

July 13, 2021

**BY EMAIL** (lutchair2021@SullyDistrict.org); (jeff@parnes.net)

Mr. Jeffrey M. Parnes  
Chairman  
Sully District Land Use and Transportation Committee  
P.O. Box 230042  
Sully Station, Virginia 20120-0042

**Commonwealth Centre at Westfields – Land Bay A**  
**PCA 2006-SU-025-05/CDPA 2006-SU-025-03/FDPA 2006-SU-025-05 (the "Application")**

Dear Jeff:

Thank you again on behalf of Toll Mid-Atlantic LP Company, Inc. ("Toll") and JLB Realty LLC ("JLB"), (the "Applicants") for the opportunity to present the referenced Application to the Joint Sully District Land Use and Transportation Committee (the "Committee") meetings on April 19<sup>th</sup> and June 21<sup>st</sup>. As we described at the meetings, the Applicants propose to substitute, for the approved, unbuilt office building in Land Bay A, residential uses consisting of a five-story Multifamily Building and four-story Triplex Units on Fairfax County Tax Map ("TMP") 44-1-((1)-6C and -6H3 (the "Property"). The Triplex Units will be for sale (condominiums) and the Multifamily Building will operate as a rental community.

The Committee members noted that the Application presents an attractive design but raised concerns about the potential impacts of airport noise on the proposed units. The Committee voted to express no objection, but asked the Applicants to respond to the following:

1. Airport Noise

We understand the Committee's position that the Board of Supervisors should adopt expanded noise contours for Dulles Airport. As we explained in our meetings with the Committee and as shown on the attached Exhibit A, these proposed residential units are not located in the currently adopted DNL 60 dBA aircraft noise contour and are not located in the flight path of Dulles Airport's runways. We also have attached as Exhibit B illustrations of the Property's location with respect to the expanded contours identified by MWA, which reflect that a portion of the Property would be within the 60 dBA

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contour. No part of the Property is located within the 65 dBA contour, even under MWAA's proposed expanded contours.

As other residential applications in Land Unit J have done, the Applicants have proffered to provide an acoustical analysis ("Noise Study") for the Property based on final site grades as shown on the site plan and final architectural plans to determine whether any noise attenuation measures are required to reduce the interior DNL to no more than 45 dBA for the residential units on the Property from transportation noise sources (including potential aircraft, Route 28 and Westfield Boulevard noise sources). The Applicant will also offer avigation easements for the benefit of MWAA for the right of aircraft to pass over the Property.

Likewise, the Applicants have proffered, consistent with other residential applications in Land Unit J, that prior to entering into a contract of sale or execution of a lease, prospective purchasers or renters must be notified in writing by the Applicants of the proximity of Dulles International Airport, including distance to the airport, and that homes and/or residential units are located within an area that may be impacted by aircraft overflights and aircraft noise; and that noise from individual aircraft flying over the Property may exceed the average aircraft noise levels for the Property; that the frequency of overflights and noise may increase over time; and that the Property is encumbered by an avigation easement, if applicable. A map showing Dulles Airport, the then current DNL 60 and 65 dBA contour lines as adopted by Fairfax County, and the general locations of residential units and private active recreation spaces must accompany such disclosure notification. Such disclosure must be accomplished by inclusion of this information in all sales contracts, residential leases, OA Disclosure Statements, as well as in OA Governance Documents so as to give notice to all initial and subsequent purchasers and renters of multifamily units, and by recordation in the land records of Fairfax County. In addition, in the sales office and any model home on the Property, an exhibit must be displayed that shows the proximity of the airport and note that the Property is impacted by noise from planes flying overhead.

In addition, the Applicants have proffered to conduct post construction interior noise testing for three available finished units in the Multifamily Building and three available finished units in the Triplex Units, with such tests certified by an acoustical engineer, to demonstrate that an interior noise level of 45 dBA DNL or less has been achieved.

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## 2. Pedestrian Safety and Aesthetic Enhancements.

As we described at your June meeting, the Applicants have proffered to provide substantial enhancements to the intersection of Newbrook Drive and the western entrance to Wegman's to improve pedestrian safety. Many of the comments by Committee members—such as the sight distance for leaving the Wegman's, providing similar intersection improvements on the other side of Commonwealth Centre, further reducing the speed limit on Newbrook Drive and installation of rumble strips—are beyond the Applicants control. I believe one of the Committee members even acknowledged that. Nevertheless, the Applicants have proffered to provide necessary permission and construction easements for, and generally to support, future efforts by the Commonwealth Centre at Westfields Owners Association, Inc. and/or other owners in Commonwealth Centre, to enhance pedestrian connectivity and safety in Commonwealth Centre as long as such enhancements are consistent with the CDPA/FDPA and the Proffers. The ideas shared by Committee members regarding broader changes beyond this Application property should be considered by the overall Owners Association, together with all the other owners in Commonwealth Centre. The Applicants have proffered to support those efforts.

