County of Fairfax, Virginia
Planning Commission Meeting
June 3, 2026
Planning Commission Action

RZ/FDP-2025-HM-00018– OLD RESTON ASSOCIATES, LLC
(Hunter Mill District)

PLANNING COMMISSION RECOMMENDATIONS:
On June 3, 2026, the Planning Commission voted 10-0 (Commissioners Bennett and Thomas were absent from the meeting) to recommend to the Board of Supervisors approval of the following actions:

- RZ-2025-HM-00018 and the associated conceptual development plan, subject to the execution of proffers consistent with those dated May 27, 2026;

- Waiver of subsection 2105.2.B(2) of the Zoning Ordinance for the privacy yard requirements;

- Modification of subsection 2105.2.C(1)(b)3 of the Zoning Ordinance to increase the maximum total land area devoted to office from 17,100 square feet to 19,400 square feet; and

- Waiver of subsection 5107.3A(3) of the Zoning Ordinance to allow private streets in excess of six hundred (600) feet in length.

In a related action, the Planning Commission voted 10-0 (Commissioners Bennett and Thomas were absent from the meeting) to approve FDP-2025-HM-00018.

ATTACHED DOCUMENTS:
Proffers dated May 27, 2026

MJ

DRAFT PROFFERS

OLD RESTON ASSOCIATES LLC

RZ 2025-HM-00018

May 27, 2026

Pursuant to § 15.2-2303 (A) of the Code of Virginia, 1950, as amended, and § 8100.2.D of the Zoning Ordinance of Fairfax County, Virginia (the "Zoning Ordinance"), and subject to the Fairfax County Board of Supervisors (the "Board of Supervisors") approving a rezoning of the property identified as Tax Map #17-4 ((1)) 1 (the "Property") to the PDH-12 zoning district, Old Reston Associates LLC (the "Applicant"), for the property owner, itself, its successors, and assigns, agrees that development of the Property must be in accordance with the following conditions (the "Proffers") if the Board of Supervisors approves RZ 2025-HM-00018 (the "Application"). If accepted, these Proffers will replace and supersede any previous proffers approved on the Property. In the event the Application is denied, these Proffers will be null and void and of no further force and effect.

DEVELOPMENT PLAN AND SCOPE

1. Conceptual/Final Development Plan. Development of the Property must be in substantial conformance with the plan set titled "1850 Old Reston Avenue," consisting of 55 sheets, prepared by VIKA Virginia, LLC., dated June 20, 2025, and revised through April 24, 2026 (the "Development Plan"). The Development Plan represents the points of access and accompanying pedestrian and vehicular circulation routes through the Property, the maximum number and type of dwelling units, the minimum amount and general location of open space, the general location and arrangement of the buildings, maximum building heights, and the building setbacks from property lines.

2. Development Scope. The Property may be developed with a maximum of 57 single-family attached dwelling units ("Townhomes") and the existing three-story circa 1899 A. Smith Bowman House (also known as "Sunset Hills" and, hereinafter, the "Bowman House"), which use must be governed as further described in Proffer 16 (together, the "Proposed Development").

3. Minor Modifications and Variations. Minor modifications and variations to the Development Plan or the commitments made in these Proffers may be permitted pursuant to §§ 8100.5.A (1) and (2), respectively, of the Zoning Ordinance.

4. Existing Development. As depicted on Sheet C-03 of the Development Plan, the Property is currently developed with the Bowman House (presently used as office space), a converted multi-car garage known as the "Carriage House" (presently used as office space), a three-story, two-wing office building, a gazebo (the "Gazebo") which is a contributing feature to the Bowman House, a pond (the "Pond"), an existing brick wall (the "Brick

Wall") which is also a contributing feature to the Bowman House, and concrete masonry unit wall, and an associated surface parking lot (together, the "Existing Development"). The Existing Development may remain in use for commercial office purposes until such time as the portion of the Property is redeveloped in accordance with this Application or as otherwise stated in these Proffers. In the event only a portion of the Property is redeveloped subject to these Proffers, the portion(s) of the Property not subject to redevelopment may continue in operation. The Applicant may make modifications to the portions of the Existing Development which are retained, including securing site plan approvals for, obtaining building permits for, and making interior and exterior improvements to, the Existing Development without requiring approval of an amended Development Plan or Proffered Condition Amendment ("PCA"), provided, however, that any exterior modifications to the Bowman House, Gazebo, or Brick Wall must be in conformance with these Proffers.

5. Fire Marshal and Virginia Department of Transportation Coordination. The Applicant has coordinated with the Fire Marshal and the Virginia Department of Transportation ("VDOT") regarding the site design and layout of the Property shown on the Development Plan. Notwithstanding such coordination, if it is determined during site plan or VDOT permit review that elements of the Development Plan located on the Property – including, but not limited to, streetscape and building, sight distance, tree plantings, open space, tree buffers, and tree preservation areas – require adjustment to allow for required emergency vehicle access or are necessary to respond to subsequent comments from the Fire Marshal and/or VDOT, the Applicant will be permitted to relocate, replace, or modify such elements without requiring approval of an amended Development Plan or PCA, provided any such modifications are found to be a minor modification or minor variation in accordance with Proffer 3.

6. Property Owners Association. Prior to the issuance of the first Residential Use Permit ("RUP") for the Property, the Applicant must cause the recordation of declarations (the "Governing Documents") creating one or more Umbrella Owners Associations ("UOA") or Property Owners Associations ("POA") for all or a portion of the Property to address the general maintenance and other obligations (e.g., stormwater management, retaining walls, recreational amenity areas, snow removal, trash removal, roads, parking, use of common areas and amenities, landscaping, maintenance of privately-maintained streets, service drives, homeowner responsibilities for maintaining trees on private lots, street trees along Old Reston Avenue pursuant to Proffer 29.c, parking areas, alleys, etc.) of the owner(s) and their successors and assigns, and fulfillment of these Proffers.

   a. Disclosure. Prior to entering into a contract of sale, prospective purchasers must be provided with a disclosure package that includes copies of appropriate governance documents, the maintenance responsibility for the privately-maintained streets and alleys, walkways, stormwater management facilities, retaining walls, common area landscaping, and any other open space amenities, the Gazebo, the Brick Wall, the Bowman House (only if converted into a community clubhouse for resident use pursuant to Proffer 16.a) as well as a disclosure explaining that certain community

open space areas are open to the general public. Purchasers must be advised in writing of the Governing Documents, these Proffers, and maintenance obligations prior to entering into a contract of sale.

b. Driveway/Parking Overhangs. The Governing Documents must prohibit vehicle parking in a manner which overhangs or blocks sidewalks or streets.

c. Garage Use. The Governing Documents must specifically prohibit the use of garages in a manner that precludes the parking of vehicles and the storage of trash and recycling containers within the garage. Townhome owners must be required to store trash and recycling cans inside their respective garage, except on collection days. Nothing contained herein precludes the use of garages as temporary sales offices in model Townhomes during the initial marketing of the Proposed Development, provided that any such temporary sales offices are converted back to garages upon sale of the model Townhomes. A covenant setting forth these restrictions must be recorded among the Land Records of Fairfax County (the "Land Records") in a form approved by the Office of the County Attorney ("County Attorney") prior to the sale of any lots and must run to the benefit of the UOA/POA. Prospective purchasers must be advised in writing of these restrictions prior to entering into a contract of sale.

d. Salt Management. HOA covenants and Property Management contract specifications must reasonably adhere to the recommendations of the Virginia Department of Environmental Quality Salt Management Strategy (SaMS). Salt and salt alternatives will be applied only in the event of freezing inclement weather and only to paved surfaces where and when needed for safety.

