County of Fairfax, Virginia
Planning Commission Meeting
June 10, 2026
Planning Commission Action

RZ/FDP-2022-HM-00003 – PULTE HOME COMPANY LLC
(Hunter Mill District)

PLANNING COMMISSION RECOMMENDATIONS:
On June 10, 2026, the Planning Commission voted 8-0 (Commissioners Clarke, Hancock, Sargeant, and Thomas were absent from the meeting) to recommend to the Board of Supervisors approval of RZ-2022-HM-00003 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated June 5, 2026, and, as amended on June 10, 2026, as follows:

- Delete the paragraph of Proffer 50.E.i. Power Washing; and
- Revise the last sentence of Proffer 52. Snow Consortium, as follows:

  "The applicant will provide snow removal or coordinate with the consortium to ensure that snow removal operations commence within 24 hours following the cessation of snowfall."

In a related action, the Planning Commission voted 8-0 (Commissioners Clarke, Sargeant, and Thomas were absent from the meeting) to approve FDP-2022-HM-00003.

ATTACHED DOCUMENTS:
Proffers dated June 5, 2026

CD

LOFTS II AT RESTON STATION
PROFFER STATEMENT
RZ-2022-HM-00003

June 5, 2026

Pursuant to Section 15.2-2303 (A) of the Code of Virginia (1950, as amended) and Sect. 8100.2 of the Zoning Ordinance of Fairfax County (May 10, 2023, as amended) (the "Zoning Ordinance"), the property owner and applicant, for itself and its successors and assigns (the "Applicant"), in this rezoning application from the I-4 to PRM District proffers that the development of the parcels under consideration and shown on the Fairfax County Tax Map as parcel 18-3 ((6)) 7A, 7B, and 7C (the "Property") will be in accordance with the following conditions ("Proffers") if, and only if, RZ 2022-HM-00003 (the "Application") is granted. In the event that this Application is denied, these Proffers will be immediately null and void and of no further force or effect.

GENERAL

1. Conceptual Development Plan/Final Development Plan. The Property will be developed in substantial conformance with the Conceptual Development Plan/Final Development Plan ("CDP/FDP") dated December 2021, and revised through June 5, 2026, prepared by Land Design Consultants, Inc., and consisting of 50 sheets, as further described below.

2. CDP Elements. Notwithstanding that the Conceptual Development Plan and the Final Development Plan are presented on the same sheets and defined as the CDP/FDP in Proffer 1, it will be understood that the CDP consists of; (i) the maximum square footage of development permitted on the Property as shown on the CDP/FDP and as described under Proffers 5 below, (ii) the minimum proposed open space; (ii) the general location and arrangement, minimum setbacks, and maximum building height of the buildings on the Property as shown on the CDP/FDP; (iii) the points of access to the Property and accompanying pedestrian and vehicular circulation routes through the Property as shown on the CDP/FDP; and (iv) the general quality and character of the streetscape as shown on the CDP/FDP (collectively, the "CDP Elements"). The Applicant reserves the right to request approval from the Planning Commission of a Final Development Plan Amendment ("FDPA") pursuant to Section 8100.2.E(2) of the Zoning Ordinance for elements other than the CDP Elements for all or a portion of the Property and the CDP/FDP, provided such FDPA is in substantial conformance with these Proffers.

3. Minor Modifications and Minor Variations. Minor modifications to the CDP/FDP and/or Proffers may be permitted by the Zoning Administrator pursuant to Section 8100.5.A(1) of the Zoning Ordinance. Minor variations to the CDP/FDP and/or Proffers may be permitted by approval of the Board of Supervisors with public notice, but without the need for a public hearing or a Conceptual Development Plan Amendment ("CDPA"), FDPA, or Proffered Condition Amendment ("PCA"), pursuant to Section 8100.5.A(2) of the Zoning Ordinance.

4. Future Applications. Any portion of the Property may be the subject of a CDPA, FDPA, PCA, Rezoning ("RZ"), Special Exception ("SE"), Special Permit ("SP"), Variance or other zoning action without the joinder and/or consent of the owners of the other land areas, provided that such application complies with Section 8100 of the Zoning Ordinance and Section 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.

PROPOSED DEVELOPMENT

5. Proposed Development. The development proposed with this Application includes a maximum of 46 stacked townhome dwelling units and 112 multi-family dwelling units (the "Proposed Development") as shown on the CDP/FDP.

6. Architecture.

A. Buildings. The quality and character of the architectural design and building materials for the Proposed Development will be in general conformance with the architectural elevations shown on Sheets 7B.1 through 7D of the CDP/FDP. Exterior building materials for the Proposed Development may include, but will not be limited to brick, masonry/stone, aluminum, steel, glass, cementitious paneling and siding, aluminum or vinyl siding, stucco, metal panels, composite insulated panels, and aluminum/vinyl windows, provided that final architectural details, roofs, and accents may include other materials. The Applicant reserves the right to adjust or modify the architectural design, including, but not limited to, the building materials, articulation, balconies, and fenestration, as part of final architectural design and engineering without requiring approval of a CDPA, FDPA, or PCA, provided the quality and character of the architectural design and building materials remain in substantial conformance with that shown on the CDP/FDP, as determined by the Zoning Administrator.

B. Build-to Lines. Awnings, canopies, and other architectural elements attached to the building will not extend beyond the building zone, except as approved by the Zoning Administrator and provided that they are located to ensure adequate clearance for pedestrian movement and do not conflict with street tree locations.

C. Mural. The Applicant will provide a mural on the Reston Station Boulevard side of the approximately sixteen foot (16') wall (comprised of ten (10) feet of retaining wall and six (6) feet of screening wall), as shown on Sheet 3 of the CDP/FDP, to screen the garage access between Building 2A and Building 3A of a similar quality as shown on Sheet 8.2 of the CDP/FDP.

D. Retaining Walls. The Applicant will provide the retaining walls between Easterly Road and Corner Park West, between Buildings 2A and 3A along Reston Station Boulevard, and between the Promenade and Private Street A/Alleyway C as concrete retaining walls with "masonry finishes" that is coordinated with the

architecture of the adjacent buildings as shown on Sheets 7B.1, 7B.2, 7B.3, 7C, and 7D of the CDP/FDP. The anticipated heights of the walls are depicted on the CDP/FDP but will be refined and, if feasible, reduced at the time of site plan. The Applicant, and subsequent POA/HOA/COA or equivalent, will be responsible for maintaining the retaining walls on the Property.

E. Parking Garage Screening. The Applicant will ensure that headlights of cars located in the parking garages do not shine onto the pedestrian realm along Building 2A and Building 3A's Reston Station Boulevard frontage. If screening is needed, the screening details will be provided at the time of building submission. Internal garage lighting that is contiguous to Reston Station Boulevard will be shielded and screened to face downward and minimize horizontal lighting impacts to the Reston Station Boulevard frontage.

7. Building Height. Building heights for the Proposed Development will be within the ranges as shown on Sheet 1A of the CDP/FDP. Building heights will be measured in accordance with the provisions of the Zoning Ordinance and will be exclusive of those structures that are excluded from the maximum building height regulations as set forth in Section 5100.2.C of the Zoning Ordinance. Notwithstanding the foregoing, however, nothing will preclude the Applicant from constructing the Proposed Development to lesser building heights than those which are represented on the CDP/FDP, provided the configuration of the building footprints remain in substantial conformance with those shown on the CDP/FDP.

8. Declarations and Owners' Associations. Prior to the issuance of the first Residential Use Permit ("RUP") for the Proposed Development, the Applicant may cause the recordation of one or more declarations creating any necessary Property Owners Association ("POA"), Homeowners Association ("HOA"), or Condominium Owners Association ("COA") for the Property as follows:

A. Property Owners' Association. At any time, the Applicant may record a declaration and/or establish POA to govern the Property in accordance with Virginia law. The declaration establishing the POA will include any covenants, easements, restrictions, and agreements necessary to establish the governance of the Property and address the obligations under these Proffers for the maintenance and operation of the common facilities, and amenities within the Property, including, without limitation, the private roadways, sidewalks, trails, stormwater management facilities, open space/landscaping, streetscape trees, and the amenity areas. The initial POA documents will include a ten-year budget, and the budget will include a line item for contributions for future maintenance of such common facilities and amenities. Concurrent with the recordation of the POA declaration, the Applicant will make a contribution of $10,000.00 to an account held by the POA for the purpose of providing initial working capital to fund the POA's maintenance and operation of the common facilities and amenities within the Property.

