County of Fairfax, Virginia
Planning Commission Meeting
February 4, 2026
Planning Commission Action

RZ/FDP-2025-FR-00005 – FRANCONIA DEVELOPMENT PARTNERS, LLC
(Franconia District)

PLANNING COMMISSION RECOMMENDATIONS:
On February 4, 2026, the Planning Commission voted 9-0 (Commissioners Thomas and Wang were absent from the meeting. Commissioner Bennett recused herself from the discussion and vote.) to recommend to the Board of Supervisors approval of the following actions:

- RZ-2025-FR-00005 and its associated Conceptual Development Plan, subject to execution of the proffers dated January 20, 2026; and

- Waiver of the barrier requirement along the southern property line.

In a related action, the Planning Commission voted 9-0 (Commissioners Thomas and Wang were absent from the meeting. Commissioner Bennett recused herself from the discussion and vote.) to approve FDP-2025-FR-00005, subject to the Board of Supervisors' approval of the concurrent rezoning application.

ATTACHED DOCUMENTS:
Proffers dated January 20, 2026

CD

PROFFER STATEMENT

FOR RZ/FDP-2025-FR-00005 (“PROFFER”)

6121 FRANCONIA ROAD

FRANCONIA DEVELOPMENT PARTNERS, LLC., A VIRGINIA LIMITED LIABILITY COMPANY, APPLICANT

AND

FAIRFAX COUNTY REDEVELOPMENT & HOUSING AUTHORITY (“FCRHA” OR THE “OWNER”)

Date: January 20, 2026

Pursuant to Section 15.2-2303(A) Code of Virginia, 1950, as amended, and Chapter 112.2 of the Code of the County of Fairfax, Virginia, designated as the Zoning Ordinance of the County of Fairfax County, Virginia (the “Ordinance”), Article 8, Section 8103 of the Ordinance, as amended, Franconia Development Partners, LLC., a Virginia limited liability company Applicant, and Fairfax County Redevelopment & Housing Authority, the fee simple owner, for themselves, their successors and assigns, (hereinafter referred to collectively as the "Applicant"), in RZ/FDP-2025-FR-00005, filed on property identified as Fairfax County tax map references, IDs: 0813-05-0003A; 0813-05-0002A; 0813-05-0002B; 0813-05-0002C1; and 0813-08-0503 (hereinafter referred to as the "Application Property"), hereby proffers to the following, provided that the Board of Supervisors approves a proffer for the Application Property in conjunction with a Rezoning (RZ), a Concept Development Plan (CDP), and a Final Development Plan (FDP) (collectively "CDP/FDP") for a multi family development.

If accepted, these proffers must replace and supersede any and all previous proffers approved concerning the Application Property.

The structure to be erected on the Application Property is referred to in this Proffer as “6121 Franconia Road.”

The County of Fairfax, Virginia also is referred to in this Proffer as “Fairfax County.”

CONCEPTUAL/FINAL DEVELOPMENT PLAN SUBSTANTIAL COMPLIANCE

1. **Conceptual/Final Development Plan Substantial Compliance**. Subject to the provisions of Article 8, Section 8100.2, *et seq.* of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property must be in substantial conformance with: (1) the Conceptual/Final Development Plan (CDP/FDP), entitled "6121 Franconia Road," containing twenty-three (23) sheets prepared by IMEG Corp., dated March 19, 2025, and revised through January 20, 2026.

2. **Minor Modifications**. Pursuant to Section 8100.5 of the Zoning Ordinance, minor modifications of the CDP/FDP may be permitted as determined by the Zoning Administrator.

3. **CDP Elements**. Notwithstanding that the CDP/FDP is presented on twenty-three (23) sheets and said CDP/FDP is the subject of Proffer 1 above, it must be understood that proffered elements of the CDP are limited to the location and amount of open space; the minimum amount, character and general location of urban parks; the general quality and character of streetscape; setbacks; the limits of clearing and grading; the location of vehicular entrances/exits; the maximum number and general location of residential units and type of units; and the maximum building height. The Applicant reserves the right to request approval from the Fairfax County Planning Commission of Final Development Plan Amendments ("FDPAs") pursuant to 8100.2.E(2) of the Zoning Ordinance for elements other than CDP for all of, or a portion of the Application Property and the CDP/FDP, provided such FDPA is in substantial conformance with the terms and conditions of this Proffer.

PROPOSED DEVELOPMENT

4. **USE**. The Use for the Application Property will be a Dwelling, Multifamily with a maximum height of 50 feet, a maximum of 120 dwelling units, with a maximum gross floor area of one hundred twenty-five thousand two hundred fifty (125,250) square feet (the "Use"). The Use must be operated in compliance with all conditions of approval and all applicable federal, state, and local laws, including the Fairfax County Zoning Ordinance, and the Code of the County of Fairfax, Virginia. The Use must be permitted within 6121 Franconia Road in the locations as shown on the CDP/FDP.

5. **Affordable Dwelling Units (ADUs) and Workforce Dwelling Units (WDUs)**.

   A. If the project is bound by the Low Income Housing Tax Credit ("LIHTC") program, the LIHTC units constructed will fulfill the WDU and ADU commitments set forth in this Proffer. The LIHTC units will be administered exclusively in accordance with the provisions of such federal LIHTC program.

   B. If the project is in substantial conformance with Recital 5 of the Interim Agreement approved by the Fairfax County Redevelopment and Housing Authority ("FCRHA") as Resolution 30-24 approved on October 17, 2024, the units constructed will fulfill the WDU and ADU commitments in this Proffer.

