County of Fairfax, Virginia
Planning Commission Meeting
December 3, 2025
Planning Commission Action

CDPA-2006-SU-025-04 AND PCA/FDPA-2006-SU-025-06 (RZPA-2025-SU-00024)
TIMBER RIDGE MANAGEMENT, LLC
(Sully District)

PLANNING COMMISSION RECOMMENDATIONS:
On December 3, 2025, the Planning Commission voted 12-0 to recommend to the Board of Supervisors approval of the following actions:

- PCA-2006-SU-025-06 and CDPA-2006-SU-025-04 subject to the proffers consistent with those dated December 2, 2025;

- Modification of Subsection 2105.4.C(l) to permit the gross floor area of the proposed dwellings to exceed 75% of the gross floor area of the principal use;

- Modification of Zoning Ordinance subsection 2105.2(B)(2) to waive the requirement for a 200 square foot minimum privacy yard for the proposed single-family attached dwellings;

- Modification of Subsection 5100.2.C(5) to allow for a parapet wall, cornice projection, or similar projection to exceed the height limit established by more than three feet in order to screen mechanical equipment without counting towards building height; and

- Waiver of Zoning Ordinance subsection 5107.1, A (3) to allow a private street greater than 600 feet in length.

In a related action, the Planning Commission voted 12-0 to approve FDPA-2006-SU-025-6 subject to the Board of Supervisors' approval of the concurrent rezoning application.

ATTACHED DOCUMENTS:
Proffers dated December 2, 2025
Waivers and Modifications dated December 3, 2025

MJ

PROFFERS

COMMONWEALTH CENTRE AT WESTFIELDS
LAND BAY D2

PCA 2006-SU-025-06

~~November 20~~December 2, 2025

Pursuant to Sections 15.2-2302(A) and 15.2-2303(A) of the Code of Virginia, as amended, and subsection 8100.2.D. of the Zoning Ordinance of Fairfax County, as amended (hereinafter referred to as the "Zoning Ordinance"), Timber Ridge Management, LLC, for and on behalf of the owner, Timber Ridge at Commonwealth, LLC, itself, and the owner's successors and/or assigns (collectively referred to as the "Applicant"), in PCA 2006-SU-025-06 and CDPA 2006 SU-025-04 (collectively, "the Applications") filed on property identified as Fairfax County Tax Map Parcel 44-1 ((1)) 6H4 (the "Application Property") hereby proffers the following, provided that the Board of Supervisors (the "Board") approves the above-referenced Applications. Upon approval of the Applications, these proffers will replace and supersede all previous proffers approved on the Application Property. In the event the Applications are denied by the Board, these proffered conditions will immediately be null and void.

CONCEPTUAL/FINAL DEVELOPMENT PLAN

1. Conceptual/Final Development Plan Amendment. 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 Development Plan Amendment and Final Development Plan Amendment, prepared by Bohler Engineering dated June 2, 2025 as revised through November 12, 2025 (collectively, the "CDPA/FDPA"), and as further modified by these proffers. The CDPA depicts the points of access and accompanying pedestrian and vehicular circulation routes through the Application Property, the maximum number and type of dwelling units, the maximum square footage of nonresidential uses, 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 FDPA elements.

2. Minor Modifications. Minor modifications to the CDPA/FDPA may be permitted as determined by the Zoning Administrator in accordance with subsection 8100.5.A.(1) of the Zoning Ordinance, including the flexibility to modify the layout shown on the CDPA/FDPA for all buildings as long as such changes are in substantial conformance with the CDPA/FDPA as determined by the Zoning Administrator and do not affect the proffered elements of the CDPA/FDPA as specified herein.

3. Minor Variations. Minor variations to these proffered conditions and the CDPA/FDPA may be approved in accordance with the provisions of subsection 8100.5.A.(2) of the Zoning Ordinance without the need for a proffered condition amendment (PCA).

PROPOSED DEVELOPMENT

4. Permitted Uses. The following uses will be permitted on the Application Property as shown on the CDPA/FDPA:

A. PDC District "Principal Uses" Permitted

- Public Uses
- Convention or Conference Centers
- Banquet or Reception Halls
- Retail Sales, General

B. PDC "Secondary Uses" Permitted

- Accessory uses and accessory service uses as permitted by Article 4
- Cultural Facilities or Museums
- Up to 67 Single-Family Attached Dwellings

The nonresidential Principal and Secondary Permitted Uses on the Application Property described above will be located in the Community Arts Building shown on the CDPA/FDPA. The Community Arts Building will include up to 15,000 square feet and will be designed, constructed, owned, and operated by Fairfax County.