B. Homeowner and Condominium Owners' Association. In the event any of the residential dwelling units are held for sale, the Applicant may cause an HOA/COA to be formed for any applicable for-sale multi-family dwelling units and/or for-sale stacked townhome dwelling units. If a declaration is recorded and/or a POA is established for the Property, the HOA/COA will be a member of the declaration and/or POA.

C. Disclosures. The declaration establishing any HOA/COA on the Property (including budgets provided in any offering or sale materials) will specify the proffer and maintenance conditions and obligations set forth in these Proffers. The declaration also will require that the Applicant, and each subsequent owner, provide notice to purchasers of residential units that Easterly Road is planned as a future public roadway. Purchasers will be advised in writing of these proffer conditions and obligations prior to entering into a contract of sale.

D. Additional Associations. In addition to the POA/HOA/COAs described above, the Applicant may join any existing associations, record any additional declarations, and/or establish any additional associations as may be deemed necessary by the Applicant.

LIGHTING

9. Lighting. All on-site outdoor lighting provided with the Proposed Development will comply with the Outdoor Lighting Standards of Section 5109 of the Zoning Ordinance, as may be amended. All proposed building-mounted security lighting on the Property will utilize full cut-off fixtures. Pedestrian scale lighting will be provided in the public realm as generally shown on Sheet 8F of the CDP/FDP. All streetlights provided with the Proposed Development will meet all applicable PFM requirements.

PARKING

10. Zoning Ordinance Parking Requirements. Parking will be provided in accordance with the parking requirements of Section 6100 of the Fairfax County Zoning Ordinance, as determined by the Department of Land Development Services ("LDS"), for the uses within the Proposed Development or in accordance with a parking reduction as may be approved by the Director of LDS under Section 6100.6(B) and (C) of the Zoning Ordinance or approved by the Board of Supervisors under Section 6100.6 of the Zoning Ordinance. In the event that a parking reduction is not approved or is approved and not implemented by the Applicant: (a) the number of parking spaces serving the Proposed Development may be less than shown on the CDP/FDP provided the number of parking spaces comply with the minimum requirements of Section 6100 of the Zoning Ordinance in effect as of the date of these Proffers or as such parking requirements under Article 6 of the Zoning Ordinance may be reduced by the Board of Supervisors in the future or in accordance with a future or amended parking reduction as may be approved by the Director of LDS or the Board of Supervisors, and (b) the Applicant will have the right to provide additional parking beyond the minimum number of parking spaces required under Article

6 of the Zoning Ordinance, provided the additional parking spaces will be accommodated within the proposed parking structures, without increasing the height or mass of the parking structures. In the event the Fairfax County Board of Supervisors modifies the provisions of Article 6 to reduce the parking requirements for the uses within the Proposed Development, the Applicant may elect to implement the lesser of the two parking requirements, and any such election will be deemed in substantial conformance with these Proffers and the CDP/FDP.

11. On-Street Parking Spaces. On-street parking may be provided on the private streets as shown on the CDP/FDP and as may be adjusted at the time of site plan approval. On-street parking spaces along any private streets that otherwise are not required to satisfy the parking requirements may be used as temporary or short-term parking, car-sharing parking, valet parking, and/or similar uses.

12. Electric Vehicle Charging Facilities. For purposes of this Proffer 12, "electric vehicle-ready" or "EV-ready" means the provision of space, conduit banks, conduits and access points allowing for the easy installation of electric vehicle charging stations in the future, space for potential future installation of increased transformer capacity, and space within the electrical room to accommodate future electric capacity, and does not include the installation of transformers, switches, wiring or charging.

A. Stacked Townhouse Units.

i. Electric Vehicle Charging. The Applicant will provide pull string-ready conduit leading from the electric panel to a code compliant outlet (or access point to a future outlet) within the stacked townhome garages that will support future wiring for electric vehicle charging. At the initial time of purchase, the purchaser will be given the option to have an EV charging station installed at the purchaser's cost.

B. Multi-Family Building.

i. Electric Vehicle Charging Stations. The Applicant will provide fully wired and functional Level 2 electric vehicle ("EV") charging stations serving a minimum of ten percent (10%) of the parking spaces within the parking structure for the multi-family building. Such EV charging stations will be installed and available for use in the parking structure prior to the issuance of the first RUP for the multi-family building.

ii. Electric Vehicle Ready Infrastructure. The parking structure for the multi-family building will be designed to support the future installation of Level 2 electric vehicle ("EV") charging infrastructure for a minimum of fifty percent (50%) of the spaces within such structure and may provide additional infrastructure if the market supports the same. The Applicant will include within building plan submissions, as applicable, the identification of spaces within the parking structure that will be EV-

ready, as well as information demonstrating the following, to the satisfaction of the Development Review Branch ("DRB") of the Department of Planning & Development ("DPD").

1) That conduits with pull strings and access points will be installed sufficient to support the future installation of an EV charging station at each of the EV-ready spaces;

2) That electric load estimates prepared for the building will account for EV-ready spaces. Estimates can calculate a cumulative load, where EV-ready load is added to building service load, or, alternately, the building permit plans can demonstrate that building service load can accommodate EV-ready loads for the EV-ready spaces identified above; and

3) That the electrical room of the building will be sized to support future electrical capacity expansions for a Level 2 EV charging station for each identified space within the parking facility, including empty panel space for EV charging that could ultimately be connected with pull string conduits to the parking.

4) In addition, unless and until all EV-ready spaces will have EV charging stations installed, the Applicant will include, within closing and leasing documents, disclosure to prospective purchasers/renters the presence of EV-ready parking spaces on the property.

13. Bicycle Parking. The applicant will provide bicycle parking to include short-term spaces proximate to the multi-family buildings as well as secure long-term spaces. The final location, quantity, and type of bicycle parking spaces will be determined at site plan in consultation with the FCDOT Bicycle Coordinator or their designee and in accordance with the Fairfax County Bicycle Parking Guidelines (Endorsed June 2024), as amended. The bicycle storage facilities designated on the site plan for each multi-family building will be installed prior to the issuance of the RUP for such building.

A. Multi-Family Residential Bicycle Parking. The Applicant will at a minimum provide bicycle parking spaces equal to 20 percent of the minimum required vehicle parking spaces. Five (5) percent of the required bicycle parking spaces are to be short-term, and ninety-five (95) percent of the required bicycle parking spaces are to be long-term located either within the garages or in a secure bicycle locker.

LOADING AREA

14. Loading along the Private Street. The HOA/COA Manager, or its designee, will schedule and limit tenant move-in and move-out activities so that the loading spaces on the Private Streets may be prioritized and used for tenant moves. The Applicant will reinforce the

three loading spaces identified on Sheet 3 of the CDP/FDP with a heavy-duty pavement section and will include a depressed curb or equivalent curb treatment adjacent to the loading space and ramp to facilitate pedestrian movements during loading and unloading.

REFUSE DISPOSAL

15. Refuse Disposal. The HOA/COA Manager, or its designee, or the refuse company will have access to the garage, and will roll out and place back into the garage the trash receptacles when the refuse vehicle arrives on the scheduled trash pick-up day. Trash receptacles will be placed back within the respective garages immediately after refuse disposal and may not be left unattended along Private Street A or B. The HOA/COA Manager, or its designee, or the refuse company will be responsible for ensuring that any refuse that escapes from the truck or receptacles during trash pick-up will be immediately disposed of, including sweeping of the street as may be necessary.

LANDSCAPE

16. Landscape Plan. The Applicant will implement the landscape design for the Proposed Development shown on Sheet 9 of the CDP/FDP (the "Landscape Plan"), which illustrate the plantings and other features to be provided with the Proposed Development, including open space, streetscapes, courtyards, plazas and parks. The Conceptual Landscape Plan is conceptual in nature and the tree species and planting locations may be modified by the Applicant as part of final engineering and building design, provided that such modifications provide a similar quality and quantity of landscape plantings and materials as that shown on the Conceptual Landscape Plan. Any elements of the Conceptual Landscape Plan that are located within Virginia Department of Transportation ("VDOT") right-of-way are subject to the approval of VDOT in accordance with Proffer 47 below.

A. Native Landscaping. 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. The trees 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 the Forest Conservation Branch ("FCON") of LDS, 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.

B. Sustainable Landscape Techniques. The Conceptual Landscape Plan will incorporate sustainable landscape planting techniques designed to reduce maintenance requirements and contribute to a cleaner and healthier environment with improved air quality, stormwater management, and resource conservation capabilities that can be provided by trees and other desirable vegetation, which may include, among other things:

i. Reduce turf areas to a maximum of seventy-five percent (75%) of the open space area associated within the Proposed Development.

ii. Plant trees that provide additional environmental benefits per Chapter 12 of the Public Facilities Manual ("PFM").

iii. Group plantings together in contiguous mulched beds to build communities of vegetation and a layered canopy and root zone.

