over the specified rooting area should not be dependent upon compacted soil for structural support; soil volume for Category III or IV trees (as indicated in Table 12.14) should be a minimum of 700 cubic feet per tree for single trees. For two trees planted in a contiguous planting area, a total soil volume of at least 1200 cubic feet should be provided. For three trees or more trees planted in a contiguous area, the soil volume should equal at least 500 cubic feet per tree. A contiguous area is defined as any area with a soil depth of three to four feet within which lateral root growth is unrestricted. The measures as described

herein are applicable only to those trees included in the tabulations shown on Sheet L-02 of the CDP/FDP.

RECREATION

32. FCPA Contribution. Prior to the issuance of the first RUP on the Application Property, the Applicant will contribute a sum equivalent to $893.00 per new resident generated by the stacked townhomes and single-family attached units as determined by FCPA. Said contribution must be calculated using the actual number of units constructed. The contribution must be used for park and recreation improvements at Tysons Pimmit Park or elsewhere in the service area of the Application Property, as determined by FCPA in consultation with the Dranesville District Supervisor.

33. On-Site Recreation Facilities. Pursuant to subsection 2105.2.B.(4)(b) of the Zoning Ordinance, the Applicant will provide amenity areas and facilities designed to meet the on-site recreational needs of the future residents of the Application Property. The specific design of these areas may be adjusted at the time of site plan submission, provided the quality and character of the designs are compatible to those shown on the CDP/FDP. The Applicant must expend a minimum of $2,150.00 per market rate residential dwelling unit toward said recreational facilities. If all of the funds are not expended on the Application Property, the Applicant must contribute the balance to FCPA for use at park sites in the vicinity of the Application Property in consultation with the Dranesville District Supervisor. Said contribution will be based on the actual number of dwelling units constructed on the Application Property.

34. Publicly Accessible Recreational Facilities. Parks, trails, and open space shown as publicly accessible on Sheet S-08 of the CDP/FDP for the Application Property must be located within a public access easement in a form approved by the County Attorney, and recorded among the land records of Fairfax County with the record plat associated with said site plan showing the public access easement, and will be subject to the review and approval of FCPA. Such public access easement must provide for perpetual private maintenance of the publicly accessible outdoor recreation facilities. The Applicant reserves the right to set reasonable rules, regulations, and hours of operation for use of all outdoor recreation areas. Park spaces that are open to the public will be open for periods of time consistent with traditional County parks and subject to usual and customary rules and regulations. Signage directing the public to publicly accessible parks will be provided as depicted on the CDP/FDP and will state that such areas are open to the public. The installation of these amenity areas will be phased as follows:

A. Urban Park 1. The Applicant will install improvements in the location identified as “Urban Park 1” on Sheet L-06 of the CDP/FDP. Urban Park 1 will include features for active and passive recreation that may include, but are not limited to, open lawn play areas, lawn games, outdoor kitchen, firepits, hardscape/pavers, landscape areas, benches/seating areas, pergolas, a promenade, bike rack, and similar features and amenities as conceptually shown on Sheet L-06A of the CDP/FDP. The Applicant will install wayfinding signage as shown on the CDP/FDP. The Applicant may adjust the type and location of landscaping, the

design of the open spaces, and the features/amenities comprising Urban Park 1 subject to final design in consultation with FCPA and FCON, provided the general character and quality of the features/amenities remain consistent with that shown on Sheet L-06A of the CDP/FDP. The Applicant will complete Urban Park 1 prior to the issuance of the final RUP for the residential units that abut Urban Park 1.

B. Urban Park 2. The Applicant will install improvements in the location identified as "Urban Park 2" on Sheet L-06 of the CDP/FDP. Urban Park 2 will include features for active and passive recreation that may include, but are not limited to, a playground, open lawn play area, benches/seating areas, a picnic area, bike rack and similar features and amenities as conceptually shown on Sheet L-06A of the CDP/FDP. The Applicant will install a wayfinding sign as shown on the CDP/FDP to direct the public to Tysons Pimmit Park. The Applicant may adjust the type and location of landscaping, the design of the open spaces, and the features/amenities comprising Urban Park 2 subject to final design in consultation with FCPA and FCON, provided the general character and quality of the features/amenities remain consistent with that shown on Sheet L-06A of the CDP/FDP. The Applicant will complete installation of Urban Park 2 prior to the issuance of the first RUP for the Application Property.

C. Urban Park 3. The Applicant will install improvements in the location identified as "Urban Park 3" on Sheet L-06 of the CDP/FDP. Urban Park 3 will include features for passive recreation that may include, but are not limited to, hardscape/pavers, benches/seating areas, picnic tables, a pergola, and similar features and amenities as conceptually shown on Sheet L-06A of the CDP/FDP. The Applicant will install a wayfinding sign as shown on the CDP/FDP. The Applicant may adjust the type and location of landscaping and the features/amenities comprising Urban Park 3 subject to final design in consultation with FCPA and FCON, provided the general character and quality of the features/amenities remain consistent with that shown on Sheet L-06A of the CDP/FDP. The Applicant will install Urban Park 3 prior to the issuance of the RUP for Unit 30 as shown on Sheet C-07 of the CDP/FDP.