5. Intensity/Density Credit. All intensity/density attributable to land area dedicated from the Application Property as designated on the CDPA/FDPA 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. Phasing. The construction of the proposed development shown on the CDPA/FDPA as described in these proffers is intended to occur in two phases as depicted on Sheets C-05 and C-05A of the CDPA/FDPA. The first phase, which is depicted on Sheet C-5A of the CDPA/FDPA, will include up to 67 single-family attached dwellings, the internal network of private streets and pedestrian connections, sidewalk and streetscape improvements along Newbrook Drive and Westfields Boulevard, the parking area and drive aisles associated with the Community Arts Building, and the private and public open spaces as depicted on Sheet C-5A of the CDPA/FDPA and as further described in these Proffers. The second phase, which is to be constructed by others, will include the Community Arts Building and any associated improvements not constructed by the Applicant in the first phase as depicted on Sheet C-5 of the CDPA/FDPA. The phases may be constructed in any order at the Applicant's discretion.

7. Fire Marshal Evaluation. Changes to the CDPA/FDPA 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 PCA or an amendment to the CDPA/FDPA provided such modifications are approved by the Zoning Administrator in consultation with other applicable agencies as determined by the Zoning Administrator, which may

include the Fairfax County Department of Transportation (FCDOT), the Forest Conservation Branch (FCON), and the Department of Planning and Development (DPD), and are in substantial conformance with the CDPA/FDPA and these proffers.

8. VDOT Evaluation. Changes to the CDPA/FDPA 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 CDPA/FDPA provided such modifications are approved by the Zoning Administrator in consultation with other applicable agencies as determined by the Zoning Administrator, which may include FCDOT, FCON, and DPD, and are in substantial conformance with the CDPA/FDPA and these proffers.

9. WBOA Evaluation. The Applicant may modify the layout, site design, configuration of pedestrian facilities, or architecture of the proposed buildings shown on the CDPA/FDPA as may be required by the Westfields Business Owners Association (the "WBOA") or the Westfields Architectural Review Board (the "WBOA ARB"), provided that the modifications are in substantial conformance with the CDPA/FDPA.

COMMUNITY ARTS BUILDING

10. Community Arts Building. The Applicant will dedicate to the Fairfax County Board of Supervisors or its designee in fee simple and without financial encumbrances approximately 0.79 acres of the Application Property to allow the construction of the Community Arts Building shown on the CDPA/FDPA, in accordance with the provisions below. This dedication will occur: 1) within 30 days after the Applicant completes the site work described below; or, 2) if the County sends a written request for dedication prior to completion of the site work, the Applicant will perform the site work and dedicate the property within 90 days upon receipt of the written request. In the latter case, the Applicant will be permitted to continue to perform the site work after dedication but must complete the work within twelve (12) months after the issuance of a grading permit:

A. The design, construction, use, programming, and scheduling of events in the Community Arts Building will be the responsibility of Fairfax County, or its designee.

B. The Community Arts Building will include up to 15,000 square feet of GFA. Notwithstanding the precedent images provided in the CDPA/FDPA, the architectural design of the Community Arts Building will be determined by Fairfax County or its designee, subject to approval of the WBOA and the WBOA ARB.

C. Prior to dedication, the Applicant will perform all necessary clearing and grading to prepare the site for construction of the Community Arts Building. The Applicant will install any necessary utility connections to the pad site (including, but not limited to water, sewer, and electric), install stormwater management facilities, seed and sod the pad site, and construct the surface parking lot with associated travelways as shown on the CDPA/FDPA. All other improvements associated with the Community Arts Building will be constructed by and at the expense of others.

D. Upon completion of the site work required by this Proffer 10 and dedication of the property to Fairfax County, the Applicant will have no further responsibility for the dedicated area or the design, construction, programming, or ongoing operations of the Community Arts Building. However, the Applicant reserves the right to review and comment on the design of the Community Arts Building within its reasonable discretion to ensure it is compatible with the single family attached dwellings.

E. Prior to the issuance of a Non-RUP for the Community Arts Building, a Traffic Management Plan for the Community Arts building will be submitted by others to FCDOT for review and comment. The Traffic Management Plan will include, but not be limited to, a plan for managing traffic and parking during events. The Applicant will not be responsible for the development or implementation of the Traffic Management Plan.

F. Within 90 days of the final, non-appealable approval of the Applications, the Applicant will make a monetary contribution to Fairfax County in the amount of $1,300,000.00. The contribution will be used to fund the design and construction of the Community Arts Building. This proffer will not be subject to the provisions of Proffer ~~57~~58.