One Committee member expressed a preference for natural vegetation as compared to groomed landscaping. One of the significant benefits of this Application is that it will provide over 2 acres of useable, landscaped open space as a complement to the more than 20 acres of natural open space proffered along Flatlick Branch. The location of the proposed Central Park will tie together both types of open space areas at a key location for the Commonwealth Centre community.

Another Committee member expressed a concern about future maintenance of the proposed residential community to avoid it deteriorating as another community in the Newgate area had. This location in Commonwealth Centre has several advantages to that location, including being a part of the Commonwealth Centre Owner's Association and the larger Westfields Business Owners Association. That governance structure and oversight will protect the quality of this proposed community.

Finally, a Committee member asked about streetlights. Streetlights already exist along Newbrook Drive, including along the Property frontage, and provide ample light to enhance pedestrian and vehicular safety.

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Thank you again for the time and thought you and the Committee have provided on this Application. Please do not hesitate to contact me if you have any further questions.

With best regards,

A handwritten signature in black ink, appearing to read "John C. McGranahan, Jr.", written in a cursive style.

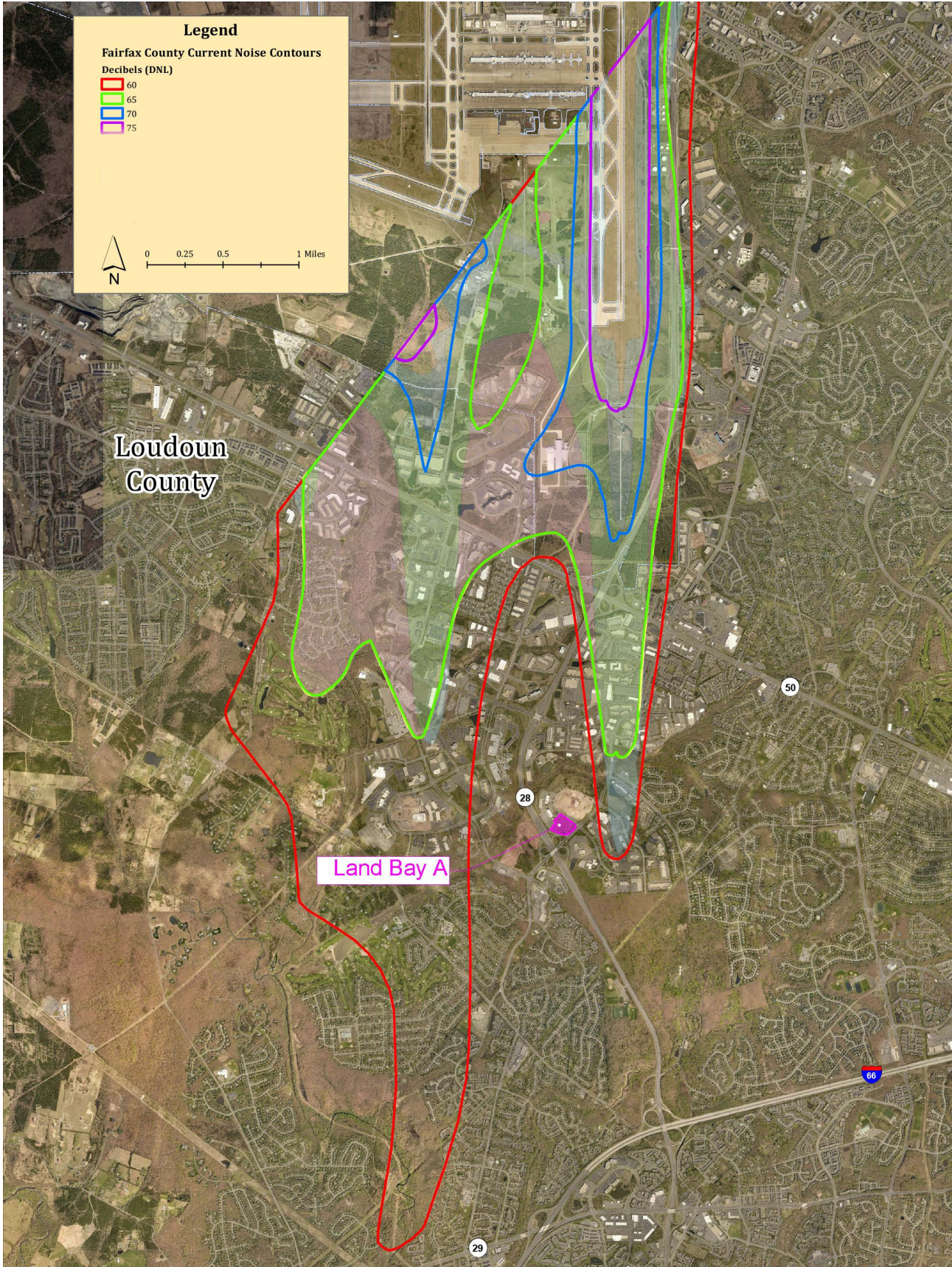
John C. McGranahan, Jr.