TRANSPORTATION IMPROVEMENTS

35. Public Access Easement. The Applicant will record a public access easement in a form as reviewed and approved by the County Attorney over all private streets, sidewalks, and trails located on the Application Property shown on Sheet S-08 of the CDP/FDP at the time of site plan. At the time of site plan, a public access easement in a form reviewed and approved by the County Attorney will also be recorded along the terminus of the northern private street along the western property boundary as shown on Sheet S-08 of the CDP/FDP to allow for the opportunity of shared access with future redevelopment of the adjacent properties to the west.

36. Road Improvements. The transportation improvements provided for in this proffer will be constructed with all required/applicable pavement transitions, as further qualified in these proffers and/or as determined at the time of site plan showing these improvements. For

purposes of this proffer, the term "construct" will mean that the committed improvement is substantially complete and available for public use whether or not such improvement has been accepted by VDOT for maintenance. The Applicant reserves the right, within its sole discretion, to combine construction of any of the transportation improvements described in these proffers into a single public improvement. In such event, all remaining improvements (other than roadway frontage) must be constructed in accordance with the construction of each phase without the need for a PCA or an amendment to the CDP/FDP. All public street improvements must be designed and constructed in accordance with the VDOT Road Design Manual, as amended, and are subject to VDOT approval.

A. Leesburg Pike Dedication. Subject to VDOT and Fairfax County Department of Transportation (FCDOT) approval, the Applicant will dedicate, at no cost and convey in fee simple with no liens to the Board, right-of-way measuring approximately 63.5 feet to 74.5 feet from the center line of Leesburg Pike along the Application Property's Leesburg Pike frontage as shown on the CDP/FDP to accommodate the planned Bus Rapid Transit (BRT) project and shared use path. Dedication must be made at time of site plan approval, or upon written demand of either Fairfax County or VDOT, whichever occurs first.

B. Leesburg Pike Reservation. The Applicant will reserve approximately 8,525 square feet of property located between Leesburg Pike and the proposed public street extension of Kilgore Road along the Application Property's frontage, as generally shown on Sheet C-07A of the CDP/FDP, to accommodate a future stormwater management facility associated with the planned Bus Rapid Transit (BRT) project. The reservation area will be dedicated at the time of site plan approval or upon written demand by either Fairfax County or VDOT, whichever occurs first. At the time the dedication is requested, the area will be conveyed in fee simple to the Board with no liens. Prior to dedication, the Applicant may preserve existing landscaping and plant landscaping within the reservation area as depicted on the CDP/FDP. Such landscaping may remain in place until construction of the stormwater management facility commences.

C. Kilgore Connection. Subject to VDOT and FCDOT approval, the Applicant will dedicate, at no cost and convey in fee simple with no liens to the Board, right-of-way measuring approximately 51 feet in width from Leesburg Pike to Kilgore Road as shown on the CDP/FDP. The public street width may be modified to 26 feet with a four-foot-wide landscape panel on one side of the street as shown on Exhibit A, as long as no reduction in total number of street trees as shown on the CDP/FDP. The Applicant will diligently pursue any required off-site easements and/or permissions to construct a public street within the dedicated right-of-way from Leesburg Pike to Kilgore Road as shown on Sheet C-07 of the CDP/FDP prior to the issuance of the first RUP on the Application Property or 90 days from easement acquisition as needed. The Applicant will diligently pursue VDOT acceptance of the proposed Kilgore Connection and the Tysons-Pimmit Regional Library connection into the Secondary System of State Highways for secondary street maintenance. Until accepted by VDOT for maintenance, any portions within

the Subject Property not accepted by VDOT for maintenance will be privately maintained.

D. Parcel 39-2 ((1)) 57A Access. The Applicant will realign and construct the access to Parcel 39-2 ((1)) 57A ("Parcel 57A") as shown on the CDP/FDP. The Applicant will meet with the owner of Parcel 57A and diligently pursue the required easements and/or permissions prior to construction of said access. Said improvements must be constructed prior to the issuance of the first RUP on the Application Property or 90 days from easement acquisition, whichever is later, subject to receipt of all required off-site easements and permissions for construction at no cost to the Applicant. The Applicant will not be responsible for the maintenance or repair of the vehicular access located on Parcel 57A. If the requested easements and/or permissions are not granted by the owner of Parcel 57A, the Applicant will construct an alternative access within the existing ingress/egress easement on Parcel 57A as shown on Sheet S-07 of the CDP/FDP.