ARCHITECTURAL DESIGN

11. Single-Family Attached Dwelling Unit Architecture. The architectural design of the single-family attached dwelling units will be generally consistent with the images shown on Sheet A-1 of the CDPA/FDPA. The photographs are intended to demonstrate the general character and quality of construction and 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. Architecture is subject to change at the time of final design as long as the changes are generally consistent with the images on the CDPA/FDPA.

12. 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.

~~12.~~13. Community Arts Building Architecture. Notwithstanding the precedent images provided on Sheet A-2 of the CDPA/FDPA, the Community Arts Building will be designed and

constructed by Fairfax County or its designee at no cost to the Applicant, aside from the monetary contribution referenced in Proffer 10. The Applicant will not be responsible for securing WBOA approval of the architectural design of the Community Arts Building.

SUSTAINABLE BUILDING DESIGN

~~13.~~14. Single-Family Attached Dwelling Units. The Applicant will select one of the following programs, within its sole discretion at the time of first site plan submission, to be implemented in the construction of the single-family attached dwelling units:

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 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 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 Environmental Branch of DPD prior to site plan approval.

~~14.~~15. Community Arts Building. The Community Arts Building will be designed and constructed in accordance with the standards set forth in the Green Building section of the Fairfax County Operational Energy Strategy, as demonstrated at the time of building plan submission for the Community Arts Building.

ELECTRIC VEHICLE CHARGING

~~15.~~16. Community Arts Building. The Applicant will install conduit and electric infrastructure to allow the future installation of three (3) electric vehicle parking spaces in the surface parking lot adjacent to the Community Arts Building. The charging stations will be installed by others.

~~16.~~17. Single-Family Attached Dwelling Units. Each single-family attached dwelling unit will have a the required electrical panels for electric vehicle ready charging, which means the provision of space, conduit banks, conduits, and access points within the garage that will support future wiring for Level 2 electric vehicle charging. At time of initial purchase,

each initial purchaser will be given the option to have an EV charging station installed at the purchaser's cost.

ENVIRONMENTAL

~~17.~~18. Airport Disclosure Statement. Prior to entering into a contract of sale, prospective purchasers must be notified in writing by the Applicant of the proximity of Dulles International Airport, that homes are located within an area that may be impacted by aircraft overflights and aircraft noise, that the noise from individual aircraft flying over the Application Property may exceed the average aircraft noise levels for the Application Property, that the frequency of overflights may increase over time, and that the Application Property is encumbered by an avigation easement. In addition, a map showing Dulles International Airport, the DNL 60 and 65 dBA contour lines as adopted by Fairfax County, and the general locations of residential units and private active recreation spaces must accompany such disclosure notification. Such disclosure must be accomplished by inclusion of this information in all sales contracts, Primary HOA disclosure statements, and Primary HOA governing documents recorded in the land records so as to give notice to all initial and subsequent purchasers, and by inclusion in the land records. Marketing materials in any sales office, such as marketing site plans, home brochures, and standard features lists, must note that the Application Property is proximate to Dulles International Airport.

~~18.~~19. Noise Mitigation. All residential units on the Application Property must employ construction measures designed to ensure that interior noise is mitigated to levels that do not exceed a maximum of DNL 45 dBA from all transportation sources, including airplane overflights. Construction measures must be in accordance with the recommendations made in the "Commonwealth Landbay D2 Transportation Noise Impact Analysis" report prepared by Phoenix Noise & Vibration, LLC, dated May 22, 2025, which will be revised and updated, as appropriate, at time of site and/or building plan submission to account for final grading and architectural plans and depict the final noise contours as determined by the noise study, and may include, but not be limited to, appropriate and upgraded Sound Transmission Class ("STC") ratings for windows, doors, exterior walls, and roofs; stone wool, mineral wool, or other enhanced insulation materials; additional layers of dry wall; resilient channels or clips; and appropriate seals and caulking between surfaces. At the time of building permit issuance, compliance with these requirements must be certified by an acoustical engineer licensed in the Commonwealth of Virginia. The Applicant reserves the right to pursue other methods of mitigating noise impacts that can be demonstrated prior to site plan approval through an independent noise study as reviewed and approved by LDS and DPD, provided that these methods will be effective in reducing interior noise levels for residential units to DNL 45 dBA or less.

