

PROFFERS

GALLERY AT CITY CENTER

ZONING MAP AMENDMENT – 4085, 4101, 4103 and 4117 CHAIN BRIDGE ROAD

April 7, 2026

Pursuant to Section 15.2-2303.A of the *Code of Virginia*, 1950, as amended, and Section 6.4.10 of the Zoning Ordinance of the City of Fairfax, Virginia, Gallery at City Center, Christopher Land Inc., as applicant (hereinafter referred to as the “Applicant”) in Z-25-00770 filed on property identified on the City of Fairfax tax map as 57-4-02-041, 57-4-02-054, 57-4-02-053, and 57-4-02-051 (hereinafter referred to as the “Application Property”) hereby proffers the following, provided that the Fairfax City Council approves a zoning map amendment for the Application Property in conjunction with a general development plan for a mixed-use residential and commercial development (the “Project”). These proffers shall replace and supersede all previous proffers approved for the Application Property, if any. In the event the zoning map amendment is denied by the City Council, these proffers shall immediately be null and void.

1. GENERAL DEVELOPMENT PLAN

Development of the Application Property shall be in substantial conformance with the General Development Plan (the “GDP”) prepared by Urban, Ltd. and Devereaux & Associates, dated April 7, 2026. The Applicant shall have the flexibility to make minor modifications to site design and improvements shown on the GDP based on final engineering and design subject to the approval of the Director of Community Development and Planning. The final Site Plan and GDP shall govern improvements required by Applicant.

2. USES

The following uses shall be permitted on the Application Property:

- A. Residential: Residential/Multifamily Residential with up to 392 dwelling units;
- B. Nonresidential Uses: For the approximately 37,386 square feet of nonresidential floor area, the following nonresidential uses shall be permitted;
 - (i) Commercial Uses: General Retail, General Offices, Medical Offices, Grocery Store, General Services, Personal Services, Restaurants or Food Services, Art Galleries or Studios, Research and Development, and Indoor Recreation (limited to Day Spas and Health Clubs), Bar and/or Nightclub; and
 - (ii) Public, Civic and Institutional Uses: Adult Day Care, Community Services, Day Care Centers, Nursery Schools, and Minor Social Service Delivery, and Court Appointed Special Advocate Program.

The Project shall also have approximately 8,804 square feet of amenities within the buildings. Parking: Surface level parking and below-grade parking garage accessory to the above-stated uses.

3. TRANSPORTATION

- A. Access Drive. Prior to the issuance of the first residential occupancy permit or nonresidential occupancy permit for the Application Property, the Applicant shall construct the private alley/access drive and sidewalk (collectively, the “Access Drive”) providing a vehicular and pedestrian access from Chain Bridge Road and University Drive. As shown on the GDP, the Access Drive shall be right-in/right-out only at its intersection with Chain Bridge Road. The final design and dimensions of the Access Drive shall be coordinated with the Public Works Department (PWD) at the time of Site Plan. The Applicant, or any homeowner’s association formed by the Applicant, shall be responsible for maintenance of the Access Drive.
- B. Sidewalks. The Applicant shall construct new or improve existing sidewalks along the Chain Bridge Road and University Drive street frontages and construct a new sidewalk along the southern side of the proposed Access Drive, all as shown on the GDP.
- C. Access. At the time of construction of the Access Drive, and sidewalks, the Applicant shall record among the land records the requisite public access and maintenance easements including, but not limited to, public ingress/egress and emergency vehicle access easements, in forms approved by the City Attorney, over the Access Drive, the greenway, and all sidewalks located on the Application Property. The Access Drive shall be given a name at time of Site Plan.
- D. Chain Bridge Road – Right-of-Way Dedication. Prior to Site Plan approval, the Applicant shall dedicate up to fifty feet (50’) from the centerline along the Application Property’s Chain Bridge Road frontage as identified on the GDP. Said dedication shall be made at no cost to the City of Fairfax.

4. STORMWATER MANAGEMENT

Design and construction of Stormwater management facilities shall comply with 4VAC50- 60 Virginia Stormwater Management Program (“VSMP”) Permit Regulations, as may be amended, or other relevant standard in place at the time of building permit submission.

5. GREENWAY

The Applicant shall construct a publicly accessible “greenway”, as shown on the GDP. Construction of the greenway shall occur during construction of the Project. At such time as the greenway is constructed, the Applicant shall record among the land records the requisite easements to allow public access and use of the greenway. The Applicant, or any homeowner’s association formed by the Applicant, shall be responsible for maintenance of the greenway on the Application Property.

