

Community and Planning Commission Questions + Requests  
 PCA and FDPA 2003-PR-022-02/CDPA 2003-PR-022  
 November 3, 2021 PC public hearing and letters submitted for the record

1. Commissioner Niedzielski-Eichner:

- a. Hoping, requesting a “formal” resolution between CRC and Pulte, ideally prior to PC decision, so when this application goes to the Board early next year it shows both parties are moving forward together. As clarified by Commissioner Niedzielski-Eichner following the public hearing, while there is no expectation that an agreement between both parties is reached before the December 8 action by the Planning Commission, the Applicant will have an opportunity to provide a response to the CRC letter.
  
- b. Sidewalks are 5 feet. We are all about promoting pedestrian environment. If it is not baked in yet and there is space, it would be appropriate to have wider sidewalks. Sidewalks in the PCA application are the same width or greater as approved in 2006 with RZ 2003-PR-022. Wide sidewalks are proposed on Royal Victoria (9 feet on the west side and 11 feet on the east side) which is the most direct path to the Providence Community Center, and via the main pedestrian axis from Bastille to Sprague through the courtyard of Buildings 14-17 which leads to the Vienna Metro Station. Below is a chart summarizing sidewalk widths as originally approved and as proposed with the PCA. In no instance has the sidewalk width (pedestrian clear zone) been reduced from the original approval.

<b>Sidewalk (Pedestrian Clear Zone) Dimensions</b>	
Royal Victoria Drive	
<b>Original</b> approval in 2006 (RZ 2003-PR-022)	6 feet, both sides
<b>Proposed</b> with PCA 2003-PR-022-02	<ul style="list-style-type: none"> <li>• West Side, along Building 18: 9 feet</li> <li>• East Side, along Buildings 16 and 17: 11 feet</li> </ul>
Bastille Street	
<b>Original</b> approval in 2006 (RZ 2003-PR-022)	N/A, no street section included with original RZ
<b>Proposed</b> with PCA 2003-PR-022-02	5 feet
Bleeker Street	
<b>Approved</b> with RZ 2003-PR-022	<ul style="list-style-type: none"> <li>• West Side along Buildings 14 and 15: 5 feet</li> <li>• East Side along Buildings 12 and 13 (not part of PCA application): 6 feet</li> </ul>

<b>Proposed</b> with PCA 2003-PR-022-02	<ul style="list-style-type: none"> <li>• West Side: 5 feet</li> <li>• East Side: existing 6 feet min</li> </ul>
Sprague Avenue	
<b>Approved</b> with RZ 2003-PR-022	<ul style="list-style-type: none"> <li>• North Side of Sprague (not part of PCA application): 8 feet</li> <li>• South side of Sprague subject to PCA application: N/A, no dimensions for south side included with original RZ</li> </ul>
<b>Proposed</b> with PCA 2003-PR-022-02	<ul style="list-style-type: none"> <li>• North Side of Sprague: subject to CRC pending site plan</li> <li>• South Side of Sprague subject to PCA application: 5 feet</li> </ul>
Hammersmith (East side along Building 18)	
<b>Approved</b> with RZ 2003-PR-022	Pedestrian Clear Zone: 5 feet min.
<b>Proposed</b> with PCA 2003-PR-022-02	Pedestrian Clear Zone: 5 feet

- c. Childcare, has Pulte considered giving MetroWest residents priority to childcare? The Applicant has modified Proffer 5.c.v. ~~of the as shown in the draft proffers dated December 36, 2021. The Applicant will shall~~ encourage the future childcare tenant/provider to use strategies that consider preferential enrollment for Metro West residents, including ~~the provision of an~~ open house or grand opening exclusive to Metro West residents that is held a minimum of 10 days prior to an open house for the general public; periodically providing additional Metro West-focused marketing materials and notices to Metro West residents; and, retaining a waiting list of qualified Metro West residents/families who are interested in day care and to preferentially offer available slots to the Metro West residents as openings become available. ~~The Applicant will also encourage the childcare provider to disseminate additional Metro West focused marketing materials and notices to MetroWest residents.~~
- d. Sanitary sewer capacity analysis, what happens if not sufficient? The Applicant has an obligation to upsize pipes if the need is determined at site plan submission to ensure adequate utility infrastructure. A capacity analysis was completed with the original rezoning that included the full build-out of the MetroWest development. It is our understanding the original analysis showed there was one downstream pipe that was inadequate located in the Hunter’s Branch Creek, and it was replaced with the MetroWest Section 1 development. PFM section 10-0102 addresses the design of adequate sanitary sewer facilities.

