



APPLICATION ACCEPTED: March 27, 2007
PLANNING COMMISSION: July 12, 2007

County of Fairfax, Virginia

July 3, 2007

STAFF REPORT

APPLICATION FDPA 80-P-073-03-05

PROVIDENCE DISTRICT

APPLICANT: 2900 Fairview Park Drive, LLC

ZONING: PDC, HC

PARCEL(S): 49-4 ((1)) 73A

ACREAGE: 24.94 acres

PROPOSED FAR: 0.35

OPEN SPACE: 50%

PLAN MAP: Office

PROPOSAL: To amend the previously approved Final Development Plan approved for mixed use to reduce the number of parking garages from two to one; retain two office buildings and maintain the previously approved gross floor area of 380,000 sf; and to revise the site layout.

STAFF RECOMMENDATIONS:

Staff recommends approval of FDPA 80-P-073-03-05, subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of the staff to recommend that the Planning Commission, 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.

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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.

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 Planning Commission.

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 or TTY 711 (Virginia Relay Center).



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

Applicant: 2900 Fairview Park Drive, LLC

Location: 2900 Fairview Park Drive

Proposal: To amend the previously approved Final Development Plan approved for mixed use to reduce the number of parking garages from two to one; retain two office buildings and maintain the previously approved gross floor area of 380,000 sf; and to revise the site layout.

Waivers & Modifications: No waiver or modifications have been requested with this application.

LOCATION AND CHARACTER

Site Description: The application property (24.94 acre site) is located at 2900 Fairview Park Drive between Lee Highway to the north and Arlington Boulevard to the south. The site currently contains a stormwater management pond on the eastern portion of the site, and VEPCO and Fairfax County Water Authority easements on the western side of the site.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Vacant	R-3	Public Parks
South	Vacant	PDC	Office
East	Single Family Attached residential	PDC	Residential, 8-12 du/ac; Public Parks
West	Capital Beltway (I-495)	-----	-----

BACKGROUND

The application property is part of Fairview Park, a 155.2 acre mixed use development. The following background pertains to the application property only.

- On May 19, 1981, the Board of Supervisors approved RZ 80-P-073 rezoning the property from the R-3 and R-4 Districts to the PDC District. The Board of Supervisors requested that Final Development Plans come back for review by both the Planning Commission and the Board of Supervisors.
- On June 28, 1982, the Board of Supervisors approved FDP 80-P-073-01 permitting the development of one office building along the south side of the lakefront and along the eastern side of the proposed spine road.
- On July 30, 1984, the Board of Supervisors approved FDP 80-P-073-3 permitting the development of 380,000 sq/ft located in two office buildings which were served by structured parking. Copies of the approved FDP and development conditions are included in Appendix 4.
- On March 7, 1990, the Planning Commission approved FDPA 80-P-073-03-02, the currently approved FDPA, which permitted a reduction in the required parking base on an amendment to the Zoning Ordinance adopted in 1988 which reduced the off-street parking requirements for office buildings with more than 50,000 square feet of gross floor area. The approved amendment also clarified the principal and secondary uses permitted within the office park.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area I
Planning Sector: Merrifield Suburban Center, Sub-Unit I-1.
Plan Map: Office, Public Parks
Plan Text:

Sub-Unit I-1:

“Sub Unit I1, which is bounded by Fairview Lake on the east and I-495 on the west, is planned for office use and retail uses. The office component is limited to 1.7 million square feet. The retail and accessory uses are limited to 50,000 square feet. Any modification, expansion, and/or reuse of the existing buildings should be consistent with guidelines for Existing Uses and Buildings under the Area-Wide Land Use section and any new construction should address the following guidance.

- The retail and accessory uses, such as day care, restaurant, and service

uses, may be integrated within the office buildings, or a portion of the retail and accessory uses could be developed as a small retail center. The retail center should be located adjacent to the western side of Fairview Lake between the lake and Fairview Park Drive and should have a minimum of 25,000 square feet. If a retail center is developed, institutional uses are encouraged to be located in this center. Drive-through uses that are low traffic generators, such as financial institutions and drug stores, may be considered provided that the drive-through facility is integrated within a multi-tenant building and is designed in a manner that does not impact pedestrian access. Other drive-through uses are inappropriate.

