



County of Fairfax, Virginia

February 20, 2007

STAFF REPORT

APPLICATION PCA 2003-HM-046

HUNTER MILL DISTRICT

APPLICANT: Woodland Park Crossing Retail, LLC

PRESENT ZONING: PDC

PARCEL(S): 16-4 ((23)) C, R

ACREAGE: 8.14 acres

FAR/DENSITY: 0.99

OPEN SPACE: 24%

PLAN MAP: Mixed Use

PROPOSAL: Amend RZ 2003-HM-046 previously approved for mixed use development to amend phasing proffers.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 2003-HM-046 subject to the execution of proffers consistent with those found in Appendix 1 of this report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

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Department of Planning and Zoning

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice.
For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Proposal:	<p>The applicant is proposing to amend RZ 2003-HM-046 previously approved for mixed use development in order to amend Proffer 6.d., which deals with the timing of the retail occupancy; and Proffer 13.d., which discusses site amenities. There are no physical changes proposed to the existing site, and no new Conceptual Development Plan/Final Development Plan (CDP/FDP) has been filed with this application.</p> <p>The draft proffers, and the applicant's affidavit, Statement of Justification, and existing approved proffers are contained in Appendices 1-4, respectively.</p>
Location:	Southwest quadrant of the intersection of Westfields Boulevard and Sully Road (Rt. 28)
Acreage:	8.14 acres
Gross Floor Area:	355,000 square feet
FAR:	0.99
Open Space:	24%
Requested Waivers & Modifications:	No additional waivers or modifications are requested with this application