- e. EV charging stations, what residents need is access to 240-volt outlets they can plug into. Can the Applicant consider in the proffers, rather than just addressing EV stations generically, to possibly put in 240-volt outlets in the garage. Recognizing this important and growing trend, Pulte will provide the option for residents to purchase individual vehicle charging stations through a company such as ChargePoint, which will provide significant additional wall-mounted charging stations. Pulte upsizes their building power to ensure sufficient availability for the burgeoning electric car demand in order to accommodate additional individual charging stations, and anticipates doing the same for Buildings 14-18. The Applicant has revised Proffer 19.d. ~~of the as shown in the~~ draft proffers dated December 36, 2021. The Applicant will will (i) offer an EV charging station option (for purchase or rental) to residents, and (ii) ensure there is sufficient power capacity in each of the five buildings so that additional EV charging infrastructure can be accommodated above the two (2) percent up to four (4) percent of the total number of parking spaces in the future as resident demand grows~~ensure there is adequate power capacity in each of the five buildings (Buildings 14-18) so that additional EV charging infrastructure can be supported in excess of 2 percent of the total number of parking spaces as resident demand grows.~~
- f. Understandable community disappointment there is no retail. As part of this application, a commitment to 35,000 square feet of ground-floor non-residential uses is unchanged from original rezoning approval. The Applicant is eager to deliver the daycare, coffee shops, and other community amenities, in addition to the new pool and community room that are part of the PCA application. CRC's pending site plan includes approximately 14,000 square feet of attractive retail on the ground floor of both Buildings 6 and 10. In total, the five CRC buildings are proffered to provide a minimum of 55,000 square feet of ground floor non-residential uses. The PCA application and pending CRC site plans will provide the community with many of the amenities they seek.

2. Commissioner Cortina

- a. Has Pulte considered even some small convenience retail or coffee shop? Some place to gather?

Retail

Yes, those types of uses are anticipated as part of the 35,000 square feet of ground floor uses within Pulte's PCA area as well as on the ground floor of the CRC portion of MetroWest. Extensive retail analyses were

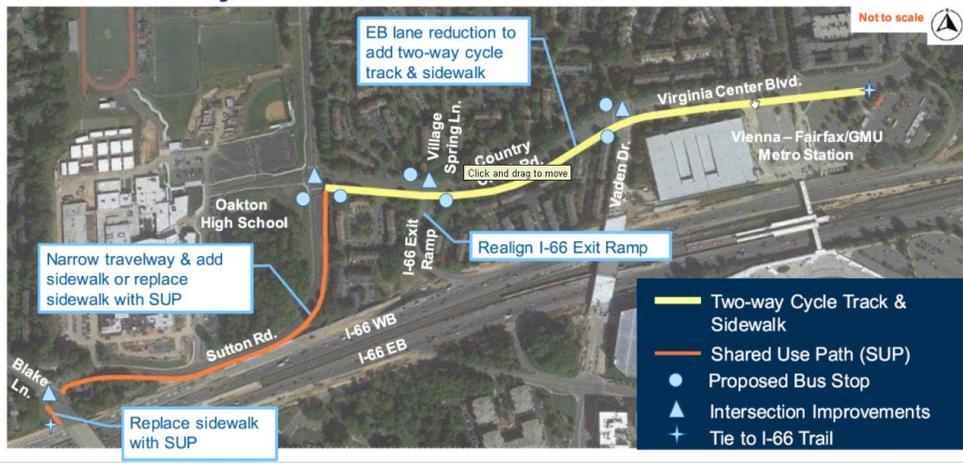
commissioned by CRC and Pulte. Subsequent to approval of the rezoning in 2006, Tysons and Mosaic were approved have undergone massive redevelopment, and the Pam Am shopping center was renovated. The Applicant believes as the remainder of MetroWest is developed, a combination of local, regional, and national retailers will be more likely to establish a presence within MetroWest, creating the ambiance that the community is seeking.

#### Community Center

The community center will be significant improvement compared to the original 2006 approval of a 600 square foot business center that was to contain a fax machine. The Applicant will instead provide a minimum 1,150 square foot community center with relevant, enhanced features such as wifi, a restroom facility, and dedicated meeting space. The community center will be located on the ground floor of Building 16, directly adjacent to the pool and the courtyard.