C. Site Plans. As part of each initial site plan submission for each building within the Proposed Development, the Applicant will submit to FCON for review and approval a detailed landscape and tree cover plan (the "Landscape Plan") for such building(s), which will include, among other things:

i. Design details for tree wells or grates and other similar planting areas above structures and along streets;

ii. Composition of the planting materials and methods used for street trees or where plantings are to be located within or on top of structures and other methods to be used to ensure the viability of the proposed plantings; and

iii. Information demonstrating that the Landscape Plans are consistent with and are part of the implementation of the SWM Facilities defined below.

D. Planting Quality. Each Landscape Plan will be consistent with the quality and general character of plantings and materials shown on the Landscape Plan, as may be modified by the Applicant as described above and may include the use of additional shade trees and other plant materials as determined by the Applicant. As part of final engineering and site design, the Applicant may adjust the type and location of vegetation and the design of the plantings and improvements within the open spaces, streetscapes, courtyards, plazas, and parks as approved by the Zoning Administrator and FCON, provided such adjustments otherwise are in substantial conformance with the CDP/FDP and the total canopy coverage is provided on the Landscape Plan.

E. Soil Remediation. Soil in all planting areas must be tested for drainage, compaction, and nutrient levels and if found deficient must be the subject of remedial action to restore planting areas to satisfy the cultural requirements of trees, shrubs and groundcovers specified in the landscape planting plan, with attention to deep soil aeration, the addition of organic matter throughout the soil profile to at least 12 inches, and the addition of organic matter on top of the soil. The Applicant will provide notes and details specifying how the soil will be restored for the establishment and long-term survival of landscape plants for review by FCON.

F. Landscape Pre-Installation Meeting. Prior to the installation of plants to meet the requirements of the approved Landscape Plan and these Proffers, the Applicant will coordinate a pre-installation meeting on site with the landscape contractor and a representative of FCON to review the landscape requirements of the approved Landscape Plan. Any proposed changes to the location of planting, size of trees/shrubs, and any proposed plant substitutions of species specified on the approved Landscape Plan will be reviewed at this time and must be approved by FCON prior to planting. The installation of plants not specified on the approved Landscape Plan and not previously approved by FCON may require the submission of a revision to the approved Landscape Plan or removal and replacement with the approved plants prior to bond release. The Applicant will provide notice to FCON not less than 72 hours prior to the Applicant's implementation of the tree planting.

G. Open Space Designs. As part of final engineering and design, and subject to review and approval by the Zoning Administrator, the Applicant may elect to modify the designs of the various open space areas from the designs shown on Sheets 8.3 through 8E.1 of the CDP/FDP and as generally described in Proffer 26 below, provided that such modifications offer a similar quality of design and quantity of plantings, materials, and improvements as those shown on the CDP/FDP and otherwise are in accordance with Section 2105.4(B)4 of the Zoning Ordinance.

H. Salt Management. Salt for the multi-family buildings should only be applied during freezing inclement weather and only to paved surfaces to the extent needed for safety. When no longer needed, excess or leftover salt must be removed for reuse or disposed of properly. Residual salt must not be swept or shoveled into planted landscape areas or other stormwater management facilities. When not in use, salt should be stored in a covered area to protect it from precipitation.

17. Streetscape. Subject to approval by FCON, FCDOT, and VDOT, as applicable, the Applicant will provide streetscape plantings and improvements as conceptually illustrated on the Conceptual Landscape Plan and Sheets 6B and 6C of the CDP/FDP. Streetscape elements will include: a landscape amenity panel located immediately behind the face of curb; a pedestrian sidewalk adjacent to the landscape amenity panel; and a building zone between the pedestrian sidewalk and the face of the building(s) that is designed to allow access to the building, steps, stoops, and/or additional landscaping. If requested by FCDOT and/or VDOT, the Applicant will enter into a maintenance agreement with FCDOT and/or VDOT, as applicable, for the maintenance, by the Applicant, of any streetscape elements required under this Proffer 17 that are located within VDOT right-of-way. If determined at the time of site plan review, that street tree locations will conflict with sight distance requirements, the Applicant will make necessary adjustments to alleviate sight distance concerns as described below. Any elements of the streetscape that are located within VDOT right-of-way are subject to the approval of VDOT in accordance with Proffer 47 below. The Applicant may adjust the streetscape elements at the time of site plan approval as

approved by the Zoning Administrator and FCON, provided the quality of the streetscape and minimum sidewalks are consistent with that shown on the Landscape Plan and Sheets 6B and 6C of the CDP/FDP, and such adjustments otherwise are in substantial conformance with the CDP/FDP.

A. Street Trees. Tree planting sites are set forth on the Landscape Plan, subject to revisions as may be approved at the time of site plan review by FCON in accordance with these Proffers. The Applicant will retain the services of a certified landscape architect, certified arborist or Registered Consulting Arborist to monitor the design and inspect the planting of the street trees and will notify FCON in writing or by electronic mail no later than three business days prior to tree pit construction to allow for County inspection. In the event the Applicant needs to provide plantings within public utility easements, the Applicant will be responsible for replacement of the proposed landscaping if it is removed by the public utility company for maintenance.

B. New Utility Locations. New utilities, including, but not limited to water, electric, transformer boxes, gas, cable, telephone, sanitary sewer, and storm sewer lines will, to the maximum extent feasible, be installed in the street network and/or placed in underground locations that do not conflict with above-ground elements of the open spaces, streetscapes, and/or parks shown on the CDP/FDP as determined by FCDOT and FCON. Utilities may be placed within open spaces, streetscapes, courtyards, plazas, and/or parks provided that the long-term health of trees and other plantings is ensured by the provision of sufficient soil volume as determined by FCON. The Applicant will be permitted to relocate, remove, or modify elements of the open spaces, streetscapes, and/or parks to avoid conflicts with utilities without the need for a CDPA, FDPA, or PCA, provided any such modifications: (i) are made in consultation with, and subject to the approval of, the Zoning Administrator, (ii) with the intent to provide the elements of the open spaces, streetscapes, and/or parks shown on the CDP/FDP to the extent possible given the utility needs, and (iii) the overall tree canopy and the quality of the open spaces, streetscapes, and/or parks shown on the CDP/FDP is not reduced. Gas meter locations are subject to Washington Gas requirements. The locations of the gas meters will be coordinated with Washington Gas at the time of site plan.

C. Maintenance. The Applicant, or any successor associations or equivalent once established, will maintain and replace in kind all pedestrian realm elements identified on the CDP/FDP regardless of whether such pedestrian realm elements are located within areas to be dedicated as public right-of-way or on private land with public access easements. The pedestrian realm includes all areas between the back of curb and the back of the building zone whether located within the public right-of-way or on private land with public access easements. The Applicant will enter into the appropriate agreement, in a form approved by the Office of the County Attorney, with the County and/or VDOT

(or other public entity, as needed) to permit the Applicant to perform such maintenance within public right-of-way.

D. Sight Distance Considerations. Sight distance requirements have been provided on Sheet 9 of the CDP/FDP to identify and avoid conflicts with street tree locations. If determined at the time of site plan review that street tree locations will conflict with sight distance requirements, the Applicant will investigate whether limited pruning or minor adjustments to the locations of street trees will alleviate sight distance concerns. In the event VDOT does not approve the tree locations even after the modifications anticipated above, the Applicant will be permitted to relocate or eliminate the affected street tree, subject to approval by FCON and without the need for a CDPA, FDPA, or PCA, provided tree canopy coverage still meets 10-year tree canopy requirements.

E. Building Zone. As shown in the Unit Planting Detail on Sheet 9A of the CDP/FDP, the building zone will include shrubs, perennials and other low landscaping in addition to providing unit access inclusive of leadwalks and porches/stoops.

F. Reston Specific Streetscape. In satisfaction of the Comprehensive Plan's expectations for the provision of Reston-Specific streetscape elements, the Applicant will provide enhanced streetscape features such as varied tree species, varied street tree spacing or similar elements along Sunset Hills Road within the interim buffer area in addition to the low-scale perennials shown on Sheet 9A of the CDP/FDP. The Applicant will consult with DPD-UCS on the design features during site plan review.