Enclosures

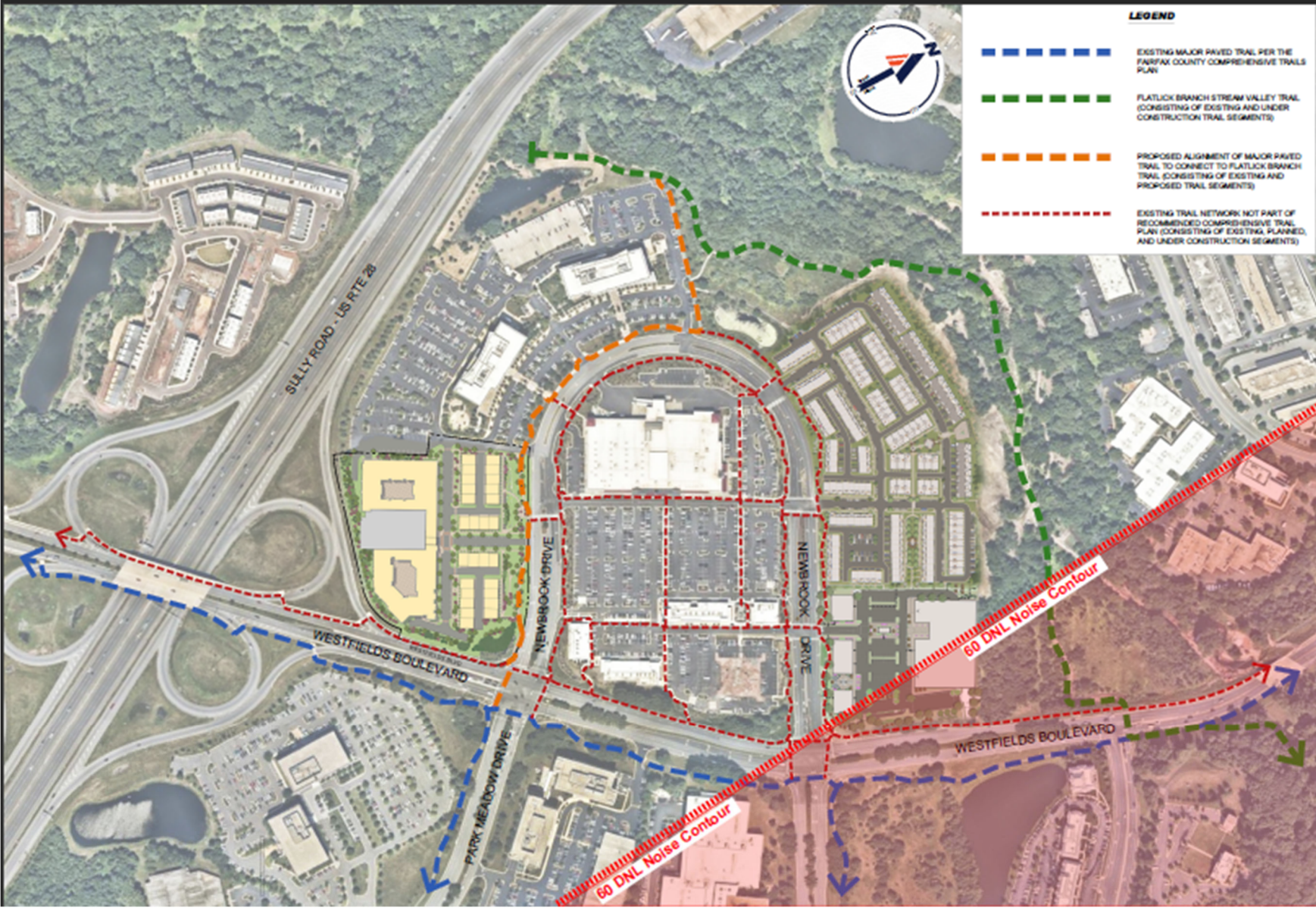
cc: The Honorable Kathy L. Smith  
The Honorable Evelyn S. Spain