- b. All the BMPs and LIDs, will they be provided even if the vaults are sufficient? Yes, the Applicant has made significant commitments to provide bioretention planters/LIDs as shown on Sheet C005 with details shown on Sheet C009 of the CDP/FDP.
- c. November 17 there is a virtual VDOT meeting about cycletracks in this area. Is the Applicant part of that? Thank you for this excellent suggestion. The Applicant's representative attended VDOT's Vienna Metro Bicycle and Pedestrian Improvements virtual design public hearing on November 17. The extent of the pedestrian and bicycle improvements are limited to north side of I-66 in the westbound direction. While these improvements do not cross Vaden Drive over I-66, the Applicant will continue to monitor VDOT and FCDOT's efforts to ensure improved pedestrian and bicycle connections.

## Ultimate Project Overview



- d. Overall, the existing infrastructure of sidewalks and the bicycle trail on Vaden are excellent. The most direct route to the Metro from Vaden/Providence Community Center and Fairfax City/CCT, however, would be down Royal Victoria. From the Metro, this is also the most direct route to the traffic light at Rt 29 which has a pedestrian crossing to Fairfax Circle Towers apartments and the new high-density “Scout” development in Fairfax City. The circulation shown on sheets 23 and 32 does not show bicycle circulation to the Metro. Is that also envisioned to follow Royal Victoria? Royal Victoria a local, low-speed street where bicyclists can share the street with vehicles. The travel lanes provided are 24 feet, which is greater than the 22 feet approved with the rezoning and would provide more flexibility in the right-of-way to accommodate bicyclists. The eastern side of Royal Victoria can also function as an “all ages and abilities” bike route; at 11 feet in width, the sidewalk is wide enough to accommodate bicyclists and pedestrians as it exceeds the County’s 10-foot wide shared-use path standard width.
- e. In the original rezoning, Royal Victoria was a retail street with a minimum requirement of 15 ft in the retail and pedestrian zone. What are the dimensions in this PCA for the sidewalks along Royal Victoria? In the original rezoning, the minimum pedestrian zone (retail/building zone and sidewalk) was 15 feet, inclusive of a six-foot pedestrian clear zone/sidewalk. For the PCA application, on the west side of Royal Victoria along Building 18, the back of curb to face of building is 16 feet, inclusive of a 9-foot sidewalk in the PCA application is nine feet. On the east side along Buildings 16 and 17, the back of curb to face of building is 18 feet, inclusive of an sidewalk is eleven feet sidewalk. These

dimensions are a significant improvement over the 2006 approval which depicted a 6-foot sidewalk on both sides of Royal Victoria.

- f. Staff report states the sidewalks will be 5ft wide on the outside edges of the development, yet Sheet 5 shows larger distances from the building edge to the curb. What are the streetscape layouts? Those shown on the CDPA, the original rezoning, or some other dimensions?
- The street section configurations are consistent with the original 2006 rezoning as shown in sheets 18 and 20 of RZ 2003-PR-022. The back of curb to face of building and sidewalk widths differ along Royal Victoria, and the back of curb to face of building width differs slightly along the west side of Bleeker Street and east side of Hammersmith Lane. In no instance has the sidewalk width (pedestrian clear zone) been reduced from the original approval.