18. Fire Marshal Coordination. The Applicant will coordinate with the Fire Marshal regarding the site design and layout of the Proposed Development and the Fire Plan shown on Sheet 11 of the CDP/FDP. Notwithstanding such coordination, however, if it is determined during site plan review that elements of the open spaces, streetscapes, and/or parks conflict with subsequent comments from the Fire Marshal, the Applicant will first make efforts to obtain the Fire Marshal's approval by making minor adjustments to such elements. If the Fire Marshal does not approve such adjustments, the Applicant will be permitted to relocate, remove, or modify such conflicting elements in response to the Fire Marshal's comments without the need for a CDPA, FDPA, or PCA, provided any such modifications: (i) are made in consultation with, and subject to the approval of, the Zoning Administrator, DPD, FCPA, and FCON, (ii) with the intent to provide the open spaces, streetscapes, and/or parks shown on the CDP/FDP to the extent possible given the Fire Marshal's comments, and (iii) the overall tree canopy shown on the CDP/FDP is not reduced.

STORMWATER MANAGEMENT

19. Stormwater Management.

A. Stormwater Management Measures. The Applicant will provide on-site stormwater management ("SWM") measures designed to control the quality of stormwater runoff from the Property in accordance with the CDP/FDP. Best Management Practices ("BMP") facilities must be provided in an appropriate system per the requirements of the PFM and may include, but are not limited to, Low Impact Development ("LID") facilities such as urban bio-retention areas, permeable pavers, and manufactured filtering device generally as set forth on the CDP/FDP (collectively, the "SWM Facilities"). As part of site plan approval, the Applicant must demonstrate that the Proposed Development will meet applicable PFM requirements for stormwater quality in effect at the time of site plan approval. Onsite measures will be provided to meet the PFM requirements and State detention requirements.

B. Stormwater Management Goals. Using a series of stormwater retention facilities, and/or structural and non-structural stormwater management and/or BMP facilities, upon completion of the Proposed Development, the Applicant will install and maintain a stormwater management system that is designed to meet the following goals (i) a peak flow rate reduction for the two-year, 24-hour storm that meets or exceeds a thirty percent (30%) reduction over existing conditions, and (ii) a stormwater management design that meets the phosphorus reduction required under the New Development standard in accordance with the CDP/FDP. In addition, at full build-out, as shown on Sheets 10 – 10C of the CDP/FDP, the Applicant will retain approximately fifty percent (50%) of the first inch of rainfall on the site.

C. Maintenance Responsibility. Prior to the initial site plan approval for the Proposed Development, the Applicant will execute an agreement with the County in a form satisfactory to the County Attorney (the "SWM Agreement") providing for the perpetual maintenance of all SWM Facilities that are part of the Proposed Development. The SWM Agreement will require the Applicant (or its successor POA/HOA/COA) to perform regular routine maintenance of the SWM Facilities in accordance with the maintenance specifications provided in the approved site plan, and to provide a maintenance report annually to the Fairfax County Maintenance and Stormwater Management Division of DPWES, provided DPWES requests such a maintenance report. The SWM Agreement also will address easements for County inspection and emergency maintenance of the SWM Facilities to ensure that the facilities are maintained by the Applicant in good working order.

D. Alternate or Additional SWM. The Applicant reserves the right to pursue alternate and/or additional stormwater management measures provided the same are in

substantial conformance with the CDP/FDP as allowed by the Public Facilities Manual and Chapter 124 of the Fairfax County Code.

E. 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 that affect the Proposed Development, the Applicant will have the right to accommodate necessary changes to its stormwater management designs without the need for a CDPA, FDPA, or PCA, provided such stormwater management changes do not materially affect the limits of clearing and grading, building locations, or road layouts and otherwise are in substantial conformance with the CDP/FDP. Such changes will be made only, if necessary, as a result of any new or additional regulations that affect the Proposed Development.

TRANSPORTATION IMPROVEMENTS

20. Reston Station Boulevard.

A. Right-of-Way Dedication. As part of the first site plan approval for the Proposed Development, the Applicant will dedicate the right-of-way along the Property's Reston Station Boulevard frontage as generally shown as "Prop. Right-of-Way" on Sheet 3 of the CDP/FDP in fee simple to the Board of Supervisors for public street purposes.

B. Construction of Reston Station Boulevard Improvements. Subject to the provision of all necessary approvals from VDOT and/or Fairfax County, the Applicant will construct improvements along the Property's frontage Reston Station Boulevard as shown on Sheets 3 and 6C of the CDP/FDP prior to the issuance of the first RUP for Building 2A or Building 3A, whichever is last. Such improvements will consist of an eight ("8") foot parking lane, an 8-foot landscape amenity panel, and eight ("8") foot sidewalk, and the striping for such improvements, as shown on Sheet 6C of the CDP/FDP. The Applicant will construct such improvements in accordance with VDOT standards.

21. Easterly Road.

A. Easterly Road Dedication. As part of the first site plan approval for the Proposed Development, the Applicant will dedicate to the Board of Supervisors right-of-way shown as "Prop. Right-of-Way" on Sheet 3 of the CDP/FDP in fee simple to the Board of Supervisors for public street purposes. The Applicant, and subsequently, as appropriate, the property owner or POA/HOA/COA will maintain such dedicated right-of-way area up to and until the time such portion of Easterly Road is accepted by VDOT as a public street.

B. Easterly Road Grading. Prior to the issuance of the first RUP for units #15 - 28, the Applicant will grade the Easterly Road dedication area shown as "Prop. Right-

of-Way" on Sheet 3 of the CDP/FDP as part of the construction of adjacent units #15 – 28 to the approximate grade shown on Sheets 3, 6B, and 13 of the CDP/FDP to provide for the ultimate future construction of Easterly Road.

C. Signage. Prior to the issuance of the first RUP, for units #15 - 28, the Applicant will provide signage on the Property noting that Easterly Road is planned as a future roadway.

D. Easterly Road Contribution. If the Applicant obtains site plan approval for the Proposed Development prior to the owner of parcel 18-3 ((6)) 4 (the "Adjacent Property") obtaining approval of a site plan for redevelopment (the "Adjacent Property Site Plan"), then prior to the issuance of the first building permit for the Proposed Development, the Applicant will make a contribution of $182,000.00 to Fairfax County to be used by others for the design, engineering, and construction of Easterly Road in its ultimate condition. If the Easterly Road grid street is no longer shown on the Fairfax County Comprehensive Plan transportation maps for the Wiehle-Reston East Transit Station Area at the time of the issuance of the first building permit for the Proposed Development, the Applicant will no longer be required to make this contribution and this proffer will be void and have no further effect. If the Applicant is required to make the contribution for Easterly Road in accordance with this Proffer 21.D, then subject to approval by VDOT, including any necessary design waivers, the Applicant will cooperate in efforts by others to pursue VDOT acceptance of such portion of Easterly Road as a public street, provided that the Applicant will not have the obligation to obtain acceptance by VDOT.

E. Easterly Road Construction.

i. South of Adjacent Property Boundary. Subject to the provision of all necessary approvals from VDOT and/or Fairfax County, prior to the issuance of the first RUP for the multi-family buildings, the Applicant will construct the full section of Easterly Road to its ultimate condition south of the north/south property line between the Lofts I property and the Adjacent Property as shown on Sheet 16 of the CDP/FDP.

ii. North of Adjacent Property Boundary. If the owner of the Adjacent Property obtains approval of an Adjacent Property Site Plan and commences construction pursuant to such site plan prior to the Applicant obtaining site plan approval for the Proposed Development, then, subject to the provision of all construction and public access easements and/or dedicated right-of-way from the Adjacent Property, as well as all necessary approvals from VDOT and/or Fairfax County, the Applicant will construct the full section of Easterly Road north of the north/south property line between the Lofts I property and the Adjacent Property to its ultimate condition as shown on Sheets 6B and 15 of the CDP/FDP, prior to the issuance of the first RUP for units #15 – 28, provided the owner of the

Adjacent Property provides a contribution for a half-section of Easterly Road for the scope of work from their interim condition to the ultimate condition. If the Applicant is required to construct the full section of Easterly Road to its ultimate condition in accordance with this Proffer 21.E, then subject to approval by VDOT, including any necessary design waivers, the Applicant will pursue VDOT acceptance of Easterly Road as a public street.

22. Sunset Hills Road.

A. Right-of-Way Dedication. As part of the first site plan approval for the Proposed Development, the Applicant will dedicate to the Board of Supervisors right-of-way along the Property's Sunset Hills Road frontage to one (1) foot behind the proposed sidewalk as generally shown as "Prop. Right-of-Way" on Sheet 3 of the CDP/FDP in fee simple to the Board of Supervisors for public street purposes. The Applicant will maintain such right-of-way dedication area until it is accepted for maintenance by VDOT.