- If institutional/governmental uses are incorporated into the development, additional intensity may be appropriate if the institutional/governmental use generates no more peak-hour traffic than the planned office development and if development is consistent with the Area-Wide guidance.
- Office buildings should provide structured parking in order to preserve the maximum amount of undisturbed open space. Any surface parking should be buffered through berms and/or landscaping.
- A trail circulation system should be constructed through the office park.

Height Limit: The area immediately adjacent to I2 is part of the Holmes Run Environmental Quality Corridor and Fairview Lake, which should remain as permanent private open space. For the area immediately to the west of the permanent open space, heights should be no more than 7 to 8 stories or 130 feet. In the remainder of the sub-unit, the maximum building height is 15 stories or approximately 180 feet, with tallest buildings oriented to Route 50 and I-495. The height concept for this area is to have height decrease toward the northern and eastern edges of the sub-unit.

If a retail center is located adjacent to the west side of Fairview Lake, office buildings located in the southwestern portion of this sub-unit, between I-495, Fairview Park Drive and Route 50, may be considered for a height increase of up to 18 stories or approximately 230 feet provided that the parking is an integral part of the office development and additional open space above the current approved development plan is provided..."

ANALYSIS

Final Development Plan Amendment (Copy at front of staff report)

Title of FDPA:	Fairview Park
Prepared By:	Urban, Ltd.
Original and Revision Dates:	March 5, 2007, and revised June 15, 2007

Plat Description

The FDPA consists of 19 sheets.

Sheet 1 is the cover sheet with general notes, vicinity map, sheet index, and tabulations for site area, parking, and loading.

Sheet 2 shows the existing conditions and soils map

Sheet 3 depicts the proposed overall site layout, and the angle of bulk plane details.

Sheets 4-5 show the layout of the site that contains two office buildings with a shared, above-grade parking structure between them. Surface parking is located along the western property boundary adjacent to I-495. The site has two access points off of Fairview Park Drive. A stormwater management pond is located in the northeast corner of the site.

Sheet 6 shows the proposed additional low impact development measures, and a summary of the expected reductions from the measures. There is a note on this sheet in the northwest portion of the site that expresses the applicant's interest in seeking additional environmental improvements with a separate approval. This would be done in order to seek LEED Certification for the northern office building.

Sheets 7-8 shows the landscape plan

Sheet 9 contains the existing vegetation map, vegetation cover types table and condition descriptions.

Sheet 10 shows the previously approved FDP for this portion of the site as well as the other FDPAs that have been approved for the surrounding area. The plan previously approved for this portion of the site contained two office buildings and two parking decks. The approved GFA for the site is 380,000 sq/ft.

Sheet 11 shows the two proposed lakes that have been completed on the site

Sheets 12-13 show the computations for condensed drainage analysis, flood routing summary, seeding data, stormwater management and BMP practices narrative, outfall narrative, and the hydrologic computations.

Sheets 14-16 contain the grading plans for the proposed lake that was approved with the original FDP, and have since been built.

Sheet 17 contains the elevations for the building to be located at 2900 Fairview Park Drive

Sheet 18 contains the elevations for the building to be located at 2920 Fairview Park Drive

Sheet 19 contains the sections for the buildings to be located at 2900 and 2920 Fairview Park Drive

The proposed FDPA depicts two office buildings with a total GFA of 380,000 sq/ft. The first office building is located approximately 125 feet from the southern property boundary at the 2920 Fairview Park Drive address; this building is ten stories (165 feet max.) tall with a gross floor area (GFA) of 252,000 sq/ft. This building replaces the previously approved 205,000 sq/ft office building which was located in approximately the same place on site. The first of two entrances into the site off of Fairview Park Drive is located adjacent to the southeast corner of this building. This entrance feeds both the surface parking lot that runs along the majority of the western property boundary, and the only parking structure on the site which is located just to the north of the ten story office building. (The previously approved plan calls for two parking structures on the site.) The parking deck is proposed to be five stories (55 feet max.) tall. This parking structure serves both the ten story office building, and the second three story office building located to the north of the parking structure. The second entrance off of Fairview Park Drive is located between the northern end of the parking structure and southern end of the three story office building and serves both the parking structure and western surface lot. The proposed three story (50 foot max.) tall office building is proposing to have a GFA of 128,000 sq/ft, and is seeking LEED certification. The combined GFA of the two office buildings is the same as the previously approved plan (380,000 sq/ft); the FDPA would redistribute the GFA on the site to create a more functional and visual pleasing design. Located between the three story office building and the western surface parking lot is a proposed $\pm 7,000$ sq/ft rain garden. Located along the northeastern property line is a stormwater management and Best Management Practices (BMP) pond that will detain the stormwater from the site. From the northern end of the three story office building's loading area to the northern property boundary, the site is to remain in its current forested condition. There is also a thirty foot wide Fairfax County Water Authority easement and a two hundred foot wide VEPCO easement located along the western boundary of the site