Prior to the issuance of the first RUP, the Applicant must conduct post-development interior noise testing of any model homes constructed on the Application Property, with such tests certified by an acoustical engineer, to demonstrate that an interior noise level of DNL 45 dBA, or less, has been achieved. The results of such post-development interior noise testing must be provided to the Development Design Review Branch of DPD. Corrective measures, if necessary, to achieve an interior noise level of DNL 45 dBA, or

less, could include, but are not limited to, installing windows and doors with higher STC ratings, adding additional insulation or dry wall, and improving seals and caulking between surfaces. Notwithstanding the limitation for testing of the model homes, corrective measures must be applied to any number of units as necessary to ensure that all units achieve an interior noise level of DNL 45 dBA, or less.

~~19.~~20. Avigation Easement and Airport Noise Notification. Prior to the issuance of the first RUP for the Application Property, the Applicant must dedicate and record an avigation easement over the Application Property to the benefit of the Metropolitan Washington Airports Authority, in form approved by the Office of the County Attorney, indicating the right of aircraft flight to pass over the Application Property. The Primary HOA Documents required pursuant to Proffer ~~17~~ 18 must contain a notification that the site is in close proximity to Dulles International Airport, that the dwelling units may experience aircraft noise, that noise contour lines may change in the future, and that aircraft noise may increase.

~~20.~~21. Lighting. All on-site outdoor lighting must comply with the lighting standards set forth in Section 5109 of the Zoning Ordinance. All proposed 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

~~21.~~22. 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 (the "Project Arborist") and must include elements of PFM 12-0307 deemed appropriate to the project site as determined by FCON and additionally by FCPA for the trees on the portion of the Application Property that abuts property owned by FCPA.

~~22.~~23. Tree Preservation Plan. 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 project site as determined by FCON and additionally by FCPA for the trees on the portion of the Application Property that abuts property owned by FCPA.

~~23.~~24. 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 Project Arborist must attend the pre-construction meeting to review the limits of clearing and grading with representatives of FCON and FCPA 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.

~~24.~~25. 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 and additionally by FCPA for the portion of the Application Property that abuts property owned by FCPA. Tree protection fence must consist of four-foot-high welded wire attached to six-foot steel posts driven 18 inches into the ground and space no further than 10 feet apart; or super silt fence.

~~25.~~26. 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. 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 must be implemented. Tree preservation activities must be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

~~26.~~27. Demolition. The demolition of all existing site features within or adjacent to tree preservation areas must be accomplished in the least disruptive manner practical as reviewed and approved by FCON and additionally by FCPA for the portion of the Application Property that abuts property owned by FCPA. All tree protection fencing must be in place and verified by a County representative prior to commencement of demolition activities.

~~27.~~28. 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 include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of the 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 approved by FCON. Written reports must be submitted to FCON, FPCA, 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.

LANDSCAPING

~~28.~~29. Landscape Plan. The Applicant must submit a landscape plan at time of each site plan submission that shows, at a minimum, landscaping as generally shown on the CDPA/FDPA for review and approval by FCON and additionally by FCPA for the portion of the Application Property that abuts property owned by FCPA. The landscape plan must be designed to ensure adequate planting space for all trees based on the requirements in the PFM. All landscaping should include a plant selection that includes species that will reduce the need for supplemental watering and the use of chemical fertilizers, herbicides and pesticides and must be native to the mid-Atlantic region to the extent available and feasible, and must be non-invasive (meaning that the Applicant must not use any plant species identified in the 2024, or latest version, of the Virginia Invasive Plant List published by the

Virginia Department of Conservation and Recreation). Adjustments to the type and location of vegetation and the design of landscaped areas from that shown on the CDPA/FDPA will be permitted as approved by FCON and additionally by FCPA for the portion of the Application Property that abuts property owned by FCPA. All landscaping must be installed no later than bond release for each development phase.

~~29.~~30. Certified Arborist. A certified arborist must participate in the design of the landscape plan, and in all pre-installation meetings to ensure conformance with proffered commitments.

~~30.~~31. 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 and FCPA-NRB staff, 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 staff prior to planting. While the location of proposed trees may be modified, the quantity of trees will remain as shown on the CDPA/FDPA. The installation of plants not approved by FCON may require the submission of a revision to the landscape plan or removal and replacement with approved trees or shrubs prior to bond release.

~~31.~~32. Invasive Plant Species Management. At the time of each site plan submission, the Applicant will provide a management narrative for review and approval by FCON and additionally by FCPA for the portion of the Application Property that abuts property owned by FCPA specifying the common and scientific name of invasive species proposed for management, the target area along the limits of clearing, 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.