E. Tysons-Pimmit Regional Library Connection. Subject to VDOT and FCDOT approval, the Applicant will dedicate, at no cost and convey in fee simple with no liens to the Board, right-of-way to provide a connection to the Tysons-Pimmit Regional Library property as shown on the CDP/FDP. The Applicant will construct an interim vehicular connection from the Application Property to the Tysons-Pimmit Regional Library as shown on the CDP/FDP, subject to receipt of all required off-site easements and/or permissions for construction at no cost to the Applicant. The Applicant will diligently pursue the required off-site easements and permissions from the Building Design and Construction Division of the Department of Public Works and Environmental Services (DPWES). Said interim improvement must be constructed prior to the issuance of the first RUP on the Application Property or 90 days from easement acquisition, whichever is later. The Applicant will coordinate with DPWES to facilitate the ultimate road alignment and streetscape at such time as the Tysons-Pimmit Regional Library property redevelops. The Applicant will not be responsible to construct or contribute to construction of the ultimate road alignment upon completion of the Proposed Development.

F. Crosswalk. The Applicant will install high-visibility crosswalks as shown on Sheet C-07 of the CDP/FDP, subject to VDOT approval. Notwithstanding what is shown on the CDP/FDP, the exact location and type of the crosswalks will be determined in consultation with FCDOT and subject to VDOT approval at time of site plan approval for the Application Property.

G. Streetscapes. The streetscapes will be provided throughout the Application Property consistent with the sections shown on Sheet C-10 of the CDP/FDP, including landscape panels, street trees, and sidewalks.

H. Alleys. The alleys will be provided throughout the Application Property consistent with the sections shown on Sheet C-10 of the CDP/FDP. Vehicular access and

circulation will be maintained and not obstructed by building features or above ground utilities.

I. Notwithstanding what is shown on the CDP/FDP, the Applicant may include parallel parking along portions of the proposed public street as part of the pavement marking and signage plan in accordance with VDOT and Public Facilities Manual (PFM) standards. The pavement marking and signage plan will be coordinated with VDOT, FCDOT, and the Dranesville District Supervisor's Office. The Applicant will diligently pursue acceptance of the public street by VDOT as described in paragraph 36.C. Parallel parking, or any portion thereof, that precludes acceptance of the public street by VDOT will be removed or modified.

PEDESTRIAN AND BICYCLE FACILITIES

37. Pedestrian Circulation. Pedestrian connectivity will be provided throughout the Application Property consistent with the Pedestrian Circulation Plan shown on Sheet C-08 of the CDP/FDP.

38. Shared Use Path. Prior to the issuance of the first RUP, the Applicant will diligently pursue the approval and construction of a 10-foot-wide asphalt shared use path and remove the existing five-foot-wide concrete sidewalk within the right-of-way along Leesburg Pike as shown on Sheet C-07 of the CDP/FDP, subject to FCDOT and VDOT approval. The Applicant will not be responsible for the maintenance of the shared use path located within the Leesburg Pike right-of-way. In the event VDOT or FCDOT does not approve the design and alignment of the proposed shared use path depicted on the CDP/FDP at the time of site plan, then the Applicant will contribute $50,000.00 to FCDOT for the future construction of the shared use path by others. Acceptance of the contribution by FCDOT will relieve the Applicant of its obligation to construct the shared use path.

39. Off-site Sidewalk. At the time of site plan review, the Applicant will coordinate with DPWES and the Board and diligently pursue the easement acquisition in order to construct a five-foot-wide concrete sidewalk off-site from the Application Property to the Tysons-Pimmit Regional Library located on Parcel 40-1 ((1)) 37. The Applicant will construct the sidewalk as shown on Sheet C-07 of the CDP/FDP subject to the receipt of easements and/or letters of permission at no cost to the Applicant. Said sidewalk will be constructed prior to the issuance of the first RUP or 90 days from easement acquisition, whichever is later. The Applicant will not be responsible for the maintenance of that portion of the sidewalk located on Parcel 40-1 ((1)) 37.

40. Off-site Trail. At the time of site plan review, the Applicant will coordinate with FCPA and FCON to minimize disturbance, to the greatest extent feasible, and diligently pursue the easement acquisition in order to construct a six-foot-wide asphalt trail off-site from the Application Property to Tysons Pimmit Park located on Parcel 40-1 ((1)) 37A. The Applicant will construct the trail as shown on Sheet C-07 of the CDP/FDP subject to the receipt of easements and/or letters of permission at no cost to the Applicant. The off-site

trail will be field located with FCON and FCPA at the time of site plan review. The Applicant will coordinate with DPWES at the time of site plan review to limit the impact on the existing stormwater facility and determine if the installation of a safety railing is required. The final design and location of the trail will be subject to review and approval by FCPA and DPWES. The Applicant will replant the disturbed areas on Parcel 40-1 ((1)) 37A impacted by the construction of the trail connection with a native seed mix. Said trail will be constructed prior to the issuance of the first RUP on the Application Property or 90 days following easement acquisition, whichever date is later. The Applicant will not be responsible for the maintenance of that portion of the trail located on Parcel 40-1 ((1)) 37A.

41. Bicycle Facilities. The Applicant will provide bicycle racks proximate to the on-site recreational facilities as generally shown on Sheet C-07 of the CDP/FDP in accordance with the Zoning Ordinance. The final location, quantity, and type of bicycle racks will be determined in consultation with the Fairfax County Bicycle Coordinator or his/her designee prior to site plan approval. Said bicycle racks will be installed in phases with the urban parks.