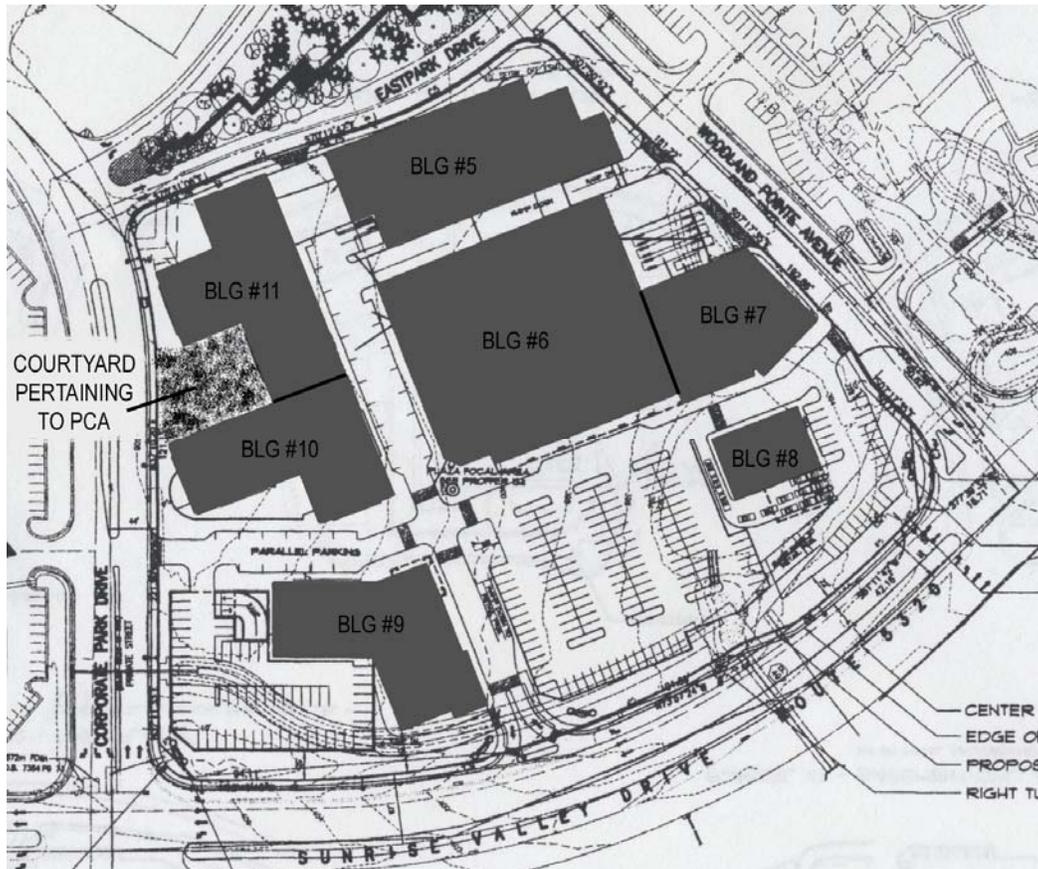
LOCATION AND CHARACTER

Site Description:

The subject property is part of a large mixed-use development known as Woodland Park. Woodland Park is located south of Dulles Airport Access Road and extends from Monroe Street to Centerville Road. Numerous offices and a hotel have been constructed within the development. Other components of the development have been converted to residential use in recent years. The Subject Property was approved for a seven-building retail and residential complex oriented to Sunrise Valley Drive. Commercial uses include a grocery store and drive-through bank; approximately 212 multi-family dwellings are also approved. Commercial and residential buildings are clustered close together to facilitate

pedestrian access and cross shopping. Parking is provided in a combination of underground, surface and structured facilities. (See Image 1)

Image 1



BLG #5 - Residential
 BLG #6 - Grocery Store
 BLG #7 - Retail
 BLG #8 - Drive Through Bank

BLG #9 - Retail
 BLG #10 - Residential
 BLG #11 - Residential

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Park	PDC	-----
South	Multi Family Res.	PDH-30	Residential, 8-12 du/ac
East	Multi Family Res.	PDC	Multi Family
West	Office	I-4	Office or Mixed-Use

BACKGROUND

Site History:

This area has been the subject of several different Rezonings, Special Exceptions and Proffer Condition Amendments over the +29 year development history of the site. The following are the cases that pertain to the current PCA request.

RZ 77-C-098

On March 13, 1978, The Board of Supervisors approved RZ 77-C-098 to rezone 56 acres south of Dulles Airport Access Road from I-P (Industrial Park) and RE-1 Districts (One Family Residential, 1 acre) to the I-4 District (Formerly I-P District) for 49 acres and the C-8 District (formerly C-DM District) for 7 acres. A Generalized Development Plan (GDP) was submitted but not proffered.

RZ 80-C-028

On February 2, 1981, The Board of Supervisors approved RZ 80-C-028, concurrent with PCA 77-C-098-1 to rezone 140.4 acres from R-1, C-8 and I-4 Districts to the I-4 District (121.5 acres) and C-8 District (18.9 acres). A GDP was proffered with respect to the alignment of Sunrise Valley Drive only.

RZ 2000-HM-044

On June 17, 2002, The Board of Supervisors approved PCA 77-C-098-4 to delete 5.27 acres and PCA 80-C-028-6 to delete 0.74 acres from the respective proffers to permit the area to be rezoned as part of RZ 2000-HM-044 to PDC District (39.30 acres). The 39.3 acre development (Tax Map 16-4 ((1)) 41, 45, 46pt) was approved for 1,072,616 square feet within four office buildings (with the option for two hotels); a retail/office building; and up to 600,000 square feet of multi-family residential uses.

RZ 2003-HM-046

On October 18, 2004, the Board of Supervisors approved RZ 2003-HM-046 to delete 20.94 acres zoned I-4 District (Light Intensity Industrial) from the existing proffers accepted with the approval of RZ 77-C-098 and RZ 80-C-028 and rezone that area to the PDC District (Planned Development Commercial) for a mixed-use development. Proffers and plans can be found in Appendix 4 of this document.

The complete sets of files for all of the previous applications on the subject site are available in the files of the Zoning Evaluation Division (ZED) in the Department of Planning and Zoning (DPZ).