B. Sunset Hills Sidewalk. Subject to the provision of all necessary approvals from VDOT and/or Fairfax County, the Applicant will, prior to the issuance of the first RUP for the Proposed Development, install a nine (9) foot sidewalk across the frontage of the Property along Sunset Hills Road as shown on Sheets 3 and 6B of the CDP/FDP. If the construction of the sidewalk requires any off-site temporary construction easements on any adjacent parcel or the permission of the owner of any adjacent parcel, the Applicant will make a good faith effort to acquire such off-site temporary construction easements and/or the consent/permission from owner of the adjacent parcel as necessary to allow construction of the sidewalk as shown on Sheet 6B of the CDP/FDP.

23. Curb Ramps. The Applicant will install CG-12 curb ramps to facilitate pedestrian crossings in line with the direction of pedestrian travel within the Property and along the Property's frontages in accordance with VDOT standards, and as generally located on Sheet 6A of the CDP/FDP. Any CG-12 curb ramps located within the right-of-way are subject to the approval of VDOT.

24. Curb Radii. The Applicant will seek to narrow the curb radii at site entrances, to the extent feasible in accordance with VDOT standards, and subject to approval by FCDOT and VDOT, to facilitate a pedestrian-friendly environment.

25. Private Street A Improvements.

A. Construction of Private Street A Improvements. The Applicant will construct improvements to Private Street A as shown on Sheets 3 and 6C of the CDP/FDP. Prior to the issuance of the first RUP, the Applicant will construct the 24-foot travel lane and the 6-foot sidewalk along Buildings 1B and 1C, as shown on Sheet 6C of the CDP/FDP. The remaining improvements, as shown on Sheet 6C of the

CDP/FDP, which consist of the 18-foot parking spaces, and 6-foot sidewalk adjacent to the multi-family buildings will be constructed prior to the issuance of the first RUP for Building 2A, 3A, or 3B, whichever is last. Private Street A will be constructed of materials and depth of pavement consistent with that required by the PFM. A public access easement and an emergency access easement in a form acceptable to Office of the County Attorney will be recorded over the private street and associated sidewalk at the time of site plan approval.

26. Private Street B Improvements.

A. Construction of Private Street B Improvements. The Applicant will construct improvements to Private Street B as shown on Sheets 3 and 6C of the CDP/FDP. Prior to the issuance of the first RUP for the Proposed Development, the Applicant will construct 11-foot travel lanes, 8-foot parking lanes, 7-foot landscape amenity panels, and 6-foot sidewalks. Private Street B will be constructed of materials and depth of pavement consistent with that required by the PFM. A public access easement and an emergency access easement in a form acceptable to Office of the County Attorney will be recorded over the private street and associated sidewalk at the time of site plan approval.

27. Private Alleys. The private alleys on the Property will be constructed of materials and depth of pavement consistent with that required by the PFM, as generally shown Sheet 6C on the CDP/FDP.

28. Reston Road Fund. The Applicant will contribute, based on the number of Residential Units constructed on the Property, to road improvements as set forth in the Reston Road Fund Plan endorsed by the Board of Supervisors on February 28, 2017, and as amended. The contribution will be paid prior to the issuance of the first RUP for each multi-family residential building (based on the actual number of residential units in such building) or each stacked townhome dwelling unit. The Applicant will have the right to receive and deduct credits against the contributions that would otherwise be due to the Reston Road Fund in accordance with the Reston Road Fund Guidelines established by the Board of Supervisors.

TRANSPORTATION DEMAND MANAGEMENT

29. Transportation Demand Management. This proffer sets forth the programmatic elements of a transportation demand management program (the "TDM Program") that will be implemented by the Applicant, and subsequently, as appropriate, the property owner or POA/HOA/COA, 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 Proposed Development constructed on the Property.

A. Definitions. For purposes of this Proffer, "Build Out" of the Proposed Development will be deemed to occur one (1) year following issuance of the last

initial RUP for the final new building to be constructed on the Property. "Pre-Build Out" will be deemed to occur any time prior to Build Out.

B. Transportation Demand Management Plan. The Applicant will be responsible for submitting the Transportation Demand Management Plan (the "TDM Plan") to FCDOT for approval prior to site plan approval. The proffered elements of the TDM Program as set forth below are more fully described in this plan. It is the intent of this Proffer that the TDM Plan will adapt over time to respond to the changing transportation related circumstances of the Subject Property, 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 as set forth in these Proffers. Accordingly, modifications, revisions, and supplements to the TDM Plan as coordinated with FCDOT can be made without the need for a PCA provided that the TDM Plan continues to reflect the proffered elements of the TDM Program as set forth below.

C. Trip Reduction Goals. The objective of the TDM Plan will be to reduce the number of weekday peak hour vehicle trips generated by the residential units located within the Property through the use of mass transit, ridesharing and other strategies, including but not limited to those outlined in the TDM Strategic Plan. 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 the Property.

(i) Baseline. The baseline number of weekday peak hour residential vehicle trips for the residential units within the Property against which the TDM Goals (as defined in subparagraph C.ii) will be measured will be derived using the number of residential units site plan approved and constructed on the Property as part of the Proposed Development at the time traffic counts are conducted as qualified below and using the trip generation rates/equations applicable to such residential units as set forth in the Institute of Transportation Engineers, Trip Generation, 11th Edition for Land Use Codes 220 and 221. In the event at Build Out, the Applicant has constructed fewer than 46 stacked townhome dwelling units and 112 multi-family dwelling units as part of the Proposed Development, then the Baseline Trip generation numbers applicable upon Build Out will be calculated as if 46 stacked townhome dwelling units and 112 multi-family dwelling units had actually been constructed.

(ii) TDM Goal. The TDM strategies will be utilized to reduce the peak hour vehicular trips by a minimum of forty percent (40%) for the residential units.

D. Process of Implementation. The TDM Program will 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.

(i) TDM Program Manager. The Applicant will appoint and continuously employ, or cause to be employed, a TDM Program Manager ("TPM") for the Property. If not previously appointed, the TPM will be appointed no later than sixty (60) days after the issuance of the first building permit for the residential units to be constructed on the Property. The TPM duties may be part of other duties associated with the appointee. The TPM will notify FCDOT in writing within ten (10) days of the appointment of the TPM. Thereafter, the Applicant or POA/HOA/COA will do the same within ten (10) days of any change in such appointment.

(ii) Annual Report and Annual Budget. The Applicant will prepare and submit to FCDOT the initial TDM Plan and an initial TDM budget for one (1) calendar year of implementation of the TDM Plan (the "Annual Budget") prior to approval of the first occupancy permit for the residential units. Every calendar year after the first issuance of a RUP, and no later than May 15, the TPM will submit an annual report on the TDM Program (the "Annual Report"), based on a report template provided by FCDOT, which may revise the Annual Budget in order to incorporate any new construction on the Property. Any changes to the TDM Plan will be highlighted in this report.

(iii) Review of Annual Report and Annual Budget. The Annual Report and Annual Budget will be reviewed by FCDOT. If FCDOT has not responded with any comments within sixty (60) days after submission, then the Annual Report and Annual Budget will be deemed approved, and the program elements will be implemented. If FCDOT responds with comments on the Annual Report and Annual Budget, then the TPM will meet with FCDOT staff within fifteen (15) days of receipt of the County's comments. Thereafter, but in any event, no later than thirty (30) days after the meeting, the TPM will submit such revisions to the program and/or budget as discussed and agreed to with FCDOT and begin implementation of the approved program and fund the approved Annual Budget.

(iv) TDM Account. The TPM will establish a separate interest-bearing account with a bank or other financial institution qualified to do business in Virginia (the "TDM Account") within thirty (30) days after approval of the TDM Plan and TDM Budget. All interest earned on the principal will remain in the TDM Account and will be used by the TPM for TDM purposes. Funding of the TDM Account will be in accordance with the budget for the TDM Program elements to be implemented in a year's TDM Plan. In no event will the TDM Budget exceed Twenty Thousand Dollars ($20,000.00). The TPM will provide written documentation to FCDOT demonstrating the establishment of the TDM Account within ten (10) days

of its establishment. The TDM Account will be replenished annually thereafter following the establishment of each year's TDM Budget.

(v) TDM Remedy Fund. At the same time the TPM creates and funds the TDM Account, the TPM will establish a separate interest-bearing account (referred to as the "TDM Remedy Fund") with a bank or other financial institution qualified to do business in Virginia. Funding of the TDM Remedy Fund will be made one time on a building-by-building basis at the rate of $0.10 per gross square foot of residential uses on the Property. Funding will be provided by the building owners prior to the issuance of the first initial RUP for each applicable new building. Funds from the TDM Remedy Fund will be drawn upon only for purposes of immediate need for TDM funding and may be drawn on prior to any TDM Budget adjustments as may be required.