7. Reston Association / Town Center Association Joinder. The Applicant must negotiate in good faith with either the Reston Association or the Reston Town Center Association to pursue joinder of the Townhouse residential units on the Property into one of the said associations with regards to the use of the respective association's amenities and the payment of appropriate annual dues for such use consistent with those paid by existing members of the respective association. Actual joinder with either association is not required by this proffer.

BUILDING DESIGN

8. Townhome Architectural Design. The quality and character of the architectural design and building materials for the Proposed Development will be in substantial conformance with the architectural elevations, renderings, and building material labels shown on Sheets A-01 through A-08 of the Development Plan. Unless explicitly required by Fairfax County's ordinances or regulations, conformance with this proffer shall not be deemed to be a prerequisite to submission or approval of a site plan approval for non-architectural elements.

a. Modifications. The Applicant reserves the right to modify the elevations, renderings, and building materials labels based on final architectural design, provided the modifications substantially conform to the lot typical graphic on Sheet C-02 of the Development Plan, and that the Development Plan's maximum gross floor area ("GFA") and number of residential dwelling units is not exceeded, that the building heights are not increased beyond the maximum described herein, and that the setbacks and minimum open space requirements are not decreased.

b. Encroachments. Bay windows, balconies, eaves, awnings, window wells, and other architectural features/extensions may be provided along any façade of the residential buildings and extend beyond the building footprints shown on the Development Plan as permitted under Article 5 of the Zoning Ordinance and/or as required by applicable codes or regulations.

9. Building Height. As noted on Sheet C-02 of the Development Plan, the maximum building height of the Townhomes must not exceed 55 feet, exclusive of any structures that are excluded from the maximum building height regulations as set forth in § 5100.2.C of the Zoning Ordinance. Nothing contained in this proffer precludes the Applicant from constructing the Townhomes to a lesser building height than that which is represented on the Development Plan, provided the configuration of the building footprints remain in substantial conformance with that shown on the Development Plan.

10. Universal Design. A minimum of two percent of the total number of Townhomes constructed on the Property will be designed and constructed with a selection of universal design features and options as determined by the Applicant, which may include, but not be limited to:

a. Passage doorways with a minimum width of 32 inches;

b. Lighting controls, electrical switches, and receptacle outlets, environmental controls, and user controls for security and intercom systems with clear floor spaces and heights as defined by the American National Standards Institute ("ANSI");

c. Lever door handles and faucets;

d. Slip-resistant flooring;

e. Seat in master bath shower;

f. Optional hand-held shower heads at tubs and showers; and

g. Optional front-loading washers and dryers.

11. Signage. Signage for the Property must be provided in accordance with the requirements of Article 7 of the Zoning Ordinance or pursuant to a special exception for sign

modifications, without requiring the approval of a PCA, Conceptual Development Plan Amendment ("CDPA"), or FDPA and/or interpretation/determination of substantial conformance. The Applicant must submit all plans for new wall, wayfinding, and commemorative/interpretive signage on the Property to the Fairfax County Architectural Review Board ("ARB") for review and comment, but not approval. The design of any wall-mounted signage on the Brick Wall is, however, subject to approval by the ARB.

a. Publicly-Accessible Urban Park Wayfinding / Identification Signage. The Applicant will install directional/wayfinding signage and identification signage for publicly-accessible urban parks described under Proffer 24, provided such signage is designed in conformance with the Fairfax County Park Authority's ("FCPA") Privately Owned Public Space ("POPS") standards. Potential specifications and locations for said signage is depicted on Sheet L-0112 of the Development Plan, with the final location, design, and number of signs to be determined at time of site plan subject to FCPA approval. Said wayfinding and identification signage must be installed concurrent with the respective publicly-accessible urban parks identified in Proffer 24. The Applicant will provide one wayfinding sign on the W&OD Trail, subject to coordination with, review, and approval by the Northern Virginia Regional Park Authority ("NOVA Parks").

b. Historic/Interpretive Signage/Markers. The Applicant will install historic/interpretive signage/markers on the Property commemorating the history of the Property and its historic resources. Potential specifications and locations for said signage/markers is depicted on Sheet L-0112 of the Development Plan, with final location, design, and number of signs to be finalized at site plan. Any commemorative installations will be guided by the Reston Public Art Master Plan, particularly Pages 29-30, § 1.8 (the "Reston Stories" section), relevant to heritage resources and historic preservation, for proposed interpretive installations, as recommended in the Comprehensive Plan. The language on any signage/markers will be submitted to the Fairfax County History Commission, the Department of Planning and Development's ("DPD") Heritage Resources ("DPD-Heritage Resources") staff, Public Arts - Reston, and the Reston Historic Trust and Museum for review, consultation, and comment, but not approval.

12. Retaining Walls. The Applicant reserves the right to install additional retaining walls not otherwise depicted on the Development Plan with a maximum height of three feet without requiring approval of a PCA, CDPA, or FDPA and/or interpretation/determination of substantial conformance. Any retaining walls facing Old Reston Avenue and visible from the public right-of-way must match the character of the development, as is depicted on L-0110, and which will ultimately be finalized during final site plan, subject to ARB review and comment, but not approval.

13. Rooftop Telecommunications Equipment. Telecommunications equipment may be placed on the rooftops and façades of any building on the Property without a need for a subsequent amendment to these Proffers. Any telecommunication equipment installed on the exterior

of the Bowman House and/or gazebo must be subject to review and approval by the ARB. Any such facilities must comply with the applicable requirements of the Zoning Ordinance and these Proffers, must not be included in calculations of maximum building height depicted on the Development Plan, and must be screened and/or setback sufficiently from the perimeter of the roof and penthouse such that they are not visible from the surrounding streets at street level. Other screening measures may be used such as, but not limited to, facilities as part of the architecture of the buildings, utilizing compatible colors, or employing telecommunication screening material and flush mounted antennas. Telecommunication equipment may also be architecturally integrated onto façades of the buildings where necessary to ensure on-street and/or open space coverage.

14. Public Art. The Applicant must, prior to first site plan approval for the Property, coordinate with Public Art Reston to obtain its recommendation regarding the options for the Applicant's provision of public art, the type of public art to be provided, and the location of the public art within the Property. Following such consultation, the Applicant must make the final determination regarding the design and location of any public art to be provided within the Property, with preliminary locations identified on Sheet L-0112 of the Development Plan. Said public art will be installed concurrent with the delivery of their respective open space pursuant to Proffer 24.

15. Electric Transformer Screening. Any electric transformers located on the Property will be screened from public streets and sidewalks by vegetation or located within a structure composed of brick or cementitious screening walls, or similar measure that is architecturally compatible with the Bowman House, at the discretion of the Applicant, of which details will be finalized at final site plan.