C. If, however, the project is not bound by, and thus is not subject to, the program as described in Section 5.A and Section 5.B of this Proffer, the project must be bound by with the following terms and conditions:

i. **Affordable Dwelling Units (ADUs)**. If required by the provisions of Section 5101 of the Zoning Ordinance, Affordable Dwelling Units (ADUs) will be provided pursuant to such regulations, unless modified by the ADU Advisory Board, and to the satisfaction of the Department of Housing and Community Development.

ii. **Workforce Dwelling Units (WDUs)**. In addition to any ADUs that may be required, the Applicant must also provide for-sale and/or rental WDUs in accordance with the Board's Workforce Dwelling Unit Policy Guidelines, adopted March 18, 2025, and to the satisfaction of the Department of Housing and Community Development. The total number of WDUs must result in not less than eight percent (8%) of the total rental housing units and twelve percent (12%) of the total for-sale housing units constructed.

a. **Rental Income Tiers**. The Applicant must provide the total number of WDUs to be provided on the Property pursuant to this Proffer as follows: (i) twenty-five percent (25%) to persons/households making sixty (60%) of the Washington Metropolitan region's Area Median Income ("AMI"); (ii) twenty-five percent (25%) of the WDUs to persons/households making seventy percent (70%) of the regional AMI; and (iii) fifty percent (50%) of the WDUs to persons/households making eighty percent (80%) of the regional AMI.

PRIVATE COMMUNALLY USED FEATURES OR AMENITIES

6. **On-Site Recreation Facilities**. In accordance with the Zoning Ordinance, the Applicant must provide private amenity areas and facilities designed to meet the on-site recreational needs of the future residents of the Application Property as shown and described on the CDP/FDP. The specific design of these areas may be adjusted at the time of final site plan, 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. Before final bond release, the balance of any funds not expended on-site, as determined by LDS will be contributed to the Fairfax County Park Authority for the provision of recreation facilities serving Franconia District.

The specific facilities and amenities to be provided will be determined at the time of site plan approval. Amenities may include, but not be limited to the following communally used features or amenities, all as generally shown on the CDP/FDP:

A. **Interior Amenities**.

i. Interior fitness center with exercise equipment such as stationary bikes, treadmills, weight machines and free weights; and

ii. Clubroom for residential gatherings and/or media/entertainment centers.

iii. Interior Bicycle Storage Room

B. **Exterior Open Space Amenities**.

i. Private exterior recreational area/courtyard at ground level, with seating areas, playground equipment, specialty landscaping, lawn and/or hardscape areas.

TRANSPORTATION

7. **VDOT Approval**. All improvements to be constructed within the rights-of-way along Franconia Road are subject to VDOT approval.

8. **Construction of Improvements Within the ROW and Coordination**. Before the issuance of the first RUP, the Applicant must install those transportation and streetscape improvements shown within the right-of-way along Franconia Road, as shown on the CDP/FDP, including without limitation, a bus shelter and an improved concrete pad platform, and comply with directions from the Virginia Department of Transportation ("VDOT") and the Fairfax County Department of Transportation ("FCDOT") as to the phasing, timing and construction of such improvements. The Applicant must close the existing westernmost entrance and reconstruct the curbs. 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.

9. **Final Design**. At time of site plan, the Applicant must coordinate with FCDOT, DPD, and VDOT, as applicable, on the final design details of those transportation and streetscape improvements to the rights-of-way along Franconia Road and on site, as shown on the CDP/FDP.

10. **Dedication**. Subject to VDOT and Fairfax County Department of Transportation (FCDOT) approval, the Applicant must dedicate, at no cost and convey in fee

simple with no liens to the Board, right-of-way along the Application Property's Franconia Road frontages as generally shown on the CDP/FDP, including without limitation, the 10 feet wide shared use pathway. Dedication must be made at time of site plan approval, or upon written demand of either Fairfax County or VDOT, whichever occurs first. Advanced density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by FCDOT in coordination with VDOT.

11. **Interparcel Access**. At the time of site plan, the Applicant must record a public access easement, in a form as reviewed and approved by the County Attorney, an interparcel access that will facilitate a connection to property to the south where another portion of such publicly accessible urban park and open space is to be developed, in the area generally as shown on the CDP/FDP ("Interparcel Access"), and, by the time of the first RUP, the Applicant must construct the Interparcel Access.

INTERIOR AND EXTERIOR BICYCLE STORAGE

12. **Interior Bicycle Spaces**. The Applicant must provide interior bicycle parking spaces as determined pursuant to Fairfax County Bicycle Parking Guidelines and approved by FCDOT at site plan.

13. **Exterior Bicycle Spaces.** The Applicant must provide and maintain one (1) short-term space located as shown on the CDP/FDP, or the minimum required number of exterior bicycle spaces, as determined pursuant to Fairfax County Bicycle Parking Guidelines and approved by FCDOT at site plan. Exterior short-term spaces must be inverted U-style racks or other design consistent with the Fairfax County Bicycle Parking Guidelines and approved by FCDOT. The Applicant must install the exterior bicycle racks no later than the first RUP for 6121 Franconia Road.

TRANSPORTATION DEMAND MANAGEMENT STRATEGIES

14. **MetroCard**. Among the initial welcome package materials for its residents, the Applicant will offer a $65 MetroCard.