6. LANDSCAPING AND OPEN SPACE

- A. General. Landscaping on the Application Property shall be in general conformance with the landscape design shown on the GDP and the City’s Public Facilities Manual standards, where applicable. Final selection of the type and location of vegetation and the design of landscaped areas and streetscape improvements/plantings shall be made as a component of the Site Plan approval process.
- B. Construction Timing. The Applicant shall coordinate phasing of landscaping and open space improvements with the City’s Urban Forester at time of Site Plan.

7. RECREATIONAL AMENITIES

- A. The Applicant shall provide on-site recreational facilities as shown on the GDP to serve the residents of the Application Property that may include, but not be limited to, a fitness center, clubroom, pool, pet spa, and amenity courtyards.
- B. Following commencement of construction but prior to the issuance of the first occupancy permit of a building for residential use, the Applicant shall contribute an amount equivalent to \$378.00 per residential unit per building to the City of Fairfax for use in the planning, design and/or construction of off-site recreational amenities in the vicinity of the Application Property.

8. ARCHITECTURAL DESIGN

- A. The architectural design and style of the buildings shall be generally consistent with the conceptual elevations as shown on the GDP. The elevations may be refined as a result of final design and engineering so long as the character and quality of the buildings remain in substantial conformance with those shown on the GDP. Building materials shall be predominately brick, cementitious panels/siding, and may also include stone, and/or metal paneling.
- B. All residential units shall comply with all applicable municipal, state, and federal accessibility and anti-discrimination requirements in place at the time of building permit submission.
- C. Notwithstanding the unit mix provided on the GDP, the Applicant shall have the ability to modify the final unit count (up to 395) and mix at time of Site Plan, provided that such modification shall not apply to more than ten percent (10%) of the total number of units, and provided that the minimum parking ratios provided on Sheet 02 of the GDP are met for each unit type.
- D. At the time of Site Plan, the Applicant shall identify accessible units as required by the then in place applicable municipal, state, and federal accessibility requirements.

9. SUSTAINABLE DESIGN

- A. In order to promote energy conservation and green building techniques, the Applicant shall incorporate energy saving devices which may include, but not be limited to, use of ENERGY STAR® appliances, energy efficient mechanical systems, recycling for occupant refuse, energy efficient lighting and insulation that meets or exceeds applicable energy code requirements.
- B. In order to promote energy conservation, sustainability, and green building techniques, the Applicant shall seek a green building certification from National Green Building Standard (“NGBS”) or EarthCraft. Prior to final bond release for the building, the Applicant will submit documentation to the Department of Community Development and Planning confirming the status of certification for the Project.

10. PARKING MANAGEMENT

- A. The Applicant shall provide parking in conformance with the GDP. Parking for the various uses shall be located in the proposed parking garage and adjacent to the Access Drive. Notwithstanding the number of parking spaces indicated on the GDP, the Applicant may increase or decrease the final number of parking spaces provided at time of final Site Plan provided that any additional parking spaces are located within the parking garage, that the minimum parking rates as depicted on the GDP are provided, and that open space is not decreased and the distance to peripheral lot lines is not decreased.

- B. The Applicant shall install Level 2 Electric Vehicle Charging Stations in the proposed parking garage on the Application Property to accommodate a minimum of twenty (20) designated electric vehicle parking spaces.

11. UTILITIES

Subject to the approval of the applicable utility company, all new on-site utility conduit lines installed on the Application Property will be located underground in accordance with Section 4.11 of the Zoning Ordinance. Subject to the approval of the applicable utility company, all existing overhead utilities along the Chain Bridge Road frontage of the Application Property will be either removed or relocated underground. With its first and all subsequent Site Plan submissions, the Applicant shall include a detailed utility undergrounding plan demonstrating compliance with this proffer for review and approval by PWD. In conjunction with the utility undergrounding or relocation, the Applicant will coordinate as necessary with any affected abutting or surrounding property owners. If a pole is required by the utility company for bracing or counter weight, this shall be permitted.

