



County of Fairfax, Virginia

June 27, 2007

STAFF REPORT

PCA 88-D-005-6

PROVIDENCE DISTRICT

APPLICANT: West*Group Properties, LLC

ZONING: C-3 and SC

PARCEL(S): 29-2 ((15)) A6, B2;
29-4 ((7)) A5, C1, C2, 1, 1A1, 1A2, 2, 3, 4, 6,
7A1, 7B, 8, 9, 10,11A

ACREAGE: 97.58 acres

PLAN MAP: Office and Private Open Space

PROPOSAL: Amend RZ 88-D-005 to permit the creation of a
new land bay (Land Bay F)

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 88-D-005-6, subject to the execution of proffers consistent with those set forth in Appendix 1 of the Staff Report.

It should be noted that it is not the intent of the 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 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/

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

The subject 97.58 acre site is located to the south of the Dulles Airport Access Road (DAAR) and to the west of Interstate 495 (the Capital Beltway). The land in question is generally located in the southeast, southwest and northwest quadrant of the intersection of Jones Branch Drive and West Branch Drive.

The applicant, West*Group Properties, LLC, seeks approval of a Proffered Condition Amendment (PCA) to create a new land bay (Land Bay F) from the overall 97.58 acre land area which is controlled by the applicant and is governed by the proffers associated with RZ 88-D-005. The subject site, known as Land Bay A, is located within the larger West*Park Office Park. The applicant seeks to take two portions of Land Bay A (Land Bay A-1 and Land Bay A-3 which contain the Stafford and Shenandoah office buildings respectively) and create a new land bay, Land Bay F. No change to the gross floor area assigned to these land bays is proposed and no new construction is proposed under this application. The proposed PCA does not impact the gross floor area (GFA) allocated to Land Bays B, D and E. Furthermore, the uses and other proffered commitments for West*Park will also remain unchanged.

LOCATION AND CHARACTER

West*Park Office Park is 175.94 acres in size, zoned C-3 and comprised of five land bays (Land Bays A through E). Within the Comprehensive Plan, West*Park is designated as Sub-units L-1 and L-3 of the Tysons Corner Urban Center. The site is improved with high-density office, institutional, governmental, and cultural uses.

The entire West*Park Office Park is not included in this application. Instead, the applicant has only brought in the 97.58 acres, which comprises Land Bay A of West*Park. This land bay is bounded by Jones Branch Drive to the north and east. Land Bay A is also located on either side of Westbranch Drive between Jones Branch Drive and Westpark Drive. Finally, it is also located in the southeast and southwest quadrant of the intersection of Westbranch and Westpark Drives. Land Bay A is developed with existing office buildings and associated parking (both garage and surface). Some of the proposed sites within Land Bay A have been approved for certain buildings, which have not yet been built.

Surrounding uses along the boundary of the West*Park Office Park include the following:

| Direction | Use | Zoning | Plan |
|-----------|---|---------------------|---|
| North | Dulles Airport Access Road (DAAR); Single family detached dwellings (McLean Hamlet) | ROW; R-2 | Right-of-way; Residential, 2-3 du/ac |
| South | Retail (Galleria) & Office; Multifamily Residential (Avalon) | PDC; PDH-30 | Mixed Use |
| East | Interstate 495 (Capital Beltway); Office & Hotel (McLean Hilton) | ROW; C-4; C-7 | Right-of-way; Office |
| West | Multifamily residential (The Lincoln & the Rotunda) | R-30 | Residential, 20+ du/ac |

BACKGROUND (see Appendix 2)

On October 15, 1990, the Board of Supervisors (BOS) approved RZ 88-D-005 to rezone 193.54 acres of land from the I-3 and I-4 Districts to the C-3 District. The approval permitted a floor area ratio (FAR) of 0.54 on the property, or a total of 4,691,753 square feet (SF) of gross floor area (GFA). This property is known as West*Park and is comprised of Sub-units L-1 and L-3 of the Tysons Corner Urban Center in the Comprehensive Plan.

On October 31, 1994, the BOS approved Proffered Condition Amendment PCA 88-D-005 to divide the overall 193.54 acres contained within the West*Park site into five (5) Land Bays (A through E); to establish the C-3 Zoning District regulations for yard requirements; to amend the proffers to allow construction of Pond C in accordance with the Chesapeake Bay Preservation Ordinance; to establish a 90 foot height limitation and a 75 foot height limitation for those buildings along the Dulles Access Airport Road (DAAR) unless increased by special exception; and to redesignate certain Environmental Quality Corridor (EQC) lands as private open space in accordance with the Comprehensive Plan.