COMPREHENSIVE PLAN PROVISIONS (See Appendix 4)

Plan Area:	III
Planning Sector:	Reston Herndon Suburban Center; Land Unit B, Sub-Unit B-1
Plan Map:	Mixed Use
Plan Text:	

Sub-unit B-1 (North of Sunrise Valley Drive)

The area which is located north of Sunrise Valley Drive is planned for commercial office, hotel or mixed-use development up to .70 FAR. Mixed-use projects should be at least one-third residential in composition. This area along the Dulles Airport Access Road has high visibility and is appropriate for high quality development including corporate headquarters, hotels and office buildings. Mixed-use developments should create a viable, quality living environment with active recreational facilities and other amenities for residents. Residential development should be sited away from the Access Road and towards Sunrise Valley Drive. Support retail and service uses may be appropriate in non-residential or mixed-use development if they are located within office, hotel or residential buildings.

Pedestrian connections throughout the area and to transit facilities should be provided. Clustering of buildings in a transit friendly design is encouraged, whereby development that is built prior to possible rail transit service can be clustered on a portion of the area so as not to preclude additional buildings and intensity in the future if rail service is extended to this area. The overall design should seek to concentrate open space, to the extent possible, into common areas such as urban parks and plazas to provide visual focus and pleasant outdoor spaces for employees.

The development of this sub-unit should incorporate recreational amenities for future employees (and residents if residential development is included) such as jogging paths, exercise stations and volley ball courts that are appropriate to the mix of employees/residents and their needs. The development of this area should incorporate a vehicular circulation system that is appropriate to the type and intensity of the ultimate uses and the pattern of subdivision.

The portion of the sub-unit that is adjacent to the Herndon-Monroe TSA is subject to the *Pedestrian/bicycle access* guidelines in the Suburban Center Areawide Recommendations shown at the beginning of the Suburban Center text.

ANALYSIS

As there are no physical changes proposed with this application, no new CDP/FDP has been filed; a copy of the applicants CDP/FDP has been included at the front of this report for reference.

Proposal

The applicant is proposing to amend two of the approved proffers; 6.d., which deals the timing of the retail occupancy;

“6.d. Non-RUPs for Buildings 6 and 7 shall not be issued unless one or more of Buildings 5, 10 and 11 are under construction. Non-RUPs for Buildings 8 and 9 shall not be issued unless one or more of Buildings 5, 6, 7, 10 and 11 are under construction. For the purposes of this proffer, “under construction” shall be defined as having completed the foundation and the framing for one level.”

and Proffer 13.d., which discusses site amenities.

“13.d. Paved and landscaped courtyards adjacent to Residential Buildings 5, 10 and 11 to include specialty paving, extensive landscaping, tables with chairs, benches, and possible water features shall be provided as generally illustrated on Sheet 10.”

Proffer 6.d. was intended to restrict retail occupancy until residential uses were under construction. Further, this proffer restricted occupancy of the freestanding buildings until the main structures were under construction. Land Unit B of the Comprehensive Plan has always been viewed as a mixed use area, and this proffer was included to insure that the residential portion of the site was constructed. Until recently, Residential Buildings 5, 10 and 11 were under contract to a residential builder. However, the sale did not proceed and residential construction is likely to take place much later than originally anticipated. In the meantime, the retail component has proceeded and leases for retail spaces have been arranged. The Applicant requests deletion of the first sentence of Proffer 6.d. This would allow the grocer and other retailers in Buildings 6 and 7 to occupy and open for business and start to serve the community. The proposed changes to Proffer 6.d. as found Appendix 1 of this report address all of staff's concerns dealing with the construction of residential portion of the site, while allowing the applicant the flexibility to accomplish their goal of occupying some of the retail. The proposed proffer language places a 100,000 sq/ft cap on the amount of non-residential space which may be issued Non-RUPs until Buildings 5, 10 and 11 are under construction. The proffer goes on to state that if one or more of Buildings 5, 10 and 11 are not under construction by October 1, 2007 that the applicant shall make a \$25,000 per month contribution to Fairfax County to be used for affordable housing in the Hunter Mill District. With this

language Staff feels that our concerns about preserving the incentive to construct the desired residential component of the development, while still giving the applicant the ability to honor the non-residential leases that have already been agreed to.