12. TRANSPORTATION DEMAND MANAGEMENT STRATEGIES

In an effort to reduce the numbers of vehicle trips generated by the Application Property, the Applicant shall implement Transportation Demand Management (“TDM”) strategies. The TDM program will include, but shall not be limited to, the following measures:

- A. Designation of a Transportation Management Coordinator (“TMC”), which may be one of the duties assigned to the Applicant’s property manager. The TMC will actively promote the use of public transit and alternative transportation options.
- B. The installation of a transit information center in the leasing office and/or lobby area of the building that includes information regarding CUE bus routes and time tables, other local transit services, carpool programs and ridesharing programs. The TMC will ensure that the information displayed in the kiosk or displayed on the monitor is current.
- C. The designation of guest, commercial and short-term parking spaces on the Application Property.
- D. The parking management measures described in Proffer 10 above.
- E. Provide bicycle parking or storage for residents, invitees and employees.
- F. Regarding the established City bike share program, the Applicant shall encourage the use of bike share by offering bike share membership discounts to its residents.
- G. Offering potential residents at the Project unbundled parking to separate parking spaces from the lease or purchase price of a residence or commercial space and allowing residents or tenants to only pay for the parking they need, subject however to compliance with the program requirements of the Virginia Housing Development Authority in regard to the affordable units.
- H. On an annual basis, the Applicant shall conduct resident surveys to determine the use of public transportation, carpooling, bicycles and any other transportation options. The Applicant shall provide the City with the results of resident surveys each year.

13. CONSTRUCTION MANAGEMENT

- A. Prior to Site Plan approval, the Applicant shall submit a Construction Management Plan for approval by the City Manager or his designee. The Construction Management Plan shall address items including, but not limited to, the following:
- (i) Hours of construction;
 - (ii) Truck routes to and from entrances to the Application Property;
 - (iii) Maintenance of entrances;
 - (iv) Location of parking areas for construction employees;
 - (v) Truck staging and cleaning areas;
 - (vi) Storage areas;
 - (vii) Trailer and sanitary facility locations;
 - (viii) Temporary fencing as needed to screen on-site staging areas;
 - (ix) Traffic control measures; and
 - (x) Fencing details, including specifications for an opaque construction fencing and/or wrap that identifies the project and provides contact information for the developer and/or general contractor.
- B. Prior to commencement of construction, the Applicant shall provide the Department of Community Development and Planning with the name and telephone number of a community liaison who will be available throughout the duration of construction on the Application Property.

14. HISTORIC RESOURCES

- A. After demolition of existing buildings and parking lots and prior to land disturbance of the Application Property for new improvements, the Applicant shall hire a contractor to conduct an architectural history survey and archaeological assessment of the Application Property. The Applicant shall provide the architectural history report and archaeological assessment to the Director of Community Development and Planning and the Director of the Office of Historic Resources.
- (i) The contractor shall meet the qualification standards of 36 C.F.R. 61.
 - (ii) The architectural history report shall include, to the extent feasible, a history of the property.
 - (iii) The Applicant agrees to be responsible for documenting any historical artifact or historical natural feature uncovered during construction on the site in consultation with City of Fairfax Office of Historic Resources staff and a Professional Archaeologist. This documentation shall include written notation describing the artifact or natural feature, color photographs, and mapping of the location and/or depth of the site excavation at which the item was found, The Applicant agrees to submit a copy of this documentation to City of Fairfax Office of Historic Resources staff before issuance of the first occupancy permit for residential use.

- (iv) In the event that City of Fairfax Office of Historic Resources staff in conjunction with the Applicant determine that an historical artifact or natural feature is found on the site and is to be disturbed or removed from the site during construction; the Applicant agrees to contact City of Fairfax Office of Historic Resources staff to determine whether removal or disturbance of the artifact or natural feature is warranted, and if so, what mitigation measures should be undertaken. City of Fairfax shall be given the opportunity to accept donation of the artifact or natural feature before the item is offered to any other organization or individual.
- (v) The Applicant shall not knowingly allow any metal detection and/or artifact collection to be conducted on the property, unless authorized by City of Fairfax Office of Historic Resources staff. The language noted above shall be included on all final Site Plan sheets involving any ground disturbing activities.

15. SIGNS

All signs on the Application Property as may be shown on GDP and/or Site Plan shall comply with the regulations set forth in the Zoning Ordinance. However, the Applicant reserves the right for itself, its successors or assigns, to pursue a special exception or such other required approval for signs not otherwise permitted by the Zoning Ordinance.

16. SCHOOLS

Prior to the issuance of the first occupancy permit for each building for residential use, the Applicant shall contribute \$600.00 per dwelling unit per building in the Project to the City of Fairfax to mitigate impacts to City schools.

17. MISCELLANEOUS

- A. Counterparts. These proffers may be executed in one or more counterparts, each of which, when so executed and delivered, shall be deemed an original document and all of which when taken together shall constitute but one in the same document.
- B. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and its successors and assigns.

[SIGNATURE ON NEXT PAGE]

OWNER