Transportation Analysis (Appendix 5)

Issue: I-495 HOT Lanes

VDOT Staff has concerns that additional right-of-way along I-495 frontage may be necessary to accommodate HOT Lanes.

Resolution: The applicant has agreed to review this request, but at this time has not agreed to dedicate additional right-of-way. If right-of-way is determined to be needed, the applicant has agreed to work with VDOT to find a solution that will minimally impact the site.

Fairfax Water Analysis (Appendix 7)**Issue:** Easement adjustment for I-495 HOT Lanes

The applicant may need to adjust the existing thirty foot wide Fairfax Water easement to adjust this easement to allow the relocation of the existing 42" transmission main into the proposed I-495 HOT Lane Plans.

Resolution: The applicant has agreed to work with the Fairfax Water to adjust the existing easement once a determination has been made as to the amount of adjustment that is needed. A development condition has been added that would require the adjustment of the easement once final HOT Lane plans have been approved by VDOT.

Environmental Analysis (Appendix 6)**Issue:** Stormwater Management/ Best Management Practices (SWM/BMP)

The 24.94 acre subject property is located within the northwestern portion of the Cameron Run watershed as well as within the County's Chesapeake Bay watershed. Holmes Run traverses the subject property in a north/south direction. This application proposes to amend the site layout which was approved prior to the adoption of the County's Chesapeake Bay Preservation Ordinance. As part of that prior approved plan, the stream system was impounded to create a series of lakes which serve as the stormwater management facility for both the existing development in Fairview Park as well as the proposed development represented in this final development plan amendment. The stormwater narrative indicates that the pond/lake system is designed to accommodate water quality and quantity control requirements for the entire development.

Holmes Run is designated as a Resource Protection Area (RPA), and much of the prior development was proposed in areas which are now RPA. However, because the development plan was proposed prior to the adoption of the County's Chesapeake Bay Preservation Ordinance, the applicant has requested that this plan qualify as an approved/pending plan of development which would allow development in the RPA as long as no additional amount of new impervious surface or land disturbance is proposed in the RPA. Note 33 on the development plan states that the current proposal represents approximately 106,300 square feet of impervious surface in the RPA, which is 110 square feet less than the prior approved plan. Status as a pending plan of development is subject to the review and approval of the DPWES.

Resolution: DPWES has reviewed the new site layout, and has determined that the new layout does not cause any further disturbance in the RPA than the previously approved. They have also confirmed that the amount of impervious surface has been slightly reduced. The applicant is also proposing to construct a

rain garden onsite that will further improve water quality. The applicant has reserved the right to pursue further environmental improvements on the site. Final plan approval is still subject to the review and approval of DPWES.

Issue: Trails

The Countywide Trails Plan Map depicts a stream valley trail and a major paved trail through the Holmes Run Stream valley which traverses the subject property in a north/south direction.

Resolution: The applicant has provided a trail connection from the townhouse development to the northeast into the site. This trail continues as a loop trail around the northern office building. This trail also goes along the stormwater pond. Since no trails have been constructed with developments to the north of the site the applicant has not proposed any trails further north than what is shown on the FDPA. Staff feels that the proposed trails on the site are sufficient to meet the intent of the trails plan.

Land Use Analysis (Appendix 6)

No Land Use issues were identified with this application.