HERITAGE RESOURCES

16. Bowman House/Sunset Hills. As depicted on Sheet C-07 of the Development Plan, the Bowman House, including its porch facilities and portico (together, the "Bowman House Historic Elements"), but excluding the kitchen addition and land surrounding the house, must be preserved on the Property and not removed. The Bowman House and surrounding parcel (if subdivided from the balance of the Property) will be subject to the UOA and/or POA and Governing Documents.

    a. Use. The Applicant is permitted to retain the existing office use in the Bowman House, or convert the Bowman House into a single-family detached dwelling unit, or a private clubhouse for resident use subject to the alternative development options contained on Sheet C-07A of the Development Plan. All or a portion of the Bowman House may be used as a temporary sales office during the initial marketing of the Proposed Development, with such use ceasing following the settlement of the last Townhome in the Proposed Development.

    b. Routine Architectural Modifications/Replacement. Modifications to the Bowman House Historic Elements including routine repair, replacement, and/or maintenance

of items such as wood trim, paint, porch facilities, windows, and other exterior elements of the Bowman House are permitted, provided that any replacement elements are of similar style as the existing features, and such routine maintenance techniques adhere to those techniques set forth in the Secretary of Interior's Standards for the Treatment of Historic Properties.

c. ARB Approval. Any exterior modifications to the Bowman House Historic Elements that require a building permit, including construction, reconstruction, exterior rehabilitation, remodeling, restoration, relocation, or partial or full demolition, inclusive of a new garage addition, are subject to review and approval by the ARB prior to the issuance of any permit for the proposed modifications or additions.

d. HVAC Equipment Screening. Any heating, ventilation, and or air condition ("HVAC") systems servicing the Bowman House must be screened from public streets and sidewalks by vegetation or located within a structure composed of brick or cementitious screening walls, or similar measure that is architecturally compatible with the Bowman House, at the discretion of the Applicant, of which details will be finalized at final site plan.

e. Disuse/Disrepair. The Bowman House must be maintained in a state of good repair at all times. Maintenance is the responsibility of the owner of the Bowman House. The owner of the Bowman House must be responsible for its maintenance in the event the Bowman House is used as a residents or office; the POA/UOA is responsible for maintenance in the event it is converted to a clubhouse for resident use. Maintenance includes, but is not be limited to, the repair or replacement of deteriorated exterior elements, exterior finishes, roofing, windows, doors, and other character-defining features as necessary to prevent neglect so it does not get to a state of demolition by neglect and to preserve the Bowman House's integrity. Failure to maintain the Historic Structure in a state of good repair as required herein will constitute a violation of the Zoning Ordinance, these proffers, and the Governing Documents by the owner of the Bowman House, and is subject to enforcement by the County and/or UOA/POA in accordance with applicable law.

f. Covenant. A covenant setting forth these restrictions must be recorded among the Land Records in a form approved by the County Attorney prior to the sale of any lots containing the Bowman House. Prospective purchasers must be advised in writing of these restrictions prior to entering into a contract of sale.

17. Gazebo. As a contributing feature to the Bowman House and as depicted on Sheet C-07 of the Development Plan, the Gazebo must be preserved on the Property by the UOA/POA and must not be removed. The Applicant must ensure that public pedestrian access to the Gazebo is provided in accordance with Proffer 24.

a. Architectural Modifications/Replacement. Modifications to the Gazebo's structural elements and paint, including routine repair, replacement, and/or maintenance of such elements are permitted, provided that any replacement elements are of similar style as the existing features. All other modifications to the Gazebo's structural or design elements are subject to review and approval by the ARB prior to the issuance of a permit for any proposed modifications or additions.

18. Brick Wall. As a contributing feature to the Bowman House and as depicted on Sheet L-0110 of the Development Plan, the Brick Wall must be preserved in situ on the Property by the UOA/POA and must not be removed.

a. Brick Wall Extensions. Portions of the concrete masonry unit wall on the Property north of the southern entrance to the Property will be demolished in favor of a newly built extension of the Brick Wall, depicted as "Prop. Wall Reconstruction" on Sheet C-07 of the Development Plan. This newly constructed extension must be of a similar style and height (perceived from the base of the wall to the top not to exceed six feet as perceived from Old Reston Avenue) to the Brick Wall. The Applicant is permitted to install structurally-required extensions, and/or support structures/underpinnings of the Brick Wall, as required due to the regrading of the site. Any such extensions and/or support structures/underpinnings which are visible from Old Reston Avenue must be of a similar style to the preserved portion of the Brick Wall. Such extensions and/or support structures are subject to ARB approval.

b. Architectural Modifications/Replacement. Modifications to the Brick Wall including, but not limited to, routine repair, replacement, and/or maintenance of the wall's structural elements and paint, or to ensure the wall's structural elements are preserved, are permitted as long as such elements are a similar style as the Brick Wall. All other modifications to the Brick Wall's structural elements are subject to review and approval by the ARB prior to the issuance of a permit for any proposed modifications or additions.

c. Visual Inspection. Prior to the issuance of the final RUP for the Property, the Applicant must coordinate with the DPD-Heritage Resources staff to perform a visual inspection of the Brick Wall, as it may be modified, to ensure compliance with this proffer.

19. ARB Consultation For New Development. The Applicant must, prior to approval of the first site plan for the Property, submit the building plans, elevations, any by-right wall-mounted or freestanding signage drawings, and building materials to the ARB for review and comment, but not approval. The design of the wall-mounted signage on the Brick Wall is, however, subject to approval by the ARB. The Applicant must provide such ARB submission materials, including any available written comments and/or meeting minutes from the ARB to the Land Development Services ("LDS") site plan reviewer, which must demonstrate compliance with this proffer.

20. Architectural Survey. Prior to approval of the first site plan for the Property, the Applicant must conduct an architectural survey (the "Architectural Survey") of the Carriage House. Said Architectural Survey must include:

    a. Color photographs of the exterior and major interior spaces in the Carriage House;

    b. Color photographs of any outbuildings or secondary resources;

    c. Color photographs of the Carriage House's general setting;

    d. A map that depicts the exact location and physical address of the Carriage House, which may be generated from a road map of internet websites; and

    e. A sketch map – whether hand-drawn, an annotated aerial view, tax map parcel map, or survey map – which includes a north arrow and depicts the locations of all resources on the Property including, but not limited to, the Bowman House, any secondary resources/outbuildings, major landscape features, driveways, parking areas, and Old Reston Avenue.

    A final copy of the Architectural Survey must be submitted to the Fairfax County Virginia Room, Reston Historic Trust and Museum, and DPD-Heritage Resources staff.

21. Protective Construction Fencing. Prior to land disturbance for the Proposed Development, the Applicant must erect protective chain link fencing or similar around the Bowman House and Gazebo to ensure that the structures are not disturbed during construction, however that will not limit access to either as required by the Applicant. Such fencing must remain in place until such time it is deemed by the Applicant that the Bowman House and Gazebo are no longer subject to potential damage due to construction activities. In the event the Proposed Development is constructed in phases, then such construction fencing must remain in-place during the period of construction for whichever Townhome is constructed and removed at such time that potential damage to the Bowman House or Gazebo is no longer an issue during the construction phase.

PARK AND RECREATIONAL FACILITIES

22. Onsite Recreational Facilities. Pursuant to § 2105.2.B (4) (b) of the Zoning Ordinance, and as depicted on the Open Space and Urban Park Exhibit on Sheets C-02, L-0104, L-0105, and L-0105A of the Development Plan, the Applicant must provide onsite recreational facilities for the future residents of the Property. The specific design of these areas may be adjusted at the time of site plan submission in consultation with FCPA, provided the quality and character of the amenity areas and facilities substantially conform to those shown on the Development Plan. The Applicant must expend a minimum of $2,150.00 per residential dwelling unit toward said recreational facilities, with said recreational facilities being made available to all residents. Said funds may be spent on, but are not limited to, the following:

a. Outdoor recreational areas and publicly-accessible open space areas and urban parks, as defined in Proffer 23 and 24;

b. Indoor media/entertainment centers outfitted with televisions, seating areas, and stereo/sound equipment;

c. Indoor club rooms and/or entertainment centers for resident gatherings; and

d. Indoor fitness centers furnished with exercise equipment that may include, but not be limited to, stationary bikes, treadmills, weight training equipment with weight machines and free weights, but not necessarily staffed.