15. **Transportation Demand Management**. This Section sets forth the programmatic elements of a transportation demand management program that must be implemented by the Applicant to encourage the use of transit (Metrorail and bus), other high-occupant vehicle commuting modes, walking, biking and teleworking, all in order to reduce automobile trips generated by the residential uses constructed on the Application Property

16. **Stabilization**. "Stabilization" must be deemed to occur one (1) year following issuance of the first RUP for 6121 Franconia Road. "Pre-stabilization" must be deemed to occur any time before Stabilization.

17. **Transportation Demand Management Plan**. The Applicant must be responsible for submitting the Transportation Demand Management Work Plan (the "TDM Work Plan") to FCDOT for approval before site plan approval. The proffered elements of the "TDM Program" as set forth below will be more fully described in the "TDM Work Plan." It is the intent of this Proffer that the TDM Work Plan will adapt over time to respond to the changing transportation related circumstances of 6121 Franconia Road, the surrounding community and the region, as well as to technological and/or other improvements, all with the objective of meeting the trip reduction goals set forth in this Proffer. Accordingly, modifications, revisions, and supplements to the TDM Work Plan as coordinated with FCDOT may be made without the need for a PCA provided that the TDM Work Plan continues to reflect the proffered elements of the TDM Program as provided in this Proffer.

18. **Trip Reduction Goals**. The objective of the TDM Work Plan must be to reduce the number of weekday peak hour vehicle trips generated by the residential uses located within 6121 Franconia Road through the use of mass transit, ridesharing and other strategies including but not limited to those outlined in the TDM Program. In addition, the implementation of enhanced pedestrian and bicycle connections/facilities will provide safe and convenient access to nearby Metrorail and bus facilities thereby encouraging commuting options other than the automobile to residents, employees and visitors to 6121 Franconia Road.

19. **Baseline**. The baseline number of weekday peak hour residential vehicle trips for the proposed units within 6121 Franconia Road against which the TDM Goals must be based on the number of residential units that are to be constructed for 6121 Franconia Road pursuant to the site plan approval. Trip generation must be based on the trip generation rates/equations applicable to multi family mid rise as set forth in the Institute of Transportation Engineers, Trip Generation, 11th Edition for Land Use Code = 221. In the event at the first issuance of RUP, the Applicant has constructed fewer than 120 multifamily residential units, then the Baseline Trip generation numbers must be based upon the number of units actually constructed.

20. **TDM Goal**. The TDM strategies must be utilized to reduce the peak hour vehicular trips by a minimum of twenty-five percent (25%).

21. **Process of Implementation**. The TDM Program must be implemented as follows, provided that modifications, revisions, and supplements to the implementation process as set forth herein as coordinated with FCDOT can be made without requiring a PCA.

    A. **TDM Program Manager**. At the time of site plan, the Applicant must coordinate with FCDOT to identify a person whose responsibilities would include, among other responsibilities, the management of the TDM

Program (the "TDM Program Manager"). If not previously appointed, the TDM Program Manager must be appointed by no later than sixty (60) days after first RUP for 6121 Franconia Road or at a later time if directed by FCDOT. The Applicant must notify FCDOT in writing within 10 days of the appointment of the TDM Program Manager. Thereafter the Applicant must do the same within ten (10) days of any change in such appointment.

B. **Annual Report and Budget**. Every calendar year after the first issuance of RUP, and no later than ninety (90) days after December 31st, an Annual Report and Budget, based on a report template provided by FCDOT, must file an Annual Report and Budget with FCDOT. FCDOT may revise the Annual Budget and Budget template from time to time.

The Annual Report and Budget must be reviewed by FCDOT. If FCDOT has not responded with any comments within sixty (60) days after submission, then the Annual Report and Budget must be deemed approved and the program elements must be implemented. If FCDOT responds with comments about the Annual Report and Budget, then a representative of the Applicant will meet with FCDOT staff within fifteen (15) business days of receipt of the FCDOT's comments. Thereafter, but in any event, no later than ninety (90) after the meeting, the an Annual Report and Budget must be resubmitted reflecting such revisions to the program and/or budget as discussed and agreed to with FCDOT. Thereafter, the TDM Program and TDM Budget as revised must be implemented.

In no event must the Annual Budget exceed $5,000 (the "Initial Amount"), as adjusted pursuant to this provision. The Initial Amount must be adjusted annually from the date of rezoning approval for the Property (the "Base Year") and must be adjusted on each anniversary thereafter of the Base Year in accordance with Section 54.

C. **Monitoring**. The Applicant must verify that the proffered trip reduction goals are being met through the completion of Person Surveys, Vehicular Traffic Counts of residential and/or other such methods as may be reviewed and approved by FCDOT. The results of such Person Surveys and Vehicular Traffic Counts must be provided to FCDOT as part of the Annual Reporting process.

Person Surveys and Vehicular Traffic Counts must be conducted for 6121 Franconia Road following issuance of the final initial RUP for 6121 Franconia Road.

Person Surveys must be conducted for 6121 Franconia Road beginning one year following issuance of the final initial RUP for 6121 Franconia Road. Thereafter, Person Surveys must be conducted for 6121 Franconia Road

every three (3) years, beginning three (3) years after the submission of the first Person Survey. Any time during which Person Survey response rates do not reach 20%, FCDOT may request additional surveys be conducted the following year. Notwithstanding the aforementioned, at any time before or after Stabilization, FCDOT may suspend such Person Surveys if conditions warrant such.