SOILS

~~32.~~33. Geotechnical Study. Prior to site plan approval for each development phase, the Applicant will submit a limited geotechnical report, if requested, for the review and approval by LDS. All recommendations of the study must be implemented to address potential geotechnical and geo-structural issues, if any, to the satisfaction of LDS.

~~33.~~34. Soil Remediation. Soil in planting areas that contains construction debris and rubble, are compacted, or are unsuitable for the establishment and long-term survival of landscape plants, must be the subject of remedial action to restore planting areas with attention to deep soil aeration, the addition of organic matter throughout the soil profile to at least 12 inches, and the addition of organic matter on top of the soil to satisfy cultural requirements of trees, shrubs and groundcovers specified in the landscape plan shown on the CDPA/FDPA. If such remedial action is necessary, the Applicant must provide notes and details specifying how the soil will be restored for the establishment and long-term survival of landscape plants for review and approval by FCON and additionally by FCPA for the portion of the Application Property that abuts property owned by FCPA.

RECREATION

~~34.~~35. On-Site Recreation Facilities. Pursuant to subsection 2105.4.B.(4)(b) of the Zoning Ordinance, the Applicant must 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 building plan submission, provided the quality and character of the designs are compatible to those shown on the CDPA/FDPA. The Applicant must expend a minimum of $2,400.00 per market rate residential dwelling unit toward said recreational facilities. The installation of indoor and outdoor recreation areas will be phased with construction.

~~35.~~36. Off-Site Recreational Contribution. Prior to the issuance of the RUP for each single-family attached dwelling unit, the Applicant will contribute a sum equivalent to $893.00 per new resident generated by the single-family attached units as determined by FCPA in accordance with Demographic Reports prepared by Fairfax County. That contribution must be calculated using the actual number of units constructed. The contribution must be used for park and recreation improvements at Ellanor C. Lawrence Park or elsewhere in the service area of the Application Property, as determined by FCPA in consultation with the Sully District Supervisor.

~~36.~~37. Publicly Accessible Urban Parks. As identified on the CDPA/FDPA, the Applicant will provide the outdoor open spaces and recreation facilities described below. The outdoor facilities will be located within a public access easement in a form approved by the County Attorney, and recorded among the land records of Fairfax County at time of site plan. The Applicant reserves the right to set reasonable rules, regulations, and hours of operation for use of the outdoor recreation areas.

A. Common Green. The Applicant will install park improvements in the approximately 0.24-acre area identified as the "Proposed Common Green" on the CDPA/FDPA prior to the issuance of the first RUP on the Application Property. The Common Green will include seating areas, a shade structure, walkways, an open lawn area, and landscaping. The portion of the Common Green adjacent to the northeast wall of the Community Arts Building will include a pollinator garden, benches, and a plaza area with movable seating. The Applicant may adjust the type and location of vegetation, the design of the open spaces, and the features/amenities comprising the Common Green subject to final design in consultation with FCPA and FCON, as long as the general character and quality of Common Green remains consistent with that shown on the CDPA/FDPA.

Notwithstanding the foregoing, the portion of the Common Green located adjacent to the northeast wall of the Community Arts Building may be constructed prior to bond release for the single-family attached dwelling phase of construction in the event that: 1) this area is being used as a construction laydown/storage area for the remaining single family attached dwellings that are still under construction; or 2) the Community Arts Building is under construction.

In the event that a portion(s) of the Common Green is removed and/or damaged during construction of the Community Arts Building, the damaged portion(s) will

be replaced and/or restored by others at no cost to the Applicant or the HOA for the single family attached dwellings.

B. Linear Park. The park improvements in the approximately 0.07-acre area identified as "Linear Park" on the CDPA/FDPA will be constructed prior to the issuance of the first RUP on the Application Property. This area located along the Newbrook Drive street frontage will include landscaping and benches.

TRANSPORTATION IMPROVEMENTS

~~37.~~38. Public Access Easement. The Applicant will provide a public access easement over all streets, sidewalks, and trails located on the Application Property prior to the issuance of the first RUP for all such facilities constructed with the residential phase, and prior to the issuance of the Non-RUP for the Community Arts Building for all such facilities constructed with the nonresidential phase of the proposed development.

~~38.~~39. Road Improvements. If not already constructed by others, the following transportation improvements provided for in this proffer will be constructed in one or more phases together with all required/applicable pavement transitions, as further qualified in these proffers and/or as determined at the time of site plan. 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.