(vi) TDM Incentive Fund. The "TDM Incentive Fund" is an account into which the building owners, through the TPM, will deposit contributions to fund a multimodal incentive program for initial purchasers/lessees of the Residential Units. Such contributions will be made one time on a building-by-building basis at the rate of $0.02 per gross square foot of new residential units to be constructed on the Property and provided prior to the issuance of the first RUP for each individual building. In addition to providing transit incentives, such contributions may also be used for enhancing/providing multimodal facilities within and proximate to the Property. The TDM Incentive Fund and TDM Remedy Fund may be combined into one single account so long as the contributions and withdrawals for each fund are tracked separately.

(vii) Monitoring. The TPM will verify that the proffered trip reduction goal for the residential units is being met through the completion of surveys of the residents of the residential units ("Person Surveys"), vehicular trip counts of the residential units ("Vehicular Traffic Counts"), and/or other such methods as may be reviewed and approved by FCDOT. The results of such Person Surveys and Vehicular Traffic Counts will be provided to FCDOT as part of the Annual Reports. Person Surveys and Vehicular Traffic Counts will be conducted for residential units beginning one year following issuance of the final initial RUP for the first new building to be constructed on the Property. Person Surveys will be conducted every three (3) years and Vehicular Traffic Counts will be collected annually until the results of three consecutive annual Vehicular Traffic Counts conducted upon Build Out show that the applicable trip reduction goal for the residential units has been met. Any time during which Person Survey response rates do not reach 20%, FCDOT may request additional surveys be conducted the following year. At such time and notwithstanding Paragraph E below, Person Surveys and Vehicular Traffic Counts will thereafter be provided every five (5) years. Notwithstanding the aforementioned, at any time prior

to or after Build Out, FCDOT may suspend such Vehicle Traffic Counts if conditions warrant such.

E. Remedies.

a. If the Maximum Trips After Reduction for a building subject to the TDM Plan is exceeded as evidenced by the Vehicular Traffic Counts outlined above, then the TPM will meet and coordinate with FCDOT to address, develop and implement such remedial measures for such building as may be identified in the TDM Plan.

a. Such remedial measures will be funded by the Remedy Fund, as may be necessary, and based on the expenditure program that follows:

Maximum Trips Exceeded	Remedy Expenditure
Up to 1%	No Remedy needed
1.1% to 3%	3% of Remedy fund
3.1% to 6%	6% of Remedy Fund
6.1% to 10%	10% of Remedy Fund
Over 10%	15% of Remedy Fund

b. There is no requirement to replenish the TDM Remedy Fund at any time. Upon Build Out, the TPM will transfer any funds remaining in the Remedy Fund applicable to such building to the Applicant, the POA/HOA/COA, or other successor developer/management company for TDM purposes.

F. 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 goal is continuing to be met, then FCDOT may require the TPM to conduct additional Vehicular Traffic Counts (pursuant to the methodology set forth in the TDM Plan) within 90 days to determine whether in fact such trip reduction goal is being met. If any such Vehicular Traffic Counts demonstrate that the applicable vehicle trip reduction goal is not being met, then the TPM will meet with FCDOT to review the TDM strategies in place and to develop modifications to the TDM Plan to address the surplus of trips.

G. Continuing Implementation. The TPM will bear sole responsibility for continuing implementation of the TDM Program and compliance with this proffer. The TPM will continue to administer the TDM Program in the ordinary course in accordance with this proffer, including submission of Annual Reports.

H. Notice to Owners. All owners of the Property will be advised of the TDM Program set forth in this proffer. The then-current owner will advise all successor owners and/or developers of their funding obligations pursuant to the requirements of this

proffer prior to purchase and the requirements of the TDM Program, including the annual contribution to the TDM Program (as provided herein), will be included in all initial and subsequent purchase documents.

I. Enforcement. If the TPM fails to timely submit the Annual Report to FCDOT as required by this proffer, the County may thereafter issue the TPM a notice stating that the TPM has violated the terms of this proffer and providing the TPM sixty (60) days after receipt of said notice within which to cure such violation. If after such sixty (60) day period the TPM has not submitted the delinquent Annual Report, then, the Applicant and/or POA/HOA/COA, as applicable, will be subject to a penalty of $75.00 per day payable to Fairfax County to be used for transit or transportation related improvements in the vicinity of the Property until such time as the report is submitted to FCDOT.

RECREATIONAL FACILITIES

30. Public Recreational Amenities/Facilities. The Applicant will provide public outdoor open spaces and recreational amenities/facilities within the Property as follows:

A. Corner Park West and Pocket Park. The Applicant will install park improvements in the approximately 2,614 square foot park identified as "Corner Park West" and the approximately 1,742 square foot park identified as "Pocket Park" (collectively, the "Western Parks") as depicted on Sheets 3, 8A, and 8B of the CDP/FDP. The Western Parks will include features for passive recreation that will include, but are not limited to, a fire pit area, tables and chairs, benches/seating areas, specialty paving, Morse Code interpretive signage, landscaping, and amenities as conceptually shown on Sheets 8A and 8B of the CDP/FDP. The Applicant may adjust the type and location of vegetation, the design of the open spaces, and the features/amenities comprising the Western Parks as approved by the Zoning Administrator in consultation with Fairfax County Park Authority ("FCPA"), provided the general character and quality of the Western Parks remain consistent with Sheets 8A and 8B of the CDP/FDP. The Applicant will install Corner Park West and Pocket Park, prior to the issuance of the first RUP for the building that is adjacent to such park.

B. Central Pocket Park. The Applicant will install park improvements in the approximately 6,098 square foot parking identified as "Central Pocket Park" and as depicted on Sheets 3, 8C and 8D of the CDP/FDP. Central Pocket Park will include features for passive and active recreation that will include, but are not limited to, landscaping, public art, benches and modular seating, a lawn area, ping pong table, chess table, cornhole, specialty paving, trash receptacle, pet waste station, Morse Code interpretive signage, and a playground with two pieces of playground equipment, and amenities as conceptually shown on Sheets 8C and 8D of the CDP/FDP. The playground will comply with the US Consumer Product Safety Commission safety standards. The Applicant may adjust the design of the open space and the features/amenities comprising Central Pocket

Park as approved by the Zoning Administrator in consultation with FCPA, provided the general character and quality of the Central Pocket Park remains consistent with Sheets 8C and 8D of the CDP/FDP. The Applicant will install the Corner Pocket Park prior to the issuance of the first RUP for Building 3B.

C. Corner Park North, Corner Park South and Promenade. The Applicant will install park improvements in the approximately 2,614 square foot park identified as "Corner Park North", the approximately 4,356 square foot park identified as "Corner Park South", and the approximately 3,485 square foot park identified as "Promenade" (collectively, the "Eastern Parks") as depicted on Sheets 3, 8E and 8E.1 of the CDP/FDP. The Eastern Parks will include features for passive recreation that will include, but are not limited to, a lawn area, specialty paving, landscape areas, benches/seating areas, shade structures, Morse Code interpretive signage, and similar features and amenities as conceptually shown on Sheets 8E and 8E.1 of the CDP/FDP. The Applicant may adjust the type and location of vegetation, the design of the open spaces, and the features/amenities comprising the Eastern Parks as approved by the Zoning Administrator in consultation with the FCPA provided the general character and quality of the Eastern Parks remain consistent with Sheets 8E and 8E.1 of the CDP/FDP. The Applicant will install Corner Park North prior to the issuance of the first RUP for Building 3B, and Corner Park South and the Promenade prior to the issuance of the first RUP for Building 3A or Building 3B, whichever is last.

D. Public Access. As part of 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, for: (i) Corner Park West, (ii) Pocket Park, (iii) Central Pocket Park, (iv) Corner Park North, (v) Corner Park South, and (vi) the Promenade (collectively, the "Public Recreational Amenities") that will, at a minimum, be open to the general public from 6:00 am to 10:00 pm, provided that the public access easements will reserve to the Applicant the right to: (i) establish reasonable rules and regulations governing the use of the Public Recreational Amenities, (ii) temporarily limit access to the Public Recreation Amenities for reasonable periods of time for purposes of construction and/or maintenance, and (iii) temporarily limit access to the Public Recreational Amenities as may be necessary to host programmed events for residents of the Proposed Development and/or the local community.

E. Wayfinding and Identification Signage. The Applicant will provide wayfinding and identification signage at a minimum rate of one sign for Central Pocket Park, Corner Park North, and Corner Park South, and one combined sign for Corner Park West and Pocket Park, consistent with FCPA POPs signage guidelines, subject to review and approval by FCPA at the time of site plan review for the building that corresponds to each urban park. The signage for each urban park will be installed prior to the first RUP for the building that corresponds to each urban park.