Vehicular Traffic Counts must be collected every year beginning one year after the first issuance of RUP. Vehicular Traffic Counts must continue to be collected every year until the results of three consecutive annual traffic counts show that the applicable trip reduction goals for 6121 Franconia Road have been met. At such time, Vehicular Traffic Counts must thereafter be provided every five (5) years. Notwithstanding the aforementioned, at any time before or after Stabilization, FCDOT may suspend such Vehicle Traffic Counts if conditions warrant such

D. **Additional Trip Counts**. If an Annual Report indicates that a change has occurred that is significant enough to reasonably call into question whether the applicable vehicle trip reduction goals are continuing to be met, then FCDOT may require additional Vehicular Traffic Counts (pursuant to the methodology set forth in the TDM Plan) within 120 days to determine whether in fact such objectives are being met. If any such Vehicular Traffic Counts demonstrate that the applicable vehicle trip reduction goals are not being met, then a meeting with the a representative of the Applicant and FCDOT to review the TDM strategies in place and to develop modifications to the TDM Plan to address the surplus of trips.

E. **Continuing Implementation**. The Applicant must bear sole responsibility for continuing implementation of the TDM Program and compliance with this Proffer. The TDM Program must continue to be administered in the ordinary course of business in accordance with this Proffer including submission of Annual Reports.

F. **Notice to Owners**. The Applicant must notify all tenants of the Application Property about the TDM Program. All purchase and sale agreements must include a notice provision about this Proffer including the obligations under the TDM Program.

PARKING AND EV READY SPACES

22. **Required Vehicular Parking Spaces**. Parking will be provided in accordance with the parking requirements of Article 6 of the Zoning Ordinance and any approved parking reduction. Minor modifications (increases or decreases) to the number of parking spaces as shown on the CDP/FDP are permitted provided that (1) the number of parking spaces is compliant with the minimum parking

requirements for the approved use established by the Zoning Ordinance and any associated reductions approved by the Board of Supervisors or otherwise allowed by the Zoning Ordinance; and (2) the location and configuration of the parking remains in substantial conformance with that on the CDP/FDP. The number of parking spaces represented on the CDP/FDP is based on preliminary estimates; the final number of parking spaces provided at the time of site plan submission must be consistent with the Zoning Ordinance requirements, any approved parking reduction, and the number of units developed for the Use.

23. **EV Ready Spaces**. Concurrent with the first site plan submission, the Applicant must designate at least two percent (2%) of the parking spaces to be equipped with universal, Level 2 electric vehicle charging stations, which must be fully wired and functional at the time of RUP issuance (the " EV Ready Spaces").

The Applicant will include the designations within the site plan and building plan submissions, as applicable:

A. **Electric Load Estimates**. That the electric load estimates prepared for the building(s) will account for the EV Ready Spaces. Estimates can calculate a cumulative load, where EV-ready load is added to the building service load or, alternatively, the building permit plans can demonstrate that building service loads can accommodate EV-ready loads;

B. **Electric Room Size**. That the electric room of the building will be sized to support future electrical capacity expansions for Level 2 EV charging stations for the EV Ready Spaces for up to three percent (3%) of the parking spaces, including empty panel space for EV charging that could ultimately be connected with pull string conduits to the parking.

STORMWATER MANAGEMENT/BEST MANAGEMENT PRACTICES

24. **On Site Facilities.** The Applicant must provide on-site stormwater management (SWM) and Best Management Practices (BMPs) facilities as shown on the CDP/FDP to satisfy detention and water quality requirements in accordance with the requirements of the Public Facilities Manual, LDS, and Chapter 124.1 of the Fairfax County Code, subject to the approval of the Board of Supervisors. The purchase of nutrient credits will not be permitted. The Applicant will meet or exceed the minimum state and Fairfax County requirements for stormwater quantity and quality, unless otherwise waived or modified, according to the terms and conditions provided below.

A. The Applicant reserves the right to pursue additional stormwater management measures provided the same are in substantial conformance with the CDP/FDP.

B. 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 any amendment to the CDP/FDP, or gain approval of any administrative modifications to the CDP/FDP or proffers, provided the facility designs substantially conform with the CDP/FDP.

25. **Facilities Maintenance**. The SWM/BMP facilities on the Application Property must be maintained by the Applicant, its successors and assigns, in accordance with the regulations of LDS.

TREE PRESERVATION

26. **Tree Inventory and Condition Analysis**. The Applicant must submit a Tree Inventory and Condition Analysis at the time of the first and all subsequent site plan submissions. The Tree Inventory and Condition Analysis must be prepared by an International Society of Arboriculture (ISA) Certified Arborist or Registered Consulting Arborist and must be consistent with PFM 12-0307 as determined by Forest Conservation.

27. **Tree Preservation Plan**. The Applicant must submit a Tree Preservation Plan and Narrative at the time of the first and all subsequent site plan submissions. The Tree Preservation Plan and Narrative must be prepared by an International Society of Arboriculture (ISA) Certified Arborist or Registered Consulting Arborist and must be consistent with PFM 12-0309 as determined by Forest Conservation.

28. **Project Arborist/Pre-Construction Meeting**. Before the pre-construction meeting, the Applicant must mark the approved limits of clearing and grading with a continuous line of flagging. The Applicant must also retain an International Society of Arboriculture (ISA) Certified Arborist or Registered Consulting Arborist (Project Arborist) to attend the pre-construction meeting. During the meeting, the Project Arborist and Forest Conservation will review the clearing and grading limits to identify possible adjustments that could enhance tree preservation and improve the survivability of trees at the boundary. The Project Arborist must document any adjustments, and tree protection fencing must be installed under their supervision in accordance with these modifications.