AFFORDABLE HOUSING

42. Affordable Dwelling Units (ADUs). The Applicant will provide ADUs on the Application Property in accordance with the provisions Section 5101 of the Zoning Ordinance. The ADUs generated by the Proposed Development will be distributed throughout the single-family attached units on the Application Property. The Proposed Development as shown on the CDP/FDP generates five ADUs, however, the final number of ADUs will be based upon the actual number of dwelling units constructed on the Application Property.

43. Workforce Housing. In addition to any ADUs that may be required, the Applicant will provide for-sale workforce dwelling units (WDUs) in accordance with the Board's Workforce Dwelling Unit Policy Guidelines adopted on March 18, 2025 (the "Policy Guidelines"). The WDUs will be distributed throughout the stacked townhome units on the Application Property. The Proposed Development as shown on the CDP/FDP generates 11 WDUs, which combined with the ADUs will result in 12 percent of the total for-sale units.

A. For-sale Income Tiers. The Applicant will provide approximately one-third (1/3) of the WDUs at 70 percent of the Washington Metropolitan region's Average Median Income ("AMI") income tier; one-third (1/3) of the WDUs at 80 percent of the AMI income tier; and one-third (1/3) of the WDUs at 100 percent of the AMI income tier. The number of WDUs will be equally distributed among the three income tiers to the extent possible based on the actual number of dwelling units constructed on the Application Property with the Applicant determining the final allocation. For example, if a total of 11 WDUs are provided, the distribution may be: three WDUs at 70 percent of the AMI income tier; four WDUs at 80 percent of the AMI income tier; and four WDUs at 100 percent AMI income tier.

44. WDU Agreement. Notwithstanding the foregoing, the Applicant reserves the right to enter into a separate binding written agreement with the appropriate Fairfax County agency as to the terms and conditions of the administration of the WDUs (if any) following approval of this Application (the "WDU Agreement"). The WDU Agreement will be on terms mutually acceptable to both the Applicant and Fairfax County and may only become effective after the approval of this Application. Neither the Board of Supervisors nor Fairfax County will be obligated to execute such an agreement. If the WDU Agreement is executed by all applicable parties, then the WDUs will be administered solely in accordance with the WDU Agreement and the provisions of this proffer, as it applies to WDUs, will become null and void.

STORMWATER MANAGEMENT

45. Stormwater Management. Subject to the approval of LDS, the Applicant will implement a Stormwater Management (SWM) and Best Management Practices (BMP) plan to control the quantity and quality of stormwater runoff from the Application Property. The Applicant will provide stormwater management BMP facilities as shown on the CDP/FDP with each submitted site plan. The Applicant will meet and exceed the minimum state and Fairfax County requirements for stormwater quality by providing phosphorous removal that will exceed the minimum requirement by 20 percent utilizing version 4.1 of the VRRM redevelopment spreadsheet. Stormwater detention will be provided at a minimum to reduce the post development one-year and two-year runoff rates to a level less than or equal to the one-year and two-year rates associated with the pre-development hydrologic conditions as shown on the CDP/FDP. Stormwater detention will be provided to reduce the post-development 10-year runoff rate to a level less than or equal to the 10-year runoff rate associated with good forested hydrology as shown on the CDP/FDP. The Applicant will not purchase off-site nutrient credits to meet the stormwater management requirements.

46. Salt Management. Salt must be stored in a covered area and only applied to paved surfaces during freezing inclement weather. The company that maintains common open space will be directed not to sweep or shovel salt into landscape areas or stormwater management facilities and to properly dispose of the salt.

47. Modifications to Facilities. The Applicant reserves the right to reconfigure the location and types of stormwater management measures shown on the CDP/FDP or pursue additional stormwater management measures provided the same are in substantial conformance with the CDP/FDP as allowed by the Public Facilities Manual and Chapter 124 of the Fairfax County Code.

48. New Regulations. Should new stormwater management regulations be issued affecting the Application Property, the Applicant will have the right to accommodate necessary changes to its stormwater/BMP facility designs without the requirement of a PCA, an amendment to the CDP/FDP, or approval of any administrative modifications to the CDP/FDP or proffers, provided the facility designs substantially conform with the CDP/FDP.

PUBLIC SCHOOLS

49. Contribution. Prior to the issuance of the first RUP for the Proposed Development, the Applicant must contribute the amount of $14,956.00 per new student projected to be generated to the Board for the construction of capital improvements to the Fairfax County Public Schools (FCPS) to which the students generated by the residential units are scheduled to attend. The total amount of the contribution will be determined at time of site plan submission based on the actual number of new dwelling units to be constructed on the Application Property. Following approval of this application and prior to the Applicant's submission of a site plan, if Fairfax County should modify the ratio of students per unit or the amount of contribution per student, the Applicant must pay the modified contribution amount to reflect the then and current ratio and/or contribution. This contribution is not subject to the provisions of Proffer 61.

50. Notification. The Applicant must notify the FCPS Office of Facilities Planning Services when the site plan is filed with Fairfax County.