<b>Streetscape Dimensions</b>	
<b>Royal Victoria Drive</b>	
<b>Original</b> approval in 2006 (RZ 2003-PR-022)	Back of curb to face of building: <del>max 2+15</del> feet <u>min</u> (both sides) Pedestrian Clear Zone: 6 feet (both sides)
<b>Proposed</b> with PCA 2003-PR-022-02	<ul style="list-style-type: none"> <li>• West Side, along Building 18                             <ul style="list-style-type: none"> <li>- Back of curb to face of building: 16 feet</li> <li>- Pedestrian Clear Zone: 9 feet</li> </ul> </li> <li>• East Side, along Buildings 16 and 17                             <ul style="list-style-type: none"> <li>- Back of curb to face of building: 18 feet</li> <li>- Pedestrian Clear Zone: 11 feet</li> </ul> </li> </ul>
<b>Bastille Street</b>	
<b>Original</b> approval in 2006 (RZ 2003-PR-022)	Back of curb to face of building: no street section included with RZ Pedestrian Clear Zone: no street section included with RZ
<b>Proposed</b> with PCA 2003-PR-022-02	Back of curb to face of building: 20 feet Pedestrian Clear Zone: 5 feet
<b>Bleeker Street</b>	
<b>Original</b> approval in 2006 (RZ 2003-PR-022)	<ul style="list-style-type: none"> <li>• West Side along Buildings 14 and 15:                             <ul style="list-style-type: none"> <li>- Back of curb to face of building: 18 feet min.</li> <li>- Pedestrian Clear Zone: 5 feet</li> </ul> </li> <li>• East Side along Buildings 12 and 13 (not part of PCA application):                             <ul style="list-style-type: none"> <li>- Back of curb to face of building: 17 feet min.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- Pedestrian Clear Zone: 6 feet</li> </ul>
<b>Proposed</b> with PCA 2003-PR-022-02	<ul style="list-style-type: none"> <li>• West Side along Buildings 14 and 15                             <ul style="list-style-type: none"> <li>- Back of curb to face of building: 21 feet</li> <li>- Pedestrian Clear Zone: 5 feet</li> </ul> </li> <li>• East Side along Buildings 12 and 13 (not part of PCA application):                             <ul style="list-style-type: none"> <li>- Back of curb to face of building: existing 17 feet min.</li> <li>- Pedestrian Clear Zone: existing 6 feet min.</li> </ul> </li> </ul>
Sprague Avenue	
<b>Approved</b> with RZ 2003-PR-022	<ul style="list-style-type: none"> <li>• North Side of Sprague (not part of PCA application):                             <ul style="list-style-type: none"> <li>- Back of curb to face of building: 14 feet min.</li> <li>- Pedestrian Clear Zone: 8 feet</li> </ul> </li> <li>• South Side of Sprague subject to PCA application:                             <ul style="list-style-type: none"> <li>- N/A, no dimensions for south side included with original RZ</li> </ul> </li> </ul>
<b>Proposed</b> with PCA 2003-PR-022-02	<ul style="list-style-type: none"> <li>• North Side of Sprague (not part of PCA application): subject to CRC pending site plan</li> <li>• South Side of Sprague subject to PCA application:                             <ul style="list-style-type: none"> <li>- Back of curb to face of building: 20 feet min</li> <li>- Pedestrian Clear Zone: 5 feet</li> </ul> </li> </ul>
Hammersmith (East Side along Building 18)	
<b>Approved</b> with RZ 2003-PR-022	Back of curb to face of building: 14 feet min. Pedestrian Clear Zone: 5 feet min.
<b>Proposed</b> with PCA 2003-PR-022-02	Back of Curb to face of building: 16 feet Pedestrian Clear Zone: 5 feet

g. What is the justification for reducing the tree zones? There was nothing in the UFMD memo to indicate the resolution for structured soils. Does UFMD find the street trees proposed will have enough room to thrive and meet 10-year canopy goals, at a minimum? There are a few large trees in previously developed landscape panel areas that are girded and strangled by their own roots - is this due to the structured soils? What happens when the 10-year tree canopy does not make it to 10 years? [The Fairfax County Urban Forest Management Division \(UFMD\)](#) is in support of structural cells to help meet the 10-year tree canopy goals. As shown on Sheet 10 of the CDP/FDP, structural cells provide the 8-foot minimum soil width. This will prevent girdling of roots because the structural sells

provide the adequate dimensions as approved by UMGD. Proffer 18.e.iii., states one of the Umbrella Owners Association (UOA) maintenance responsibilities is the replacement of dead or diseased trees.