On September 18, 1995, the BOS approved PCA 88-D-005-02 to increase the overall allowable FAR within West*Park from 0.54 FAR (4,691,753 SF of GFA) to a maximum of 0.599 FAR (5,200,000 SF of GFA).

On March 22, 1999, the BOS approved PCA 88-D-005-03 to increase the proffered intensity at West*Park from 0.599 FAR (5,200,000 SF of GFA) to 0.6096 FAR (5,297,325 SF of GFA). PCA 88-D-005-3 also amended the Transportation Demand Management (TDM) proffer to provide both a private and a public TDM program. The private program was to be run by the applicant and it included the current members of the TYTRAN program. The County would

continue to run the public program for those companies within Tysons which employ more than 100 people and which did not participate in TYTRAN.

On July 26, 1999, the BOS approved PCA 88-D-005-04 to create a new land bay (Land Bay A-6) and to change the boundaries and site area of Land Bays A-1 and D-2. As a result of these changes to the site area, the floor area ratios (FAR) for Land Bay A and Land Bay D were altered slightly. Land Bay A decreased from 0.48 FAR to 0.47 FAR and Land Bay D increased from 0.69 FAR to 0.73 FAR. However, the overall FAR for West*Park remained unchanged at 0.6096 FAR. In addition, the overall land area, uses, and other proffered commitments for West*Park remained unchanged.

On January 6, 2003, the BOS approved PCA 88-D-005-5 (in conjunction with RZ 2002-PR-016) in order to delete Land Bay A-6 from the proffers and to incorporate Land Bay C into the remainder of Land Bay A. As a result of this application, the overall land area for West*Park decreased from 189.49 acres to 175.94 acres and the overall development potential was reduced from 0.6096 to 0.5812 FAR.

Copies of the previously approved proffers (including PCA 88-D-005-2, PCA 88-D-005-3 and PCA 88-D-005-4) are attached as exhibits to the draft proffers for PCA 88-D-005-5, which is contained in Appendix 2.

COMPREHENSIVE PLAN PROVISIONS

| | |
|-------------------------|--|
| Plan Area: | McLean Planning District, Area II |
| Planning Sector: | Tysons Corner Urban Center Land Unit L, Sub-Units L-1 and L-3 |
| Plan Map: | Office and Private Open Space |
| Plan Text: | |

Beginning on page 118 of 148 in the Area II text, the Tysons Corner Urban Center, LAND UNIT RECOMMENDATIONS, Land Units L-1 and L-3, the 2007 Comprehensive Plan (as amended through January 27, 2003) states:

SUB-UNIT L-1

Sub-unit L-1 is planned for office use with support retail and service uses up to an average .55 FAR for Sub-units L-1 and L-3 combined. The combined sub-units should not exceed a maximum of 4,700,000 square feet of non-residential gross floor area. New development and/or redevelopment should integrate the parcels of the sub-unit through pedestrian linkages and urban design amenities.

SUB-UNIT L-3

Sub-unit L-3 is planned for office use with support retail and service uses up to an average .55 FAR for Sub-units L-1 and L-3 combined. The combined sub-units should not exceed a maximum of 4,700,000 square feet of non-residential gross floor area. New development and/or redevelopment should integrate with surrounding areas through pedestrian linkages and urban design amenities.

ANALYSIS**Generalized Development Plan (GDP) (Copy at front of staff report)**

Title of GDP: Generalized Development Plan for the Properties of West*Group Properties LLC, West*Park Portfolio LLC, West*Stone LLC, TIAA Stafford-Harrison LLC, TIAA Shenandoah LLC

Prepared By: Huntley, Nyce and Associates, Ltd.

Original and Revision Dates: September 5, 1990, as revised through May 9, 2007

A reduction of the applicant's GDP is attached to the front of this report. It should be noted that the only changes to the GDP are the creation of Land Bay F from portions of Land Bay A-1 and Land Bay A-3.

Consistent with previous applications for West*Park, only certain elements of the GDP are proffered, not the entire plan. Specific elements of the GDP which were previously proffered and will remain proffered include: (1) the overall maximum intensity for West*Park and the maximum intensity for each of the five land bays; (2) building heights; (3) setbacks; (4) landscaping; (5) transitional screening and barriers; (6) sidewalks and trails; (7) stormwater management and best management practices; (8) conservation/storm drain easements; (9) conceptual limits of clearing and grading; and, (10) private open space. It should be noted that the building size, location and footprints depicted on Sheets 2, 3, and 4 of the GDP are not proffered. However, the current proffers do require the applicant to return all site plans to the Planning Commission for review for conformance with the proffers.