A. Westfields Boulevard Sidewalk. The Applicant must install a variable-width asphalt sidewalk ranging from 8' to 10' in width in consideration of tree-preservation areas and topographical constraints along the Application Property's Westfields Boulevard frontage between the intersection of Newbrook Drive and the terminus of the existing Flatlick Branch Stream Valley trail at the intersection of Westfields Boulevard and Walney Road as shown on Sheet C-7 of the CDPA/FDPA. Notwithstanding what is shown on the CDPA/FDPA, the Applicant reserves the right to adjust the location, alignment, and width of the sidewalk at the time of site plan in consideration of utilities, light poles, and existing trees to be preserved. In addition, a portion of the sidewalk may be concrete if required to comply with VDOT requirements. The sidewalk will be located within a public access easement granted to Fairfax County prior to the issuance of the first RUP on the Application Property. The sidewalk will be constructed prior to the issuance of the first RUP for the Application Property.

In addition, prior to the issuance of the first RUP on the Application Property or within 30 days of receipt of written request by Fairfax County, whichever occurs first, the Applicant will contribute two thousand five hundred dollars ($2,500.00) to Fairfax County or its designee to be used for the construction of the remaining segment of sidewalk between the terminus of the Westfields Boulevard trail constructed by the Applicant pursuant to this Proffer and the existing sidewalk to the north.

B. Newbrook Drive Sidewalk. The Applicant will install a minimum six foot (6') wide sidewalk along the Application Property's Newbrook Drive frontage as shown on the CDPA/FDPA. The new sidewalk will connect to the existing sidewalk at its terminus near the southwest corner of the Application Property. The Newbrook Drive sidewalk will be constructed prior to the issuance of the first RUP for Units 1 through 4 as depicted on the CDPA/FDPA.

C. Newbrook Drive Enhanced Crosswalk. Prior to the issuance of the first RUP or Non-RUP for the Application Property, and subject to the approval of the owner of Newbrook Drive (the "Newbrook Drive Owner"), a privately owned street identified as Fairfax County Tax Map Parcel 44-1 ((1)) 6F1 ("Parcel 6F1"), the Applicant will install the following pedestrian safety and aesthetic enhancements to the existing pedestrian crosswalk across Newbrook Drive at the site entrance as shown on the CDPA/FDPA, subject to review and approval by FCDOT:

(i) Install decorative, stamped asphalt pavement in the existing crosswalk at the intersection of Newbrook Drive and the site entrance as shown on the CDPA/FDPA;

(ii) Install manually-activated Rectangular Rapid Flashing Beacon (RRFB) pedestrian crossing signs at the Newbrook Drive crosswalk in the general locations identified on the CDPA/FDPA

If the Newbrook Drive Owner does not approve the crosswalk enhancements despite the Applicant's diligent pursuit, the Applicant's obligation pursuant to this proffer is null and void.

D. Newbrook Drive On-Street Parking. Subject to the approval of the owner of Parcel 6F1, the Applicant will install striping or pavement markings in the existing right-turn lane and westernmost travel lane to provide approximately 32 on-street parking spaces along Newbrook Drive as depicted on Sheet C-4 of the CDPA/FDPA, prior to the issuance of a RUP for the Application Property. Notwithstanding what is shown on Sheet C-4, the final number and location of the on-street parking spaces is subject to change pending the approval of the owner of Parcel 6F1. If the owner of Parcel 6F1 does not approve the on-street parking despite the Applicant's diligent pursuit, the Applicant's obligation pursuant to this proffer is null and void.

~~39.~~40. Inter-parcel Connections. Subject to approval of the Commonwealth Place at Westfields Owners Association ("Commonwealth Place"), the Applicant will construct vehicular and pedestrian inter-parcel connections in the locations identified on Sheet C-5 of the CDPA/FDPA. In the event Commonwealth Place does not approve the inter-parcel connections despite the Applicant's diligent pursuit, the Applicant's obligation pursuant to this proffer is null and void.

PARKING

~~40.~~41. Use of Garages. A covenant must be recorded on the 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 homeowners association 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 homeowners' association documents prepared in conjunction with the proposed development.

ASSOCIATIONS

~~41.~~42. Condominium and Homeowners Associations. A homeowners association (HOA) must be established for the single-family attached dwelling units. Alternatively, at the Applicant's discretion and subject to approval of the adjacent HOA, the Applicant may annex the single-family attached dwelling units into the existing adjacent HOA.

~~42.~~43. Reciprocal Easement and Maintenance Agreement. In addition to the HOA established for the single-family attached dwelling units, prior to site plan approval, the Applicant must record a reciprocal easement and maintenance agreement (the "REA") that sets forth maintenance responsibilities for shared common facilities and amenities that will serve the residential portion of the Application Property and the Community Arts Building. The REA will run with the land comprising the Application Property. Maintenance obligations for shared facilities will be assigned to the HOA and the owner of the Community Arts Building (the "Community Arts Building Owner"). The Applicant must notify all prospective initial purchasers of the single-family attached dwelling units, in writing, and prior to entry into a contract of sale, of the maintenance responsibilities and restrictions of the HOA and Community Arts Building Owner, respectively.