29. **Tree Protection Fencing**. The Applicant must install appropriate tree protection devices based on site conditions and proposed construction activities, as reviewed and approved by Forest Conservation before the commencement of land disturbing activities.

30. **Tree Preservation Measures**. Tree preservation measures must be clearly identified, labeled, and detailed on both the Erosion and Sediment Control Plan sheets and the Tree Preservation Plan. These measures may include, but are not

limited to, root pruning, crown pruning, mulching, and watering. The plan must provide specifications on how each preservation measure will be implemented. All tree preservation activities must be completed during Phase 1 of the Erosion and Sediment Control Plan implementation under the supervision of the Project Arborist.

31. **Demolition**. The demolition of all existing structures and site features within or adjacent to tree preservation areas must be carried out in the least disruptive manner possible, as reviewed and approved by Forest Conservation. All tree protection fencing must be installed and verified by a County representative before demolition activities begin.

32. **Site Monitoring.** The Applicant's Project Arborist must be present on-site during the implementation of all tree preservation measures and monitor any construction activities conducted within or adjacent to designated tree preservation areas. These activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation or tree removal, and demolition. As additional Erosion and Sediment Control devices are implemented, the Project Arborist must conduct regular site visits to monitor tree preservation efforts and ensure compliance with the Tree Preservation Plan as approved by Forest Conservation. The Project Arborist must submit written reports to Forest Conservation and the Site Development and Inspections Division Site Inspector, including dated photographs documenting site conditions. The Tree Preservation Plan must outline the monitoring schedule and reporting requirements, which must be included as part of the initial and all subsequent site plan submissions.

33. **Invasive Plant Species Management.** Forested areas containing invasive plant species in quantities that threaten long-term health and survival of existing vegetation must be managed under an invasive plant species management plan to qualify for any 10-year canopy credit. At the time of site plan submission, the applicant must provide a management plan for review and approval by Forest Conservation. The plan must include the common and scientific names of the invasive species targeted for management, the designated management area, control and disposal methods, treatment timing and monitoring procedures, program duration, and any necessary reforestation efforts.

LANDSCAPING AND OPEN SPACE

34. **Landscape Plan**. The Applicant must implement the landscape design for the Proposed Development as illustrated in the Conceptual Landscape Plan (CDP/FDP). This plan outlines the proposed plantings and features, including streetscapes and parks. The Conceptual Landscape Plan is intended as a general guide and may be modified during final engineering and building design. The Applicant must submit a detailed landscaping plan as part of the first and all

subsequent plan submissions for review and approval by Forest Conservation Branch, LDS ("FCON"). Any modifications must maintain a similar quality of landscaping as depicted in the Landscape Site Plan and the CDP/FDP, as determined by Forest Conservation.

35. **Sustainable Elements**. The landscape planting plan and specifications must incorporate sustainable techniques that reduce maintenance needs and promote a cleaner, healthier environment. These techniques should enhance air quality, improve stormwater management, and support resource conservation through the use of trees and other beneficial vegetation. Sustainable methods include:

A. **Reduce Turf Areas**. Reduce turf areas to minimize mowing and the associated air pollution. Turf must not cover more than 75 percent of the pervious area of each lot (site). Mulched planting beds with grouped trees and vegetation should be incorporated to create a root zone environment that supports healthy tree and plant growth.

B. **Planting Locations.** Plant trees in strategic locations to enhance energy conservation for buildings, following the guidelines outlined in Plate 4-12 of the Public Facilities Manual (PFM).

C. **Diverse Selection**. Use a diverse selection of native and non-invasive plants to support native pollinators and minimize the need for supplemental watering, chemical fertilizers, salt, herbicides, and chemical pest or disease control.

D. **Sustainable Landscape Planting**. Sustainable landscape planting, implemented with the subdivision/site plan should consist of grouped plantings that include larger overstory trees (Category III and IV, as listed in PFM Table 12.14), smaller understory trees (Category II), shrubs, and groundcovers. Category IV or Category III trees will be installed within the Franconia Road right-of-way. Deciduous shade trees must be a minimum of two (2) inches in caliper, flowering trees must be a minimum of one and one-half (1½) inches in caliper, and evergreen trees a minimum of six (6) feet in height, at time of planting. Such landscaping must be installed according to the timing provided by the Site Plan conditions of approval. In this approach, it is acceptable for the 10-year projected canopies of overstory trees to overlap with the canopies of understory trees, shrubs, native grasses, and groundcovers, mimicking a natural, multi-layered wooded environment.

E. **Inspection**. Mulch beds must be inspected for compliance with the approved subdivision/site plan before the issuance of the RUP for each building or phase of the project. Once mulch areas are approved, their

maintenance becomes the responsibility of the property owner, who may manage or plant these areas according to their preference.

F. **Native, Non-Invasive Species**. The Applicant will use non-invasive species throughout the Proposed Development, prioritizing predominately native or adapted species. The landscaping must not include any invasive species, as defined by the Virginia Department of Conservation and Recreation (VA DCR)'s "Virginia Invasive Plant Species List," dated September 2024, and must be comprised primarily of native and/or drought tolerant tree and shrub species that do not require permanent irrigation.

G. **Site Plan Submission Requirements.** As part of the initial site plan submission, the Applicant will provide Forest Conservation with a detailed landscape and tree cover plan (the 'Landscape Plan') for review and approval. The Landscape Plan will include, among other elements:

i. Irrigation information.

ii. Design specifications for tree wells and other planting areas located above structures and along streets.

iii. Specifications for planting materials and/or structural soils used for street trees and plantings located within or atop structures, along with methods to ensure their long-term viability.