- h. I would agree with some of the residents that more non-residential than a child care center should be provided with this development. The original proffers for additional retail provided a way out if the applicant was unable to attract a tenant in 24 months. Why is the applicant unable to provide space for even a coffee shop or other small retailers in their plan, with the existing proffer to convert to residential if the market was unable to support it? To clarify, the daycare is only about 7,000 square feet of the 35,000 square feet of ground floor non-residential uses in Buildings 16, 17, or 18. The Applicant is actively seeking exactly the types of retailers, coffee shops, and restaurants that are desired by the community. CRC's pending site plan includes approximately 14,000 square feet of ground floor retail in both Buildings 6 and 10. In total, the five CRC buildings (6-10) are proffered to provide a minimum of 55,000 square feet of ground floor non-residential uses. The PCA application area and CRC's buildings provide ample square footage for retail uses and amenities.
3. Commissioner Sargeant:
- a. Encouraged Pulte and CRC to worked together quickly and amicably. Inquired how long Pulte thought it might take to come to resolution between the parties. Pulte and CRC are working towards a resolution so that both parties are able to deliver the final phases of MetroWest.
4. Commissioner Carter:
- a. Accessibility is important, should make sure we have the right sidewalk widths. Sidewalk widths are consistent with or exceed the approved rezoning application, as included in the response to 1b.
  - b. Details matter if we want the retail to be successful and people to get to metro: ramps for the handicap, crosswalks should be shown, pedestrian oriented streetlights should be shown (or maybe a proffer) Excellent comment and we agree that crosswalks and pedestrian safety are important. Crosswalks are depicted on Sheet 025, Circulation Plan. Proffer 8.g states the Applicant will provide crosswalks within the internal private street network and as subject to approval by DPWES. Ramps will be designed per national ADA guidelines. Streetlights and crosswalk details will be provided in accordance with County standards at time of site plan.

- c. Should there be pick-up and drop-off at buildings 14 and 15 too (a proffer to address?). We agree. As shown on Sheet C005 of the CDP/FDP, there are several designated on-street, parallel ~~is a designated~~ pick-up/drop-off spaces. These spaces will be a minimum of 30 feet in length. The average parallel parking space that will be provided is 22 feet in length. The Applicant has also retained perpendicular drop-off spaces. The locations of surface level pick-up and drop-off spaces are summarized as follows:

- One (1) drop-off space along Sprague in front of Building 18
- One (1) drop-off space along Sprague in front of Building 15
- One (1) drop-off space along Royal Victoria in front of Building 18
- One (1) drop-off space along Royal Victoria in front of Building 16
- One (1) drop-off space along Royal Victoria in front of Building 17
- Up to three (3) childcare drop-off spaces in front of the childcare facility in Building 18
- One (1) drop-off space along Bastille in front of Building 17
- Two (2) perpendicular drop-off spaces on Bleeker in front of Buildings 14 and 15.

- d. Affordable housing – what is the comparison between the numbers of WDUs that would be provided and the number of ADUs that are provided with the PCA application?

Applicant's Response:

- Original rezoning approved in 2006: total 140 ADUs to be provided
- 88 constructed and occupied
- 52 to be constructed and occupied in Buildings 14-18
- ADUs provided for a minimum term of 30 years, significantly longer than required under the Zoning Ordinance (15 years)
- 7 units in the Providence are eligible for the Virginia Department of Social Services Auxiliary Grant Program

Staff's Response:

The original rezoning approved in 2006 predates the WDU Policy, so no WDUs were required with that rezoning. Since the applicant is not proposing an increase in dwelling units with this PCA application, staff did not request any WDUs. The original rezoning was subject to the ADU Ordinance, as well as Plan language that recommends that the developer replace units lost with the redevelopment of the former Fairlee Subdivision with affordable units. With that rezoning, the development was required to provide 140 ADUs. Seventy-nine (79) of these units are required by the Zoning Ordinance (35 of which will be located within the age-restricted units). Sixty-one (61) of the ADU units represent a replacement of the

dwellings that existed within the Fairlee subdivision, as recommended by the Plan. Existing Proffer 24 notes that all ADUs will be administered pursuant to the Zoning Ordinance; however, irrespective of those provisions, the ADUs will be provided for a minimum term of 30 years, which represents a significantly longer term than that required under the Zoning Ordinance (which is 15 years).

To date, 88 ADUs have been provided:  
27 in the Townhomes – Section 1  
18 in the Condo Flats – Section 2  
8 in the Stacked Towns – Section 3  
35 in the Age Restricted Buildings – Section 6  
As noted, this PCA would provide the remaining 52 ADUs.