PEDESTRIAN SAFETY AND AESTHETIC ENHANCEMENTS

~~43.~~44. Pedestrian Facilities. The Applicant will provide the following pedestrian safety and aesthetic enhancements:

A. Pedestrian connectivity must be provided throughout the Application Property consistent with the Pedestrian Circulation Plan included on Sheet C-7 of the CDPA/FDPA.

B. The Applicant will install two (2) Advanced Warning Pedestrian Signs proximate to the site entrance on Newbrook Drive in the general locations identified on Sheet C-14 of the CDPA/FDPA prior to the issuance of the first RUP for the Application Property.

C. The Applicant will install one (1) speed limit sign at the entrance to Newbrook Drive from Westfields Boulevard identifying the permitted speed on Newbrook Drive as 25 miles per hour prior to the issuance of the first RUP for the Property.

BICYCLE FACILITIES

~~44.~~45. Community Arts Building. The Applicant will provide bicycle parking for the Community Arts Building in accordance with Zoning Ordinance requirements. Notwithstanding the location shown on the CDPA/FDPA, the final location of the bicycle racks may be revised in coordination with the Fairfax County Bicycle Coordinator or his/her designee at the time of site plan. Bicycle racks will be installed prior to the issuance of a Non-RUP for the Community Arts Building.

AFFORDABLE AND WORKFORCE HOUSING

~~45.~~46. Affordable Housing. The Applicant must provide for sale Affordable Dwelling Units (ADUs) on the Application Property in accordance with the provisions of the Section 5101 of the Zoning Ordinance and the Administrative Regulations Concerning the Sale and Rental of Affordable Dwelling Units, as amended.

~~46.~~47. Workforce Housing. In addition to any ADUs that may be required, the Applicant must also provide for sale Workforce Dwelling Units (WDUs) in accordance with the Board's Guidelines for Provision of Workforce Dwelling Units, as amended, as well as the Board's Workforce Dwelling Unit Administrative Policy Guidelines, adopted March 18, 2025 (the "WDU Guidelines"), and to the satisfaction of the Department of Housing and Community Development. Based on the number of required ADUs, an additional three (3) WDUs are anticipated based on the maximum number of 67 single-family attached dwelling units. Notwithstanding that the WDU Guidelines allow up to one-thirds of the for-sale WDUs to be priced to serve households with an income up to 100% Area Median Income for the Washington Standard Metropolitan Statistical Area (AMI), each of the three (3) provided WDUs will be priced to serve households with an income up to 80% of AMI. The total number of affordable/workforce dwelling units on the Application Property will result in not less than twelve percent (12%) of the total for-sale dwelling units constructed.

~~47.~~48. Size of Affordable and Workforce Housing. The bedrooms and living rooms of the ADUs and WDUs will meet the minimum sizes as provided in the Virginia Construction Code.

STORMWATER MANAGEMENT

~~48.~~49. Stormwater Management. Subject to the approval of LDS, the Applicant must 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 must provide stormwater management facilities as shown on the CDPA/FDPA with each submitted site plan. The final design of the stormwater outfall located on FCPA property will be coordinated with FCPA at the time of site plan and field-verified at the time of construction. The final location of the stormwater outfall and associated limits of disturbance will be subject to review and approval by FCPA. The entire outfall will be maintained by the HOA and the portion located on FCPA property will be subject to an easement to allow such maintenance in a form approved by the County Attorney and recorded prior to the issuance of the first RUP on the Application Property. The Applicant must meet or exceed the minimum state and Fairfax County requirements for stormwater quantity and quality, unless otherwise waived or modified, and must meet the Specific

Performance Targets for stormwater design set forth in the Comprehensive Plan's area-wide recommendations for the Dulles Suburban Center, as described in the narrative provided on Sheet C-10 of the CDPA/FDPA.

~~49.~~50. Modifications to Facilities. The Applicant reserves the right to reconfigure the location and types of stormwater management measures shown on the CDPA/FDPA or pursue additional stormwater management measures provided the same are in substantial conformance with the CDPA/FDPA as allowed by the Public Facilities Manual and Chapter 124 of the Fairfax County Code.