H. **Planting Quality**. The Landscape Plan will align with the quality and quantity of plantings and materials shown on the CDP/FDP and may include additional shade trees and other plant materials as determined by the Applicant.

Landscaping must be generally consistent with the quality, quantity and the locations shown on the development plans and must be non-invasive, predominantly 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.

The Applicant may modify the type and location of vegetation, as well as the design of public spaces, courtyard areas, streetscape improvements, and

plantings, with approval from Forest Conservation and the Zoning Evaluation Division. These adjustments must remain in substantial conformance with the CDP/FDP. Modifications to plant type and placement may also made to avoid conflicts with utilities and other site engineering considerations.

I. **Landscape Planting Pre-installation Meeting**. Before installing any plants required by the approved Landscape Plan, the contractor or developer will coordinate an on-site pre-installation meeting with the landscape contractor, Forest Conservation, and SDID Site Inspections. Any proposed changes to planting locations, tree or shrub sizes, or species substitutions from the approved plan must be reviewed and approved by Forest Conservation before planting. Installing unapproved plants may require a landscape plan revision or the removal and replacement of non-compliant trees or shrubs before bond release.

J. **Tree Planting Installation Observation**. The registered landscape architect of record will be on-site during all critical phases of landscape work, including soil preparation, remediation, bioretention plantings, plant delivery, temporary storage, preparation (removing wires, tags, wrappings, and girdling roots), planting (ensuring proper depth and spacing), irrigation installation, substitute requests to Forest Conservation, and the final bond release inspection to verify plant quantity and quality. The landscape architect must document each phase in reports submitted to Forest Conservation and SDID Site Inspections, with the reporting schedule and method outlined at the final Site Plan submission.

K. **Tree Stake-Out**. To ensure compliance with the approved landscape plan, the Applicant must stake out tree locations as shown on the plan before the Landscape Pre-installation meeting. Forest Conservation will review these locations in the field during the meeting before planting begins.

L. **Species Confirmation**. To verify compliance with 10-year tree canopy credit, the Applicant must submit a purchase order confirming that the tree species match those approved on the landscape plan. This documentation will be reviewed during the bond release inspection.

M. **Soil Remediation**. Planting areas containing construction debris, rubble, compacted soil, or other unsuitable conditions for the establishment and long-term survival of landscape plants will undergo remedial action. These actions will restore the soil to meet the requirements of trees, shrubs, and groundcovers specified in the landscape planting plan. Soil in all planting areas and under adjacent walkways must be the subject of remedial action to restore planting areas to satisfy 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, and the addition of organic matter on top of the soil. Planting areas not used for walking or outdoor activities should be densely 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 and such restoration must follow the technique specifications known as "Soil Profile Rebuilding-Specifications" by Susan Day, et al, CSI Division 2, CSICode-02910-Plant Preparation-Soil Preparation, for review by FCON.

N. **Invasive Plant Species Management**. At the time of site/subdivision plan submission the Applicant will provide a management narrative for review and approval by FCON specifying the common and scientific name of invasive species proposed for management, the target area along the limits of clearing 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 (5) years upon substantial completion of the development.

O. **Trail Location**. Before submitting the first site plan, the Applicant will coordinate with Forest Conservation to field-locate trails as generally shown on the CDP/FDP and determine if minor modifications are needed to maximize protection for existing trees.

NOISE ATTENUATION

36. **Refined Acoustical Analysis**. A refined acoustical analysis, to include a Building Shell and Barrier analysis, will be submitted concurrent with the site plan submission to LDS for distribution to the DPD for review. Mitigation measures appropriate to reduce indoor noise for residential units to no more than DNL 45 dBA, consistent with the sound attenuation recommendations in the study must be incorporated into the development. The noise contours affecting residential units will be shown on the site plan and will be identified on the building plans.

37. **Noise Attenuation**. The Applicant must incorporate construction measures consistent with those found in the Transportation Noise Impact Analysis dated July 7, 2025 prepared by Phoenix Noise and Vibration LLC to ensure that interior noise in dwelling units will not be in excess of DNL 45 dBA. If mitigation measures are required, then site and building plans for each building/unit that is

subject to noise mitigation must depict the final noise contours as determined by the noise study; measures that will be incorporated must be included on site/building plans.

PUBLICLY ACCESSIBLE URBAN PARK

38. **Publicly Accessible Urban Park**. Before the first RUP, the Applicant will provide and construct part of the land area on the Application Property to establish: (1) a pedestrian walkway, leading to and from Franconia Road; and (2) its portion of a publicly accessible urban park and open space for the benefit of the public, both generally as shown on the CDP/FDP, subject to review and approval by the Fairfax County Park Authority (collectively, the "Publicly Accessible Urban Park"). Before no later than the first RUP for the Use, the Applicant must record a public access easement over the pedestrian walkway, leading to and from Franconia Road, and the Publicly Accessible Urban Park (the "Easement") in a form acceptable to the Office of the County Attorney to ensure that access to the areas are available for use by the public between dawn and dusk, subject to reasonable rules and regulations established by the Applicant and/or any successor UOA/HOA. Before the first RUP for the Use, the Applicant must enter into an agreement with Fairfax County that provides for the Applicant's responsibility for the establishment of the Publicly Accessible Urban Park.