Prior to final bond release for the Property, the balance of any funds not expended for the Property, if any remain as determined by the LDS, must be contributed to the FCPA for the provision of recreational facilities located in the service area for the Property.

23. Private Open Spaces. Open spaces must be provided in the general areas identified on Open Space and Urban Park Exhibit on Sheets C-02 and L-0101 through L-0105A of the Development Plan (in the event of conversion of the Bowman House to a single-family detached dwelling unit) or Sheet C-07A of the Development Plan (in the event the Bowman House retains its office use or is converted to a clubhouse for resident use).

The variety, quantity, and specific size of recreational facilities and amenities provided in the private open spaces will substantially conform to those shown on the Development Plan, subject to refinement and adjustment at the time of site plan, provided they result in a similar variety and level of physical activity.

Said private open spaces include the following:

a. Central Mews. As depicted on Sheet L-0102 of the Development Plan, the Applicant will provide a mews area (the "Central Mews") which may include an open lawn element, bench seating, landscaping, and hardscaping elements. The Central Mews will be installed and open for use prior to issuance of the first RUP of Building D.

b. Formal Garden. Only in the event that the Bowman House is repurposed for a single family detached dwelling, the Applicant will provide a formal garden (the "Formal Garden") as depicted on Sheet L-0103 of the Development Plan. The Formal Garden may include bench seating, landscaping and garden elements, field stone walls (or similar), and hardscaping elements. The Formal Garden will be installed and open for use prior to issuance of the RUP for the Bowman House.

c. Old Reston Lawn Area. As depicted on Sheet L-0104 or L-0104A of the Development Plan, the Applicant will provide a lawn area (the "Lawn Area") which

may include an open lawn and landscaping. The Lawn Area will be open for use prior to issuance of the first RUP for Building H.

24. Publicly Accessible Park Space. Publicly-accessible urban park spaces must be provided in the general areas identified on Open Space and Urban Park Exhibit on Sheets C-02 or C-07A, L-0104 or L-0104A, and L-0105 or L-0105A of the Development Plan. The variety, quantity, and specific size of recreational facilities and amenities provided in the publicly accessible urban park spaces will substantially conform to those shown on the Development Plan, subject to refinement and adjustment at the time of site plan, provided they result in a similar variety and level of physical activity. Notwithstanding that depicted on the Development Plan, all street trees proposed to be installed within the VDOT right-of-way shall be subject to VDOT approval and shall not be permitted in a manner that conflicts with required sight distance requirements.

Said publicly-accessible urban park spaces include the following:

Old Reston Park Area. As depicted on Sheets C-02 and L-0104 of the Development Plan (or Sheet L-0104A of the Development Plan in the event VDOT does not approve the VDOT Waiver consenting to construction of the Preferred Streetscape pursuant to Proffer 29.c), the Applicant must provide a minimum 800-square foot urban park (the "Old Reston Park Area") which will include trees for shade, public art, seating, landscaping, and hardscaping elements. The Old Reston Park Area will be installed and open for use prior to issuance of the first RUP for Building H. In the event the Applicant constructs the Alternative Streetscape along Old Reston Avenue, the Applicant will provide enhanced wayfinding signage to the Old Reston Avenue Park Area, with such signage located at both the southern and northern entrances to the Property, subject FCPA approval at time of site plan.

a. Pond Area. As depicted on Sheets C-02 and L-0105 of the Development Plan (or Sheet L-105A of the Development Plan in the event VDOT does not approve the VDOT Waiver consenting to construction of the Preferred Streetscape pursuant to Proffer 29.c), the Applicant will provide an approximately 9,700-square foot urban park adjacent to the existing Pond (the "Pond Area") which will include sidewalks, butterfly garden, public art, seating areas, and the existing Gazebo. The Pond Area will be installed and open for use prior to issuance of the first RUP for Building D.

Said urban park spaces must be subject to a public access easement recorded in the Land Records with the record plat associated with said site plan showing the public access easement. As part of the site plan approval for the proposed development, the Applicant will grant to the Board of Supervisors public access easements in a form acceptable to the County Attorney. Such public access easements will provide for perpetual private maintenance of said urban park spaces by the UOA/POA. Said urban park spaces will be open to the public daily from dawn to dusk, or from 6:00 a.m. until 10:00 p.m., whichever period is shorter, subject to usual customary rules and regulations per the UOA/POA, including the right to reasonably restrict access for limited times for security, maintenance

and repairs, and/or safety purposes. The publicly accessible urban parks will be subject to review and approval by FCPA at the time of site plan review.

25. Athletic Field Contribution. The Applicant will contribute $1.72 per square foot of GFA for each new building constructed on the Property to FCPA for active recreation purposes in Reston or nearby site(s) serving Reston. The contribution will be based on the approved site plan GFA for each new building and will be paid prior to the issuance of the first RUP for the Property.

26. Washington and Old Dominion Trail ("W&OD Trail") Off-Site Improvements. Prior to issuance of the first RUP for the Property, the Applicant must provide a one-time cash contribution to NOVA Parks in the amount of $25,000.00 to be used at NOVA Parks' discretion towards recreational amenities and facility maintenance along the portion of the W&OD Trail in the vicinity of the Property located between American Dream Way and Reston Parkway.

TRANSPORTATION

27. Parking. Parking for the Property must be generally provided as depicted on Sheet C-07 of the Development Plan in the event of conversion of the Bowman House to a single-family detached dwelling unit; or alternatively as depicted on Sheet C-07A of the Development Plan in the event the Bowman House retains its office use or is converted to a clubhouse for resident use. Parking must be in accordance with the parking requirements of § 6100 of the Zoning Ordinance, as determined by LDS.

    a. Future Parking Reductions. The Applicant reserves the right to submit and pursue approval of a parking reduction from the Board prior to approval of the first site plan for the Property. Thereafter, the Applicant may request approval of further parking reductions from the Board as permitted by the Zoning Ordinance. Any modification to the parking requirement or layout resulting from a reduction approved by the Board and/or a future amendment to the Zoning Ordinance, will not require a CDPA, FDPA, or PCA, as long as such reduction is determined to be in substantial conformance with the Development Plan.

    b. Future Parking Revisions. The Applicant reserves the right to provide parking at revised rates as may be permitted by future amendments to the Zoning Ordinance without the need for a CDPA, FDPA, or PCA, subject to the written consent of the Zoning Administrator.

    c. Bowman House Office Loading. In the event the Bowman House retains its office use, delivery truck loading/unloading related to said office use must conform to the requirements of the Zoning Ordinance and Public Facilities Manual ("PFM"). Said loading area will include signage to restrict usage at designated times to avoid conflicts with pedestrians and vehicles, to be finalized during final site plan.