ASSOCIATIONS

51. Property Owners Association. Future owners will be members of a Property Owners Association ("OA") established to regulate use and provide standards for construction, maintenance, and landscaping within the Application Property. At the discretion of the Applicant, this may include an overall, umbrella OA with multiple associations or separate OAs for individual residential unit types, inclusive of condominium associations. Concurrently with the submission of the first site plan, not to include standalone dedication plats for infrastructure improvements, the Applicant will submit, for review and approval, a declaration of covenants, conditions, and restrictions, and related governance documents (together, the "OA Covenants"). The OA(s) will be established and the associated OA Covenants will be recorded among the land records of Fairfax County prior to or concurrently with approval of the first site plan. Should any portion of the Application Property elect to annex into an existing OA, such annexation should occur consistent with the timing and other requirements established in this proffer.

52. Property Owners Association Responsibilities. In addition to any other responsibilities of the OA(s) set forth elsewhere in these proffers, the OA(s) will own and maintain all common areas, open space, active recreation areas, storm drainage and stormwater management easements and facilities not maintained by the County, all private streets on the Application Property, and all pedestrian and bicycle facilities and connections on the Application Property located outside of public right-of-way and not otherwise maintained by the County or VDOT; and will provide for trash removal and recycling services throughout the Application Property, snow removal and street light maintenance and will provide standards for the landscaping and use of privately-owned land and structures.

53. Use of Garages. A covenant must be recorded on the stacked townhomes and single-family attached dwelling units, which provides that garages must only be used for a purpose that will not interfere with the parking of vehicles. This covenant must be recorded among the land records of Fairfax County in a form approved by the County

Attorney prior to the sale of any unit and must run to the benefit of the OA and Fairfax County. Prior to entering into a contract of sale, initial purchasers must be advised of the use restriction, which must be included in the OA documents prepared in conjunction with the Proposed Development.

CONSTRUCTION MANAGEMENT

54. Construction Management Plan. The Applicant will prepare a construction management plan ("Construction Management Plan") which may include, but not limited to, a point of contact; interim pedestrian connection; and access management plan.

55. Point of Contact. The Applicant will designate a point of contact for all construction-related matters. The contact information for the designated individual will be provided to a representative of the Dranesville District Supervisors office prior to the commencement of construction.

56. Interim Pedestrian Connection. The Applicant will provide an interim pedestrian connection from Kilgore Road to Leesburg Pike during the construction of the Proposed Development.

57. Access Management Plan. Commercial vehicles and construction equipment associated with the construction of the Proposed Development will access the Application Property from Leesburg Pike.

MISCELLANEOUS

58. Documentation of Existing Office Building. Prior to site plan approval and demolition of the existing office building on the Application Property, the Applicant will conduct a Phase I Architectural Survey of the Application Property in accordance with the Identification-Survey level standards for documentation set forth in the Virginia Department of Historic Resources' most recent Guidelines for Conducting Historic Resources Survey in Virginia. The Applicant will ensure that the Phase I Architectural Survey will be conducted by a professional historian, architectural historian, or historic architect who meets, at a minimum, the United States Secretary of the Interior's professional qualification standards for such professions. All photographs (including CD or equivalent version) and written documentation will be submitted to the Virginia Room of the Fairfax County Public Library and to DPD. The Applicant will provide written documentation to DPD that required documentation has been submitted to the Virginia Room.

59. Signage. Signs for the Application Property must be provided in accordance with the requirements of Article 7 of the Zoning Ordinance or pursuant to a special exception approved by the Board.

60. Traffic Signal Preemption Devices. Prior to the issuance of the first RUP, the Applicant will contribute $10,000.00 to the Capital Project titled Traffic Light Signals – FRD Proffers in Fund 300-C30070, Public Safety Construction for installation of emergency

vehicle preemption equipment on a traffic signal in the vicinity of the Application Property within the Dranesville District as determined by the Fire and Rescue Department. The Applicant will have no responsibility for installation or maintenance of the preemptive signal device.

61. Escalation. All monetary contributions, except for the contribution associated with Public Schools, will escalate on a yearly basis from the base year of 2026 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 Va. Code Ann. Section 15.2-2303.3.

62. Due Diligence. Notwithstanding the foregoing, upon demonstration that despite diligent efforts or due to factors beyond an Applicant's control, such as, but not limited to, construction schedules, availability of financing, availability of materials, weather delays, and duration of approval process on market conditions, proffered improvements have been delayed beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of such improvements without the necessity of a PCA or an amendment to the CDP/FDP.

63. Severability/Future Applications. Any portion of the Application Property may be the subject of a rezoning, special exception, special permit, variance, FDPA, PCA, or other zoning action without the joinder and/or consent of the applicant/owner(s) of the other land areas provided that such application compiles with the Zoning Ordinance. Previously approved proffered conditions or development conditions applicable to a particular portion of the Application Property that are not the subject of such an application must remain in full force and effect.

64. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to “Applicant” in this proffer statement will include within its meaning and will be binding upon the Applicant’s successor(s) in interest and/or the owners from time to time of any portion of the Application Property during the period of their ownership. Once portions of the Application Property are sold or otherwise transferred, the associated proffers become the obligation of the purchaser or other transferee and will no longer be binding on the seller or other transferor.

65. 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.

[SIGNATURES BEGIN ON FOLLOWING PAGES]

APPLICANT/TITLE OWNER OF
TAX MAP 40-1 ((1)) 39

GACM 2019-FL1 REO (7600 LEESBURG), LLC, a Delaware limited liability company

By: Mortgage Opportunities Finance, LLC, a Delaware limited liability company, its sole member

By: Situs Holdings, LLC, a Delaware limited liability company, in its sole capacity as Special Servicer for member

By: _____
Name: Whitney B. Wheeler
Title: Director, Special Servicing

[SIGNATURES CONTINUE ON NEXT PAGE]

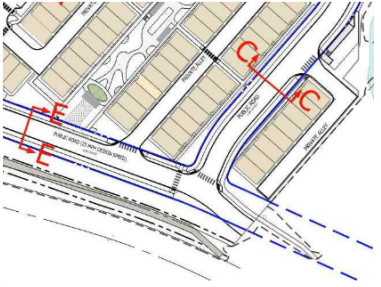
CONTRACT PURCHASER OF
TAX MAP 40-1 ((1)) 39

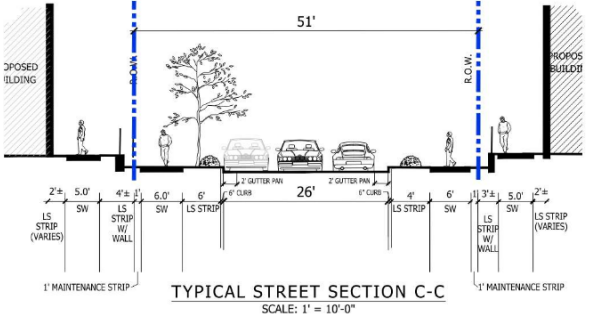
TOLL MID-ATLANTIC LP COMPANY, INC.

By: _____
Name: Nimita J. Shah
Title: Division President

[SIGNATURES END]

Exhibit A

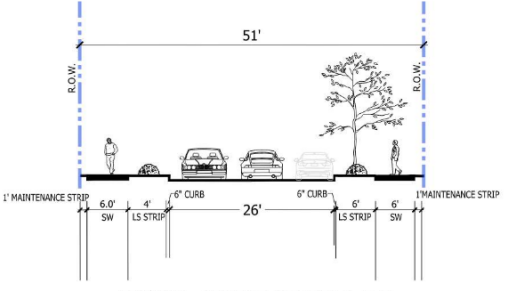




TYPICAL STREET SECTION C-C

SCALE: 1' = 10'-0"

PUBLIC ROAD



TYPICAL STREET SECTION E-E

SCALE: 1' = 10'-0"