The GDP contains six (6) sheets. Sheet 1 is the cover sheet. It depicts the location of Land Bays A-1, A-2, A-3, A-4, and A-5 and the proposed Land Bay F. Land Bay F is not contiguous. One portion of Land Bay F (approximately five acres in size) would be located in the southwest corner of the intersection of Jones Branch and Westbranch Drives. The second portion of Land Bay F (approximately 5.86 acres) would be located in the northwest quadrant of the intersection of Jones Branch and Westpark Drives. No other land bays are included in this application.

Sheets 2, 3, and 4 show the locations of the existing and proposed buildings within Land Bay A. Consistent with the previous approvals, the GDP submitted with PCA 88-D-005-6 is not proffered as to the size, location or footprint of these proposed buildings. Land Bays A and F will remain zoned C-3 and the locations of the existing and proposed building within these land bays have not been changed from that shown on previous GDPs.

Sheet 5 provides the notes and site/building data tabulations for the constructed buildings, and the floor area ratio computation tabulations. It also includes a detail of the Rappahannock Building, depicting its conformance with the Tysons Corner Non-Core Design Guidelines. The proposed creation of Land Bay F does not impact the overall land area for the West*Park development (which will remain 175.94 acres) nor does it affect the overall intensity of West*Park (which will remain 0.58 FAR). The land area for Land Bay A will be reduced by 10.865 acres (from 108.2556 acres to 97.3096 acres), reflecting the creation of Land Bay F. Likewise, the gross floor area (GFA) allocated to Land Bay A will be reduced by 327,813 SF (from 1,900,674 SF to 1,572,861 SF) to reflect the creation of Land Bay F. Once Land Bay F is created, the overall FAR for Land Bay A will be 0.37 FAR and the overall FAR for Land Bay F will be 0.69. The proposed PCA does not impact the gross floor area (GFA) allocated to Land Bays B, D and E.

Sheet 6 provides a typical landscape layout for West*Park.

Land Use Analysis

The proposed creation of a new land bay within West*Park does not raise any land use issues. All previous land use issues associated with the original rezoning for West*Park and subsequent PCAs are addressed by the executed proffers, dated July 18, 2002 (PCA 88-D-005-5). The proposed PCA raises no significant land use issues and carries forward all commitments.

Transportation Analysis

All previous transportation issues associated with the original rezoning for West*Park and subsequent PCAs are addressed by the executed proffers, dated July 18, 2002 (PCA 88-D-005-5). The proposed PCA raises no significant transportation issues and carries forward all commitments.

Environmental Analysis

All previous environmental issues associated with the original rezoning and subsequent PCAs were addressed by the executed proffers, dated July 18, 2002 (PCA 88-D-005-5). The proposed PCA raises no significant environmental issues.

ZONING ORDINANCE PROVISIONS

As noted earlier in this report, no new construction is sought with this application and the proposed application continues to meet the provisions of the C-3 District.

In conjunction with the approval of the original rezoning (RZ 88-D-005), the Board of Supervisors approved a waiver of the 75-foot setback from the DAAR pursuant to Sect. 2-414 of the Zoning Ordinance. Under subsequent PCAs, the applicant requested and was granted reaffirmations of this waiver, which continue to remain in effect.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in conformance with the Comprehensive Plan with the implementation of the proffers contained in Appendix 1 of the staff report.

Staff Recommendations

Staff recommends approval of PCA 88-D-005-6, subject to the execution of proffers consistent with those set forth in Appendix 1 of the Staff 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 recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Draft proffers for PCA 88-D-005-6
2. Previously-approved proffers for PCA 88-D-005-5 (PCA 88-D-005-4, PCA 88-D-005-3 and PCA 88-D-005-2 are attached as exhibits)
3. Affidavit
4. Statement of Justification
5. Glossary of Terms

WEST*GROUP PROPERTIES LLC
PCA 88-D-005-6
May 30, 2007

Pursuant to 15.2-2303A of the *Code of Virginia* 1950 as amended and Section 18-203 of the Zoning Ordinance of the County of Fairfax (1978 as amended) (“ZO”), subject to the board of Supervisors’ approval of the requested Proffered Condition Amendment (“PCA”), the applicant, WEST*GROUP PROPERTIES LLC, its successors and assigns, reaffirm Proffers dated August 23, 1995, a copy of which is attached as Exhibit A, which shall remain in full force and effect except as amended by Proffers dated February 26, 1999 (attached as Exhibit B) and Proffers dated June 21, 1999 (attached as Exhibit C) and Proffers dated July 18, 2002 (attached as Exhibit D).

WEST*GROUP PROPERTIES LLC

G. T. Halpin, President