28. Bicycle Amenities. The Applicant must provide infrastructure to promote cycling and pedestrian access to the Property as follows:

    a. Bicycle Infrastructure. The Applicant must install and maintain exterior bicycle racks in the locations determined at time of site plan in consultation with the Fairfax County Department of Transportation ("FCDOT") with a design and in a quantity consistent with the Fairfax County Bicycle Parking Guidelines. Installation of the bicycle racks must be concurrent with development activity on the Property and installed when adjacent residential units or improvements are completed.

    b. Old Reston Avenue Bicycle Improvements. The Applicant must install shared bicycle lane markings (sharrows) and "Share the Road" signage along both sides of the Old Reston Avenue between Sunset Hills Road and Stratford House Place, subject to VDOT approval. Said improvements must be installed prior to final bond release for the Proposed Development.

29. Pedestrian Network.

    a. Onsite Sidewalks and Trails. The Applicant must provide a comprehensive sidewalk and trail system within the Property that substantially conforms to that depicted on Sheet C-08 of the Development Plan. All sidewalks and trails identified on Sheet C-08 (or amended to include the streetscape design as shown on Sheet C-07D, in the event VDOT does not approve the VDOT Waiver consenting to construction of the Preferred Streetscape pursuant to Proffer 29.c) of the plan set as "sidewalks" or "trails" must be placed under a public access easement and constructed in accordance with PFM or VDOT standards, as applicable. All sidewalks must be constructed of concrete or other similar material permitted by the PFM and/or VDOT and must be a minimum width of five feet unless otherwise required in these Proffers or depicted on the Development Plan. All trails must be constructed of asphalt, concrete, stone dust or other similar materials permitted by the PFM and/or VDOT, and must be a minimum width of five feet unless otherwise required in these Proffers or depicted on the Development Plan. Construction and improvement of sidewalks and trails may be concurrent with development activity on the Property and installed concurrent with completion of adjacent units or improvements.

    b. Property Entrance Marked Crosswalks. The Applicant must, subject to VDOT approval and the granting of all necessary off-site easements and right-of-way (at no cost to Applicant) prior to the first RUP for Building H, install crosswalks and associated curb ramps across the two Property entrances along Old Reston Avenue in the locations shown on Sheet C-07 of the Development Plan. The design for said crosswalks will be submitted to both VDOT and FCDOT for review and approval as part of the first site plan for the Property. If any of the crosswalks or associated accessibility ramps are not approved and/or subsequently permitted for construction by VDOT and/or FCDOT, or if they require adjusted locations to

secure approval, then Applicant must locate the crosswalks entirely on the Property, with such modification, permitted without the need for a PCA, CDPA, FDPA, and/or interpretation/determination of substantial conformance.

c. Old Reston Avenue Streetscape. The Applicant must, prior to the issuance of the first RUP for Building H, and subject to VDOT approval, provide streetscape section (the "Preferred Streetscape") as shown on Sheets C-07 and Sheet L-0302 of the Development Plan. The Preferred Streetscape will include the following:

i. A four to six-foot-wide landscape amenity panel in front of the wall (adjacent to Old Reston Avenue) consisting of native plantings of shrubs, grasses, and perennials less than 24 inches in height. It will include lighting to illuminate the sidewalk, pending VDOT approval;

ii. A six-foot wide sidewalk; and

iii. A landscaped area back of the wall, of variable width but of at least 12 feet (unless otherwise shown on the plans), consisting of canopy trees, understory trees, shrubs grasses, and perennials.

The Applicant must dedicate to the County, at no public cost, any right-of-way needed to permit the sidewalk to be located within the public right-of-way in accordance with VDOT standards, inclusive of a one-foot-wide maintenance strip located between the sidewalk and Brick Wall as depicted on Sheets C-07 and L-0302 of the Development Plan.

Within 60 days following approval of this Application, the Applicant must submit to VDOT a Design Exception/Design Waiver (the "VDOT Waiver") to permit construction of the Preferred Streetscape. In the event VDOT does not approve in writing the VDOT Waiver consenting to construction of the Preferred Streetscape within 180 days following initial submission of the VDOT Waiver request, the Applicant must construct the alternative sidewalk connection depicted on Sheet C-07D of the Development Plan (the "Alternative Streetscape"), subject to any required approvals, with such Alternative Streetscape construction completed prior to the issuance of the first RUP for Building H.

Subject to VDOT approval, the Applicant must be responsible for the maintenance and trimming of any street trees installed along Old Reston Avenue under the Preferred Streetscape or Alternative Streetscape, with such responsibility included in the Governing Documents pursuant to Proffer 6.

d. Stratford Rear Trail Connection. Prior to the issuance of the first RUP for Building G, and provided the necessary off-site easements/agreements can be acquired from the Stratford Condominium Board of Directors ("Stratford Condominium"), the Applicant must construct, at no cost to the Stratford Condominium, a five-foot wide

paved trail connection between the Property and the existing off-site asphalt public use trail (recorded in Deed Book 10538 at Page 1396 of the Land Records) on the Stratford Condominium property as depicted on Sheet C-07 of the Development Plan. Said connection must be determined at time of site plan and field-located in conjunction with representatives of the Stratford Condominium and Forest Conservation Branch ("FCON") of LDS. The Applicant must diligently pursue installation of said trail connection with the Stratford Condominium.

e. Stratford House Place Sidewalk Connection. Prior to the issuance of the first RUP for Building H, and provided the necessary off-site easements/agreements can be acquired from VDOT and the Stratford Condominium, the Applicant must construct a five-foot wide sidewalk within the existing public right-of-way along the west side of Old Reston Avenue between the north boundary of the Property and Stratford House Place, as depicted on Sheet C-07 of the Development Plan.

f. W&OD Trail Connection. The Applicant must diligently pursue the W&OD Trail Connection shown on Sheet C-07 of the Development Plan, subject to NOVA Parks, Dominion Energy, and VDOT approval, which must be installed prior to the issuance of the first RUP for Building H. In the event, despite the Applicant's good faith efforts, the Applicant is unable to receive approval of the W&OD Trail Connection from NOVA Parks, Dominion Energy, or VDOT, or in the event any off-site utility relocations are required, the Applicant will pursue the alternative W&OD Trail Connection depicted on Sheet C-07C of the Development Plan, subject to NOVA Parks approval, which must be installed prior to the issuance of the first RUP for Building H. Under no circumstances will the Applicant be required to pursue both connections, unless the Applicant elects to do so at its sole discretion. The specific location of the connection will be determined prior to site plan approval for the Property, and minor adjustments to the two candidate alternatives may be made without requiring approval of a PCA, CDPA, or FDPA and/or interpretation/determination of substantial conformance.

30. Private Streets. All privately-maintained streets, private drives, service drives, parking areas, and alleys installed on the Property must be constructed of materials and of a depth of pavement consistent with that required by the PFM. A public access easement in a form acceptable to the County Attorney must be recorded over all private streets within the Property at the time of record plat recordation. The Governing Documents for the UOA/POA must specify that the UOA/POA is responsible for the maintenance of the onsite private streets. As depicted on Sheet C-07 of the Development Plan, the internal spine street will be designed and operated as a one-way circulation route and will include appropriate signage and pavement markings to enforce such one-way circulation. However, in the event VDOT does not grant the VDOT Waiver consenting to construction of the Preferred Streetscape pursuant to Proffer 29.C, the Applicant may provide a two-way configuration for a portion of the internal spine street at the Property's southern entrance as depicted on Sheet C-07B of the Development Plan, subject to any necessary VDOT approvals at time of site plan.