PUBLIC ROAD

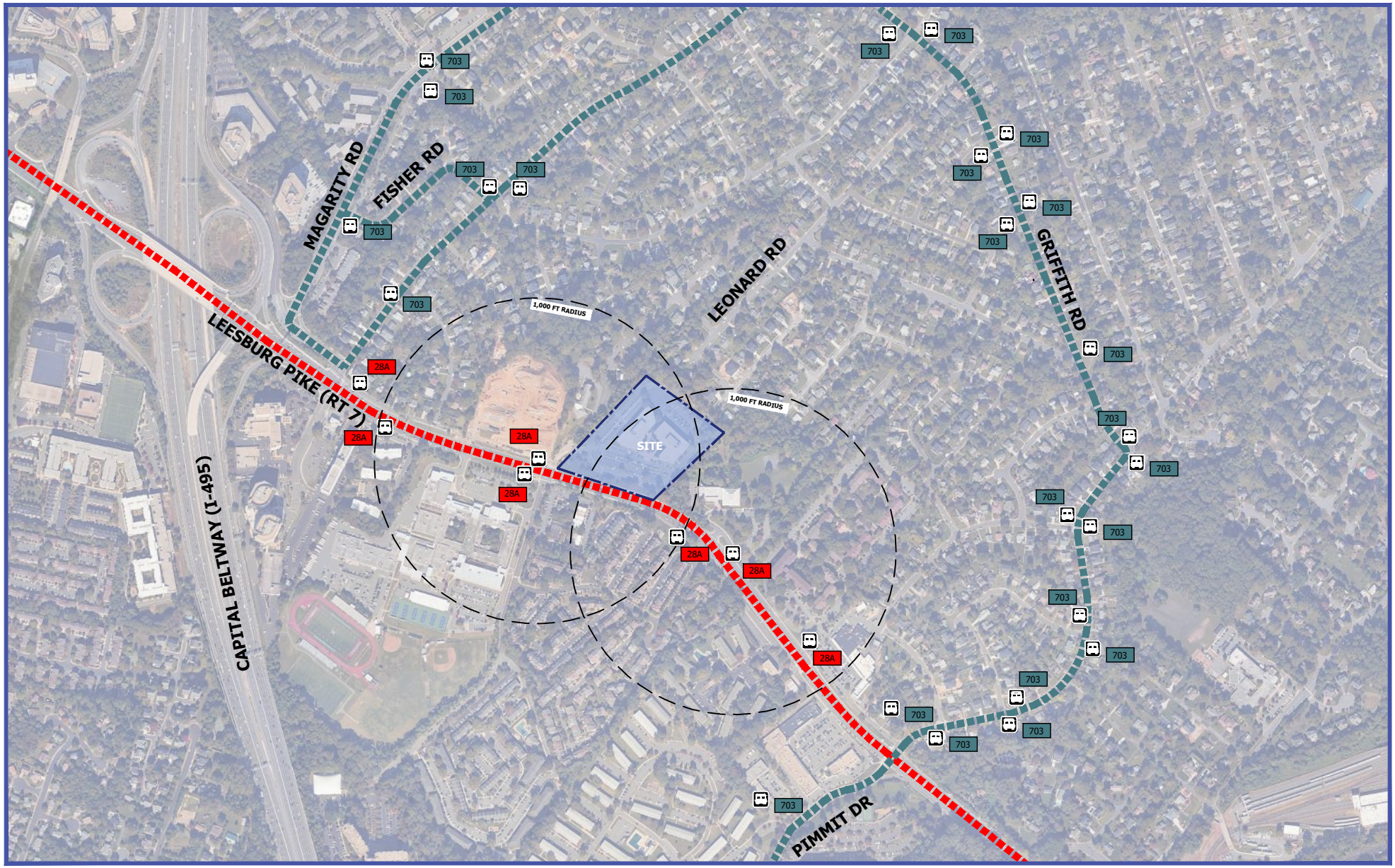


Figure 1
Site Location and Adjacent Bus Stop Locations

7600 Leesburg Pike
Fairfax County, Virginia

VIKA

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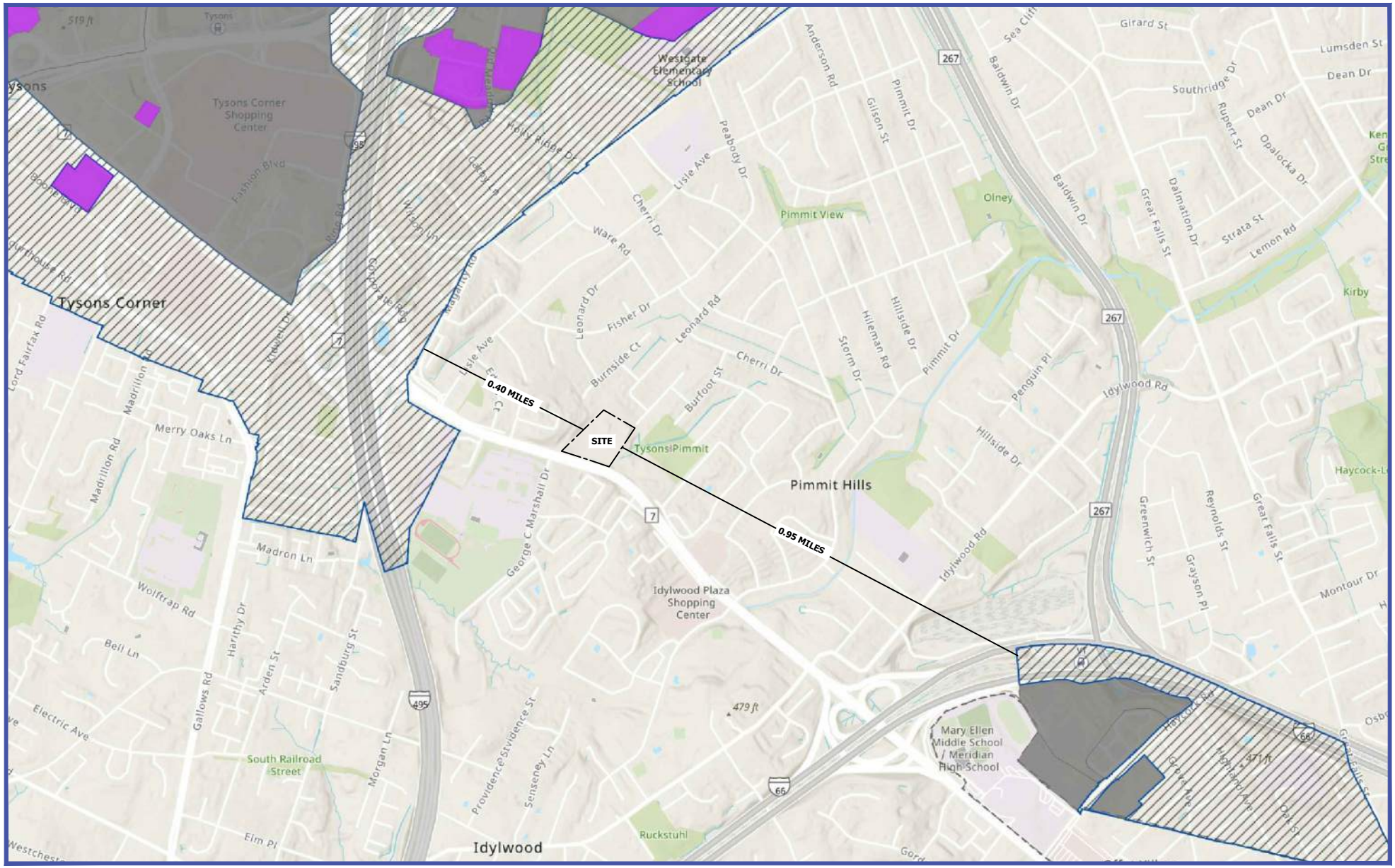