Proffer 13.d. describes the site amenities that are to be provided within the courtyards adjacent to the residential buildings 5, 10 and 11. The only change to this proffer is the addition of language that would allow the applicant to construct a pool in courtyard A as shown on the attached Exhibit A (included in the front of the staff report) in lieu of a full CDPA/FDPA Plan. Staff feels that this additional language improves the courtyard amenity options, and is something that the staff has desired in similar mixed use developments.

Transportation Analysis (See Appendix 6)

There are no transportation issues associated with this request.

Land Use Analysis

There are no Land Use issues associated with this request.

Environmental Analysis

There are no environmental issues associated with this request.

ZONING ORDINANCE PROVISIONS

There are no physical changes to the site; all existing buildings are built in conformance with the CDP/FDP and proffers except as amended with this application.

Waiver/Modification:

No additional waivers or modifications are requested with this application.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proffers contained in Appendix 1.

Staff Recommendations

Staff recommends approval of PCA 2003-HM-046 subject to the execution of proffers consistent with those set forth in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Approved Development Plan and Proffers for RZ 2003-HM-046
5. Transportation Memo
6. Glossary of Terms

PROFFERS

WOODLAND PARK CROSSING RETAIL, L.L.C.

PCA 2003-HM-046

February 13, 2007

Pursuant to Section 15.2-2303(A), Code of Virginia (1950) as amended, Woodland Park Crossing Retail, L.L.C. (hereinafter referred to as the “Applicant”), for itself, its successors and assigns in PCA 2003-HM-046, filed for property identified as Tax Map 16-4 ((23)) C and R (hereinafter referred to as the “Application Property”) reaffirm the existing proffers dated October 18, 2004 accepted pursuant to RZ 2003-HM-046, except as the same are hereby amended and superceded as follows:

6. Retail/Services

- d. Non-RUPs for no more than 100,000 square feet of non- residential space may be issued until one or more of Buildings 5, 10 and 11 are under construction. If one or more of Buildings 5, 10 or 11 is not under construction by October 1, 2007, the Applicant shall make a cash contribution to Fairfax County in the amount of \$25,000 to be used for affordable housing in the Hunter Mill District, and the Applicant shall continue to make payments of \$25,000 on the first of each month until such time as one or more of Buildings 5, 10 and 11 is under construction. For the purposes of this proffer, “under construction” shall be defined as having completed the foundation and the framing of one level.

13. Site Amenities

- d. Paved and landscaped courtyards adjacent to Residential Buildings 5, 10 and 11 to include specialty paving, extensive landscaping, tables with chairs, benches, and a possible water feature or swimming pool shall be provided. Courtyard A shall be provided as generally illustrated on Exhibit A attached to these proffers and Courtyard B shall be provided as generally illustrated on Sheet 10 of the approved CDP/FDP.

[Signatures begin on the next page]

APPLICANT/TITLE OWNER OF TAX MAP
16-4 ((23)) C

WOODLAND PARK CROSSING RETAIL, L.L.C.

by: JBG/Rosenfeld Woodland, L.L.C., its Managing Member

by: JBG/Company Manager, L.L.C., its Managing Member

By: Porter G. Dawson
Its: Managing Member

[SIGNATURES CONTINUED ON NEXT PAGE]

TITLE OWNER OF TAX MAP 16-4 ((23)) R

WOODLAND PARK CROSSING, L.L.C.

by: JBG/Rosenfeld Woodland, L.L.C., its Managing Member

by: JBG/Company Manager, L.L.C., its Managing Member

By: Porter G. Dawson
Its: Managing Member

[SIGNATURES CONTINUED ON NEXT PAGE]

CONTRACT PURCHASER OF TAX MAP 16-4 ((23)) R
WOODLAND PARK APARTMENTS, LLC

By: _____
Its: _____

[SIGNATURES END]