31. Reston Transportation Fund. Prior to the issuance of the first RUP for each Townhome building constructed on the Property, the Applicant must make a contribution to the Reston Road Fund in accordance with the rates and applicable rate adjustments set forth in the Reston Road Fund Plan endorsed by the Board of Supervisors on March 23, 2021, as amended. The Applicant may receive and deduct credits against this contribution as approved by Fairfax County in accordance with the Reston Road Fund Guidelines.

32. Traffic Signal Preemption Devices. Prior to the issuance of the first RUP for the Property, the Applicant must make a one-time contribution in the amount of $10,000.00 to the Fairfax County Capital Project titled "Traffic Light Signals – FRD Proffers in Fund 300-C30070, Public Safety Construction" for use in the installation of a preemptive traffic signal devices on traffic signals within a five-mile radius of the Property, as determined by the Fairfax County Fire and Rescue Department. Nothing contained in this proffer requires the Applicant to be responsible for the actual installation or maintenance of said preemptive signal devices.

33. Density Credit. The Applicant reserves density credit, as permitted by the provisions of § 5100.2.E (5) (c) of the Zoning Ordinance, for all eligible dedications or as may be required by Fairfax County or VDOT.

AFFORDABLE HOUSING

34. Affordable Dwelling Units. The Applicant must provide Affordable Dwelling Units ("ADUs") pursuant to § 5101 of the Zoning Ordinance in effect as of the approval date of this Application (the "ADU Ordinance"), and the Administrative Regulations Concerning the Sale and Rental of Affordable Dwelling Units, as amended, unless modified by the ADU Advisory Board and to the satisfaction of the Department of Housing and Community Development.

ENVIRONMENTAL AND LANDSCAPE ELEMENTS

35. Sustainable Design. The Applicant will select one of the following programs to be implemented for each of the single-family attached dwelling units and will inform the Environmental Branch ("EB") of the Department of Planning and Development ("DPD") which program the Applicant has chosen as part of the first site plan submission for each residential building and each block of single-family attached dwelling units.

    a. LEED for Homes. If the Applicant selects the U.S. Green Building Council's ("USGBC") Leadership in Energy and Environmental Design for Homes (LEED® for Homes) rating system for the Proposed Development, the applicant will include, as part of the site plan submission and building plan submission, a list of specific credits within the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design—Homes. A LEED-accredited professional (LEED-AP) who is also a professional engineer or licensed architect

will provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED certification of the project.

Prior to building plan approval, the Applicant will post a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to LDS as defined in the Public Facilities Manual, in the amount of (80% of the square footage of the building multiplied by $2.00). This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of certification, by the U.S. Green Building Council, under the most current version of the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design for Homes (LEED® for Homes) rating system. The provision to the EB of DPD of documentation from the U.S. Green Building Council that each building has attained LEED certification will be sufficient to satisfy this commitment. If the Applicant fails to provide documentation to the EB of DPD demonstrating attainment of LEED certification within one year of issuance of the final RUP for the building, the escrow will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

Prior to building plan approval, 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.

If the Applicant provides to the EB of DPD, within one year of issuance of the final RUP for the building, documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the U.S. Green Building Council to fall within three points of attainment of LEED certification, 50% of the 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 Applicant fails to provide, within one year of issuance of the final RUP for the building, documentation to the EB of DPD demonstrating attainment of LEED certification or demonstrating that the building has fallen short of certification by three 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 Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the EB 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 proffered time frame will be extended until such time as evidence is obtained, and no release of escrowed funds will be made to the Applicant or Fairfax County during the extension.

b. National Green Building Standard ("NGBS"). If the Applicant selects the NGBS for the Proposed Development, then the Certification will be in accordance with the most current version of 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 prior to the issuance of the RUP for each dwelling.

c. EarthCraft. If the Applicant selects EarthCraft Certification, it must be completed in accordance with the EarthCraft House or Multifamily Program as demonstrated through documentation provided to LDS and DPD prior to 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 prior to RUP issuance for each dwelling unit. The Applicant must provide documentation to LDS and DPD demonstrating that certification for the Proposed Development has been attained prior to final bond release.

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

36. Electric Vehicle ("EV") Charging. The Applicant must provide pull string-ready conduit leading from the electric panel to a code compliant outlet (or access point to a future outlet) within the Townhome garages that will support future wiring for electric vehicle ready charging. This includes the provision of space, conduit banks, conduits and access points allowing for the installation of electric vehicle charging stations in the future to accommodate future electric capacity, but does not include the installation of transformers, switches, wiring or charging.

37. Conceptual Landscape Plan. The Applicant must implement the landscape design for the Property shown on Sheet L-0101 of the Development Plan (the "Landscape Plan"), which 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. Any modifications must maintain a similar quality of landscaping as depicted in the Landscape Plan and the Development Plan, as determined by FCON.

a. Project Arborist. An International Society of Arboriculture Board Certified Arborist, a registered landscape architect, or an American Society of Registered Consulting Arborist (the "Project Arborist") must be on-site during all critical

phases of initial landscape installation, including soil preparation, plant delivery, "heeling in" of plants (if not immediately planted), planting stock preparation (discard wires and wrappings, eliminate girdling roots, etc.), and planting (with specific attention paid to planting depths). The Project Arborist must report each of these activities in report form to FCON, the schedule and method of reporting must be detailed at time of final site plan.

b. Native Species. The Applicant will use non-invasive species throughout the Proposed Development, prioritizing predominately native or adapted species. 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.

c. Site Plan. As part of the initial site plan submission, the Applicant will provide FCON 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 (if applicable);

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

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.

d. 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. 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 FCON. 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.

e. 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, FCON, and Site Development and Inspections Division ("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 FCON 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.

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

g. 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. FCON will review these locations in the field during the meeting before planting begins.

h. 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.

38. Tree Space Requirements. Tree planting spaces for those trees counted towards 10-year tree canopy credits, which are proposed in the streetscape and other areas restricted by barriers to root growth must provide a planter open surface area at least six feet by six feet. Where minimum planting areas cannot be met and planting spaces at least eight feet wide cannot be provided, a rooting zone with a minimum width of eight feet must be provided beneath paved surfaces using structural cell technology or other solutions acceptable to FCON that provide uncompacted soil within the planting space, with planting sites meeting the following specifications:

a. A minimum of six feet open surface width and 36 square feet open surface area;

b. Rooting area beneath paved surfaces a minimum of eight feet wide, taking into consideration sloped sides as may be needed to support adjacent compacted soils for roadways and pedestrian walkways. Planting space depth must be four feet within four feet of the tree on all sides. Soil depth in areas beyond four feet may be shallower or narrower as long as specified minimum soil volumes are met. Paved surfaces over the specified rooting area are not dependent upon compacted soil for structural support;

c. Soil volume for Category III or IV trees (as indicated in Table 12.17 of the PFM) must be a minimum of 700 cubic feet per tree for single trees. For two trees planted in a contiguous planting area, a total soil volume of at least 1,200 cubic feet must be provided. For three or more trees planted in a contiguous area, the soil volume must equal at least 500 cubic feet per tree. A contiguous area must be defined as

any area with a soil depth of three to four feet, within which lateral root growth is unrestricted;

d. Soil in planting sites must be as specified in planting notes to be included in site plans reviewed and approved by FCON; and

e. The Applicant must contact FCON at least three business days prior to installation of trees in order to provide an opportunity for FCON staff to verify conformance with these requirements.