ZONING ORDINANCE PROVISIONS

Bulk Standards PDC (C-3 Conventional)		
Standard	Required	Proposed FDPA Area
Lot Size	20,000 sq/ft min.	24.94 acres
Lot Width	100 feet	750 feet
Max. Building Height	90 feet	165' feet
Front Yard	25° ABP, 25 feet (35 feet)	110 feet
Side Yard	N/A	125 feet
Rear Yard	20° ABP, 25 feet (25 feet)	237 feet
FAR	1.00	0.35
Parking Spaces	1144 Spaces	1273 Spaces

Other Zoning Ordinance Requirements:Article 6

Fairview Park is currently zoned Planned Development Commercial (PDC). The applicant wishes to amend the approved FDP to reduce the number of parking garages from two to one; retain two office buildings and reallocate the previously approved gross floor area of 380,000 sf; and to revise the site layout under the existing zoning. Article 6 of the Zoning Ordinance sets forth the requirements regarding the principle and secondary uses permitted, use limitations, lot size requirements, bulk regulations and open space requirements. The district regulations are designed to ensure high quality standards in the layout, design and construction of commercial developments and to implement the stated purpose and intent of the Ordinance. Staff believes that these provisions are satisfied.

Article 16, Sects. 16-101 and 16-102, General Standards and Design Standards (Appendix 11)

The General Standards for planned developments as set forth in Sect. 16-101 were satisfied with the original rezoning of the site to the PDC District; approval of this FDPA request would not affect staff's original evaluation of these standards. The FDPA has pulled the northern office building slightly further away from the neighboring townhouses (which are located to the northeast). The proposed office building will relate to the townhouses better due to a reduction in height from eight stories to three stories. This building is also proposed to be LEED Certified. From the three story office building, the building heights gradually step up (to the five story parking deck in the center of the site, to the ten story office building on the southern portion of the site). The applicant has indicated that the exterior design, materials and colors used in the construction of the two office buildings and parking deck will be similar, to make the site more uniform in appearance. The landscaping has also been increased throughout the site with additional emphasis on the LEED certified office building on the northern portion of the site. This landscaping on the northern office building will also be used to further screen the building from the neighboring townhouses.

The Design Standards for planned developments set forth in Sect. 16-102 were satisfied with the original rezoning of the site to the PDC District. Since this FDPA changes the physical layout of the previously approved plan these standards need to be reviewed again.

1. Standard one states that in order to complement development on adjacent properties, at all peripheral boundaries of the planned development district the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. This development meets all of the requirements for a

conventional C-3 district concerning bulk regulations and setbacks. The height of the proposed ten story office building does exceed that permitted in a conventional C-3 District, but since this building is furthest away from the neighboring residential units this is not viewed as incompatible with the development. Also, this is an improvement over the previous plan that had an eight story building placed just across the lake from the residential units. Therefore, Staff feels that this standard has been satisfied.

2. Standard two states that other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments. The open space requirement of 15% has been greatly exceeded by the applicant since they are providing 50% open space on the site. All parking and loading meet Ordinance requirements, and signage will be provided in accordance with Article 12. Therefore, Staff feels that this standard has been satisfied.
3. Standard three states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities. The proposed amendments are internal to the site, and all the access points into the site have remained in the same from the previously approved plan. The applicant has provided a connection to the trail that exists at the southern boundary of the townhouse development to the north. The applicant is also proposing a walking trail around the three story office building with a portion of the trail being located adjacent to the lake and tree save areas on the site. Therefore, Staff feels that this standard has been satisfied.

Overlay District Requirements

Highway Control Overlay District (HC) (Sect. 7-808)

The Highway Control Overlay District requires that the development protect and promote the health, safety and general welfare of the public by the prevention or reduction of traffic congestion and/or danger in the public and private streets; to achieve this, a limitation is placed on certain automobile oriented, fast service, or quick turn-over uses. Since there are no automobile oriented uses being proposed with this application the overlay requirements are not applicable.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

It is staff's judgment that the request for approval of the Final Development Plan Amendment to reduce the number of parking garages from two to one; retain two office buildings and reallocate the previously approved gross floor area of 380,000 sf; and to revise the site layout is in harmony with the Comprehensive Plan in conformance with all applicable Zoning Ordinance provisions with the adoption of the proposed development conditions.