39. **Coordination Of the Publicly Accessible Urban Park with Parcel 17D.** The Applicant must coordinate with the owner of Fairfax County Tax Map Parcel 0813050017D ("Parcel 17D") to facilitate the development of the Publicly Accessible Urban Park. Such coordination must include the granting of a reciprocal easement to allow for construction of Parcel 17D to integrate into the Publicly Accessible Urban Park, provided such cooperation does not require the Applicant to construct, or pay to construct, any improvements beyond what the Applicant is obligated to construct pursuant to the CDP/FDP, and the granting of any such easement is consistent with the Publicly Accessible Urban Park.

40. **Signage**. The Applicant must install and maintain on the Applicant's property: (1) one wayfinding sign along the pedestrian walkway , leading to and from Franconia Road; and (2) one identification sign near the entrance to the Publicly Accessible Urban Park, both consistent with FCPA signage guidelines, and subject to FCPA review and approval at the time of site plan review.

41. **Park Authority Contribution**. Before the issuance of the first RUP on the Application Property, the Applicant must contribute a sum equivalent to $893.00 per new resident generated by the multi-family building as determined by the Fairfax County Park Authority in accordance with Demographic Reports prepared by Fairfax County. The contribution must be used for recreational development in the vicinity of the Application Property.

DESIGN

42. **Architectural Conformance**. At the time of site plan, it will be demonstrated to Land Development Services ("LDS") that the proposed architectural design of the Multifamily Building is in general conformance with the architectural elevations illustrated on the CDP/FDP, and the quality of materials are in substantial conformance with those described in the CDP/FDP. The architectural design of the Multifamily Building must include the articulation of brick on the first three (3) levels and a different material for the fourth (4^{th}) level to provide articulation that reduces the sense of the building's mass. Modifications to the proposed architectural design for the Multifamily Building may be permitted, without the need for a PCA, provided that the Zoning Administrator with input from the Franconia District Supervisor's office, determines that the quality of materials remains in substantial conformance with the quality of materials described in the CDP/FDP.

43. **Birds**. In an effort to reduce bird injury and death due to inflight collisions with buildings, the applicant will design each building to (i) avoid use of mirrored or highly-reflective glass, (ii) use fritting, frosting, or other patterns on large, uninterrupted expanses of exposed glass located above the ground floor, and (iii) use downward-directed lighting on building exteriors. Specific bird-friendly designs will be noted on building plans for each building for which such measures are proposed, as applicable. Additional bird-friendly design elements may be included such as the use of color, texture, opacity, louvers, screens, or ultraviolet materials on the exterior of windows that are visible to birds, curbing of excessive or unnecessary night-time illumination of commercial buildings, recessed balconies and roof setbacks, and breaking up of glass swaths. Upon the issuance of a building permit for each building, the provisions of this proffer will be deemed satisfied as to such building.

SCHOOLS

44. **Contribution**. Before the issuance of the first RUP for the Application Property, the Applicant must contribute to the Board the sum of $14,956.00 per net new student generated by the development of the Application Property. Said contribution is to be utilized for capital improvements to the Fairfax County public schools to which the students generated by the dwelling units are scheduled to attend. If following approval of this Application and before the Applicant's payment of the amount set forth in this Proffer, 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 under this Section 44 will not be subject to the escalation provisions of Section 54 of this Proffer Statement.

45. **Notification**. The Applicant must notify the Fairfax County Public Schools Office of Facilities Planning Services in the Department of Facilities and Transportation Services when a site plan has been filed for the Application Property.

CONSTRUCTION

46. **Infestation Inspection**. Before the commencement of construction excavation, Applicant must investigate the Application Property for possible rodent infestation. If rodents are found, the Applicant must use permitted commercial measures to abate the infestation.

47. **Contact Information**. During development of the Application Property, the telephone number and email address of the site superintendent that will be present on-site during construction must be provided to the Franconia District Board of Supervisor's office.

GREEN BUILDING CERTIFICATION

The Applicant must seek certification for 6121 Franconia Road from one of the following programs and must notify the Environmental Branch of DPD of the program selection at time of site plan submission. If certification is still in process at time of RUP issuance, the Applicant must provide documentation from the rating system administrator demonstrating that the project has been registered, completed final inspection, and has met the requirements to attain certification before RUP issuance. The applicant must provide documentation to LDS and DPD demonstrating that certification for the 6121 Franconia Road has been attained before final bond release.

48. **LEED New Construction**. If the Applicant selects the Leadership in Energy and Environmental Design-New Construction ("LEED-NC") rating system, then the Applicant will pursue certification for 6121 Franconia Road under the most recent version of the LEED NC rating system, other LEED rating system for which the project meets the eligibility requirements, or another equivalent rating system, with approval by DPD before site plan approval.

    A. **Project Checklist**. The Applicant will include, as part of the site and building plan submission for 6121 Franconia Road, a list of specific credits within the applicable LEED NC rating system that the Applicant anticipates attaining for 6121 Franconia Road. A LEED AP who is also a professional engineer or licensed architect will provide project scorecard updates at the time of building plan review for 6121 Franconia Road confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED Certification for 6121 Franconia Road.

    B. **County Team Member**. In addition, the Applicant will designate DPZEDRB@fairfaxcounty.gov as a team member in the USGBC's LEED Online system. This team member will have privileges to review the

project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

C. **Documentation Submission**. Before the building plan approval, the applicant will submit documentation, to the Environmental Branch of DPD and to LDS, regarding the U.S. Green Building Council's preliminary review of design-oriented credits in the LEED program. This documentation will demonstrate that the building is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED Certified certification. Before release of the bond for the project, the applicant will provide documentation to the Environmental Review Branch of DPD and to LDS demonstrating the status of attainment of LEED Certified or a higher level of certification from the U.S. Green Building Council for the building.