31. On-Site Recreation Facilities. Pursuant to Section 2105.5.B(4) of the Zoning Ordinance, the Applicant will provide on-site recreational facilities for the future residents of the Property and will expend a minimum of $2,400.00 per non-ADU residential unit on such recreational facilities. For such on-site recreational facilities, the Applicant will provide an executed security package with the County in accordance with Section 8100.2.E(4) of the Zoning Ordinance. If all funds are not expended on the Property, the Applicant will contribute the balance to FCPA on a per unit basis prior bond release in accordance with Section 8100.2.E(4) of the Zoning Ordinance.

32. Athletic Field Contribution. To address the Comprehensive Plan's recommendations regarding the provision of public facilities and athletic fields in the Transit Station Areas, the Applicant will contribute $1.72 per square foot of gross floor area of the new development constructed as part of the Proposed Development to the FCPA for active recreation in Reston or nearby site(s) serving Reston. The contribution will be based on the approved site plan gross floor area for each building and will be paid prior to the issuance of the first RUP for each building.

PUBLIC SCHOOLS CONTRIBUTION

33. Fairfax County Public Schools Contribution.

A. Per the Residential Development Criteria Implementation Motion adopted by the Board of Supervisors on January 7, 2003, the Applicant will contribute $14,956.00 per new student generated by the Proposed Development to the Fairfax County Board of Supervisors for transfer to the Fairfax County School Board to be utilized for capital improvements to Fairfax County public schools to address impacts on the school division resulting from the Proposed Development.

i. Stacked Townhome Units: Prior to site plan approval for the stacked townhome dwelling units, the Applicant will contribute funds based on a student yield of .254, .072 and .141 for elementary, middle and high school, respectively. Such contributions will be based on the actual number of units to be constructed as shown on the site plan, so the total amount of the contributions may vary. 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 stacked townhome unit or the amount of contribution per student, the Applicant will pay the modified contribution amount for that phase of development to reflect the then-current ratio and/or contribution.

ii. Multi-Family Units: Prior to site plan approval for the multi-family dwelling units, the Applicant will contribute funds based on a student yield of .061, .019, and .028 for elementary, middle and high school, respectively. Such contributions will be based on the actual number of units to be constructed as shown on the site plan, so the total amount of the contributions may vary. 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 multi-family unit or the amount of contribution per student, the Applicant will pay the modified contribution amount for that phase of development to reflect the then-current ratio and/or contribution.

B. Prior to the commencement of construction for the Proposed Development, the Applicant will notify the Fairfax County Public Schools Office of Facilities Planning Services of the intended construction and anticipated completion date for the Proposed Development on the Property.

AFFORDABLE HOUSING

34. Affordable Dwelling Units. Unless otherwise exempt pursuant to Section 5101 of the Zoning Ordinance in effect as of the approval date of this Application (the "ADU Ordinance"), the Applicant will provide Affordable Dwelling Units ("ADUs") pursuant to 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.

35. Workforce Dwelling Units. In addition to any ADUs required pursuant to Proffer 33, the Applicant will provide for-sale and/or rental housing units with the Proposed Development to be sold/rented as Workforce Dwelling Units ("WDUs") in accordance with the Board of Supervisors' Workforce Dwelling Unit Policy Guidelines adopted on adopted on September 10, 2024 (the "Policy Guidelines"), as administered through the Board of Supervisor's Countywide and Tysons Urban Center Workforce Dwelling Unit Administrative Policy Guidelines adopted on March 18, 2025 (the "Administrative Guidelines"). In accordance with the Fairfax County Comprehensive Plan, Reston Affordable Housing Goals and Policies, a minimum of 12.78 percent (12.78%) of the total number of residential units constructed as part of the Proposed Development are to be sold/rented as WDUs. Such WDUs will be in addition to any requirement to provide ADUs in accordance with the ADU Ordinance in effect as of the approval date of this Application, provided the total number of required ADUs and WDUs will not be required to exceed 12.78 percent (12.78%) of the total number of residential units constructed as part of the Proposed Development. When the required number of WDUs results in a fractional unit less than 0.5, the number will be rounded down to the next whole number. When the required number of WDUs results in a fractional unit equal to or greater than 0.5, the number will be rounded up to the next whole number. The Applicant reserves the right to enter into a separate binding written agreement with the Department of Housing and Community Development as to the terms and conditions of the administration of the WDUs following approval of this Application without the need for a PCA. Such an agreement will be on terms mutually acceptable to both the Applicant and Fairfax County and may occur after the approval of this Application. Neither the Board of Supervisors nor the Applicant will be obligated to execute such an agreement. If such an agreement is executed by all applicable parties, then the WDUs will be administered solely in

accordance with such an agreement and the provisions of this proffer will become null and void.

A. Income Tiers for For-Sale WDUs. To the extent the Applicant offers the residential units as for-sale dwelling units, the Applicant will provide for-sale WDUs in the Proposed Development distributed evenly among three (3) income tiers of up to seventy percent (70%) of Area Median Income ("AMI"), eighty percent (80%) of AMI, and one hundred percent (100%) of AMI.

B. Income Tiers for Rental WDUs. To the extent the Applicants offers the residential units as rental dwelling units, the Applicant will provide rental WDUs in the Proposed Development distributed among three (3) income tiers with fifty percent (50%) of the WDUs offered to households whose income is up of up to eighty percent (80%) of AMI, twenty five percent (25%) of the WDUs offered to households whose income is up of up seventy percent (70%) of AMI, and twenty five percent (25%) of the WDUs offered to households whose income is up to sixty percent (60%) of AMI.

GREEN BUILDING

36. Green Building for the Residential Units. In order to promote energy conservation and green building techniques for the residential units, the Applicant will select one of the following programs to be implemented for the stacked townhomes and multi-family residential building and will inform the Environmental Branch of DPD which program the Applicant has chosen as part of the first site plan submission for the stacked townhomes and multi-family building.

A. National Green Building Standard ("NGBS") for Stacked Townhome Structures. If the Applicant selects NGBS for the stacked townhomes, then the Applicant will provide certification in accordance with the most current version of NGBS using the ENERGY STAR® Qualified Homes path for energy performance. Certification will be demonstrated through documentation submitted to the Environmental Branch of DPD from a home energy rater certified through Home Innovation Research Labs that demonstrates that each residential unit has attained the certification prior to the issuance of its RUP.

B. National Green Building Standard ("NGBS") for Multi-Family Structures. If the Applicant selects NGBS for the multi-family dwelling units, then the Applicant will provide certification in accordance with the most current version of National Green Building Standard (NGBS) using either the ENERGY STAR® Qualified Homes path for energy performance, or another approved energy performance path. Certification will be demonstrated through documentation submitted to the Environmental Branch of DPD from a home energy rater certified through Home Innovation Research Labs that demonstrates that the residential unit has attained the certification prior to the issuance of the RUP for each residential unit. To use an energy path other than

ENERGY STAR, the residential unit must provide both the above referenced certification documentation and additional documentation demonstrating equivalent or greater energy performance to the ENERGY STAR standard prior to the issuance of the RUP for each residential unit.

C. EarthCraft. If the Applicant selects EarthCraft House or Multi-Family Program, then the Applicant will provide documentation to the Environmental Branch of DPD demonstrating certification for the applicable residential units under the EarthCraft Program prior to the issuance of the RUP for each such residential unit for which certification is sought. If certification is still in process at the 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 residential unit. The Applicant must provide documentation to Environmental Branch of DPD demonstrating that certification for the Proposed Development has been attained prior to final bond release.

D. The Applicant may utilize an equivalent alternative program selected in consultation with and approved by the Environmental Branch of DPD prior to the site plan approval.

NOISE ATTENUATION

37. Noise Attenuation. The Applicant completed an acoustical analysis ("Noise Study") for the Proposed Development and submitted the Noise Study to DRB for review. At the time of site plan for the Proposed Development, the Applicant will submit to LDS for distribution to the DRB a refined acoustical analysis, to include a building shell and barrier analysis (the "Refined Noise Study") for review and approval. The Applicant will provide noise mitigation measures appropriate to reduce indoor noise for the residential units to no more than DNL 45 dBA consistent with the sound attenuation recommendations of the Refined Noise Study. Residential units must be located outside of the DNL 75 dBA noise contour. The noise contours of DNL 65 dBA and greater affecting residential units must be shown on the site plan and will be identified on the building plans.