Recommendation

Staff recommends approval of FDPA 80-P-073-03-05 subject to the Proposed Development Conditions in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Planning Commission, 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 Planning Commission.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Approved FDPA 80-P-073-03-02, Plan and development conditions
5. Transportation Analysis
6. Environmental/Land Use Memo
7. Fairfax County Water Authority Analysis
8. Applicable Zoning Ordinance Provisions Checklist
9. Glossary

PROPOSED DEVELOPMENT CONDITIONS

FDPA 80-P-073-03-05

July 3, 2007

If it is the intent of the Planning Commission to approve FDPA 80-P-073-03-05, which is located at 2900 Fairview Park Drive and 2920 Fairview Park Drive, in the southeast quadrant of the intersection of Lee Highway and Interstate 495, on the western side of Fairview Park Drive (49-4 ((1)) 73A (the "Property")), the staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions; these conditions supersede all previous conditions for the subject Property only.

1. Development of the Property shall be in substantial conformance with the Final Development Plan Amendment entitled "Fairview Park" prepared by Urban, Ltd. consisting of nineteen sheets, dated March 5, 2007, as revised through June 15, 2007.
2. The proposed landscaping within the FDPA area shall be provided in substantial conformance with the landscape concept plan, as shown on Sheets 7-8 of the FDPA, as to the location, quantity and quality of plantings. Final plant selection, including trees and shrubs, shall be made at the time of final site plan and may include plants other than those shown on the FDPA, subject to approval by Urban Forest Management.
3. The existing FCWA Easement shall be avoided to facilitate the relocation of the 42" transmission main to accommodate the Capital Beltway HOT Lane project. Following the approval of the final Capital Beltway HOT Lane plans by VDOT, the existing FCWA Easement shall be amended to reflect any changes needed to implement the approved plans to the satisfaction of the FCWA.
4. All proposed site lighting shall be in accordance with Part 9 of Article 14. The combined height of the light standard and fixtures measured from grade to the top of the fixture, shall not exceed a maximum of twelve (12) feet.
5. Parking lot landscaping shall be provided in accordance with Article 13 of the Zoning Ordinance.
6. As part of the plan, the applicant shall submit a tree preservation plan for the review and approval of UFM which has been prepared by a certified arborist. The tree preservation plan shall consist of a tree survey which includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches or greater in diameter within the area which is 20 feet outside of the proposed limits of clearing and grading. The condition analysis shall be prepared using methods outlined in the latest edition of The Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be provided and implemented. Activities may include, but are not limited to, crown pruning, root pruning, mulching, and fertilization.

All trees shown to be preserved on the tree preservation plan shall be protected during demolition, clearing, grading, and construction by a temporary tree protection fence consisting of four foot high 14-gauge welded wire attached to 6 foot steel posts, driven 18 inches into the ground and placed no further than 10 feet apart. Tree protection fencing, consistent with that previously described, shall be erected at the limits of clearing and grading, as shown on the Phase I and II erosion and sediment control sheets in all areas.

The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any clearing and grading activities on the site, including the demolition of any existing structures. The installation of tree protection fence shall be performed under supervision of a certified arborist. Prior to the commencement of any clearing, grading, or demolition activities, the project's certified arborist shall verify in writing that the tree protection fence has been properly installed.

7. The limits of clearing and grading shall be strictly adhered to and shall disturb no more land than shown on the FDPA Plan. Prior to any land disturbing activity, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements shall be submitted to DPWES, including UFM, for review and approval. The extent of clearing and grading of construction shall be the minimum amount feasible as determined by DPWES. Prior to any land disturbing activities for construction, a pre-construction conference shall be held on-site between DPWES, including UFM, and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, tree protection measures, and the erosion and sedimentation control plan to be implemented during construction. In no event shall any area on the site be left denuded for a period longer than 14 days except for that portion of the site in which work will be continuous beyond 14 days.
8. Stormwater Management (SWM)/Best Management Practices (BMP) shall be provided as depicted on the FDPA, as determined by DPWES.
9. Signage shall be provided in accordance with the provisions of Article 12 of the Zoning Ordinance. Any illumination of the sign shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.
10. Trees shall be retained or a landscaped earthen berm shall be provided to screen the parking garage.*
11. No heavy construction vehicles shall access through adjacent, neighboring, and nearby residential subdivisions when coming or departing from the application Property.*
12. The County Archaeologist shall be notified by the applicant a minimum of ten (10) days prior to any grading or disturbance of the site. The applicant shall permit the County Archaeologist to recover any artifacts that are exposed during construction, with the understanding that this action will not interfere with or delay construction. The applicant reserves the right to retain any artifacts for exhibit in one of its office buildings.*

The above proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.