39. Limits of Clearing and Grading. The Applicant must strictly conform to the limits of clearing and grading as shown on Sheet C-07 of the Development Plan, subject to allowances specified in these Proffers, for the installation of utilities and/or trails as determined necessary by the Director of LDS. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the Development Plan, they must be located in the least disruptive manner necessary as determined by LDS and FCON. A replanting plan must be developed and implemented, subject to approval by LDS and FCON, for any areas protected by the limits of clearing and grading to be disturbed for such utilities or trails.

40. Coordination of Utility Lines/Trees. The Applicant will coordinate the location of new utility lines and appurtenances to the maximum extent practicable so that they are placed within paved areas or in locations that do not conflict with required street tree planting areas, including, but not limited to, placement along private drives or other non–tree planting zones. This proffer will not preclude alternative utility placement where required by applicable utility provider standards, engineering constraints, or regulatory agency requirements.

41. Invasive Species Management Plan. Forested areas on the Property 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 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 on the Property 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 on the Property along the limits of clearing as may be needed.

42. Tree Preservation.

a. 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 FCON.

b. 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 FCON.

c. Project Arborist/Pre-Construction Meeting. Prior to 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. A representative of the Stratford Condominium must be invited to participate in the meeting. During the meeting, the Project Arborist and FCON 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.

d. Tree Protection Fencing. The Applicant must install appropriate tree protection devices based on site conditions and proposed construction activities, as reviewed and approved by FCON prior to the commencement of land disturbing activities.

e. 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.

f. 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 FCON. All tree protection fencing must be installed and verified by a Fairfax County representative before demolition activities begin.

g. 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 FCON. The Project Arborist must submit written reports to FCON and the SDID 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.

h. Perimeter Fencing and Stratford Tree Preservation. As may be required by the PFM and the latest edition of the Virginia Sediment and Erosion Control Handbook, the Applicant must, prior to any clearing and grading activities, install tree protection fencing along the limits of clearing and grading along the Property's western property line adjacent to the Stratford Condominium. In the event any healthy trees in the tree preservation area along the Property's western property line adjacent to the Stratford Condominium are inadvertently impacted due to construction activities and need to be removed (as determined by the Applicant's Project Arborist), then the Applicant must remove and replace each such tree with a tree of similar variety as determined by the Applicant, with each such tree being a minimum of 2.5- to 3-inch caliper and approximately 10 feet in height at time of planting. The placement of any replacement trees must be in the same general area of each such tree removed.

43. 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. The Applicant will provide notes and details on the site/subdivision plan outlining the soil restoration process for review and approval by FCON.

44. Stormwater Management. As described in the stormwater narrative on Sheet C-14 of the Development Plan, stormwater management and best management practice ("SWM/BMP") facilities must be provided as required to meet or exceed the minimum requirement for SWM/BMPs in Chapter 124 of the Fairfax County Code (the "County Code") at the time of Application approval. The peak runoff rate released from the Property in the post-developed condition for the two-year, 24-hour storm must be at least 20 percent less than the peak runoff rate released in the existing condition for the same storm. The type and quantity of SWM/BMPs shown on the Development Plan are conceptual in nature and are only provided to indicate the types of facilities that may be provided to meet the proffered requirements. No offsite nutrient credits are permitted. The Applicant must implement onsite SWM/BMP techniques to control the quantity and quality of stormwater runoff from the Property in accordance with all federal, state, and county regulations and standards in effect at the time of site plan approval for the Property. In the event the Applicant dewaters the existing Pond to perform any site improvements associated with this Application as contemplated by Sheet C-14 of the Development Plan, the Applicant will coordinate with LDS during site plan review regarding the proposed dewatering

methods, duration, and related details. The Applicant will ensure the pond condition is promptly restored following completion of the approved work, and under no circumstances will the Pond remain in a dewatered condition following completion of the approved work.

a. Additional Stormwater Measures. The Applicant must, at the time of first site plan for the Property, provide Low Impact Development ("LID") measure(s), which must be implemented as part of construction, to enhance and protect the quality of the watershed and which must provide an additional phosphorus removal in excess of that required by County Code Chapter 124 through runoff volume reduction and other structural BMP measures as computed in the VRRM Spreadsheets on Sheets C-15, C-15A, and C-15B of the Development Plan, or in a proportionate amount in the event that the Proposed Development is constructed in phases. Such additional LID measure(s) may include, but are not limited to, underground detention vaults or similar facilities, bio-retention areas, pervious pavement, stormwater planters, manufactured filtering devices, and enhancement of the existing Pond. The specific additional LID measure(s) must be identified at the time of the first site plan approval for the Property and approved by LDS. The Applicant must construct (or utilize existing) LID measure(s) in accordance with the Development Plan (and each subsequent revision thereto).

b. Future Regulations. In the event the U.S. Environmental Protection Agency, the Commonwealth of Virginia, Fairfax County, or their designee, issue new or additional stormwater management regulations affecting the Property, the Applicant has the right, but not necessarily the obligation, to accommodate necessary changes to its stormwater management designs without the need for a PCA, CDPA, or FDPA and/or interpretation of substantial conformance.

45. Urban Bioretention Tree Pits. Urban bioretention features designed for tree planting must meet the following minimum specifications:

a. Filter Media Composition:

i. The filter media must consist of 50% sand, 30% topsoil, 20% leaf compost.

ii. Each component must be clearly defined and specified in all site plan submissions, including the initial and subsequent plans.

iii. A comprehensive narrative detailing the testing, monitoring, reporting, and installation process of the soil mixture must be included on the site plan.

iv. This soil mixture must be consistently used throughout the entire bio-retention area.

b. Soil Volume and Depth Requirements:

i. Minimum soil volumes for Category III and IV trees, as specified in the associated proffer, are required.

ii. Each urban bio-retention tree pit must:

1. Maintain a minimum depth of four feet.

2. Maintain this depth for at least four feet in all directions, centered on the tree.

c. Irrigation System Restrictions:

i. Permanent automatic irrigation systems are not allowed in designated bio-retention tree pits.

ii. Tree species must be carefully selected to match the growing conditions of each bio-retention tree pit.

iii. Temporary irrigation must be implemented during the tree establishment period.

d. Maintenance Requirements:

i. Proper maintenance is critical for the establishment and longevity of trees in bio-retention pits.

ii. A detailed maintenance plan for the establishment period must be included on the site plan.

iii. The maintenance plan must comply with DCR Specification No. 9, Section 9.

46. Sanitary Sewer. At the time of site plan, the Applicant will submit a final, site-specific sanitary sewer analysis outlining the receiving downstream sanitary sewer capacity. If improvements to such receiving downstream lines are deemed necessary as a result of the analysis, the Applicant will submit a separate Public Improvement ("PI") plan indicating such improvements, which is to be filed concurrently with the site plan submission. Sanitary sewer upgrades will be provided as identified in the analysis in order to accommodate the additional flow generated by the additional homes proposed by the Applicant. The Applicant will bond the required sanitary sewer improvements upon technical approval of the PI plan by LDS. Any necessary improvements identified within the analysis must be constructed and accepted by Fairfax County prior to the issuance of the first RUP that requires these improvements for the Application Property. To the extent sanitary sewer improvements are constructed by the Applicant, the Applicant will be

eligible for reimbursement in accordance with the Department of Public Works and Environmental Services "Statement of Policy Regarding Sewage Disposal," as amended, as well as the Fairfax County Reimbursement Agreement for Enlarged Sewer Facilities and the Fairfax County Sanitary Sewer Reimbursement Summary.