5. Commissioner Bennett:

- a. Accessibility considerations with tree pits and drop-off spaces, retail entrances. We agree, careful design of drop-off spaces is important. To the best of the Applicant's ability, parking spaces and tree pits are being designed to avoid conflicts with passengers exiting and entering cars. This is particularly important along Royal Victoria Drive, as it is a prominent pedestrian oriented and retail-supportive street in the Metro West community. As such, the Applicant has added Proffer 9.h. of the draft proffers dated December 3, 2021 to state with any site plan that includes Royal Victoria Drive, the Applicant shall include an explanation of how on-street parking spaces and adjacent street trees along Royal Victoria Drive have been designed in a manner that (1) minimizes conflicts with door swings, (2) enhances pedestrian access to contiguous retail, restaurants and other non-residential business establishments, and (3) reflects attention to accessibility requirements for users/customers along this prominent street.
- b. If a drop-off space is in the middle of the block but retail is at the ends, might not be easy for someone to get to those services and retail. Drop-off spaces are distributed on all sides of Buildings 14-17 and along Royal Victoria and Sprague for Building 18 as shown on Sheet C005 of the CDP/FDP.
- c. Can you designate accessible parking spaces. Final handicap accessible spaces are will be designated at the time of site plan submission.
- d. Echo comments on need for retail based on community comments As part of this application, a commitment to 35,000 square feet of ground-floor non-residential uses is unchanged from original rezoning approval. The Applicant is eager to deliver the daycare, coffee shops, and other community amenities, in addition to the new pool and community room

that are part of the PCA application. CRC's pending site plan includes approximately 14,000 square feet of retail on the ground floor of both Buildings 6 and 10. In total, the five CRC buildings are proffered to provide a minimum of 55,000 square feet of ground floor non-residential uses. The PCA application and pending CRC site plans will provide the community with many of the amenities they seek.

6. Elizabeth Murphy, resident of the Atrium
  - a. Eliminating 2 of the 3 proposed underground garage entrances and only keeping one on Sprague for the garage for Buildings 14-18 is a huge problem for traffic on Sprague. Needs to be at least one additional entrance on Royal Victoria (as originally proposed). Entrance from Royal Victoria would be a quick and direct one from Vaden Drive. The entrance to the garage at the Atrium which is also on Sprague, is already becoming a hazard. When cars are parked to the east of the entrance, and people are speeding through, it can be hard to see traffic coming when a car is pulling out onto Sprague from our garage. Consistent with the Atrium, which also has four buildings with garage access on Sprague, the Applicant is providing consolidated garage access along Sprague. Royal Victoria is the most direct pedestrian and bicycle path from the Providence Community Center to the Metro Station. Eliminating garage access on Royal Victoria would reduce potential conflicts between pedestrians and vehicles.
  - b. There should be no parking reductions given to either CRC or Pulte. There needs to be dedicated parking for retail. The Applicant has not requested a parking reduction with the PCA application. The Applicant will provide dedicated retail parking, currently contemplated in the portion of the garage under Building 16. The final location would be detailed at the time of site plan. The Applicant will comply with Proffer 13 that addresses parking.
  - c. Ask that the County require both CRC and Pulte to provide level 1 charging stations for new residents, and made available to visitors and existing MetroWest residents. The Applicant (Pulte) has provided a proffer to have surface level EV charging stations available without restriction and available to all visitors or residents.
  - d. There is enough residential to support more retail than the 8,350 proposed. Once Metro is back, commuters may appreciate quick access to retail. As part of this application, a commitment to 35,000 square feet of ground-floor non-residential uses is unchanged from original rezoning approval. The Applicant is eager to deliver the daycare, coffee shops, and

other community amenities, in addition to the new pool and community room that are part of the PCA application. CRC's pending site plan includes approximately 14,000 square feet of attractive retail on the ground floor of both Buildings 6 and 10. In total, the five CRC buildings are proffered to provide a minimum of 55,000 square feet of ground floor non-residential uses. The PCA application and pending CRC site plans will provide the community with many of the amenities they seek.