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Figure 2
Proximity to Transit Areas

7600 Leesburg Pike
Fairfax County, Virginia

VIKA

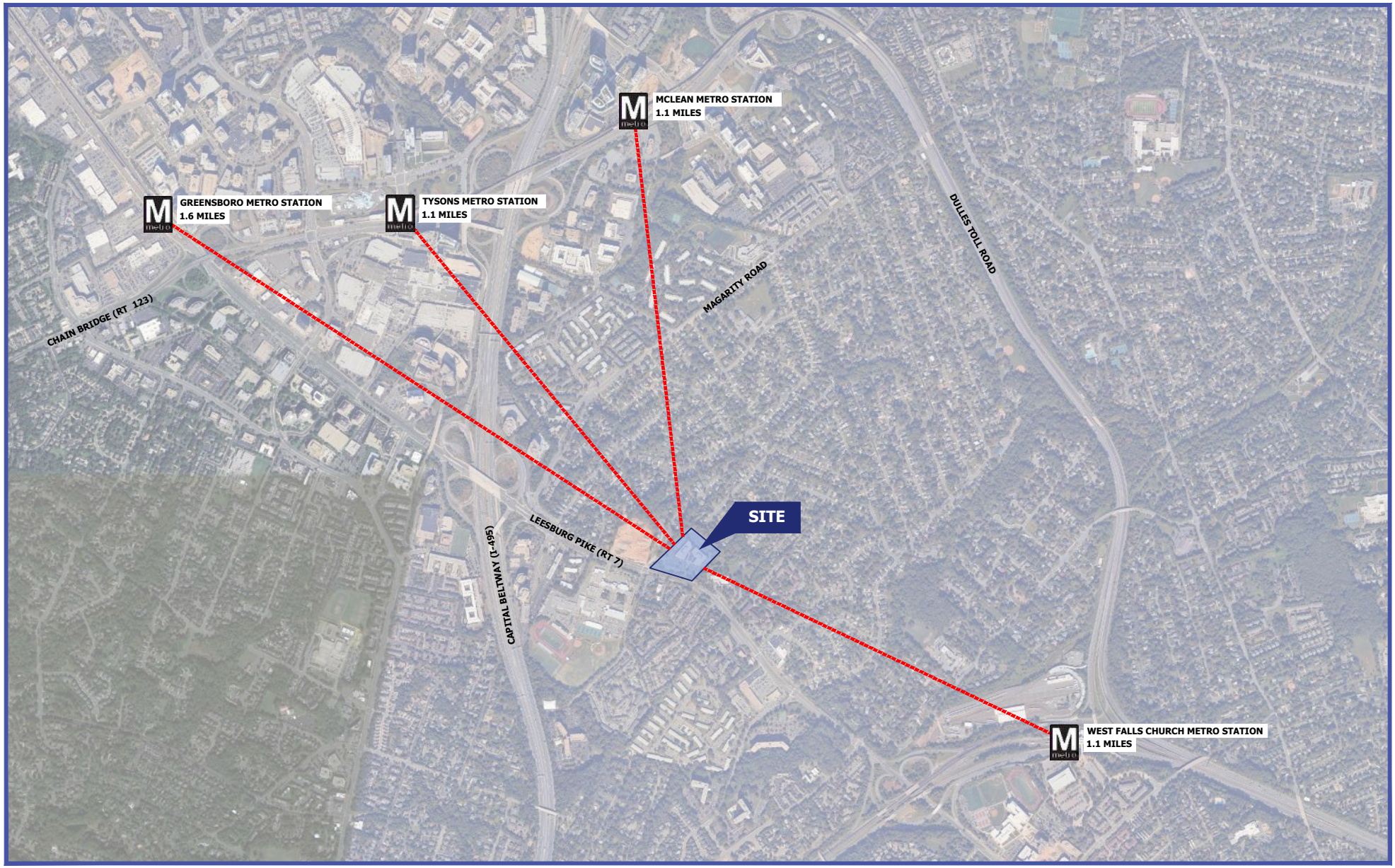

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Figure 3
Site Location with Metro Station Locations

7600 Leesburg Pike
Fairfax County, Virginia



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Figure 4
Concept Plan

7600 Leesburg Pike
Fairfax County, Virginia

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