47. Lighting. In an effort to minimize nighttime light pollution from the Property, all onsite outdoor lighting provided on the Property must comply with the Outdoor Lighting Standards of subsection 5109 of the Zoning Ordinance. Pedestrian pole lights within the Property will be determined at time of final site plan and must substantially conform to the streetlight and bollard images contained on Sheet L-0112 of the CDP. Pedestrian pole located along the Property's Old Reston Avenue frontage will utilize either the Metroscape fixture by Signify Lighting, or another fixture allowed per planning guidelines, where lighting in the right of way is ultimately subject to FCDOT and VDOT approval. All proposed parking and building-mounted security lighting on the Property must utilize full cut-off fixtures or equivalent. The Applicant may install bollard lighting on the Property. The Applicant must use LED lighting for all street lights within the development, unless other specifications are required by VDOT for any lights located in the right-of-way. Nothing contained in this proffer precludes the up-lighting, accent lighting, or backlighting of signage, entrance features, and related landscaping throughout the Property as permitted by applicable regulations of the Zoning Ordinance.

PUBLIC SCHOOLS

48. Public Schools Contribution. Prior to issuance of the first building permit for the market rate residential dwelling units for the Property, the Applicant must make a one-time contribution to Fairfax County Public Schools ("FCPS") in the amount of $14,956.00 per expected student generated by the Property. Said contribution must be based upon the actual number and type of dwelling units constructed on the Property, and utilized for FCPS' capital improvements to address impacts on the school division resulting from the Application. 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 for that phase of development to reflect the then-current ratio and/or contribution.

49. Notification. To allow for adequate time to plan for anticipated student growth and ensure classroom availability, the Applicant must provide notification to the FCPS Office of Facilities Planning Services when the site plan for development of any residential units on the Property has been filed with Fairfax County.

CONSTRUCTION MANAGEMENT

50. Pre-Construction Meeting. Prior to the commencement of construction, the Applicant must make good faith efforts to hold a meeting with the property owners and/or property owners associations in the immediate vicinity of the Property to provide information regarding

planned construction activities for the Property. The information must include: (a) the anticipated phasing of construction, if any; (b) a preliminary schedule for each phase of construction, as applicable; (c) a preliminary plan for the routing of construction trucks; and (d) planned measures to minimize off-site dirt and debris in accordance with applicable law. In addition, the Applicant must provide the name, email address, and telephone number of a contact person responsible for managing construction activities on the Property to the Hunter Mill District Supervisor prior to the commencement of construction.

51. Construction Traffic Management. The Applicant must prepare and implement a construction congestion management plan during redevelopment of the Property, so as to provide safe and efficient pedestrian and vehicle circulation at all times on the Property and on the public roadways and sidewalks adjoining the Property. This management plan must identify anticipated construction entrances, construction staging areas, construction vehicle routes and procedures for coordination with FCOT and/or VDOT concerning construction material deliveries, lane or street closures, and/or other construction related activities to minimize disturbance on the surrounding street and sidewalk network. Such plan must be prepared by a qualified professional and submitted for review and comment, but not necessarily approval, to VDOT and FCDOT prior to the first site plan approval for the Property. A copy of the construction traffic management plan must be provided to the Hunter Mill District Supervisor and the Stratford Condominium Board of Directors.

52. Nighttime Construction Lighting. In the event the Applicant utilizes temporary nighttime construction lighting during construction of the Proposed Development, the Applicant's general contractor must implement night and construction light mitigation measures such as providing appropriate bulb shielding along the sides of the Townhomes that face the Stratford Condominium community. The Applicant must also explore the utilization of timers and/or motion sensors during construction of the Townhomes so that any temporary construction lighting can be turned off or reduced in intensity during non-working periods. In implementing this proffer, the Applicant and its contractors must comply with all governing federal, state and/or local health and safety requirements and standards, such as those specific night lighting standards as may be required by Fairfax County, the United States Occupational Safety and Health Administration, and the Virginia Occupational Safety and Health Compliance Program.

MISCELLANEOUS

53. Phase 2 Dulles Rail Taxes. Pursuant to § 33.2-2107 of the Code of Virginia, the Applicant must pay to Fairfax County a lump sum payment amount that represents Fairfax County's estimate of the then present value of the future special improvement taxes that would have been payable to the Phase 2 Dulles Rail District attributable to the Property to be developed with for-sale residential units. Such amount must be determined in accordance with a formula approved by the Board of Supervisors. The Applicant must pay to Fairfax County such sum within 60 days of the date of the approval of this Application. If such payment is not made, then the approval of this Application will be null and void and of no effect, without further action by the Board of Supervisors. If at some future time, the Property

again becomes subject to payment of the special improvement taxes to the Phase 2 Dulles Rail District, then a portion of the lump sum payment made under this proffer may be credited toward the payment of subsequent special improvement taxes for the Property in an amount as reasonably determined by Fairfax County on a pro-rated basis, considering the lapse of time that the portion of the Property was not subject to payment of the special improvement tax.

54. Successors and Assigns. These Proffers bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in these Proffers includes within its meaning, and is binding upon, the Applicant's successor(s) in interest and/or developer(s) of the Property or any portion of the Property. Once portions of the Property are sold or otherwise transferred, these Proffers become the obligation of the purchaser or other transferee and will no longer be binding on the seller or other transferee.

55. Counterparts. These Proffers may be executed in one or more counterparts, each of which when so executed and delivered will be deemed an original document, and all of which, taken together, will constitute but one in the same instrument.

56. Timing Delay/Inability to Secure Easements or Permission. Notwithstanding the foregoing, upon demonstration that despite good faith and diligent efforts or due to factors beyond the Applicant's control (including, but not limited to, construction schedules, availability of financing, weather delays, seasonal planting schedules, duration of approval process, market conditions, inability to secure necessary easements, licenses, or permission from other private or public entities for utility relocations and traffic improvements, etc.), proffered commitments have been delayed beyond the timeframes specified herein, the Zoning Administrator may extend the timeframes for completion to a later date as determined by the Zoning Administrator, or release the Applicant from further obligations related to the referenced proffered commitment.

57. Severability/Future Applications. Any portion of the Property may be the subject of a rezoning, special exception, special permit, variance, PCA, CDPA, FDPA, or other zoning action without the joinder and/or consent of the applicant(s)/property owner(s) of the other land area(s), provided that such application complies with the Zoning Ordinance and § 15.2-2302 of the Code of Virginia, as applicable. Previously approved proffered conditions or development conditions applicable to a particular portion of the Property that are not the subject of such an application will remain in full force and effect.

58. Annual Escalation Clause. All proffers specifying contribution amounts or budgets for operational expenses, with the exception of those required by Proffer 48, will escalate on annual basis from the base year of 2026 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 § 15.2-2303.3 of the Code of, as amended.

[SIGNATURES BEGIN ON FOLLOWING PAGES]

APPLICANT/CONTRACT PURCHASER
OF TAX MAP 17-4 ((1)) 1

OLD RESTON ASSOCIATES LLC

By: Old Reston Manager LLC, its Manager

_____

Name: Evan A. Goldman
Title: Executive Vice President

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER
OF TAX MAP 17-4 ((1)) 1

AP RESTON CAMPUS LLC

_____

Name: Charles B. Betancourt
Title: Chief Operating Officer

[SIGNATURES END]