7. Daniel and Shiri Hickman, 3067 Waterloo Lane
  - a. Opposed to adjusting the timeline for delivery of the buildings and removing the construction trigger for Buildings 14-18. Pulte should not be able to have additional housing units until CRC completes Buildings 9 and 10 as originally envisioned by the development plan. The conditions in the proffers to build a walkable retail and TOD community were the basis for the County approving high density residential development in the first place and one of the primary reasons residents paid a premium for their homes. The Applicant is actively working with CRC to come to an agreement so both parties can develop the remaining phases of MetroWest and collectively deliver retail and other active ground floor uses that residents have been seeking for years.
  - b. Oppose expansion of daycare capacity. It will take away space allocated to retail offerings. The daycare is only about 7,000 square feet of the 35,000 square feet of ground floor non-residential uses in Buildings 16, 17, or 18. CRC's pending site plan includes approximately 14,000 square feet of ground floor retail in Buildings 6 and 10. In total, the five CRC buildings (6-10) are proffered to provide a minimum of 55,000 square feet of ground floor non-residential uses. The remaining phases of MetroWest allocate ample square footage for retail uses and amenities.
8. Zita Rostas and George Cernat, 2987 Rittenhouse Circle
  - a. Opposed to eliminating 2 of the 3 proposed underground garage entrances and only keeping one on Sprague for the garage for Buildings 14-18. Will increase traffic on Sprague threefold. There was already an accident on Sprague where a car ran onto the sidewalk and hit a tree. My family and I use this sidewalk a lot. This is the street that leads to the entrance of the trail on the other side of Vaden, so foot traffic on Sprague is high. Consistent with the Atrium, which also has four buildings with garage access on Sprague, the Applicant is providing consolidated garage access on Sprague. Royal Victoria is the most direct pedestrian and bicycle path from the Providence Community Center to the Metro Station

and eliminating garage access on Royal Victoria would reduce potential conflicts between pedestrians and vehicles.

- b. This application allows for residential units to be built before commercial spaces owned by CRC are built. This will leave Pulte with no incentive to push for the commercial space, the grocery store, shops that were all sold on when we moved here. This also forces us to drive and goes against the walkability of the community. We want the county to oppose this and demand the promised commercial sites. The Applicant is actively working with CRC to come to an agreement so both parties can develop the remaining phases of MetroWest and collectively deliver retail and other active ground floor uses. The PCA application continues to provide for a commitment of 35,0000 square feet of nonresidential use which is consistent with the original rezoning approval.
9. Phil Kukielski, 9521 Bastille Street and Rick Bowers, President Flats HOA Board of Directors
    - a. Feel the county should continue to work with both Pulte and CRC to find solutions so that both developers can develop and build on their parcels simultaneously. Perhaps modifying the RUP triggers (or other solutions) should be considered so that both developers can start their construction. The county should ensure that approval of Pulte's requests should not somehow prevent CRC's ability to simultaneously develop. The residents have been promised retail for years now and this really needs to move forward. The Applicant wholeheartedly agrees. This is part of the main purpose for filing the PCA. The Applicant has the same objective as articulated in this comment and is working with CRC to come to an agreement so both parties can develop the remaining phases of MetroWest.
    - b. The seasonal outdoor pool between Buildings 16 and 17 is far too small for the 780 homes it is intended to serve. The shared outdoor pool is intended to serve a user population of about 1,700 people (780 units x 2.2 persons per household.) That means the pool, as proposed, will only have the capacity to handle about 1 out of 24-34 of its potential resident users, not counting any guests. The previously approved pool area was 2,300 square feet. The PCA application proposes an increase in the pool size to 2,500 square feet. Staff expressed the desire for the pool and the pool house to not appear as dominant features within the public courtyard/park area. The Applicant worked to provide a balance between the pool and pool house and shared public amenities of the courtyard.

- c. The operating and maintenance costs of the one-acre recreational courtyard surrounding the pool should be borne by the entire MetroWest community, not just the 780 units specified by current neighborhood covenants to be its sole supporting patrons. The RDOA covenants specify that the “upkeep of **the park**, pool and appurtenant facilities” is to be entirely supported by the RDOA as a “limited common expense.”<sup>i</sup> The covenants also assign all “operational and maintenance costs **and reserves**” for this entire recreational facility to the 780 Pulte-built unit owners who are its authorized users.<sup>ii</sup> (This wording excludes about 1,500 other present and future MetroWest units from bearing any financial burden for the annual operating costs associated with the park, the pool or the pool house, or the capital costs of their eventual replacement.) Since the pool will only be used by certain homeowners, it is legitimate for those homeowners to pay for upkeep of the pool. But as for the courtyard, a minority of MetroWest owners are on the hook to support a play-oriented courtyard that is designed “for public use and enjoyment.” If literally anyone can use the courtyard, we think the upkeep and eventual replacement of the courtyard and play facilities should be the responsibility of all of MetroWest, not just a particular section. *We understand the concern. The commitment of a public courtyard dates to 2006 when the application was approved. The Applicant does not have the authority to mandate that CRC expend money for the courtyard maintenance. The Atrium and the Providence have the own amenities. Building 18 will also have its own pool. Residents within the CRC portion of MetroWest will have their own amenity space that they will contribute towards maintenance. The Applicant thinks this is a fair and equitable distribution of costs. The Applicant is setting up the courtyard in such a way that ongoing maintenance will be de minimis (primarily landscaping, lawn maintenance, and the children’s play area will have durable equipment).*
- d. Building 18 is far too tall when compared to the now reduced height of the buildings that will surround it. At 105 feet, Building 18 could be twice as tall as the 50-foot-high Flats building located just on the other side of Bastille Street. It could also be 35 feet taller than Buildings 16 and 17 just across from it on Royal Victoria. CRC is also proposing to build the first two of its five buildings to shorter heights than originally envisioned in 2006. CRC intends to build Buildings 6 and 10 on Sprague Avenue at elevations of 80-85 feet, about 7 stories, and has secured a zoning interpretation to do so. That would leave only the three CRC buildings closest to the Metro,