38. Notifications. The Applicant will notify potential tenants or purchasers of individual residential units with balconies, either in their leases or sales contracts, as applicable, if exterior noise levels may exceed DNL 65 dBA. Rooftop decks will not be constructed in areas where the noise level is projected to exceed DNL 65 dBA unless notification is provided to prospective and future residents.

MISCELLANEOUS PROFFERS

39. Phase I Dulles Rail Tax District Buyout. At least sixty (60) days prior to recording for-sale residential condominium documents for any portion of the Property located within the Phase I Dulles Rail Transportation Improvement District (the "Phase I District"), the

Applicant will provide written notice to the Director of the Real Estate Division of the Fairfax County Department of Tax Administration advising that the Applicant intends to record condominium documents for that portion of the Property and requesting a lump sum payment amount that represents the then-present value of the future special improvement taxes that would have been payable to the Phase I District attributable to that portion of the Property under its current I-4 zoning classification. Such amount will be determined in accordance with a formula approved by the Board of Supervisors. The Applicant will pay Fairfax County such sum prior to recording the condominium documents for that portion of the Property. Any special improvement taxes paid in the year the Application is approved will be credited toward the on-time payment on a pro-rated basis.

40. Telecommunications Equipment and Mechanical Units. The Applicant may place telecommunications equipment, mechanical units, and appurtenant facilities on the rooftop of any buildings within the Proposed Development. Any 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 such that they generally are not visible when viewed from the property line 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.

41. Advance Density Credit. The Applicant reserves density credit as may be permitted by the provisions of Section 5100.2.E of the Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT.

42. Successors and Assigns. These Proffers will bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in this proffer statement will include within its meaning and will be binding upon Applicant's successor(s) in interest and/or developer(s) of the Property or any portion of the Property.

43. 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.

44. Annual Escalation Clause. For all proffers in this document specifying monetary contributions, except for Proffers 27 and 32, the contribution and/or budget amount will escalate or de-escalate, as applicable, on a yearly basis from the base year of 2026 and change effective each January 1 thereafter, as permitted by Section 15.2-2303.3 of the Code of Virginia, as amended.

45. Zoning Administrator Extensions. Notwithstanding the foregoing commitments in these Proffers, upon demonstration by the Applicant that, despite diligent efforts by the Applicant or due to factors beyond the Applicant's control, any improvements and/or contributions required under these Proffers have been delayed or will be delayed beyond the time frames 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.

46. Phased Occupancy. Notwithstanding the foregoing commitments in these Proffers, nothing will preclude the Applicant from obtaining a temporary certificate of occupancy and/or phased occupancy under the applicable provisions of the Virginia Construction Code, provided that such portion or portions of a building or structure may be occupied safely prior to full completion of the building or structure without endangering life or public safety and subject to the approval of the Zoning Administrator to extend or defer the timeframes for completion of any improvements and/or contributions required under these Proffers triggered by the RUP for the building or structure for which the Applicant seeks a temporary certificate of occupancy and/or phased occupancy.

47. VDOT Evaluation. Modifications to the CDP/FDP will be permitted in response to a review of the site plan(s) by VDOT, including adjustments to tree locations, lane designations, pavement markings, signage, the streetscape, and perimeter building areas as necessary to allow for emergency vehicle access without requiring approval of a PCA, CDPA, or FDPA, provided any such modifications are made in consultation with DPD, FCDOT, LDS, and FCON and are in substantial conformance with the intent of the CDP/FDP and these Proffers, as determined by the Zoning Administrator.

48. Bird-Friendly Design Elements. In an effort to reduce bird injury and death due to inflight collisions with buildings, the Applicant will include one or more bird friendly design elements in each new multi-family building, as determined by the Applicant, in the architectural plans of the new multi-family buildings to be constructed on the Property. The bird-friendly design elements may include, but not be limited to, the use of color, texture, opacity, fritting, frosting, patterns, louvers, screens, interior window treatments, or ultraviolet materials that are visible to birds, the angling of outside lights, the use of decoys, and division of glass swaths. These elements will be identified in the building permit submission set. Upon the issuance of a building permit for each multi-family building, the provisions of this Proffer will be deemed satisfied as to such building.

49. Sanitary Sewer. The Applicant has submitted an initial sanitary sewer capacity analysis. The Applicant will submit a final, site-specific sanitary sewer analysis outlining sanitary sewer capacity with the site plan submission. Should sanitary sewer upgrades be required to serve the additional flow generated by the Proposed Development, the Applicant will complete, submit, and bond a public improvement plan. Any required improvements must be constructed and accepted by Fairfax County prior to the issuance of the first RUP for the 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.

50. Construction Management Plan. The Applicant will provide a construction management plan prepared by a qualified professional to ensure safe and efficient pedestrian and vehicular circulation at all times on the Property and on the public roadways adjoining the Property. The construction management plan will be provided prior to site plan approval and will commence during the construction of the first building. The construction management plan will include the following:

A. Pre-Construction Meeting. Prior to the commencement of construction, the Applicant will provide information to the Lofts at Reston Station Homeowners Association, Union Towns Homeowners Association, and Faraday Park Management Office that may include, but not be limited to: (a) the anticipated phasing of construction, (b) a preliminary schedule for each phase of construction, (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 will 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.

B. Construction Trucks. The Applicant will prepare a plan for the routing of construction trucks, in accordance with applicable law, and will provide such plan to the Hunter Mill District Supervisor prior to the commencement of construction. Construction trucks will enter and exit the Property through the Samuel Morse Drive access point to the extent feasible. The Applicant must inform all contractors and subcontractors of the plan for the routing of construction trucks and signs identifying such construction truck routes must be posted at all construction entrances on the Property.

C. Ongoing Construction Updates. After the commencement of construction of the Proposed Development, the Applicant will provide monthly electronic updates to the Hunter Mill District Supervisor and the Lofts at Reston Station Homeowners Association, Union Towns Homeowners Association, and Faraday Park Homeowners Association regarding the phasing of construction, the construction activities ongoing within the phase of construction underway, and the schedule for each phase of construction until the completion of the Proposed Development.

D. Construction Employee Parking. Prior to the commencement of construction, the Applicant will prepare a parking plan for construction employees, including contractors and subcontractors, to ensure that construction employees do not park vehicles on the Lofts at Reston Station Homeowners Association or Union Towns Homeowners Association properties.

E. Dust Management Plan. The Applicant will develop and implement a dust management plan tailored to the characteristics of the Property and designed to suppress dust from leaving the site. The dust management plan will be incorporated with the Erosion and Sediment Control Plan to be approved by Fairfax County, and will include, but not be limited to, installation of wash racks, regular use of dust-removing watering methods, and use of covered trucks for the removal of construction debris. The Applicant must inform all contractors and subcontractors of the dust management plan.

i. Power Washing. Prior to bond release, the Applicant will provide a contribution of $1,000.00 to the Lofts at Reston Station Homeowners Association to engage a power washer to clean dust resulting from construction activities.

F. Site Maintenance. At the end of each workday, during construction, any site adjacent road used for hauling construction materials and entrances to the construction site will be free of mud, dirt, and construction material trash and debris. All roads and sidewalks adjacent to the Property will be free of construction material trash and debris.

G. Removal of Existing Retaining Wall. The Applicant will coordinate with the Lofts at Reston Station Homeowners Association, Union Towns Homeowners Association, Faraday Park Homeowners Association, DPD, FCDOT, VDOT, and LDS to sequence construction activities at the Property to include removal of the retaining wall at the northeast corner of the Reston Station Boulevard/Easterly Road intersection and lowering the grade at this corner as early as feasible in the development process, as determined by DPD, FCDOT, VDOT, and LDS, to increase sight distance at the intersection for vehicles turning onto Reston Station Boulevard from southbound Easterly Road.

H. Easterly Road. During construction, the existing section of Easterly Road will be available for vehicular access to Reston Station Boulevard, subject to necessary traffic controls required for construction activities to make improvements to Easterly Road. The Applicant will be responsible for any damage to the existing section of Easterly Road.

51. Transformer Screening. At the time of site plan review, the Applicant will review the potential locations for electric pad transformers, as shown on Sheet 14 of the CDP/FDP, and relocate and/or screen the transformers to improve their function and aesthetics. Transformers will be located as to not interfere with public parks or streetscapes.

52. Snow Consortium. The Applicant participates with a group of surrounding property owners in a snow removal consortium established to coordinate snow removal for private local streets serving the Property, including Easterly Road and Reston Station Boulevard, until such streets are accepted by VDOT into the public system. The Applicant will

coordinate with the consortium to ensure that snow removal operations commence within 24 hours following the cessation of snowfall.

[Signature page follows]