# Exhibit A (Page 1)

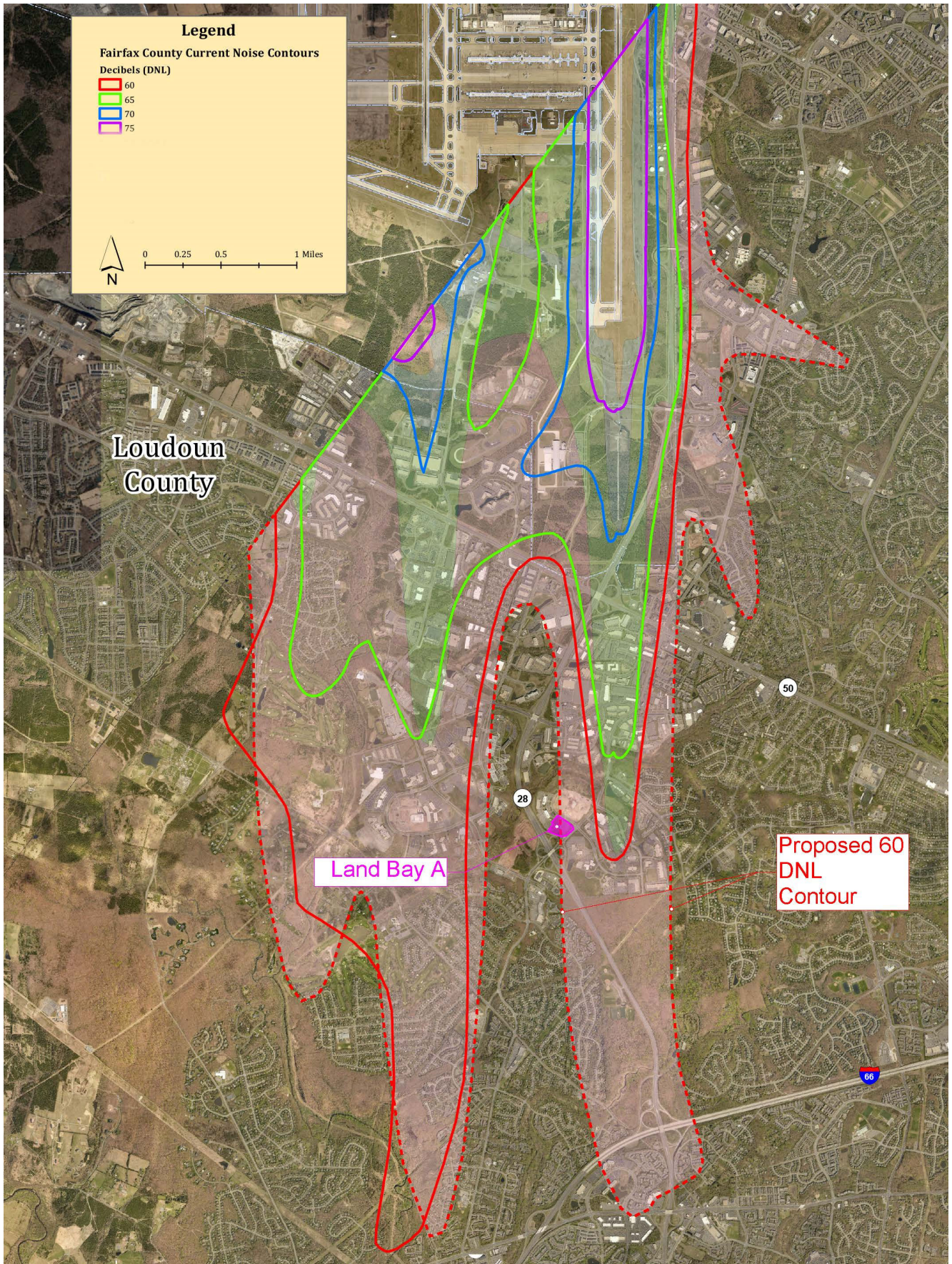
## Currently Adopted Overall Noise Contours



# Exhibit A (Page 2) Currently Adopted Noise Contour



# Exhibit B (Page 1) MWAAs Expanded Contours



# Exhibit B (Page 2)

## MWAA Expanded Contours