~~50.~~51. 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 CDPA/FDPA, or gain approval of any administrative modifications to the Plan or proffers, provided the facility designs substantially conform with the CDPA/FDPA.

PUBLIC SCHOOLS

~~51.~~52. Single-Family Attached Units. Prior to the issuance of the RUP for each single-family attached unit, the Applicant must contribute the amount of $14,956.00 per new student projected to be generated by the single-family attached units 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 contribution must be based on the actual number of new dwelling units constructed on the Application Property. Following approval of this application and prior to the Applicant's payment of the amount(s) set forth in this proffer, 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 current ratio and/or contribution. This proffer will not be subject to the provisions of Proffer ~~57~~58.

~~52.~~53. Additional Contribution. In addition, prior to the issuance of the RUP for each single-family attached dwelling unit, the Applicant will contribute $2,500.00 per unit to the Board for transfer to FCPS to be utilized for acquisition of property and construction of new schools serving the Application Property. This proffer will not be subject to the provisions of Proffer ~~57~~58.

~~53.~~54. Notification. The Applicant must notify the Fairfax County Public Schools Office of Facilities Planning Services when a site plan has been filed with Fairfax County for each unit type.

SIGNAGE

~~54.~~55. Special Exception. 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.

~~55.~~56. POPS Identification Sign. The Applicant must install one privately owned public space (POPS) identification sign for the Common Green identified on the CDPA/FDPA. The Applicant must select the materials, dimensions, content, and location of the sign in accordance with the policies of the FCPA and the Zoning Ordinance.

CONSTRUCTION

~~56.~~57. Construction Hours. Outdoor construction activities on the Application Property will only occur between the hours of 7:00 a.m. and 9:00 p.m., Monday through Thursday, and between the hours of 9:00 a.m. and 9:00 p.m. on Fridays, Saturdays and the day before a Federal holiday. Construction activities will be conducted in compliance with the Fairfax County Noise Ordinance.

MISCELLANEOUS

~~57.~~58. Escalation. All monetary contributions, except for the contribution associated with Public Schools, will escalate on a yearly basis from the base month of January 2026 and change effective each January 1 thereafter, as permitted by Va. Code Ann. Section 15.2-2303.3.

~~58.~~59. Route 28 Tax District Buyout. In accordance with Va. Code Ann. § 15.2-4608 (C), the Applicant must prepay, in full, the taxes that would have been attributable to the residential portion of the Application Property in its current non-residential use (that is, the special improvements taxes estimated by the County to be lost as a result of the change in zoning classification requested in this application), in accordance with the formula and provisions adopted by the Board of Supervisors for optional residential development within the Route 28 Tax District. The Applicant must make such payment in full within sixty (60) days after the Board of Supervisors approves this application. The Applicant recognizes that failure to provide payment to the County in the full amount determined by the Board's formula within 60 days of the Board of Supervisors' approval of this rezoning will mean that the rezoning will not become effective and that the ordinance rezoning the Property and the Board's rezoning decision will both be void in accordance with Va. Code Ann. § 15.2-4608 (C).

~~59.~~60. 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 in writing to a later date for completion of such improvements without the necessity of a PCA or an amendment to the CDPA/FDPA.

~~60.~~61. 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 if 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.

~~61.~~62. 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.

~~62.~~63. 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 PAGE]

APPLICANT/AGENT FOR TITLE OWNER
OF TAX MAP 44-1 ((1)) 6H4

TIMBER RIDGE MANAGEMENT, LLC

_____
By: Richard D. DiBella
Its: Manager

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER
OF TAX MAP 44-1 ((1)) 6H4

TIMBER RIDGE AT COMMONWEALTH, LLC

_____
By: Richard D. DiBella
Its: Manager

[SIGNATURES END]

Sully District

WAIVERS AND MODIFICATIONS

December 3, 2025

PCA-2006-SU-025-06
CDPA-2006-SU-025-04
FDPA-2006-SU-025-06
(RZPA-2025-SU-00024)

Timber Ridge Management, LLC

- Modification of Subsection 2105.4.C(l) to permit the gross floor area of the proposed dwellings to exceed 75% of the gross floor area of the principal use.
- Modification of Zoning Ordinance subsection 2105.2(B)(2) to waive the requirement for a 200 square foot minimum privacy yard for the proposed single-family attached dwellings.
- Modification of Subsection 5100.2.C(5) to allow for a parapet wall, cornice projection, or similar projection to exceed the height limit established by more than three feet in order to screen mechanical equipment without counting towards building height.
- Waiver of Zoning Ordinance subsection 5107.1,A (3) to allow a private street greater than 600 feet in length.