Buildings 7-9, with the potential to exceed the maximum height of Pulte's Building 18. – add slide 29. As shown on Sheet 18 of the CDP/FDP, the architecture of the buildings will be very attractive, with the ability to create a noteworthy pedestrian-focused focal point at the prominent corner of Sprague and Royal Victoria. As for compatibility and transitions, Proffer 4.e states that Building 18 must taper down in height by at least one story for the portion of the building along the boundary of the Core Area, or a step down in height at Bastille and Hammersmith.

- e. No mention in the staff report of who will pay to supervise, maintain, operate and repair the two surface EV charging spaces to be installed. The new proposed Proffer 19 (d) states the outdoor spaces will be available to “residents and visitors without a time-of-day restriction.” This appears to be another mandated public amenity in need of a defined and willing perpetual patron. Once installed, the maintenance of these two EV charging facilities is expected to be minimal.
- f. If parking reductions are granted for one or both of these new parcels, the cutback in assigned spaces might lead to increased competition from new residents for already limited shared surface parking in older portions of the neighborhood (unless parking for those residents was restricted to garage parking only). The Applicant has not requested a parking reduction with the PCA application. The Applicant will comply with Proffer 13 that addresses parking.
- g. No mention in the staff report of the two yet-to-be-installed outdoor fitness stations mandated in the Proffer 10 (b) for the residential portion of the MetroWest. In a written response to our questions, Pulte anticipates these stations would be installed “in Q2-Q3 of 2022 subject to approval by the FCPA.” Unaccountably, that obligation and pledge was not memorialized by the Park Authority in its report to the board on the PCA. The Park Authority analysis on page 23 concludes by declaring: “There are no outstanding issues.” The Applicant anticipates the outdoor fitness stations to be installed Q2-Q3 of 2022 with approval by the Fairfax County Park Authority.
- h. No mention in the staff report of the still-unrealized pedestrian safety improvements on Vaden Avenue that are detailed in Proffer 6 a (ii) and Proffer 8 (g). Pulte has paid \$250,000 to the county for Proffer-mandated improvements that were never installed at the intersection of Vaden and

Royal Victoria. Mr. Calabrese raised the developer's frustration with this much-discussed issue in its public presentation to the community on Sept. 27, 2021, but those concerns were not carried forward to the board by the staff report. As noted in the comment, the Applicant contributed \$250,000 towards improvements at Vaden Drive and Royal Victoria Drive. The original proffer with the rezoning application included a raised crosswalk with embedded lights at Vaden Drive. VDOT did not approve of this design, as the traffic volumes on Vaden exceeded those permitted for a raised crosswalk. In December of 2010, Pulte obtained a proffer interpretation to allow for the current crosswalk treatment that met VDOT standards. It is the Applicant's understanding that Fairfax County also approached VDOT about the installation of Rapid Repeating Flashing Beacons (RRFBs), and VDOT did not support that either. Pulte The Applicant will continue to work with the Providence District leadership, FCDOT, and VDOT on any potential pedestrian improvements at this important pedestrian crossing of Vaden Drive.

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<sup>i</sup> Declaration of Covenants, Conditions and Restrictions, MetroWest Residential District Association Covenants, Sept 16, 2011, Section 4.4, Maintenance, (a)(19), p. 19 and (4) p. 21.

<sup>ii</sup> Declaration of Covenants, Section 6.2, Assessments, (b)(9), p. 25.