D. **Green Building Escrow**. As an alternative to the actions outlined in the above paragraphs, or if the U.S. Green Building Council review of design-oriented credits indicates that the project is not anticipated to attain a sufficient number of design-related credits to support attainment of LEED Silver certification, the applicant will post, a "green building escrow," in the form of cash or a letter of credit from a financial institution acceptable to LDS as defined in the Public Facilities Manual, in the amount of $2/square foot of GFA for the building. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of LEED Silver certification or higher level of certification, by the U.S. Green Building Council, under the most current version of the LEED-NC rating system or other LEED rating system determined, by the U.S. Green Building Council. The provision to the Environmental Branch of DPD and to LDS of documentation from the U.S. Green Building Council that the building has attained LEED Silver certification will be sufficient to satisfy this commitment. At the time LEED Silver certification is demonstrated to the Environmental Branch of DPD, the escrowed funds and/or letter(s) of credit will be released to the Applicant.

i. If before bond extension, reduction or final bond release for the building site, whichever occurs first, the Applicant provides to the Environmental Branch of DPD documentation demonstrating that LEED Certified certification for the building has not been attained but that the building has been determined by the USGBC to fall within three (3) points of attainment of LEED Certified certification,

50% of the green building escrow will be released to the Applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of county environmental initiatives. If the certification is still in progress at the time of application for the bond extension or reduction, the time frame for the provision of the documentation described above will be automatically extended to the time of the next bond extension. However, the documentation must be provided before the final bond release for the building site.

ii. If before the bond extension, reduction or final bond release for the building site, whichever occurs first, the Applicant fails to provide documentation to the Environmental Branch of DPD demonstrating attainment of LEED certification or demonstrating that the building has fallen short of LEED certification by three (3) points or more, the entirety of the escrow for that building will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives. If the certification is still in progress at the time of application for bond extension or reduction, the time frame for the provision of the documentation described above will be automatically extended to the time of the next bond extension or reduction. However, the documentation must be provided before the final bond release for the building site.

iii. If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environmental Branch of DPD, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the time frame may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds will be made to the Applicant or to the County during the extension.

49. **NGBS**. Certification in accordance with the most current version of National Green Building Standard (NGBS), as demonstrated through documentation submitted to LDS and DPD from a home energy rater certified through Home Innovation Research Labs that demonstrates that the dwelling unit has attained the certification before the issuance of the RUP for each dwelling.

50. **EarthCraft**. Certification in accordance with the Earth Craft Multifamily Program as demonstrated through documentation provided to LDS and DPD before the issuance of the 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 before RUP issuance for each dwelling unit. The applicant must provide documentation to LDS and DPD demonstrating that certification for 6121 Franconia Road has been attained before final bond release.

51. **Alternative Programs**. The Applicant may utilize an equivalent alternative program in consultation with and approved by the Environmental Branch of DPD before the site plan approval.

SANITARY SEWER CAPACITY

52. **Final Analysis**. Prior to site plan submission, the Applicant should provide a sanitary sewer capacity analysis to WPMD. Should the sanitary sewers upgrade be required to serve the additional flow generated by the proposed use, the Applicant will complete, submit, and bond a public improvement plan ("PI Plan") for the Sewer Enhancements. The Applicant will construct the Sewer Enhancements shown on the approved PI Plan and obtain approval for flow prior to issuance of the first RUP.

MISCELLANEOUS.

53. **Telecommunications Equipment**. Telecommunications equipment, and all appurtenant facilities may be placed on the rooftop of the building. All such facilities must comply with the applicable requirements of the Zoning Ordinance and be screened and/or set back sufficiently from the perimeter of the roof so that such equipment and facilities generally are not visible when viewed from the surrounding streets at street level. Other screening measures may be used such as screening such facilities with architectural features and/or landscaping compatible with the building architecture, screening with rooftop amenities, incorporating such facilities as part of the architecture of the buildings, utilizing compatible colors, or telecommunications screening material and flush-mounted antennas. The Applicant also may integrate telecommunications equipment architecturally into building facades where necessary to ensure on-street and/or open space coverage.

54. **Escalation in Contribution Amounts**. With the exception of Proffer 44 (Public School Contribution), all proffers specifying contribution amounts or budgets for operational expenses will escalate on an annual basis from the base year of 2025 and change effective each January 1 thereafter, based on changes in the Consumer Price Index for all urban consumers (not seasonally adjusted) ("CPI-U"), both as permitted by Virginia State Code Section 15.2-2303.3.

55. **Successors and Assigns**. These proffers will bind and inure to the benefit of the Applicant and his/her successors and assigns.

56. **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.

57. **Zoning Administrator Extensions**. Notwithstanding the foregoing commitments in this Proffer, upon demonstration by the Applicant and/or Owner that, despite diligent efforts by the Applicant and/or Owner due to factors beyond the Applicant and/or Owner's control, any improvements and/or contributions required under this Proffer have been delayed or will be delayed beyond the timeframes specified for the completion of such improvements and/or contributions, the Zoning Administrator may extend the timeframes for completion to a later date as determined by the Zoning Administrator.

58. **Underground Storage Tank**. Prior to the issuance of the first RUP, the Applicant must submit documentation that the Virginia Department of Environmental Quality has determined that the requirements of 9 VAC 25-580-320 for Permanent Closure have been met, and that the case is closed.

[SIGNATURE PAGES FOLLOW.]